

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, OCTOBER 2, 2007 6:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Larry Smith, Amelia Linder, Michael Criss, Anna Almeida, Jennie Sherry-Linder, Teresa Smith, Paul Brawley, Chief Harrell, John Hixon, Monique Mack, Judy Carter, Janet Claggett, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

The Invocation was given by the Honorable Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

PRESENTATIONS

Ombudsman's Office—Customer Service Week – Ms. Judy Carter presented a resolution to Ms. Hutchinson on behalf of Council.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: September 18, 2007 – Mr. Malinowski stated that on page 6 of the minutes under Amendment to Mass Transit Fee Ordinance he felt the last line should not read ...continue the County's obligations through June 30, 2009.

Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the minutes as corrected. The vote in favor was unanimous.

Zoning Public Hearing: September 25, 2007 – Mr. Montgomery moved, seconded by Ms. Scott, to reconsider and defer Council's action on Case 07-50MA.

<u>In Favor</u>	<u>Oppose</u>
Livingston	Pearce
Dickerson	Malinowski
Smith	Jackson
Scott	Jeter
Montgomery	Hutchinson
	McEachern

The vote for reconsideration failed.

Mr. Malinowski stated that on Case 07-50MA, the 5th paragraph should state: Mr. Malinowski moved, seconded by Mr. Jackson.

Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith stated that the following items needed to be added under the Report of the County Attorney for Executive Session: Splash, Inc. vs. Richland County.

Mr. Livingston moved, seconded by Mr. Pearce, to approve the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Northeast Sanitary Landfill vs. Richland County**
- b. **HBA vs. Richland County**
- c. **Splash, Inc. vs. Richland County**
- d. **Employee Grievances—2**
- e. **Riverside Contract**
- f. **TIF Update**

REPORT OF THE COUNTY ADMINISTRATOR

Rick Luber, Midlands Authority for Conventions, Sports and Tourism – Mr. Pope introduced Mr. Rick Luber, President & CEO of Authority for Conventions, Sports and Tourism to Council.

Farmers' Market Update – Mr. Pope reminded Council about the committee meeting being held October 3rd at 2:00 p.m. in the Administrator's Conference Room.

Recognize IT for Digital Excellence Award – Mr. Pope stated that this was the 2nd year that Richland County had won 1st place for excellence with the IT Department. Ms. Janet Claggett presented the Digital Excellence Award to Mr. McEachern.

Selection of Consultant for Sewer Study – Mr. Pope stated that the procurement process advocates a certain distance requirement for potential vendors that do work for the County. Therefore, he requested a waiver to the rules to allow an outside consulting firm to perform the sewer assessment.

Prescription Cards – Mr. Pope stated that to date the card has been used on 10,000 prescriptions by 3,000 citizens with a savings of nearly \$90,000. The price with the card has been lower than the retail price approximately 84% of the time. The drug card is the second largest program in the State based on an average number of monthly users.

Employee Grievance—2 – Mr. Montgomery moved, seconded by Ms. Dickerson, to uphold the Administrator's recommendations. The vote in favor was unanimous.

Ms. Smith moved, seconded by Ms. Scott, to move Executive Session to after Citizens Input. The vote in favor was unanimous.

REPORT OF THE CLERK OF COUNCIL

Richland Memorial Board of Trustees Meeting – Ms. Finch stated that Bebe Adams contacted her regarding the date and time for the Annual Board of Trustees meeting. Ms. Adams has forwarded a few dates that work for Mr. Beaman.

Local Housing Trust Funds – Ms. Finch stated that she had received an e-mail from Ms. Sherry Wright-Moore informing Council that Ms. Tammy Hough will be available to meet and discuss local housing trust funds on October 23rd from 2:00-4:00 p.m. in the 4th floor conference room. Invitations are being prepared to be sent to the municipalities and Lexington County.

Midlands Technical Oyster Roast – Ms. Finch stated that the previously scheduled oyster roast has been postponed due to a community event being held on the same evening.

SCANA Oyster Roast – Ms. Finch stated that SCANA will be holding an oyster roast saluting elected officials on October 17th at Pine Island from 6:30-9:30 p.m.

Richland County Coalition – Ms. Finch stated that she would need clarification on this matter from those that signed up to attend.

National Guard Tour – Ms. Finch reminded Council that the tour will be October 18th. The buses will depart at 10:00 a.m. and return at approximately 3:30 p.m.

D&S Work Session on Moratorium on New Subdivisions with 50 or more lots – Ms. Finch stated a work session needs to be scheduled on the moratorium on new subdivisions.

REPORT OF THE CHAIRMAN

Mr. McEachern introduced Bishop Daniels, who then spoke regarding a request for Richland County to become a Sister County with Grand Bassa, Liberia.

PUBLIC HEARING ITEMS

FY 2007-2008 Millage Ordinance – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the following consent items:

- **An Ordinance to remove the two (2) consecutive term limit requirement for regional boards, commissions, and committees when other jurisdictions have no term limits [Third Reading]**
- **07-41MA, Johnathan Holley, Eternal Garden, RU to GC (13.29 Acres), Cemetery, 19100-04-37(p), Behind 8132 Garners Ferry Road [Second Reading]**
- **07-42MA, Red Gate Farms II, RU to PDD (71.41 Acres), Commercial/Residential, 12700-01-21 & 15100-01-04(p), Syrup Mill Road & Blythewood Road [Second Reading]**
- **07-46MA, Billy Stanick, RU to GC (2.84 Acres), Warehouse for Existing Business, 01511-01-02 & 09, 2150 Dutch Fork Road [Second Reading]**

- **07-51MA, Hurricane Construction, RU to RS-MD (8.34 Acres), Single Family Residential, 05200-03-18 & 05200-03-60, Hollingshed Road [Second Reading]**
- **Proclamation to designate October as Community Planning Month in Richland County**
- **Revision of Area Master Plan Boundaries for Candlewood, Crane Creek & Trenholm Acres**
- **Request to negotiate a contract with Wachovia Insurance Services to assist Richland County in an RFP for Employee Health insurance and Supplemental products**
- **Request to advertise, publish and solicit a RFQ from qualified law firms, companies or attorneys to assist the County with outside legal counsel services**
- **An Ordinance establishing policies and procedures to be followed in connection with conduit financings [First Reading]**
- **Resolution authorizing a Notice to Levy and Collect general obligation bonds not to exceed \$5,000,000 for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, constructing procurement and construction of the expanding of the City of Columbia Animal Shelter Facilities**
- **Ordinance authorizing the issuance of not to exceed \$5,000,000 general obligation bonds to be used for the following purposes: purchase of land and constructing a public safety facility (\$1,600,000); purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008 (\$2,000,000); and for the expansion of the City's Animal Shelter (\$1,400,000) [First Reading]**
- **Resolution authorizing a Notice to Levy and Collect for debt service not to exceed \$6,975,000 general obligation bonds, the proceeds of which will be used for the payment of the outstanding Bond Anticipation Notes including accrued interest and issuance cost for the Innovista project**
- **Ordinance authorizing the issuance of not to exceed \$6,975,000 general obligation bonds or bond anticipation notes for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project [First Reading]**
- **Register of Deeds: Request for approval of historical records regrant program (SC SHRAB) to improve the quality of pre-1959 microfilm of deeds (no personnel, in-kind match of \$2,695.00)**
- **Sheriff's Department: Request to approve an office of violence against women training and technical grant (no match, no personnel)**

THIRD READING

FY 2007-2008 Millage Ordinance *[This portion of the minutes was reconsidered at the October 16th meeting]* – Mr. Montgomery moved, seconded by Ms. Scott, to approve an amended millage ordinance based on the calculation made by Council that would set the

general fund mill rate at 46.4 and would not include the use of any carryover from fund balance or excess tax collections.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Jackson
Malinowski	Jeter
Hutchinson	McEachern
Livingston	
Dickerson	
Smith	
Scott	
Montgomery	

The vote was in favor.

SECOND READING

Transit Fee Ordinance – Mr. Jeter moved, seconded by Mr. Montgomery, to approve option #1. A discussion took place.

The vote was in favor.

Ordinance Amending the fiscal year 2007-2008 general fund annual budget to increase the Auditor's Office Budget by one hundred ten thousand nine hundred thirty (\$110,930). This includes funding two analyst and administrative assistant – Ms. Smith moved, seconded by Ms. Dickerson, to move forward with the audit with funds identified from existing sources and defer action on this item until the completion of said audit. A discussion took place. Mr. Pope requested that the Internal Audit Committee be the reviewing body on the approved scope.

The vote in favor was unanimous.

07-45MA, South Capital Group, RU to RM-HD (6.21 Acres), Multi-Family Residential, 17016-03-03, Dawson Road – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

07-48MA, Cheryse Jordan, OI to GC (.67 Acres), General Commercial Use, 02505-03-040& 07, 1770 Dutch Fork Road – Mr. Montgomery moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Sanitary Sewer Main Extension Agreement for Kingston Village Off-Site Gravity Sewer – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item until the October 16th meeting. The vote in favor was unanimous.

Approval of the installation of an electric traffic signal at the intersection of Summit Ridge and Summit Parkway (FY08 Traffic Signalization Program) – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Pioneer Bowl Request for funding \$25,000 – Ms. Smith stated that the committee's recommendation was for approval. The vote in favor was unanimous.

Ordinance amending the fiscal year 2007-2008 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds – Ms. Smith stated that the committee's recommendation was for approval. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Ms. Dickerson, to send this item back to A&F Committee.

The vote in favor was unanimous.

Animal Care Bond Ordinance – Ms. Smith stated that the committee's recommendation was for First Reading approval by title only pending the receipt of additional information. The vote in favor was unanimous.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

KIRCO MOU -- Mr. Pearce stated that the committee's recommendation was to defer this item until the October 16th meeting. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Scott recognized that Stephany Snowden's mother was in the audience.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

Ms. Scott moved, seconded by Mr. Jackson, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 8:30 p.m. and came out at approximately 10:08 p.m.
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Mr. Dickerson moved, seconded by Ms. Hutchinson, to come out of Executive Session. The vote in favor was unanimous.

- a. **N. E. Sanitary Landfill vs. Richland County** – Mr. Livingston moved, seconded by Ms. Dickerson, to direct the Administrator to move forward with the development of an ordinance in resolution of this matter as directed in Executive Session and bring it back to the October 16th meeting. The vote in favor was unanimous.
- b. **HBA vs. Richland County** – No action taken.
- c. **Splash, Inc. vs. Richland County** – No action taken.
- d. **Riverside Contract** – Mr. Livingston moved, seconded by Ms. Hutchinson, to direct the Administrator to continue negotiations in reference to the contract. The vote in favor was unanimous.
- e. **TIF Update** – No action taken.

MOTION PERIOD

Approval of Resolution for Coroner Gary Watts for Heroic acts – Ms. Scott moved, seconded by Ms. Hutchinson, to approve a resolution for Coroner Gary Watts for heroic acts. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 23; Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of funds; and Section 23-71, Oversight and Accountability – Ms. Smith referred this matter to A&F Committee.

Waiver of Procurement Rule for the Selection of Consultant for Sewer Study – Mr. Pearce moved, seconded by Mr. Malinowski, to waive the procurement rules for the selection of a consultant for the sewer study. The vote in favor was unanimous.

Bishop Daniels—Grand Bassa Sister County Proposal – Mr. McEachern moved, seconded by Mr. Jackson, to direct the Administrator to look into the requirements for Richland County to become a Sister County with Grand Bassa County. The vote in favor was unanimous.

Richland Memorial Board of Trustees Luncheon – Mr. McEachern requested that Ms. Finch contact them for available dates.

On-Premises Signs Regulations – Mr. Jackson referred to the D&S Committee the review regulations of on-premises signs.

CMRTA Annual Audit – Mr. Jackson referred to the A&F Committee the review of the CMRTA annual audit before funding is distributed.

Capital Improvement Plan – Ms. Hutchinson moved, seconded by Ms. Smith, to direct the Administrator to give Council an update on the Capital Improvement Plan at the October 16th meeting. The vote in favor was unanimous.

On Point Funding Proposal – Ms. Scott moved, seconded by Mr. Jackson, to direct the Administrator to look at the feasibility of funding On Point. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 10:23 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley