

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 5, 2008 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, Tamara King, Larry Smith, Amelia Linder, Anna Almeida, Audrey Shifflett, Daniel Driggers, Teresa Smith, Andy Metts, Pam Davis, Donny Phipps, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:03 p.m.

INVOCATION

The Invocation was given by the Honorable Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized his cousin's son was in the audience.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson thanked her colleagues who wore red in honor of the Red Dress Rally.

ADOPTION OF AGENDA

Mr. Jackson moved, seconded by Ms. Hutchinson, to approve the agenda as distributed. The vote in favor was unanimous.

APPROVAL OF MINUTES

Regular Session: January 22, 2008 – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

There were not items for Executive Session.

REPORT OF THE COUNTY ADMINISTRATOR

Farmers' Market – Mr. Pope stated that information had been forwarded to the State Budget and Control Board regarding the Farmers' Market, a Council subcommittee and a Legislative subcommittee has been appointed.

Presentation of Audit – Mr. Pope stated that Robert Millhouse was present to give a brief presentation of the audit. A worksession is to be scheduled to review the audit in more detail.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Retreat Overview – Mr. McEachern stated that the 2008 Retreat Goals were distributed to all the Council members and thanked staff for their hard work.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to adopt the 2008 Retreat Goals. The vote in favor was unanimous.

PUBLIC HEARING ITEMS

Mr. McEachern opened the floor to the following public hearing:

- **An Ordinance authorizing extension of lease with the Richland County Recreation Commission regarding Ballentine Park** – No one signed up to speak.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Mr. Livingston, to approve the following consent items:

- **An Ordinance authorizing extension of lease with the Richland County Recreation Commission regarding Ballentine Park** [Third Reading]
- **An Ordinance temporarily extending staff review time for various actions required under the Richland County Code of Ordinances; Chapter 26, Land Development** [Second Reading]
- **Neighborhood Design Standards (Previously listed as Ordinance to create an Architectural Review Board)**
- **Request to approve Airport Commission recommendations**
- **Sanitary sewer main extension agreement for Kingston Village off-site gravity sewer (B & C Development Co., LLC)**
- **An Ordinance amending the Richland County Code of Ordinances; Chapter 12, Garbage, trash and refuse; Article III, Construction, modification, expansion, and/or operation of solid waste management facilities, beneficial landfills, and composting facilities, so as to repeal certain provisions** [First Reading]
- **Ordinance authorizing a quit-claim deed for 62 square feet on Hastings Alley** [First Reading]
- **Request to approve a grant from Palmetto Pride in the amount of \$6,000 for a community recycling event**
- **Business Service Center Ordinance Revisions: Hospitality Tax** [First Reading]
- **Business Service Center Ordinance Revisions: Tourism Development Fee** [First Reading]
- **An Ordinance amending the Richland County Code of Ordinances; Chapter 16, Licenses and miscellaneous business regulations; Article 1, in general, so as to amend the requirements pertaining to sexually oriented businesses, and make clarifications pertaining to all businesses** [First Reading]
- **Request to approve the purchase of Microsoft Software Assurance from ASAP SOFTWARE in an amount not to exceed \$118,501** [First Reading]

- **Request to approve acceptance of a Hazardous Materials Emergency Preparedness (HMEP) training grant of \$5,000 from the S. C. Emergency Preparedness Division (No personnel, no match)**
- **Request to award construction contracts to Monteray Construction (\$1,722,000) for the construction of the Elders Pond EMS station and Tyler Construction Company (\$740,000) for construction of the Horrell Hill EMS station [First Reading]**
- **A budget amendment to increase the Board of Voter Registration Department budget by \$20,000 for the purpose of providing for part-time employees [First Reading]**

The vote in favor was unanimous.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Request to approve the expenditure of up to \$100,000 of the FY08 Electric Traffic Signal Program fund for the construction and installation of an electric traffic signal at the intersection of Summit Ridge Drive and Summit Parkway – Mr. Jeter moved, seconded by Mr. Montgomery, to approve this item with the stipulation that when funds are received from the CTC they will be used to replenish the Electric Traffic Signal Program fund. A discussion took place.

The vote was in favor with Ms. Scott voting nay due to her concern regarding the liability to the County.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Business Service Center Ordinance Revisions: Peddlers' Licenses – Mr. Malinowski moved, seconded by Mr. Montgomery, to approve this item with the following amendment: to remove the term "hawkers" from the ordinance. The vote in favor was unanimous.

A budget amendment to transfer interest earned on the Vista TIF funds to the General Fund and appropriate an increase in the General Fund budget for legal and accounting fees by the amount of money previously spent to finalize the TIF agreement with the City of Columbia – Mr. Livingston moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

An Ordinance amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 4, Planning and Development Services; and to add a new division entitled "4.A. Building Codes and Inspections"; so that a new county department will be created – Mr. Jackson moved, seconded by Mr. Jeter, to change the language in Section 2-223 so that it is the same as the language in Section 2-217. A discussion took place.

Mr. Montgomery made a substitute motion, seconded by Mr. Pearce, to accept the committee's recommendation.

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

The substitute motion passed.

An Ordinance calling for a referendum and ballot question to authorize the South Carolina Department of Revenue to issue temporary permits for off-premises sales of beer and wine without regard to the days or hours of sale – The committee recommended First Reading approval of this item. The vote was in favor.

Animal Care MOU with Lexington County (Motion requests that council place the bond ordinance and MOU on the agenda for the February 19, 2008 meeting) – Mr. Montgomery moved, seconded by Ms. Scott, to hold a Special Called meeting on February 26th immediately prior to the Zoning Public Hearing to facilitate a public hearing regarding this matter. A discussion took place.

Mr. Livingston proposed the following amendment to the motion: to approve up to \$1.5 million contingent upon an agreement with Lexington County and a third party.

Mr. Montgomery accepted the amendment to the motion.

The vote was in favor.

REPORT OF THE SPECIAL CALLED DEVELOPMENT AND SERVICES COMMITTEE

An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental use standards; Section 26-151, permitted uses with special requirements; subsection (c), standards; paragraph (66), sexually oriented businesses; so as to amend requirements pertaining to sexually oriented businesses – The committee recommended First Reading approval of this item. The vote in favor was unanimous.

Fire Agreement Extension with the City of Columbia – The committee recommended First Reading approval of this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. **Building Codes Board of Adjustments and Appeals—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Accommodations Tax Committee** – Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended appointing Mr. Wallace B. Cunningham. The vote in favor was unanimous.

III. DISCUSSIONS

- a. **Motions Made During Motion Period** – Mr. Montgomery stated this item was held in committee until additional information had been received.
- b. **Presentations** – Mr. Montgomery stated this item was held in committee until additional information had been received.

ITEM DEFERRED FROM 1/22/08

Lower Richland Sewer Service – Mr. Jackson moved, seconded by Mr. Malinowski, to approve Option 3. A discussion took place.

The vote in favor was unanimous.

APPROVAL OF BUDGET CALENDAR

Mr. Jeter moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

There were no items for Executive Session.

MOTION PERIOD

Ashley Ridge Road – Ms. Dickerson referred to the D&S Committee the cost of the County accepting Ashley Ridge Road.

Southeast Sports Complex – Mr. Jackson referred to the A&F Committee the exploration of a Southeast Sports Complex.

ADJOURNMENT

The meeting adjourned at approximately 7:26 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

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