

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 19, 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.*

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### 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, Brad Farrar, Joseph Kocy, Anna Almeida, Audrey Shifflett, Daniel Driggers, Teresa Smith, Pam Davis, Donny Phipps, Chief Harrell, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

### INVOCATION

The Invocation was given by the Honorable Joseph McEachern

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

## PRESENTATIONS

**Katherine Horne, CEO, EdVenture Children's Museum** – Ms. Katherine Horne and “Corn on the Cob” gave a brief presentation regarding the upcoming Big Ed Health Team event at the EdVenture Children's Museum.

**Lower Richland Heritage Corridor Update, Ms. Marie Adams** – Ms. Marie Barber Adams, Chair of the Board for the Southeast Rural Community Outreach Ministries, and Ms. Tracy Swartout gave a brief update on the Lower Richland Heritage Corridor.

## ADOPTION OF AGENDA

Ms. Finch stated that Citizens' Input needed to be added after the approval of the minutes.

Mr. Montgomery requested that the Report of the Rules and Appointments Committee be moved until after the Report of the Chairman.

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

## APPROVAL OF MINUTES

**Zoning Public Hearing: January 29, 2008** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

**Regular Session: February 5, 2008** – Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

## CITIZENS' INPUT

No one signed up to speak.

## REPORT OF THE COUNTY ADMINISTRATOR

**Qualifications of Building Codes Director** – Mr. Pope stated that this was Item 2.g. on the agenda and he would give a brief update at that time.

**Budget Kickoff** – Mr. Pope stated that all budgets have been received.

**C-Funds** – Mr. Pope stated that he was awaiting a report from the CTC regarding the C-Funds.

**Animal Care MOU with Lexington** – Mr. Pope stated that Lexington County has moved forward with their contribution of \$1.5 million toward the partnership with Richland County on a no-kill animal shelter. This matter will be before Council at a Special Called meeting on February 26<sup>th</sup>.

**Lower Richland Sewer Service** – Mr. Pope stated that staff provided a recommendation at the February 5<sup>th</sup> Council meeting on this issue. Staff met with the Lower Richland LLC this morning, wherein the LLC provided documentation regarding their opposition to staff's recommendation. The documentation was provided to Council and this matter will be placed on the March 4<sup>th</sup> Council agenda.

#### **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS**

The following item was a potential Executive Session item:

- a. **Farmers' Market Update**

#### **REPORT OF THE CLERK OF COUNCIL**

**NaCO Conference, March 1-5, 2008** – Ms. Finch stated that there were two Council members planning to attend this conference.

**2008 Rural Summit—March 2-4, 2008, The Inn at Clemson** – Ms. Finch stated that an e-mail had been forwarded to Council regarding this item.

**Richland Memorial Hospital Board of Trustees** – Ms. Finch stated that Council had received an invitation from the Richland Memorial Hospital Board of Trustee for a reception welcoming the recently appointed board members. The Reception will be held Tuesday, March 11<sup>th</sup> at 6:00 p.m. at the Palmetto Club in the McMeekin Room. The Board has requested that Council RSVP by March 3<sup>rd</sup>.

#### **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

- I. **NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**
  - a. **Accommodations Tax Committee—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. **Business Service Center Appeals Board—4** – Mr. Montgomery stated there were no applicants and four vacancies. The committee

recommended re-advertising for these vacancies. The vote in favor was unanimous.

- b. **Employee Grievance Committee—2** – Mr. Montgomery stated there were no applicants and two vacancies. The committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- c. **Internal Audit Committee—1** – Mr. Montgomery stated there were no applicants and one vacancy. The committee recommended re-advertising for this vacancy. The vote in favor was unanimous.

### III. DISCUSSIONS

- a. **Presentations** – Mr. Montgomery stated that the committee's recommendation was to amend the rule regarding presentations as follows: "Except by leave of Council for time exigency or other good cause shown, anyone desiring to make a presentation to Council shall make a request on a form provided by the Clerk's Office for inclusion in Council's agenda at least one meeting prior to the meeting where the presentation is sought to be made. The party requesting to make the presentation shall set forth (1) the name of the person, group, association or entity making the presentation, (2) the name and contact information for the presenter or spokesperson thereof, (3) the substance of the presentation and a realistic requested length of the presentation. Absent unusual circumstances, the request should be no more than one page in length and should be timely submitted to the Clerk's Office. The purpose of this rule is so that Council may plan its meetings accordingly, given the variety of presentations and lengths thereof, and to assess the merits of the given presentation. Presentations shall not be used to request funding or resources support from the County."

A discussion took place regarding the time limit of presentations.

Mr. Montgomery further stated that language be added back to the rule that: "Presentations shall be limited to five (5) minutes per presentation. Questions and answers must be included within the five (5) minute time frame."

The vote in favor was unanimous.

- b. **Motion Period** – Mr. Montgomery stated that the committee's recommendation was to amend the rule regarding motion requests as follows: "to submit motion requests twenty-four (24) hours prior to the meeting so that the nature of the motion would appear on the agenda."

The vote in favor was unanimous.

- c. **Pending Items** – Mr. Montgomery stated that the committee's recommendation was to add a rule pertaining to pending items. The pending items rule is as follows: "Issues that have been raised by a Council member wherein a response is expected from staff, shall be listed on the agenda along with a time frame in which a response from staff will be provided. These items shall be for information only and no discussion shall take place relative to matters listed under Pending Items other than for staff to seek guidance on responding to a Council member's stated issue and for setting a reasonable time frame in which to respond.

The vote in favor was unanimous.

### **REPORT OF THE CHAIRMAN**

No report was given.

### **PUBLIC HEARING ITEMS**

There were no public hearings.

### **APPROVAL OF CONSENT ITEMS**

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

- **An Ordinance to temporarily extend staff review time for various actions required under the Richland County Code of Ordinances; Chapter 26, Land Development [Third Reading]**
- **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 [Second Reading]**
- **Ordinance authorizing a quit-claim deed for 62 square feet on Hastings Alley [Second Reading]**
- **Business Service Center Ordinance revision: Peddlers' Licenses [Second Reading]**
- **Business Service Center Ordinance revision: Tourism Development fee [Second 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 [Second Reading]**
- **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 [Second Reading]**

The vote in favor was unanimous.

## SECOND READING

**Business Service Center Ordinance revision: Hospitality Tax** – Ms. Smith moved, seconded by Mr. Jeter, to approve the staff’s recommendation. A discussion took place.

The vote in favor was unanimous.

**An Ordinance amending the Richland County Code of ordinances, Chapter 16, licenses and miscellaneous business regulations; Article 1, in general, so as to amend requirements pertaining to sexually oriented businesses, and make clarifications pertaining to all businesses** – Ms. Dickerson moved, seconded by Ms. Scott, to defer this item until the March 4<sup>th</sup> meeting. The vote in favor was unanimous.

**A Budget Ordinance amending FY07-08 budget to transfer funds for Elders Pond EMS Station (\$1,722,000), and transfer funds for Horrell Hill EMS Station (\$550,244) to a capital project fund from the Fire Fund and General Fund** – Mr. Malinowski moved, seconded by Ms. Scott, to approve this item. A discussion took place.

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. Montgomery moved, seconded by Ms. Scott, to approve this item. A discussion took place.

Mr. Malinowski proposed the following amendment: to strike the words “in lieu of” from the qualifications for Building Codes and Inspections Director and to have the change in language become effective July 1, 2008.

Mr. Montgomery accepted Mr. Malinowski’s proposed amendment.

**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** – Mr. Jeter moved, seconded by Mr. Montgomery, to accept this item. The vote was in favor.

## FIRST READING ITEM

**An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, zoning, districts and special requirements, and special exceptions; “manufacturing, mining, and industrial uses” of Table 26-V-2; and Article VI supplemental use standards; Section 26-152, special exceptions; so**

**as to permit a limited number of digital billboards in the GC, M-1, LI, HI zoning districts as special exceptions (one of three versions of this ordinance)**

**An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, general development, site, and performance standards; Section 26-180, signs; so as to create a new section that would allow digital display devices (one of three versions of this ordinance) [SAVANNAH VERSION]**

**An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, general development, site, and performance standards; Section 26-180, signs; so as to create a new section that would allow digital display devices (one of three versions of this ordinance) [INDUSTRY VERSION]** – Mr. Jeter moved, seconded by Mr. Jackson, to approve this version of the ordinance. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Montgomery, to approve all three (3) ordinances for First Reading with the following amendment to the 1<sup>st</sup> amendment: to change the 6 second increments to 8 second increments. Further discussion took place.

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

The substitute motion passed.

**POINT OF PERSONAL PRIVILEGE** – Ms. Smith recognized that Mr. J. T. McLawhorn was in the audience.

#### **CITIZENS' INPUT**

Mr. Larry Stephens, Carolina Scholarships, spoke regarding the March 29<sup>th</sup> Apollo Night at the Township Auditorium featuring Angie Stone that benefits Carolina Scholarships. He also stated that on June 14<sup>th</sup> an awards ceremony will be held to honor Councilwoman Bernice Scott, as well as other outstanding citizens in Richland County, for her service to the Richland County.

#### **EXECUTIVE SESSION**

Mr. Pearce moved, seconded by Mr. Malinowski, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 7:18 p.m. and came out at approximately 7:43 p.m.**  
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- a. **Farmers' Market Update** – No action was taken.

**MOTION PERIOD**

**Infrastructure Bank Matching Funds** – Mr. Jackson moved to explore the possibility of matching funds for long-range programs for the infrastructure bank.

**Resolution honoring the "Auntie Karen" Foundation** – Mr. McEachern requested unanimous consent from Council to approve a resolution in support of the "Auntie Karen" Foundation.

**ADJOURNMENT**

The meeting adjourned at approximately 7:49 p.m.

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Joseph McEachern, Chair

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Valerie Hutchinson, Vice-Chair

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Joyce Dickerson

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Norman Jackson

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Mike Montgomery

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L. Gregory Pearce, Jr.



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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley