

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 17, 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:

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| Chair  | Joseph McEachern       |
| Member | Joyce Dickerson        |
| Member | Valerie Hutchinson     |
| 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, Anna Almeida, Jennie Sherry-Linder, Donny Phipps, Andy Metts, Audrey Shifflett, Daniel Driggers, Teresa Smith, Monique Walters

### CALL TO ORDER

The meeting was called to order at approximately 6:07 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** – Ms. Dickerson recognized a boy scout in the audience from Columbia High School.

**POINT OF PERSONAL PRIVILEGE** – Mr. Montgomery stated that the agenda software is beginning to be utilized.

### **CITIZENS' INPUT**

No one signed up to speak.

### **APPROVAL OF MINUTES**

**Zoning Public Hearing: May 27, 2008** – Mr. Malinowski stated that the TMS # for Item 08-13MA is incorrect.

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

**Regular Session: June 3, 2008** – Mr. Livingston moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

### **ADOPTION OF AGENDA**

Mr. Pope stated that the following item needed to be added under the Report of the County Administrator: Update on the Recreation Commission.

Mr. Malinowski stated that the TMS # on p. 18 for Item 08-12MA is incorrect.

Mr. McEachern stated that the following item needed to be added under the Report of the Chairman: NaCo Awards.

Mr. Montgomery moved, seconded by Ms. Scott, to add these items to the agenda and approve the agenda as amended. The vote in favor was unanimous.

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

The following items were potential Executive Session items:

- a. **Splash, Inc. vs. Richland County**
- b. **Project CAGE**
- c. **Employee Grievance**
- d. **Farmers' Market**

## REPORT OF THE COUNTY ADMINISTRATOR

**Project CAGE** – Mr. Pope stated that this item was deferred.

**Employee Grievance** – Ms. Smith moved, seconded by Ms. Dickerson, to uphold the Administrator's recommendation. The vote in favor was unanimous.

**July 15<sup>th</sup> Work Sessions** – Mr. Pope reminded Council of the July 15<sup>th</sup> work sessions. The on-premises work session will be held at 5:00 p.m. and the HR work session will be held at 6:00 p.m. Both of these work sessions will be placed on Council's calendar.

**Recreation Commission Update** – Mr. Pope stated that staff met to discuss the list of potential projects with the Recreation Commission. The Recreation Commission has also met to discuss the projects and will holding another meeting on the 25<sup>th</sup> to further discuss this matter. Staff needs further guidance from Council regarding the MOU.

## REPORT OF THE CLERK OF COUNCIL

**Renaissance Foundation** – Ms. Finch stated that the Renaissance Foundation invited Council to attend a Unity Breakfast on June 19<sup>th</sup> at 8:00 a.m. at the Columbia Metropolitan Convention Center. The keynote speaker will be Harvey Gantt.

## REPORT OF THE CHAIRMAN

**Meeting with City of Columbia regarding Jail Maintenance Fee & Detainee Drop Off Policy** – Mr. McEachern stated that these items will be discussed at the meeting with the City on June 25<sup>th</sup> and then brought back to Council.

**Business License Committee** – Ms. Scott moved, seconded by Ms. Hutchinson, to direct the Chair to appoint a Business License Committee. The vote in favor was unanimous.

Mr. McEachern appointed Mr. Montgomery, Ms. Smith and Mr. Jeter to serve on this committee.

**NaCo Awards** – Mr. McEachern stated the following departments won 2008 NaCo Achievement Awards: Administration—2007 Lexington/Richland Lawnmower Exchange Program; IT/Sheriff's Department—Gunshot Identification, Triangulation and Recording; Magistrate's Mediation Pilot Program; and EMS—Mobile Animal Bunker.

## PUBLIC HEARING ITEMS

None.

### APPROVAL OF CONSENT ITEMS

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

- **08-12MA, Martin Marietta, Inc., Robert Fuller, RU to HI (293.2 Acres), Unburden Storage, TMS #06500-01-04A(p) [Third Reading]**
- **08-13MA, Village at Sandhills, Charles Kahn, RG-2 to C-3, C-3 to C-1 & C-1 to RG-2, Swap Parcels, TMS #22900-02-09(p) [Third Reading]**
- **An Ordinance Allowing Owners (or their agents) certain parcels of land along Decker Corridor in Richland County, South Carolina, to make application for the use of the development standards of the “CRD Corridor Redevelopment Overlay District” [Third Reading]**
- **An Ordinance authorizing the transfer of deed to the City of Columbia for Jim Hamilton Boulevard**

The vote in favor was unanimous.

### THIRD READING ITEMS

**An Ordinance to amend the Richland County Code of Ordinances; Chapter 18, Offenses; by adding a new section therein for the purpose of establishing regulations and requirements relating to smoking of tobacco products in the unincorporated areas of Richland County** – Ms. Hutchinson moved, seconded by Mr. Jackson, to approve this item. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Ms. Scott, to defer this item. The substitute motion failed.

Ms. Smith requested the following amendment: to identify the date of enforcement as October 1, 2008.

Ms. Hutchinson accepted the amendment.

Ms. Smith requested the following amendment: Section I.i. ...shall appropriately request other governmental and educational agencies...

Ms. Hutchinson accepted the amendment.

The vote was in favor.

**An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards, so as to establish a Green Code Setting Forth Optional Standards for Certain parcels that may benefit from the application of environmental protection**

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

The vote was in favor.

### **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 6, Buildings and Building Regulations; Article III, Building Code, Section 6-82; Article IV, Electrical Code, Sections 6-96 and 6-97; Article V, Fire Prevention Code; Article VI, Gas Code; Article VII, Mechanical Code; Article VIII, Plumbing Code, Sections 6-153 and 6-154; Article IX, Swimming Pool Code, Sections 6-168 and 6-169; Article X, Property Maintenance, Section 6-182; so as to adopt the 2005 edition of the National Electrical Code and 2006 International Building Code, International Fire Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code** – Mr. Pearce moved, seconded by Ms. Scott, to approve this item as amended. The vote in favor was unanimous.

**Request to approve an extension of the American Engineering Construction Management Contract, the Power Engineering Resident Contract Representative Contract, and the Power Engineering Consultant Services Contract for the purpose of completing the Broad River Waste Water Treatment Plant construction project** – Ms. Scott moved, seconded by Mr. Montgomery, to defer this item. The vote in favor was unanimous.

**Request to approve a change order in the amount of approximately \$290,000.00 with Crowder Construction Company for the purpose of constructing an additional influent force main line at the Broad River Waste Water Treatment Plant** – Mr. Livingston moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

### **REPORT OF ADMINISTRATION AND FINANCE**

**An Ordinance to Levy and Impose a one percent (1%) sales and use tax, subject to a referendum, with Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the specific purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item by title only. The vote in favor was unanimous.

**REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

**I. NOTIFICATIONS OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES**

- a. **Midlands Regional Convention Center Authority—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

**A Resolution to appoint and commission Clark Frady, as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County** – Ms. Scott moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

**CITIZENS' INPUT**

Mr. Michael Berg spoke regarding the bus service.

**EXECUTIVE SESSION**

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**Council went into Executive Session at approximately 7:14 p.m. and came out at approximately 7:45 p.m.**  
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- a. **Splash, Inc. vs. Richland County** – No action was taken.
- b. **Farmers' Market** – No action was taken.

**MOTION PERIOD**

**Transportation Work Session** – Ms. Smith moved, seconded by Ms. Dickerson, to schedule a work session for June 24<sup>th</sup> at 3:30 p.m. The vote in favor was unanimous.

**Business License Committee Meeting** – Mr. Montgomery requested that the committee meet on June 23<sup>rd</sup> at 9:00 a.m.

**Resolution for Harvey Gantt** – Mr. McEachern moved, seconded by Ms. Scott, to adopt a resolution for Harvey Gantt. The vote in favor was unanimous.

**Resolution for I. S. Leevy Johnson** – Ms. Scott moved, seconded by Ms. Smith, to adopt a resolution for I. S. Leevy Johnson. The vote in favor was unanimous.

**Alternative Surface Work Session** – Mr. Jackson moved, seconded by Ms. Scott, to schedule a work session regarding the alterative surfacing project. The vote in favor was unanimous.

**ADJOURNMENT**

The meeting adjourned at approximately 7:51 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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Damon Jeter

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Paul Livingston

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley