

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 17, 2009 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	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

**OTHERS PRESENT** – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Amelia Linder, Anna Almeida, Rodolfo Callwood, Dale Welch, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:08 p.m.

### INVOCATION

The Invocation was given by the Honorable Kit Smith

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

## PRESENTATION

**Gary Watts, Richland County Coroner** – Mr. Watts gave a brief update regarding the autopsy reimbursement agreement for Columbia Regional Care Center and invited Council to the Coroner's Thanksgiving Dinner and a tour of the new facility.

## CITIZENS' INPUT

No one signed up to speak.

## APPROVAL OF MINUTES

**Regular Session: November 3, 2009** – Mr. Manning moved, seconded by Mr. Pearce, to approve the minutes with the exception of the portion dealing with the Hospitality Tax Round Two Funding Recommendations. The vote in favor was unanimous.

## ADOPTION OF AGENDA

Mr. Livingston stated that a Personnel Matter needed to be added under the Report of the Chairman.

Ms. Smith moved, seconded by Ms. Dickerson, to adopt 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. **Columbia Renaissance Redevelopment TIF and Innovista TIF Updates**
- b. **Township Property Purchase**
- c. **Employee Grievance – 1**
- d. **Personnel Matter**
- e. **SC State Museum Resolution and MOU**

## REPORT OF THE COUNTY ADMINISTRATOR

**Richland 101 Graduation** – Ms. Stephany Snowden recognized the Richland 101 graduates and Ms. Angela Geiger, a Richland 101 graduate, have a brief speech regarding the program's benefits.

**SC State Museum Resolution and MOU** – This item was taken up during Executive Session.

**Township Property Purchase** – This item was taken up during Executive Session.

**Columbia Renaissance Redevelopment TIF and Innovista TIF Updates** – This item was taken up during Executive Session.

**Hospitality Tax County Promotions 75%/25% Split Clarification** – This was an action item on the agenda.

**Employee Grievance—1** – Ms. Smith moved, seconded by Mr. Malinowski, to defer this item until the December 1<sup>st</sup> Council meeting.

### REPORT OF THE CLERK OF COUNCIL

**2<sup>nd</sup> Annual Finlay Scholars Oyster Roast** – Ms. Finch stated that this event would take place on Friday, November 20<sup>th</sup>, 7-10 p.m. at the Millstone at Adams Pond, 5301 Bluff Road. The cost will be \$100 per couple.

**USC Columbia Technology Incubator Graduation** – Ms. Finch stated that this event will take place on November 30<sup>th</sup>, 6-8 p.m. (reception immediately following the graduation) at the Midlands Technical College Center of Excellence for Technology, 151 Powell Road. This year's graduates will be Ard's Container Service, LLC; Intervivos, LLC; Spectrum Medical, LLC; and Urban Media, LLC. Dr. Harris Pastides will be the Keynote Speaker.

**Ms. Dickerson's NACo Nomination** – Ms. Finch stated that Ms. Dickerson has been nominated to the NACo Telecommunications and Technology Steering Committee.

**Midlands Technical College Lunch with Richland County Council** – Ms. Finch stated that she received an e-mail from Midlands Technical College suggesting several dates for a luncheon with Richland County Council and the County Administrator.

Mr. Pearce moved, seconded by Ms. Dickerson, to forward this item to the motion period. The vote in favor was unanimous.

### REPORT OF THE CHAIRMAN

**Introduction of Executive Directors of Richland County Public Library and Richland County Recreation Commission** – Mr. Manning introduced Ms. Melanie Huggins, Executive Director of Richland County Public Library and Mr. Brian Devost, Executive Director of Richland County Recreation Commission.

**Personnel Matter** – This item was taken up during Executive Session.

## PUBLIC HEARING ITEM

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

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* – No one signed up to speak.**
- **An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS#22710-08-30 – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget – No one signed up to speak.**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services, Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines – No one signed up to speak.**
- **Deed to Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) – No one signed up to speak.**
- **An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS#11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 – No one signed up to speak.**

- **An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$184,970 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex – No one signed up to speak.**

The public hearing was closed.

#### APPROVAL OF CONSENT ITEM

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated [THIRD READING]**
- **An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 200-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections [THIRD READING]**
- **Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [THIRD READING]**
- **An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS#11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [THIRD READING]**
- **09-14MA, Joe Jackson, Prayer & Faith Temple, RS-HD to RU (2.85 Acres), 24903-05-02, 1520 Lower Richland Blvd. [THIRD READING]**
- **09-15MA, Larry M. Spivey, Majors Management/Tracy Billings, RU to GC (.341 Acres), 19716-02-20(p), Alpine Rd. & Old Percival Rd. [THIRD READING]**
- **09-17MA, FSD, LLC, Fred Babae, HI to GC (2 Acres), 17200-03-23, 206 Business Park Blvd. [THIRD READING]**

- **An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment [SECOND READING]**

Mr. Jeter moved, seconded by Mr. Washington, to approve the consent items. The vote in was in favor.

### THIRD READING

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$184,970 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex** – Ms. Dickerson moved, seconded by Mr. Jeter, to approve this item. A discussion took place.

The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**SC Economic Development Ambassador Award Nominations for Richland County** – Mr. Pearce stated that the committee recommended nominating Mr. Phil Simmons, Human Resource Director—Trane, for Ambassador of the Year. The vote in favor was unanimous.

**An Ordinance Authorizing (1) Special Source Revenue Credits by Richland County, South Carolina with respect to certain infrastructure improvements by Blue Cross and Blue Shield of South Carolina; (2) the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the special source revenue credits; and (3) certain other matters**

relating thereto – Mr. Pearce stated that the committee recommended giving this item First Reading by Title Only. The vote in favor was unanimous.

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

### **I. NOTIFICATION OF APPOINTMENTS**

- a. Planning Commission—2** – Mr. Malinowski stated that committee recommended appointing Ms. Kathleen M. McDaniel and Mr. Olin Westbrook. A discussion took place.

Mr. Jeter made a substitute motion, seconded by Mr. Pearce, to re-appoint Mr. Christopher Anderson and appoint Ms. Kathleen M. McDaniel. A discussion took place.

Ms. Smith requested that the question be divided.

Ms. Dickerson made a second substitute motion, seconded by Mr. Washington, to appoint Mr. William DuBard and Ms. Kathleen M. McDaniel. A discussion took place.

Council unanimously agreed to vote on only those individuals mentioned in the original and substitute motions.

Mr. Pearce, Mr. Jeter, Mr. Livingston and Ms. Dickerson voted for Mr. Christopher Anderson.

Ms. Dickerson, Ms. Kennedy and Mr. Washington voted for Mr. William DuBard.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Mr. Manning, Ms. Kennedy and Ms. Smith voted for Ms. Kathleen M. McDaniel.

Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Manning, Mr. Washington and Ms. Smith voted for Mr. Olin Westbrook.

Ms. Kathleen M. McDaniel and Mr. Olin Westbrook were appointed to the Planning Commission.

### **II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE**

- a. Proposed Committees December Schedule** – Mr. Malinowski stated that the committee recommended holding the D&S, A&F and Zoning Public Hearing for December. The vote in favor was unanimous.

**OTHER ITEMS**

**Hospitality Tax Ordinance Amendment: County Promotions 75%/25% Split [First Reading—By Title Only]** – Ms. Dickerson moved, seconded by Ms. Smith, to give this item First Reading by Title Only. A discussion took place.

<b><u>For</u></b>	<b><u>Against</u></b>
Pearce	Malinowski
Jackson	Manning
Hutchinson	Washington
Jeter	
Livingston	
Dickerson	
Kennedy	
Smith	

The vote was in favor.

**SC State Museum Resolution and MOU** – Mr. Manning moved, seconded by Mr. Jackson, to approve the resolution and MOU with the amended language proposed in Executive Session. The vote in favor was unanimous.

**CITIZENS' INPUT**

Mr. Abdalla Yaghy spoke regarding the re-zoning of his property on Garner's Ferry Road.

**EXECUTIVE SESSION ITEMS**

=====  
**Council went into Executive Session at approximately 7:31 p.m. and came out at approximately 8:20 p.m.**  
=====

- a. **Columbia Renaissance Redevelopment TIF and Innovista TIF Updates** – This item was received as information.
- b. **Township Property Purchase** – Mr. Pearce moved, seconded by Ms. Hutchinson, to direct the Administrator to proceed with negotiations as discussed in Executive Session.
- c. **Personnel Matter** – This item was received as information.



## MOTION PERIOD

**Scheduling of Economic Development Strategic Plan and Smoking Ban Work Session [December 3<sup>rd</sup>, 4-6 p.m.]** – Council approved the Economic Development Strategic Plan and Smoking Ban Work Session on December 3<sup>rd</sup>.

**Scheduling of Comprehensive Plan and Sewer Extension Work Session [December 8<sup>th</sup>, 4-6 p.m.]** – Council approved the Comprehensive Plan and Sewer Extension Work Session on December 8<sup>th</sup>.

**Any individual, group, agency or government entity not working within Richland County government must provide all necessary copies of materials they wish to provide to Richland County Council or Richland County staff for review or action. If Richland County is requested to make any additional copies the submitter will be billed at a commercial rate for such work [MALINOWSKI]** – This item was referred to the A&F Committee.

**That Administration scheduled several Council work sessions, prior to February, to discuss the Transportation Plan that would require a referendum in the Fall of 2010** – This item was referred to the A&F Committee.

**Blythewood's 130<sup>th</sup> Anniversary Resolution** – Council unanimously adopted a resolution for Blythewood's 130<sup>th</sup> Anniversary.

**Midlands Technical College Luncheon** – Council agreed to attend a luncheon hosted by Midlands Technical College on December 11<sup>th</sup>, 12:30 p.m. at the Midlands Technical College Beltline Campus.

**Hospitality Tax Round Two Recommendations Minutes** – Council invoked the pending ordinance doctrine regarding the recommendations.

## ADJOURNMENT

The meeting adjourned at approximately 8:32 p.m.

---

Paul Livingston, Chair

---

Damon Jeter, Vice-Chair

---

Gwendolyn Davis Kennedy

---

Joyce Dickerson

---

Valerie Hutchinson

---

Norman Jackson

---

Bill Malinowski

---

Jim Manning

---

L. Gregory Pearce, Jr.

---

Kit Smith

---

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley