

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 6, 2010 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:

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	Kelvin Washington
Absent	Paul Livingston
	Kit Smith

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Anna Almeida, Daniel Driggers, Sara Salley, Pam Davis, Jim Wilson, Dale Welch, David Hoops, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

### INVOCATION

The Invocation was given by the Honorable Norman Jackson

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Norman Jackson

### APPROVAL OF MINUTES

**Regular Session: June 15, 2010** – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

**Zoning Public Hearing: June 22, 2010** – Mr. Pearce moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Pope stated an item entitled “Richland County Entitlement & Formula Grants” needed to be added to the agenda under Other Items.

Ms. Hutchinson moved, seconded by Mr. Washington, to adopt the agenda as amended. The vote in favor was unanimous.

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

- a. **Conservation Commission proposed bid on Ft. Jackson parcels to protect Gills Creek**
- b. **Attorney General’s Opinion re: Voter’s Registration**
- c. **Mallory vs. Richland County**

### CITIZENS’ INPUT

No one signed up to speak.

### REPORT OF THE COUNTY ADMINISTRATOR

**Employee Recognition** – Mr. Pope stated Ms. Anna Almeida was named the Development and Services Director and Mr. Chris Eversmann will be the new Hamilton-Owens Airport Manager.

**M-1 Zoning Update** – Mr. Pope stated that Mr. Geo Price would be giving a presentation at the July Zoning Public Hearing regarding this matter.

**Lower Richland Sewer Update** – Mr. Pope stated that the three options previously presented to Council are still being pursued.

**Farmers' Market Update** – Mr. Pope stated that the joint resolution has been approved and that the committee items regarding the Farmers' Market will be coming back before Council.

**Navistar Grant** – Mr. Pope stated that Richland County has received a \$300,000 grant.

#### REPORT OF THE CLERK OF COUNCIL

**July Wrap-Up Meeting: July 27, 2010** – Ms. Finch stated the July wrap-up meeting will be held July 27<sup>th</sup> immediately following the Zoning Public Hearing meeting.

**August Recess: Council Meeting Schedule** – Ms. Finch stated that the first meeting after the August recess will be September 7<sup>th</sup>.

**Retreat: Visionary Legacy of Council** – Mr. Manning will provide potential dates in September to the Clerk's Office.

#### REPORT OF THE CHAIRMAN

No report was given.

#### OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-2, Loitering; so as to add additional language to the definition** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-65, Definitions; Section 23-72, Inspections, Audits, and Administration; Section 23-73, Assessments and Appeals of Hospitality Tax; and Section 23-74, Violations and Penalties; so as to clarify and revise the language therein** – No one signed up to speak.
- **Authorizing and providing for the creation of the Hopkins Waterworks System and for the issuance of Hopkins Waterworks System Improvement Revenue Bonds of Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the net revenues derived from the operation of the Waterworks System and pledging the revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing** – No one signed up to speak.
- **An Ordinance Authorizing (1) the execution and delivery of an infrastructure credit and incentive agreement by and among Richland County, South Carolina (the "County"), Navistar, Inc. ("Navistar"), and Pure Power Technologies, LLC ("PPT"), to provide for, in part, special source revenue credits to Navistar, PPT, and their respective affiliates, successors, and assigns, the conveyance by Richland County of certain**

land and real property improvements, and the inclusion and maintenance of certain property in a joint county industrial or business park; and (2) other matters related thereto – No one signed up to speak.

#### APPROVAL OF CONSENT ITEMS

- **Business Service Center: Hospitality Tax Ordinance Amendments [THIRD READING]**
- **10-12MA, Richland County Conservation Commission, Jim Wilson, Apply Conservation Overlay to an existing PDD (236 Acres), 17500-03-42, Longtown Rd. [SECOND READING]**
- **10-13MA, Richland County Conservation Commission, Jim Wilson, Apply Conservation Overlay to an existing RU (3 Acres), 09411-05-71, Blue Ridge Terrace [SECOND READING]**
- **10-14MA, Richland County Conservation Commission, Jim Wilson, Apply Conservation Overlay to an existing PDD (3 Acres), 20300-02-40, Rice Creek Farms [SECOND READING]**
- **10-15MA, Richland County Conservation Commission, Jim Wilson, Apply Conservation Overlay to an existing PDD (7 Acres), 20300-02-34, Lee Rd. [SECOND READING]**
- **10-16MA, Richland County Conservation Commission, Jim Wilson, Apply Conservation Overlay to an existing RM-HD (11 Acres), 17300-02-35, Farrow Rd. [SECOND READING]**
- **Adoption of the Complete Streets Goals and Objectives**
- **Conservation Easement-Clark Family Property**
- **Contract Renewal for Detention Center Fire and Security System**
- **Contract Renewal for Detention Center Food Services**
- **Contract Renewal for Detention Center Medical Services**
- **Sheriff's Vehicle Bond Ordinance [FIRST READING]**

Mr. Pearce moved, seconded by Ms. Kennedy, to approve the consent items. The vote in favor was unanimous.

#### THIRD READING

**To amend the ordinance dealing with Loitering** – Mr. Jackson moved, seconded by Mr. Pearce, to defer this item. The vote in favor was unanimous.

#### SECOND READING

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Section 26-59, Planned Development Review/Approval; so as to correct the section reference for PDD Regulations** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**An Ordinance Authorizing (1) the execution and delivery of an infrastructure credit and incentive agreement by and among Richland County, South Carolina (the "County"), Navistar, Inc. ("Navistar"), and Pure Power Technologies, LLC ("PPT"), to provide for, in part, special source revenue credits to Navistar, PPT, and other respective affiliates, successors, and assigns, the conveyance by Richland County of certain land and real property improvements, and the inclusion and maintenance of certain property in a joint county industrial or business park; and (2) other matters related thereto** – Mr. Malinowski moved to unanimously approve this item. A discussion took place.

The vote in favor was unanimous.

#### **FIRST READING**

**An Ordinance establishing a policy for grant administrative fees and establishing the amount of such fees** – Mr. Malinowski moved to unanimously approve this item. A discussion took place.

The vote in favor was unanimous.

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

**2007 Roadway Resurfacing Project Additive #6** – Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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

**Child Sexual Predator Program Grant—Sheriff's Department** – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**Contract Renewal for Detention Center HVAC System** – Mr. Washington moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**COP's Hiring Program Grant—Sheriff's Department** – Ms. Dickerson moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Richland County Freedom of Information Policy** – A discussion took place.

Mr. Washington moved, seconded by Mr. Malinowski, to defer this item until the July 20<sup>th</sup> Council meeting. The vote was in favor.

**Same Sex Interpersonal Violence Support Group Grant** – Mr. Malinowski moved, seconded by Ms. Hutchinson, to defer this item until the July 20<sup>th</sup> Council meeting. The vote in favor was unanimous.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Community Relations Council—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.

### II. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- b. **Appearance Commission, Landscaper/Landscape Architect—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.
- c. **Building Codes Board of Adjustments and Appeals—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.
- d. **Business Service Center Appeals Board—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.
- e. **East Richland Public Service Commission—2** – Mr. Malinowski stated that the committee recommended appointing Mr. Robert D. Murphy and Mr. Yves Naar. The vote in favor was unanimous.
- f. **Historic Columbia Foundation—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.
- g. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- h. **Midlands Workforce Development Board—6** – Mr. Malinowski stated this item was retained in committee pending a legal opinion.

- i. **Richland County Public Library Board—6** – Mr. Malinowski stated that the committee recommended appointing Mr. John David Baker, Mr. Nathaniel A. Barber, Mr. Rox W. Pollard, Jr., Ms. Alethia Parr Rearden, and Ms. Ida W. Thompson.

A motion was made to vote on the applicants individually.

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

A motion was made to accept the committee's recommendation.

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

Mr. Manning moved, seconded by Mr. Pearce, to nominate Mr. George C. Johnson for the remaining position.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to nominate Mr. Joseph Ladson Taylor for the remaining position.

Ms. Hutchinson made a second substitute motion to nominate Ms. Gail Baker Anastasion for the remaining position. The motion died for lack of a second.

Mr. Malinowski and Mr. Jackson voted for Mr. Joseph Ladson Taylor.

Ms. Hutchinson, Mr. Pearce, Mr. Jeter, Ms. Dickerson, Mr. Manning, Ms. Kennedy, and Mr. Washington voted for Mr. George C. Johnson.

Mr. John David Baker, Mr. Nathaniel A. Barber, Mr. Rox W. Pollard, Jr., Ms. Alethia Parr Rearden, Ms. Ida W. Thompson and Mr. George C. Johnson were appointed to the Richland County Public Library Board.

### III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Bonding attorneys are to limit their presentations to answering the questions asked and only providing the facts of a specific bond. They are not to provide support for or forecast possible future need for the item the bond is being sought. No personal opinion or interjection is to be given. [Malinowski]** – Mr. Malinowski stated that this item was retained in committee.
- b. **Financial System Access for Council members** – Mr. Malinowski stated this item was retained in committee.

### OTHER ITEMS

**A Resolution to Appoint and Commission Duste Beckroge Johnston as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County** – Mr. Washington moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

**A resolution to Appoint and Commission Bernard Quinton Epps as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**A Resolution to Appoint and Commission Kecia D. Lara, Branden L. Wade, Larry B. Kleine, and Scott A. Miller as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Mr. Pearce moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

**Pine Lake Spillway—Emergency Procurement** – Mr. Jackson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Conservation Commission proposed bid on Ft. Jackson parcels to protect Gills Creek** – This item was taken up during Executive Session.

**FY11 Richland County Entitlement and Formula Grants** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

### CITIZEN'S INPUT

No one signed up to speak.



## EXECUTIVE SESSION

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**Council went into Executive Session at approximately 7:02 p.m. and came out at approximately 7:25 p.m.**  
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- a. **Conservation Commission proposed bid on Ft. Jackson parcels to protect Gills Creek** – Ms. Hutchinson moved, seconded by Mr. Washington, to authorize the Conservation Commission to bid on parcels presently held by Ft. Jackson. The vote in favor was unanimous.
- b. **Attorney General's Opinion Re: Voter's Registration** – Ms. Dickerson moved, seconded by Mr. Malinowski, to forward this item to the Rules & Appointments Committee. The vote in favor was unanimous.
- c. **Mallory vs. Richland County** – No action taken.

## MOTION PERIOD

**That Richland County enact a tree canopy ordinance and inventory to preserve and enhance the number of trees in Richland County [MALINOWSKI]** – This item was referred to the D&S Committee.

**Resolution honoring Ray Tanner on behalf of the USC baseball team [KENNEDY]** – The resolution was unanimously adopted.

**Resolution honoring former Mayor Bob Coble for 20 years of service to the City of Columbia [KENNEDY]** – The resolution was unanimously adopted.

**Resolution honoring Mayor Steven Benjamin as the new mayor of the City of Columbia [KENNEDY]** – The resolution was unanimously adopted.

**Richland County shall have in place a grease trap ordinance that all commercial food preparation customers using Richland County sewer systems shall have grease traps inspected and pumped out every two (2) months or sooner [MALINOWSKI]** – This item was referred to the D&S Committee.

## ADJOURNMENT

The meeting adjourned at approximately 7:32 p.m.

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Paul Livingston, Chair

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Damon Jeter, Vice-Chair

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Gwendolyn Davis Kennedy

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Joyce Dickerson

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Valerie Hutchinson

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Norman Jackson

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Bill Malinowski

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Jim Manning

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L. Gregory Pearce, Jr.

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Kit Smith

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Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley