

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, SEPTEMBER 11, 2007 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, Michael Criss, Anna Almeida, Daniel Driggers, Audrey Shifflett, Angie McInchok, Lashedra Pontoon, LaTasha McIlwain, Chief Harrell, John Hixon, Howard Boyd, Srinivas Valavala, 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 Bernice Scott

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bernice Scott

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Zoning Public Hearing: July 24, 2007 – Ms. Hutchinson moved, seconded by Mr. Jackson, to approve the minutes as submitted. The vote in favor was unanimous.

Special Called: July 24, 2007 – Ms. Hutchinson moved, seconded by Mr. Livingston, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Finch stated that Items 2.f. and 3.a. needed to be removed from the agenda and a TIF Report needed to be added under the Report of the County Attorney for Executive Session Items.

Mr. Pearce moved, seconded by Ms. Scott, to approve the agenda as amended. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that there were two Boy Scouts in the audience.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Farmer's Market Update**
- b. **N. E. Sanitary Landfill vs. Richland County**
- c. **Riverside Property Acquisition**
- d. **TIF Update**
- e. **Employee Grievances**

REPORT OF THE COUNTY ADMINISTRATOR

Strategic Planning – Mr. Ben Boozer, Clemson University, gave an update on this item and stated that there will be at least 2 meetings held in each district.

Budget Department Recognition – Mr. Pope stated that the Budget books were distributed to Council and recognized the Budget staff for their hard work.

Animal Shelter – Mr. Pope stated that the MOU had been worked out with the City of Columbia for the expansion. The only remaining component is the no kill component and a recommendation will be forthcoming on this matter.

HBA Report – Mr. McDonald gave a brief report on this item.

EMS Billing – Mr. Pope stated that Low Country is presently the provider for EMS billing and requested that a RFP be issued to ensure that the County is getting the best possible service.

Richland County Recreation Complex – Ms. Matthews stated that the Council liaison group met on September 10th with the consultant, Ken Simmons. Mr. Simmons will give a presentation at the September 18th Council meeting to outline the next steps regarding this endeavor.

Bond Review Committee Update – Mr. Pope stated that the second meeting of the Bond Review Committee was held on September 7th. Any future bonds that the County is going to issue will be reviewed by the Bond Review Committee before a recommendation is presented to Council.

Transportation Committee Update – Mr. Cronin gave an update and stated that Technical Memo #1 was adopted on August 31st. Technical Memo #2 has been distributed to all members of the Transportation Study Commission and Council should have been forwarded a link to the document.

Billboards – Mr. Pope stated that the Appearance Commission will be hosting a Billboard Public Information Forum on September 13th at the Richland County Public Library's Main Branch from 6:00-8:00 pm.

REPORT OF THE CLERK OF COUNCIL

National Guard Tour of Facilities, October 18, 2007, 10:00 a.m. – Ms. Finch reminded Council of the National Guard Tour on October 18, 2007 at 10:00 a.m. Ms. Finch will be contacting the appropriate National Guard personnel to arrange transportation for the tour.

Magistrate's Swearing In Ceremony – Ms. Finch stated that Council had received an invitation to attend the Magistrate's Swearing In ceremony on September 14th at 4:00 p.m. in Council Chambers. There will be a reception immediately following in the 4th Floor Conference Room.

Reschedule of Coin Toss – Ms. Finch stated that the Coin Toss has been rescheduled for the Benedict Homecoming game on October 20th at 2:00 p.m.

Mr. Malinowski moved, seconded by Mr. Jackson, to move Executive Session until after Citizen's Input. The vote in favor was unanimous.

REPORT OF THE CHAIRMAN

No report was given at this time.

PUBLIC HEARING ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article 1, Regulations regarding County owned or leased property; Section 17-2, Parking on County Office property; Subparagraph (A)(6); So that the County Finance Department will determine and set the cost for a parking decal – No one signed up to speak.**
- **A Budget Ordinance to Establish a \$25.00 Manufactured/Mobile Home Registration Fee – No one signed up to speak.**

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article 1, Regulations regarding County owned or leased property; Section 17-2, Parking on County Office property; Subparagraph (A)(6); So that the County Finance Department will determine and set the cost for a parking decal [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article III, Administrative Offices and Officers; Division 3, Assistant County Administrator [Third Reading]**
- **Chapter 26, Land Development; Article VIII, Resource Protection Standards; Section 26-203, Stormwater Management; So as to provide for a new subsection “(E)”, entitled “Stormwater Management Industrial and High Risk Runoff Inspection Guidelines”. [Third Reading]**
- **07-31MA, Myung Chan Kim, RU to NC (3.8 Acres), General Commercial, 20281-01-21 & 45, 2201 & 2209 Clemson Road [Second Reading]**
- **07-39MA, John Tien, RU to GC (10.01 acres), Office/Warehouse/Distribution, 02509-03-02, 1041 Gates Road [Second Reading]**

SECOND READING

07-34MA, Stan Mack, RU to GC (1.41 acres), Bank, 03300-07-04, 10361 Broad River Road – Mr. Malinowski moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

07-38MA, Robert Fuller, Kornegay/Moseley Funeral Home, RU to OI (9.68 acres), Funeral Home, 20300-02-30, 4645 Hard Scrabble Road – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. A discussion took place.

The vote was in favor.

A Budget Ordinance to establish a \$25.00 Manufactured/Mobile Home Registration Fee – Mr. Montgomery moved, seconded by Mr. Pearce, to approve this item. The vote was in favor.

Sheriff's Department: Request to Approve Acceptance of Equipment Grants (No Personnel/\$29,388 Match) – Ms. Smith moved, seconded by Mr. Livingston, to remove this item from the agenda. The vote in favor was unanimous.

FIRST READING

Sheriff's Department: Request to Approve Acceptance of a Gang Enforcement Investigations Program Grant (Personnel Required) – Ms. Smith moved, seconded by Mr. Malinowski, to remove this item from the agenda. The vote in favor was unanimous.

Sheriff's Department: Request to Approve Acceptance of a DNA Grant (Personnel Required) – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. **Accommodations Tax Advisory Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- b. **Employee Grievance Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- c. **Township Auditorium Board—2** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- d. **Business Service Appeals Board—5** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF VACANCIES

- a. **Central Midlands Council of Governments—2** – Mr. Montgomery stated that there were three applicants and two vacancies.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, Ms. Dickerson, Ms. Smith, Ms. Scott, and Mr. Montgomery voted for Mr. Earl F. Brown.

No one voted for Mr. Michael F. Koska.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, Ms. Dickerson, Ms. Smith, Ms. Scott, and Mr. Montgomery voted for Mr. Stephen B. Corboy.

[Mr. Jeter was away during the vote.]

Mr. Earl F. Brown and Mr. Stephen B. Corboy were appointed.

- b. Community Relations Council—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended appointing Ms. Jennifer A. Butler. The vote in favor was unanimous.
- c. Lexington/Richland Alcohol and Drug Abuse Council—2** - Mr. Montgomery stated there were two applicants and two vacancies. The committee's recommendation was to appoint Ms. Julie Marie Brown and Mr. Roosevelt Garrick, Jr. The vote in favor was unanimous.
- d. Music Festival Commission—1** – Mr. Montgomery stated the committee recommended re-advertising this position. The vote in favor was unanimous.

III. CENTRAL MIDLANDS RTA AND MIDLANDS REGIONAL CONVENTION CENTER AUTHORITY TERM LIMITS (Change to Agreement) – Mr. Montgomery stated that the committee recommended that the policy on term limits be removed in regard to the CMRTA and Midlands Regional Convention Center Authority and to give First Reading by title only to the Ordinance. The vote in favor was unanimous.

IV. MOTIONS MADE DURING THE MOTION PERIOD (Rule Change) – Mr. Montgomery stated that the committee recommended adopting the proposed Rule 1.7. A discussion took place.

Ms. Smith moved, seconded by Ms. Dickerson, to recommit this item to the committee. The vote was in favor.

V. POLICY REGARDING THE COUNCIL DISCRETIONARY ACCOUNT – Mr. Montgomery stated that the committee recommended adopting Option #4. A discussion took place.

The vote was in favor.

REPORT OF ADMINSTRATION AND FINANCE COMMITTEE (DEFERRED)

Victim's Assistance Program – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item for First Reading by title only. The vote in favor was unanimous.

APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

Lutheran Family Services, 446 Robins Egg Drive, Columbia, South Carolina 29229 – Ms. Hutchinson moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

Approval of the Intergovernmental Agreement between Richland County and the Town of Irmo regarding implementation of Town's Phase II NPDES – Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve this item. A discussion took place.

The vote was in favor.

CITIZEN'S INPUT

Ms. Sheri Studdard spoke regarding ditch maintenance between Congaree Road and Fox Meadow Lane.

Mr. Ivan Williams spoke regarding the Aramark contract at the Detention Center.

EXECUTIVE SESSION ITEMS

Ms. Scott moved, seconded by Ms. Hutchinson, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 7:34 p.m. and came out at approximately 9:12 p.m.
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Ms. Scott moved, seconded by Mr. Pearce, to come out of Executive Session. The vote in favor was unanimous.

- a. **Farmers' Market** – Ms. Scott moved, seconded by Ms. Hutchinson, to direct the Chairman to appoint three members of Council to meet with Commissioner Weathers to discuss the future direction of the wholesale portion of the market. The vote in favor was unanimous.

- b. **N. E. Sanitary Landfill vs. Richland County** – Mr. Montgomery moved, seconded by Ms. Smith, to authorize Council to proceed as advised in Executive Session. The vote in favor was unanimous.
- c. **Riverside Property Acquisition** – Mr. Livingston moved, seconded by Mr. Pearce, to direct the Administrator to proceed with negotiations in reference to this property as discussed in Executive Session. A discussion took place.

The vote in favor was unanimous.

- d. **TIF Update** – No action taken.
- e. **Employee Grievances** – Ms. Smith moved, seconded by Mr. Montgomery, to uphold the Administrator's recommendations. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Mr. Jeter, to uphold the Administrator's recommendations with the exception of the grievance that Mr. Jackson referred to during discussion. The vote in favor was unanimous.

The vote on the remaining grievance was in favor.

MOTION PERIOD

Funding for Monticello Road/Ridgewood Corridor Economic Development Assessment – Mr. Livingston referred to the A&F Committee the matter of funding for a Monticello Road/Ridgewood Corridor economic development assessment.

Certificate of Need for Parkridge Hospital and Urgent Care Facility – Mr. Pearce stated that Lexington and Newberry have filed appeals against the Certificate of Need for Parkridge Hospital and the Urgent Care Facility.

Removal or Demolition of Mobile Homes – Mr. Livingston referred to D&S the removal or demolition of dilapidated/abandoned mobile homes manufactured before 1976. Ms. Scott requested that demolition of dilapidated/abandoned homes also be included in this motion.

POINT OF ORDER – Ms. Smith stated the topic should go to Committee and not be discussed or debated during the motion period.

Ordinance Restricting Front Yard Parking – Mr. Montgomery referred to the D&S Committee the matter of an ordinance restricting front yard parking.

Regulation on the Number of Non-related Occupants in a Single Family Residence – Mr. Montgomery referred to the D&S Committee an analysis regulating the number of non-related occupants in a single family residence.

Direct Subdividing of Lots in Residential Neighborhoods – Mr. Montgomery referred to the D&S Committee the matter of direct subdividing of lots in residential neighborhoods.

Affects of Zoning Changes on Richland County Checklist for Commissions and Agencies – Mr. Malinowski referred to the D&S Committee the formulation of a checklist to be used by Commissions and Agencies to determine the affect re-zoning requests have on Richland County financially, environmentally, and the resident's lifestyle.

Placement of Fire Retardant in Homes – Mr. Jackson referred to the D&S Committee the matter of fire retardant placement in homes that are less than 50 feet apart.

Amending the Number of Rooms Allowed in a Bed and Breakfast – Mr. Jackson referred to the D&S Committee the matter of amending the number of rooms allowed in a Bed and Breakfast.

Truth in Zoning – Mr. Jackson referred to the Rules and Appointments Committee the matter of rezoning a property for a specific reason and then the property owner selling the property and the property being used for another purpose allowed within that zoning designation.

Sunday Alcohol Sales – Mr. Jeter referred to A&F Committee the feasibility of Sunday alcohol sales.

Resolution for USC vs. SC State Game – Mr. McEachern moved, seconded by Ms. Smith, to adopt a resolution for the USC vs. SC State game. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 9:37 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley