

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 4, 2011 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	Seth Rose
Member	Kelvin Washington

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Sara Salley, Stephany Snowden, Larry Smith, Amelia Linder, Dale Welch, David Hoops, John Hixon, Anna Almeida, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:05 p.m.

INVOCATION

The Invocation was given by the Honorable Kelvin E. Washington, Sr.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kelvin E. Washington, Sr.

POINT OF PERSONAL PRIVILEGE

Mr. Livingston recognized Ms. Jeanette McBride, Clerk of Court, Mr. Paul Brawley, Auditor, and the Honorable Mildred McDuffie were in the audience.

ELECTION OF CHAIR

Mr. Pearce moved, seconded by Mr. Washington, to nominate Mr. Livingston for the position of Council Chair.

Ms. Kennedy moved, seconded by Mr. Malinowski, to nominate Mr. Jackson for the position of Council Chair.

Mr. Pearce moved, seconded by Ms. Hutchinson, to close the floor for nominations. The vote in favor was unanimous.

Mr. Pearce, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Mr. Manning, and Mr. Washington voted in favor of Mr. Livingston.

Mr. Malinowski, Mr. Jackson, Ms. Dickerson, Ms. Kennedy, and Mr. Rose voted in favor of Mr. Jackson.

Mr. Livingston was elected as Council Chair.

ELECTION OF VICE CHAIR

Mr. Manning moved, seconded by Ms. Hutchinson, to nominate Mr. Jeter for the position of Vice Chair.

Mr. Malinowski moved, seconded by Mr. Jackson, to nominate Ms. Kennedy for the position of Vice Chair.

Mr. Washington moved, seconded by Ms. Hutchinson, to close the floor for nominations. The vote in favor was unanimous.

Mr. Pearce, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Mr. Manning, Ms. Washington, and Mr. Rose voted in favor of Mr. Jeter.

Mr. Malinowski, Mr. Jackson, Ms. Dickerson, and Ms. Kennedy voted in favor of Ms. Kennedy.

Mr. Jeter was elected as Vice Chair.

SELECTION OF SEATS

Mr. Livingston stated the next order of business was the selection of seats.

(The selection of seats was taken up by seniority and continued in alphabetical order.)

The seats were selected from left to right as follows:

1. Pearce
2. Malinowski
3. Jackson
4. Hutchinson
5. Jeter
6. Livingston
7. Dickerson
8. Manning
9. Kennedy
10. Rose
11. Washington

APPROVAL OF MINUTES

Special Called Meeting: December 21, 2010 – Mr. Pearce moved, seconded by Mr. Jeter, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: December 21, 2010 – Mr. Jeter moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pearce requested that Project P from the Economic Development Committee be added to the agenda under the Report of the Attorney for Executive Session Items.

Mr. Smith requested that a contractual matter regarding the Clerk of Council's contract be added to the agenda under the Report of the Attorney for Executive Session Items.

Ms. Hutchinson 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

- a. **Project Care**
- b. **Project P**
- c. **Personnel Matter**

EXECUTIVE SESSION

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Council went into Executive Session at approximately 6:15 p.m. and came out at approximately 6:26 p.m.
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- a. **Project Care** – No action was taken.
- b. **Project P** – No action was taken.

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Fourth Quarter Smoking Ban Report – Mr. Pope stated that one complaint regarding a private club was received. An inspection was conducted and three tickets were issued: 2 to smokers and 1 to the manager.

2011 Council Retreat, January 6-7 – Mr. Pope reminded Council of the Council Retreat on January 6th & 7th at the Parklane Adult Activity Center.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Committee Sign-Up Sheets – Mr. Livingston instructed the Clerk's Office to provide Council members with committee sign-up sheets.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Fiscal Year 2010-2011 Utilities Fund Annual Budget to appropriate \$75,463 of Utilities Fund Interest for Broad River Capital Project Closeout** – No one signed up to speak.
- **An Ordinance Amending Ordinance 008(a)-10HR and Authorizing a Quit-Claim Deed to Malika R. Snipe for a portion of Hunter's Road, an unpaved road in the Richland County Road Maintenance System** – No one signed up to speak.

- **An Ordinance Amending Ordinance 008(a)-10HR and Authorizing a Quit-Claim Deed to Aramide Mitchell for a portion of Hunter's Road, an unpaved road in the Richland County Road Maintenance System** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes; so as to provide regulations for boarded-up structures** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **Amend Ordinance which authorized a Quit Claim Deed to A. Mitchell and M. Snipe:**
 - a. **An Ordinance Amending Ordinance 008(a)-10HR and Authorizing a Quit-Claim Deed to Malika R. Snipe for a portion of Hunter's Road, an unpaved road in the Richland County Road Maintenance System [THIRD READING]**
 - b. **An Ordinance Amending Ordinance 008(a)-10HR and Authorizing a Quit-Claim Deed to Aramide Mitchell for a portion of Hunter's Road, an unpaved road in the Richland County Road Maintenance System [THIRD READING]**
- **Proposed Ordinance for Emergency Planning [FIRST READING]**
- **Automatic Vehicle Locations Systems-Sheriff's Department [TO TABLE]**
- **Establish a formal review of financial data [TO TABLE]**

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

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits the subdivision of property to heirs of a deceased property owner

– A discussion took place.

Mr. Jackson moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2010-2011 Utilities Fund Annual Budget to appropriate \$75,463 of Utilities Fund Interest for Broad River Capital Project Closeout – Mr. Jeter moved, seconded by Ms. Hutchinson, to defer this item until the January 18th Council meeting. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes; so as to provide regulations for board-up structures – Ms. Hutchinson moved, seconded by Ms. Kennedy, to approve this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Change Order Approval for Landfill Phase 1A Closure Project – Mr. Malinowski moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

Ordinance to amend Chapter 6, Building and Building Regulations, regarding language affecting the Building Codes Board of Adjustment – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item. The vote was in favor.

The Chair of County Council request and schedule a joint meeting with Lexington County officials to consider the feasibility of a collaborative impact fee study for both counties – Ms. Hutchinson moved, seconded by Ms. Dickerson, to accept the committee’s recommendation. The vote in favor was unanimous.

Update on negotiations for property purchase on the Northern Boundary of the C&D County Landfill – Ms. Dickerson moved, seconded by Mr. Malinowski, to approve Alternative #1: “Approve the request to move forward with the condemnation action for the 57 acres of property.” The vote in favor was unanimous.

OTHER ITEMS

The Unsafe Housing Procedures – Ms. Hutchinson moved, seconded by Ms. Kennedy, to approve this item. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Ms. Kennedy, to defer this item until the January 18th Council meeting. 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 7:03 p.m. and came out at approximately 7:13 p.m.
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- a. **Personnel Matter** – No action was taken.

MOTION PERIOD

Due to South Carolina's poor national reputation regarding females in elected and appointed positions, I move Council create an ad-hoc committee to study and report any gender disparities in regard to appointment and other leadership positions within the Council's purview of powers [MANNING] – This item was referred to the Rules & Appointments Committee.

I move that the January 18, 2011 County Council meeting be rescheduled to January 11, 2011 in order that all members, staff and regular meeting attendees have the scheduling opportunity to attend the 2011 State of the City Address. Given all the talk swirling around about City-County mergers, consolidation, coordination, cooperation, take-overs, etc. it may be well for all interested parties to have a chance to hear this potentially valuable information first hand in spite of the rescheduling inconveniences. [MANNING] – Mr. Washington moved, seconded by Mr. Manning, to approve this item. A discussion took place.

The motion failed.

The Baby Boomers has become of age and while we see recreation for the youth we have to explore recreation for adults/seniors. [JACKSON] – This item was referred to the D&S Committee.

Subdivision of Family Property[JACKSON] – This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:28 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.

Seth Rose

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley