

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 1, 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, Stephany Snowden, Tamara King, Melinda Edwards, Larry Smith, Dale Welch, Carl Gosline, John Hixon, Ronaldo Myers, Rodolfo Callwood, Don Chamblee, Gary Watts, Daniel Driggers, Andy Metts, Amelia Linder, Sara Salley, Alfreda Tindal, James Brown, Dan Johnson, 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 Jim Manning

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Jim Manning

APPROVAL OF MINUTES

Regular Session: February 15, 2011 – Mr. Manning moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: February 22, 2011 – Mr. Jeter moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Dickerson moved, seconded by Mr. Jeter, to adopt the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Contractual Matter: Redistricting Ad Hoc Committee**
- b. **Contractual Matter: Township Auditorium**
- c. **Property Acquisition**

CITIZENS' INPUT

Mr. Floyd Cutner, Mr. George Green, Dr. Ernie Bell, Ms. Suzanne Sanders, Dr. Gil Potter, Mr. Richard Dozier, Mr. Lonnie Randolph, and Mr. Gilbert Walker spoke against relocating the Health Department.

REPORT OF THE COUNTY ADMINISTRATOR

Lexington County Transportation Request Update – Mr. Pope gave a brief update and stated that staff will be following up with the Council of Governments to provide additional recommendations to Council.

Budget Update – Mr. Pope stated that the budget requests received from the Elected and Appointed Officials came in at \$20 million over the projected revenue. Meetings with all departments are being conducted and the Administrator's recommended will be provided per Council's direction at the appointed time.

Property Acquisition – This item was taken up during Executive Session.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Personnel Matter: Evaluation Forms – This item was received as information.

PRESENTATION

Palmetto Health State of the Organization Annual Report – Dr. Jim Reynolds, Chair of the Richland Memorial Board of Trustees, and Mr. Chuck Beaman, CEO of Palmetto Health, presented Palmetto Health's Annual Report to Council.

POINT OF PERSONAL PRIVILEGE – Mr. Livingston recognized that Dan Johnson, Richland County Solicitor, Gary Watts, Richland County Coroner and Judge Donald Simons were in the audience.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Authorizing a deed to Vulcan Construction Materials, LP, for approximately 10 acres of land, constituting a portion of Richland County TMS # 06500-01-11** – No one signed up to speak.
- **An Ordinance Authorizing the Issuance and Sale of General Obligation Refunding Bonds, in one or more series, with appropriate series designations, in aggregate amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – No one signed up to speak.
- **An Ordinance Authorizing the Issuance and Sale of Sewer System Obligation Refunding Bonds, with an appropriate series designation, in an amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; other matters relating thereto** – No one signed up to speak.
- **Amendment to the Ordinance regarding Richland County Boards, Commissions and Committees** – No one signed up to speak.
- **Ordinance to Establish the Richland County Complete Streets Commission** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Authorizing a deed to Vulcan Construction Materials, LP, for approximately 10 acres of land constituting a portion of Richland County TMS # 06500-01-11 [THIRD READING]**
- **Review of the Comprehensive Plan concerning the densities for the Lake Murray area of Richland County, as well as the Priority Investment Areas**
- **An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$155,900 of General Fund Undesignated Fund Balance to the Coroner for additional funding for current budget [FIRST READING]**

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

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; so as to reorganize the sections and to provide for continuing service of members until a successor is appointed – Mr. Jackson moved, seconded by Mr. Manning, to amend the ordinance to allow members coming off of boards, commissions or committees to re-apply after a minimum of one day of non-service. A discussion took place.

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

The vote was in favor of the amendment.

Mr. Washington moved, seconded by Mr. Jackson, to approve the ordinance as amended.

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

The vote was in favor of the amended ordinance.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions Created and Recognized; so as to create a Richland County Complete Streets Commission, and setting forth the conditions under which said commission shall function and the responsibilities of same – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item to the March 15th Council meeting. A discussion took place.

The vote in favor was unanimous.

An Ordinance Authorizing the issuance and sale of General Obligation Refunding Bonds, in one or more series, with appropriate series designations, in an aggregate amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the other bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – Mr. Pearce moved, seconded by Mr. Washington, to approve this item. The vote was in favor.

An Ordinance Authorizing the issuance and sale of Sewer System General Obligation Refunding Bonds, with an appropriate series designation, in an amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; other matters relating thereto – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Placing the Recreation Commission under County Council – Mr. Malinowski moved, seconded by Ms. Hutchinson, to amend the language in the second paragraph of the resolution to read: "...therefore may assume all assets and liabilities..." The vote in favor was unanimous.

State of the County Address – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve a policy to hold an annual State of the County Address presided over by the Council Chair. A discussion took place.

Mr. Washington moved, seconded by Ms. Dickerson, to call for the question. The vote was in favor.

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

The vote was in favor of holding an annual State of the County Address presided over by the Council Chair.

Utility Systems Oil, Fats and Grease Regulations – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

An Ordinance Amending the Fiscal Year 2010-2011 Road Maintenance Fund Annual Budget to appropriate \$500,000 of Undesignated Fund Balance for the Low Volume Alternative Paving Pilot Demonstration – Mr. Pearce made a substitute motion, seconded by Mr. Jeter, to not proceed with the plan at this time and to direct the Administrator to come back within a reasonable amount of time with a proposal to initiate the alternate road paving program. A discussion took place.

Mr. Washington moved, seconded by Mr. Rose, to call for the question. The vote was in favor.

The vote was in favor of denying the appropriation of \$500,000.

Contract with Correct Care Solution Detention Center Medical Services – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$164,754 of General Fund Undesignated Fund Balance to the Solicitor for additional funding for emergency budget request – Mr. Washington moved, seconded by Mr. Jackson, to approve this item. The vote was in favor.

Approval of SOVA Solicitation for Funds and Required Match-Solicitor's Office – Mr. Washington made a substitute motion, seconded by Mr. Rose, to appropriate funds from the General Fund in order to fund the request.

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

The motion failed.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- b. **Planning Commission—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Motion to review Council's Rules and Regulations regarding the authority of the Chair, seniority, and possible term limitation in positions and rotations [DICKERSON, JACKSON, MALINOWSKI, AND KENNEDY]** – This item was held in committee.
- b. **If Council intends to attempt another try at a Referendum for a penny sales tax increase, all Council members shall hold public meetings to get public input before making a final decision whether to move forward or not. Public input shall determine how proceeds from the tax will be spent and the term of the tax. This process should be given enough time to make sure it does not appear rushed or at the last minute.**

Reason: If approved, the citizens will be paying for this and we are only the representatives of the people's will and so we shall do everything that's in the best interest of the people we serve.

Transparency: This process whether it is approved and passes or not will give comfort to our constituents that we are not hiding anything by revealing up front everything that would be done with that tax. [JACKSON] – This item was held in committee.

- c. **All elected County officials shall be treated equally, no exceptions [JACKSON]** – Mr. Malinowski stated that this item was tabled in committee.
- d. **Personnel Matter: Evaluation Forms** – Mr. Malinowski stated that the information gathered by Mr. Tomes received at the committee meeting will be incorporated into the evaluation form and present it at the March 15th Rules & Appointments meeting.

Mr. Manning moved, seconded by Mr. Malinowski, to direct staff to re-negotiate Mr. Tomes contract in order to conduct a task analysis of the Clerk’s Office. 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 7:59 p.m. and came out at approximately 9:00 p.m.
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- a. **Contractual Matter: Redistricting Ad Hoc Committee** – Ms. Kennedy moved, seconded by Ms. Dickerson, to authorize the County Attorney to execute the letter of engagement with the law firm as discussed in Executive Session and to have the County Attorney bring back to Council a composed budget amendment from the General Fund at the March 15th Council meeting. The vote in favor was unanimous.
- b. **Contractual Matter: Township Auditorium** – To proceed as directed in Executive Session.
- c. **Property Acquisition** – Mr. Manning moved, seconded by Ms. Kennedy, to approve the property acquisition on Decker Boulevard. The vote in favor was unanimous.

MOTION PERIOD

Resolution honoring Cynthia Byrd for her contributions to the Richland County Public Library in memory of her son Brandon LaVar Byrd [DICKERSON] – Ms. Dickerson moved, seconded by Mr. Manning, to adopt a resolution honoring Ms. Cynthia Byrd. The vote in favor was unanimous.

Motion that Richland County Council provide a resolution for Thomasina Briggs in honor of her longstanding and dedicated service to the Appearance Commission

[ROSE] – Mr. Manning moved, seconded by Ms. Dickerson, to adopt a resolution honoring Ms. Thomasina Briggs. The vote in favor was unanimous.

A Resolution honoring Mary Shivers in memory of her lifelong dedication to improving the quality of life of her community and fellow citizens and her outstanding civic duties [JACKSON] – This item was referred to the Rules & Appointments Committee.

ADJOURNMENT

The meeting adjourned at approximately 9:04 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.