

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 19, 2012 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Not Present	Damon Jeter

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tracy Hegler, Geo Price, Brad Farrar, Pam Davis, Nelson Lindsay, Dale Welch, Rodolfo Callwood, Bill Peters, Daniel Driggers, David Hoops, Melinda Edwards, Yanisse Adrian-Silva, Lillian McBride, Dwight Hanna, 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 Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

PRESENTATION OF RESOLUTIONS

Indian Waters Council 3 Rivers District – This item was deferred.

APPROVAL OF MINUTES

Regular Session: June 5, 2012 – Ms. Hutchinson requested that “internet cafes” be amended to “internet sweepstakes” on page 3 of the minutes.

Mr. Malinowski requested that the vote regarding the consent items on page 6 of the minutes be reviewed for accuracy.

Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Ms. Dickerson moved, seconded by Mr. Malinowski, to adopt the agenda as submitted.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following were potential Executive Session Items:

- a. **SOB Options**
- b. **Court of Appeals Case (Lambries vs. Saluda County, et. al.)** – Mr. Farrar gave a brief public update regarding this item.
- c. **Administrator Transition Committee Update**

CITIZENS' INPUT

No one signed up to speak.

Mr. Manning moved, seconded by Ms. Dickerson, to suspend the rules and hold Executive Session at the end of the meeting.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to hold Executive Session following Public Hearings.

Mr. Manning made a second substitute motion, seconded by Mr. Malinowski, to hold Executive Session following Second Reading Items. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Assessor Legislation Update – Mr. Pope stated the legislation has been signed by the Governor and suggested that a Council work session be held on the item.

Internet Sweepstakes – Mr. Pope stated that the Chair had suggested scheduling a work session on this item.

Legislative Update – Mr. Pope state that a summary of the Legislative Session was included in the agenda packets and if there are any questions regarding the summary to please contact staff.

Employee Grievance – This item was deferred.

Staff Recognition – Mr. Pope introduced the new Senior PIO Officer, Yanisse Adrian-Silva.

Comp & Class Implementation Recommendations – Mr. Malinowski moved, seconded by Mr. Rose, to defer action on this item. A discussion took place.

Ms. Dickerson made a substitute motion, seconded by Mr. Livingston, to accept the Administrator's recommendation. The vote in favor was unanimous.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

TIF Update – Mr. Livingston stated that City Council is to vote on the IGA draft on July 10th. The Clerk's Office will be scheduling a work session, as recommended, the week of July 10th.

Administrator Transition Committee Update – This item was taken up in Executive Session.

Schedule Press Conference re: Firefighters Driving Ambulances – The date for the press conference is to be determined.

Fire Contract Press Conference – Monday, June 25th at 11:30 a.m. at Headquarters a ceremonial signing of the fire contract will be held.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto**

- a. Mr. Bob Leming
- b. Mr. William DePasse
- c. Mr. Brett Bursey
- d. Ms. Brooke Everhart
- e. Mr. Carl Rouse
- f. Mr. Avery Wells
- g. Ms. Sandra Hines
- h. Mr. Lee Cato
- i. Ms. Regina Brown
- j. Mr. Mac Bennett
- k. Mr. Anton Seawright
- l. Ms. Courtney Cockfield
- m. Mr. J. T. McLawhorn
- n. Mr. Doug Bridges
- o. Mr. Lucius Williams
- p. Ms. Vi Hendley
- q. Ms. Brittany Higgins
- r. Mr. Hayes Mizzell
- s. Ms. Greta Cross
- t. Ms. Jennifer Bragg
- u. Ms. Ruth Johnson
- v. Ms. Levola Taylor
- w. Mr. Dan Dennis
- x. Mr. Stick Tivedoux
- y. Mr. John Lumpkin
- z. Ms. Martha Robley
- aa. Mr. Ian Hood
- bb. Mr. Bob Guile
- cc. Ms. Suzanne Gonzalez
- dd. Ms. Sheryl Sally

ee. Ms. Diane Sumpter
ff. Ms. Mamie Jackson
gg. Mr. Charles Austin
hh. Ms. Virginia Sanders
ii. Ms. Mullen Taylor
jj. Ms. Ryan Nevius
kk. Mr. Joe Azar
ll. Ms. Kella Barron
mm. Ms. Jacqueline McDuffie
nn. Mr. Damon Wilson
oo. Ms. Audrey Adams
pp. Ms. Vinnie Dazmore
qq. Mr. Derrick Riley
rr. Mr. Tim Ray
ss. Mr. Harrison Reardon

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized City Councilwoman Leona Plough, Representative Leon Howard, Representative Joe McEachern and Commissioner Reardon were in the audience.

Mr. Washington recognized newly elected Eastover Mayor Geraldine Robinson was in the audience.

Mr. Rose recognized that Council District 7 candidate Torrey Rush was in the audience.

- **JEDA Bond Issue for the Lutheran Homes of SC, Inc.** – No one signed up to speak.
- **An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and WNS Global Services Inc.; and matters relating thereto** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **12-20MA, Jacqueline Bush Reese, RU to RS (2 Acres), Bluff Rd., 27300-07-05 [THIRD READING]**
- **12-21MA, Ismail Ozbek (0.83 Acres), Lexington County Health Services District, Inc., PDD to PDD, Summit Parkway & Summit Centre Dr., 23011-01-02 [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-**

141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Residential Uses” of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to permit “Radio, Television, and Other Similar Transmitting Towers” in the M-1 (Light Industrial District), as a special exception rather than with special requirements [THIRD READING]

- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$40,000 of Special Duty Revenue for off duty security work [SECOND READING]**
- **JEDA Bond Issue for The Lutheran Homes of SC, Inc.**
- **Purchase of Asphalt Paver**
- **Purchase of Vactor Vacuum Jet Rodding Truck**

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

SECOND READING

12-04MA, Richland County, GC to RM-MD (0.64 Acres), 5225, 5229, 5235 & 5239 Ridgeway St., 09309-03-07(p)/08(p)/09(p)/10(p) – Mr. Livingston moved, seconded by Mr. Malinowski, to remove 5229 Ridgeway Street and to table the remaining parcels. The vote in favor was unanimous.

12-14MA, Marion Bouknight, Lee Blythe, RU to RS-MD, Old Tamah Rd. & Shady Grove Rd., 03500-04-08(p)/24 – Mr. Malinowski moved, seconded by Ms. Hutchinson, to defer this item to the July 18th meeting. The vote in favor was unanimous.

An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item. A discussion took place.

Mr. Rose made a substitute motion to support 1/3 of penny referendum and all the revenue generate be dedicated to the bus service. The motion died for lack of a second.

Mr. Livingston requested the following amendment: (1) Remove \$13,900,000 [Mr. Malinowski's request re: Broad River Road Project and request that the part of the Broad River Road project from where Route 176 splits from Route 76 and proceeds toward the I-26 Peak interchange be deleted from consideration. At the present time there are not many homes nor major developments along this section of roadway and it is primarily rural. If the reason for the project is due to potential future development then the development should pay for those expenses, not the taxpayers.]; (2) Remove \$6,200,000 [North Main Street Widening – #62 on High Priority Roadway list]; (3) Remove \$159,113 [Three Rivers Greenway – #50]; (4) Remove \$587,346 [Three Rivers Greenway – # 51]; (5) Remove \$352,894 [Three Rivers Greenway – #52]; (6) Add \$12,000,000 [Leesburg Road Widening]; (7) Add \$11,294,111 [Sidewalks on Pinehurst Road from Harrison to Forest Drive]; (8) Add \$7,902,242 [Saluda Riverwalk]; and savings from Broad River Road/I-20 interchange project will be applied to the Broad River Road Corridor improvements.

Ms. Dickerson moved, seconded by Mr. Washington, to accept Mr. Livingston's proposed amendment. A discussion took place.

The vote was in favor of the amended motion.

July Meeting Schedule – Mr. Manning moved, seconded by Ms. Dickerson, to reschedule the July 17th meeting to July 18th. The vote in favor was unanimous.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 9:48 p.m. and came out at approximately 10:31 p.m.
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Administrator Transition Committee Update – Mr. Manning moved, seconded by Ms. Kennedy, to approve the employment agreement to appoint the Assistant County Administrator W. Anthony McDonald to the position of County Administrator on an interim and indefinite basis on the terms as discussed, effective July 1st and contingent upon signature by Mr. McDonald and the Chair. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Kennedy, to authorize the Chair and Vice Chair to negotiate a contract, for up to 15 days of service that will expire on the last day of August, with J. Milton Pope to assist Mr. McDonald with the transition. The vote in favor was unanimous.

FIRST READING

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; “Transportation, Information, Warehousing, Waste Management, and Utilities” of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to prohibit underground utilities from crossing perpetual conservation easements – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2011-2012 Mass Transit Annual Budget to appropriate up to \$50,000 of Mass Transit Undesignated Fund Balance for the educational component of the Transportation Sales Tax – Mr. Jackson moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Purchase of Motorgrader – Mr. Pearce moved, seconded by Mr. Malinowski, to withdraw this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Retention Schedule for the Public Works Department – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve as amended. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance Authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina and Sysco Columbia, LLC and matters relating thereto [FIRST READING] – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and WNS Global Services Inc.; and matters relating thereto [SECOND READING] – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

Memorandum of Understanding between Richland County and the Minority Business Development Agency – Mr. Livingston moved, seconded by Mr. Malinowski, to defer this item until the July 18th Council meeting. The vote in favor was unanimous.

OTHER ITEMS

A Resolution to appoint and commission Richard Dingle as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr.

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

Community Residential Care Facility: 309 Calvary Drive – This item was received as information.

Internet Sweepstakes – Mr. Manning moved, seconded by Mr. Malinowski, to schedule a work session on this item.

SOB Options – Mr. Manning moved, seconded by Ms. Kennedy, to defer this item until the July 18th Council meeting. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Resolution honoring USC Basketball Coach Dawn Staley for her outstanding service and success [DICKERSON] – Mr. Pearce moved to unanimously approve the resolution honoring Coach Dawn Staley. The vote in favor was unanimous.

Resolution honoring the 70th Wedding Anniversary of Murdic and Beula Bowen [HUTCHINSON] – Mr. Pearce moved to unanimously approve the resolution honoring Murdic and Beula Bowen. The vote in favor was unanimous.

Proclamation honoring Mr. James Knotts for receiving the Congressional Gold Medal [WASHINGTON] – Ms. Dickerson moved to unanimously approve the resolution honoring Mr. James Knotts. The vote in favor was unanimous.

Kingville Historical \$20,000 Funding Request [WASHINGTON] – This item was referred to the A&F Committee.

During the budget there was a misunderstanding about Lower Richland PTSA. It is actually Lower Richland Diamond Day Festival which is the largest even in Lower Richland funded by the County at Lower Richland High School. Diamond Day was always funded at a minimum \$15,000 and only received \$4,850. I move that Lower Richland Diamond Day Festival receive an additional \$10,150 from the \$25,000 set aside for additional funding since Council decided to eliminate the second round of funding. [JACKSON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 10:57 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Damon Jeter

Bill Malinowski

Jim Manning

Paul Livingston

Seth Rose

The minutes were transcribed by Michelle M. Onley