

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 18, 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.*

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### 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, Larry Smith, Amelia Linder, Michael Criss, Anna Almeida, Jennie Sherry-Linder, Audrey Shifflett, Angie McInchok, Rodolfo Callwood, Teresa Smith, Paul Brawley, Chief Harrell, John Hixon, 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 Kit Smith

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

## PRESENTATIONS

**Mr. James Miller, Forestry Commission** – Mr. Miller presented to Council a check for \$12,074.00 from the Forestry Commission.

**Mr. Ken Simmons, Recreation Complex** – Mr. Simmons gave an update on Task III of this project.

**Ms. Mitzi Javers, CMRTA Update** – Ms. Javers gave a brief update on the CMRTA.

**Ms. Cynthia Hardy, Richland One Middle College/Total Carolina Care** – Ms. Hardy stated that the Middle College received the Innovator Award for their Workplace to Work Initiatives from the Southern Growth Policies Board. Ms. Hardy also introduced Dr. Robert Kirton to Council.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston stated that the Richland One Middle College is conducted at Midlands Technical College.

## CITIZEN'S INPUT

No one signed up to speak.

## APPROVAL OF MINUTES

**Regular Session: September 11, 2007** – Mr. Montgomery moved, seconded by Mr. Livingston, to approve the minutes with the following correction: on page 5, Report of Rules and Appointments Committee, II. Notification of Vacancies, Item a.—the word was needs to be replaced with were so there is subject-verb agreement.

Mr. Malinowski stated that on p. 4, Second Reading, Item 07-38MA, the minutes should reflect that the vote was in favor and not unanimous.

The vote in favor was unanimous.

## ADOPTION OF AGENDA

Mr. Smith stated that the following items needed to be added under the Report of the County Attorney for Executive Session: N. E. Sanitary Landfill vs. Richland County; Splash, Inc. vs. Richland County; Richland County vs. Isaac Cloud; and the Lomar Request to FEMA.

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

## REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Riverside Property Acquisition**
- b. **N. E. Sanitary Landfill vs. Richland County**
- c. **Splash, Inc. vs. Richland County**
- d. **Richland County vs. Isaac Cloud**
- e. **Lomar Request to FEMA**

## REPORT OF THE COUNTY ADMINISTRATOR

**Personnel Update** – Mr. Pope requested that this item be deferred until the October 2<sup>nd</sup> meeting.

Ms. Scott moved, seconded by Ms. Dickerson, to defer this item.

## REPORT OF THE CLERK OF COUNCIL

**Dinner with Lexington County Council Dates** – Ms. Finch stated that Lexington County Council had issued an invitation to Richland County Council for dinner on either October 18<sup>th</sup> or 25<sup>th</sup>.

**USC School of Medicine Invitation** – Ms. Finch stated that Council had received an invitation to attend the USC School of Medicine's Scholarship Gala honoring Dr. Gerald A. Wilson on October 25<sup>th</sup> at Columbia Metropolitan Convention Center.

**Midlands Technical College Oyster Roast & Shrimp Boil** – Ms. Finch stated that Council had received an invitation to Midlands Technical College's Oyster Roast and Shrimp Boil on October 17<sup>th</sup> from 6:00-8:00 p.m. at the Midlands Technical College Technology Center Patio.

**Attendance Sheets** – Ms. Finch stated that there were attendance sheets being passed around.

## REPORT OF THE CHAIRMAN

No report was given at this time.

## PUBLIC HEARING ITEMS

None.

### APPROVAL OF CONSENT ITEMS

Ms. Scott moved, seconded by Mr. Dickerson, to approve the following consent items:

- **07-31MA, Myung Chan Kim, RU to NC (3.8 Acres), General Commercial, 20281-01-21 & 45, 2201 & 2209 Clemson Road [Third Reading]**
- **07-34MA, Stan Mack, RU to GC (1.41 Acres), Bank, 03300-07-01, 10361 Broad River Road [Third Reading]**
- **07-39MA, John Tien, RU to GC (10.01 acres), Office/Warehouse/Distribution, 02509-03-02, 1041 Gates Road [Third Reading]**
- **Sheriff's Department: Request to approve acceptance of a DNA Grant (Personnel Required) [Second Reading]**

### THIRD READING

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

Mr. Livingston called for the question, seconded by Ms. Scott. The vote in favor was unanimous.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jeter	Jackson
Livingston	Hutchinson
Dickerson	McEachern
Smith	
Scott	
Montgomery	

The vote was in favor.

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

### SECOND READING

**Central Midlands RTA and Midlands Regional Convention Center Authority Term Limits (Change to Agreement)** – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve the ordinance as submitted. A discussion took place.

The vote in favor was unanimous.

**Victim's Assistance Program** – Mr. Montgomery moved, seconded by Ms. Scott, to approve the two ordinances relating to this item and to ask that the ad hoc committee continue to serve as needed. A discussion took place.

The vote in favor was unanimous.

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

**204 Joe Apree Circle, Columbia, South Carolina 29223** – Ms. Smith moved, seconded by Ms. Scott, to not object to this residential care facility. The vote in favor was unanimous.

**MASS TRANSIT FEE UPDATE** – Mr. Pope gave an update on the options for the mass transit fee reduction. A discussion took place.

Mr. Montgomery and Ms. Hutchinson requested additional information regarding the termination date for the mass transit fee and the fund balance of the road maintenance fee be provided to Council.

**AUDITOR'S OFFICE UPDATE** – Mr. Paul Brawley gave an update regarding the requested budget amendment for the Auditor's Office. A discussion took place.

Ms. Smith moved, seconded by Ms. Scott, to give First Reading by title only to the proposed budget amendment and to refer the matter back to the September 25<sup>th</sup> A&F Committee meeting for further discussion. The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Smith, to move Executive Session until after Citizens Input. The vote in favor was unanimous.

**CITIZEN'S INPUT**

Mr. John Grego spoke regarding the resolution for Congaree National Park.

**EXECUTIVE SESSION ITEMS**

Mr. Montgomery 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 7:57 p.m. and came out at approximately 8:39 p.m.**  
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Mr. Pearce moved, seconded by Mr. Jackson, to come out of Executive Session. The vote in favor was unanimous.

- a. **Riverside Property Acquisition** – No action taken.
- b. **N. E. Sanitary Landfill vs. Richland County** – No action taken.
- c. **Splash, Inc. vs. Richland County** – No action taken.
- d. **Richland County vs. Isaac Cloud** – No action taken.
- e. **Lomar Request to FEMA** – No action taken.

#### **MOTION PERIOD**

**Approval of Resolution: Congaree National Park** – Ms. Scott moved, seconded by Mr. Jackson, to approve a resolution for the Congaree National Park. The vote in favor was unanimous.

**Odom Family Reunion Resolution** – Mr. Livingston moved, seconded by Mr. Pearce, to adopt a resolution for the Odom Family Reunion. The vote in favor was unanimous.

**Repair Shops Review** – Ms. Dickerson directed staff to investigate the excessive number of cars without tags parked outside of repair shops.

**Resolution Recognizing Customer Service Week, October 1-5, 2007** – Mr. Jackson moved, seconded by Mr. Montgomery, to adopt a resolution in honor of Customer Service Week. The vote in favor was unanimous.

**Amendment to Mass Transit Fee Ordinance** – Mr. Montgomery moved, seconded by Ms. Scott, to give First Reading by title only to an amendment to the Mass Transit Fee Ordinance to reduce the private rate for the period effective November 1, 2007 through October 31, 2008 and that at the time of the termination of the fee there would be an adequate fund balance to continue the County's obligations through June 30, 2009. A discussion took place.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to suspend Council's rules to allow discussion. The vote was not unanimous.

Ms. Smith made a substitute motion to give First Reading by title only to reduce the Mass Transit Fee, seconded by Mr. Jackson. The vote in favor was unanimous.

**Benedict Funding Request** – Mr. McEachern referred to the A&F Committee the funding request from Benedict College for \$25,000 for the Pioneer Bowl.

**Capital Improvements Plan Update** – Ms. Hutchinson moved, seconded by Mr. McEachern, to direct staff to report back to Council on the Capital Improvements Plan.

**Lexington County Council Dinner Request** – Council unanimously selected October 18<sup>th</sup> for dinner with Lexington County Council.

**ADJOURNMENT**

The meeting adjourned at approximately 8:51 p.m.

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Joseph McEachern, Chair

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Valerie Hutchinson, Vice-Chair

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Joyce Dickerson

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Mike Montgomery

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L. Gregory Pearce, Jr.

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley