

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 6, 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	Bernice G. Scott
Member	Kit Smith
Absent	L. Gregory Pearce, Jr.

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Joseph Kocy, Michael Criss, Anna Almeida, Audrey Shifflett, Daniel Driggers, Chief Harrell, Jim Wilson, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable Joseph McEachern

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern and the guest Boy Scout Troops

RICHLAND 101 GRADUATION

Ms. Jennifer Dowden presented the Fall Richland 101 graduates. Ms. Jill Uzzio, a Richland 101 graduate, gave a brief speech.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that her neighbor and her children were in the audience.

BOYS & GIRLS CLUB OF AMERICA

Mr. Carter Clark, Chief Executive Officer, gave a brief update on the Boys & Girls Club of America Program.

CITIZEN'S INPUT

No one signed up to speak.

ADOPTION OF AGENDA

Mr. Smith requested that a Personnel Matter be added under the Report of the County Attorney for Executive Session.

Ms. Finch stated that Item 4.g. should be added to the Approval of Consent Items list and an Adjournment needed to be added as Item 11.

Ms. Smith moved, seconded by Ms. Hutchinson, to approve the agenda as amended.

APPROVAL OF MINUTES

Regular Session: October 16, 2007 – Ms. Hutchinson moved, seconded by Ms. Scott, to reconsider the portion of the minutes dealing with the N. E. Sanitary Landfill. A discussion took place.

POINT OF ORDER – Mr. Montgomery stated he did not understand the purpose of reconsidering this matter.

Ms. Hutchinson withdrew her motion.

Mr. Malinowski called the Clerk's attention to grammatical corrections on pages 2, 5 and 7.

Ms. Smith moved, seconded by Ms. Hutchinson, to approve the minutes as corrected. The vote in favor was unanimous.

Zoning Public Hearing: October 23, 2007 – Mr. Montgomery moved, seconded by Ms. Smith, to approve the minutes as submitted. 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 Contract**
- b. **TIF Update**
- c. **Farmers' Market Update**
- d. **NE Sanitary Landfill**
- e. **Internal Audit Committee**
- f. **Personnel Matter**

REPORT OF THE COUNTY ADMINISTRATOR

PIO Telly Award – Mr. Pope presented the Public Information Office employees with the 2007 Bronze Telly Award.

Demolition of Unsafe Mobile Homes on Percival Road – Mr. Pope recognized Mr. Phipps and his department for their work regarding this matter.

REPORT OF THE CLERK OF COUNCIL

IT Training – Ms. Finch stated that the IT training was successful and training for those Council members not able to attend was being rescheduled.

American Recycles Day Celebration – Ms. Finch stated that an American Recycles Day Celebration will be held on Saturday, November 17th from 10:00 a.m.-4:30 p.m.

Councilwomen Dickerson Recognition – Ms. Finch congratulated Ms. Dickerson on being named the State Director for the National Foundation of Women Legislators.

December Council Schedule – Ms. Finch stated that she needed guidance on the dates for meetings in December. (*This matter was taken up during the motion period.*)

REPORT OF THE CHAIRMAN

Joint Planning Commission Work Session – Mr. McEachern requested that the Clerk's Office schedule a work session with County Council and the City Council to work on the Joint Planning Commission.

Business Summit – Mr. McEachern requested that the Clerk's Office work on scheduling a Business Summit.

PUBLIC HEARING ITEMS

Mr. McEachern opened the floor to the following public hearings:

- **An Ordinance Establishing Policies and Procedures to be followed in Connection with Conduit Financings** – No one signed up to speak.
- **An Ordinance Authorizing the Issuance of not to exceed (\$5,000,000) General Obligation Bonds to be used for the following purposes: Purchase of Land and Constructing a Public Safety Facility (\$1,600,000); Purchase of Vehicles for use by the Sheriff's Department for fiscal year 2007-2008 (\$2,000,000); and for the Expansion of the City's Animal Shelter (\$1,400,000)** – No one signed up to speak
- **An Ordinance Authorizing the Issuance of not to exceed (\$6,975,000) General Obligation Bonds for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project** – No one signed up to speak.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Establishing Policies and Procedures to be followed in Connection with Conduit Financings** [Third Reading]
- **An Ordinance Authorizing the Issuance of not to exceed (\$5,000,000) General Obligation Bonds to be used for the following purposes: Purchase of Land and Constructing a Public Safety Facility (\$1,600,000); Purchase of Vehicles for use by the Sheriff's Department for fiscal year 2007-2008 (\$2,000,000); and for the Expansion of the City's Animal Shelter (\$1,400,000)** [Third Reading]
- **An Ordinance Authorizing the Issuance of not to exceed (\$6,975,000) General Obligation Bonds for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project** [Third Reading]
- **07-43MA, Oak Hills, PDD to Amended PDD, Golf Course w/ Mixed Use Development, 09600-02-13 & 09600-03-01, 02, 03** [Second Reading]
- **07-44MA, Garden Valley Subdivision, M-1 to PDD (7.33 Acres), Single Family Residential, 22906-03-48 & 49, North Springs Road** [Second Reading]
- **07-53MA, Church Properties, LLC, Viji Sashikant, NC to GC (.46 Acres), Home Cleaning Service, 16415-07-03, 1518 Leesburg Road** [Second Reading]

- **07-56MA, Saluda Dam, LLC, Mark Richardson, HI to GC (20.68 Acres), Residential Multi-Family Use, 07315-01-01 & 02, 4120 River Drive [Second Reading]**
- **Request from Aramark, LLC to permit soil and groundwater monitoring at Owens Downtown Airport**
- **Request to accept a conservation easement from Mr. John Eleazer for 62 acres of property in Northwest Richland County**
- **A Resolution in support of the Central Midlands Council of Governments conducting a Joint Land Study (JLUS) of Fort Jackson, McCrady Training City of Columbia and other surrounding communities, as a means of sustaining the long-term viability of these installations and their military missions**
- **A Resolution in support of the Midlands Area Joint Installations Consortium (MAJIC)**
- **Request to approve a contract from property insurance**
- **Request to negotiate a contract with Siemens for the development of an energy proficiency, solutions, development and implementation plan**
- **Request to negotiate and award a contract with First Vehicle Services for fleet maintenance and management services**

SECOND READING ITEMS

07-52MA, Ashley Oaks Development, Mikey Shelley (29.30 Acres), M-1 to RS-LD, Single Family Residential, 17700-01-13, Wilson Blvd. & Farrow Road – Ms. Dickerson moved, seconded by Ms. Scott, to defer this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Amendments to an agreement between Richland County and the Historic Columbia Foundation for the management of the Woodrow Wilson Home and Hampton Preston Mansion – Ms. Hutchinson moved, seconded by Ms. Smith, to approve this item contingent upon the recording of deeds. The vote in favor was unanimous.

Ordinance amending the fiscal year 2007-2008 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds – Ms. Smith stated that the committee's recommendation was for approval. A discussion took place.

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

The motion failed.

An Ordinance amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; and Section 23-71, Oversight and Accountability – Ms. Smith stated that the committee’s recommendation was for approval. A discussion took place.

Ms. Smith moved, seconded by Ms. Hutchinson, to give First Reading approval to an ordinance amendment that continues quarterly distribution for the Museum of Art, Historic Columbia and EdVenture and gives annual distribution for County Promotions and that the amended ordinance be available to Council before Second Reading.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to amend Section 23-69(d) so that the first line shall read: ...each agency named above shall be considered for an increase based on revenue growth. A discussion took place.

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

The vote was in favor of Mr. Malinowski’s amendment.

The vote was in favor of the main motion.

Sheriff Department: Request to approve a Financial Crimes Victim Assistance Program grant (Personnel Required, no match) – Ms. Smith stated that the committee’s recommendation was for approval. A discussion took place.

Mr. Montgomery moved, seconded by Ms. Scott, to table this item. The vote in favor was unanimous.

SC State Military Department Funding Request – Ms. Smith stated that the committee recommended appropriating \$2,000 from the Administrator’s operating fund. A discussion took place.

Mr. Jackson, Ms. Hutchinson, and Ms. Scott stated that they would also appropriate an additional \$250.00 from their accounts to fund this request.

The vote in favor was unanimous.

REPORT OF THE 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. **Internal Audit Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Ordinance Authorizing Sale of Lot 10 in the Richland Northeast Industrial Park to the “Taylored Window, LLC” – Mr. Jeter stated that the committee recommended approval of this item. A discussion took place.

The vote in favor was unanimous.

KIRCO – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

- a. **Ordinance to Include KIRCO property in the I-77 Corridor Regional Industrial Park**
- b. **Infrastructure Credit Agreement**

Staples

- a. **Ordinance Authorizing Fee Agreement, including payment of a fee-in-lieu of taxes** – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.
- b. **FILOT Agreement** – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

**APPROVAL OF RESOLUTIONS TO APPOINT AND COMMISSION CODE
ENFORCEMENT OFFICERS FOR THE PROPER SECURITY, GENERAL WELFARE
AND CONVENIENCE OF RICHLAND COUNTY**

- a. **Marquis Leonard Gantt (Animal Care)** – Mr. Montgomery moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.
- b. **Thomas Pierce Paige (Animal Care)** – Mr. Montgomery moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.
- c. **Bradley Craig Rogers (Business Service Center)** – Mr. Montgomery moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

Mr. Montgomery moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

=====
Council went into Executive Session at approximately 7:18 p.m. and came out at approximately 8:52 p.m.
=====

Mr. Montgomery moved, seconded by Mr. Jeter, to come out of Executive Session. The vote in favor was unanimous.

- a. **Riverside Contract** – No action taken.
- b. **TIF Update** – Mr. Jeter moved, seconded by Ms. Scott, to authorize the attorneys and a delegation of Council members appointed by the Chairman to engage in mediation discussions with the City of Columbia. The vote in favor was unanimous.
- c. **N. E. Sanitary Landfill** – No action was taken.
- d. **Internal Audit Committee** – No action taken.
- e. **Personnel Matter** – No action taken.

MOTION PERIOD

Transportation Commission Contract Review – Mr. Jackson moved, seconded by Mr. Malinowski, to direct staff to review the Transportation Commission contract and report back to Council at the November 20th meeting.

Road Maintenance Fee – Mr. Jackson referred to the D&S Committee a request to revisit and revise the Road Maintenance Fee.

Distribution of Grant Funds – Mr. Jackson requested that the Clerk's Office research this item and report back to Council at the November 20th meeting.

Council Member Pay Increases – Mr. Jeter requested an update on the request for increases in the Council member pay.

Farmers' Market Property – Ms. Scott moved, seconded by Mr. Jackson, to direct the County Administrator to negotiate with the Department of Agriculture and the Budget and Control Board to enforce the terms of the MOU with the Department of Agriculture in regard to the Farmers' Market property and also request that the Council Chairman establish a committee of Council members to meet with the Recreation Commission. The vote in favor was unanimous

Mr. Jackson proposed that the committee consider placing a golf course in the Lower Richland area.

Ms. Scott accepted the amendment to her original motion.

American Recycles Day – Ms. Hutchinson moved, seconded by Ms. Scott, that Richland County Council declare November 15th American Recycles Day and that the County will be sponsoring an event on Saturday, November 17th from 10:00 a.m. to 4:30 p.m. The vote in favor was unanimous.

December Meeting Schedule – The consensus of Council was to schedule the December meetings on December 4th and 18th.

Holiday Drop-in for Elected Officials – Ms. Smith stated that Council could host a holiday drop-in for elected officials in the region.

Legislative Delegation Meeting – Mr. McEachern directed the Clerk's Office to schedule a meeting with the Legislative Delegation.

POINT OF PERSONAL PRIVILEGE – Ms. Scott recognized that Mr. McEachern's son was in the audience.

ADJOURNMENT

The meeting adjourned at approximately 9:02 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