

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, DECEMBER 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.

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, Tamara King, David Chambers, Larry Smith, Amelia Linder, Joseph Kocy, Anna Almeida, Jennie Sherry-Linder, Teresa Smith, Audrey Shifflett, Jim Wilson, Chief Harrell, David Adams, Barbara Scott, 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 Joseph McEachern

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

PRESENTATION

Mr. Jim Wilson, Environmental Manager, COWASEE Basin Presentation – Mr. Jim Wilson and Mr. Buddy Baker, Department of Natural Resources gave a brief presentation regarding the COWASEE Basin Program.

Mr. Andy Witt, Cultural Council – Mr. Andy Witt gave a brief update on the arts industry in Richland County and the Greater Columbia area.

ADOPTION OF AGENDA

Mr. Malinowski stated that Item 1.d. should not be a consent item.

Mr. Smith stated that the following items needed to be added under the Report of the County Attorney for Executive Session Items: Personnel Matter and Pending Litigation – N. E. Sanitary Landfill Settlement Agreement. There was a discussion as to whether by adding these items Council would be violating FOIA.

Mr. Jeter stated that the Report of the Economic Development Committee needed to be added to the agenda.

Ms. Scott moved, seconded by Mr. Jeter, to approve the agenda as amended.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that the Treasurer, David Adams and the Clerk of Court, Barbara Scott were in the audience.

Ms. Scott recognized that Tom Elliott was in the audience.

CITIZEN'S INPUT

Mr. Tom Elliott spoke regarding the Farmers' Market.

APPROVAL OF MINUTES

Zoning Public Hearing: November 27, 2007 – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

Regular Session: December 4, 2007 – Mr. Malinowski stated that the vote for Item 07-61MA should be in favor and not unanimous.

Mr. Montgomery moved, seconded by Mr. Malinowski, to approve the minutes as corrected. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Project Y**
- b. **Farmers' Market Update**
- c. **Riverside Property**
- d. **Clerk's Evaluation**
- e. **Personnel Matter**
- f. **N. E. Sanitary Landfill**
- g. **Potential Annexation of Columbia Venture Property by Cayce**
- h. **Offer to Purchase Property**
- i. **Lower Richland Sewer Service Update**

REPORT OF THE COUNTY ADMINISTRATOR

Holiday Drop-in – Mr. Pope thanked Ms. Smith for hosting the drop-in on Council's behalf at her home.

2008 Council Retreat – Mr. Pope stated that staff will be meeting with the Chairman and Vice-Chairman and forwarding information out before Christmas.

Joint Planning Commission Meeting Report – Mr. Pope stated that the Chairman, Mayor and City Manager had met earlier in the week as a follow-up to this meeting.

REPORT OF THE CLERK OF COUNCIL

2008 Council Retreat – Ms. Finch inquired as to which Council members were planning on attending the Retreat. Mr. Malinowski stated that he would not be able to attend due to a scheduling conflict.

NACo Legislative Conference, March 1-5, 2008, Washington Hilton & Towers, Washington, D.C. – Ms. Finch stated that the NACo Conference would be held on March 1-5, 2008 at the Washington Hilton & Towers in Washington, D. C. Ms. Finch requested that all Council members planning to attend inform her immediately so that hotel reservations could be obtained.

Special Called D&S Meeting, December 10th – Ms. Finch stated that Ms. Dickerson had left a message on her voice mail that day stating that she would not be able to attend.

Funeral Arrangements for Officer Lane – Ms. Finch stated that the visitation will be Thursday, December 20th from 6:00-8:00 p.m. at Greenlawn Cemetery. The funeral will be Friday, December 21st at 12:00 noon at Greenlawn Chapel.

REPORT OF THE CHAIRMAN

Recognition of Officer Lane – Mr. McEachern stated that his sons knew Officer Lane's son and thought that Officer Lane was a real good guy.

Holiday Greetings – Mr. McEachern wished everyone a Happy and Safe Holiday Season.

PUBLIC HEARING ITEMS

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

- **Project Y FILOT Ordinance** – No one signed up to speak.
- **Ordinance authorizing the sale of Lot 10 in the Richland Northeast Industrial Park to “The Taylored Window, LLC”** – No one signed up to speak.
- **Amendment to Chapter 23, Taxation; Article VI, Local Hospitality Tax; Sections 23-69 & 23-71** – No one signed up to speak.

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

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

- **07-58MA, Jeff Lanham, RM-HD to NC (2.24 Acres), Neighborhood Commercial, 06016-09-01, 960 Zimalcrest Drive** [Third Reading]
- **Ordinance authorizing Assignment and Assumption of International Truck and Engine Corporation Fee Agreement and Inducement Agreement and Millage Rate Agreement** [Third Reading]
- **Ordinance to include KIRCO property in the I-77 Corridor Regional Industrial Park** [Third Reading]
- **Ordinance authorizing the sale of Lot 10 in the Richland Northeast Industrial Park to “The Taylored Window, LLC”** [Third Reading]
- **A Budget Ordinance for 911 System Upgrades** [Second Reading]

THIRD READING ITEMS

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

07-59MA, Bruce Oswald, RS-MD to GC (3.47 Acres), General Commercial, 11708-06-01 & 06, Fairfield Rd. & Prescott Rd. – Mr. Livingston moved, seconded by Mr. Jeter, to approve this item. A discussion took place.

The vote in favor was unanimous.

07-61MA, Peak Holdings, LLC, M-1 to GC (26.64 Acres), General Commercial, 02500-07-05, Peak Exit of I-26 – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

Mr. Malinowski made a substitute motion to defer this item until a response is received from the School District on the impact this zoning could have upon it, seconded by Mr. Jackson. The motion failed.

The vote was in favor of the main motion.

07-43MA, Oak Hills, PDD to Amended PDD, Golf Course w/ Mixed Use Development, 09600-02-13 & 09600-03-01, 02, 03 – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item contingent upon completion of the development agreement. The vote in favor was unanimous.

Project Y FILOT Ordinance – This item was deferred until after Executive Session.

Amendment to Chapter 23, Taxation; Article VI, Local Hospitality Tax; Sections 23-69 & 23-71 – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item until the January 8th meeting. The vote in favor was unanimous.

Resolution for Farmers' Market – *[This item was reconsidered at the January 3, 2008 meeting]* – Ms. Scott moved, seconded by Ms. Hutchinson, to approve this item.

Ms. Smith offered the following amendment in the next to the last paragraph of the resolution: ...or at the currently selected Shop Road site.

Ms. Scott accepted the amendment.

The vote in favor was unanimous.

Solid Waste Management Plan Amendment – Mr. Pearce moved, seconded by Ms. Hutchinson, to defer this item until after Executive Session. The vote in favor was unanimous.

After coming out of Executive Session, Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. **Accommodations Tax Advisory Committee—2** – Mr. Montgomery stated there was one applicant and two vacancies. The committee recommended appointing Ms. Brenda L. Parnell and re-advertising for the remaining vacancy. The vote in favor was unanimous.
- b. **Airport Commission—3** – Mr. Montgomery stated there were three applicants and three vacancies. The committee recommended appointing Mr. J. Russell Goudelock, II; Mr. Merrill Donahoo and Mr. Don Purcell. The vote in favor was unanimous.
- c. **Board of Assessment Appeal—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended re-appointing Mr. Timothy R. Miles. The vote in favor was unanimous.
- d. **Business Service Center Appeals Board—5** – Mr. Montgomery stated there were no applicants and five vacancies. The committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- e. **Employee Grievance Committee—2** – Mr. Montgomery stated there were no applicants and two vacancies. The committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- f. **Internal Audit Committee—1** – Mr. Montgomery stated there were no applicants and one vacancy. The committee recommended re-advertising for this vacancy. The vote in favor was unanimous.
- g. **Lexington/Richland Alcohol and Drug Abuse Council—2** -- Mr. Montgomery stated there were two applicants and two vacancies. The committee recommended re-appointing Mr. Wendell Price and appointing Mr. Chris Brownlee. The vote in favor was unanimous.
- h. **Richland Memorial Hospital Board—4** -- Mr. Montgomery stated there were six applicants and four vacancies. The committee recommended re-appointing Dr. James L. Hudgins and appointing Dr. James C. Reynolds, Ms. Rosalyn Woodson and Mr. Gerald Isreal, Jr. The vote in favor was unanimous.

Policy on Motions During Motion Period – Mr. Montgomery stated that the committee has requested that staff draft a rule to be brought forward regarding this matter.

REPORT OF DEVELOPMENT AND SERVICES SPECIAL CALLED MEETING

Sheriff's Department: Request to approve the rollover and expenditure of \$184,909.60 of Special Duty Administrative fees billed in FY 2006-2007 and collected after July 1, 2007 for the purpose of purchasing non-lethal Taser Equipment and training – Mr. Jackson stated that the committee recommended 1st Reading approval of this item. The vote in favor was unanimous.

Amendments to the Richland County Billboard Ordinance – This item was held in committee.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Project Newfie – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

CITIZEN'S INPUT

Mr. Eugene Duvall expressed his gratitude to Council for their continuing endeavors on the road paving in the County.

EXECUTIVE SESSION ITEMS

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

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Council went into Executive Session at approximately 7:15 p.m. and came out at approximately 9:39 p.m.
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- a. **Project Y** – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.
- b. **Farmers' Market Update** – No action was taken.
- c. **Clerk's Evaluation** – Ms. Hutchinson moved, seconded by Ms. Scott, to give the Clerk of Council a 4% salary increase. The vote in favor was unanimous.

- d. **N. E. Sanitary Landfill Settlement** – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.
- e. **Lower Richland Sewer Service Update** – No action taken.
- f. **Potential Annexation of Columbia Venture Property by Cayce** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to direct staff to perform due diligence on the Cayce annexation. The vote in favor was unanimous.

MOTION PERIOD

Recreation Work Session – Mr. Jeter directed the Clerk’s Office to schedule a work session regarding the recreation complex.

Kingston Village Sewer – Mr. Pearce requested the D&S Committee proceed with the deliberations on the Kingston Village Sewer extension agreement and refer the matter to full Council with a recommendation for action.

Mr. Pearce moved, seconded by Ms. Scott, to reconsider all Third Reading items with the exception of Item 1.e.

The motion failed.

ADJOURNMENT

The meeting adjourned at approximately 9:46 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