

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 15, 2008 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
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
Absent	Valerie Hutchinson

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Larry Smith, Joseph Kocy, Janet Claggett, Latausha Hopper, Andy Metts, Jim Wilson, Bob Dennis, Brenda Carter, Betty Etheredge, Daniel Driggers, Audrey Shifflett, Pam Davis, Chief Harrell, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:05 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

Gills Creek Watershed Association – Mr. Elliott Powell, Chairman of the Gills Creek Watershed Association, gave a brief update on the Gills Creek Watershed.

PRESENTATION OF RESOLUTION (SCOTT)

Mrs. Patricia Dennis – Ms. Scott and Mr. Jackson presented Mrs. Dennis with a resolution for her assistance during the Hopkins Water project.

ADOPTION OF AGENDA

Ms. Finch requested that an agenda software update by Ms. Latausha Hopper be added to the agenda.

Mr. Montgomery moved, seconded by Ms. Dickerson, to add this item under the Report of the Clerk of Council. The vote in favor was unanimous.

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

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: April 1, 2008 – Ms. Dickerson moved, seconded by Ms. Scott, to reconsider the portion of the minutes regarding the Request to Provide Temporary Funds for the Completion of Delayed C Fund Projects.

POINT OF ORDER – Mr. Montgomery stated that his understanding was that the motion being reconsidered was a motion to defer.

Ms. Dickerson withdrew her motion to reconsider.

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

REPORT OF THE COUNTY ADMINISTRATOR

Contractual Matter: Purchase of Land – This item was taken up in Executive Session.

Transportation Committee Update – Mr. Pope stated that the last remaining public forum meetings are scheduled for April 16th at Lower Richland High School at 6:00 p.m. and April 17th at Dutch Fork High School at 6:00 p.m. The Executive Committee has also requested that Council hold a work session prior to their final recommendation being presented.

Award of Brownfields Grant Award – Ms. Shifflett gave a brief overview of the projects associated with the Brownfield Grants.

Budget Calendar Reminder – Mr. Pope reminded Council of the budget work session and Special Called meeting on April 29th and that Third Reading of the budget is scheduled for June 3rd.

Census Update – Ms. Brenda Carter gave Council an update on the census.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Richland County vs. Isaac Cloud**
- b. **Contractual Matter: Purchase of Land**
- c. **Splash vs. Richland County**

REPORT OF THE CLERK OF COUNCIL

Community Relations Council Annual Luncheon – Ms. Finch stated that the Community Relations Council Luncheon will be held June 2nd from 12:30-2:00 p.m.

Carolina Scholarships Lifetime Service Awards Event – Ms. Finch stated that Carolina Scholarships, Inc. will be hosting a Lifetime Service Awards Event on June 14th at 7:00 p.m. at the Columbia Metropolitan Convention Center. Ms. Scott will be recognized at this event for her service to Richland County.

Agenda Software Update – Ms. Latausha Hopper gave Council a brief update regarding the agenda software.

REPORT OF THE CHAIRMAN

Pending Litigation – This matter was taken up in Executive Session.

PUBLIC HEARING ITEMS

- **Public Hearing Regarding a Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$200,000,000 Hospital Refunding and Improvement Revenue Bonds, in one or more series, pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina as amended** – Mr. Montgomery moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Mr. Malinowski, to approve the following consent items:

- **08-05MA, Baylen Moor, RU to RS-LD (1.39 Acres), Residential Low Density, TMS #01409-03-05, 06, 07 & 01413-01-06, Brody Road [Third Reading]**
- **Budget Amendment for Utilities Consulting Services [Second Reading]**
- **Public Hearing Regarding a Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$200,000,000 Hospital Refunding and Improvement Revenue Bonds, in one or more series, pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina as amended**

The vote was in favor.

THIRD READING ITEM

08-04MA, David Armstrong, Jr., RU to GC (1.15 Acres), Wash Shed, TMS# 20200-01-02, 600 Longtown Road – Ms. Dickerson moved, seconded by Ms. Scott, to defer this item. The vote in favor was unanimous.

SECOND READING ITEM

Business License Ordinance – Mr. Montgomery moved, seconded by Ms. Scott, to approve the following amendment to this item: to include Sec. 16-6(c)(1)(2):

“(c) Provided, however, that those businesses and individuals defined as "contractor" herein shall be exempt from the provisions of this article in the following manner:

(1) Revenues generated from work done for which a building permit is obtained and a fee paid therefore, pursuant to the provisions of section 6-51 of the county code of ordinances, shall be exempt from the provisions of this article; provided, however, that if all revenue of a contractor is generated from work done for which a building permit fee is paid, said contractor shall be exempt from paying any business license fee. Such an

exempt contractor shall file an application in a timely manner setting forth documentation which establishes such contractor's right to an exemption.

(2) Revenue generated from work done for which a permit is not required, such as general repairs, shall be subject to the provisions of this article.”

The vote in favor was unanimous.

Mr. Montgomery moved, seconded by Ms. Scott, to give Second Reading approval to this item, as amended. The vote in favor was unanimous.

Sexually Oriented Business Ordinance – Ms. Smith moved, seconded by Mr. Montgomery, to approve this item. A discussion took place.

Mr. Malinowski requested that (h)(1) be amended to read: “...extend beyond fifteen (15) business days...”

Ms. Smith accepted the amendment

The vote in favor was unanimous.

No-Kill Shelter Memorandum of Understanding & Request for Proposals – Ms. Scott moved, seconded by Mr. Montgomery, to approve the MOU and RFP. A discussion took place.

The vote was in favor.

**RESOLUTIONS APPOINTING THE FOLLOWING ANIMAL
CARE CODE ENFORCEMENT OFFICERS**

- a. **Mr. Kevin Reynolds** – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.
- b. **Mr. Talmadge Clemons** – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.
- c.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:06 p.m. and came out at approximately 8:16 p.m.
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- a. **Richland County vs. Isaac Cloud** – Mr. Livingston moved, seconded by Ms. Dickerson, to instruct the Administrator to move forward with the release of the land as discussed in Executive Session. The vote was in favor.
- b. **Contractual Matter: Purchase of Land** – No action was taken.
- c. **Splash vs. Richland County** – Mr. Montgomery moved, seconded by Ms. Scott, to introduce into the records of Council as documents considered in addressing the sexually oriented ordinance Volume III of the studies concerning secondary effects of sexually oriented businesses. The vote in favor was unanimous.
- d. **Pending Litigation** – Mr. Pearce moved, seconded by Ms. Dickerson, to schedule a Special Called meeting prior to the Zoning Public Hearing on April 22nd. The vote in favor was unanimous.

MOTION PERIOD

Review of Residential Care Facilities Licensing Requirements and Procedures Work Session – Ms. Scott forwarded to the D&S Committee a briefing on the requirements and procedures in regard to residential care facility licensing.

Resolution for Richland County Deputy Injured in the Line of Duty – Ms. Dickerson moved, seconded by Ms. Smith, to adopt a resolution for Richland County deputy injured in the line of duty. The vote in favor was unanimous.

Farmers' Market – Mr. Jackson forwarded to the D&S Committee the exploration of the purchase of Farmers' Market at the current location with a partnership with the City of Columbia and to resell unused property to USC, but give local entities first choice.

ADJOURNMENT

The meeting adjourned at approximately 8:24 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