

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 3, 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	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	L. Gregory Pearce, Jr.
Absent	Mike Montgomery
Absent	Bernice G. Scott
Absent	Kit Smith

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Joseph Kocy, Anna Almeida, Geo Price, Daniel Driggers, James Hayes, Latausha Hopper, Frank Frierson, Jocelyn Jennings, Rodolfo Callwood, Teresa Smith, 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

PRESENTATIONS

Geometrics Alternative Surfacing Program for Dirt Roads – A representative from Geometrics gave a brief overview of the alternative dirt road surfacing program.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: May 20, 2008 – Ms. Dickerson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that the following items needed to be added under the Report of the County Administrator: Update on the Palmetto Utilities and the CASA Grant Award.

Mr. Jackson moved, seconded by Ms. Dickerson, to add these two items to the agenda. The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. Hutchinson, to add Executive Session as Item 7 and reorder the remainder of the agenda. The vote in favor was unanimous.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Contractual Matter Regarding Legal Representation**
- b. **Intergovernmental Agreement—City of Cayce**
- c. **Update on Solid Waste Contracts**
- d. **Update on Potential Purchase of 2 Properties**
- e. **Employee Grievance**

Mr. Pearce moved, seconded by Ms. Hutchinson, to move these items to Executive Session. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Recognition of Sgt. Samuel Jackson, Correctional Supervisor of the Year – Mr. Pope presented Sgt. Samuel Jackson the Correctional Supervisor of the Year award.

Business License Work Session – Mr. Pope stated that the Business License work session will be held on June 12th at 4:00 p.m.

Use of Fill in the Floodplain – Mr. Pope stated that this item will be taken up in the D&S Committee.

Update on the Retail Study – Ms. Margaret Macauley gave a brief update regarding this item.

Employee Grievance – Mr. Pope stated that this item will be deferred until the June 17th meeting.

CASA Grant Award – Mr. Pope stated that this item needed to be added to the Budget 3rd Reading motions list.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

No report was given.

PUBLIC HEARING ITEMS

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

- **An Ordinance Authorizing the issuance and sale of not to exceed \$5,500,000 in general obligation bonds, Series 2008, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; authorizing the Administrator of the County to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto regarding the Richland County Sheriff's Department and LRADAC – No one signed up to speak.**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; so as to**

clarify language regarding members' terms for the Business Service Center Appeals Board – No one signed up to speak.

- **An Ordinance Amending the Fiscal Year 2007-2008 Budget Ordinance to increase the General Fund Human Resources Budget by (\$50,000) and to increase the Solid Waste Budget by (\$700,000) – No one signed up to speak.**
- **An Ordinance to amend the Richland County Code of Ordinances; Chapter 18, Offenses; by adding a new section therein for the purpose of establishing regulations and requirements relating to smoking of tobacco products in the unincorporated areas of Richland County -- Ms. Sharon Helps, Ms. Sherry Kyanko, Mr. Derek Connor, Ms. Lauren Vincent, Ms. Elsie Slade, Mr. Dean Slade, Mr. Ernie Bell, Dr. Phillip Michaels, Dr. Franklin McGuire, Ms. Gina Lane, Mr. Robin Byro, and Mr. Ian Hamilton spoke in favor of this item.**

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Authorizing the issuance and sale of not to exceed \$5,500,000 in general obligation bonds, Series 2008, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; authorizing the Administrator of the County to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto regarding the Richland County Sheriff's Department and LRADAC [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; so as to clarify language regarding members' terms for the Business Service Center Appeals Board [Third Reading]**
- **08-12MA, Martin Marietta, Inc., Robert Fuller, RU to HI (293.2 Acres), Unburden Storage, TMS #06500-01-04(p) [Second Reading]**
- **08-13MA, Village at Sandhills, Charles Kahn, RG-2 to C-3, C-3 to C-1 & C-1 to RG-2, Swap Parcels, TMS #22900-02-09(p) [Second Reading]**
- **An Ordinance Allowing Owners (or their agents) certain parcels of land along Decker Corridor in Richland County, South Carolina, to make application for the use of the development standards of the "CRD Corridor Redevelopment Overlay District" [Second Reading]**
- **Request to Approve the awarding of a contract to Center for Watershed Protection in the amount of \$248,532.85 the purpose of developing the Crane Creek Watershed Management Plan**

- Request to Approve the awarding of a construction contract to First Class Construction, LLC, for Phase I of the Judicial Center Courtyard Repairs project in the amount of \$171,600.00
- Request to Approve the purchase of a replacement tri-axle dump truck for the Roads and Drainage Division of the Department of Public Works for an amount not to exceed \$125,000.00
- Request to amend the 2008 County Holiday Schedule
- Request to award a contract to the Pollock Company for copier services
- Request to renew a contract with ABL in the amount of \$1,383,428.48 for food service management at the Alvin S. Glenn Detention Center
- Request to renew a contract with W. B. Guimarin & Company in the amount of \$139,560.00 for maintenance of the climate control systems at the Alvin S. Glenn Detention Center
- Request to Approve purchase orders and contracts to support the operations of the Emergency Services Department (Diesel & Gasoline, EMS Radio Service, Fire Service Radio, and 911 Equipment Service Agreement)
- Request to renew a contract with Correct Care Solutions in the amount of \$3,217,350.00 for inmate medical services at the Alvin S. Glenn Detention Center

The vote was in favor.

THIRD READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to amend the requirements pertaining to sexually oriented businesses and make clarifications pertaining to all businesses – Mr. Livingston moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (66), Sexually Oriented Businesses, so as to amend requirements pertaining to sexually oriented businesses – Mr. Livingston moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2007-2008 Budget Ordinance to increase the General Fund Human Resources Budget by (\$50,000) and to increase the Solid Waste Budget by (\$2,200,000) – Ms. Dickerson moved, seconded by Ms. Hutchinson, to defer this item until after Executive Session. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance

Standards, so as to establish a Green Code Setting Forth Optional Standards for Certain parcels that may benefit from the application of environmental protection standards – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

An Ordinance to amend the Richland County Code of Ordinances; Chapter 18, Offenses; by adding a new section therein for the purpose of establishing regulations and requirements relating to smoking of tobacco products in the unincorporated areas of Richland County – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Request to approve an extension of the American Engineering Construction Management Contract, the Power Engineering Resident Contract Representative Contract, and the Power Engineering Consultant Services Contract for the purpose of completing the Broad River Waste Water Treatment Plant construction project – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item until the June 17th meeting. The in favor was unanimous.

Request to approve a change order in the amount of approximately \$290,000.00 with Crowder Construction Company for the purpose of constructing an additional influent force main line at the Broad River Waste Water Treatment Plant – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item until the June 17th meeting. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 6, Buildings and Building Regulations; Article III, Building Code, Section 6-82; Article IV, Electrical Code, Sections 6-96 and 6-97; Article V, Fire Prevention Code; Article VI, Gas Code; Article VII, Mechanical Code; Article VIII, Plumbing Code, Sections 6-153 and 6-154; Article IX, Swimming Pool Code, Sections 6-168 and 6-169; Article X, Property Maintenance, Section 6-182; so as to adopt the 2005 edition of the National Electrical Code and the 2006 editions of the Residential Code, International Building Code, International Fire Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code – Mr. Pearce moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

Ordinance Authorizing the transfer of deed to the City of Columbia for Jim Hamilton Boulevard – Mr. Jackson moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE

Request to renew a contract with Honeywell, Inc. in the amount of \$249,288.00 for maintenance coverage on the fire and security systems at the Alvin S. Glenn Detention Center – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATIONS OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Board of Zoning Appeals—1** – Mr. Livingston stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- b. **Central Midland Council of Governments—2** – Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- c. **East Richland Public Service Commission—1** – Mr. Livingston stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

II. NOTIFICATIONS OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Building Codes Board of Adjustments and Appeals—1** – Mr. Livingston stated there were no applicants and one vacancy. The committee recommended re-advertising for this position. The vote in favor was unanimous.

Business Service Center Appeals Board—1 – Mr. Livingston stated there was one applicant and one vacancy. The committee recommended appointing Mr. William F. Quattlebaum. The vote in favor was unanimous.
- b. **Central Midlands Regional Transit Authority—1** – Mr. Livingston stated there were two applicants and one vacancy.

Mr. Pearce, Mr. Malinowski, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, and Ms. Dickerson voted for Mr. Robert G. Liming.

Mr. Robert G. Liming was appointed unanimously.

- c. **Employee Grievance Committee—1** – Mr. Livingston stated there was one applicant and one vacancy. The committee recommended appointing Ms. Josephine McRant. The vote in favor was unanimous.
- d. **Internal Audit—1** – Mr. Livingston stated there were no applicants and one vacancy. The committee recommended re-advertising for this position. The vote in favor was unanimous.
- e. **Midlands Workforce Board—1** – Mr. Livingston stated there was one applicant and one vacancy. The committee recommended appointing Mr. David Prigge. The vote in favor was unanimous.

III. ITEMS FOR DISCUSSION

- a. **Motion Period—Amendment to the Current Rule**– This item was held in committee and a recommendation will be brought to Council at the next meeting.
- b. **Motion Period—Bringing Motions to Council that have been held in Committee for more than six months** – This item was held in committee and a recommendation will be brought to Council at the next meeting.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 6:50 p.m. and came out at approximately 7:45 p.m.
=====

- a. **Contractual Matter Regarding Legal Representation** – No action was taken.
- b. **Intergovernmental Agreement—City of Cayce** – Mr. Livingston moved, seconded by Ms. Dickerson, to direct Administration to forward a letter to Cayce requesting additional information. The vote in favor was unanimous.
- c. **Update on Potential Purchase of 2 Properties** – This item was part of the City of Cayce Annexation item.

- d. **Update on Solid Waste Contracts** – Mr. Livingston moved, seconded by Ms. Dickerson, to direct the Administrator to proceed as discussed in Executive Session in reference to the contracts. The vote in favor was unanimous.
- e. **Palmetto Utilities Contractual Matter** – No action was taken.

An Ordinance Amending the Fiscal Year 2007-2008 Budget Ordinance to increase the General Fund Human Resources Budget by (\$50,000) and to increase the Solid Waste Budget by (\$2,200,000) – Mr. Jackson moved, seconded by Ms. Dickerson, to amend the Solid Waste Budget to \$2,200,000 and approve this item. The vote in favor was unanimous.

MOTION PERIOD

Creation of CDC for Community Development – Mr. Jackson referred to the D&S Committee the possibility of creating a CDC for the Community Development Department.

Resolution for Chief Hubert Harrell – Mr. Pearce requested unanimous consent of Council to adopt a resolution for Chief Hubert Harrell. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:51 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