

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 16, 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	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 – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Joseph Kocy, Amelia Linder, Janet Claggett, Dale Welch, Kyle Holsclaw, Sonia Fells, Shameka Pierce, Rodolfo Callwood, Daniel Driggers, David Adams, Paul Brawley, Teresa Smith, Ronaldo Myers, Kathy Harrell, 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 Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

POINT OF PERSONAL PRIVILEGE – Mr. Jackson recognized the members of the Hickory Ridge Homeowner's Association who were in the audience.

CITIZENS' INPUT

Ms. Scott moved, seconded by Mr. Jackson, to waive the rules and allow Ms. Edith Cunningham to speak. The vote in favor was unanimous.

Edith Cunningham from the Hickory Ridge Community spoke.

APPROVAL OF MINUTES

Regular Session: September 9, 2008 – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as distributed.

Mr. Smith requested that approval of the portion of the minutes regarding the Lower Richland Feasibility Study be deferred until after Executive Session.

Ms. Hutchinson accepted the amendment to her motion.

The vote in favor was unanimous.

ADOPTION OF AGENDA

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

Ms. Hutchinson moved, seconded by Ms. Scott, to add the City of Cayce Intergovernmental Agreement under the Report of the Chairman. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Solid Waste Contractual Matter**
- b. **Internal Audit**
- c. **Palmetto Utilities**
- d. **Lower Richland Sewer Update**
- e. **City of Cayce Intergovernmental Agreement**
- f. **Detention Center Transportation**

REPORT OF THE COUNTY ADMINISTRATOR

Recognition of Dr. Harris Pastides, President of USC – Mr. Pope introduced Dr. Pastides to Council and Dr. Pastides made a brief statement.

Employee Recognition – Mr. Pope recognized Ms. Janet Claggett on her becoming a nationally certified government Chief Information Officer.

Department Recognition: ASGDC Health Accreditation – Mr. Pope recognized the staff of the Alvin S. Glenn Detention Center for the Detention Center healthcare becoming nationally accredited.

REPORT OF THE CLERK OF COUNCIL

Urban League Annual Gala, Thursday, October 30th, 6:00 p.m., Seawells – Ms. Finch stated that the Urban League's Annual Gala will be October 30th at 6:00 p.m. at Seawells.

Joint County-City Meeting Update – Ms. Finch stated that the date for the joint County-City meeting is October 6th at the Clarion.

Fall Meeting of the County Council Coalition, Friday, October 17th; Classes—Thursday, October 16th, Hilton Hotel – Ms. Finch stated that she will be registering those Council members that need to attend classes. The meeting will be held on October 17th at the Hilton Hotel in downtown Columbia.

Greater Columbia Chamber of Commerce Annual Gala & Auction, Thursday, September 18th, Convention Center – Ms. Finch reminded Council of the Greater Columbia Chamber of Commerce Annual Gala & Auction on September 18th at the Convention Center. Cocktails and silent auction will be from 5:00 -7:30 p.m., dinner will be from 7:30-9:30 p.m., and open bar and entertainment from 9:30-11:00 p.m.

Palmetto City Classic Football – Ms. Finch stated that Benedict College presented Council with a signed ball from the Palmetto City Classic.

REPORT OF THE CHAIRMAN

Innovista TIF – Mr. McEachern stated a meeting will be scheduled in the near future with the City of Columbia, School District and Richland County Ad Hoc committees.

PUBLIC HEARING ITEMS

None.

APPROVAL OF CONSENT ITEMS

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

- **08-09MA, Oliver Mack, RU to RC (2 Acres), Construction Garage & Office, 21300-01-02(p), 6108 Bluff Rd. [Third Reading]**
- **08-21MA, Richard Gates, RM-HD/GC to OI (5.11 Acres), Private School & Church, 16910-02-06 & 07, Off Decker Blvd. near Woodfield Pk. [Third Reading]**
- **08-22MA, Village at Sandhills, C-3 to C-1 & C-1 to C-3 (.25 Acres), Zoning Line Adjustment, 22900-02-09(p), Village at Sandhills Phase 3 [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-180, Signs; Subsection (D), Signs Exempt from Permit Requirements; Paragraph (4), Political Signs [Third Reading]**
- **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 (74), Warehouses (Self-Storage), so as to delete the requirement of a fence or wall around the perimeter of the development [Third Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; “Business Professional and Personal Services” and “Institutional, Educational and Civic Uses” of Table 26-V-2; and “Recreational Uses” of Table 26-V-2; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements, and Section 26-152, Special Exceptions; so as to permit certain child day cares (six or less) with special requirements and to remove the special exception requirements for tattoo facilities in the GC General Commercial Districts and to permit certain clubs and lodges as a special exception in the rural zoning districts – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. A discussion took place.

The vote in favor was unanimous.

SECOND READING ITEM

Millage Agencies Budget Amendment – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item with the following amendment: Richland School District II-- \$110,032,400.00. A discussion took place.

Richland School District II

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

The budget amendment for Richland School District II passed.

Recreation Commission

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

The budget amendment for the Recreation Commission failed.

Midlands Technical College

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

The budget amendment for the Midlands Technical College failed.

Riverbanks Zoo

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

The budget amendment for the Riverbanks Zoo failed.

Sheriff's Department Matching Grants Budget Amendment – Ms. Dickerson moved, seconded by Mr. Jackson, 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. **Airport Commission—1** – Mr. Montgomery stated that the committee recommended appointing Mr. Dennis Dabney. The vote in favor was unanimous.

II. MOTION PERIOD AND REVIEW OF POLICY FOR MOTIONS HELD IN COMMITTEE FOR MORE THAN SIX MONTHS; AMENDMENT TO THE RULE

– Mr. Montgomery stated that the committee recommended deferring this item until the next Council meeting. The vote in favor was unanimous.

III. JAIL ADVISORY COMMITTEE – No action taken.

IV. ELECTRONIC PARTICIPATION FOR COUNCIL MEMBERS – Mr. Montgomery stated that this item was held in committee.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Richland Northeast Industrial Park: Purchase of Property, Lot 17 Ordinance Authorizing Deed – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

Project Walter: Ordinance Authorizing the Extension of the Investment Period Under Each of the Revised and Restated Fee Agreement – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

Project Walter: Amendment to Fee Agreement – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

Project Walter: Amendment to Fee Agreement – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:17 p.m. and came out at approximately 8:24 p.m.
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- a. **Solid Waste Contractual Matter** – As discussed in Executive Session.
- b. **Internal Audit** – No action taken.
- c. **Palmetto Utilities** – No action taken.
- d. **Lower Richland Sewer Update** – No action taken.
- e. **City of Cayce Intergovernmental Agreement** – Directed staff to communicate correspondence with the Auditor.
- f. **Detention Center Transportation** – No action taken.

MOTION PERIOD

Motion to authorize and direct the County Administrator to purchase, on behalf of Richland County, that certain parcel or tract of land containing 128.77 acres, more or less, located on Lower Richland Boulevard southeast of its intersection with US 378 (Sumter Highway) and adjacent to other lands of the County, as shown on that certain Boundary Survey, dated December 19, 2007 and recorded in the Registry of Deeds for Richland County, December 19, 2007 in Plat Book 1385 at Page 3138, Known as the "Carolina Bay Tract" from Lower Richland Investors, LLC, for a purchase price of Two Million, Eight Hundred Thousand Dollars (\$2,800,000.00). Funds for this purchase will be derived from non-designated Richland County Hospitality Tax revenues. Closing will occur not later than December 1, 2008 – Ms. Scott moved, seconded by Ms. Dickerson, to unanimously approve this item. The vote failed.

This item was referred to the Hospitality Ad Hoc Committee's next meeting.

Coordinate with Planning Department to create a new sign ordinance that will provide for a more effective and efficient elimination of advertising signs placed in

right of ways along Richland County roads, as well as private property, if permits have not been issued in accordance with Richland County ordinances – Mr. Malinowski referred this matter to the D&S Committee.

In view of the recent case law (Sloan vs. Greenville County) that there be a review of the policies governing the discretionary spending of Richland County Council Members to assure compliance with state and local law and good accounting principles – Ms. Smith referred this matter to the A&F Committee.

In light of the recent South Carolina Supreme Court case, *Beachfront Entertainment, et al. vs. Town of Sullivan's Island*, that first reading approval be given to an ordinance decreasing the fine from \$500 per infraction to \$25 per infraction for an infraction of the Smoking Ordinance – Mr. McEachern requested unanimous consent to give 1st Reading by Title Only to an ordinance decreasing the fine for an infraction of the existing smoking ordinance. The vote failed.

Mr. McEachern referred this item to the A&F Committee meeting.

Direct Richland County staff to obtain information about bus systems in other cities and counties in the U.S. to determine funding sources, operational programs and costs, including both union and non-union drivers. Information can include, but should not be limited to, Clemson University, The University of South Carolina, Raleigh, NC and Greenville, SC – Mr. Malinowski referred this matter to the A&F Committee.

Minutes regarding Lower Richland Feasibility Study -- Mr. Malinowski moved, seconded by Mr. Montgomery, to approve this portion of the minutes. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 8:45 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