

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, DECEMBER 1, 2009 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	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Stephany Snowden, Jennifer Dowden, Randy Cherry, Sara Salley, Michael Byrd, Larry Smith, David Hoops, Amelia Linder, Anna Almeida, John Hixson, Dale Welch, Janet Claggett, Latausha Hooper, Will Henderson, Robyn Watson, Pat Brockman, Pam Davis, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION

The Invocation was given by the Honorable Damon Jeter

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Damon Jeter

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized Sgt. Joseph on the recent article about him in the Columbia Star.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: November 17, 2009 – Ms. Dickerson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Hutchinson moved, seconded by Ms. Dickerson, to adopt the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Columbia Venture Litigation**
- b. **HBA vs. Richland County**
- c. **City of Columbia Bond Court Agreement**
- d. **Employee Grievance – 1**
- e. **Personnel Matter**

REPORT OF THE COUNTY ADMINISTRATOR

Employee Grievance—1 – Ms. Smith moved, seconded by Mr. Malinowski, to uphold the Administrator's recommendation. The vote in favor was unanimous.

Employee Recognition: Pat Brockman – Mr. Pope recognized Ms. Pat Brockman upon her retirement and for her years of service to Richland County.

2010 Retreat Preparation/Request for Potential Topics/Items – Mr. Pope stated that preparations are underway for the 2010 Retreat and Council should forward potential topics to staff.

City of Columbia Bond Court Agreement – This item was taken up during Executive Session.

Appearance Counts Award Recipients – Ms. Snowden recognized this year's Appearance Counts Award recipients and Ms. Ryan Nevius thanked Council for their continued support of the Appearance Commission. Ms. Smith recognized former Councilwoman Susan Brill for her initiative to create the Appearance Commission.

Historic Homes Renovation Projects Update – This was an action item.

EECBG Grant Funds – Mr. Pope stated that Richland County is the recipient of a \$2,116,800 Energy Efficiency and Conservation Block Grant (EECB). The funds were awarded through the Department of Energy from the American Recovery and Reinvestment Act of 2009. The fund will be used to implement programs that lower energy use, reduce carbon pollution, and create green jobs locally. Richland County will partner with the Town of Blythewood, Town of Eastover, Town of Forest Acres, Town of Irmo and Palmetto Health Richland over the course of three years to implement these programs. The County will hire a Sustainability Coordinator to manage this initiative in addition to creating a long-term sustainability plan.

Township Renovations – Mr. Pope gave an update on the Township renovations and Council approved, in concept, a cornerstone marker on the outside of the building, along with a plaque inside the building commemorating the current members of Council.

REPORT OF THE CLERK OF COUNCIL

2nd Annual Dawn Staley Grandparents Breakfast – Ms. Finch stated that Council had received an invitation to the 2nd Annual Dawn Staley Grandparents Breakfast. The event will take place on December 5th, 11 a.m.-1:30 p.m. at the Brookland Baptist Church.

REPORT OF THE CHAIRMAN

Personnel Matter – Mr. Livingston withdrew this item.

APPROVAL OF CONSENT ITEM

- **An Ordinance Authorizing (1) Special Source Revenue Credits by Richland County, South Carolina with respect to certain infrastructure improvements by Blue Cross and Blue Shield of South Carolina; (2) the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the special source revenue credits; and (3) certain other matters relating thereto [SECOND READING]**
- **Discharge of Firearms in Certain areas unlawful**
- **AT&T Leased Line Connections—Countywide**
- **Business Services Center—Records Retention Schedule**

Ms. Smith moved, seconded by Ms. Dickerson, to approve the consent items. The vote was in favor.

SECOND READING

09-13MA, Westinghouse, Brian Pasco, RU to HI (44.98 Acres), 18600-01-01(p) 5801 Bluff Rd. – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

09-18MA, A. L. Company, LLC; A. L. Company, LLC; M-1 to RS-HD (30.43 Acres), 12000-03-02 & 03, Wessinger Rd. & Fairfield Rd. – Ms. Kennedy moved, seconded by Mr. Jeter, to defer this item until the December 15th Council meeting. The motion failed.

Ms. Smith moved, seconded by Ms. Hutchinson, to concur with the Planning Commission's recommendation for denial. The vote was in favor.

Hospitality Tax Ordinance Amendment: County Promotions 75%/25% Split – Ms. Smith moved, seconded Ms. Dickerson, to approve this item and entertain amendments on Third Reading. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to refer this item back to committee for further clarification from staff.

Mr. Malinowski withdrew his motion.

The vote in favor was unanimous.

09-11MA, Abdalla Yaghy, Abdalla Yaghy, RU to RC (4.19 Acres), 35206-02-06 & 35200-09-56, Corner of Garners Ferry Rd. & Pond Dr. – Mr. Jeter moved, seconded by Mr. Manning, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Conservation Property Donation – Ms. Smith stated that the maintenance of the conservation donations should be considered and that a motion would be forthcoming to that effect.

Ms. Smith moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

What would it take for qualified Fire Engine Drivers to be able to Drive an EMS ambulance in an emergency situation – Mr. Jackson stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Business Service Center—Policies Approval – Mr. Malinowski moved, seconded by Ms. Hutchinson, to defer this item until the December 15th Council meeting. The vote in favor was unanimous.

Hospitality Tax County Promotions Grant Guidelines and Application Changes –

Ms. Dickerson moved, seconded by Mr. Jeter, to defer this item to the December 15th Council meeting.

Ms. Dickerson withdrew her motion.

Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item to the December 15th Council meeting. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

SC Economic Development Ambassador Award Nominations for Richland County

– Mr. Pearce stated that the committee recommended approval of this item. A discussion took place.

Mr. Pearce called for the question, seconded by Mr. Jackson. The vote in favor was unanimous.

The vote in favor of the committee's recommendation was in favor.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Board of Assessment and Appeals—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Chalon Shepard Headley, II. The vote in favor was unanimous.
- b. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- c. **Lexington/Richland Drug Abuse Council—2** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Paul R. Bouknight and Mr. Roosevelt Garrick, Jr. The vote in favor was unanimous.
- d. **Midlands Regional Convention Center Authority—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Rick Patel. The vote in favor was unanimous.

- e. **Richland Memorial Hospital Board—3** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Bill Bradshaw and Mr. Jerome (Jerry) Odom and appointing Mr. Calvin H. Elam.

Mr. Pearce, Mr. Malinowski, Ms. Hutchinson, Mr. Livingston, Ms. Dickerson, Mr. Manning, Mr. Washington and Ms. Smith voted for Mr. Bill Bradshaw.

Mr. Jackson, Mr. Jeter, Ms. Kennedy voted for Mr. Wallace Brown, Sr.

Mr. Pearce, Mr. Malinowski, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Ms. Dickerson, Mr. Manning, Mr. Washington and Ms. Smith voted for Mr. Calvin H. Elam.

No one voted for Mr. Charles E. Offutt.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Ms. Dickerson, Mr. Manning, Mr. Washington and Ms. Smith voted for Mr. Jerome (Jerry) Odom.

Mr. Bill Bradshaw, Mr. Calvin H. Elam and Mr. Jerome (Jerry) Odom were appointed.

- f. **Riverbank Park Commission—1** – Mr. Malinowski stated that the committee recommended appointing Mr. M. F. Phil Bartlett. The vote in favor was unanimous.

III. RULE CHANGES

Any Executive Session item involving an outside attorney or consultant outside the normal scope of a regular contract by Richland County...[Amended language] – Mr. Malinowski stated that the committee recommended approving this item. The vote in favor was unanimous.

IV. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Planning Commission Members and Occupations** – This item was retained in committee.

OTHER ITEMS

Council Motion (Jackson, Malinowski & Kennedy): To remove from the D&S Committee and present to full Council the funding of Alternate Paving with \$2 million from the Road Maintenance Fees and \$1 million from the CTC bond to fund paving roads in three years max (starting in 2009) – Mr. Washington moved,

seconded by Ms. Dickerson, to refer this item to a committee to review all transportation issues. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Washington, to refer this item to the work session wherein the transportation ballot initiative is discussed.

Ms. Smith withdrew her substitute motion.

The vote in favor was unanimous.

Mr. Livingston directed this item to be returned to the D&S Committee for further evaluation.

Historic Homes Renovating Projects – Ms. Smith moved, seconded by Ms. Hutchinson, to approve the transfer of funds and to ask staff to draft a plan and place it on a work session agenda or the Retreat agenda. A discussion took place.

Ms. Dickerson made a substitute motion, seconded by Ms. Kennedy, to defer this item to the December 15th Council meeting.

<u>For</u>	<u>Against</u>
Malinowski	Pearce
Jackson	Hutchinson
Jeter	Livingston
Dickerson	Manning
Kennedy	Smith
Washington	

The vote was in favor of the substitute motion for deferral.

CITIZEN'S INPUT

Mr. Willie Washington spoke regarding funding for the Pioneer Bowl.

Mr. Eric Krammerer spoke regarding property taxes and noise ordinance enforcement.

EXECUTIVE SESSION ITEMS

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Council went into Executive Session at approximately 8:01 p.m. and came out at approximately 8:47 p.m.
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- a. **Columbia Venture** – Ms. Kennedy moved, seconded by Ms. Dickerson, to proceed as directed in Executive Session. The vote in favor was unanimous.

- b. **HBA vs. Richland County** – Mr. Malinowski moved, seconded by Ms. Dickerson, to direct the County Attorney to proceed as discussed in Executive Session. The vote in favor was unanimous.
- c. **City of Columbia Bond Court Agreement** – This item was received as information.

MOTION PERIOD

Any amendments made to an agenda or minutes will be reflected in the following meetings minutes so that persons reviewing them will have complete information regarding any changes that took place [MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

Reports of officials at council meetings should be a report and not a loophole for presentations. Individuals can give summaries in a minute or two. Power point presentations and reports that last more than two minutes should be considered a presentation and done through the correct format set up for presentations to council [MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

Motion to start broadcasting Council meetings similar to the City of Columbia serving the citizens of the unincorporated area [JACKSON] – This item was referred to the A&F Committee.

Motion to increase the capacity of Bed and Breakfast lodging to make it affordable [JACKSON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:55 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Kit Smith

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley