

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 5, 2010 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, Tamara King, Larry Smith, Amelia Linder, Dale Welch, David Adams, Daniel Driggers, David Hoops, Kevin Etheridge, Becky Knotts, Greg Bengil, Lillian McBride, Tiaa Rutherford, John Hixson, Jocelyn Jennings, Anna Almeida, Pam Davis, 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 Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

ELECTION OF CHAIR

Mr. Pearce moved, seconded by Ms. Dickerson, to nominate Mr. Livingston for the position of Council Chair. The vote in favor was unanimous.

ELECTION OF VICE CHAIR

Ms. Dickerson moved, seconded by Ms. Hutchinson, to nominate Mr. Jeter for the position of Vice Chair. The vote in favor was unanimous.

SELECTION OF SEATS

Council retained the same seating arrangement from 2009.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Special Called Meeting: December 22, 2009 – Mr. Washington moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: December 22, 2009 – Mr. Washington moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Dickerson moved, seconded by Mr. Jeter, to add the Selection of Seats to the agenda.

Mr. Pope requested that a briefing on H3272, the GFOA Award presentation and the TIF Update be added under the Report of the County Administrator.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

There were no Executive Session Items.

REPORT OF THE COUNTY ADMINISTRATOR

Appearance Commission Appointments – Mr. Pope stated that there were several vacancies on the Appearance Commission and asked that Council members assist in filling these vacancies.

Joint Briefing on H3272 – Mr. Pope stated there will be a meeting January 7th, 6 p.m. at the Municipal Association with the Columbia City Council, Richland County Council and Richland One Board of School Commissioners regarding H3272—Point of Sale Legislation.

GFOA Budget Award – Mr. Pope presented the Budget Department with the GFOA Budget Award.

TIF Update – Mr. Pope stated that a full report regarding the TIF would be presented at the January 19th Council meeting.

REPORT OF THE CLERK OF COUNCIL

Martin Luther King, Jr. Historic Marker Unveiling – Ms. Finch stated that Council had received an invitation from the City of Columbia and the Honorable E. W. Cromartie, II to participate in the unveiling of a historic marker honoring the late Dr. Martin Luther King, Jr. on the corner of Harden and Green Streets in Five Points on January 18th at 3 p.m.

CMRTA Comprehensive Study – Ms. Finch stated that a meeting will be held on January 25th at 9 a.m.-12 noon at the CMRTA offices for the Columbia City Council, Richland County Council and CMRTA to discuss the Comprehensive Studied prescribed in the FY10 Intergovernmental Agreement.

Three Kings Parade Presentation – Ms. Finch stated that the Three Kings Celebration will be held on January 9th at 11 a.m.-3 p.m. on Decker Boulevard. Ms. Tonya Rodriguez Hodges gave a brief presentation regarding this item.

REPORT OF THE CHAIRMAN

No report was given.

OPEN/CLOSE PUBLIC HEARINGS

- **Discharge of Firearms in Certain areas unlawful** – Mike Sloan spoke in favor of this item
- **An Ordinance Authorizing (1) the execution and delivery of an infrastructure credit and incentive agreement by and among Richland**

County, South Carolina and Navistar, Inc., and/or Pure Power Technologies, LLC, and/or one or more of their affiliates, and assigns to provide for, in part, special source revenue credits, the conveyance of fee simple title to certain land and real property improvements, and the inclusion and maintenance of certain property in a joint county industrial or business park; and (2) other matters related thereto – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- Discharge of Firearms in Certain areas unlawful [THIRD READING]
- An Ordinance Amending Ordinance No. 029-07HR; so as to temporarily decrease the tap fees to be paid by users of the Broad River Regional Sewer System to Three Thousand (\$3,000.00) dollars and to implement a gradual increase of such fees to Four Thousand (\$4,000.00) dollars [SECOND READING]
- Annual Financial Supplement to Chair [SECOND READING]
- Smoking Ban Amendments [SECOND READING]
- Ordinance to incorporate the Trenholm Acres/Newcastle Neighborhood Master Plan into “2009 Richland County Comprehensive Plan” [SECOND READING]
- Ordinance to incorporate the Crane Creek Neighborhood Master Plan into the “2009 Richland County Comprehensive Plan” [SECOND READING]
- Ordinance to allow an exemption for luminaries on outdoor athletic/sports fields from the requirement of being “full-cutoff certified” [SECOND READING]
- Approve Match Amount/DNA Backlog Reduction Grant from Sheriff’s Department
- Charge for Copies of Documents Subject to Council or Staff Review [TO TABLE]
- Transportation Work Session
- Approval for Additional Services for County’s On-Call Proactive Maintenance Contractor (Public Works)
- Ordinance Amendments Regarding Commercial Enforcement of Unlicensed Vehicles and Weeds and Rank Vegetation (Overgrown Lots) [FIRST READING]
- Quit Claim, Hunter’s Road [FIRST READING]
- Quit Claim: Pilgrim Road at Bruce Street and Ashbury Street [FIRST READING]

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

SECOND READING

09-19MA, Hock Site, Hock Development Co., GC & RM-HD to GC (1.34 Acres), 19813-06-25, Alpine Rd. & Old Percival – A discussion took place.

Mr. Washington moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

\$100,000 Hospitality Tax Allocation, Public Works – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item until the January 19th Council meeting. The vote in favor was unanimous.

Request to consider salary adjustments and amendments to existing county policies and procedures for the following elected and appointed positions:

- a. **Treasurer** – Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item until the January 19th Council meeting. The vote was in favor.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Farmers' Market: Pineview Property Follow-up – A discussion took place.

Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

Implementation of the Renaissance Plan (Decker Blvd.) – Mr. Manning moved, seconded by Ms. Kennedy, to defer this item until the February 2nd Council meeting. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.
- b. **Board of Zoning Appeals—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.
- c. **Community Relations Council—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.

- d. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- e. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **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** – Mr. Malinowski stated that the committee recommended approval of this item. A discussion took place.

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

The motion failed.

Motion for presentations to be held on the 3rd Tuesday of the month – Mr. Malinowski stated that the committee recommended amending the Council Rules regarding presentations to read: “All presentations before Council shall be a maximum of five (5) minutes, and shall be heard on the third Tuesday of the month. Presentations of time sensitive matter, as determined by the Chair or Vice-Chair in his absence, may be heard at any regular or special called meeting of Council. All presentations, regardless of topic, shall be approved by the Chair before placement on any Council agenda. No presentation shall be heard which is not on the Council agenda prior to the start of the meeting. No more than three presentations will be allowed at each meeting.” The vote in favor was unanimous.

- b. **Planning Commission Members and Occupations** – Mr. Malinowski stated that the committee held this item in committee.

OTHER ITEMS

Hospitality Tax Funding Request: Southern Intercollegiate Athletic Association (Benedict College) – Ms. Dickerson moved, seconded by Ms. Kennedy, to defer this item until the January 19th Council meeting. The vote was in favor.

Report of Voter Registration/Election Sub Committee – Mr. Jeter stated that the recommendations from the December 22nd meeting are: to accept the preliminary salary study, to review the current structure of the Voter Registration/Election Commission and to review the code. A discussion took place.

Mr. Washington moved, seconded by Mr. Jackson, to take the salary recommendation from the study with the pending question that is coming forth and approve it.

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

Mr. Pearce requested that the question be divided.

Ms. Smith made a substitute motion, seconded by Mr. Washington, to adopt in concept salary increases for the Board of Voter Registration based on the pending compensation recommendation and once the recommendations are final they come back to Council for final action. A discussion took place.

The vote was in favor.

Ms. Smith made a substitute motion, seconded by Ms. Dickerson, to ask the ad hoc committee to continue their work and develop a recommendation on the structure of the Board of Voter Registration and Election Commission consulting with the members thereof and the Legislative Delegation. A discussion took place.

The vote in favor was unanimous.

CITIZEN'S INPUT

Ms. Ovita Glover spoke regarding the Annual Statewide Black History Parade and Festival.

MOTION PERIOD

Move the February 2, 2010 meeting start time from 6 p.m. to 7 p.m. in order that Council members can attend the RCEA Legislative Reception honoring Councilwoman Kit Smith, Mayor Coble and Superintendent Hefner [MANNING] – This item was referred to the Rules & Appointments Committee.

County offices be closed the day after Christmas to coincide with South Carolina's State Government and the neighboring Counties of Lexington and Fairfield. Kershaw County closes for 3 days as well at Christmas. Finally, Sumter County only closes for 2 days, but they are closed on Good Friday. All other holidays for these Counties coincide with those of Richland County [MANNING] – This item was referred to the A&F Committee.

Motion to review all engineering and architectural drawing requirements to make sure there are no unnecessary charges or expense to the citizens [JACKSON] – This item was referred to the D&S Committee.

This motion is to restructure the Planning Commission. Appoint an eleven member Planning Commission with an appointee by each Council member giving representation to all districts. There should be no more than two members from the building industry and two from the environmental community [JACKSON & MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

That Richland County legal department meet with the attorneys who created the settlement agreement to determine the meaning of the language due to a potential breach in the agreement. In addition, a freeze should be placed on any funds forwarded to NEXGEN until an audit can determine that the funds are being spent in accordance with the agreement which will only be determined after a meeting with the parties who created the agreement and that the agreement is correct according to what Council's original intentions were [MALINOWSKI] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:46 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