

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 18, 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, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Anna Almeida, Tiaa Rutherford, Daniel Driggers, Anna Lange, Sara Salley, John Hixson, Dale Welch, Jocelyn Jennings, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:06 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickersons

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

APPROVAL OF MINUTES

Regular Session: May 4, 2010 – Mr. Malinowski stated that the minutes should reflect that Option 2 was approved regarding the “Replacement of Damaged RCSD Vehicles” and that a heading needed to be added before the item “C&D Landfill Contract”.

Mr. Jackson moved, seconded by Ms. Hutchinson, to approve the minutes as amended.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that former Councilman Mike Montgomery and several members of the Richland School District II Board were in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Livingston recognized that former Senator Peeler was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Jackson recognized that Sheriff Leon Lott was in the audience.

PRESENTATION OF RESOLUTIONS

A Resolution acknowledging Richland County and South Carolina’s HIV/AIDS Statistics – Mr. Livingston presented the resolution to Dr. Bambi Gaddis, Executive Director of the SC AIDS Council.

Palmetto AIDS Life Support Services of South Carolina, Inc. (PALSS) Resolution – Mr. Manning presented the resolution to representatives of PALSS.

ADOPTION OF AGENDA

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

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that Ms. Melinda Anderson was in the audience.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **HBA vs. Richland County** – Mr. Smith stated that the negotiations as discussed previously in Executive Session have been completed.
- b. **Personnel Matter**

CITIZENS' INPUT – FOR ITEMS ON THE AGENDA NOT REQUIRING A PUBLIC HEARNG

No one signed up to speak.

Mr. Manning moved, seconded by Ms. Dickerson, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Hutchinson, to reorder the agenda to place Citizens' Input – Must Pertain to Items Not on the Agenda before the Report of the County Administrator. The vote in favor was unanimous.

CITIZENS' INPUT – MUST PERTAIN TO ITEMS NOT ON THE AGENDA

Ms. Patricia McKnight spoke regarding a buffering issue.

Ms. Laura A. Kiser, Greater Blythewood Chamber of Commerce, recognized Council for their continued support and presented them with a certificate of appreciation.

Mr. Mike Montgomery, Mr. Bill Fleming, Mr. Dan Neal, Mr. Steve Mann, Ms. Kelly Richardson, Mr. Bob Dennis, and Ms. Melinda Anderson spoke regarding the Richland School District II budget.

REPORT OF THE COUNTY ADMINISTRATOR

USA Today Article – Ms. Anna Lange gave a brief presentation regarding the 4th Annual Lawnmower Exchange program that was featured in a recent USA Today article.

Farmers' Market Joint Resolution Update – Mr. Pope stated that legislation is moving through the State House and there may be a resolution to the joint resolution within the next week.

Lower Richland Sewer Update – Mr. Pope stated that this item will be taken up during the May D&S Committee meeting and that staff is trying to schedule a meeting with the developers in the area.

Millage Packets – Mr. Pope stated that the millage agencies packets were place in Council's boxes today.

Broad River Wastewater Treatment Grand Opening – Mr. Pope stated that the Grand Opening for the Broad River Wastewater Treatment plant will be held Thursday, May 20th at 11:00 a.m.

Richland Savvy Seniors—May 21st – Mr. Pope stated that Richland Savvy Seniors will be held Friday, May 21st, 10:00 a.m.-1:00 p.m. at the Richland Mall.

REPORT OF THE CLERK OF COUNCIL

Public Works Week Luncheon – Ms. Finch stated that the Public Works Luncheon will be held Wednesday, May 19th at 11:30 a.m. at the Public Works facility.

Memorial Day 2010 in Lower Richland – Ms. Finch stated that Council received an invitation to Memorial Day 2010 in Lower Richland. A solemn ceremony will be held at 11:00 a.m., Government Cemetery, Ault Road in Hopkins followed by a heritage celebration from 12 noon-4:00 p.m., Harriet Barber House, 116 Barberville Loop in Hopkins.

REPORT OF THE CHAIRMAN

No report was given.

PRESENTATIONS

CMRTA—Mitzi Javers, Executive Director – Ms. Javers introduced Mr. Larry Livingston, Operations Manger, and outlined the adjustments to the transit service.

APPROVAL OF CONSENT ITEMS

- **Ordinance to Amend Road Names and Addressing Requirements [THIRD READING]**
- **10-03MA, Matthew Congdon, Killian Crossing, PDD to Amended PDD (398.66 Acres) & GC (17.29 Acres), 17400-02-04/12/13/14 [THIRD READING]**
- **An Ordinance so as to reflect that schools, including public and private, are not permitted in the M-1 Zoning District [THIRD READING]**
- **An Ordinance so as to correctly identify the Development Review Team as the entity that reviews land development and subdivisions, and has the authority to reduce road standards [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2009-2010 Victim's Assistance Fund Annual Budget and General Fund Annual Budget to appropriate \$50,000 of Undesignated Fund Balance from the General Fund to the Victim's Assistance for the anticipated revenue shortfalls [SECOND READING]**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$34,950 of additional miscellaneous revenue and \$11,487 of Undesignated General Fund Balance to the Sheriff's Department's budget to pay for the replacement of damaged vehicles [SECOND READING]**

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

THIRD READING

10-06MA, Lake Carolina, David Tuttle, PUD-2 to RU (22.05 Acres), 23300-03-01(p), Ashland at Kelly Mill Rd. – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

10-07MA, Map amendment for properties in the Crane Creek Master Plan Neighborhood District – Ms. Kennedy moved, seconded by Mr. Manning, to defer this item. The vote in favor was unanimous.

An Ordinance Authorizing a lease to Vulcan Construction Materials, LP, for approximately 10 acres of land, which is a portion of Richland County TMS #06500-01-11 – Ms. Dickerson moved, seconded by Ms. Hutchinson, to defer this item until it is ready to come before Council. The vote in favor was unanimous.

SECOND READING

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$500,000 of Undesignated General Fund Balance to Risk Management Department's budget to pay for liability and worker's compensation claims – Mr. Jeter moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a countywide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto – Ms. Dickerson moved, seconded by Mr. Jeter, to give Second Reading approval to the ordinance, as well as the funding distribution and projects list included in the agenda packet. A discussion took place.

Mr. Washington made a substitute motion, seconded by Mr. Jackson, to divide the question. A discussion took place.

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

The substitute motion failed.

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

The vote was in favor of the main motion.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Memorandum of Understanding to reflect the intent of parties regarding access to Lower Richland Boulevard and Garners Ferry Road in the development of certain residential and commercial facilities – Mr. Jackson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Navistar Pass-Through Grant – Mr. Pearce stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- b. **Appearance Commission, Landscaper—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.

- c. **Employee Grievance Committee—4** – Mr. Malinowski stated that the committee recommended appointing Mr. Leonard Q. Bradley and Ms. Sharon Walker and re-advertising for the remaining vacancies. The vote in favor was unanimous.
- d. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.

OTHER ITEMS

Transportation Ad Hoc Committee

- a. **Request from the Midlands Authority for Conventions, Sports & Tourism: “The Board of Directors of the Midlands Authority for Conventions, Sports & Tourism hereby requests that Richland County and the City of Columbia include Downtown Trolleys in the Master Plan for the Central Midlands Regional Transit Authority. It is important that we have the linkage for not only our residents but the three million visitors that come to Columbia each year. It should be included in the short term version of that plan.”** – Ms. Dickerson stated that the committee recommended referral of this item to the City of Columbia for a recommendation. A discussion took place.

The vote in favor was unanimous.

- b. **Resolution Approving Transit Service Changes** – Ms. Dickerson stated that the committee recommended approval of the resolution. The vote in favor was unanimous.

EXECUTIVE SESSION

Ms. Kennedy moved, seconded by Mr. Washington, to go into Executive Session.

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

The vote was in favor of going into Executive Session.

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Council went into Executive Session at approximately 7:12 p.m. and came out at approximately 7:54 p.m.
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- a. **Personnel Matter** – Mr. Jackson moved, seconded by Mr. Manning, to support the Sheriff in talking with the City of Columbia regarding the proposed contractual agreement. The vote in favor was unanimous.

MOTION PERIOD

Rev. Richard Dozier Resolution [JETER] – Mr. Jeter moved, seconded by Ms. Kennedy, to adopt a resolution for Rev. Richard Dozier. The vote in favor was unanimous.

Council reaffirmed the Public Hearing for the Transportation Sales Tax on June 1, 2010, and stated that Third Reading will be scheduled for the June 15, 2010 Council Meeting

– Ms. Dickerson made a motion for unanimous consent to reaffirm the Public Hearing for the Transportation Sales Tax on June 1st and schedule Third Reading on June 15th.

Mr. Washington made a substitute motion, seconded by Mr. Jackson, to schedule the Public Hearing for the Transportation Sales Tax on June 15th and schedule a Special Called meeting on June 22nd to give this item Third Reading.

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

The substitute motion failed.

The vote on the main motion was unanimous.

From a penny sales tax, take the percent needed for the bus service and divide the remainder by eleven using a priority criteria for each district. A penny sales tax is far different than Hospitality Tax, Property Tax or Accommodation Tax. A penny sales tax is more evenly spent county wide. Each district will have different priorities. Some wider roads some sidewalks, bike path and trails and some dirt roads. Some districts adjoining share the same road and can share the expense for improvement. To give this a chance to pass the citizens have to have a feel of fairness and benefit county wide. Remember there is approximately 33,000 citizens

in each district. Finally the tax should be for eight years giving the citizens a decision if it is worth it to continue for term. [JACKSON & MALINOWSKI]

– This item was referred to Transportation Ad Hoc Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:04 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