

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 1, 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.
Member	Bernice G. Scott
Member	Kit Smith

Absent Mike Montgomery

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, Jennie Sherry-Linder, Geo Price, Amelia Linder, Jim Wilson, Hugh Caldwell, Pam Davis, Rodolfo Callwood, Audrey Shifflett, Daniel Driggers, Teresa Smith, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:07 p.m.

INVOCATION

The Invocation was given by the Honorable Joe McEachern

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

Ms. Scott moved, seconded by Ms. Hutchinson, to add a presentation by Camp Discovery. The vote in favor was unanimous.

Camp Discovery Presentation – Ms. Dawn Johnson gave a brief presentation regarding Camp Discovery.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: June 17, 2008 – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: June 24, 2008 – Ms. Hutchinson moved, seconded by Mr. Jackson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith stated that the back up information (petition and project list) for 3.a. actually should be the back up for 7.a.

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

Mr. Malinowski requested that the title of Item 2.g. be grammatically corrected.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Project CAGE**
- b. **Splash vs. Richland County**
- c. **Watts vs. Richland County—Pending Litigation**
- d. **Killian Crossing Mitigation**
- e. **Team IA vs. Richland County**
- f. **Recreation Items (3.a. and 7.a.)**

REPORT OF THE COUNTY ADMINISTRATOR

Project CAGE – This item was taken up during Executive Session.

**Wrap Up Special Called Meeting before August recess; July 22, 2008—
Immediately Following Zoning Public Hearing** – This item was taken up during the motion period.

OPEB/GASB 45 Resolution – Mr. Pope stated that this resolution was in regard to the County's potential partnership with the South Carolina Association of Counties irrevocable trust. The resolution is non-binding, but expresses the County's interest in participating in the trust.

Business License Ad Hoc Committee Report – This item was on the agenda for action.

College Colors Day – This item was taken up during the motion period.

Transportation Work Session Report – Mr. Pope stated that the grocery sales tax initiative did not pass this legislative year; therefore, the project list dollar amount remains the same. Mr. Pope further stated that the 1% sales and use tax—transportation penny—was on the agenda for Second Reading and needed to be forwarded to the Election Commission by mid-August in order for it to appear on the November ballot.

Homelessness Initiative Report – Mr. Pope stated that there is a pledge to raise approximately \$15,000,000. The Knight Foundation has pledged \$5,000,000 and a pledge of \$5,000,000 has been requested from the private sector. The Commission will then be coming to local governments for sponsorship.

Lower Richland LLC – This item was taken up during Executive Session.

GASB 45 Clarification – Mr. Pope stated that the number of years of service had been amended from 28 years to 25 years and the effective date in regard to the Medicare Advantage Plan will be October 1, 2008 to be consistent with the health insurance plan year effective date.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Innovista TIF – Mr. McEachern stated that he would like to have an Ad Hoc Committee formed to participate in this process.

Policy Decision regarding Committee Items – Mr. McEachern stated that this matter needs to be forwarded to the Rules Committee.

Detention Center Issues – Mr. McEachern stated that the City of Columbia has agreed to the jail maintenance fee and to further discussion regarding the inmate drop-off policy.

PUBLIC HEARING ITEMS

- **An Ordinance authorizing the transfer of deed to the City of Columbia for Jim Hamilton Boulevard** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes, 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 International Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

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

- **08-10MA, Stan Mack, RS-MD to GC, Law Office, 07307-02-01, 1320 Bluefield Dr. [Second Reading]**
- **08-18MA, B & C Development Company, LLC, Lee Blythe, RU to RS-MD (25.71 Acres), Single Family Residential, 02509-04-03 & 02416-01-01 & 02412-02-06, Wise Rd. & Bickley Rd. [Second Reading]**
- **08-19MA, Hester Woods Place, Steve Corboy, PDD to RM-MD (3.35 Acres), Townhomes, 20200-04-02(p), Hardscrabble & Hester Woods Dr. [Second Reading]**
- **An Ordinance Amending the Required Conditions for Day Cares (Adult Day Cares, Family Day Cares, and Group Day Cares) regarding parking [Second Reading]**
- **An Ordinance Correcting the Table of Permitted Uses with Special Requirements, and Special Exceptions; “Recreational Use”; so as to permit golf courses only in the TROS, GC, M-1 and LI zoning districts [Second Reading]**
- **Request to negotiate and award a professional services contract to the most responsive bidder for the removal and replacement of all HVAC controls and operating system for the Richland County Administration and Health Department Buildings**
- **Funding Request: Greater Blythewood Chamber of Commerce (\$300,000) [RECOMMENDATION FOR DENIAL]**

The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance authorizing the transfer of deed to the City of Columbia for Jim Hamilton Boulevard – Mr. Malinowski moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes, Section 6-82; Article IV, Electrical Code, Sections 6-96 and 9-97; 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 International Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code – Mr. Livingston moved, seconded by Ms. Dickerson, 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, with Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the specific 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 county-wide 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 administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto – Mr. Livingston moved, seconded by Mr. Pearce, to approve Option 3. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to schedule a work session prior to Second Reading. A discussion took place.

Ms. Hutchinson made a second substitute motion, seconded by Ms. Dickerson, to defer Second Reading until July 15th, hold the Public Hearing on July 15th and schedule Third Reading for July 22nd.

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

The second substitute motion passed.

FIRST READING ITEM (BY TITLE ONLY)

Authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County to Issue General Obligation Bonds in the principal amount of not exceeding \$45,000,000; and other matters relating thereto

– Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until after Executive Session. The vote in favor was unanimous.

Ms. Scott moved, seconded by Ms. Hutchinson, to approve this item by title only. 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 – Ms. Scott moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

Request to close a road/easement located to the east and south of Covenant Road
The committee recommended approval. A discussion took place.

Mr. Malinowski moved, seconded by Ms. Scott, to direct staff to determine if there is a fair market value for the property and then offer the property to the interested parties at that price. The vote was in favor.

GASB 45 Resolution – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Approval of Resolution with Petition and Project List

- a. **Approval of a Resolution ordering a public hearing to be held for the purpose of determining whether it may be in the interest of the Recreation District of Richland County, South Carolina for the County Council of Richland County to authorize the Recreation District of**

Richland County to issue General Obligation Bonds in an amount not exceeding \$45,000,000; providing for notice of a public hearing and other matters relating thereto – Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until after Executive Session. The vote in favor was unanimous.

Ms. Scott moved, seconded by Ms. Hutchinson, to approve only the portion of this item pertaining to the scheduling of the public hearing for July 22nd. The vote was in favor.

REPORT OF THE BUSINESS LICENSE AD HOC COMMITTEE

- a. **Interstate Commerce**
- b. **Landfills Rates**
- c. **Penalties**
- d. **Online Database**

The committee recommended places these items on the July 15th agenda for action. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Jackson recognized Councilman-elect Kelvin Washington was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Jeter recognized that Dr. Salmond was in the audience.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that Blythewood Mayor Keith Bailey was in the audience.

POINT OF PERSONAL PRIVILEGE – Ms. Scott recognized that the Recreation Commission Chairman, Rev. Epps, was in the audience.

CITIZENS' INPUT

Mr. Blackwell spoke regarding the 1% sales and use tax public hearing.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:22 p.m. and came out at approximately 8:55 p.m.
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- a. **Project CAGE** – No action was taken.
- b. **Splash vs. Richland County** – The County Attorney is to come back with a settlement offer.

- c. **Watts vs. Richland County** – No action was taken.
- d. **Killian Crossing Mitigation** – Ms. Hutchinson moved, seconded by Mr. Jeter, to authorize the County Administrator to negotiate a settlement with the landowner. The vote in favor was unanimous.
- e. **Team IA vs. Richland County** – Mr. Jeter moved, seconded by Mr. Jackson, to authorize the County Administrator to bring back a settlement offer. The vote in favor was unanimous.
- f. **Lower Richland LLC** – Ms. Scott moved, seconded by Mr. Jackson, to authorize Administration to go forward as directed in Executive Session. The vote was in favor.

MOTION PERIOD

Policy Decision regarding Committee Items – Mr. McEachern referred this item to the Rules and Appointments Committee.

College Colors Day – Ms. Scott moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

Innovista TIF Ad Hoc Committee – Ms. Scott moved, seconded by Ms. Hutchinson, to set up an Innovista TIF Ad Hoc Committee. Mr. Pearce, Mr. Jackson, Mr. Jeter, Mr. Livingston, and Ms. Dickerson were appointed.

Special Called: July 22, 2008 – Mr. Jackson moved, seconded by Ms. Scott, to schedule a wrap-up Special Called meeting for July 22, 2008. The vote was in favor.

Friendship Baptist Church Resolution – Mr. Jackson moved, seconded by Ms. Scott, to adopt a resolution for Friendship Baptist Church. The vote in favor was unanimous.

Mobile Home Park Ordinances – Mr. Jeter referred to the D&S Committee the ordinances relating to mobile home parks.

Franchise Fees – Mr. Malinowski referred to the D&S Committee the matter of franchise fees.

ADJOURNMENT

The meeting adjourned at approximately 9:05 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