

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 10, 2007 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.*

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### MEMBERS PRESENT:

Chair	Joseph McEachern
Vice Chair	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

Absent                      Kit Smith

**OTHERS PRESENT** – Michelle Cannon-Finch, Tony McDonald, Roxanne Matthews, Rodolfo Callwood, Jennifer Dowden, Tamara King, Joe Cronin, Larry Smith, Amelia Linder, Teresa Smith, Janet Claggett, Michael Criss, Jennie Sherry-Linder, Anna Almeida, Daniel Driggers, John Hixon, Chief Harrell, Pam Davis, 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 Michael Montgomery

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Michael Montgomery

### CITIZEN'S INPUT

No one signed up to speak.

### APPROVAL OF MINUTES

**Regular Session: June 19, 2007** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

**Zoning Public Hearing: June 26, 2007** – Ms. Hutchinson moved, seconded by Mr. Montgomery, to approve the minutes as submitted. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Ms. Finch stated that Items 4.h., 4.i. and 5.i. needed to be added to the consent agenda and Items 3.a. and 4.e. needed to be removed from the agenda.

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

### REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Contractual Matter: Farmers' Market**
- b. **Contractual Matter: TIF Update**

### REPORT OF THE COUNTY ADMINISTRATOR

**PIO Award Recognition** – Mr. McDonald stated that this would be deferred until the July 17<sup>th</sup> meeting since Ms. Snowden was not present.

**Council NACO Prescription Drug Card** – Ms. Dowden gave a brief update regarding the success of this program.

**Richland 101 for Kids** – Ms. Dowden stated that Richland 101 for Kids would be held July 19<sup>th</sup> at Dutch Square Mall.

### REPORT OF THE CLERK OF COUNCIL

**Special Called Meeting—July 24, 2007** – Ms. Finch stated that if a Special Called meeting were necessary it would need to be held on July 24<sup>th</sup> at 6:00 p.m.

Mr. Jackson moved, seconded by Ms. Scott, to schedule a Special Called meeting on July 24<sup>th</sup> at 6:00 p.m. The vote in favor was unanimous.

**SCAC, July 31-August 5, 2007** – Ms. Finch stated that the conference would be held on July 31-August 5<sup>th</sup> and that she needed to speak with each member of Council after this meeting.

**Longevity Reception** – Ms. Finch stated that the Longevity Reception would be held on July 20<sup>th</sup> from 11:00 a.m.-2:00 p.m.

### **REPORT OF THE CHAIRMAN**

Mr. McEachern spoke regarding the EPA standards for the County and invited Ms. Myra Reese back to make a presentation on the proposed changes. He also suggested that all the elected officials meet to address the proposed changes.

### **PUBLIC HEARING ITEMS**

- **An Ordinance Authorizing the Amendment of a Development Agreement between Richland County, South Carolina and Lake Carolina Development, Inc., to reflect the addition of land to the Lake Carolina PUD-2** – No one signed up to speak.
- **An Ordinance Authorizing the Granting of a Sanitary Sewer Easement to the City of Columbia across County-owned Property on Elder's Pond Drive** – No one signed up to speak.
- **An Ordinance Granting a Water Line Right-of-Way Easement to the City of Columbia across County-owned Property on Elder's Pond Drive** – No one signed up to speak.
- **An Ordinance Providing for Entering into a Tax-Exempt Lease Purchase Transaction of not Exceeding \$3,700,000 and a Sublease with Allen University, to Prescribe the Purposes for which the Proceeds Shall be Expended, to Provide for the Payment Thereof, and other matters pertaining thereto** – No one signed up to speak.
- **An Ordinance Authorizing the Special Source Revenue Bonds not to exceed \$1,000,000 payable from fee-in-lieu of tax revenues generated from properties within the I-77 Corridor Regional Industrial Park; the proceeds to be used to finance improvements in the Northpoint Industrial Park** – No one signed up to speak.

### **APPROVAL OF CONSENT ITEMS**

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

- **An Ordinance Authorizing the Amendment of a Development Agreement between Richland County, South Carolina and Lake Carolina Development, Inc., to reflect the addition of land to the Lake Carolina PUD-2 [Third Reading]**
- **An Ordinance Authorizing the Granting of a Sanitary Sewer Easement to the City of Columbia across County-owned Property on Elder's Pond Drive [Third Reading]**
- **An Ordinance Granting a Water Line Right-of-Way Easement to the City of Columbia across County-owned Property on Elder's Pond Drive [Third Reading]**  
**An Ordinance Authorizing the Special Source Revenue Bonds not to exceed \$1,000,000 payable from fee-in-lieu of tax revenues generated from properties within the I-77 Corridor Regional Industrial Park; the proceeds to be used to finance improvements in the Northpoint Industrial Park [Second Reading]**
- **07-33, Mark Jeffers, RU to GC (1.11 acres), General Commercial, 28800-04-05, Percival Rd. & Spears Creek Church Road [Second Reading]**
- **Approval of the Intergovernmental Agreement between Richland County and Town of Irmo regarding implementation of Town's Phase II NPDES storm water permit**
- **Request to approve amended guidelines to the Neighborhood Matching Grant Program**
- **Petition to close a frontage road near Killian Road**
- **Request to approve a change order in the amount of \$42,400 to allow for the evaluation of Chapter 26, Land Development Ordinance and drafting additional language to the Ordinance to include National Pollutant Discharge Elimination [NPDES] Reissued Permit**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VIII, Resource Protection Standards; Section 26-203, Stormwater Management; so as to provide for a new subsection "(E)", entitles "Stormwater Management Industrial and High Risk Runoff Inspection Guidelines." [First Reading]**
- **Request to approve a contract with ABL Food Service, Inc., in the amount of \$1,183,695.00 for food service at the Richland County Detention Center**
- **Request to approve a contract with Taylor Made Ambulances in the amount of \$176,005 to remount five ambulance patient modules on new chassis**
- **Request to approve purchase orders for the Emergency Services Department**
- **An Ordinance amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article 1, Regulations regarding County owned or leased property; Section 17-2, Parking on County Office property; Subparagraph (A)(6); so that the County Finance Department will determine and set the cost for a parking decal [First Reading]**

- Request to allow the Procurement Department to negotiate an agreement with Stevens & Wilkinson to provide Architectural/Engineering Services for the Renovation and Addition to the Township Auditorium
- Treasurer's Office: Request to award a sole-source contract of \$134,100 to Palmetto Posting for posting tax notices on the premises of delinquent real estate and mobile homes
- Requested to approve \$58,973.00 in unallocated Hospitality Tax funds for Kenneth B. Simmons and Associates to proceed with Task 3 (Park Conceptual Master Planning Services) of the northern Richland County Recreation Complex

The vote in favor was unanimous.

### THIRD READING

**An Ordinance providing for entering into a tax-exempt lease purchase transaction of not exceeding \$3,700,000 and a sublease with Allen University, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters pertaining thereto** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item as amended. The vote in favor was unanimous.

### SECOND READING

**07-24MA, Richland County Council, RU to TROS: 20500-06-22 (Columbia Country Club), & 23400-05-05 (Golf Club of South Carolina aka Crickentree), & 08100-02-05 & 08000-02-07 & 08000-02-12 (Linrick Golf Course) and RS-LD to TROS: 16704-03-01 (Forest Lake Club) & 20010-01-05 (Spring Valley Country Club) & 20406-02-01 & 20406-02-02 (Windermere Club) & 25703-01-01 (Woodlands Country Club)** – Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place. The vote in favor was unanimous with Ms. Scott abstaining due to a work-related conflict.

**07-30MA, Retreat Columbia, RU/M-1 to RM-HD (21.25 Acres), Multi-Family Dwellings, 11115-06-02 & 11100-01-10(p), Barnes & Riley Street** – Mr. Montgomery moved, seconded by Mr. Livingston, to suspend Council rules and allow the citizens to speak that did not sign up for Citizen's Input regarding this item. The vote failed.

Ms. Scott moved, seconded by Mr. Jeter, to approve this item. A discussion took place. The vote in favor was unanimous.

**07-32MA, Seven Acre Cut, LLC, Patrick Palmer, M-1 to GC (20.10 Acres), General Commercial, 14600-03-16(p), I-77 & Killian Road** – [There was a discrepancy and dispute about the minutes that could not be reconciled. Ms. Scott clearly wishes to abstain from this item because of a legal conflict.] Ms. Scott moved, seconded by Mr. Montgomery, to approve this item. A discussion took place.

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

The vote failed.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to standardize this section to Business License Ordinances Statewide** – Mr.

Montgomery moved, seconded by Mr. Malinowski, to approve the Ordinance as recommended by Staff, and as further amended, as discussed. The vote in favor was unanimous.

**REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**Adoption of a resolution to request that the South Carolina General Assembly and the South Carolina Congressional Delegation continue to support the manufacturing sector, the working families of South Carolina, and strong national trade policy, and to take swift and responsive actions to halt unlawful barriers to fair and free trade** – A discussion took place.

Mr. Malinowski moved to defer this item. The motion died for lack of a second.

Mr. Jeter moved, seconded by Ms. Scott, to approve this item.

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

**Request to award a contract to the lowest responsive bidder for the Owens Field Pavement Rehabilitation project** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Bookert Heights Condemnation Action** – Ms. Scott moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

**REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Memorandum of Understanding with Southeast Rural Community Outreach Ministries in regards to an allocation in the amount of \$167,250 from the Local Hospitality Tax Revenue Fund during the Fiscal Year 2008 budget for the development of a Lower Richland Heritage Corridor** – Mr. Livingston stated that the committee’s recommendation was for approval. A discussion took place.

The vote in favor was unanimous.

**An Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article III, Administrative Offices and Officers; Division 3, Assistant County Administrator** – Mr. Livingston stated that the committee’s recommendation was for approval. A discussion took place.

The vote was in favor.

**Victim’s Assistance Budget** – Mr. Montgomery moved, seconded Ms. Dickerson, to defer this item. A discussion took place.

The vote in favor was unanimous.

**APPLICATION FOR LOCATING A COMMUNITY RESIDENTAL CARE FACILITY**

**Brenda Price, 528 Atterbury Drive, Columbia, SC 29203** – Mr. Montgomery moved, seconded by Ms. Hutchinson, to defer this item. The vote in favor was unanimous.

**Request to award a contract to the lowest responsive bidder for the Owens Field Pavement Rehabilitation project** – Mr. Pearce moved, seconded by Ms. Scott, to reconsider this item. The vote failed.

**CITIZEN’S INPUT**

Ms. Sandra Hicks spoke regarding Victim’s Rights.

**EXECUTIVE SESSION ITEMS**

Mr. Montgomery moved, seconded by Ms. Scott, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 7:29 p.m. and came out at approximately 8:24 p.m.**  
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Ms. Scott moved, seconded by Mr. Malinowski, to come out of Executive Session. The vote in favor was unanimous.

- a. **Contractual Matter: Farmers' Market** – No action was taken.
- b. **Contractual Matter: TIF Update** – No action taken.

#### MOTION PERIOD

**Lower Richland Apartment Fire Heroes Resolution** – Mr. Jackson moved, seconded by Ms. Scott, to adopt a resolution honoring the two young ladies that assisted the other residents during the recent apartment fire. The vote in favor was unanimous.

**Alice Kelly Resolution** – Ms. Dickerson moved, seconded by Ms. Scott, to adopt a resolution honoring Ms. Alice Kelly as the oldest citizen in Blythewood. The vote in favor was unanimous.

**Sheriff Vehicle Sales** – Mr. Jackson referred to the D&S Committee the issue of offering Sheriff's vehicles to other Richland County departments before they are put up for auction.

**Audrey Hartin Resolution** – Mr. McEachern moved, seconded by Mr. Pearce, to adopt a resolution for Ms. Audrey Hartin upon her retirement from the Sheriff's Department.

**Overgrown Lots** – Mr. McEachern referred to the committee the issue of overgrown lots and the possibility of using inmate labor to address the problem.

**Sponsorship Requests** – Mr. Pearce referred to the Rules & Appointment Committee a policy regarding how to handle requests for sponsorship. Until a policy has been put in place all requests are to be referred to the A&F Committee for approval.

**07-32MA, Seven Acre Cut, LLC, Patrick Palmer, M-1 to GC (20.10 Acres), General Commercial, 14600-03-16(p), I-77 & Killian Road** – Mr. Jackson moved, seconded by Mr. Jeter, to reconsider this item. The vote was in favor.

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

A discussion took place regarding the vote. The vote was taken again for clarification.



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

The vote was in favor for reconsideration.

Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

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

The vote was in favor.

### ADJOURNMENT

The meeting adjourned at approximately 8:47 p.m.

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Joseph McEachern, Chair

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Valerie Hutchinson, Vice-Chair

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Joyce Dickerson

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Mike Montgomery

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L. Gregory Pearce, Jr.

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley