

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, OCTOBER 21, 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:

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| Chair | Joseph McEachern |
| Member | 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 |
| Member | Kit Smith |

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Latasha Hopper, Daniel Driggers, Angie McInchok, Lashedra Toole, Becky Knotts, Pam Davis, John Hixson, Lillian McBride, Joe Kocy, Anna Almeida, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 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

PRESENTATION

Appearance Counts Awards Presentation – Ms. Ryan Nevis made a brief presentation and recognized the Appearance County Award recipients.

Dr. Mack, Richland School District I Superintendent – Dr. Mack made brief comments regarding the school districts accomplishments and thanked Council for their continuing support.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: October 7, 2008 – Mr. Livingston moved, seconded by Ms. Dickerson, to approve the minutes as corrected. The vote in favor was unanimous.

ADOPTION OF AGENDA

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **King vs. Richland County**
- b. **Personnel Matter**
- c. **Lower Richland Sewer Update**

REPORT OF THE COUNTY ADMINISTRATOR

Smoking Ban Enforcement – Mr. Pope stated that the Clerk's Office is working with the Sheriff's Office to schedule a meeting with the Sheriff, staff and the Ad Hoc Committee.

Election Update – Mr. Pope stated the needs of Voter's Registration and the Election Commission appeared to have been addressed.

Lower Richland Sewer Update – Mr. Pope stated that the proposed MOU will be forwarded to the City of Columbia for response and a meeting or a teleconference will be held with the principals involved.

Cayce Taxation /Auditor's Office – Mr. Pope stated that Cayce is included in the tax bills and the intergovernmental agreement has been forwarded to the City of Cayce.

Solid Waste Contractual Matter – Mr. Pope stated that the agreement has been signed and staff is awaiting some additional information from the principal. Once this additional information has been received the agreement can be facilitated.

Joint City/County Ad Hoc Committee Meeting Update – Mr. Pope stated that the Clerk's Office and his office are attempting to schedule the meeting of the joint Ad Hoc committees. The Transportation Ad Hoc meeting has been scheduled for October 30th at 9:30 a.m. in the Mayor's Conference Room. The Detention Drop-Off meeting is still being coordinated

Eastover Sewer Billing and Collections – Mr. Pope stated that Mayor Faber and a town representative met and they requested some additional information. Negotiations are continuing regarding this matter.

Special Called Meeting Reminder – Mr. Pope reminded Council of the Special Called meeting on October 28th.

Strategic Planning Session Reminder – Mr. Pope reminded Council of the Strategic Planning Visioning session on October 22nd at 1:00 p.m.

Clerk of Court Audit Update – Mr. Pearce stated that the auditor had been engaged and the audit should be completed by January 2009.

Budget Book Presentation – Mr. Pope recognized the Budget staff for their hard work.

Budget Cut Update – Mr. Pope stated that the department heads and elected officials have voluntarily made the necessary budget reductions.

REPORT OF THE CLERK OF COUNCIL

IT Training – Ms. Finch stated that the IT Conference Room has been reserved for agenda software training on October 30th from 9:00 a.m.-5:00 p.m.

Smoking Ban Enforcement Meeting – Ms. Finch stated that a meeting has been scheduled for October 31st at 11:30 a.m. with the Sheriff and the Ad Hoc Committee.

CMRTA Public Hearing – Ms. Finch reminded Council that the CMRTA Public Hearing will be held on October 30th at 6:00 p.m.

Columbia Urban League – Ms. Finch stated that the Columbia Urban League's Annual Gala will be held on October 30th at 6:00 p.m.

Benedict College Groundbreaking – Ms. Finch stated that Benedict College will be holding a groundbreaking on Thursday, October 23rd, 1:30-2:30 p.m. at the Community Development Corporation Building.

REPORT OF THE CHAIRMAN

Personnel Matter – This item was taken up during Executive Session.

PUBLIC HEARING ITEMS

Mr. McEachern opened the floor to the following public hearing:

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Section 26-104, FP Floodplain Overlay District; Subsection (D), Standards in the Floodplain; Paragraph (2), Specific Standards; Subparagraph (J), Fill; so as to allow the use of fill in the floodplain** – No one signed up to speak
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and Other Household Articles** – No one signed up to speak.
- **An Ordinance to Amend the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of Tobacco Products; so as to decrease the fine for an infraction** – No one signed up to speak.

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Section 26-104, FP Floodplain Overlay District; Subsection (D), Standards in the Floodplain; Paragraph (2), Specific Standards; Subparagraph (J), Fill; so as to allow the use of fill in the floodplain** [Third Reading]
- **08-24MA, Frank Chapman, M-1 to GC (.70 Acres), Commercial, 22914-06-34, 10240 Two Notch Rd.** [Third Reading]
- **08-25MA, New Covenant Church, RU to OI (3.30 Acres), Multi-Use Family Life Center, 04913-03-03 & 10, Piney Woods & Piney Grove Rd.** [Third Reading]
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection (D), Staff Review; so as to clarify the application submission process** [Third Reading]
- **An Ordinance Authorizing deed to Clemson NE Associates, LLC, for certain parcels of land known as Lot 18 and a portion of Lot 17 (approximately 7.55**

Acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS #25800-04-01 [Third Reading]

- **Project Walter [Holopack]: Ordinance Authorizing the Extension of the Investment Period Under Each of the Revised and Restated Fee Agreement** [Third Reading]
- **An Ordinance Authorizing a Utility Easement to South Carolina Electric & Gas Company on property identified as TMS #24700-09-06** [Second Reading]

The vote in favor was unanimous.

THIRD READING ITEMS

08-01MA, Stan Mack, OI to PDD (9 Acres), Construction Company & Commercial Mixed Use 03300-07-06, Farming Creek Road – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and other Household Articles – A discussion took place.

Ms. Smith moved, seconded by Ms. Scott, to defer this item until additional information is obtained. The vote in favor was unanimous.

An Ordinance to amend the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of Tobacco Products; so as to decrease the fine for an infraction – Ms. Smith moved, seconded by Mr. Jeter, to approve this item. The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article III, Administration; Section 26-34, Development Review Team; Subsection (A), Established Duties; and Article IV, Amendment and Procedures; Section 26-59, Planned Development Review/Approval; Subsections (D) and (K); so as to remove the requirement of Development Review Team Review prior to PDD approval and to specify that when a PDD District expires, it reverts to the previous zoning district classification – Mr. Montgomery moved, seconded by Mr. Malinowski, to approve the ordinance that states that when a PDD expires it remains a PDD and to forward the item to the November 6th Planning Commission meeting. A discussion took place.

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to improve Richland County's water quality, protect the environment, and comply with the County's National Pollution Discharge Elimination System (NPDES) permit requirements – Ms. Smith moved, seconded by Ms. Hutchinson, to approve this item and await Planning Commission's guidance before being placed on the agenda for Second Reading. A discussion took place.

The vote was in favor.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Village at Sandhills Improvement District Annual Assessment Levy Resolution – Mr. Jeter stated that the Committee recommended approval. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Usage for Council Members' Discretionary Accounts – Mr. Montgomery stated that this item is being held in Committee.

REPORT OF HOSPITALITY TAX ADVISORY COMMITTEE

An Ordinance Amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; and Section 23-71, Oversight and Accountability – The committee recommended approval. The vote in favor was unanimous.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:26 p.m. and came out at approximately 8:22 p.m.
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- a. **Kings vs. Richland County** – No action taken.
- b. **Personnel Matter** – No action taken.
- c. **Lower Richland Sewer Update** – No action taken.

MOTION PERIOD

Back-up Material for Council Agendas – Mr. Malinowski moved to have any information relating to a matter on Council's agenda be provided to each Council member by Friday at 5:00 p.m. This will allow members time to review the information so they will be able to vote in a responsible and informed manner. Information provided on any matter beyond that time will cause the item to be deleted from the agenda or go forward as written in the agenda. This motion was forwarded to the Rules & Appointments Committee.

South Carolina Residential Improvement District Act (H4745) Benefits – Mr. Malinowski moved to have staff determine how H4745 (South Carolina Residential Improvement District Act) can be used to the benefit of Richland County in funding construction and maintenance of infrastructure and improvements related to new development. This motion was forwarded to the D&S Committee.

Bids to Operate CMRTA – Mr. Malinowski moved to re-direct Mr. Jackson's motion for bids to operate the CMRTA from A&F to staff. This motion was taken up at the October A&F Committee meeting.

Homelessness Initiative – Mr. Pope stated the \$100,000 reserved in the fund balance for the previous homelessness initiative has been requested for the benefit of the new homelessness initiative. This item was sent to the October A&F Committee meeting.

ADJOURNMENT

The meeting adjourned at approximately 8:30 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