

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 16, 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 – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Brad Farrar, Amelia Linder, David Hoops, Anna Almeida, Jim Wilson, Dan Kim, Will Simon, Donny Phipps, Paul Alcatar, Geo Price, Ray Peterson, John Hixson, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:10 p.m.

INVOCATION

The Invocation was given by the Honorable L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable L. Gregory Pearce, Jr.

PRESENTATION OF RESOLUTIONS

CMRTA Resolutions – Ms. Dickerson presented resolutions to those CMRTA employees that won several awards at the SCDOT conference.

APPROVAL OF MINUTES

Regular Session: March 2, 2010 – Mr. Malinowski requested that the portion of the tape be reviewed to ascertain the discussion dealing with the resolution to support the Airport Boulevard Beautification Project.

Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve the minutes as corrected. The vote in favor was unanimous.

Special Called Zoning Public Hearing: March 2, 2010 – Ms. Dickerson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that an Outside Counsel/Consultant Executive Session and Whitaker Container Contractual Matter needed to be added to the agenda.

Ms. Finch stated that the Citizens Input at the end of the meeting needed to be moved to before Executive Session.

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

OUTSIDE COUNSEL/CONSULTANT EXECUTIVE SESSION

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Council went into Executive Session at approximately 6:22 p.m. and came out at approximately 6:36 p.m.
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- a. **Columbia Venture Litigation** – This item was received as information.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Vulcan Lease Agreement**

- b. **Employee Grievance**
- c. **Whitaker Container: Contractual Matter**
- d. **Lower Richland Sewer Update**

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

H1N1 Report: Janet Tapp – Ms. Tapp gave a brief update regarding the H1N1 pandemic and upcoming immunizations.

Township Property Update – Mr. Pope stated he is awaiting a response from the City of Columbia regarding this matter.

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

Sease Road – Mr. Pope stated that this item will be forwarded to committee.

Recognition of Certified Floodplain Managers – This item was deferred.

Richland County Conservation Commission, Jim Wilson – Mr. Frank Houston, Ms. Nancy Collum and Mr. Jim Wilson gave a presentation regarding the new website and public service announcement.

Employee Grievance – Ms. Hutchinson moved, seconded by Mr. Manning, to accept the Administrator's recommendation. A discussion took place.

The vote in favor was unanimous.

Whitaker Container: Contractual Matter – This item was taken up during Executive Session.

REPORT OF THE CLERK OF COUNCIL

Together We Can READ 2010 – Ms. Finch stated that Council received an invitation to participate in conjunction with the City of Columbia in the Together We Can READ 2010 event on March 25th at 9 a.m.

Palmetto Pride – Ms. Finch stated that Council received an invitation to participate in Palmetto Pride's Zero Tolerance for Litter Weekend, April 13th at 10:30 a.m. at the State House north steps.

Richland Memorial Hospital Board of Trustees Reception – Ms. Finch stated that Council received an invitation to a reception honoring new Board member William C. “Bill” Gerard, M.D. and re-appointed Board members William B. “Bill” Bradshaw, Calvin H. Elam, and Jerome “Jerry” Odom, Ph.D. and past board service of Gordon M. Langston, M.D., Ann Pringle Washington, and Lynn M. Williams. The reception will be held March 31st at 6:00 p.m. in the Palmetto Club-McMeekin Room, 1231 Sumter Street.

Ozie Jackson, Jr. Roast and Toast – Ms. Finch stated that Council received an invitation to a Roast and Toast honoring Ozie Jackson, Jr., Vice President of Community Relations, Budweiser of Columbia (Retired) on April 1st at The Medallion Center, 7309 Garners Ferry Road at 6:00 p.m.

46th Annual Greater Columbia Community Relations Council Luncheon – Ms. Finch stated that the 46th Annual Luncheon will be held March 25th from 12:30-2:00 p.m. at the Columbia Metropolitan Convention Center. The keynote speaker will be the Honorable Robert D. Coble.

Columbia Museum of Art Gala – Ms. Finch stated that Council received an invitation to the 60th Anniversary Museum Gala, *Red Hot...Cool: 60 Years of Color: Contemporary African-American Artists* on April 7th at 7:00 p.m.

REPORT OF THE CHAIRMAN

De-annexation/Bible Way – This item was referred to the Economic Development Committee.

New Beulah Baptist Church Water Line Request – This item was referred to the April D&S Committee meeting.

Ted Hopkins Request – This item was deferred until after the mitigation report is received for that area.

PRESENTATIONS

Engenuity – A brief overview was given regarding the Columbia Magnet project.

OPEN/CLOSE PUBLIC HEARINGS

- **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** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **10-02MA, The View Subdivision, Joseph Younan, RU to RS-E (83.5 Acres), 12200-02-40 [formerly 12200-02-05(p)], Lorick Rd. [THIRD READING]**

- **10-05MA, Craig Metts, Village at Sandhills, C-1 to C-3 & C-3 to C-1 (.56 Acres), 22900-02-09(p), Forum Dr. & Fashion Dr. [SECOND READING]**

Mr. Pearce moved, seconded by Ms. Kennedy, to approve the consent items. The vote in favor was unanimous.

THIRD READING

Ordinance to allow subdivision of land off of a cross-access easement [THIRD READING] – Mr. Manning moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Smith, to reconsider this item. The motion for reconsideration failed unanimously.

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 Mr. Malinowski, to defer this item until the April 6th Council meeting. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on Property Identified as TMS # 25600-04-12 [FIRST READING BY TITLE ONLY] – Mr. Pearce stated that the committee recommended First Reading by Title Only. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- Community Relations Council—1** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Frank E. White, Jr. The vote in favor was unanimous.
- Planning Commission—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Howard A. VanDine, III.

Ms. Kennedy made a substitute motion, seconded by Mr. Washington, to appoint Mr. Wallace Brown, Sr.

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

The vote was in favor of the substitute motion.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Planning Commission Ordinance and motion to restructure** – Mr. Malinowski stated that this item was held in committee pending a legal opinion.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:17 p.m. and came out at approximately 7:55 p.m.
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- a. **Vulcan Lease Agreement** – This item was deferred.
- b. **Whitaker Container: Contractual Matter** – Mr. Pearce moved, seconded by Mr. Washington, to approve the contract contingent upon Administration completing a favorable review prior to April 1st. The vote in favor was unanimous.
- c. **Lower Richland Sewer Update** – Mr. Jeter moved, seconded by Ms. Dickerson, to allow the Administrator to proceed as discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

Richland County & Richland County Transportation Committee develop a MOU to pool future allocations of program funds and process for dirt road paving projects [JACKSON] – This item was referred to the D&S Committee.

Richland County, the Conservation Commission and the Recreation Commission pursue purchasing all properties associated with Caughman Creek using Hospitality Tax funds for recreational, historical and conservation purposes; also explore a public/private partnership [JACKSON] – This item was referred to the A&F Committee.

Transfer funds in the amount of \$28,500 allocated for SC Gospel Fest to Administrator to be distributed as by County Rules; and withhold an additional \$11,500 for funding pending investigation of 2009 funding (SERCO) [JACKSON] – This item was referred to the A&F Committee.

To perform a Cost-Benefits Analysis of all companies that receive “fee-in-lieu-of-taxes” and develop other models of tax abatement, that will optimize the best results for Richland County when recruiting and retaining companies without the county taking indirect long-term burdens (i.e. environmental, infrastructure and economic) that is presently not being calculated [WASHINGTON] – This item was referred to the Economic Development Committee.

To direct Public Works to review County ordinances and propose amendments that would allow the recovery of cost to repair damage done to County public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly prepared property entrances or other uses for which the type of roadway was not intended [MALINOWSKI] – This item was referred to the D&S Committee.

Remove the wording that employees/Council members are prohibited from possession of a weapon on county property and change it to allow possession of a weapon in a locked trunk only or other receptacle if a trunk is not available. This will not authorize possession in any building, only the vehicles [MALINOWSKI] – This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:06 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