

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 17, 2012 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Paul Livingston
Member	Seth Rose
Absent	Jim Manning

**OTHERS PRESENT** – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Brad Farrar, John Hixon, Dale Welch, Tracy Hegler, Daniel Driggers, Geo Price, Pam Davis, Andy Metts, Ray Peterson, Alfreda Tindal, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

### INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

**POINT OF PERSONAL PRIVILEGE** – Mr. Malinowski offered condolences to former Councilwoman Bernice Scott on the passing of her sister.

### **APPROVAL OF MINUTES**

**Regular Session: April 3, 2012** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

### **ADOPTION OF THE AGENDA**

Mr. Washington stated that the Legislative Exchange Program needed to be added under the Report of the Chairman and Proclamation for Boy Scouts needed to be added under the Motion Period.

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

**POINT OF PERSONAL PRIVILEGE** – Mr. Rose recognized that City Councilman Brian Newman was in the audience.

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

The following were potential Executive Session Items:

- a. **SOB Update**
- b. **Bond Counsel Update**

### **CITIZENS' INPUT**

No one signed up to speak.

### **REPORT OF THE COUNTY ADMINISTRATOR**

**Business Friendly Task Force** – Mr. Pope stated that the Committee's recommendations to Council were forthcoming.

**Report of Joint Transportation Committee** – This was an action item on the agenda.

**Legislative Contacts Program** – Mr. Pope reminded Council members to submit information regarding the Legislative Contacts Program.

**Employee Recognition** – Mr. Pope recognized Ms. Heather Beard and the Utilities Department on Ms. Beard recent award.

**Quarterly Adult Senior Services Report** – Received as information.

**POINT OF PERSONAL PRIVILEGE** – Ms. Dickerson recognized that Representative Joe Neal was in the audience.

### REPORT OF THE CLERK OF COUNCIL

**SCAC Annual Conference, August 5-8, 2012** – Ms. Onley stated that the SCAC Annual Conference would be held August 5-8, 2012 and requested that any Council member desiring to attend contact the Clerk's Office.

**Council Photograph, May 1<sup>st</sup>, 6:00 p.m.** – Ms. Onley stated that the Council photograph has been re-scheduled for May 1<sup>st</sup> at 6:00 p.m.

### REPORT OF THE CHAIRMAN

**Cinco de Mayo Funding Request** – Ms. Hutchinson moved, seconded by Mr. Malinowski, to deny this item.

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

The vote was in favor of the motion to deny.

**V. C. Summer Meeting Request** – Mr. Washington stated that a meeting has been requested by Perry Buckberg, Senior Reactor Operator Engineer for the Nuclear Regulatory Commission. The Clerk's Office will be polling Council.

**International Legislator Program Funding Request** – Mr. Jeter moved, seconded by Ms. Dickerson, to give First Reading by title only to a budget amendment to appropriate \$5,000 for the International Legislator Program. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Ms. Kennedy, to deny the funding request. A discussion took place.

Mr. Pearce moved, seconded by Ms. Dickerson, to call for the question. The vote in favor was unanimous.

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

The substitute motion failed.

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

The vote was in favor of giving First Reading by title only to a budget amendment to appropriate \$5,000 for the International Legislator Program.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce recognized that the Riverbanks Zoo Commission was in the audience.

#### OPEN/CLOSE PUBLIC HEARINGS

- **Finding that the Richland-Lexington Parks District may issue not exceeding \$32,000,000 General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization** – Mr. Phil Bartlett, Mr. Ercan Turk, Mr. Jordan Ash and Ms. Kelly Wilson spoke in favor of this item.

#### APPROVAL OF CONSENT ITEMS

- **Finding that the Richland-Lexington Parks District may issue not exceeding \$32,000,000 General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization [THIRD READING]**
- **12-08MA, LandTech Inc. of SC, Kevin Steelman, NC to RS-MD (4.01 Acres), Three Dog Rd. & US 76, 01506-01-11 [THIRD READING]**

- **12-10MA, Irving Spigner, HI to GC (2 Acres), 10320 Farrow Rd., 17500-03-10(p) [THIRD READING]**
- **12-11MA, William Sease, RM-HD to GC (.45 Acres), 3120 Lawrence St., 06012-02-16/17 [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-175, Access; so as to delete the requirement of an encroachment permit [THIRD READING]**

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

#### THIRD READING

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days** – Mr. Malinowski moved, seconded by Mr. Livingston, to approve the amended ordinance. The vote in favor was unanimous.

**An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. The vote was in favor with Mr. Jeter voting against this item.

Mr. Pearce moved, seconded by Mr. Livingston, to reconsider this item. The motion failed.

#### FIRST READING

**An Ordinance Amending the Fiscal Year 2011-2012 Lower Richland Utilities Fund Budget to appropriate \$25,000 of User Fee Revenue for additional operational and maintenance costs of the Hopkins Community Water System [FIRST READING]** – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**Crane Creek-Catalyst 5 Pedestrian Park-Parcel Acquisition** – Mr. Malinowski moved, seconded by Ms. Kennedy, to approve this item. The vote in favor was unanimous.

Mr. Jackson moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

**POINT OF PERSONAL PRIVILEGE** – Mr. Washington recognized that Mr. Tony Grant was in the audience.

**REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

**Business Enforcement Resolution** – Mr. Jackson moved, seconded by Ms. Hutchinson, to adopt the amended resolution. The vote in favor was unanimous.

**OTHER ITEMS**

**Report of Joint Transportation Committee:**

- a. **Update re: April 16, 2012 Joint Transportation Committee** – Mr. Livingston gave a brief update regarding the April 16<sup>th</sup> committee meeting.
- b. **Work Authorization—2010 Study Revision** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

Mr. Livingston moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

**Application for locating a Community Residential Group Home in an unincorporated area of Richland County—309 Calvary Drive, Columbia, SC** – Ms. Kennedy moved, seconded by Mr. Malinowski, to deny this item and to have Council members contact the Legislative Delegation regarding this matter. A discussion took place.

The vote in favor was unanimous.

**CITIZEN'S INPUT**

No one signed up to speak.

**EXECUTIVE SESSION**

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**Council went into Executive Session at approximately 8:15 p.m. and came out at approximately 8:56 p.m.**  
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- a. **SOB Update** – Mr. Pearce moved, seconded by Mr. Livingston, to direct staff to propose for Council's consideration language that would comport with the proposal that was discussed in Executive Session in the event Council decides to pursue that proposal or to further negotiate a disposition of that matter, and for Administration and staff to report

back to the full Council their findings, recommendations or other input with respect to this matter. The vote in favor was unanimous.

#### MOTION PERIOD

**Whereas, broadcasting open meetings of County Council technically provides no transparency, and whereas, there appears to be a clamoring for Council transparency, be it resolved that I move as a part of our Transparency Television Broadcast initiative, that Richland County Council Executive Sessions be videotaped and that an edited version with just what was truly qualified for and met the standard for such a session removed, be broadcasted at the conclusion of the broadcast of the next regular Council meeting. [MANNING]** – This item was referred to the Rules & Appointments Committee.

**Resolution recognizing April as Child Abuse Prevention and Awareness Month [WASHINGTON]** – Mr. Livingston moved, seconded by Ms. Dickerson, to adopt a resolution recognizing April as Child Abuse Prevention and Awareness Month. The vote in favor was unanimous.

**Due to recent issues with the Chair making announcements and having meetings on behalf of Richland County and County Council without Council's approval. I move that we have a workshop on the rules of the Chair. The do's and don'ts of the Chair. This will help with the problem and the chaos we are having on County Council. [JACKSON]** – This item was referred to the Rules & Appointments Committee.

**I move to direct staff to draft an ordinance that would delete any County review fees for family property (Section 26-224 of the Land Development Code), retroactive to November 15, 2011, and to send this ordinance to the next available Planning Commission meeting for their consideration and recommendation. [WASHINGTON]** – This item was referred to the D&S Committee.

**"I move to send an ordinance that would Permit 'Group Homes (10 to 15)' in the RU (Rural District with Special Requirements, to the next available Planning Commission meeting for their consideration and recommendation." [WASHINGTON]** – This item was referred to the D&S Committee.

**Motion to send a resolution to the City of Columbia not to raise the water and sewer funds on the backs of non-City Residents. Reason: If the City goes along these lines then the County may have no choice but to invest in a water system or invite private utility companies to provide water to the unincorporated areas. County residents should not be treated disproportionately to correct the City's shortfall. As representatives of the citizens of Richland County we must be mindful and do everything possible to protect the people we serve. [JACKSON]** – This item was referred to the A&F Committee.

**Have financial staff provide a report on how many County employees are eligible to retire June 30, 2012 and what impact it could have on the County. Because of proposed State**

retirement legislation a high number of State and government workers are opting to retire. The added retirements could have a big impact on some local governments, whose workers-along with many public school teachers-are covered by the State retirement system. The prospect concerned Columbia City Manager, Steve Gantt so much that he had his staff calculate how many of the City's roughly 2,000 employees were eligible to retire on June 30. The answer: 230, including the City's Chief Financial Officer and some senior managers in the police and fire departments. If all of those City workers choose to retire, it would cost the City \$1.5 million to pay off unused sick and vacation days, Gantt said. "I can't imagine if all those folks decided to bail so they fell under the old criteria instead of the new criteria," Gantt said. "It is what it is, and we'd have to do what we have to do. But I do have some concern about the financial implications." [JACKSON] – This item was referred to the A&F Committee.

Proclamation in support of the 14<sup>th</sup> Annual Whitney M. Young, Jr. Service Awards Banquet [WASHINGTON] – Mr. Malinowski moved, seconded by Ms. Hutchinson, to adopt a proclamation in support of the 14<sup>th</sup> Annual Whitney M. Young, Jr. Service Awards. The vote in favor was unanimous.

#### ADJOURNMENT

The meeting adjourned at approximately 9:03 p.m.

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Kelvin E. Washington, Sr., Chair

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L. Gregory Pearce, Jr., Vice-Chair

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Gwendolyn Davis Kennedy

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Joyce Dickerson

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Valerie Hutchinson

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Norman Jackson

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Damon Jeter

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Bill Malinowski

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Jim Manning



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Paul Livingston

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Seth Rose

The minutes were transcribed by Michelle M. Onley