

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, JULY 22, 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	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, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Larry Smith, Anna Almeida, Jennie Sherry-Linder, Pam Davis, Amelia Linder, Audrey Shifflett, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:05 p.m.

INVOCATION

The Invocation was given by the Honorable Bernice G. Scott

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bernice G. Scott

Richland County Recreation Commission – Ms. Cynthia Robinson and Ms. Leigh Cheatham gave a brief presentation regarding the Recreation Commission.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: July 15, 2008 – Mr. McEachern stated that the language in the Ordinance amending Richland County Code of Ordinances, Chapter 16, Section 16-19 needed to be corrected. The correct language was provided via a handout from legal.

Mr. Montgomery moved, seconded by Ms. Scott, to approve the minutes as corrected. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that the following item needed to be added under the Report of the County Administrator: Personnel Matter: Internal Audit—Public Works.

Ms. Scott moved, seconded by Ms. Hutchinson, to add this item. The vote in favor was unanimous.

Ms. Finch stated that the items from the D&S and A&F Committees be forwarded to tonight's meeting.

The agenda was adopted unanimously.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Farmers' Market**
- b. **Palmetto Utilities**
- c. **Mungo Property Appraisal**
- d. **Personnel Matter**

REPORT OF THE COUNTY ADMINISTRATOR

Contract Award: No Kill Animal Shelter – This was Item #7 on the agenda.

Richland 101 for Kids: July 24, 2008, 9:00 a.m.—1:00 p.m., Dutch Square Mall – Mr. Pope reminded the Council members of the Richland 101 for Kids event on July 24, 2008 at Dutch Square Mall from 9:00 a.m.—1:00 p.m.

Geometrics Voluntary Work Session: July 24, 2008, 4:00 p.m., Council Chambers

– Mr. Pope reminded Council of the Geometrics work session scheduled for July 24, 2008 at 4:00 p.m.

Janet Claggett Recognition – Mr. Pope recognized Janet Claggett for graduating from the Certified Government CIO Program at the School of Government, University of North Carolina—Chapel Hill.

Alvin S. Glenn Detention Center Medical – Mr. Pope stated that the Medical Division at the Alvin S. Glenn Detention Center has been accredited.

REPORT OF THE CLERK OF COUNCIL

South Carolina Association of Counties Conference – Ms. Finch reminded Council of the SCAC Conference would be held July 29-August 3, 2008. This year's keynote speaker is Representative Gilda Cobb Hunter. Packets will be available on Friday.

Columbia Chamber of Commerce Annual Gala, September 18, 2008 – Ms. Finch stated that the Columbia Chamber of Commerce's Annual Gala will be held September 18, 2008. More information will be forthcoming.

REPORT OF THE CHAIRMAN

Mr. McEachern thanked everyone for their concern after his son's automobile accident.

PUBLIC HEARING ITEMS

- **An Ordinance 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**

Mr. Richard Miller, Ms. Cynthia Black, Mr. Mark Davis, Mr. Joe Brunetto, Mr. Bill Beckwith, and Mr. Bill Spillane spoke in favor of this item.

APPROVAL OF CONSENT ITEMS

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

- **08-16MA, The Cascades, Tom Margle, RU to RS-LD (67.97 Acres), Single Family Residential, 20400-01-01/02/03/04/10/11 & 18, Sand Farm Rd. [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address rates set for landfills [Second Reading]**

- **Ordinance to amend Siemens Diesel Systems Technology FILOT [Second Reading]**
- **Ordinance to amend Siemens VDO Automotive Corporation FILOT [Second Reading]**
- **Request to negotiate a contract for the purpose of undertaking petroleum and hazardous substance Brownfield assessments at sites identified throughout the county (Vendor recommendation will be presented to council in September for approval)**
- **Request to approve a construction contract with International Roofing for repairs and replacement of the Central Garage roof**
- **Request to establish a policy for conducting corridor studies with Neighborhood Improvement Program funds in conjunction with Central Midlands Council of Governments**
- **Request to negotiate a contract for the purchase of a new 911 system (Vendor recommendation will be presented to council in September for approval)**
- **Request to approve a FILOT Supplement Policy for the Industrial Park Account**
- **Request to approve a contract with Palmetto Posting, Inc. for the purpose of posting of properties on which delinquent ad valorem property taxes are due**
- **Sheriff—Request to approve a grant for D.A.R.E. program supplies (No match or personnel required)**
- **Sheriff—Request to approve a grant for toxicology backlog reduction (No match or personnel required)**
- **Sheriff—Request to negotiate and award a design-build contract for the design and construction of the new Region 7 Sheriff's Substation**

The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within 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 the 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. Montgomery moved, seconded by Ms.

Hutchinson, to amend the ordinance as proffered by the Administrator. The vote in favor was unanimous.

Mr. Montgomery moved, seconded by Ms. Scott, to approve the proposed amendments, sponsored by him, as outlined in the distributed motions list. A discussion took place.

Mr. Pearce moved, seconded by Ms. Scott, to call for the question. The vote in favor of calling for the question passed.

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

The motion failed on a tie vote.

Mr. Pearce moved, seconded by Mr. Montgomery, to approve the ordinance as distributed.

Ms. Dickerson made a substitute motion, seconded by Mr. Malinowski, to defer this item.

Mr. Montgomery made a 2nd substitute motion, seconded by Ms. Scott, to defer this item and have a Special Called meeting on August 7th.

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

The 2nd substitute motion failed on a tie vote.

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

The substitute motion failed.

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

The original motion failed.

SECOND READING ITEM

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address business revenues generated by interstate commerce – Mr. Pearce moved, seconded by Ms. Scott, to exempt interstate commerce from the calculation on business license fees. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Ms. Dickerson, to defer this item until September 9th.

The vote in favor of deferment was unanimous.

Bailey Bill Ordinance Amendments – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item and have staff bring back additional information before 3rd Reading. A discussion took place.

The vote in favor was unanimous.

An Ordinance 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. Hutchinson moved, seconded by Ms. Dickerson, to approve this item and schedule a meeting between the Ad Hoc Committee, consultants and the Recreation Commission. A discussion took place.

The vote was in favor.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

An ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; so as to create the Detention Center Commission and to provide for its membership, duties and powers – The

committee recommended denial of this item and if Council wishes to increase input at the Detention Center that the Detention Advisory Committee be reinstated.

Mr. McEachern referred the reinstated of the Detention Advisory Committee to the Rules and Appointment Committee.

The vote in favor was unanimous.

Request to approve a Memorandum of Understanding with Southeast Rural Community Outreach Ministries in regards to a \$250,000 allocation from the Local Hospitality Tax Revenue Fund during Fiscal Year 2008-09 – A discussion took place.

Mr. Livingston moved, seconded by Mr. Jackson, to defer this item until the September 9th meeting. The vote was in favor.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

ALD Thermal – The committee recommended settling with ALD Thermal for the sum of \$190,290.90 in five installments. A discussion took place.

The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Airport Commission—2** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

Contract Award: No Kill Animal Shelter, Lexington and Richland Counties – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve this item. The vote was in favor.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 9:50 p.m. and came out at approximately 10:33 p.m.
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- a. **Farmers' Market** – Mr. Montgomery moved, seconded by Ms. Scott, to approve the recommendation of the Administrator as discussed in Executive Session. The vote in favor was unanimous.
- b. **Palmetto Utilities** – Mr. Pearce moved, seconded by Ms. Scott, to direct Administration to proceed with negotiations with Palmetto Utilities as discussed in Executive Session. The vote in favor was unanimous.
- c. **Mungo Property Appraisal** – Mr. Jackson moved, seconded by Ms. Scott, to purchase the Mungo property as discussed in Executive Session.

Mr. Livingston made a substitute motion, seconded by Mr. Pearce, to proceed with the option to purchase the property as discussed in Executive Session.

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

The substitute motion passed.

- d. **Personnel Matter** – Administration will be bringing back a report.

MOTION PERIOD

An Ordinance Authorizing a development agreement between Richland County, South Carolina and Charlie Waite and Summit Contractors, Inc., and other matters related thereto – Mr. McEachern referred this item to the D&S Committee.

Ms. Hutchinson moved, seconded by Mr. Jeter, to reconsider the actions that were taken.

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

ADJOURNMENT

The meeting adjourned at approximately 10:44 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