

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 19, 2009 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 Matthews, Joe Cronin, Stephany Snowden, Tamara King, Larry Smith, Julie Wilkie, Daniel Driggers, Valeria Jackson, Jocelyn Jennings, Frank Frierson, Lillian McBride, Harry Reed, 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 Damon Jeter

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Damon Jeter

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson acknowledged that Ms. Janet Hewitt from the Parks & Recreation Commission.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: May 5, 2009 – Mr. Manning moved, seconded by Ms. Dickerson, to approve the minutes as distributed. A discussion took place.

The vote was in favor.

ADOPTION OF AGENDA

Mr. Pope requested to add recognition of an employee under the Report of the County Administrator.

Mr. Pearce stated that it should be FN Manufacturing and not FM Manufacturing under the Report of the Attorney for Executive Session Items.

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt 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. **FN Manufacturing vs. Richland County**
- b. **McEntire vs. Richland County**
- c. **Watts vs. Richland County**
- d. **Farmers' Market Update**

REPORT OF THE COUNTY ADMINISTRATOR

Neighborhood Stabilization Program Update – Ms. Valeria Jackson and Michael Lentz gave a brief update regarding the Neighborhood Stabilization Program.

FY10 Budget Update – Mr. Pope stated that the updated Motions List had been forwarded to Council and another updated motions list will be sent out prior to 2nd Reading.

Farmers' Market Update – This item was taken up during Executive Session.

Fire Contract Update – Mr. Pope stated that additional information is forthcoming from the City of Columbia.

Employee Recognition – Mr. Pope recognized Mr. Harry Reed upon his retirement from Richland County for his 33 years of service.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

No report was given.

PUBLIC HEARING ITEMS

Mr. Livingston opened the floor to the following public hearings:

- **An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina and Trane U. S. Inc. (formerly named American Standard Inc.) and matters relating thereto –**
No one signed up to speak.

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina and Trane U. S. Inc. (formerly named American Standard Inc.) and matters relating thereto [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; so as to make corrections to several paragraph numbers referenced therein [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-103, AP Airport Height Restrictive Overlay District; so as to correctly identify Jim Hamilton-L. B. Owens Airport [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2008-2009 Hospitality Tax Budget to appropriate one hundred thousand dollars (\$100,000) to Historic Columbia for repairs to the Hampton Preston House [SECOND READING]**

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

THIRD READING ITEMS

An Ordinance to adopt the “2009 Richland County Comprehensive Plan” – Mr. Malinowski moved, seconded by Mr. Washington, to defer this item until the first meeting in September.

Mr. Malinowski withdrew his motion to allow discussion.

A discussion took place.

Mr. Manning moved to adopt the current plan.

The motion died for lack of a second.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to defer this item until the first meeting in September. The vote was in favor.

An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2, entitled “Administration” – Mr. Jeter moved, seconded by Mr. Manning, to approve this item. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to retain the current ordinance.

Ms. Smith made a second substitute motion, seconded by Mr. Jeter, to give 3rd Reading approval.

For

Pearce
Hutchinson
Jeter
Livingston
Dickerson
Manning
Smith

Against

Malinowski
Jackson
Kennedy
Washington

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; so as to delete Section 26-184, Parks and Open Space, and to provide for the use of the Green Code’s flexibility in the various zoning districts – Ms. Smith moved, seconded Mr. Jeter, to approve this item. The vote was in favor.

OTHER ITEMS

FY2009-2010 Amended Budget Calendar – Mr. Jeter moved, seconded by Ms. Dickerson, to approve the calendar as amended. A discussion took place.

Ms. Hutchinson moved, seconded by Mr. Malinowski, to hold 2nd Reading at 6:30 p.m. on May 26, 2009.

Ms. Dickerson made a substitute motion, seconded by Mr. Malinowski, to hold 2nd Reading at 7:00 p.m. on May 26, 2009. The vote in favor was unanimous.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

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Council went into Executive Session at approximately 7:11 p.m. and came out at approximately 7:22 p.m.
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- a. **FN Manufacturing vs. Richland County** – No action taken.
- b. **McEntire vs. Richland County** – No action taken.
- c. **Watts vs. Richland County** – No action was taken.
- d. **Farmers' Market Update** – No action was taken.

MOTION PERIOD

An approved subdivision plat by Richland County should not require additional survey or engineering – Mr. Jackson referred this item to the D&S Committee.

To direct staff to provide information by September 1, 2009 on the potential financial value of the wetland mitigation bank credits associated with the following: Carolina Bay, Cabin Branch and adjacent sites with significant amount of buffer for the purpose of developing a mitigation bank and environmental sensitive light recreational activity areas and facilities – Mr. Washington referred this item to the A&F Committee.

Resolution Recognizing the Pine Grove Rosenwald School in the National Register of Historic Places – Ms. Dickerson moved, seconded by Mr. Malinowski, to adopt a resolution recognizing the Pine Grove Rosenwald School. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:26 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