

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
FEBRUARY 5, 2002
6:00 P.M.**

MEMBERS PRESENT: Joseph McEachern, Chair; Anthony Mizzell, Vice-Chair; Joan B. Brady; Susan Brill; Paul Livingston; J.D. "Buddy" Meetze; L. Gregory Pearce, Jr.; Bernice G. Scott; Kit Smith; Thelma M. Tillis; James Tuten

OTHERS PRESENT: T. Cary McSwain, Sherry Wright-Moore, Jocelyn Jennings, Rodolfo Callwood, Ashley Jacobs, Pam Davis, Michelle Cannon-Finch, Milton Pope, Tony McDonald, Stephany Snowden, Carrie Tolley, Michael Criss, Chris Emerson, Michael Byrd, Mike Cinnamon, Daniel Driggers, Marsheika Martin

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

INVOCATION: The Honorable Joan Brady gave the Invocation.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Mr. McEachern stated the following items needed to be approved unanimously in order for them to be on the agenda:

- United Way Day Care Center
- Report of Landfill Finding

Ms. Smith moved, seconded by Mr. Meetze, to waive the rules by unanimous consent and adopt the agenda as published. The vote in favor was unanimous.

Mr. McEachern announced items 3-c and d (Ordinance Amendment regarding Landfills; Chapter 12 and Zoning Amendment regarding Landfills; Chapter 26) will be taken up along with a public hearing on February 19th.

PRESENTATION OF RESOLUTIONS

- a. **Rice Creek Elementary School** – A resolution was presented to Rice Creek Elementary School for winning National Blue Ribbon School Honors.
- b. **Dr. Sharon Buddin; Principal, Ridgeview High School** – A resolution was presented to Dr. Buddin for being named the 2002 Metlife National High School Principal of the Year.
- c. **Dr. Stephen W. Hefner, Superintendent of Richland County School District Two** – A resolution was presented to Dr. Hefner for being named South Carolina's Superintendent for the Year in 2001.

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POINT OF PERSONAL PRIVILEGE –

Ms. Scott stated that she is so proud of the NFL players from the Lower Richland area. She notified everyone that Richard Seymore received a Superbowl ring.

Mr. Mizzell recognized the presence of the Honorable Todd Rutherford.

**PRESENTATION: United Way Day Care Center, Hopkins, S.C.
(Scott, Mizzell, Tillis)**

A community center will be built in the Lower Richland area, which is approximately 3,600 square feet. The facility will be used by the community but will primarily serve as after-school care for preschoolers. A request is being made for Richland County to assist with clearing of the land and getting it ready for building. Documentation was handed out to Council.

Ms. Scott requested Mr. McSwain to assist with the clearing of the lot.

Mr. McEachern stated Ms. Scott could bring this issue up during the Motion Period.

CITIZEN'S INPUT

Mr. James Robertson spoke in favor of the Pawn Shop Business License Application.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated there were no items to be discussed in Executive Session at this time.

APPROVAL OF MINUTES – Special Called Meeting: January 29, 2002

Mr. Livingston moved to approve the minutes.

Ms. Smith offered an amendment on page 4 of the agenda, first paragraph, adding the following language:

and therefore could not be considered. Additionally, the same effect could be had by failing to adopt the main motion to rescind Plan-C.

Ms. Smith stated she would second Mr. Livingston's motion if he would incorporate the language into his motion. Mr. Livingston incorporated the amendment into his motion.

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The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Livingston	Pearce
Mizzell	Meetze
McEachern	Brady
Smith	Brill
Scott	Tuten
Tillis	

The motion passed.

Point of Order: Ms. Smith stated it would be helpful if those who opposed the adoption of the minutes would state what is incorrect about the amendments. She further stated if there is not anything wrong with the minutes then it should be clear why they are being opposed as the minutes need to be correct showing transaction that took place.

REPORT OF COUNTY ADMINISTRATOR

a. HUD Entitlement Update

Mr. McSwain stated staff is proceeding with the application process to finalize and forward submission. He stated staff is in the process of developing a comprehensive plan that will be the structure for how funds will be spent once the check is received from HUD for the Entitlement Program. Mr. McSwain stated the money must be used for low to moderate-income communities.

Mr. McSwain further reported information for the comprehensive plan is due to the consultant by the 20th of February. He asked for the Council to consider a special work session to go over the plan on February 19th before it is submitted to the consultants and to discuss recommendations from Council members.

A discussion took place.

Point of Personal Privilege – Mr. Livingston recognized his wife, Deborah, at the meeting.

b. Columbia Owens Airport

Mr. McSwain stated a draft report of the management of the airport has been received. He asked Council to consider holding a work session.

OPEN/CLOSE PUBLIC HEARINGS – 1.a; 6

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

- **An Ordinance amending Ordinance No. 041-97 and authorizing the Recreation District of Richland County to issue general obligation bonds not exceeding \$12,000,000.00**
- **HUD Entitlement Program**

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No one signed up to speak to the public hearings. Mr. McEachern closed the public hearings.

APPROVAL OF CONSENT ITEMS

Mr. Meetze moved, seconded by Ms. Smith, to approve the following consent items:

- An Ordinance amending Ordinance No. 041-07 and authorizing the Recreation District of Richland County to issue general obligation bonds not exceeding \$12,000,000.00 [Second Reading]
- 02-25MA, Charles Vaughn, Rizalina Mandanis, From RS-2 to C-2, 17002-04-01, 2156 Cresthill Drive [Second Reading]
- Bellsouth Easement – Approval of an easement allowing BellSouth to place a concrete pad and phone equipment box atop the pad on the County's property located at the Sheriff's Department Headquarters.
- Arbor Hills Drainage Project – Approval of a contract with the low bidder, Newman Construction Co. Inc., in the amount of \$279,280.00, plus an additional \$20,000.00 for contingencies, with funds provided under the Storm Drainage Bond Issue of 1997.
- Resolutions for Grant Applications – Approval of resolution of support for the following organizations as part of federal transportation grant applications:
 1. Respite House
 2. Work in Progress
 3. Senior Resources
 4. Babcock Center
- Approval of Council 2002 Goals – Approval of goals developed at the January retreat.
- Software for Jail Management System – approval of a professional service contract with Information Systems Associates in the amount of \$130,000.00, plus the vendor's expenses, to come from the bond designated for technology improvements at the Detention Center.
- Approval of Revised Citizen Participation Plan – approval of a revised Citizen Participation Plan, a necessary element of becoming a HUD entitlement community. It was revised to reflect Richland County's new status as a federal entitlement community.

The vote in favor of approving the above consent items were unanimous.

2. Request by Council members (Meetze, Brill, Pearce)

a. Report of Landfill Findings

Mr. Art Braswell from the Department of Health and Environmental Control and Dr. Wayne Beam, an environmental scientist and President of Beam Shannon and Associates, commented on some of the landfill findings.

A discussion took place.

Ms. Smith directed the County Administrator to prepare a general estimate of what it would cost to have Refuse Officers.

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3. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

b. Pawn Shop Business License Application

Mr. Mizzell stated this item was forwarded to Council without a recommendation.

Mr. McSwain stated there was some question about the application process. He stated this issue has been looked at thoroughly. He stated the state requires a sled check and there was no evidence that had been done. Mr. McSwain reported Mr. Robertson stated he has been to the Sheriff's Department and the Sheriff's Department has signed off on it.

Mr. Tuten moved, seconded by Mr. Meetze, to approve this item contingent upon law enforcement approval. The vote was in favor. (Ms. Scott was away during the vote).

c. Purchase of Voting Machines

Mr. Mizzell stated the Committee forwarded this item to Council with the instructions that the vendor asserting that he has used voting machines which have the upgraded software make a proposal to the Election Commission for their consideration. He stated it was recommended for the Election Commission to make a recommendation.

Mr. McSwain stated there is currently a filing of injunction against Microvote. He stated the Election Commission forwarded a letter to Council requesting deferment until the legal process is satisfied.

Mr. Pearce moved, seconded by Ms. Brady, to defer this item until clarification is received and a recommendation from the Election Commission based on facts of the situation.

Ms. Smith made a substitute motion, seconded by Ms. Scott, to delegate the authority to select the machines to the election commission with the assistance of the County Administrator based on the outcome of the lawsuit. If the used machines are compatible, satisfactory and are a better deal, they will get those; if they are not compatible and the lawsuit is not resolved, then go ahead get the other.

Mr. Pearce/Ms. Brady withdrew their motions to defer.

The vote in favor was unanimous.

h. Bond Issue for Judicial Center HVAC and Fire Service

Mr. Mizzell stated the Committee forwarded this item to Council without a recommendation with instructions to staff to present all fire needs in a prioritized list and with two year operating cost impacts of the capital improvements.

Mr. McSwain stated a document is before Council that was compiled by Michael Byrd from Emergency Services.

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A discussion took place.

Ms. Tillis moved, seconded by Ms. Scott, to defer this item to February 19th to receive more information on what can and cannot be bonded. The vote in favor was unanimous.

4. REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. Notification of Appointments

a. Notification of appointments to Accommodations Tax Committee – 2

Mr. Livingston reported there are two vacancies to this board. He stated the applicants must be in the hospitality industry to apply.

b. Building Board of Adjustment and Appeals – 4

Mr. Livingston reported there are four appointments to be made to this board. He stated applicants must be in one of the following industries: architecture, gas, engineering and plumbing.

c. Lexington/Richland Alcohol & Drug Abuse Council – 2

Mr. Livingston reported there are two vacancies to this board.

II. Notification of Appointments

a. Accommodations Tax Committee-1

Mr. Livingston stated there is one appointment to be made to this board with one application received.

Ms. Scott moved, seconded by Mr. Mizzell, to appoint Mr. John Whitehead to the Committee.

A discussion took place regarding a conflict of interest.

Ms. Scott withdrew her motion.

Ms. Scott moved, seconded by Mr. Pearce, to defer this item.

After point of clarification, Ms. Scott withdrew her motion.

The vote was taken to appoint Mr. Whitehead.

Mr. Whitehead was not appointed to the committee.

b. Building Board of Adjustment & Appeals – 4

Mr. Livingston stated there are four appointments to be made to this board with no applications received. He instructed staff to re-advertise.

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c. Music Festival Commission-1

Mr. Livingston stated there is one appointment to be made to this commission with one application received.

Mr. Livingston moved, seconded by Ms. Brady, to appoint Ms. Mary Ellen Amaker to this commission. The vote in favor was unanimous.

5. CITIZEN'S INPUT – No one signed up to speak at this time.

8. MOTION PERIOD/ANNOUNCEMENTS

- Ms. Scott directed staff to look at the contract between the City and the Countywide fire service and inform Council on benefits the County is receiving from that. She stated if there are no benefits, the County may need to cut the ties and move on.
- Mr. Pearce/Mr. Livingston, to draw up a resolution honoring Mr. David Jamerson, Executive Director of LRADAC as he is retiring after 32 years of service.
- Mr. Pearce stated the Palmetto Health Alliance has requested to come and present their annual report. Mr. Pearce asked that this be scheduled and placed on the calendar.
- Mr. Pearce questioned if there has ever been a feasibility study of Council meetings televised.
- Ms. Brill requested for a resolution to be drawn up honoring an Eagle Scout, Brock Laney.
- Mr. Mizzell directed staff to contact C.O.S.T. members and invite them to do a budget review and challenge them to attend Richland 101.
- Ms. Smith directed staff, by unanimous consent, to work with United Way on the Hopkins Daycare, noting for the Administrator to do it within budget.
- Ms. Smith requested a work session on the HUD Plan on February 13th at 12:30 p.m. for those who have an interest.
- Ms. Smith moved, seconded by Ms. Scott, to give First Reading approval by unanimous consent to enact an ordinance that prohibit service on a Richland County board or commission if there is a personal or financial conflict of interest. There were no objections.
- Mr. McEachern requested sending a discussion regarding proclamations and resolutions to the Rules Committee.
- Mr. McEachern suggested forwarding to the Administration and Finance Committee a discussion on the need for an internal auditor. It was also recommended for an Audit Committee to be formed consisting of council chair, two committee chairs and Finance and Budget Directors.
- Mr. McEachern informed Council that he and Mr. Mizzell were invited to School District One to meet with the board, Senator Kay Patterson and others regarding the One-Cent Sales Tax for the School District.

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Kit Smith

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin