

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
JUNE 4, 2002  
6:00 P.M.**

**MEMBERS PRESENT:** Joseph McEachern, Chair; Anthony G. Mizzell, Vice-Chair; Joan 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, Daniel Driggers, Michelle Cannon-Finch, Larry Smith, Amelia Linder, Milton Pope, Tony McDonald, Ashley Jacobs, Pam Davis, Roxanne Matthews, Carrie Tolley, Monique Walters, Marsheika Martin, Chief Harrell, Rodolfo Callwood, Chris Eversmann, Geo Price, Michael Byrd, Michael Criss

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

**INVOCATION** – The Invocation was given by the Honorable Kit Smith

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

Mr. Livingston requested to add an appointment to the Grievance Committee under Rules and Appointment Committee as item-F.

Mr. Pearce requested moving Second Reading of the Budget and Millage Ordinances to the end of the agenda.

Ms. Scott moved, seconded by Mr. Mizzell, to remove the Budget and Millage Ordinances from the Consent Agenda and place them after the Report of the Rules and Appointment Committee. The vote in favor was unanimous.

Mr. McEachern stated the Budget and Millage Ordinances would be placed on the agenda as item-6.

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

**CITIZEN'S INPUT** – No one spoke at this time.

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

**a. Contractual Matter: Convention Center Contracts**

Mr. Larry Smith, County Attorney, stated this was the only item on the agenda to be discussed in Executive Session.

Mr. McEachern stated Executive Session would be placed on the agenda as item-7.

## APPROVAL OF MINUTES

**Regular Session: May 21, 2002**  
**Zoning Public Hearing: May 28, 2002**

Ms. Smith stated the item regarding Clay Hooker on page nine of the minutes was not approved unanimously. She stated she opposed this item.

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

## REPORT OF COUNTY ADMINISTRATOR

- a. **Reschedule of July Meeting** – Mr. McSwain questioned if the July 2<sup>nd</sup> meeting needed to be rescheduled.

Ms. Smith moved, seconded by Mr. Pearce, to hold the first meeting in July on the 9<sup>th</sup>. The vote in favor was unanimous.

- b. **Voting Machine** – Mr. McSwain stated he met with the Election Commission regarding the purchase of the voting machines and the Election Commission authorized the negotiation with the lowest bidder for the used machines. He stated there are legal stipulations to make sure everything is warranted and guaranteed as required. Mr. McSwain stated this would save the County \$143,000.00.
- c. **Register of Deeds Office** – Mr. McSwain reported the Register of Deeds Office has won the South Carolina Archives Achievement Award for outstanding records/management program. He stated the office has won this for the third year in a row.
- d. **Community Collaborative Economics** – Mr. McSwain reported the session was held and several Council members attended the meeting. He stated the meeting had to do with how the community sees itself, how progress is made together, define stewardship and what needs to be done to provide action in the community to improve the economic innovation and quality of life.

**OPEN/CLOSE PUBLIC HEARINGS** – There were no items on the agenda requiring a public hearing.

## APPROVAL OF CONSENT ITEMS

Ms. Smith moved, seconded by Ms. Scott, to approve the following items for the Consent Agenda:

- a. **Richland Memorial Hospital Board Appointments Ordinance Amendment [Third Reading]**
- b. **02-42MA, Lilly Randolph, D-1 to C-3, TMS 21800-01-08(p), Garners Ferry Road [Second Reading]**
- c. **02-43MA, G.L. Branham, RS-2 to C-3, TMS 19902-03-10, 105 Horseshoe Circle [Second Reading]**
- d. **02-44MA, Ted McDaniel, RS-2 to C-3, 19902-03-09, 107 Horseshoe Circle [Second Reading]**

- e. **02-45MA, Lisa M. Ethier, RU/RS-1 to C-3, TM 02600-04-44, 11210 Broad River Road [Second Reading]**
- f. **02-46MA, Letts Associates, PUD Amendment – Villages @ Hilton, TMS 00513-01-03 & 0400-01-01, Wessinger Road South of US 76 [Second Reading]**
- g. **02-47MA, Mungo Company, RU to PUD-1, TMS 17400-07-03, South Side of Clemson Road near Longtown Road [Second Reading]**
- h. **HVAC Agreement Maintenance Agreement Renewal** – approve the maintenance agreement with York International, Inc. in the amount of \$70,988.00 for the HVAC chillers and air conditioning equipment in the Judicial Center, Administration/Health Building, and Township Auditorium.
- i. **Reconsideration of Road Maintenance for Cloaninger Road and repeal of Ordinance No. 2364-93HR** – approve the renewal of road maintenance of Cloaninger Road, obtain a right of way, and give First Reading approve to repeal the 1993 ordinance closing Cloaninger Road.
- j. **Contract: Stormwater System Inventory** – approve the contract award in the amount of \$482,476.00 to Woolpert, LLP to perform that inventory of the Richland County Stormwater Drainage System, as well as authorize staff to negotiate future contracts for WMU 202a, WMU 202b, and WMU 301.
- k. **Monitoring Wells at Columbia Owens Downtown Airport** – (Mr. Pearce stated maps were received showing the location of the wells.) extend the right-of-entry agreement between Richland County and Aramark Uniform & Career Apparel, Inc. in order to continue monitoring the wells at the Columbia Owens Downtown Airport, as well as adding an additional well at no cost to the County.
- l. **Ridgewood Community Master Plan** – approve proceeding with a Master Plan for the Ridgewood Community, then develop Master Plans for other communities and establish a time frame for proceeding.
- m. **Treasurer's Office: Budget Amendment for Taxes at Tax Sale** – approval of the budget amendment shifting funds and expenditures from the General Fund to a special fund established specifically for collection of delinquent taxes, thereby reducing the burden on the General Fund.
- n. **Ordinance: Register of Deeds: Data Access Service Ordinance Repeal** – recommended that Council give First Reading approval to the repeal of Section 2-3, "Data Access Service" in its entirety from them Richland County Code of Ordinances and thus repeal the authority for a dial-up data service which has been discontinued.
- o. **Ordinance and Resolution for Recreation Commission Bond Ordinance** - First Reading approval to the ordinance amendment authorizing the transfer of \$117,555.00 from the construction of walking trails to the completion of the construction of LinRick Park's community center and also approve the resolution authorizing the public hearing to solicit public input on this amendment.
- p. **Ordinance: Planning 2000 International Residential Code Adoption** – First Reading approval of the request to adopt the 2000 International Residential Code and appendices B, G, and J for all residential construction so that the most current code can be enforced in Richland County, as well as to ensure compliance with the mandate of the S.C. Building Codes Council.
- q. **Ordinance: Legal Solicitation Permits** – First Reading approval to an ordinance amendment to the Code of Ordinances (Chapter 16, Article III) regarding solicitation permits to bring Richland County in line with State requirements as well a clarify the language.

- r. **Airport Advisory Committee: Terminal and Hangar Bond Issue** – approve the Airport Advisory Committee to proceed with determining the program costs of constructing a terminal and forty-three (43) hangars, determining how much revenue would be generated by an increase in fees, and developing a recommendation for Council to proceed with this project.
- s. **Procurement: Fleet Maintenance and Management** – authorize staff to negotiate and award a contract to the best qualified company to provide preventive maintenance, remedial repairs, overhaul, motor pool operations, fleet management, contingent upon the total contract amount not to exceed the budgeted amount.
- t. **EMS Purchase Orders** – approve the purchase orders and contracts for Diesel & Gasoline, EMS 800 mHz Radio Service, Fire 800 mHz Radio Service, 911 Equipment, and 911 Equipment Maintenance.

## 2. SECOND READING ITEMS

- a. **02-29MA, Clay Hooker, RU to RS-1A, 03300-03-03-12/06/18(P), Dutch Fork Road and Broad River Road**

Mr. Meetze moved, seconded by Mr. Tuten, to approve this item for Second Reading. The vote in favor was unanimous.

## 3. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

- a. **Transfer of Code Enforcement Positions**

Mr. Smith requested for this item to be deferred until there is a title for the ordinance. He stated staff is currently working with the departments that will be affected by the changes, obtaining information and details so the ordinances can properly be amended.

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

Mr. Tuten requested to adopt this item by Title Only at the next Council meeting.

Ms. Brady requested for a meeting to be held with the employees that are going to be affected by the change to obtain their input on the matter.

The vote in favor of the motion was unanimous.

## 4. REPORT OF RULES AND APPOINTMENTS COMMITTEE

### Notification of Vacancies

Mr. Livingston notified Council of the following vacancies on boards:

- a. **Notification of Vacancy on Building Board of Adjustment and Appeals – three vacancies**
- b. **Township Auditor Auditorium – four vacancies** – Mr. Livingston stated there is a need to resolve the issue of the city appointments. He requested for the Rules and Appointments Committee to come up with a recommendation for the

next meeting for approval. He stated he would speak with persons from the city between that time. There was no objection.

These items were accepted as information.

**Notification of Appointments**

- a. **Accommodations Tax Advisory Committee** - Mr. Livingston stated there are two appointments to be made. He stated one seat is an at-large appointment (filling an unexpired term) with two candidates up for this position. Mr. Livingston stated there are three candidates up for the hospitality industry seat.

The vote for the at-large seat was as follows:

<u>Higgins</u>	<u>Coleman</u>
Meetze	Pearce
	Livingston
	Brady
	Smith
	Brill
	Tuten
	Scott
	Tillis
	McEachern
	Mizzell

Ms. Kay Coleman was appointed to the at-large seat.

The vote for the hospitality industry was as follows:

<u>Pooser</u>	<u>Moore</u>	<u>Tam</u>
Unanimous	0	0

Mr. Bert L. Pooser was appointed.

**Building Board of Adjustment and Appeals** – Mr. Livingston stated are four vacancies to this board and only one applicant, Mr. Stevie Dennis Nelson. Mr. Livingston stated the committee recommended approval of this applicant. The vote in favor was unanimous.

**East Richland Public Service Commission** – Mr. Livingston stated there are two vacancies on this board with three candidates. He stated one applicant withdrew, Ms. Debra W. Hamm.

The vote was as follows:

<u>Cook</u>	<u>Murphy</u>	<u>Sumpter</u>
Unanimous	Brady	Pearce
		Livingston
		Mizzell
		McEachern
		Smith
		Brill
		Scott
		Tillis
		Meetze
		Tuten

Ms. Catherine S. Cook and Ms. Diane E. Sumpter were appointed to this board.

**Employee Grievance Committee** – Mr. Livingston stated there is one vacancy on this committee. He stated Ms. Sharon Sims is currently an alternate on this committee and she is applying for the slot to be a full member. On behalf of the Committee, Mr. Livingston moved to appoint Ms. Sims to the Committee. The vote in favor was unanimous.

#### **Notification of Rule Change**

Mr. Livingston stated there is a rule change regarding Rule 5.25 and 5.26. He directed Council to the document in their packets. The rule changes are regarding Resolutions and Proclamations. He stated the committee recommended approval of the changes.

Ms. Smith requested for “their opinions or desires” to be changed to “its opinions or desires” on page 53 under rule 5.25.

The vote in favor of the motion with the amendment was unanimous.

#### **5. FY 2002-2003 Budget Ordinance**

Ms. Smith moved, seconded by Mr. Pearce, to divide the question and refer to page 13 in the packet and take up the items as listed, beginning with the Revenue section. The vote in favor was unanimous.

Ms. Smith moved to adopt Section I down to Expenditures and Appropriations (adopt the revenues, fund balance, transfers in).

Ms. Smith moved to adopt the change in the fee schedule for the review of commercial plans totaling about \$200,000.00.

A discussion took place.

Ms. Smith moved, seconded by Ms. Brill, to adopt staffs' option to calculate the dollar amount based on the square footage of the piece of property. The vote in favor of the motion was unanimous.

**REVENUE SECTION**

Ms. Smith moved, seconded by Mr. Mizzell, to adopt the Revenue Section as amended.

A discussion took place.

The vote in favor was unanimous.

**EXPENDITURES**

Ms. Smith moved, seconded by Ms. Scott, to adopt Mr. Livingston's version of the Accommodations Tax appropriation for the expenditure side.

Ms. Brady requested to take this up after the contractual and statutory agencies.

Ms. Smith withdrew her motion.

**GENERAL FUND**

Ms. Smith moved, seconded by Ms. Brady, to adopt the version handed out for the General Fund operate from that. (Please see attachment).

Mr. Pearce made a substitute motion, seconded by Mr. Tuten, regarding Council's expenses, category 1020, to eliminate the expense of \$700.00 for beeper/cell phone, reduce the official expense from \$4,500.00 to \$3,000.00 per person and discretionary expenses from \$40,708.00 to \$35,000.00.

A discussion took place.

Mr. Livingston requested to take those items separately.

After discussion, Mr. Livingston called for the question on the cell phone/pager. The vote was unanimous.

The vote for the elimination of the pager/cell phone in the amount of \$700.00 was as follows:

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

The motion passed.

**Council's Discretionary Account**

Mr. Pearce moved, seconded by Mr. Tuten, to reduce line item 5256.06 (Self Funded Losses) from \$1,068,800.00 to \$568,800.00 which would save the County \$500,000.00 in the operating budget.

A discussion took place.

The vote was as follows:

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

The motion failed.

**Planning Department**

Ms. Smith moved, seconded by Mr. Mizzell, to amend the Planning Department by \$200,000.00 because of the increase in fees. The vote in favor was unanimous.

**Sheriff's Budget**

A discussion took place.

**Contractual & Statutory**

Ms. Smith moved, seconded by Ms. Brady, to adopt Mr. Livingston's proposal where it coincide with Ms. Brady's proposal and discuss each one individually after that and have a separate motion on those. (It would be everything except the Museum of Art, Urban League, Discretionary Grants and Historic Columbia). The vote in favor was unanimous.

Mr. Livingston made a substitute motion, seconded by Ms. Scott, to adopt Mr. Livingston's proposal which would include the Urban League, add \$8,000.00 to Discretionary Grants for a total of \$2,449,215.00.

The vote was as follows:

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



The substitute motion passed.

**Discretionary Grant Program**

Mr. Livingston requested to add \$8,000.00 to the JUMPS Program for a total of \$10,000.00. He stated this would bring the total amount for the Grants Program to \$142,900.00.

Ms. Brady moved, seconded by Mr. Meetze, to authorize the prior commitment organization and not commit the three years down the road for a total of \$77,000.00.

**Mr. Livingston made a substitute motion, seconded by Ms. Scott, to approve this item for \$142,900.00.**

A discussion took place.

Ms. Scott called for the question, seconded by Ms. Tillis. The vote in favor was unanimous.

The vote for the substitute motion was as follows:

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

The substitute motion passed.

**Appearance/Conservation Commission**

Ms. Brill requested changing the Appearance Commission to \$20,000.00 and Conservation Commission to \$25,000.00.

Mr. Livingston stated this was taken up with the Contractual and Statutory.

Ms. Brill withdrew her request.

**Cell Phone/Beepers**

Mr. Pearce moved, seconded by Mr. Meetze, to direct the County Administrator to bring an explanation of the amount of cell phone usage and a plan to ensure Council that cell phones are being used appropriately in this County by Third Reading. The vote in favor was unanimous.

**Accommodations Tax**

Ms. Brady moved, seconded by Mr. Meetze, to approve Brady's proposal for the distribution of Accommodations Tax money for \$533,000.00 to make up the possible deficit from this year.

A discussion took place.

Ms. Brill requested funding the USTA Championship for an amount of \$1,000.00.

Mr. Livingston made a substitute motion, seconded by Ms. Scott, to adopt Livingston's proposal and incorporate the USTA for \$5,000.00 for a total amount of \$496,500.00.

The vote was as follows:

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

The substitute motion passed.

**Employee Training**

Mr. Pearce moved, seconded by Mr. Meetze, to obtain an explanation of line item 5264, Employee Training.

Mr. Pearce requested to see justification of training that is not required.

A discussion took place.

Mr. Pearce modified his motion requested a break down of training that is required for people to keep their jobs on one side and everything else on the other. Mr. Meetze accepted this modification. The vote in favor was unanimous.

**Solid Waste**

Ms. Smith moved, seconded by Ms. Brill, to adopt the following:

- Increase the collection fee, \$136.00 a year
- No charge for replacement of roll carts and recycle bins. We ask that a policy be developed when there is an abuse of that by a citizen over time and come back to us with a recommendation
- Eliminate the commercial use of the Lower Richland drop-off Center
- Increase the tire tipping fee, \$100 a ton
- Add Municipal tipping fee to the C&D Landfill
- Balance the rest with the millage increase which looks like it would go to about 3.6

A discussion took place.

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**Council recessed at approximately 8:36 p.m. and reconvened at approximately 8:45 p.m.**  
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**Solid Waste (discussion continued)**

Mr. Livingston moved, seconded by Ms. Smith, to direct the Administrator to look at the site and bring back what it would require to make it a cost effective site by Third Reading. The vote in favor was unanimous.

**EXPENDITURE ITEMS**

Mr. Livingston moved, seconded by Ms. Smith, to approve the expenditure items from the Accommodation Tax on down to the Library. The vote in favor was unanimous.

**MILLAGE AGENCY**

**Library**

Ms. Smith moved, seconded by Mr. Mizzell, to approve the request of \$12,626,642. The vote in favor was unanimous.

**Midlands Technical College, Operational**

Ms. Smith moved, seconded by Mr. Mizzell, to approve the operations cost in the amount of \$3,027,163.00. The vote was in favor. (Mr. Livingston abstained).

**Midlands Technical College, Capital**

Ms. Smith moved, seconded by Mr. Pearce, to approve the capital in the amount of \$1,000,000.00. The vote was in favor. (Mr. Livingston abstained).

**Recreation Commission, operations**

Ms. Smith moved, seconded by Mr. Pearce, to approve the requested amount of 5,319,000.00. The vote in favor was unanimous.

**Recreation Commission, debt service**

Ms. Smith moved, seconded by Ms. Scott, to approve in the amount of \$1,524,756.00. The vote in favor was unanimous.

**Riverbanks Zoo, operations**

Ms. Smith moved, seconded by Ms. Scott, to approve in the amount of \$1,381,424.00. The vote in favor was unanimous.

**Riverbanks Zoo, debt**

Ms. Smith moved, seconded by Ms. Scott, to approve in the amount of \$2,284,737.00. The vote in favor was unanimous.

**Richland School District One, operations**

Mr. Livingston moved, seconded by Mr. Mizzell, to approve the amount of \$126,527,919.00. The vote was in favor. Mr. Meetze opposed.

**Richland School District One, debt service**

Mr. Livingston moved, seconded by Ms. Scott, to approve in the amount of \$21,118,324.00. The vote in favor was unanimous.

**Richland School District Two, operation**

Mr. Livingston moved, seconded by Ms. Scott, to approve in the amount of \$55,754,793.00. The vote was in favor. Mr. Meetze and Ms. Brill opposed.

**Richland School District Two, debt service**

Mr. Livingston moved, seconded by Ms. Scott, to approve in the amount of \$24,427,857.00. The vote in favor was unanimous.

**BUDGET ORDINANCE**

Ms. Smith moved, seconded by Ms. Scott, to incorporate amendments in Sections II – XIII of the ordinance and approve the Budget Ordinance as amended. The vote in favor was unanimous.

**MILLAGE ORDINANCE**

Ms. Smith moved, seconded by Ms. Scott, to adopt Second Reading of the Millage Ordinance and incorporate changes as reflected in the budget. The vote in favor was unanimous.

6. **CITIZEN'S INPUT** – No one spoke at this time.

7. **EXECUTIVE SESSION**

a. **Contractual Matter**

Ms. Scott moved, seconded by Mr. Mizzell, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 9:01 p.m. and came out at approximately 9:30 p.m.**  
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Mr. Meetze moved, seconded by Mr. Mizzell, to come out of Executive Session. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Pearce, to request for the Council Chair to send a letter of encouragement for the continuation of efforts in terms of including minority businesses in the project. The vote in favor was unanimous.

**8. MOTION PERIOD/ANNOUNCEMENTS**

Ms. Scott requested staff to look into the procedures of the Master in Equity.

**9. ADJOURNMENT** – The meeting adjourned at approximately 9:39 p.m.

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Joseph McEachern, Chair

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Anthony G. Mizzell, Vice-Chair

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Joan Brady

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Susan Brill

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Paul Livingston

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J.D. "Buddy" Meetze

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L. Gregory Pearce, Jr.

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Bernice G. Scott

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Kit Smith

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Thelma M. Tillis

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James Tuten

The minutes were transcribed by Marsheika G. Martin