

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
September 10, 2002
6:00 P.M.**

MEMBERS PRESENT: Joseph McEachern, Chair; Anthony G. 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, Michielle Cannon-Finch, Carrie Neal, Larry Smith, Milton Pope, Tony McDonald, Stephany Snowden, Roxanne Matthews, Monique Walters, Pam Davis, Ashley Jacobs, Rebecca Cox, Amelia Linder, Simon Jackson, John Hicks, Chris Eversmann, Monique Walters, Marsheika Martin

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

INVOCATION - The Invocation was given by the Honorable Jim Tuten.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Ms. Michielle Cannon-Finch, Clerk of Council, stated she received a letter from the Coroner's Office, which need to be read into the records. Mr. McEachern stated this would be added during the Motion Period.

Ms. Brady requested unanimous consent of Council to add an ordinance regarding pre-1976 mobile homes. Mr. McEachern opposed.

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

REPORT OF COUNTY ATTORNEY

Mr. Larry Smith, County Attorney, stated the following are possible Executive Session items:

- Land Purchase: Burroughs and Chapin
- Employee Grievance (if further discussion is needed)
- Pending litigation: Richland County versus Hollingshed Creek and Johnny Johnson

Mr. McEachern stated the Executive Session items would follow Citizen's Input at the end of the agenda.

PRESENTATION OF RESOLUTIONS/PROCLAMATION

- **E.C. Nelson – Founder, Crime Watch Alliance** - On behalf of Council, Ms. Scott presented a proclamation to Mr. Nelson for community service.

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- **USC Women's Track and Field Team** – On behalf of Council, Mr. Mizzell and Mr. Livingston presented a Resolution to the USC Women's Track and Field Team for winning the national championship.
- **Dr. Cynthia Cash-Greene, Principal of Forest Heights Elementary** – On behalf of Council, Mr. McEachern presented Dr. Cash-Greene with a Resolution for being Principal of the Year.
- **Public Safety Month Proclamation and Resolutions** – On behalf of Council, Mr. Mizzell and Mr. McEachern presented a proclamation and resolutions to different departments for the work in the community.

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

APPROVAL OF MINUTES

July 23, 2002 – Zoning Public Hearing – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes. The vote in favor was unanimous.

July 23, 2002 – Special Called Meeting – Ms. Brady moved, seconded by Ms. Tillis, to approve the minutes. The vote in favor was unanimous.

REPORT OF COUNTY ADMINISTRATOR

a. September Public Safety Events – Ms. Stephany Snowden, Senior Public Information Officer, announced the following scheduled events:

- On September 10, an ice cream social was held in appreciation of Public Safety Month. The ice cream was provided by SYSCO off of Garners Ferry Road
- On September 14, there will be a 5K walk/run Fundraiser at Meadowlake Park
- On September 16, a Groundbreaking Ceremony will be held for the Gills Creek Fire Station
- Channel 2 will be highlighting some of the Public Safety events.

b. Employee Grievance – Mr. Tuten moved, seconded by Ms. Smith, to uphold the Administrator's recommendation. The vote in favor was unanimous.

c. Reinstate Joint Planning Committee Status – Mr. McSwain reported the next scheduled Joint Planning Committee meeting will be on Tuesday, September 17th at 8:00 a.m. in the City of Columbia's Economic Development office in the Southtrust Building. He stated the following items would be on the agenda for discussion:

- Planning Co-Location sites that are being evaluated
- A draft of the joint Planning and Executive positions between the City and the County
- Extra territory jurisdiction questions.

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- d. Update on Garner's Ferry Road Property** – Mr. McSwain stated there are three major developments on this property: Dr. Lillie Randolph, Recreation Commission and a church. He stated a meeting would be held with them to determine a common egress on to Garners Ferry Road.
- e. Fire Committee with the City and County Agreement** – Mr. McSwain reported that a draft agreement would be presented to the City, and within the next two weeks, he has requested for the Council's ADHOC Committee to meet.
- f. Bond Council** – Mr. McSwain updated Council on the bonds and the current interest rates on them.
- g. Mid-Year Retreat** - Mr. McSwain stated the Planning Commission would like to meet with Council to discuss the Land Use Plan. He requested direction on scheduling a mid-year retreat.

A discussion took place regarding possible dates. Ms. Smith requested a draft agenda and a recommendation from staff on a possible meeting date and time.

OPEN/CLOSE PUBLIC HEARING ITEM

Mr. McEachern opened the floor to the public hearing.

- **Police Retirement Budget Amendment** – Ms. Evelyn Bush spoke in opposition of this amendment.

Mr. McEachern thanked Ms. Bush for speaking and closed the public hearing.

APPROVAL OF CONSENT ITEMS

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

- **Treasurer's Office Budget Ordinance [Second Reading]**
- **02-50MA, John Bakhaus, M-1 to PUD-1, The Lakes S/D on Farrow Road [Second Reading]**
- **02-61MA, John Weaver & Robert Fuller, C-3 to M-1, West Beltline Blvd [Second Reading]**
- **02-64MA, Daryle O'Cain, RU to C-3, Broad River Road & Dutch Fork Road [Second Reading]**

The vote in favor was unanimous.

1. THIRD READING ITEMS

- a. 02-34MA, The Mungo Company/Brian South, From D-1 to PUD-1, Nunamaker Drive & Young Drive**

Mr. Tuten presented Council with an ordinance with minor changes to it.

Mr. Tuten moved, seconded by Ms. Scott/Mr. Meetze, to approve this item as amended.

A discussion took place.

The vote in favor was unanimous.

2. SECOND READING ITEMS

- a. Police Retirement Budget Amendment**

Ms. Scott moved, seconded by Mr. Livingston, to approve this item for Second Reading. The vote in favor was unanimous.

- b. 02-56MA, Edith Buckwell, RS-2 to C-3, North Side of Rabon Road, West of Flora Drive**

Ms. Brady moved, seconded by Ms. Scott, to approve this item for Second Reading. The vote in favor was unanimous.

- c. 02-58MA, Robert Bell and/or Terry Brown, PUD-2 (low density residential), to PUD-2 (office commercial), NE Corner of Hardscrabble Road and Summit Parkway**

Ms. Brill moved, seconded by Ms. Scott, to approve this item for Second Reading. The vote in favor was unanimous.

- d. 02-59MA, Greg Lehman, RU to PUD-1, addition to Ivy Green Subdivision, Koon Road East of I-26**

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

3. FIRST READING ITEM

- a. Noise Ordinance Amendment**

Ms. Brady moved, seconded by Mr. Meetze, to approve this item for First Reading.

A discussion took place.

Ms. Smith offered the following amendment:

-zoned residential or that is within **300 feet** of a residential dwelling.
- In addition, between the hours of **11:00 p.m. and 6:00 a.m....**

Ms. Brady and Mr. Meetze accepted the amendment.

The discussion continued.

Mr. Mizzell made a substitute motion, seconded by Ms. Scott, to defer this item to the first meeting in October.

The vote was as follows:

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

The substitute motion passed.

4. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

a. Mid-East Road Condemnations

Mr. McSwain stated the appraiser has requested a deferral of this item until after the appraisal come in on Tuesday, September 17th.

Ms. Scott directed staff to write a letter to property owners explaining what an easement is, what the County is trying to do and how the County is going about doing it and directed the Administrator to instruct the Public Works Director to look at the road again and see if it has to be enlarged at this time.

Ms. Smith moved, seconded by Ms. Tillis, to defer this item. The vote in favor was unanimous.

5. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

a. Land Sale to Quality Beverage, LLC

Mr. Livingston stated the committee recommended First Reading approval of the company purchasing 4 acres of property at approximately \$25,000.00 per acre to build a new distribution center on Clemson Road. The vote in favor was unanimous.

b. Plasti-Line Documentation Ordinance & Resolution

Mr. Livingston stated the committee recommended approval of the Resolution and First Reading approval of executing a Fee-In-Lieu Agreement. The vote in favor was unanimous.

c. SCT Utilities simplified FILOT

Mr. Livingston stated the committee recommended First Reading approval of re-conveying the property back to SCT. The vote in favor was unanimous.

d. Refunding revenue bonds for International Paper

Mr. Livingston stated the committee recommended First Reading approval of refunding bonds. The vote in favor was unanimous.

e. Alan Kahn Development: MOU as it relates to Special Assessment District Resolution

Mr. Livingston stated the committee recommended approval of the Memorandum of Understanding and a reimbursement provision. The vote in favor was unanimous.

6. REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. Appointments to Boards, Commissions and Committees

a. Board of Zoning of Adjustments-4

Mr. Livingston stated there are four vacancies on the board with three applications received. He stated the committee recommended appointing the following three applicants:

- Kenneth Edward Myers, Sr.
- Ms. Margaret Perkins
- Mr. Preston M. Young

Mr. Livingston directed staff to re-advertise the one position.

The vote in favor was unanimous.

b. Board of Assessment Control-1

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

Ms. Smith moved, seconded by Ms. Brady, to deny the applicant and re-advertise. The vote was in favor. Mr. Pearce and Ms. Brill opposed.

c. Building Board of Adjustment and Appeals-3

Mr. Livingston stated there are three appointments to be made to this board and no applications were received. He directed staff to re-advertise.

d. Central Midlands Council of Governments-2

Mr. Livingston stated there are two appointments to be made to this board with three applications received.

The vote was as follows:

<u>Carter</u>	<u>Davis</u>	<u>Hoefer</u>
Unanimous	Tillis	Pearce
	McEachern	Livingston
		Brady
		Meetze
		Mizzell
		Smith
		Brill
		Scott
		Tuten

Mr. Bruce D. Carter and Mr. Joel Marshall Hoefer were appointed.

e. Township Auditorium-2

Mr. Livingston stated there are two appointments to be made to this board with 13 applications received. He stated the Committee did not have enough time to set up interviews and this item was deferred. Mr. Livingston also reported that staff would be looking into multiple appointments by the City.

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

8. EXECUTIVE SESSION ITEMS

Ms. Brady moved, seconded by Ms. Scott, to go into Executive Session to discuss the following items:

- a. **Richland County versus Hollingshed Creek and Johnny Johnson**
- b. **Land Purchase: Burroughs and Chapin**

The vote in favor was unanimous.

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Council went into Executive Session at approximately 8:13 p.m. and came out at approximately 9:04 p.m.
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

a. Richland County versus Hollingshed Creek and Johnny Johnson

Ms. Scott instructed the County Administrator to negotiate and execute the option on the land. The vote in favor was unanimous.

b. Land Purchase: Burroughs and Chapin

Ms. Smith moved, seconded by Ms. Scott, to approve the following:

Richland County formally agrees to contribute towards the relocation and improvement of the State Farmers' Market as follows:

- **ONE-TIME CAPITAL CONTRIBUTION:** No less than \$4 million in financial contribution for capital construction, land purchase, or any other related purpose mutually agreed upon by Richland County and the State;
- **ANNUAL CONTRIBUTION FOR TWENTY YEARS:** An annual financial contribution of no less than \$250,000 for the promotion of the Market, and complementary events and programs that attract customers, visitors, and tourists;
- **IN-KIND CONTRIBUTION:** In-kind equipment and labor to assist with site preparation and vendor relocation;
- **ADDITIONAL CONTRIBUTION TO BE DETERMINED:** In addition to the aforementioned offers, Richland County proposes a State Market Task Force comprised of appointees from the State, Richland County, and market vendors to develop and recommend the following:
 - A land use plan for the Market and any adjacent land owned by Richland County to be utilized for Market expansion or recreational/entertainment purposes;
 - Cost estimates and a schedule for building and operating the market;
 - A logistical plan that will assure all current vendors have an appropriate opportunity to relocate;
 - A financial plan for such operations that will contemplate the waiver of rents for a certain period of time to offset vendor relocation expenses to the highest extent feasible; a strategy to increase customers and profits in order to justify any increase in rents; shared services with Richland County's Recreation/Entertainment Center such as parking, restrooms, concessions, and entertainment venues; and
 - An appropriate management structure for the State Market.

This commitment is contingent upon an agreement between Richland County and the State of South Carolina to be signed on a later date to be determined and approved by both parties.

The vote in favor was unanimous.

9. MOTION PERIOD/ANNOUNCEMENTS

- a. **Approval of Resolution designating September 11, 2002 as a 9/11 Day of Remembrance**
- b. **Industry Appreciation Week Resolution**
- c. **Resolution approving Library Promissory Note**
- d. **Resolution commending Stephany Snowden and staff on J. Graham Mitchell Award presentation in Hilton Head – Mr. Meetze moved, seconded by Ms. Scott.**
- e. **Resolution honoring Mr. Walter Powell, Jr., retired President of St. Marks Wood – Mr. Mizzell moved.**
- f. **Letter from Coroner Gary Waters regarding Child Memorial – read into record by Ms. Michelle Cannon-Finch. (Please see attachment.)**
- g. **Reminder of Gills Creek Celebration – Ms. Brady.**

10. ADJOURNMENT – The meeting adjourned at approximately 9:13 p.m.

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

The minutes were transcribed by Marsheika G. Martin