

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 21, 2006 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	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Valerie Hutchinson
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Damon Jeter
Member	Kit Smith
Member	Paul Livingston
Member	Doris Corley
Absent	Doris Corley

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Joe Cronin, Roxanne Matthews, Larry Smith, Michael Criss, Susan Britt, Anna Almeida, Monique Walters, Daniel Driggers, Stephany Snowden, Jennifer Dowden, Audrey Shifflett, Chief Harrell, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:03 p.m.

INVOCATION

The Invocation was given by the Honorable Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

PRESENTATION

Dr. Raj S. Aluri, Director, International Community—Dr. Aluri spoke to Council regarding the international community and the Columbia International Festival.

POINT OF PERSONAL PRIVILEGE – Mr. Mizzell recognized that Senator Kay Patterson was in the audience.

ADOPTION OF AGENDA

Mr. Mizzell suggested that Item 4a. be moved to Item 1. Mr. Mizzell also stated that Items 3 c, d, and e may need to be taken up in Executive Session.

Mr. McEachern requested that a Resolution for the Road Maintenance Fee be added to the agenda.

Ms. Scott moved, seconded by Ms. Dickerson, to approve the agenda as amended. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Mizzell recognized that his wife and children were in the audience.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that one of her church members was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Mr. Mike Cox was awarded an award for column writing from the Press Association.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: March 7, 2006 – Ms. Scott moved, seconded by Ms. Dickerson, to approve the minutes as submitted.

Zoning Public Hearing: October 25, 2005—Mr. Pearce moved, seconded by Ms. Scott, to approve the minutes as submitted.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated that there were several items that may need to be discussed in Executive Session:

1. **Columbia Venture vs. Richland County**
2. **TIF Report to Council**
3. **Contractual/Legal Update**

Mr. Livingston moved, seconded by Ms. Scott, to move the Executive Session to after Citizen's Input.

REPORT OF THE COUNTY ADMINISTRATOR

Riverbanks Zoo Capital Purchase Request – Mr. Pope stated that the Riverbanks Zoo has requested a one time capital purchase of a tram and trailers.

Floodplain Ordinance – Mr. Pope stated that there were some interpretive concerns regarding this matter and that staff would supply Council with information addressing these concerns.

A discussion took place.

REPORT OF THE CLERK OF COUNCIL

Firefighter Recruits Graduation—Ms. Finch stated that the graduation will be held April 7th at 6:30 p.m. If anyone is interested in attending, please let Ms. Finch know.

South Carolina Economic Developers' School—Ms. Finch stated that the South Carolina Economic Developers' School will be held May 18 and 19th. If anyone is interested in attending, please let Ms. Finch know.

International Downtown Association—Ms. Finch stated she has the applications if anyone is interested in attending.

Columbia Awards Gala – Ms. Finch stated that the gala will be held March 30th at the Columbia Metropolitan Convention Center.

Richland Memorial Board of Trustees Reception – Ms. Finch stated that the Richland Memorial Board of Trustees will hold a reception for recently appointed Board Members and to honor outgoing Board Members for their service on April 5th at 6:00 p.m.

NaCo Conference – Ms. Finch stated that the conference will be in Cook County, Chicago on August 4-8th.

REPORT OF THE CHAIRMAN

Mr. Mizzell stated that the Administrator Search RFQ will close on Thursday, March 30.

PUBLIC HEARING ITEMS

None.

APPROVAL OF CONSENT ITEMS

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

- **05-105MA, Robert Fuller, RS-MD to NC, Develop Small Office Park, 20200-01-18(p), Across from Killian Elementary School [Third Reading]**
- **05-116MA, Preston Young, RU to RM-HD (43 acres), Residential Subdivision, 14500 02-08/25, Southwest Quadrant of Powell Road Hard Scrabble Road [Third Reading]**

- **05-118MA, Don Lovett, PDD to GC (0.09 acres), General Commercial, 17414-01-17(p), Adjacent to Killian Green S/D [Third Reading]**
- **05-121MA, William Higgins, M-1 to GC (17 acres), General Commercial, 04910-01-09 & 04913-01-01/03/05, Northeast Quadrant of Fernandina Road & Piney Woods Road [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Zoning; Article VI, Supplemental Use Standards; Paragraphs (8), (9) and (10); so as to Amend the Required Conditions for Daycares (Adult Daycares, Family Daycares, and Group Daycares) Regarding Parking [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Zoning; Article V, Zoning Districts and District Standards; Section 26-96, GC General Commercial Districts; Subsection (C), Development Standards, Paragraph (5) Height Standards; so as to Amend the Maximum Height of Structures in the GC District from Thirty-Five (35) feet to Forty-Five Feet [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Zoning; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection (H), Withdrawal or Reconsideration of Proposed Amendments; Paragraph (1), Withdrawal; so as to Amend the Time in Which an Applicant May Withdraw an Amendment Application [Third Reading]**
- **A Budget Amendment to Increase Funding to Non-Department Special Contracts Account for Local Option Sales Tax Software [Second Reading]**
- **KPR Holdings, L. P. Transfer to Tyson Prepared Foods, Inc. [Second Reading]**
- **A Resolution to Appoint and Commission Mike Warren Shaffer as a Code Enforcement Officer for the Proper Security, General Welfare, and Convenience of Richland County**

The vote in favor was unanimous.

APPROVAL OF APPOINTMENT LETTER

Voter Registration Board – Mr. McEachern moved, seconded by Ms. Scott, to approve this item. Senator Patterson spoke regarding the letter and introduced the new Chairman of the Voter Registration Board. The vote in favor was unanimous.

SECOND READING ITEMS

Road Maintenance Fee – Mr. McEachern moved, seconded by Mr. Jeter, to table the ordinance and adopt the resolution. A discussion took place.

The motion was withdrawn.

Mr. Livingston moved, seconded by Mr. Jeter, to table the amendment to the ordinance. The vote in favor was unanimous.

Mr. McEachern moved, seconded by Mr. Jeter, to adopt the resolution. A discussion took place. The vote in favor was unanimous.

FIRST READING ITEMS

Detention Center Medical Contract – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place. The vote in favor was unanimous.

Sale of Property: 1610 Marion Street – Mr. Montgomery moved, seconded by Ms. Dickerson, to move this item to Executive Session. The vote in favor was unanimous.

Ordinance to Amend the Public Works Department Under Chapter 2 in the Code of Ordinances – Ms. Hutchinson moved, seconded by Ms. Dickerson, to move this item to Executive Session. The vote in favor was unanimous.

Ordinance to Amend the Finance Department Under Chapter 2 in the Code of Ordinances – Ms. Hutchinson moved, seconded by Ms. Dickerson, to move this item to Executive Session. The vote in favor was unanimous.

Budget Amendment Regarding the Ordinance to Amend the Finance Department Under Chapter 2 in the Code of Ordinances – Ms. Hutchinson moved, seconded by Ms. Dickerson, to move this item to Executive Session. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. Notification of Vacancies on Boards, Commissions and Committees

Building Codes Board of Adjustments and Appeals-2 -- Mr. McEachern stated the committee recommended for staff to advertise for these vacancies. The vote in favor was unanimous.

Employee Grievance Committee-1 – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.

Internal Audit Committee-1 – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.

II. Notification of Appointments to Boards, Commissions and Committees

Accommodations Tax Committee-1 – Mr. McEachern stated that the committee recommended for staff to readvertise the vacancy. The vote in favor was unanimous.

Employee Grievance Committee-1 – Mr. McEachern stated that there is one vacancy and three applicants.

Mr. Montgomery, Mr. Jeter, Mr. Pearce and Ms. Hutchinson voted in favor of Ms. Nelda Smyrl.

Mr. McEachern voted in favor of Ms. Deborah Jordan.

Mr. Mizzell, Mr. Livingston, Ms. Scott and Ms. Dickerson voted in favor of Mr. Anthony S. Christiano.

The vote resulted in a tie. The results of the second vote are as follows:

Mr. Montgomery, Mr. McEachern, Mr. Jeter, Mr. Pearce, Ms. Hutchinson, and Ms. Smith voted in favor of Ms. Nelda Smyrl.

Mr. Mizzell, Mr. Livingston and Ms. Dickerson voted in favor of Mr. Anthony S. Christiano.

Ms. Nelda Smyrl was appointed.

III. Items for Discussion

Amendment to the Ordinance Requirements Regarding Residence for Board/Committee Members – Mr. McEachern stated that committee recommended that there be Richland County residency requirements for the following: Richland County Planning Commission, Richland/Lexington Riverbanks Parks Commission, the Board of Trustees of the Richland Memorial Hospital, Richland County Conservation Commission, Internal Audit Committee, Employee Grievance Committee, Board of Assessment Appeals, Libraries and Board of Zoning and Appeals.

A discussion took place.

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Howard West, attorney for Palmetto Health Alliance, and his son were in the audience.

CITIZEN'S INPUT

No one signed up to speak.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Livingston moved, seconded by Mr. Montgomery, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 7:07 p.m. and came out at approximately 9:10 p.m.
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Mr. Pearce moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

- a. **Columbia Venture v. Richland County** – No action was taken.
- b. **TIF Report to Council** – No action was taken.
- c. **Contractual/Legal Update** – No action was taken.
- d. **Sale of Property: 1610 Marion Street** – Mr. Pearce moved, seconded by Ms. Scott, to direct the Administrator to convene the Richland County Development Corporation for the purpose of entering into a contract for the sale of 1610 Marion Street under the terms agreed upon and negotiated previously by the Administrator. The vote in favor was unanimous.

- e. **Ordinance to Amend the Public Works Department Under Chapter 2 in the Code of Ordinances** – Mr. McEachern moved, seconded by Mr. Montgomery, to refer this item to the A&F Committee. The vote in favor was unanimous.
- f. **Ordinance to Amend the Finance Department Under Chapter 2 in the Code of Ordinances** – Mr. Livingston moved, seconded by Mr. Jeter, to table this item. The vote in favor was unanimous.
- g. **Budget Amendment Regarding the Ordinance to Amend the Finance Department Under Chapter 2 in the Code of Ordinances** – Mr. McEachern moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

MOTION PERIOD

Riverbanks Zoo Tram Capital Expenditure – Ms. Hutchinson forwarded this item to the A&F Committee.

Floodplain Ordinance – Ms. Smith moved, seconded by Mr. Montgomery, to give First Reading Approval to an ordinance amending the Land Development Code to remedy the flood ordinance and refer the ordinance to the Planning Commission for a recommendation. The vote in favor was unanimous.

Resolution for Inez Hicks – Mr. Livingston moved, seconded by Ms. Scott, to adopt a resolution for Ms. Inez Hicks. The vote in favor was unanimous.

Resolution for Judy Nossinger – Mr. Pearce moved, seconded by Mr. Montgomery, to adopt a resolution for Ms. Judy Nossinger. The vote in favor was unanimous.

Financial Advisor RFQ Update – Mr. Jeter forwarded to the A&F Committee a request for an update on the Financial Advisor RFQ.

Round Top Elementary Resolution – Ms. Dickerson moved, seconded by Ms. Scott, to adopt a resolution for Round Top Elementary. The vote in favor was unanimous.

ADJOURNMENT

Mr. Pearce moved, seconded by Mr. Dickerson, to adjourn. The vote in favor was unanimous.

The meeting adjourned at approximately 9:22 p.m.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

Joseph McEachern

Mike Montgomery

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley