

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 6, 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	Paul Livingston
Member	Joyce Dickerson
Member	Kit Smith
Absent	Doris Corley

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Larry Smith, Brad Farrar, Amelia Linder, Chief Harrell, Susan Britt, Michael Criss, David Chambers, Monique Walters, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Teresa Smith, Daniel Driggers, Audrey Shifflett, Chief Harrell, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION

The Invocation was given by the Honorable Michael Montgomery

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Michael Montgomery

ADOPTION OF AGENDA

Mr. Mizzell moved to add the Recreation Commission potential land acquisition briefing to the agenda for Executive Session. The vote in favor was unanimous.

Ms. Walters stated that Item 2a was not a consent item.

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

CITIZEN'S INPUT

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson acknowledged that the Mayor of Blythewood was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce commended the office of Public Information for the All America City pep rally that they organized.

APPROVAL OF MINUTES

Budget Work Session: May 9, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Budget Work Session: May 11, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Budget Work Session: May 16, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Regular Session: May 16, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: May 23, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Budget Work Session: May 25, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Regular Session: May 30, 2006 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

1. **Columbia Venture Pending Litigation** – (This item was taken up during the motion period.)
2. **Recreation Commission Land Purchase** –No action taken.

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

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Council went into Executive Session at approximately 6:13 p.m. and came out at approximately 6:45 p.m.
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Mr. Pearce moved, seconded by Mr. Montgomery, to come out of Executive Session. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

State Farmers' Market Groundbreaking – Mr. Pope reminded Council that they were invited to the groundbreaking for the State Farmer's Market June 7th at 10:00 a.m. at the new market location.

TIF Follow-up Meeting – Mr. Pope stated that staff had met earlier today with representatives from the City of Columbia and the independent auditors as a follow-up to last week's TIF meeting. Additional information was presented to them and staff is expecting a formal response as soon as the City Manager meets with City Council.

Budget Meetings with Council Members – Mr. Pope stated that if council members had specific information or would like to meet with staff regarding the budget, the Clerk's Office is scheduling those meetings. The motions list will be forwarded to Council on June 7th.

Midlands Technical College Enterprise Campus Request – Mr. Pope stated Midlands Technical College would like to set up a meeting with Council the week of July 17th or 24th. Mr. Pope will be forwarding this information to the Clerk's Office.

REPORT OF THE CLERK OF COUNCIL

No report was given at this time.

REPORT OF THE CHAIRMAN

No report was given at this time.

PUBLIC HEARING ITEMS

- **Ordinance Authorizing Deed to Tripoint Development Company (Public Sale of County Property Located at 401 Powell Road)** – No one signed up to speak.
- **Ordinance Authorizing the Legal Department Budget Amendment** – No one signed up to speak.
- **Ordinance Authorizing the Sale and Issuance of \$5,200,000 Hospitality Tax Special Obligation Bond Anticipation Note** – No one signed up to speak.
- **Ordinance Amending Chapter 17, Article II, Section 17-10 (Parking in Residential Zones of the County) to Include Restrictions on the Parking of Inoperable Vehicles and Trailers in Residential Zoning Districts for More than 30 Consecutive Days** – No one signed up to speak.
- **Ordinance Prohibiting Careless Driving and Driving Across Property to Avoid a Traffic Control Device** – No one signed up to speak.

- **Ordinance to Authorize a Deed to Miller Valentine Partners, LTD, Lot 2 & Portion of Lot 18** – No one signed up to speak.
- **Budget Amendment to Appropriate Funding from Fund Balance to Cover General Fund Revenue Shortfall to Appropriate SRO Funds** – No one signed up to speak.
- **Ordinance Authorizing Certain Economic Incentives, Including Payment of a Fee in Lieu of Property Taxes, the Award of Infrastructure Improvement Credits and Other Related Matters, Pursuant to a Fee Agreement Between Richland County and McEntire Produce, Inc.** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

Ms. Scott moved, seconded by Ms. Dickerson, to approve the following consent items:

- **Ordinance Authorizing Deed to Tripoint Development Company (Public Sale of County Property Located at 401 Powell Road)** [Third Reading]
- **Ordinance Authorizing the Legal Department Budget Amendment** [Third Reading]
- **Ordinance Authorizing the Sale and Issuance of \$5,200,000 Hospitality Tax Special Obligation Bond Anticipation Note** [Third Reading]
- **Ordinance Amending Chapter 17, Article II, Section 17-10 (Parking in Residential Zones of the County) to Include Restrictions on the Parking of Inoperable Vehicles and Trailers in Residential Zoning Districts for More than 30 Consecutive Days** [Third Reading]
- **Ordinance Prohibiting Careless Driving and Driving Across Property to Avoid a Traffic Control Device** [Third Reading]
- **Ordinance to Authorize a Deed to Miller Valentine Partners, LTD, Lot 2 & Portion of Lot 18** [Third Reading]
- **Budget Amendment to Appropriate Funding from Fund Balance to Cover General Fund Revenue Shortfall to Appropriate SRO Funds** [Third Reading]
- **Ordinance Authorizing Certain Economic Incentives, Including Payment of a Fee in Lieu of Property Taxes, the Award of Infrastructure Improvement Credits, and Other Related Matters, Pursuant to a Fee Agreement Between Richland County and McEntire Produce, Inc.** [Second Reading]
- **Ordinance Authorizing the Extension of the Project Acquisition Period Under that Certain Lease Agreement By and Between Richland County and Sysco Food Services of Columbia, LLC (Project Butler)** [Second Reading]
- **06-12MA, Blythewood Farms (Cliff Kinder), RU to PDD (249 Acres), Single Family Residential S/D, 15100-06-07 & 17800-04-68, SE Quadrant of Langford Rd. & Wilson Blvd.** [Second Reading]
- **06-19MA, Joe Clark, RU to GC (3.5 Acres), General Commercial, 01500-02-15, Corner of Dutch Fork Rd./Three Dog Road** [Second Reading]
- **06-26MA, Paul Levine, Copper Beech Townhouses, HI to RM-HD, Multi-Family Residential, 13607-02-01(p), Bluff Road and Southern Drive** [Second Reading]
- **06-02MA, William Burch, RU to GC, Transfer Yard, 02412-01-10, Dutch Fork Road & Gates Road** [Second Reading]
- **Budget Amendment: Sheriff's Department Administrative Fee** [Second Reading]
- **Solid Waste Management Plan Revision**
- **Emergency Services Station Site Purchases**
- **Jackson Creek Emergency Services Station Construction**
- **Emergency Services Purchase Orders**

- **Liability Claims Administrator (Hewitt Coleman)**
- **Approval of Workers' Compensation Claims Administrator and Excess Insurer (The South Carolina Counties Workers' Compensation Trust)**
- **Purchase of Property Insurance (St. Paul Travelers)**
- **Detention Center Contracts:**
 - **Food Service Management Contract (Aramark Correctional Service)**
 - **Maintenance Contract for the Bluff Road Facility Housing and Energy Plant (W. B. Guimarin & Company, Inc.)**
 - **Bluff Road Fire & Security System Maintenance Contract (Honeywell, Inc.)**
 - **Detention Officer Uniforms Contract Renewal (Wright-Johnson)**
- **Resolution Designating June 2006 as Homeownership Month**
- **Coroner's Request: Approval of Mass Fatalities Management Program Grant**

The vote in favor was unanimous.

THIRD READING ITEMS

06-07MA, Rhonda Jacobs, Westcott Development Co., TMS 02600-09-04, Broad River Rd. & Bookie Richardson Rd., M-1/RU to RM-MD – Ms. Smith moved, seconded by Ms. Dickerson, to approve this item. A discussion took place. The vote in favor was unanimous.

06-06MA, Rhonda Jacobs, Westcott Development Co., TMS 01600-06-01 & 02600-09-01/08/09(p), Broad River Rd. & Bookie Richardson Rd., RU to RS-MD – Ms. Scott moved, seconded by Ms. Smith, to approve this item. The vote in favor was unanimous.

SECOND READING ITEMS

Ordinance Authorizing the Sale and Issuance of Bond Anticipation Note for the Broad River Regional Wastewater Treatment Plant Construction – A discussion took place.

Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Acceptance of Fee Interest Title for a 77-Acre Parcel Located Off Cabin Creek Road – A discussion took place.

Ms. Smith moved, seconded by Ms. Scott, to defer this item until further information is received.

Homeless Commission Intergovernmental Agreement – A discussion took place.

Ms. Smith moved, seconded by Mr. McEachern, to approve the agreement as recommended by the committee. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Employee Grievance 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

- a. **Accommodations Tax Committee—2** – Mr. McEachern stated there was one applicant, but he did not meet the criteria for the committee and that the positions would remain open until filled. The vote in favor was unanimous.
- b. **Historic Columbia Foundation—1** – Mr. McEachern stated there was one applicant. The committee's recommendation was to appoint Stephen L. Gilchrist. The vote in favor was unanimous.
- c. **Internal Audit Committee—1** – Mr. McEachern stated there was one applicant. The committee's recommendation was to re-appoint Melvin T. Miller. The vote in favor was unanimous.

III. ITEMS FOR DISCUSSION

- a. **Update on Electronic Agenda** – Mr. McEachern stated that there are currently RFPs out regarding this item and that the estimated costs would be around \$75,000. This item will be on the motions list and Council is to identify a funding source.

Mr. Livingston stated that the costs savings related to the electronic agenda had been requested.

- b. **Amending the Ordinance Requirements Regarding Residence for Board and Committee Members** – Mr. McEachern stated that the two ordinances that needed to be amended were Board of Zoning & Appeals and Planning.

The committee's recommendation was that the ordinances be amended to require applicants be Richland County residents in order to serve. The vote in favor was unanimous.

Mr. McEachern stated that a discussion had taken place in committee regarding the requirements for the Board of Zoning & Appeals. The three options were: (1) Richland County residency, (2) 50% unincorporated and 50% city or (3) 2/3 unincorporated and 1/3 city.

Mr. Montgomery moved, seconded by Mr. McEachern, to amend the ordinance regarding the Board of Zoning & Appeals to state that 2/3 of the members should be from the unincorporated areas of Richland County. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Ms. Dickerson, to send this item back to committee.

<u>In favor</u>	<u>Oppose</u>
Pearce	Montgomery
Livingston	McEachern
Hutchinson	Jeter
Smith	
Scott	
Dickerson	

The substitute motion passed.

- c. **Time Certain for Administrator to Make Recommendations after Receiving Recommendation from Grievance Committee** – Mr. McEachern stated that this item would remain in committee.
- d. **Granting the Grievance Committee a Budget of \$250.00 Towards Supplies** – Mr. McEachern stated that this item will be referred to the budget motion list.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

- a. **An Ordinance Amending Ordinance No. 038-06HR, which Authorized Two Deeds to Forum Development II, LLC for Certain Parcels of Land Known as Lot 12 (Approximately 9.665 Acres) and Lot 28 (Approximately 2.713 Acres) in the Richland Northeast Industrial Park; so as to Delete Any Reference to Lot 28** – Mr. Livingston stated that the committee recommended First Reading approval of this item. The vote in favor was unanimous.
- b. **An Ordinance Authorizing An Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park By and Between Richland County, South Carolina and Fairfield County, South Carolina, in Order to Expand the Boundaries of the Park to Include Certain Property Owned by Vulcan Construction Materials, L.P. and other Matters Related Thereto** – Mr. Livingston stated that the committee recommended First Reading approval of this item. The vote in favor was unanimous.
- c. **An Ordinance Authorizing Deed to L-J Inc., for Certain Parcels of Land Known as Lots 18, 19, and 33; Approximately 25.53 Acres, in the Richland Northeast Industrial Park** – Mr. Livingston stated that the committee recommended deferral of this item. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Accommodations Tax Recoupment Litigation Contract – Mr. Jeter moved approval of a litigation contract to investigate lost accommodations tax funds to Richland County and to direct

the Administrator to enter into an agreement upon review by the legal department. A discussion took place.

POINT OF ORDER – Mr. Montgomery stated that his understanding was that the County would be looking at entering into a sole source contract without any procurement. Mr. Montgomery felt that Council needed a ruling on the propriety of doing that. A discussion took place.

Ms. Smith stated that this item needed to be placed on the June 20th agenda to give the public notice of the contract. Mr. Jeter agreed. The vote in favor was unanimous.

Collection of Hospitality Tax to Business Service Center – Mr. Jeter referred to the A&F Committee the issue of transferring the collection of hospitality tax to the Business Service Center from the Treasurer's Office. The vote in favor was unanimous.

Resolution for Vanderlyn Davis McCloud – Mr. McEachern moved to adopt a resolution for Ms. McCloud upon her retirement from Keenan High School. The vote in favor was unanimous.

Proposed Designated Parking Ordinance – Mr. Montgomery referred to the D&S Committee a proposed ordinance similar to the City of Columbia's ordinance in regarding to parking on designated spaces on residential lots and areas zoned residential low density, medium density and high density. The vote in favor was unanimous.

Floodplain Moratorium Extension – Ms. Smith moved, seconded by Mr. Montgomery to approve the ordinance extending the floodplain moratorium. The motion failed.

Ms. Smith referred the floodplain moratorium extension to the June 20th meeting. A discussion took place.

Ms. Scott moved, seconded by Ms. Smith, to reconsider. The vote in favor was unanimous.

Ms. Smith moved, seconded by Mr. Montgomery, to give First Reading approval to the ordinance extending the floodplain moratorium. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:58 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