

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 20, 2005 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	Joyce Dickerson
Member	Valerie Hutchinson
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith
Members Absent	Damon Jeter
	Doris M. Corley

OTHERS PRESENT - T. Cary McSwain, Michielle Cannon-Finch, Larry Smith, Anna Almeida, Milton Pope, Tony McDonald, Ashley Jacobs, Monique Walters, Joe Cronin, Donnie Phillips, Roxanne Matthews, Marsheika Martin, Michael Criss, Chief Harrell, Kendall Johnson

CALL TO ORDER

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

POINT OF PERSONAL PRIVILEGE – Mr. Pearce commended the Chair for volunteering and assisting with the Evacuees from Hurricane Katrina.

Mr. Mizzell recognized Mayor Chris Campbell of Eastover in the audience.

ADOPTION OF AGENDA

Ms. Smith added the Olympia TIF feasibility study to the agenda as item-7 and requested to re-order the agenda.

Richland County Council

Mr. McEachern requested for discussion on the TIF to go under the Motion Period.

Mr. Larry Smith, County Attorney, requested to add a legal briefing regarding the Solid Waste Management Plan.

Mr. Montgomery moved, seconded by Ms. Dickerson, to add a legal briefing to the agenda. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Montgomery, to approve agenda as amended.

Mr. Livingston stated that Ms. Amelia Linder, Staff Attorney, recommended for Council to reconsider the issue on Page 12, Buck Enterprise, due to the fact that the proper title was not before Council at that time.

Mr. Pearce withdrew his motion to adopt the agenda.

Mr. Livingston moved, seconded by Ms. Scott, to reconsider item 2-d, Buck Enterprise. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Pearce, to move Buck Enterprise from Second Reading to First Reading. The vote in favor was unanimous.

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

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Mr. Montgomery moved, seconded by Ms. Dickerson, to approve with a notation of the item that was reconsidered. The vote in favor was unanimous.

PRESENTATION OF RESOLUTIONS

Mr. Bruce Carter – Central Midlands COG Board - On behalf of Council, the council liaison members of the COG Board recognized Mr. Carter for his years of service on the board.

Mr. Marshall Hoefler – Not present at this time. The resolution will be presented at a later date.

PRESENTATION – Forestry Commission (Mr. Larry Moody) – Mr. Joe Felder, a representative of the S.C. Forestry Commission, presented a check to the County in the amount of \$14,026.85.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Smith stated the following items need to be discussed in Executive Session:

- Legal Briefing: USC Research Campus Agreement
- Personnel Issue: County Administrator and Clerk of Council Evaluations

- Legal Briefing: Solid Waste Management

Ms. Smith moved, seconded by Ms. Scott, to move Executive Session to the end of the agenda by unanimous consent. There were no objections.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. McSwain gave a report on the following:

Budget Document – The Budget Department was commended for a job well done in the Budget Department. The budget document was distributed to Council.

Columbia Owens Airport Ribbon Cutting – Council was reminded of the ribbon cutting ceremony which will be held on Thursday, September 22nd at 11:00 at Owens Field.

Joint City/County Meeting - Council was reminded of the Joint City/County Subcommittee Meeting on Thursday, September 22nd at 12:30 p.m. at the Capital City Club.

Public Information Announcement - The Public Information Office has obtained a contract with the television station, UPN, for a weekly show called Richland County Reveal. This program will be 30-minutes in duration, airing at 11:00 a.m. on Sundays for 52 weeks.

Ms. Doty Yarborough, General Manager of the Columbia area UPN Station, stated she looks forward to working with the Public Information staff. She stated the show will begin airing in October.

REPORT OF THE CLERK OF COUNCIL

Ms. Michelle Cannon-Finch, Clerk of Council, gave the following report:

Chamber of Commerce Annual Gala – Council was reminded of the gala which is to take place on Thursday, September 22nd at the Columbia Metropolitan Convention Center at approximately 6:00 p.m.

APPROVAL OF CONSENT ITEMS

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

- **Ordinance Authorizing a First Amendment of the Lease Agreement between Richland County and Blue Cross and Blue Shield of South Carolina** [Third Reading]
- **05-56MA, Chinese Culture Center c/o Lea Walker, M-1 to GC, Chinese Culture Center, TMS# 16104-02-09, Branning Road/Pineview Road** [Third Reading]
- **05-78MA, Phillips Savage, RU to GC, Commercial Use, TMS# 02412-01-19, Dutch Fork Road** [Third Reading]
- **05-79MA, George H. Bunch, RU to GC, Commercial Development, TMS# 21800-01-06 (portion, Lower Richland Boulevard & Garners Ferry Road** [Third Reading]
- **Ordinance Amending Ordinance 074-04HR regarding Digital Data Submission** – [Third Reading]
- **Ordinance to Authorize an Easement to SCE&G on County-owned property at Palmetto Richland Hospital** [Second Reading]

- **Ordinance to Authorize a Water Line Deed to the City of Columbia Owens Downtown Airport** [Second Reading]
- **An Ordinance Authorizing the Execution and Delivery of an Infrastructure Financing Agreement between Richland County, South Carolina, and AEB Business Properties, LLC, an Affiliate of Buck Enterprise, LLC** [Second Reading]
- **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 METSO Minerals Industries, Inc; and other matters related thereto** [Second Reading]

The vote in favor was unanimous.

THIRD READING ITEMS

Land Development Code Text Amendment – Private Road Subdivisions – Ms. Scott moved, seconded by Ms. Dickerson, to table this item until a report is received from South Carolina State University on road study. The vote in favor was unanimous.

Ordinance Authorizing the sale of Industrial Park Property in Richland Northeast Industrial Park to William Hancock – Mr. Livingston moved, and it was seconded, to approve this item with the correct legal name of the purchaser. The vote in favor was unanimous.

The correct name is: **Ordinance Authorizing the sale of Industrial Park Property in Richland Northeast Industrial Park to Palmetto Service Protection** (These minutes were reconsidered on October 4, 2005).

SECOND READING ITEMS

Public Works: Ordinance Amending Infrastructure Warranty Requirements for New Development

Mr. Montgomery moved, seconded by Mr. McEachern, to modify the proposed ordinance and resubmit to the Development and Services Committee with a directive for them to ask staff to develop an inspection program and an inspection fee, then have the County operate this without warranty, but simply with the requirement that the county have an extensive inspection, that the plans are sealed and that the county have liability from the person sealing the plans and that the county has some responsibility from the inspector if there is a failure from a standpoint in construction.

A discussion took place.

The vote in favor was unanimous.

FIRST READING ITEMS

05-76MA, Steadfast Unmovable Ministries, Inc. c/o Nancy Johnson, RS-MD to OI (11 acres) Commercial Development (20200-01-31) Clemson Road West of Hardscrabble Road

Ms. Dickerson moved, seconded by Ms. Scott, to table this item at this time.

After discussion, Ms. Dickerson/ Ms. Scott withdrew their motion.

Ms. Dickerson moved, seconded by Ms. Scott, to accept the applicant's withdrawal. The vote in favor was unanimous.

An Ordinance Authorizing the execution and deliverance of an infrastructure Financing Agreement between Richland County, SC, and AEB Business Properties, LLC, an Affiliate of Buck Enterprise, LLC

Mr. Livingston moved, seconded by Mr. Pearce, to approve this item for First Reading.

A discussion took place.

Mr. Montgomery offered an amendment suggesting for the City to participate, requesting the number of jobs that will be provided and the rate that the jobs will pay and forward back to the Economic Development Committee for discussion.

Mr. Livingston accepted the amendment to move forward with First Reading and refer back to the Economic Committee in order to have questions answered.

The vote was in favor of the motion as amended.

ITEMS FROM THE UTILITIES WORK SESSION

Approval of Eastover System Takeover Project - Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until staff answers questions that were discussed during the Work Session. The vote in favor was unanimous.

Approval of Franklin Park Water and Sewer Project - Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Approval of Hopkins Water and Sewer Project - Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until after the community meeting on October 21st. The vote in favor was unanimous.

Approval of Wateree Creek/Spring Hill Sewer Line - Mr. Pearce moved, seconded by Ms. Scott, to adopt Option 2 of the worksheet handed out during the Work Session. The vote in favor was unanimous.

A RESOLUTION TO APPOINT AND COMMISSION HEATHER L. DANN AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY

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

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Notification of Appointments to Boards, Commissions, and Committees

Midlands Workforce Development Board-12

Mr. McEachern stated the committee recommended approval of the 12 applications. The vote in favor was unanimous.
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The persons appointed were as follows: Pat Canary, Venus Sabb, Garnell Cauley, Donna Gilbert, Howard Wessinger, Mike Bowman, Jeri Boysia, Patrick Hudson, Archie Maddox, Erin Moffitt, Reggie Murphy, Harry Plexico.

CITIZEN'S INPUT

Ms. LeAnn Johnson spoke of concerns regarding the new land code.

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 6:58 p.m. and came out at approximately 7:40 p.m.
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Mr. Pearce moved, seconded by Ms. Scott, to come out of executive session. The vote in favor was unanimous.

Legal Briefing: USC Research Campus Agreement – This was received as information.

Personnel Issue - This was received as information.

MOTION PERIOD

TIF Update - Mr. McEachern requested an update on this issue.

Mr. McSwain stated the information on the existing TIF and the audit is not currently readily at this time. He stated it should be ready in about a week.

Grievance Procedure – Mr. McEachern requested an update on the grievance procedure and the ordinance that relates to it (the pay plan).

Olympia Master Plan – Ms. Smith moved, seconded by Ms. Scott, to give unanimous consent to allow discussion and questions during the Motion Period which is normally out of order. The vote in favor was unanimous.

Ms. Smith suggested developing a Joint City/County TIF and requested to approve for the bond counsel to work on the numbers and bring back to council.

Ms. Smith moved, seconded by Ms. Scott, to direct the County Administrator to work with bond counsel to look at the feasibility of establishing an Olympia TIF to begin to fund the rest of the master plan in that community.

A discussion took place.

The vote was in favor.

North Columbia Feasibility Study

Mr. McEachern moved, seconded by Mr. Livingston, to forward to committee a feasibility study in the North Columbia area goes to committee. The vote in favor was unanimous.

Reschedule of A&F and D&S Committee Meetings

Ms. Smith requested for the A&F Committee to meet at 4:00 p.m. and the D&S Committee to meet immediately following. The vote in favor was unanimous.

Citizen's Input – End of the Agenda

Mr. Mizzell moved, seconded by Mr. McEachern, to look at rules regarding citizen's input at the end of the agenda. The vote in favor was unanimous.

Report of the Chair

Mr. Mizzell requested without objections to add a Report of the Chair to Council's agendas. There were no objections.

Point of Personal Privilege – Mr. Pearce welcomed Ms. Gina Smith back from Katrina duty.

ADJOURNMENT

The meeting adjourned at approximately 8:01p.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

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Bernice G. Scott

Kit Smith

The minutes were transcribed by Marsheika G. Martin