

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
MAY 6, 2003  
6:00 P.M.**

**MEMBERS PRESENT:** Bernice G. Scott, Chair; Joan B. Brady, Vice-Chair; Susan Brill; Paul Livingston; Joseph McEachern; Anthony Mizzell; L. Gregory Pearce, Jr.; Kit Smith; Thelma M. Tillis; James Tuten

**OTHERS PRESENT:** Michielle Cannon-Finch, T. Cary McSwain, Carrie Neal, Amelia Linder, Milton Pope, Tony McDonald, Larry Smith, Chief Harrell, Roxanne Matthews, Ashley Jacobs, Chris Eversman, Monique Walters, Marsheika Martin, Rodolfo Callwood, Janet Claggett

**CALL TO ORDER:** The meeting was called to order at approximately 6:00 p.m.

**INVOCATION** –The Invocation was given by the Honorable James Tuten.

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

**Resolution – Doug Phillips’ retirement** – On behalf of Council, Mr. Mizzell and liaisons from the Central Midlands Council of Government presented the resolution to Mr. Phillips recognizing his retirement and his outstanding job for the past several years.

**Convention Authority Annual Status Report** – Mr. Steve Camp, President and CEO of the Midlands Regional Conventional Center of Authority, gave a brief status report.

**POINT OF PERSONAL PRIVILEGE** – Ms. Scott introduced Ms. Doris M. Corley to the audience as the County’s newest Council member.

**ADOPTION OF AGENDA**

Mr. Larry Smith, County Attorney, stated that on Page 28 of the agenda, Section II should be deleted from the ordinance regarding the Local Hospitality Tax. He stated it was not given Second Reading and should not be included in the ordinance.

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

**CITIZEN'S INPUT** – No one signed up to speak at this time.

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS** – There were no items at this time to be discussed in Executive Session.

## **APPROVAL OF MINUTES**

**Special Called Meeting: March 25, 2003** – Ms. Brady moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

**Zoning Public Hearing – March 25, 2003:** Ms. Brady moved, seconded by Mr. Tuten, to approve the minutes as submitted. The vote in favor was unanimous.

**Regular Session – April 1, 2003:** Mr. Pearce moved, seconded by Ms. Brady, to approve the minutes as submitted. The vote in favor was unanimous.

**Regular Session – April 8, 2003** – Mr. Livingston moved, seconded by Ms. Brady, to approve the minutes as submitted. The vote in favor was unanimous.

**Special Called Meeting – April 21, 2003** – Mr. Pearce moved, seconded by Mr. Tuten, to approve the minutes as submitted. The vote in favor was unanimous.

**Zoning Public Hearing – April 22, 2003** – Ms. Brady moved, seconded by Mr. Livingston, to approve the minutes as submitted. The vote in favor was unanimous.

## **REPORT OF COUNTY ADMINISTRATOR**

**Proposed Budget Calendar Amendments** – Mr. McSwain informed Council of the new budget calendar for their consideration.

Ms. Smith moved, seconded by Ms. Tillis, to adopt the calendar as amended. The vote in favor was unanimous.

## REPORT OF CLERK OF COUNCIL

**Gills Creek Fire Station Ribbon Cutting Ceremony** – Ms. Michielle Cannon-Finch, Clerk of Council, informed Council of this ceremony which will take place on May 23<sup>rd</sup> at 11:00 a.m.

## OPEN/CLOSE PUBLIC HEARINGS

Ms. Scott opened the floor to the following public hearings:

- a. **Ordinance regarding budget amendment to appropriate revenue for the Industrial Park Fund** – No one signed up to speak at this time.
- b. **Quit Claim of Gateway Corporate Blvd to Sisters of Charity Providence Hospitals**

Ms. Scott stated one person signed up to speak to this item.

- Mr. Tom Pollard spoke to this item.

- c. **Ordinance regarding budget amendment for Sheriff's Department: Firearms Lab** – No one signed up to speak at this time.
- d. **Ordinance regarding budget amendment for the Black Exposition -**

Ms. Scott stated there was one person signed up to speak "against" this item.

- Mr. Victor Kocher spoke "against" this item.

- e. **Ordinance authorizing easement to SCE&G at the County Administration Building** - No one signed up to speak at this time.
- f. **Ordinance approving the Broad River Regional Wastewater Treatment Plant Upgrade Land Purchase** – No one signed up to speak at this time.

Ms. Scott closed the floor to the public hearings.

## **APPROVAL OF CONSENT ITEMS**

Ms. Smith moved, seconded Mr. Livingston, to adopt the following consent items as amended:

- 03-30MA, Don Teague, RS-2 to C-1, Office/Institutional, TMS 09401-06-08, 6419 Monticello Road [Second Reading]
- 03-32MA, Stan Mack, RU to RS-1, Single Family Subdivision, TMS 01513-01-02, Richard Franklin Road [Second Reading]
- 03-41MA, Bob Wright (SCE&G), D-1 to C-3, TMS 19102-02-11, NE Corner of Bolton St and US 378/76 [Second Reading]
- 03-43MA, Phil Savage, D-1 to C-3, Office Warehouse, 04003-02-12, 10013 Broad River Road near Sease Road [Second Reading]
- Ordinance to amend Section 17-10 of Chapter 17, Motor Vehicles and Traffic
- Contract Award: Eastover and Little Camden Paving Project
- Intergovernmental Service Agreements with Arcadia Lakes and Forest Acres
- Indenture Agreement granting Right-of-Way to SCE&G for Electric Lines serving Skateboard Park on Jim Hamilton Boulevard
- Contract Award: Chartwell Drainage Project
- Amendments to the Animal Care Ordinance
- Detention Center: Phase V Addition
- Senior Resources: Grant Resolution
- Planning: 2002 National Electrical Code and the 2000 International Property Maintenance Code
- Sheriff's Department: Budget Amendment for Shortfall
- Magistrates: Budget Amendment for temporary, full-time employees
- Ordinance for Sewer System General Obligation Bonds

The vote in favor was unanimous.

## **THIRD READING ITEMS**

### **Ordinance regarding local hospitality tax**

Ms. Smith passed down an amendment to amend Section 23-7. She stated this would reduce the redistributed funds and the issue would always be deliberated and decided on during the budget process. She stated this will just set it as a general guide line this current year.

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Ms. Smith moved, seconded by Ms. Brady, to adopt amendment as offered.

A discussion took place.

The vote was as follows:

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

The motion passed.

Ms. Brady offered an amendment, seconded by Ms. Smith, involving Section 23-69, Distribution of Funds:

*In the event that the local hospitality tax revenues are not adequate, the funding agencies listed above in the described amounts will receive a proportionate share of the actual revenues received; and each agency's share is to be determined by the percentage of the total revenue it would have received had the revenues allowed for the full funding as provided in Section a-1 above (Columbia Museum of Art, Historic Columbia, EdVenture Museum and other County Promotions).*

A discussion took place.

The vote in favor was unanimous.

Mr. Livingston offered an amendment, seconded by Ms. Smith, on Page 26, Paragraph 3, to insert the following after "As a condition of receiving its allocation, each Agency must:

*present an affirmative marketing plan for the inclusion of all citizens of Richland County and offer some "free"....."*

The vote in favor was unanimous.

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

Mr. McEachern made a substitute motion, seconded by Ms. Tillis, to change the other draft amended ordinance as follows: Columbia Museum of Art from \$550,000 to \$650,000 and reduce the Farmer's Market from \$600,000 to \$500,000.

A discussion took place.

The vote for the substitute motion failed.

The vote for the main motion was as follows:

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

The motion passed.

**Ordinance regarding East Richland County Public Service Commission**

Ms. Smith moved, seconded by Ms. Brill, to approve the ordinance for Third Reading. The vote was in favor. Mr. McEachern opposed.

**Ordinance regarding budget amendment to appropriate revenue for the Industrial Park Fund**

Ms. Smith moved, seconded by Ms. Brady, to approve the ordinance for Third Reading. The vote in favor was unanimous.

**Quit Claim of Gateway Corporate**

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

**Ordinance regarding budget amendment for Sheriff's Department: Firearms Lab**

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

**Ordinance regarding budget amendment for the Black Exposition**

Mr. Livingston moved, seconded by Mr. McEachern, to approve this item for Third Reading. The vote in favor was unanimous.

**Ordinance authorizing easement to SCE&G at the County Administration Building**

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

**Ordinance approving the Broad River Regional Wastewater Treatment Plant Upgrade Land Purchase**

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

**SECOND READING ITEM**

**03-44MA, Bill Barnwell, RS-2 to PUD-1R, Mixed Residential Development, TMS 17300-05-01 & 17300-01-05, NE Corner Brickyard Road and Farrow Road**

(Ms. Scott passed the gavel to Ms. Brady due to a conflict of interest.)

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

**FIRST READING ITEMS**

**Powers of the Board of Zoning Appeals Zoning Text Amendment (Deferred from Zoning Public Hearing held April 22, 2003)**

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Ms. Smith moved, seconded by Mr. Livingston, to approve this item for First Reading and forward to the consent agenda for the next Council meeting. The vote in favor was unanimous.

**FY 2003-04 Budget**

Ms. Smith moved, seconded by Mr. Mizzell, to approve the budget ordinance as distributed by Title Only. The vote in favor was unanimous.

**FY 2003-04 Millage**

Ms. Smith moved, seconded by Mr. Livingston, to approve the millage ordinance as distributed by Title Only. The vote in favor was unanimous.

**REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Town of Eastover: Funding Request**

Ms. Smith stated this item came from committee without a recommendation.

Ms. Smith moved, seconded by Mr. McEachern, to write a letter to the Mayor of Eastover recommending him to apply for money in subsequent years and to comply with the timeline of the County. The vote in favor was unanimous.

**Impact Fees Study Process**

Ms. Smith stated the Committee recommended for the Resolution to be drafted for approval. She stated the resolution in the packet has a date on it that the staff has recommended be changed to April 15, 2004.

Ms. Smith moved, seconded by Mr. Pearce, to approve this resolution as amended. The vote in favor was unanimous.

**Internal Auditor Audit Committee: Membership and Meetings**

Ms. Smith stated the Committee recommended that this item be sent to Council for Council to designate three Council members to select an Internal Auditor and staff was instructed to bring a variety of models back to the Administration and Finance Committee.

A discussion took place.

Ms. Smith moved, seconded by Mr. Tuten, to endorse the Chair's appointment of Mr. Tuten, Mr. Livingston and Mr. Mizzell for selection of the Internal Auditor.

A discussion took place.

The vote in favor was unanimous.

## **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

### **Notification of Vacancy to the Employee Grievance Committee-2**

Mr. McEachern notified Council of two vacancies on this committee. He stated the Committee recommended staff to advertise. The vote in favor was unanimous.

### **Notification of Appointment to the Airport Commission-3**

Mr. McEachern stated there are three appointments to the board. He stated there was a request from this commission to extend the appointments to September 30, 2003.

A discussion took place.

Mr. Livingston requested for the Rules Committee to look at the policy and see how delaying appointments can be handled in the future.

Ms. Scott directed staff to contact the Chair of the Airport Commission informing him of the September deadline.

### **Notification of Appointment to the Building Board of Adjustment and Appeals-2**

Mr. McEachern stated there are two vacancies on this board with two applications received. He stated the committee recommended appointing Ms. Luis A. Mariaca and Mr. Frank G. Storey. The vote in favor was unanimous.

### **Notification of Appointment to the Employee Grievance Committee-2**

Mr. McEachern stated there are two vacancies on this committee with one application received. He recommended appointing Mr. William A. Blocker to the committee and re-advertising for the vacant seat. The vote in favor was unanimous.

**CITIZEN'S INPUT**

The following citizens spoke at this time:

Mr. James Whitmire and Mr. Warren Koestner spoke regarding concerns of a citizen living in a tent in the Pine Valley subdivision.

**MOTION PERIOD/ANNOUNCEMENTS**

Ms. Brill requested a resolution for Ms. Deloris Sani for her years of service as a foster parent and involvement in the community.

Mr. McEachern stated with the expansions going on in the County such as the Jail expansion and other bond issuances, he would like for the County to look at the minority participation in regards to construction and other issues.

Ms. Brady requested a change in the meeting schedule for July. She suggested canceling the July 1<sup>st</sup> meeting and rescheduling it for July 8<sup>th</sup>.

**ADJOURNMENT** – The meeting was adjourned at approximately 7:25 p.m.

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Bernice G. Scott, Chair

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Joan B. Brady, Vice-Chair

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Susan Brill

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Doris M. Corley

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Paul Livingston

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Joseph McEachern

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Anthony G. Mizzell

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L. Gregory Pearce, Jr.

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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