

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION MARCH 15, 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.

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MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott

MEMBERS ABSENT: Doris M. Corley, Kit Smith (in Brazil) and L. Gregory Pearce, Jr. (hospitalized)

ALSO PRESENT: T. Cary McSwain, Michielle Cannon-Finch, Amelia Linder, Milton Pope, Tony McDonald, Ashley Bloom, Kendall Johnson, Stephany Snowden, Marsheika Martin, Sheriff Lott, Chief Harrell, Roxanne Matthews, David Adams

CALL TO ORDER

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

POINT OF PERSONAL PRIVILEGE

Mr. Mizzell recognized the following persons in the audience: Mr. Vince Ford from the School Board; David Adams, County Treasurer; and the South Carolina Sheriff of the Year, Sheriff Leon Lotts.

Mr. Mizzell asked for a moment of silence for the loss of a good friend to Richland County, Mr. Butch Spires, a former Lexington County Council member.

On behalf of Council, Ms. Scott welcomed back Ms. Dickerson after the death and burial of her son-in-law, Mr. Scott Spurgeon.

INVOCATION

The Invocation was given by the Honorable Damon Jeter.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Mr. Livingston moved, seconded by Ms. Hutchinson, to add a resolution honoring and commemorating Mr. Butch Spires. The vote in favor was unanimous.

Mr. Mizzell stated that without objection the item would be added to the agenda as item-6, before the Executive Session Items. There were no objections.

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

PRESENTATIONS

Richland Memorial Hospital Annual Report – Mr. Vince Ford gave a brief report on some of the services and programs that have been provided and funded.

The Lottery Commission – Mr. Ernie Passailaigue, Director of the Lottery Commission, first thanked Council for the services provided.

Mr. Passailaigue updated Council on lottery tickets sales.

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

APPROVAL OF MINUTES

Zoning Public Hearing: February 22, 2005 - Ms. Michelle Cannon-Finch, Clerk of Council, made a correction on Page 7 of the agenda packet which was as follows:

The Kerry Lee rezoning issue should read: 14800-05-22 instead of 48000-05-22.

Mr. McEachern moved, seconded by Ms. Scott, to approve the minutes as amended. The vote in favor was unanimous.

Regular Session: March 1, 2005 - Ms. Finch requested clarification from Ms. Dickerson regarding the Quit Claim on 321 Fairfield on page 15 of the agenda packet. She wanted to know if the quit claim was approved with or without compensation.

Ms. Dickerson clarified that the motion from committee was to approve this item with compensation.

Ms. Dickerson moved, and it was seconded, to approve the minutes as clarified. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated the following items need to be discussed in Executive Session:

- **Personnel Matter – update on Grievance**
- **Columbia Venture vs. Richland County: A pending litigation**
- **Contractual Matter: Recreation Commission**
- **Personnel Matter**

Ms. Scott moved, seconded by Mr. McEachern, to move these items to the end of the agenda, after Citizen's Input and before Motion Period. The vote in favor was unanimous.

REPORT OF COUNTY ADMINISTRATOR

Mr. T. Cary McSwain, County Administrator, gave the following report:

Arrangements for Mr. Butch Spires – Visitation will be on Wednesday, March 16th from 6:00 p.m. until 9:00 p.m. at Kitty Wake Baptist Church, 420 Kitty Wake Drive, West Columbia. The Funeral Services will be at 4:00 p.m. on Thursday, March 17th, at Trinity Baptist Church, 2003 Charleston Highway in Cayce. This information will be e-mailed to Council.

Local Options Sales Tax Education for Municipalities - The County will host a workshop on tomorrow from 8:00 a.m. until 9:30 p.m. at the South Carolina Municipal Association Building on Gervais Street. An update will be given on collection timetables and projections. Council was invited to attend.

Mr. McSwain stated there will be three workshops on next week for Richland County Merchants. He stated the response has been overwhelming.

Richland 101: Spring Session: Classes will begin April 11th.

Current Update of Retreat Items – These items were distributed to Council prior to the meeting.

REPORT OF THE CLERK OF COUNCIL

Ms. Finch gave the following report:

Letters to CASA Volunteers – Folders were placed at each Councilperson's seat. The letters are addressed to volunteers in the different Council districts. The letters require Council members' signatures.

Blackberrys – Council members who had not picked up Blackberrys were told they may do so.

OPEN/CLOSE PUBLIC HEARING ITEMS

There were no items at this time.

APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Mr. McEachern, to approve the following items for the Consent Agenda as amended:

- **05-36MA, Kerry Lee, RU to PUD-1R, Single Family Residential, 14800-05-22, US Highway 21 [Third Reading]**
- **05-37MA, Windsor/Aughtry Co. c/o Paul Aughtry, M-2 to M-1, Highway commercial services and light industrial, 17300-02-02 & 17400-09-13(p), I-77 & Killian Road [Third Reading]**
- **05-38MA, Richland County School District Two, c/o Jacqueline Myers, C-3 to C-1, Elementary School, 19811-01-02, Polo Road east of Alpine Road [Third Reading]**
- **05-32MA, Barnstormers c/o E. Clifton Kinder, RS-2/D-1 to PUD-1R, Single Family Residential, 21800-01-04 & 21900-09-17, Trotter Road & Lower Richland Blvd [Third Reading]**
- **05-30MA, The James Company (E.C. Kinder, Jr.), M-1 to RS-3, Single Family Residences, 17300-02-10, Northwest corner of intersection of Hardscrabble and Farrow Road [Third Reading]**
- **Conservation Easements Policy – Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions created and recognized; Subsection (H), Richland County Conservation Commission; so as to establish policies for the endorsement of Conservation Easements by the Richland County Council [Second Reading]**
- **Ordinance authorizing Quit Claim deed to 321 Fairfield, LLC [Second Reading]**
- **Ordinance authorizing Quit Claim deed to Carolina Wrecking, Inc. [Second Reading]**
- **Ordinance amending the fiscal year 2004-2005 Road Maintenance and Storm water Fund annual budget to transfer two full-time**

- **engineering technician positions from the Road Maintenance fund to the storm water fund. The positions are a grade nine (9) non-exempt. This will not require the transfer of any funds. [Second Reading]**

The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Select Comfort/Blind John LLC Request (deferred from March 1, 2005 meeting)

Mr. Livingston stated this is a request to grant and extend the abatement. He stated the Committee recommended approval.

Mr. Montgomery requested for the committee to consider an amendment to the motion to require some verification or certification of that investment, to cancel the abatement in the event that the investment was not made in the appropriate period of time. Mr. Livingston accepted the amendment on behalf of the committee (if there were no objections by the committee members present).

The vote in favor of the committee's recommendations along with the friendly amendment was unanimous.

APPROVAL OF RESOLUTIONS

A Resolution to appoint and commission Andrew S. Thompson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County - Ms. Dickerson moved, and it was seconded, to approve the resolution. The vote in favor was unanimous.

A Resolution to appoint M. Donny Phipps as the Richland County Building Official

Mr. Michael Criss, Planning Director, introduced Mr. Phipps to Council.

Ms. Dickerson moved, and it was seconded, to approve the resolution. The vote in favor was unanimous.

A Resolution to appoint and commission Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County

Mr. Criss introduced the eight officers to the Council.

Ms. Scott moved, seconded by Mr. Montgomery, to approve the resolution.

Mr. Montgomery amended the motion correcting Arthur *B.* Langley to Arthur *H.* Langley.

The vote in favor of the motion as amended was unanimous.

A Resolution honoring and commemorating Mr. Butch Spires – Mr. Livingston moved, seconded by Ms. Scott, to approve the resolution. The vote in favor was unanimous.

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

EXECUTIVE SESSION ITEMS

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

- **Personnel Matter – update on Grievance**
- **Columbia Venture vs. Richland County: A pending litigation**
- **Contractual Matter: Recreation Commission**
- **Personnel Matter**

The vote in favor was unanimous.

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Council went into Executive Session at approximately 6:45 p.m. and came out at approximately 7:22 p.m.
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

Personnel Matter: Update on Grievance – Received as information.

Columbia Venture vs. Richland County: A pending litigation - Received as information.

Personnel Matter: Sheriff Department – Mr. Montgomery moved, seconded by Ms. Scott, to appropriate \$8,375 to the Sheriff’s Department for the commencement of an Expired Vehicle License Enforcement Program to be provided by Treasurer Adams and Sheriff Lott and direct the County Administrator to bring a proposal for funding of that either through a budget transfer or budget amendment. The vote in favor was unanimous.

Contractual Matter: Recreation Commission – Mr. Livingston moved, seconded by Mr. Montgomery, to forward this item to the Administration and Finance Committee. The vote in favor was unanimous.

MOTION PERIOD

Roadside Trash in District 10 – Ms. Scott moved, seconded by Mr. Jeter, to request for this item to be sent to the Development and Services Committee to review the ordinance to see what can be done to “beef up” security. The vote in favor was unanimous.

Driveway Code Enforcement – Ms. Dickerson stated there is a problem in her community with persons using their driveways for garages to fix up cars.

Mr. Mizzell directed staff to get with Ms. Dickerson to work with her on the process.

Northeast Traffic Study – Ms. Hutchinson moved to forward the study to the Development and Services Committee. (tape was inaudible).

Resolution honoring Sheriff Lott – Mr. Mizzell moved, seconded by Mr. McEachern, to recognize Leon Lott for being named Sheriff of the Year by the South Carolina Sheriff’s Association. The vote in favor was unanimous.

Tokens to Citizens – Ms. Scott moved, seconded by Ms. Dickerson, to direct staff to find something besides a resolution to present to citizens per each Council member’s request. The vote in favor was unanimous.

Zoning Ordinance regarding restriction on wholesale trading – Mr. Montgomery moved, seconded by Ms. Scott, to ask the Development and Services Committee to consider a modification to clarify what activities are deemed wholesale trade and being allowable in a GC Zone. The vote in favor was unanimous.

Point of Personal Privilege – Ms. Dickerson thanked Ashley Bloom and all of staff for going out to her community meeting on March 7th during her absence.

ADJOURNMENT – It was moved and seconded to adjourn at approximately 7:29 p.m. The vote in favor was unanimous.

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 Marsheika G. Martin