

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 2, 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
Member	Joyce Dickerson

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Joe Cronin, Roxanne Matthews, Larry Smith, Amelia Linder, Donny Phipps, Michael Criss, Anna Almeida, Geo Price, William Simon, Monique Walters, Andy Metts, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Rodolfo Callwood, Teresa Smith, Janet Claggett, Audrey Shifflett, Chief Harrell, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:06 p.m.

INVOCATION

The Invocation was given by Honorable Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

PRESENTATION

Donald Tomlin, Pres. Tomlin & Co., Inc., USC/Columbia Technology Incubator – Mr. Tomlin briefed Council on how the USC/Columbia Technology Incubator assists businesses that are starting out.

John Denise, a recent graduate of the incubator program, spoke about his success.

Mr. Tomlin and Mr. Joel Stevenson informed Council that they would be requesting an increase in budgeting from \$25,000.00 to \$75,000.00.

Larry Jordan, Capital Senior Center, Update on Facility – Mr. Jordan gave a brief presentation and requested \$175,000.00.

Holly Cummings, Midlands Education & Business Alliance – Ms. Cummings was not present.

POINT OF PERSONAL PRIVILEGE – Mr. Jeter recognized Dr. Eason from Richland School District I and a group of visiting teachers from Russia were in the audience.

ADOPTION OF AGENDA

Ms. Smith moved, seconded by Ms. Hutchinson, to approve the revised agenda. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Budget Work Session: April 18, 2006 – Mr. Montgomery moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

Regular Session: April 18, 2006 – Ms. Hutchinson 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

There were no items for Executive Session.

REPORT OF THE COUNTY ADMINISTRATOR

All America City Award Application – Mr. Joe Cronin and Ms. Stephany Snowden briefed Council on the application and informed Council that Richland County had been selected as a national finalist.

REPORT OF THE CLERK OF COUNCIL

July Meeting Schedule – Ms. Finch stated that the first meeting in July will be July 11th since the first regularly scheduled meeting would fall on July 4th.

SCAC Conference – Ms. Finch stated that SCAC Conference will be held August 2-6 and that she has submitted the registrations.

42nd Annual CRC Luncheon – Ms. Finch stated that the luncheon will be held on June 14th from 12:30-2:00 p.m. at Seawells.

Black Expo 2006 – Ms. Finch stated she had received information regarding the Black Expo 2006 and tickets for certain functions. The event will be held May 18-20 at the Coliseum.

Motion Period – Ms. Finch stated that she had taken the liberty to include for approval a resolution for the youngest and oldest voter in Richland County under the Motion Period.

REPORT OF THE CHAIRMAN

Farmer's Market Promotion Appointment – Mr. Mizzell stated Commissioner Weathers contacted him last week and reminded him that Richland County has an appointment to the Promotion Committee.

TIF Audit – Mr. Mizzell stated Mr. Pope had been trying to set up a meeting with Mr. Austin. Mr. Mizzell left a message with the mayor to try to get this issue resolved.

PUBLIC HEARING ITEMS

- **An Ordinance Authorizing a Quit-Claim Deed to Hendricks Commercial Properties, LLC for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street** – No one signed up to speak.
- **An Ordinance Authorizing a Quit-Claim Deed to ASW Land Partnership for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street** – No one signed up to speak.
- **An Ordinance to Authorize Deed to SJ, LLC (Seal Jet): 3.56 Acres** – No one signed up to speak.
- **An Ordinance to Authorize Deeds to Brazell Family, LLC: 6.941 Acres, Lot 11 and 5.057 Acres, Lot 6** – No one signed up to speak.
- **An Ordinance to Authorize Deed to Cheek Properties, LLC (Fastenal): 3.38 Acres, Lot 26** – No one signed up to speak.
- **An Ordinance to Authorize Deeds to Forum Development Company II, LLC: 9.665 Acres, Lot 12 and 2.713 Acres, Lot 28** – No one signed up to speak.
- **A Budget Amendment to Increase Funding to Non-Departmental Special Contracts Account for Local Option Sales Tax Software** – No one signed up to speak.
- **An Ordinance Amending the Fiscal Year 2005-2006 Industrial Park Budget to Add Forty Thousand Dollars (\$40,000.00) to Provide Funds for Kolorpro** – No one signed up to speak.
- **An Ordinance Extending the Moratorium on Either the Approval or Denial of Floodplain Management Permits for Development or Construction within a Portion of the Congaree River Floodplain** – No one signed up to speak.
- **Public Hearing and Approval of Resolution in Support of JEDA Bond Issue for Eau Claire Cooperative Health Centers, Inc.** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Authorizing a Quit-Claim Deed to Hendricks Commercial Properties, LLC for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street** [Third Reading]
- **An Ordinance Authorizing a Quit-Claim Deed to ASW Land Partnership for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street** [Third Reading]
- **An Ordinance to Authorize Deed to SJ, LLC (Seal Jet): 3.56 Acres** [Third Reading]
- **An Ordinance to Authorize Deeds to Brazell Family, LLC: 6.941 Acres, Lot 11 and 5.057 Acres, Lot 6** [Third Reading]
- **An Ordinance to Authorize Deed to Cheek Properties, LLC (Fastenal): 3.38 Acres, Lot 26** [Third Reading]
- **An Ordinance to Authorize Deeds to Forum Development Company II, LLC: 9.665 Acres, Lot 12 and 2.713 Acres, Lot 28** [Third Reading]
- **A Budget Amendment to Increase Funding to Non-Departmental Special Contracts Account for Local Option Sales Tax Software** [Third Reading]
- **An Ordinance Amending the Fiscal Year 2005-2006 Industrial Park Budget to Add Forty Thousand Dollars (\$40,000.00) to Provide Funds for Kolorpro** [Second Reading]
- **An Ordinance Extending the Moratorium on Either the Approval or Denial of Floodplain Management Permits for Development or Construction Within a Portion of the Congaree River Floodplain** [Second Reading]
- **An Ordinance Authorizing an Amendment to the I-77 Fairfield/Richland County Regional Industrial Park Master Agreement: Expand Boundaries of Park to Include Elite ES, LLC** [Second Reading]
- **An Ordinance Authorizing an Amendment to the I-77 Fairfield/Richland County Regional Park Master Agreement: Expand Boundaries of Park to Include Guardian Fiberglass, Inc.** [Second Reading]
- **An Ordinance to Authorize Deed to Miller Valentine Partners, LTD, II: 6.11 Acres, Lot 2 and a Portion of Lot 18** [Second Reading]
- **05-112MA, Bob Alexander, RU to GC, 1.7 Acres, General Commercial, 03300-03-19 & 03300-01-08/09, Dutch Fork and Broad River Road** [Second Reading]
- **05-117MA, Tom Milliken, RU to LI, 61 Acres, Develop a Light Industrial Park, 16200-04-18(p), Harlem Street and Sparkman Drive** [Second Reading]
- **06-13MA, Sunshine House of South Carolina, RU to OI, 3.6 Acres, Construct a Sunshine House Facility, 02416-01-05, Across from Bickley Road Elem. School** [Second Reading]
- **06-14MA, Sam Agee, RU to GC, Construct a Hotel, 17109-02-07, SW Quadrant of Two Notch Rd. & 1-77** [Second Reading]
- **06-15MA, Otha Gibson, RM-HD to OI, Construct a Day Care Facility, 16911-02-10, Kneece Rd. near O'Neil Ct. & Decker Blvd.** [Second Reading]
- **06-16MA, Herbert Hobgood, RU to RC, Retail & Food Services, 06700-01-03, NW Quadrant of Monticello Rd. & Montgomery Rd.** [Second Reading]
- **06-07MA, Rhonda Jacobs, Westcott Development Co., M-1/RU to RM-MD, 82 acres, Multi-Family Residential Project, 02600-09-04, Broad River Rd. & Bookie Richardson Rd.** [Second Reading]

- **06-06MA, Rhonda Jacobs, Westcott Development Co., RU to RS-MD, 73 acres, Single Family Residential S/D, 01600-06-01 & 02600-09-01/08/09(p), Broad River Rd. & Bookie Richardson Rd. [Second Reading]**
- **Resolution to Recognize, Assist and Cooperate with Friends of the Richland County Courthouse**
- **Public Sale of County Property at 401 Powell Road**
- **Extension of Contract with PayTel Communication Inmate Telephone Systems**
- **Legal Department Budget Amendment [First Reading]**
- **Sheriff's Request: Budget Amendment to Appropriate SRO Funds [Second Reading]**
- **Contract to hire Wilbur Smith Associates as Project Manager for the Richland County Wholesale Portion of the South Carolina State Farmers' Market**
- **Criteria for the Distribution of Undesignated Hospitality Tax Funds**
- **Approval of Construction Contract with Sloan Construction Company for the Rehabilitation of Jim Hamilton Boulevard**
- **Ordinance Prohibiting Careless Driving and Driving Across Property to Avoid a Traffic Control Device [First Reading]**
- **Public Hearing and Approval of Resolution in Support of JEDA Bond Issue for Eau Claire Cooperative Health Centers, Inc.**

The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development, so as to Require a Written Record of an Appeal Decision and to Permit New Development in the Area of Special Flood Hazard, and to Allow Fill Under Certain Conditions – Ms. Hutchinson moved, seconded by Ms. Scott, to amend the ordinance to allow subdivision of land in the floodway and to direct the Planning Director to send a letter to the HBA clarifying that construction, including new construction, is allowed in the flood fringe in accordance with Section 26-104—Floodplain Overlay District. A discussion took place.

The vote in favor was unanimous.

FIRST READING ITEMS

FY 2006-2007 Budget Ordinance – Mr. Pearce moved, seconded by Ms. Corley, to approve this item by title only. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Ordinance Authorizing the Sale and Issuance of \$5,200,000 Hospitality Tax Special Obligation Bond Anticipation Note – Ms. Smith moved, seconded Mr. Livingston, to approve this item for First Reading. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

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 – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item for First Reading. The vote in favor was unanimous.

Broad River Regional Wastewater Treatment Plant Construction – Mr. Jeter moved, seconded by Mr. Livingston, to hire a construction management company to oversee the bidding and construction phase of this project and re-advertise the project for bid in accordance with the Richland County Procurement Code. A discussion took place.

Mr. Andy Metts stated that staff recommended authorizing bond anticipation notes to fund the project on a temporary basis. Ms. Smith requested that the motion be amended to authorize Mr. Metts' recommendation. Mr. Jeter and Mr. Livingston agreed.

A discussion took place. Ms. Smith withdrew her amendment.

Mr. Livingston moved, seconded by Ms. Smith, to amend the motion to bring back to the May 16th meeting for First Reading approval the bond anticipation note by title only. The vote was in favor.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

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

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

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

a. **Accommodations Tax Committee—1** – Mr. McEachern stated there were no applicants for this committee and to keep the position open until filled. The vote in favor was unanimous.

b. **Building Codes Board of Adjustments and Appeals—2** – Mr. McEachern stated there was one applicant. The committee's recommendation was to appoint William Bailey Kauric and keep the other position open until filled. The vote in favor was unanimous.

c. **Employee Grievance Committee—1** – Mr. McEachern stated there were two applicants. The committee's recommendation was to appoint Anthony Christiano. The vote in favor was unanimous.

III. ITEMS FOR DISCUSSION

a. **Update on Electronic Agenda** – Mr. McEachern stated that this item would remain in committee.

- b. **Amending the Ordinance Requirements Regarding Residence for Board/Committee Members** – Mr. McEachern stated that this item would remain in committee.

REPORT OF COUNTY ADMINISTRATOR'S SEARCH TASK FORCE

There was no report given.

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Approval of Resolution to Oldest & Youngest Voter in Richland County – Ms. Scott moved, seconded by Ms. Corley, to approve this item. The vote in favor was unanimous.

Criminal Domestic Violence Court Letter of Support – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Possible Accommodations Tax Funds Litigation – Mr. Jeter moved, seconded by Ms. Scott, to authorize the County Administrator, in conjunction with the legal department, to research the possibility of recouping Accommodations Tax Funds and to identify legal firms that specialize in that field.

Resolution for James Grant – Ms. Dickerson moved to adopt a resolution for James Grant for achieving the Eagle Scout award. The vote in favor was unanimous.

7th Annual South Carolina Gospel Quartet Award Banquet – Ms. Scott requested staff to research funding for this event and bring a report back to the A&F Committee.

ADJOURNMENT

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

The meeting adjourned at approximately 7:33 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