

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 19, 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.*

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### MEMBERS PRESENT:

Vice Chair	L. Gregory Pearce, Jr.
Member	Valerie Hutchinson
Member	Joseph McEachern
Member	Mike Montgomery
Member	Damon Jeter
Member	Paul Livingston
Member	Joyce Dickerson
Member	Kit Smith

**ABSENT:** Anthony G. Mizzell  
Bernice G. Scott  
Doris Corley

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Larry Smith, Amelia Linder, Chief Harrell, Anna Almeida, Michael Criss, Tiaa Rutherford, Jennie Sherry-Linder, Brenda Carter, Harry Huntley, John Hixson, Monique Walters, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Daniel Driggers, Rodolfo Callwood, Audrey Shifflett, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:03 p.m.

### INVOCATION

The Invocation was given by the Honorable Joseph McEachern

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

## PRESENTATION

**Mr. Mike Briggs, Central SC Alliance** – Mr. Mike Briggs gave a brief update on the Central SC Alliance.

**Mr. Larry Moody, Forestry Commission** – Mr. James Miller presented Council with a check from the Forestry Commission.

## ADOPTION OF AGENDA

Mr. Smith requested that the following items be added under the Report of County Attorney for Executive Session: Columbia Venture vs. FEMA and TIF.

Mr. McEachern moved, seconded by Mr. Montgomery, to approve the agenda with the addition of the two Executive Session items. The vote in favor was unanimous.

## CITIZEN'S INPUT

Mr. Montgomery moved, seconded by Ms. Hutchinson, to waive Council's rules and allow the citizen to speak regarding the Richland County Road Paving Program. Ms. Carol Jaworski spoke regarding the Willow Wind Road repaving.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to waive Council's rules and allow the citizen to speak regarding the issue of mass transit. Mr. Harold Ross spoke regarding this issue.

## APPROVAL OF MINUTES

**Regular Session: September 12, 2006** – Mr. Montgomery moved, seconded by Ms. Smith, to amend the portion of the minutes regarding the Road Paving Ordinance to record an affirmative vote for those members not voting, in accordance with Council Rules, during the call for division. A discussion took place.

Mr. Livingston stated that he wished to clarify the motion in regard to the Miller/Valentine Covenants Issue. The motion should state that the Committee recommended approval of amending the Industrial Park Covenants to allow Valentine the use the property for wholesale, retail, storage, distribution, etc. and extend the contract to September 29<sup>th</sup>. The Committee further recommended that the County not waive its right to repurchase the property.

Mr. Montgomery accepted Mr. Livingston's amendment. The vote in favor was unanimous.

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

## REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. **Contractual Matter: Purchase of Land**
- b. **Recreation Commission vs. Richland County**
- c. **Columbia Ventures vs. FEMA**
- d. **TIF**

Mr. McEachern moved, seconded by Mr. Livingston, to move Executive Session until after Citizen's Input. The vote in favor was unanimous.

#### REPORT OF THE COUNTY ADMINISTRATOR

- a. **Animal Care Update** – Mr. Pope stated that Ms. Scott had requested an update on this matter. The County contracted with the City of Columbia to shelter the County's animals about three years ago, but when the City renovated their facilities there wasn't enough space to hold the County's animals. There have been several documented operational issues with the current short-term holding facility and the facility is minimally humane, but necessary for the safety of the public.

Ms. Sandra Haynes gave a brief overview of the adoption policy. A discussion took place.

- b. **CSX Crisis Management Exercise Update** – Mr. Pope stated that a hazardous material exercise will be held in coordination with CSX Railroad on September 29<sup>th</sup> from 2:00-4:00 p.m. in the Carolina Room at the Convention Center. Council members are being asked to participate and Mr. Pope will forward further details to Council.

#### REPORT OF THE CLERK OF COUNCIL

**SC Conference of Black Mayors** – Ms. Finch stated that the conference will be held September 20<sup>th</sup> and 21<sup>st</sup> at the Marriott Hotel.

**Midlands Technical College Invitation** – Ms. Finch stated that Midlands Technical College are honoring their three Council Councils and asked that Council hold the date of Thursday, November 9<sup>th</sup> from 6:00-8:00 p.m. open for this event.

**Chamber of Commerce Annual Gala, September 21, 2006** – Ms. Finch stated those Council members that wish to attend need to let her know tonight.

**CASA Coffee Cups** – Ms. Finch stated that CASA provided coffee cups for all Council members.

#### REPORT OF THE CHAIRMAN

No report was given.

#### PUBLIC HEARING ITEMS

None.

#### APPROVAL OF CONSENT ITEMS

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

- **06-28MA, Killian's Crossing, HI/MI to PDD, Mixed Use Development, 17400-02-04, 17400-10-02, Killian Road & Farrow Road [Third Reading]**

- **06-32MA, Rob Zobel, RU to RC, Mini Storage; Boat and RV Parking, 03400-02-24, Broad Bill Rd., I-26 Frontage Road [Third Reading]**
- **06-35MA, Frank Hunt, RU to NC, Neighborhood Commercial, 15200-01-13(p) & 15200-01-09, ¼ Mile West of I-77 Exit 28, Blythewood [Third Reading]**
- **06-40MA, William Scotsman, Inc., RU to GC, Selling & Leasing of Mobile Offices, 03300-03-21, 10724 Broad River Road [Third Reading]**
- **Premium for Retiree Dependent Health Insurance [Third Reading]**
- **An Ordinance amending the Imagine Richland 2020 Comprehensive Plan, Adopted on May 3, 1999, by incorporating the “Broad River Neighborhoods Master Plan” into the I-20 Interbeltway Subarea Plan [Second Reading]**
- **An Ordinance Authorizing a Quitclaim Deed to Jerry L. Tucker Purported Right-of-Way on Moon Rise Street [Second Reading]**
- **An Ordinance authorizing a Quitclaim Deed to Wardell Wallace for a 15’ Right-of-Way on Bluff Oaks Road [Second Reading]**
- **Ordinance to amend Retiree Eligibility Requirements for Group Life, Health and Dental Benefits [Second Reading]**
- **Ordinance to approve the Issuance and Sale of Special Resource Revenue Bonds for the Vulcan River Road Project [Second Reading]**
- **An Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Richland County, South Carolina, and International Truck and Engine Corporation [Second Reading]**

### THIRD READING ITEMS

**06-23MA, Bluegrass Villages, RU to PDD, Single Family S/D and Related Commercial, 12600-02-01, Blythewood Road & Miller Road** – Ms. Dickerson moved, seconded by Mr. McEachern, to defer this item until the October 3<sup>rd</sup> meeting. The vote in favor was unanimous.

**An Ordinance amending the Fiscal Year 2006-2007 Road Maintenance budget with an increase in the road maintenance fee to \$40.00 for private vehicles and \$50.00 for commercial vehicles with \$20.00 designated for road maintenance work and \$20.00/\$30.00 designated for funding mass transit and to appropriate seven million five hundred thousand dollars (\$7,500,000.00) for mass transit – [THIS ITEM WAS RECONSIDERED AT THE OCTOBER 3<sup>RD</sup> MEETING].**

Mr. Livingston moved, seconded by Mr. Montgomery, to approve the amended ordinance with the selection of the 1<sup>st</sup> A (\$.25 fee increase) under Section II.

Ms. Smith offered the following amendment: to include a nominee for the Town of Springdale to the Commission and delete one of the Richland County members. Mr. Livingston accepted the amendment.

Ms. Smith clarified the intent of her amendment with the following statement: Section III (3)—one shall be appointed by Lexington County Council, one shall be appointed by West Columbia City Council, and one shall be appointed by Springdale City Council and delete 12 members as recommended by Richland County Rules and Appointments to 11 members.

Mr. McEachern made a substitute motion, seconded Mr. Jeter, to approve the amended ordinance with the selection of the 2<sup>nd</sup> A (\$.075 fee increase) under Section II. A discussion took place.

Ms. Hutchinson made a substitute motion to defer this item, seconded by Ms. Dickerson.

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

The substitute motion failed.

A discussion took place.

**POINT OF ORDER** – Mr. Livingston stated that the item before us is Mr. McEachern's amendment and he feels that Council needs to resolve that before they move on.

**POINT OF ORDER** – Ms. Smith stated that they were still on the fee increase and didn't know if it was the right time for Ms. Hutchinson's comments.

Ms. Smith moved, seconded by Ms. Dickerson, to amend the substitute motion to adopt the First A under Section II and that the Transit Authority shall examine the ramifications of \$.075 fee increase in lieu of the \$.25 and if it nets revenue they shall adopt it or find other funding sources for that revenue. The vote in favor was unanimous.

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

The substitute motion failed.

Ms. Smith moved, seconded by Ms. Dickerson, to defer this item until the Oct. 3<sup>rd</sup> meeting. The vote in favor was unanimous.

**FY 2006-2007 Millage Ordinances** – Mr. McEachern moved, seconded Mr. Montgomery, to approve this item. The vote in favor was unanimous.

## SECOND READING ITEMS

**An Ordinance Amendment to the Richland County Road Paving Program to Permit Reordering of the Road Priority List** – Mr. Livingston moved, seconded by Ms. Dickerson, to defer this item.

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

The motion failed.

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Mr. Montgomery moved, seconded by Mr. McEachern, to approve the original ordinance distributed item without the amendment offered at 1<sup>st</sup> Reading.

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

#### **ITEMS REFERRED FROM 9/12/06**

**City of Columbia's acceptance of Recommendations from the Homeless Site Selection Committee** – Mr. Pearce moved, seconded by Ms. Smith, to direct the Administrator to prepare a letter for Council's review asking the City to clarify where they are in the intergovernmental agreement, expressing concern over the actions taken and where we are in getting a homeless program off the ground. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2006-2007 General Fund Annual Budget to Allocate a Portion of the County's Road Maintenance Fee Toward Expenditures on Specific Projects Road Maintenance Fee** – Ms. Smith moved, seconded by Mr. Livingston, to approve this item. The vote was in favor. Mr. McEachern voted against this item.

**A RESOLUTION TO APPOINT AND COMMISSION ERIC L. DAVIS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY** – Ms. Smith moved, seconded by Mr. McEachern, to approve this item. The vote in favor was unanimous.

#### **APPROVAL OF RESOLUTION**

**Eastover Magistrate's Office** – Ms. Smith moved, seconded by Mr. McEachern, to approve this item. The vote in favor was unanimous.

#### **CITIZEN'S INPUT**

Mr. Mel Jenkins spoke regarding Owens Field Park.

#### **EXECUTIVE SESSION ITEMS**

- a. **Contractual Matter: Purchase of Land/Recreational Property** – No action was taken.
- b. **Recreation Commission vs. Richland County** – No action was taken.
- c. **Columbia Ventures vs. FEMA** – Taken up during motion period.
- d. **TIF Update** – No action was taken.

Ms. Smith moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 8:15 p.m. and came out at approximately 8:59 p.m.**  
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Ms. Hutchinson moved, seconded by Mr. Livingston, to come out of Executive Session. The vote in favor was unanimous.

**MOTION PERIOD**

**Columbia Ventures vs. FEMA** – Mr. McEachern moved, seconded by Ms. Hutchinson, to approve the Land Development Code Ordinance with regard to the floodplain for First Reading and forward it to the Planning Commission. The vote in favor was unanimous.

**Resolution for Eagle Scout** – Ms. Dickerson moved to adopt a resolution for an Eagle Scout in Blythewood. The vote in favor was unanimous.

**Executive Session Chambers Air-Conditioning** – Mr. Montgomery directed the Administrator look into the air-conditioning situation in the Executive Session Chambers.

**ADJOURNMENT**

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

The meeting adjourned at approximately 9:02 p.m.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

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Joyce Dickerson

Valerie Hutchinson

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Damon Jeter

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Paul Livingston

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley