

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
MAY 4, 2004  
6:00 P.M.**

**MEMBERS PRESENT**

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

**OTHERS PRESENT:**

T. Cary McSwain, Larry Smith, Amelia Linder, Milton Pope, Tony McDonald, Michelle Cannon-Finch, Monique Walters, Ashley Bloom, Pam Davis, Roxanne Matthews

**CALL TO ORDER**

The meeting was called to order at approximately 6:08 p.m.

**INVOCATION**

The Invocation was given by the Honorable James Tuten.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION** – Ms. Brill introduced Mr. Zane Farris who is in charge of the County's landfill on Screaming Eagle Road. She stated there is a citizen's advisory committee that meets at the landfill every quarter and they help to take care of all of the problems and issues with the landfill.

Mr. Farris gave a brief presentation regarding Waste Management. He stated Waste Management has offered to donate a two-acre parcel of property off Screaming Eagle Road to Richland County.

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

**ADOPTION OF AGENDA**

Mr. Livingston requested to add the budget calendar to the agenda as item 10.

Mr. T. Cary McSwain, County Administrator, stated a budget amendment for LRADAC in the amount of \$28,000.00 need to be added to the agenda as item 3-c. He stated this is a pass through and would be no cost to the County.

Ms. Michelle Cannon-Finch, Clerk of Council, stated a Resolution need to be added honoring Mr. Simon Jackson. This was added after the Adoption of the Agenda.

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

**RESOLUTION: Mr. Simon Jackson** – Mr. Jackson received a Resolution honoring him for his years of service to Richland County.

**Personal Privilege** – Ms. Scott recognized Boys Scouts from Shannon Baptist Church, Troop #37. A Richland County pin was given to the young fellows.

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Larry Smith, County Attorney, stated the following items need to be discussed in Executive Session if there were any questions:

- **Land Purchase Contractual Matter**
- **Mungo Company – 04-41MA, Mungo Company, RU to PUD-1R, Single Family Residential Subdivision, 01700-14-12, Spring Hill**
- **Contractual Matter – Prison Health Services**

Ms. Scott stated that Executive Session will follow Citizen's Input at the end of the agenda.

### **APPROVAL OF MINUTES**

**April 20, 2004 – Regular Session** – Ms. Brady moved, seconded by Ms. Brill, to approve the minutes. The vote in favor was unanimous.

**April 27, 2004 – Zoning Public Hearing** – Mr. McEachern moved, seconded by Ms. Brady, to approve the minutes. The vote in favor was unanimous.

**REPORT OF THE COUNTY ADMINISTRATOR** – No report was given at this time.

**REPORT OF THE CLERK OF COUNCIL** – No report was given at this time.

**OPEN/CLOSE PUBLIC HEARING ITEMS** – Ms. Scott opened the floor to the following public hearing items:

- **Ordinance authorizing lease agreement with Siemens Automotive, VDO** – No one spoke at this time.
- **Ordinance authorizing fee-in-lieu of taxes extension for Siemens Diesel Systems Technology, LLC** – No one spoke at this time.

### **APPROVAL OF CONSENT ITEMS**

Ms. Brady moved, seconded by Mr. Pearce, to adopt the following items for the consent agenda:

- **Ordinance amending Zoning Ordinance regarding residences in M-1 to M-2 zoning districts [Second Reading]**

- **Zoning Ordinance to amend Section 26-73, FW and FP Flood Protective Areas (Chapter 26) – [Second Reading]**
- **04-42MA, Columbia Land Associates, Ltd., RU to PUD-1 (61.0 acres), Commercial Industrial, 14800-02-22 (p), Wilson Boulevard south of I-77 [Second Reading]**
- **04-43MA, Billy Belger, RU to C-3, Convenience Store, 31000-02-14, 4870 Leesburg Road [Second Reading]**
- **04-46MA, Gerald Steele, RU to C-3, Office and Retail, 02408-01-02, 1761 Dutch Fork Road [Second Reading]**
- **04-49MA, Estates Properties, LLC, C-1 to RG-2, Multi-family dwellings, 16907-01-04, 6837 North Trenholm Road [Second Reading]**
- **Resurfacing 2002 Projects**
- **Contracts for On-Call Engineering Services**
- **Purchase of a compactor for C&D Landfill**
- **Detention Center: Annual Contract Renewals:**
  - a. **Prison Health Services**
  - b. **Inmate Uniforms**
  - c. **Food Service Management**
  - d. **Bluff Road Facility: Fire & Security maintenance**
  - e. **Bluff Road Facility: Housing & Energy Plant**
- **EMS: Purchase Orders for FY 2004-2005**
- **Information Technology: Microsoft Licensing**
- **Richland Memorial Hospital Board: Approval of a Resolution authorizing the Sale of Property**
- **Proclamation: Public Works Week**

### **THIRD READING ITEMS**

**04-41MA, Mungo Company, RU to PUD-1R, Single Family Residential Subdivision, 01700-14-12, Spring Hill**

Ms. Corley moved, seconded by Ms. Tillis, to approve this item for Third Reading.

Ms. Smith requested to go into Executive Session to discuss a letter Council received by the attorney representing the citizens of this particular area.

A discussion took place.

Ms. Smith requested to incorporate the letter into the records placing the County and Council on notice of the legal questions raised regarding Council's action.

Mr. Livingston moved, seconded by Ms. Smith, to go into Executive Session to discuss the letter before taking Third Reading on the item.

A discussion took place.

The vote in favor to go into Executive Session was unanimous.

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**Council went into Executive Session at approximately 6:28 p.m. and came out at approximately 6:34 p.m.**  
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

The vote was in favor of the main motion.

**Ordinance authorizing lease agreement with Siemens Automotive, VDO**

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

**Ordinance authorizing fee-in-lieu of taxes extension for Siemens Diesel Systems Technology, LLC**

Mr. Pearce moved, seconded by Mr. Livingston, to give Third Reading approval. The vote in favor was unanimous.

**SECOND READING ITEMS**

**04-33MA, Tom Margle, RU to RS-2, Single Family Detached Subdivision, 04100-01-6 & 04200-01-37, Koon Road, 1/2 mile east of Coogler Road**

Ms. Corley moved, seconded by Ms. Tillis/Mr. Pearce, to give this item Second Reading. The vote in favor was unanimous.

**Ordinance to amend Chapter 8, Article III, Section 8-26(h), so as to permit an additional use in the regulatory floodway**

Ms. Smith moved for deferral until the land use code has been taken up. The motion failed.

Ms. Amelia Linder, Staff Attorney, answered questions regarding the ordinance.

Mr. Pearce moved, seconded by Ms. Brady, to approve this item for Second Reading.

A discussion took place.

Ms. Scott wanted the record to reflect that she had brought this item to Council. She stated she did not bring it to Council for the intention of any particular special interest group. Ms. Scott stated she brought it to Council so the ordinance could be cleaned up.

Mr. Livingston called for the question. The vote was in favor.

The vote for the main motion was in favor.

**POINT OF PERSONAL PRIVILEGE** - Mr. Pearce stated an ordinance was just passed that was not in the interest of the development community regarding closing the exception on M-1 property. He said things have been modified back and forth.

**04-44MA, Milliken Forestry Company, Inc., RS-1 to C-1, Commercial Office Space, 17113-08-04, 1528 Legrand Road**

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

**FIRST READING ITEMS – (BY TITLE ONLY)**

- **FY 2004-2005 Budget Ordinance** - Ms. Smith moved, seconded by Ms. Brady, to give First Reading by title only. The vote in favor was unanimous.
- **FY 2004-2005 Millage Ordinance** – Mr. Livingston moved, seconded by Mr. Pearce/Ms. Brady, to give First Reading by title only. The vote in favor was unanimous
- **Mini-Bottle Revenue (LRADAC)** – Ms. Smith moved, seconded by Mr. Mizzell, to amend the budget for \$28,840.00 for pass-through money for LRADAC. The vote in favor was unanimous.

**REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**Hobart Road Project (deferred from 4/20/04)**

Mr. Tony McDonald, Assistant County Administrator, briefed Council on the changes.

Mr. Mizzell moved, seconded by Ms. Brady, to defer this item to the next Council meeting. The vote was in favor.

**REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

**A Resolution authorizing the execution and delivery of an inducement agreement and millage rate agreement regarding Siemens VDO Automotive Corp** – Mr. Livingston moved, seconded by Mr. Pearce, to approve the resolution. The vote in favor was unanimous.

**APPLICATIONS FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY**

**Theodosha R. Taylor, 1709 Ripple Rock Road, Columbia, S.C., 29210**

Mr. Tuten moved, seconded by Mr. Mizzell, to approve this item. The vote in favor was unanimous.

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

### **Notification of Vacancies on Boards, Commissions, and Committees**

Mr. McEachern gave notification of the following vacancies on boards:

- Employee Grievance Committee – 1**
- Internal Audit Committee – 1**

Ms. Brady moved, seconded by Ms. Corley, to approve advertisement of vacancies. The vote in favor was unanimous.

### **Notification of Appointments to Boards, Commissions and Committees**

#### **Central Midlands Regional Transit Authority-4**

Mr. McEachern stated there are four vacancies on this board with four applications received.

Mr. McEachern moved, seconded by Ms. Brady, to appoint the following persons to the board:

- J.W. “Jake” Clamp
- William “Bill” Hines
- L. Edward Judice
- Jenny L. Screen

The vote in favor was unanimous.

#### **Employee Grievance-2**

Mr. McEachern stated there are two vacancies on this board with one application received. Ms. Kimberly A. Little was appointed. Staff will advertise for the additional vacancy.

#### **Internal Audit Committee-1**

Ms. Scott stated there is one appointment to be made with one application received; however, the applicant did not meet the criteria to serve on this committee. Staff was directed to re-advertise.

**Midlands Commission on Homelessness-3**

Mr. McEachern stated there are three appointments to be made to this board. He stated four applications were received; however, one applicant withdrew.

The following persons were appointed:

- Mr. John L. Bradley
- Reverend Charles Darnell Mills
- Reverend Canon Michael R. Sullivan

**Neighborhood Improvement Fund Program (for information only)** – Mr. McEachern this item is for information only.

**Budget Calendar**

Mr. Livingston moved to change the public hearing from Tuesday, May 18<sup>th</sup> to Tuesday, May 25<sup>th</sup> and move third reading from June 3<sup>rd</sup> to June 10<sup>th</sup>.

A discussion took place.

Ms. Smith moved, seconded by Mr. Mizzell, to hold Third Reading of the budget on Thursday, June 10<sup>th</sup>; and if Mr. Mizzell is absent, then Third Reading would be held on June 9<sup>th</sup> and also to hold the Budget Public Hearing on May 25<sup>th</sup>. The vote in favor was unanimous.

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

**EXECUTIVE SESSION**

It was moved and seconded to go into Executive Session to discuss a contractual matter. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 7:10 p.m. and came out at approximately 7:51 p.m.**  
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**Land Purchase Contractual Matter**

Ms. Smith moved, Mr. Livingston/Ms. Brill, to authorize the Conservation Commission to enter into negotiations as discussed in Executive Session and to expend up to \$12,000.00 on the selected projects discussed in Executive Session. The vote in favor was unanimous.

**MOTION PERIOD**

Ms. Scott moved to name the Eastover Magistrate's Office the Harold C. Hill Magistrate's Office.

**ADJOURNMENT** – The meeting adjourned at approximately 7:53 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