

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 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
Member	Kit Smith
Member	Doris M. Corley

**MEMBER ABSENT:** L. Gregory Pearce, Jr. (recovering)

**ALSO PRESENT:** T. Cary McSwain, Amelia Linder, Larry Smith, Milton Pope, Tony McDonald, Ashley Bloom, Michael Criss, Kendall Johnson, Stephany Snowden, Anna Almeida, Monique Walters, Marsheika Martin, Mike Cinnamon,

### CALL TO ORDER

The meeting was called to order at approximately 6:05 p.m.

### INVOCATION

The Invocation was given by Ms. Scott.

### PLEDGE OF ALLEGIANCE

### ADOPTION OF AGENDA

Mr. Livingston moved, seconded by Ms. Corley, to approve the agenda as submitted. The vote in favor was unanimous.

## PRESENTATIONS

Mr. Livingston requested for Council to suspend the rules to allow Dr. Stuart Hamilton to give his full presentation which may take approximately eight to ten minutes.

Ms. Scott moved, seconded by Ms. Dickerson, to suspend the rules. The vote in favor was unanimous.

**Dr. Stuart Hamilton, Eau Claire Community Health Center** – Dr. Hamilton presented a status report on the uninsured outpatient services in Richland County and requested financial support from the County.

Dr. Hamilton gave copies of three years of financial data to staff to be distributed to Council.

**Donald Tudor/Rick Noble, Richland County First Steps** – Mr. Donald Tudor, Chairman of Richland County First Steps Board, gave a brief statement about what was done this past year and where First Steps is headed.

Mr. Rick Noble, Executive Director, spoke about the financial side of First Steps but did not request any financial support at this time.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston introduced an exchange student from Romania, Ms. Alina Lup. He stated that Ms. Lup is here and involved with the Economic Development with the City of Columbia and she is observing and working at the USC Technology Incubator. Mr. Livingston stated she will be speaking at the University of South Carolina and Midlands Technical College about the Romanian culture.

Ms. Lup stated that she will be speaking at the World Affairs Council regarding the Romanian culture. She informed Council of upcoming events that she will be participating in.

## CITIZEN'S INPUT

The following persons signed up to speak on item-5 (Solid Waste Master Plan):

- Mr. Jesse Moore
- Ms. Elaine Bennett
- Mr. Michael T. Tucker
- Mr. Wilbert Goff
- Rev. Marion Walters
- Mr. John Lumpkin
- Mr. David Hargett
- Mr. John Emerson
- Ms. Robin McLeod
- Mr. Keith Williams

Mr. Mizzell stated that was all the names he had, but additional citizens stated they had signed up to speak.

After discussion, Ms. Scott moved, seconded by Mr. Jeter, to suspend the rules and hear the remaining citizens. The vote in favor was unanimous.

Citizen's Input continued on the Solid Waste Master Plan. The following persons signed up to speak:

- Mr. Jim Zieche
- Mr. Lee Postal
- Mr. Norman Chandler
- Mr. Brian Card
- Ms. Karen Crawford
- Mr. Edward Barnhill
- Mr. Yancey McLeod

## **APPROVAL OF MINUTES**

### **Regular Session: February 1, 2005**

Mr. Montgomery made a correction on pages 6 and 8 of the minutes, changing "perimeters" to "parameters."

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

**Zoning Public Hearing: January 25, 2005** – Mr. Livingston moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

## **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

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

- a. **Employee Grievance**
- b. **Economic Development Items (MOU and Lease/Purchase Agreement for the Farmers Market)**
- c. **Solid Waste Master Plan**
- d. **Personnel Matter**

Mr. Smith stated that Mr. Art Braswell is present to discuss the contractual matter with regards to the Solid Waste Master Plan, but he would need to leave at 8:00 p.m.

After discussion, Ms. Smith moved, seconded by Ms. Scott, to take up Executive Session to discuss the Solid Waste Master Plan after Approval of the Consent Items. The vote in favor was unanimous.

Mr. McEachern requested for Council to go into Executive Session to discuss the remaining three items after the last Citizen's Input at the end of the agenda.

### **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.

Mr. Mizzell reminded Council of the Joint City/Council Breakfast on Tuesday, February 22<sup>nd</sup> at 8:00 a.m.

Mr. McSwain stated the breakfast will be at the Clarion Townhouse to discuss the Township, Planning Co-location and prioritizing all the other city/county interests.

### **OPEN/CLOSE PUBLIC HEARING ITEMS**

There were no public hearing items at this time.

### **APPROVAL OF CONSENT ITEMS**

Ms. Dickerson moved, seconded by Ms. Corley, to adopt the following items for the Consent agenda:

- **05-27MA, English Village Gardens, Robert Fuller, RU to PUD-1R, Residential/Commercial PUD (revision), 03206-01-09, Dreher Shoals Road (Hwy 6) [Third Reading]**
- **05-21MA, Mary Ann Harrington c/o Charnell Peak, D-1 to C-3, Small Commercial Business, 19903-06-14, 139 Rabon Road [Third Reading]**
- **05-33MA, Robert Summers, RU to C-3, Construction Office, 02411-02-10, 1540 Dutch Fork Road [Third Reading]**
- **05-34MA, Village at Sandhill, LLC c/o Gene Dinkins, C1/C3 to C3/C1, Commercial Development, 22900-02-05 (portion), Village at Sandhill [Third Reading]**
- **Board of Voter Registration Budget Request [Second Reading]**
- **Budget Amendment for the Neighborhood Improvement Fund [Second Reading]**

The vote in favor was unanimous.

**EXECUTIVE SESSION ITEM**

**Solid Waste Master Plan**

Ms. Smith moved, seconded by Mr. Jeter, to go into executive session to receive legal guidance from counsel. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 7:15 p.m. and came out at approximately 7:45 p.m.**  
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Mr. McEachern moved, seconded by Ms. Corley, to come out of executive session. The vote in favor was unanimous.

Ms. Smith stated that Council received legal guidance and recommended deferring the item to the Development and Services Committee for a report.

After discussion, Ms. Smith moved, seconded by Ms. Dickerson, to defer this to the Development and Services Committee with a request that they hold a Work Session and to invite all members of Council. The vote in favor was unanimous.

Ms. Smith asked the Committee to determine the need for further public input and report that as part of the packet.

Mr. Mizzell requested for the Work Session to be held at 4:00 p.m. on February 22<sup>nd</sup>.

**THIRD READING ITEMS**

**05-22MA, Murray W. Clepper, RU to C-3, Marine and RV Storage, 02412-01-11 (portion), 1016 Gates Road in Ballentine**

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

**05-28MA, Beasley Creek Estates, Tom Margle, RU to PUD-1R, Single Family Residential Subdivision, 14800-05-09, 182 Turkey Farm Road (This item was reconsidered. Please see the minutes of March 1, 2005).**

Mr. McEachern moved, seconded by Ms. Scott, to approve this item for Third Reading.

The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Montgomery	Corley
McEachern	Smith
Livingston	Mizzell
Scott	Hutchinson
Jeter	Dickerson

The motion failed due to a tie-vote.

### **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

#### **Project WEINC**

#### **Consideration of abatement for Blind John (Select Comfort)**

Mr. Livingston stated these items were discussed but will be brought before Council at the next meeting.

### **GREENWAYS FOR RICHLAND COUNTY: COUNTYWIDE MASTER PLAN (Deferred from December 7, 2005 meeting)**

Ms. Hutchinson moved, seconded by Mr. Montgomery, to appropriate \$35,000 to study the Greenways Plan for Richland County.

A discussion took place regarding the funding source.

Mr. Mizzell stated the motion is to take \$35,000 out of the unencumbered portion of the hospitality tax fund.

After a voice vote, Mr. Mizzell called for a show of hands. The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Montgomery	McEachern
Corley	Scott
Smith	Jeter
Mizzell	
Livingston	
Hutchinson	
Dickerson	

The motion passed.

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

1. **Appearance Commission Appointment**
  - a. **Appointment must be a Horticulturist**

- b. Classification of Master Gardener and Horticulturist**
  - 1. Master Gardener has knowledge but no formal education is required**
  - 2. Horticulturist has some formal education**
- c. Determine the need for a Horticulturist**
- d. Possible amendment of Ordinance**

Mr. McEachern stated the Committee has gone over the issues and directed staff to contact Clemson Extension to see if there are any Horticulturist Associations or organizations for horticulturists. He stated it will remain in committee and staff will report back on that issue.

**2. Delivering Agendas Electronically to Council** - Mr. McEachern stated the Committee recommended for the IT Department to format agendas electronically for Council members who would like to receive their agendas via e-mail. The vote in favor was unanimous.

**3. Appropriate Staff in Executive Session** – Mr. McEachern stated the Committee does not have a recommendation at this time.

**CITIZEN'S INPUT**

Mr. Langely spoke to the priority of paving roads, however, after he was informed twice that he was not following Council's rule, he was informed that his time was up.

Ms. Leann Johnson spoke of concerns regarding the expansion of the Broad River Sewer Treatment Facility.

**EXECUTIVE SESSION ITEMS**

Ms. Smith moved, and it was seconded, to go into Executive Session, to discuss the following:

- **Farmer's Market: MOU/Lease Purchase Agreement**
- **Employee Grievance**
- **Contractual Matter: Economic Impact Study**
- **Personnel Matter**

The vote in favor was unanimous.

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**Council went into Executive Session at approximately 8:06 p.m. and came out at approximately 9:12 p.m.**  
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Ms. Scott moved, seconded by Ms. Corley, to come out of Executive Session. The vote in favor was unanimous.

**Farmer's Market: MOU/Lease Agreement** – Ms. Scott moved, seconded by Mr. Jeter, to accept the MOU for the Farmer's Market and present to the State.

A discussion took place.

A voice vote was in favor of the motion.

**Employee Grievances** – Ms. Smith moved, and it was seconded, to direct the County Attorney to continue negotiations in that matter and to report back to Council with a final resolution. The vote in favor was unanimous.

**Personnel Matter** – Ms. Smith moved, seconded by Ms. Scott, to ask the Chairman to draft a letter and report back to Council on the results of a conversation regarding the personnel matter. The vote in favor was unanimous.

## **MOTION PERIOD**

### **Cooperative Health Centers, Inc.**

Mr. Livingston moved, seconded by Ms. Scott, to refer Dr. Stuart Hamilton's request to either the A&F or D&S committee for discussion, and if anything comes out of the committee, the item is to be forwarded to the budget process not necessarily to Council. The vote in favor was unanimous.

### **Voting Machines**

Mr. Montgomery moved, seconded by Ms. Corley, to approve the County accepting the new voting machines. The vote in favor was unanimous.

### **Lexington/Richland School District 5**

Ms. Smith moved, seconded by Ms. Corley, to hold a Special Called Meeting regarding consideration to an amendment of the sewer master plan immediately following the Administration and Finance Committee meeting at 6:30 p.m.

A discussion took place.

After discussion, Ms. Smith amended her motion, seconded by Ms. Corley, to refer the item to the Development and Services Committee meeting with a notice of a Special Called Meeting immediately following A&F on Tuesday if necessary. The vote in favor was unanimous.

**Work Session: Recreation Commission**

Mr. Mizzell stated at the retreat Council asked the Recreation Commission to bring back operation costs, which they have done. He stated Council needed to arrange a work session within the next two to three weeks. Mr. Mizzell stated he will come up with a few dates and have the Clerk's Office to poll Council members.

**ADJOURNMENT** – Mr. Jeter moved, seconded by Ms. Dickerson, to adjourn the meeting at 9:12 p.m. The vote in favor was unanimous.

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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

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Marsheika G. Martin