

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
FEBRUARY 6, 2001  
6:00 P.M.**

**MEMBERS PRESENT:** Kit Smith, Chair; L. Gregory Pearce, Jr., Vice-Chair; Joan B. Brady; Susan Brill; Paul Livingston; Joseph McEachern; J.D. "Buddy" Meetze; Anthony Mizzell; Bernice G. Scott; Thelma M. Tillis; James Tillis

**OTHERS PRESENT:** T. Cary McSwain, Stephany Snowden; Pam Davis; Ash Miller; Tony McDonald; Sack Edge; Janet Claggett; Rodolfo; Milton Pope; Mullen Taylor; Larry Smith; Randy Jorgenson; Michielle Cannon-Finch; Monique Walters; Geo Price; Jim Prater; Marsheika Martin; Kelly Davis; Dale Welch; Mike LeBron; Dan Kim

**CALL TO ORDER**

The meeting was called to order at approximately 6:07 p.m.

**INVOCATION**

The Invocation was given by the Honorable Jim Tuten.

**ADOPTION OF AGENDA**

Ms. Smith stated the following needed to be added to the agenda: Resolution regarding transfer of control of Benchmark Media to Adelphia Communications.

Mr. Pearce moved, seconded by Mr. Tuten, to adopt the agenda as amended. The vote in favor was unanimous.

**CITIZEN'S INPUT**

The following persons spoke:

- Ms. Evelyn Bush spoke of concerns regarding Project Spider and the Economic Development Alliance Agreement
- Mr. Tom Taylor spoke "in favor" of Solid Waste Collector's Contract
- Ms. Sharon Jackson spoke "in favor" of Solid Waste Collector's Contract
- Ms. LaVera Robertson spoke of concerns regarding the Resolution to rescind a Resolution relinquishing Richland County's interest in Robertson Creek Road
- Mr. Jeremiah Fogle spoke "in favor" of Solid Waste Collector's Contract
- Mr. Reese Williams spoke "in favor" of Solid Waste Collector's Contract
- Mr. Isaac Cloud spoke "in favor" of Solid Waste Collector's Contract

**APPROVAL OF MINUTES**

**Zoning Public Hearing: January 23, 2001 [Pages 2-6]**

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

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION  
MATTERS**

Mr. Larry Smith, County Attorney, stated the following items need to be discussed in Executive Session if Council had any questions or needed further discussion:

- Project Spider
- Economic Development Alliance Agreement
- Ordinance authorizing a Development Agreement between Richland County and Village at Sandhill, LLC

**REPORT OF COUNTY ADMINISTRATOR**

**Ambassador of the Year Breakfast**

Mr. McSwain reminded Council of the breakfast on Wednesday, February 7<sup>th</sup> at 7:30 a.m.

**Sylvia Drummond's Letter of Support**

Mr. McSwain read into the record a letter from Ms. Sylvia Drummond supporting Cloud Sanitation.

**COMPREHENSIVE ANNUAL FINANCIAL REPORT –  
Mr. Tom McNeish, Elliot Davis & Company**

Mr. Tom McNeish gave a brief overview of the County's annual financial status.

**APPROVAL OF CONSENT ITEMS**

Ms. Brill moved, seconded by Mr. Tuten, to approve the following consent items:

- Circuit Court: Alternative method for selecting Grand Jurors - Third Reading approval given to an ordinance amendment that authorizes the use of the "Alternative Method of Selecting and Impaneling Grand Juries" under section 14-7-1960 of the State Code of Laws which limits the term of service of any individual Grand Juror to a twelve month period
- 01-24MA, Joe Clark for Doris Barnwell and Theresa Boney, From RU to PDD, 20300-04-14 and 15, Lee Road [Second Reading]
- 01-32MA, Allen Watson, From RU to M-1, 15100-08-20, 10645 Wilson Blvd [Second Reading]
- 01-35MA, Harold Pickrel for South Carolina Future Farmers, From C-3 to M-1, 19810-01-05, Alpine Road [Second Reading]
- 01-36MA, John T. Bachaus for Harvey G. Moore, From D-1 to M-1, 17600-01-12(P), Farrow Road [Second Reading]
- An Ordinance amending the Richland County Code of Ordinances; Chapter 20, Planning; Article IV, Interim Zoning and Land Development; Section 20-41, Evaluation and Recommendations; so as to amend the required time period for reviews. – Second reading approval given to this ordinance amendment extending the deadline for evaluation and recommendations pertaining to the Comprehensive Plan

The vote in favor was unanimous.

**2. SECOND READING ITEMS**

- a. **01-26MA, Alan B. Kahn, Clemson University, From C-1 to RG-2 and C-3, 23000-02-02(P), NE Corner of Northsprings & Clemson Roads**

Ms. Brill moved, seconded by Mr. McEachern, to defer Second Reading in order for Council to work on the Development Agreement.

**Richland County Council  
Regular Session  
February 6, 2001  
Page Three**

The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
McEachern	Brady
Brill	Livingston
Tuten	Mizzell
	Meetze
	Pearce
	Smith
	Scott
	Tillis

The motion failed.

Ms. Scott moved, seconded by Mr. Livingston, to approve this item for Second Reading.

The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Brady	McEachern
Livingston	Brill
Mizzell	Tuten
Meetze	
Pearce	
Smith	
Scott	
Tillis	

The motion carries.

**b. 01-14MA, Sheila Barnette for Jasper Nelums, From D-1 to C-3, 05004-02-21, 716 Kennerly Road**

Ms. Tillis moved, seconded by Mr. Meetze, to approve this item for Second Reading. The vote in favor was unanimous.

**3. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**a. Purchase: track loader for the Road Maintenance Division of Public Works**

Ms. Scott stated the committee recommended approval of the purchase in the amount of \$137,974.00 from Blanchard Machinery for a track loader for the Public Works Department. The vote in favor was unanimous.

**b. Change order in Solid Waste Collector's contracts**

Ms. Scott stated the committee recommended approval of a change order in the solid waste collector contract to increase/decrease the contract prices 1% for every \$0.10 increase/decrease in fuel costs and instructed the County Administrator to provide an understanding of the impact on the current and upcoming budgets, and to recommend an appropriate cap.

Mr. McSwain stated there have been some increases to the cost operation and maintenance related to petroleum and petroleum products. He recommended Council to authorize him to set up an index stating for every \$.010 in gallon in diesel or

**Richland County Council  
Regular Session  
February 6, 2001  
Page Four**

gasoline, there is a 1% increase in the contract over a six-month period so it could be increased or decreased. He also recommended for contractors to be considered for a 5% increase overall.

Mr. McSwain stated as fuel costs increase, so would the collector rates, for a maximum of 5% over the current rates. As fuel costs decrease, so would the collector rates, but not lower than the current rates.

A discussion took place.

Mr. McEachern moved, seconded by Mr. Tuten, to accept the Administrator's recommendation to approve a change order to set the base for fuel costs at \$1.00 per gallon, with increases of 1% for every .10 per gallon of fuel over \$1.00, to be capped at 5%.

Mr. Pearce requested to take a look more closely at the garbage services in next year's budget. He wants to verify with the City what city residents are paying for garbage service.

The vote in favor was unanimous.

**c. Resolution to rescind a Resolution relinquishing Richland County's interest in Robertson Creek Road [Pages 19-20]**

Ms. Scott stated the committee forwarded this item to Council without a recommendation.

Ms. Tillis moved, seconded by Ms. Scott, not to adopt the resolution.

Ms. Smith made a substitute motion, seconded by Ms. Brill, to defer this item for two weeks in order for both parties to meet for at least two weeks. The motion failed.

The vote was in favor of the main motion. Ms. Smith opposed.

**d. Amendment to the Richland County Code: Storm Water Management**

Ms. Scott stated the committee forwarded this item to a Council work session in February.

Ms. Scott moved, seconded by Ms. Brady, to forward this item to the March 20<sup>th</sup> Council meeting for first reading at which time amendments will be considered. The vote in favor was unanimous.

**e. Approval of an ordinance authorizing a Development Agreement between Richland County, South Carolina and Village at Sandhill, LLC, and other matters related thereto. [Pages 21-25]**

Mr. Pearce moved, seconded by Mr. Mizzell, to discuss this item in Executive Session at the end of the meeting in order to obtain a legal briefing. The vote in favor was unanimous.

**4. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**a. GIS: Two new FT Positions**

Mr. McSwain withdrew this item.

**b. Information Technology: PBX Phone System**

Mr. McEachern stated the committee forwarded this item to Council without a recommendation.

Mr. McEachern moved, seconded by Ms. Brady, to adopt the administrator's recommendation authorizing staff to negotiate and award a contract to Sprint, not to exceed the estimated annual costs for deployment, and encumber the initial \$250,000.00 from a bond issue to pay for the first year's costs and requested ongoing reports from the Administrator. The vote in favor was unanimous.

**c. Finance: Budget Calendar [Pages 35-36]**

Mr. McEachern stated the committee forwarded this item to Council for consideration.

It was moved and seconded to adopt the budget calendar with the addition of a work session scheduled on February 13<sup>th</sup> at 5:00 p.m. The vote in favor was unanimous.

**5. REPORT OF RULES AND APPOINTMENTS COMMITTEE [**

**a. Appointment to Building Board of Adjustment and Appeals-4**

Mr. Livingston stated there are four vacancies on this board with no applications received.

The committee recommended re-advertising. The vote in favor was unanimous.

**b. Appointment to Employee Grievance Committee-1**

Mr. Livingston stated there was one appointment to be made to this committee with two applications received.

The vote was as follows:

<u>Wendell M. Patton IV</u>	<u>Marvin C. Fortner</u>
Brady	0
Livingston	
Mizzell	
Meetze	
Pearce	
Smith	
McEachern	
Brill	
Tuten	
Scott	
Tillis	

Mr. Wendell M. Patton IV was elected.

**c. Appointment to the Historic Columbia Foundation-1**

Mr. Livingston stated there was one position to this board with one application received.

**Richland County Council  
Regular Session  
February 6, 2001  
Page Six**

Mr. Livingston moved, seconded by Mr. McEachern, to defer this item. The vote in favor was unanimous.

**d. Appointments to the Midlands Commission on Homelessness**

Mr. Livingston stated there were three vacancies on this commission with three applications received. He stated two of the applicants are incumbents.

Mr. Livingston moved, seconded by Mr. McEachern, to elect the three applications to serve. The vote in favor was unanimous.

Mr. John L. Bradley, Mr. J.W. "Jake" Clamp and Ms. Janice K. Hines were appointed to the commission.

**e. Appointment to the Planning Commission-1**

Mr. Livingston stated there was one appointment to be made to the commission with three applications received. He stated there are questions from the committee regarding if one of the applicants could hold dual office holdings.

Mr. Livingston moved, seconded by Mr. McEachern, to defer this item until the next Council meeting. The vote in favor was unanimous.

**f. Appointments to the Board of Zoning and Appeals-2**

Mr. Livingston stated there are two vacancies on this board with two applications received.

Mr. Livingston moved, seconded by Mr. McEachern, to appoint the two applicants. The vote in favor was unanimous.

Ms. Kim Formy Duval and Mr. Napoleon Tolbert, Jr. were appointed to the board.

**g. Notification of Vacancies on the Building Board of Adjustment and Appeals-4**

Mr. Livingston stated there are four appointments to be made to this board.

The committee recommended advertising of the board. The vote in favor was unanimous.

**6. ECONOMIC DEVELOPMENT MATTER**

**a. Project Spider**

Mr. Livingston moved, and it was seconded, to withdraw this item until a release of confidentiality statement is received. The vote in favor was unanimous.

**b. Economic Development Alliance Agreement (new agreement)**

Mr. Livingston moved, seconded by Mr. Brady, to approve a resolution authorizing termination of an April 23, 1993 Intergovernmental Agreement establishing the Central Carolina Economic Development Alliance, due to the Alliance becoming a separate legal entity from the Greater Columbia Chamber of Commerce subsequent to execution of the Agreement, and the agreement no longer being an accurate reflection of the Alliance's current organizational needs or goals and approve a

replacement agreement which establishes the basis for the County's annual funding of the alliance. The vote in favor was unanimous.

**7. MOTION PERIOD/ANNOUNCEMENTS**

- Mr. Meetze requested that the County Attorney provide a report on the Broad River Wastewater Treatment Plant.
- Ms. Scott requested staff to schedule a meeting with Richland County, City of Columbia, Lexington County, City of Cayce, City of West Columbia, School District one and Columbia Venture to discuss issues and guidelines of what each entity wants regarding the Burroughs and Chapin matter. This item was referred to the Development and Services Committee for discussion.
- Ms. Scott requested that the March 6<sup>th</sup> Council meeting be canceled and rescheduled for Wednesday, March 7<sup>th</sup> as a few council members would be in attendance at the NACo conference.
- Mr. Pearce moved to adopt a Proclamation naming February as Consumer Protection Month during this meeting as opposed to forwarding the item to a committee.
- Mr. Pearce requested that the County explore the possibility of hiring a communications specialist to advocate for the County in Washington, D.C. regarding relevant congressional issues. This item was referred to the Administration and Finance Committee.
- Mr. Livingston requested that a briefing on the Ridgewood Initiative be placed on the Development and Services Committee.
- Mr. Mizzell requested that the County Administrator bring closure to his previous requests for a meeting with the S.C. Technology Alliance.

**8. EXECUTIVE SESSION**

Mr. Pearce moved, seconded by Mr. McEachern, to go into executive session to discuss the Development Agreement between Richland County and the Village at Sandhill.

---

---

**Council went into Executive Session at approximately 7:47 p.m. and came out at approximately 8:16 p.m.**

---

---

It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

**Contractual Matter: Approval of an Ordinance authorizing a Development Agreement between Richland County, South Carolina and Village at Sandhill, LLC and other matters related thereto**

Ms. Scott moved, seconded by Mr. Pearce, to give First Reading by title only as negotiations continue and approved a task force of Council members to oversee staff negotiations of the development agreement with the company.

The task force members are Ms. Brill, Mr. McEachern and Mr. Tuten.

The vote in favor was unanimous.

**9. ADJOURNMENT**

The meeting adjourned at approximately 8:17 p.m.

**Richland County Council  
Regular Session  
February 6, 2001  
Page Eight**

---

Kit Smith, Chair

---

L. Gregory Pearce, Jr., Vice-Chair

---

Joan Brady

---

Susan Brill

---

Paul Livingston

---

Joseph McEachern

---

J.D. "Buddy" Meetze

---

Anthony G. Mizzell

---

Bernice G. Scott

---

Thelma M. Tillis

---

James Tuten

The vote in favor was unanimous.

The minutes were transcribed by Marsheika G. Martin