

MINUTES OF



**RICHLAND COUNTY COUNCIL
REGULAR SESSION
May 3, 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
Vice-Chair: L. Gregory Pearce, Jr.
Member: Doris M. Corley
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

OTHERS PRESENT: T. Cary McSwain, Ashley Bloom, Michelle Cannon-Finch, Marsheika Martin, Monique Walters, Stephany Snowden, Michael Criss, Amelia Linder, Larry Smith, Susan Britt, Joe Cronin, Kendall Johnson, Chief Harrell, Roxanne Matthews

CALL TO ORDER: The meeting was called to order at approximately 6:02 p.m.

INVOCATION – The Invocation was given by the Honorable Valerie Hutchinson.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA – Ms. Michelle Cannon-Finch, Clerk of Council, stated that item 4-d (Richland County Solid Waste Collector Increase) need to be added to the consent agenda.

Ms. Finch also passed out an ordinance regarding the Treasurer's Office: Budget Ordinance Authorizing New Full-Time Position Request.

Ms. Smith stated a report regarding funding for the Black Expo need to be added under the Report of Administration and Finance Committee. Mr. Mizzell stated this would be added to agenda as item 5-h.

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

CITIZEN'S INPUT – No one signed up to speak at this time.

APPROVAL OF MINUTES – April 19, 2005 – Mr. Montgomery moved, seconded by Mr. Jeter, to adopt the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY

Mr. Larry Smith, County Attorney, item 6-a (USC Research and Technology Park), a contractual matter, need to be discussed in Executive Session.

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

REPORT OF THE COUNTY ADMINISTRATOR

Mr. T. Cary McSwain, County Administrator, gave the following report:

- **Association of Counties** – Council was asked to respond to very important Senate Bills. One of the bills, Senate Bill 808 (changing the appointments on the Recreation Commission) was introduced by the Richland County Legislative Delegation. This bill has passed Third Reading and will be going before the House of Representatives. A request to contact all of House Members was made for a recommendation of approval.

Ms. Smith requested a copy of the legislation.

Mr. Mizzell directed the Administrator to e-mail a copy to all Council members.

Mr. Mizzell stated that a Council member will make a motion during Motion Period.

REPORT OF THE CLERK OF COUNCIL

Ms. Michielle Cannon-Finch, Clerk of Council, gave the following report:

- **Planning 101 Seminar** – A reminder that the Seminar will be held on Friday, May 6th at the Congaree National Park from 9:00 a.m. until 3:00 p.m. Directions to the Congaree National Park were e-mailed and will be e-mailed to anyone who will need them again.

- **South Carolina Association of Counties Conference** – The conference will be held August 2nd through the 7th. Reservations have been made for all Council members. An e-mail will be sent to Council in the near future regarding the selection of classes.
- **Budget Schedule** – Copies of the budget calendar previously approved by Council were redistributed to Council.

Mr. Montgomery requested for the Chair to consider Council members who are working when scheduling multiple meetings during the week.

A discussion took place.

Mr. McSwain stated that the **Budget Public Hearing** need to be rescheduled from Tuesday, May 24th to Thursday, May 19th due to Committees and the Zoning Public Hearing scheduled on May 24th.

Mr. Mizzell stated Council members were polled regarding the schedule change.

Mr. McSwain stated Council would need to vote in order to change the public hearing date.

Mr. Mizzell stated that a Council member will make a motion during Motion Period.

OPEN/CLOSE PUBLIC HEARINGS

Mr. Mizzell opened the floor to the following public hearings:

- **Sheriff's Department: Holiday Pay**
- **Budget Amendment: Legal Department**
- **Facilities and Grounds Maintenance: Ordinance to authorize utility easement at Columbia Downtown Airport**
- **Italian American Pasta**

No one signed up to speak to the following items:

The public hearing was closed.

CONSENT ITEMS

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

- **Budget Amendment: Legal Department** [Third Reading]
- **Facilities and Grounds Maintenance: Ordinance to authorize utility easement at Columbia Downtown Airport** [Third Reading]
- **Italian American Pasta Company** [Third Reading]

- **05-42MA, Charles Warrington, RU to C3, Retail Sales and Office Space, 15000-04-01/02 & 17700-01-12, Intersection of Wilson Blvd & Farrow Road [Second Reading]**
- **05-40MA, Agnew Lake Services c/o Gerald Steele, RU to PDD, Office space, retail, storage, repair, 02407-01-37, Intersection of Shadowood Dr. & Duch Fork [Second Reading]**
- **05-53MA, Albert Ray Smoot, RS-1 to RU, Single family residence, 03400-01-14, Intersection of Shady Grove & Old Tamah [Second Reading]**
- **05-54MA, Gloria H. Bulluck, D-1 to C-3, Commercial Use, 05000-04-32/33/34, 7131 Broad River Road near Kennerly Road [Second Reading]**
- **05-57MA, Stadium Village Lofts c/o Boyce Haigler, M-2 to C-3, Residential Condominiums, 11206-04-02/03, 1046 & 1047 Berea Road near USC Stadium [Second Reading]**
- **Department of Public Works: Private Pond Maintenance Policy**
- **Richland County Coroner: Children's Health & Safety Council Safe Sleep Campaign**
- **Richland County Solid Waste Collector Increase**
- **Community Development: Midlands Area Consortium for the Homeless (MACH) Request**
- **Public Works Department (Central Garage Division): Purchase of Excavator**
- **Emergency Services Department: Resolution to Adopt the National Incident Management**
- **Administration: TIF Audit**
- **Recreation Commission Steering Committee Report**
- **Treasurer's Office: Budget Ordinance authorizing new full-time position request [First Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

Sheriff's Department: Holiday Pay – Ms. Smith moved, seconded by Mr. Livingston, to take the money from the Fund Balance rather than the EMS Dept.

A discussion took place.

After a voice vote, Mr. Mizzell called for division.

The vote was as follows:

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

The motion passed.

Ms. Smith clarified that her motion was an amendment to the ordinance.

Ms. Smith moved, seconded by Mr. Mr. Livingston, to adopt the ordinance as amended.
The vote was in favor.

SECOND READING ITEMS

05-45MA, Walter Taylor & Co. c/o Bill Theus, PUD-1C/RU to PUD-1R Multi and Single family residential with commercial and industrial uses 14800-02-02/22/23, 14900-04-01, Intersection of I-77 & Wilson Blvd. (Hwy. 21)

Mr. McEachern moved, seconded by Ms. Corley, to approve along with the amendments that came from the Planning Commission. The vote was in favor.

05-58MA, Gentry Development, LLC c/o Donald E. Lovett, C-1/RU to C-3, General Retail Space/Shopping Center, 17400-06-01/02/03/04/05/06/07/08/09/11/12/13, Intersection of New Clemson Road & Longtown Road

Mr. McEachern moved, seconded by Ms. Corley, to approve for Second Reading. The vote was in favor.

FIRST READING ITEMS

FY 2005-2006 Budget Ordinance

Mr. Montgomery moved, seconded by Ms. Corley/Ms. Scott, to adopt the ordinance for First Reading by title only. The vote in favor was unanimous.

FY 2005-2006 Millage Ordinance

Ms. Scott moved, seconded by Mr. Pearce, to approve the ordinance for First Reading by title only. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Blythewood Intergovernmental Agreement – Ms. Dickerson moved, seconded by Ms. Scott, to defer this item. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Alvin S. Glenn Detention Center Annual Contract Renewals

1. **Food Service Management/Aramark Correctional Services, Inc.**
2. **Officer Uniforms/Wright Johnson, Inc.**
3. **Medical Services/Prison Health Services**

Ms. Smith stated the Committee's recommendation was for adoption.

A discussion took place.

Mr. Mizzell stated the items will be taken up one at a time.

1. **Food Service Management/Aramark Correctional Services, Inc.** – The Committee recommended approval. The vote in favor was unanimous.
2. **Officer Uniforms/Wright Johnson, Inc.** – The Committee recommended approval. The vote in favor was unanimous.
3. **Medical Services/Prison Health Services** – The Committee recommended approval. The vote in favor was unanimous.

Funding of the Black Expo

Ms. Smith stated the Committee took this item up and administratively some changes will be made to the application forms for Accommodations Tax Funds. She stated the Committee requested a report on any available funding to assist the Black Expo.

Ms. Smith stated a memo was placed before Council from the Administrator. The Administrator stated in the memo that there are funds available in the Hospitality Tax.

Mr. Livingston moved, seconded by Mr. McEachern, to approve \$20,000 funding for the unallocated portion of the Hospitality Tax and making sure that the changes in the application are incorporated. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Notification of Vacancies on Boards, Commissions and Committees

Mr. McEachern reported that the Committee recommended approval of staff advertising of the following vacancies:

- **Building Codes Board of Adjustments and Appeals-1**
- **Internal Audit Committee-1**

Notification of Appointments to Boards, Commissions and Committees

Board of Assessment Appeals-1 – Mr. McEachern stated there is one vacancy on this board. He stated two applications were received, but one applicant withdrew. Mr. McEachern stated the committee recommended appointing Mr. Timothy R. Miles to the board. The vote in favor was unanimous.

Board of Zoning Adjustments and Appeals-1 – Mr. McEachern stated there is one vacancy to this board with two applications received.

The vote was as follows:

<u>Branch</u>	<u>Coleman</u>
Unanimous	0

Mr. Branch was appointed to the board.

Building Code Board of Adjustments and Appeals- 1 - Mr. McEachern stated there is one vacancy on this board with one application received. The Committee recommended appointing Mr. Victor Snipes to the board. The vote in favor was unanimous.

Midlands Workforce Development Board-1 – Mr. McEachern stated there is one vacancy to this board with one application received. The Committee recommended appointing Ms. Val Richardson to the board. The vote in favor was unanimous.

ITEMS FOR DISCUSSION: Mr. McEachern reported on the following items:

- **Update on the Horticulturist Position for the Appearance Commission** – Still in Committee.
- **Update on the Employee Grievance Committee Procedures** – Still in Committee.
- **Scheduling of the Administration and Finance Committee Meeting** – Mr. McEachern stated the Committee’s recommendation was to reset the meeting at 6:00 p.m. The vote in favor was unanimous.

An Ordinance authorizing the funding of a site for a new Farmer’s Market through the Issuance of not to exceed \$5,000,000 Richland County South Carolina, Hospitality Fee Special Obligation Bond Anticipation Notes, Series 2005

Mr. McSwain stated that this will set in motion the three readings necessary to buy the land when required under the MOU that Council approved with the Department of Agriculture.

Mr. Livingston moved, seconded by Ms. Scott, to approve this item for First Reading. The vote in favor was unanimous. (Mr. Jeter was away during the vote.)

Amendments to Neighborhood Improvement Master Plan Areas for Districts 7

Mr. McEachern moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

CITIZEN'S INPUT – No one signed up to speak at this time.

EXECUTIVE SESSION ITEM

USC Research and Technology Park

Mr. Livingston moved, seconded by Ms. Scott, 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 6:51 p.m. and came out at approximately 7:01 p.m.
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

No action was taken at this time.

Ms. Smith moved, seconded by Mr. Jeter, to recess the meeting in order to hold the Zoning Public Hearing; and at the conclusion of that, reconvene into open session of County Council in order to make another motion to go into Executive Session to continue the briefing and having discussion related to the contractual matter of the university. The vote in favor was unanimous.

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Council recessed the meeting at approximately 7:02 p.m. and reconvened at approximately 8:58 p.m.
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Mr. McEachern moved, seconded by Ms. Scott, to reconvene the meeting. The vote in favor was unanimous.

USC Research and Technology Park

Mr. McEachern moved, seconded by Ms. Scott, to go into Executive Session to receive legal advice. The vote in favor was unanimous.

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Council went into Executive Session at approximately 8:58 p.m. and came out at approximately 9:27 p.m.
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Mr. Pearce moved, seconded by Mr. Livingston, to come out of Executive Session. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Ms. Scott, to adopt the resolution as presented in Executive Session regarding the USC Parking Infrastructure. The vote was in favor.

Ms. Smith moved, seconded by Mr. Montgomery, to direct the Administrator and the County Attorney to engage bond counsel to assist in drafting the MOU. The vote was in favor.

MOTION PERIOD

Mayor's Commission on Homelessness

Mr. Pearce moved, seconded by Mr. Montgomery, to defer a presentation to the Development and Services Committee. The vote in favor was unanimous.

Resolution for the Equestrian Team

Mr. Pearce moved, seconded by Mr. Jeter, to present a resolution honoring the Equestrian Team. The vote in favor was unanimous.

Resolution for Ms. Mary B. Smith

Ms. Scott moved, seconded by Mr. Jeter, to present a resolution honoring Ms. Smith for 30 years of service to Gadsden Elementary School. The vote in favor was unanimous.

Detention Center Contracts

Ms. Smith moved, seconded by Mr. Jeter, to receive a report on who is receiving the award of contracts at the Detention Center and/or a breakdown of subcontractors.

ADJOURNMENT – Mr. Pearce moved, seconded by Mr. Montgomery, to adjourn the meeting at approximately 9:34 p.m. The vote in favor was unanimous.

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 Marsheika G. Martin