

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
NOVEMBER 14, 2000
6:00 P.M.**

MEMBERS PRESENT: L. Gregory Pearce, Jr., Vice-Chair; Susan Brill; Paul Livingston; Joseph McEachern; J.D. "Buddy" Meetze; Anthony G. Mizzell; Stephen F. Morris; Bernice G. Scott; Thelma M. Tillis; James Tuten

MEMBERS ABSENT: Kit Smith

OTHERS PRESENT: T. Cary McSwain, Tony McDonald, Milton Pope, Michielle Cannon-Finch, Larry Smith, Amelia Linder, Marsheika G. Martin, Monique Walters, Ash Miller, Pam Davis, Mullen Taylor, John Hicks, Stephany Snowden, Sack Edge

INVOCATION

The Invocation was given by the Honorable Jim Tuten

ADOPTION OF AGENDA

Mr. Pearce stated he was advised the items under 3 are replicates of items under the D&S Report; and therefore, the items can be removed from the agenda.

A discussion took place.

Mr. Mizzell moved, seconded by Ms. Tillis, to leave the agenda as submitted. The vote in favor was unanimous.

Mr. Pearce stated he was informed by the County Attorney that the Amendment to the Richland County Code: Classification of Mobile Homes has already been approved; and therefore, it should not be on the agenda.

Ms. Scott moved, seconded by Mr. Livingston, to delete the above item from the agenda. The vote in favor was unanimous.

Mr. Pearce stated the following items should have been brought forward as Consent Items:

- Increase in tipping fee for Waste Management Landfill
- Increase in Solid Waste Tire Disposal Fee
- Contract renewals for Solid Waste
- Approval of Regional Transit Authority Agreement

Mr. Livingston moved, seconded by Mr. Morris, to amend these items to be Consent Items. The vote in favor was unanimous.

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Mr. Tuten stated there was an incorrect ordinance in the packet for the Amendment to the Richland County Code: Plats exempt from Commission Review.

Mr. Larry Smith, County Attorney, stated Amelia Linder went to her office to obtain the correct ordinance.

Mr. T. Cary McSwain, County Administrator, requested to add a Contractual Matter regarding the Convention Center to be discussed in Executive Session.

Mr. Meetze requested to add a legal matter regarding Sloan vs. Richland County.

Mr. Pearce stated Executive Session items would be discussed at the end of the agenda.

Mr. McEachern moved, seconded by Mr. Livingston, to add the contractual and legal matters to the agenda. The vote in favor was unanimous.

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

CITIZEN'S INPUT

The following persons spoke at this time:

- Ms. Alma Hall spoke "in opposition" of Sease Road Construction.
- Ms. Evelyn Bush spoke of concerns regarding the Consent Agenda
- Ms. Kay McClanahan spoke "in opposition" of the following items: Interim Ordinance, Increase Zoning Appeals, Deletion of clubs and facilities, division of isolated parcels, buildings and lots to have access, plats exempt from Planning Commission review
- Mr. Bill McClanahan spoke "in opposition" of the Interim Ordinance and buildings and lots to have access
- Ms. Lillie Bates spoke "in opposition" of the Interim Ordinance

APPROVAL OF MINUTES

Regular Session: October 17, 2000

Mr. Morris moved, seconded by Mr. Mizzell, to approve the minutes. The vote in favor was unanimous.

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APPROVAL OF CONSENT ITEMS

A discussion took place regarding whether or not Third Reading Items should be held as a Consent Item and a Public Hearing at the same time.

Mr. Morris requested to hold the public hearing and reschedule Third Reading.

Third Reading Items

Approval of Quit Claim Deed for Arlene Drive [Public Hearing] No one signed up to speak to the public hearing.

Mr. Livingston moved, seconded by Mr. Mizzell, to approve this item for third reading. The vote in favor was unanimous.

Auditor, Treasurer: Budget Amendment for Reimbursement from Department of Revenue [Public Hearing]

No one signed up to speak to the public hearing.

Mr. Mizzell moved, seconded by Ms. Brill, to approve this item for third reading. The vote in favor was unanimous.

Planning: 1999 National Electrical Code [Public Hearing]

Ms. Bush spoke in opposition to this item.

Ms. Brill moved, seconded by Mr. Mizzell, to approve this item for third reading. The vote in favor was unanimous.

Planning: Ordinance amendment for Code Enforcement Officers [Public Hearing]

The following persons spoke in opposition of this item:

- Evelyn Bush
- Kay McClanahan
- Bill McClanahan

Mr. Morris moved to defer this item for further study. The motion died for a lack of a second.

Mr. Livingston moved, seconded by Mr. Mizzell, to approve this item for Third Reading.

Mr. Larry Smith, County Attorney, explained that this ordinance does not allow for the code enforcement officers to carry weapons. He stated the code enforcement officers would have the same powers as state constables except the authority to arrest.

The vote in favor was unanimous.

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Legal: Optional Holiday Ordinance Repealed [Public Hearing]

No one signed up to speak to this item.

Mr. McEachern moved, seconded by Mr. Livingston, to approve this item for third reading. The vote in favor was unanimous.

Sheriff's Department: Towing/Storing Fees [Public Hearing]

Ms. Evelyn Bush spoke in opposition of this item.

Mr. McEachern moved, seconded by Ms. Tillis, to approve this item for third reading. The vote in favor was unanimous.

Riverbanks Zoo: Budget Amendment for Budget Correction [Public Hearing]

Ms. Evelyn Bush spoke in opposition of this item.

Ms. Brill moved, seconded by Ms. Scott, to approve this item for third reading. The vote in favor was unanimous.

Adoption of new ordinance: GIS Data Management [Public Hearing]

The following persons spoke in opposition of this item:

- Ms. Evelyn Bush
- Ms. Kay McClanahan
- Mr. Bill McClanahan

Mr. McEachern moved, seconded by Mr. Mizzell, to approve this item for third reading. The vote in favor was unanimous.

(OTHER ITEMS ON THE CONSENT AGENDA THAT WERE NOT UP FOR A PUBLIC HEARING)

- Amendment to the Richland County Zoning Code: Deletion of "Facilities" in Rural Zones – Second reading approval given to an ordinance that deletes the ambiguous term "facilities" and clarifies that the allowable clubs and various organizations must comply with restrictions on sexually oriented businesses.
- Amendment to the Richland County Zoning Code: Buildings/Lots to have Access – Second reading approval given to this amendment that removes the Planning Commission's authority to approve isolated lots and substitutes a requirement that buildable lots must have either access to a public or private roadway or a recorded ingress and egress easement
- Amendment to the Richland County Land Development Code: Plats exempt from Commission Review – Second reading given to this amendment that removes a requirement for Planning Commission review and approval of certain minor subdivisions and authorizes the Planning Director to assume this responsibility.

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- **Amendment to the Richland County Zoning Code: Continuation of Zoning Applications** – Second reading approval given to this amendment that enables the Zoning Administrator to continue zoning applications to a later public hearing or meeting for good cause.
- **Budget Amendment: Broad River Regional Enterprise Fund** – First reading approval given to this budget amendment to re-appropriate funds in the amount of \$1,200,000 from last fiscal year for land acquisition and engineering expenses required for an upgrade to the wastewater treatment plant.
- **Richland County Landfill Re-Design of Phase IV** – Approved the re-design of Phase IV of the County Landfill from a municipal solid waste landfill to a construction and debris landfill.
- **Increase in Tipping Fee for Waste Management Landfill** – Received as information.
- **Increase in Solid Waste Tire Disposal Fee** – Approved an increase in the Whitaker Container Service contract from \$92.50 per ton to \$97.50 per ton and gave first reading approval of a budget amendment in the amount of \$51,250 to the Solid Waste Department's budget to fund this and the increase previously approved by administration.
- **Contract Renewals for Solid Waste** – Approved the following contract renewals:
 - Whitaker Container – Removal of C&D from Bunky's drop-off Site: \$300,000.00
 - Paperstock Dealers – Separation of Recyclables: \$153,000.00
 - Loveless & Loveless – Accept C&D from County Haulers \$190,000.00
 - Amick Equipment Co. – Provision of Roll Carts: \$230,000.00
 - Nesco – Monitor of wells at County Landfill: \$35,000.00
- **Approval of Regional Transit Authority Agreement** – Approved an agreement to participate in the Central Midlands Regional Transit Authority.
- **Baseball Team Recognition** – Approved a Resolution recognizing the American Legion Post Six Baseball Team.
- **Planning/Business License: Detective Agency Application** – Approved an application for a permit to operate a detective agency at 214 Sloan Road.
- **Information Technology: Software Maintenance and Support Contract** – Approved a contract renewal with J.D. Edwards for the County's financial software package, in the amount of \$48,825.00.
- **Information Technology: Addendum to GIS Data Contract** – Approved addendum to contract with Atlantic Technologies in the amount of \$166,018.00 for compilation of street centerline data and collection of hydrographic features, rail lines and bridges.

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- **Detention Center: Resolution to Rename Detention Center** – Approved Resolution renaming the Detention Center as the Alvin S. Glenn Detention Center.
- **Detention Center: Purchase of Two Vehicles** – Approved purchase of two Dodge Cargo vans from Butler Chrysler Dodge Jeep in the amount of \$39,400.00.
- **Risk Management: Workers' Compensation Deductible Option** – Approved a Resolution confirming the \$250,000 per occurrence deductible for the self-funded workers' compensation program.

REPORT OF COUNTY ADMINISTRATOR

Request from Columbia Venture

Mr. McSwain announced that at the request of Columbia Venture, an information session for Council has been scheduled on November 21st at 5:00 p.m. for the company to present its concept plan for the Green Diamond project.

Interim Ordinance Review Regarding Comprehensive Land Use Plan

Mr. McSwain asked that Council extend the review times set forth in the interim ordinance for suggested changes to the Comprehensive Plan so as to coincide with the two year anniversary of its enactment.

Mr. McEachern moved, seconded by Mr. Mizzell, to refer this item to the Planning Commission. The vote in favor was unanimous.

Lake Murray Ownership

Mr. McSwain stated there is an issue pending on the ownership of Lake Murray, transferred from SCANA to the State. He stated there was a meeting this past Thursday with the public regarding this issue. He stated there would be subsequent meetings to come if Council was interested.

CITIZEN'S INPUT

Mr. Pearce stated the Assistant Clerk of Council brought to his attention two citizens who signed up to speak to items not on the agenda when in fact they are. He stated they would be allowed to speak.

- Ms. Lillie Bates spoke against expansion of the Richland County Detention Center.
- Mr. Robert Avery spoke of concerns at the Richland County Detention Center.

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THIRD READING ITEMS

Increase Board of Zoning Appeals Members and Clarify Results of Voting

Mr. Livingston moved, seconded by Mr. Mizzell, to give third reading approval of a ordinance amendments that increases membership of the Zoning Board of Appeals to seven, and requires a simple majority vote of members present for board action. The vote in favor was unanimous.

SECOND READING ITEM (from Council meeting on September 5, 2000)

Noise Ordinance

Ms. Scott moved, seconded by Mr. McEachern, to table this item pending responses from all municipalities with Richland County. The vote in favor was unanimous.

SECOND READING ITEMS (From Zoning Public Hearing, 10/24/00)

Mr. Meetze moved, seconded Mr. McEachern, to approve the following for Second Reading:

- **Deletion of Clubs & “Facilities” as permitted uses in rural zones**
- **Zoning Administrator authorized to continue a request**
- **Division of Isolated Parcels**
- **Buildings and lots to have access**

The vote in favor was unanimous.

FIRST READING ITEM

SpiralWeld Pipe Company LLC – Resolution and Ordinance

Mr. Morris moved, seconded by Mr. Livingston, to give first reading approval to a resolution authorizing the execution of an Inducement and Millage Rate Agreement between American SpiralWeld and Richland County; and to gave first reading approval to an ordinance authorizing the execution of a Lease Agreement between the Company and the County. The vote in favor was unanimous.

ITEMS DEFERRED FROM DEVELOPMENT AND SERVICES COMMITTEE ON OCTOBER 3, 2000

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Directive to proceed with Sease Road Construction Project

Mr. Meetze moved, seconded by Mr. Morris, to proceed with the project.

Mr. Ralph Pearson, County Engineer, stated alternate routes were reviewed but Sease Road would be the recommended road.

The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Elected Officials' Pay Plan

Mr. McSwain updated Council on the pay plan.

Mr. McEachern moved, seconded by Ms. Scott, to give first reading approval to an ordinance amendment that adopts the elected officials' pay plan established by County Council in the FY 2000/01 budget.

Mr. Morris made a substitute motion to approve with the deletion of a 5% increase. The motion died for a lack of a second.

The vote was in favor of the main motion. Mr. Morris opposed.

Detention Center: Expansion and Medical Services

Mr. Tuten stated the Detention Center Committee has been working on these issues.

Mr. Tuten moved, seconded by Mr. Mizzell, to forward this item to a full Council Worksession, and forward the medical services issue to the November A&F Committee. The vote in favor was unanimous.

Magistrates: Part-Time Magistrates' Official Hours

Judge Samuel Peay explained his reasons for the recommendation.

Ms. Scott moved, seconded by Mr. McEachern, to approve Judge Peay's request to increase the part-time magistrate's hours from 20 to 30 hours a week. The vote in favor was unanimous.

Columbia City Jazz Company

Ms. Pamela Harpootlian, representative of the Jazz Company, requesting \$20,000.00 for jazz dancers to go to Singapore to perform.

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Ms. Scott moved, seconded by Ms. Tillis, to appropriate \$15,000.00 to the jazz company.

A discussion took place about where the money would be taken from.

Mr. Tuten offered an amendment, seconded by Ms. Scott, to appropriate \$10,000.00 to the company and reimburse the Accommodation Tax.

After discussion, Mr. Tuten withdrew his motion.

Ms. Scott amended her motion, seconded by Ms. Tillis, to appropriate \$10,000.00 from the Council or Administration Services and proceed with first reading on the amended budget and then to replace the money back into one of those accounts.

A discussion took place.

The vote was as follows:

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

The motion failed on a tie vote.

Ms. Scott wanted the record to reflect that the vote was five Democrats to five Republicans.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Airport Commission-2

Mr. Livingston there are two appointments to be made to this board. He stated the vacancies are for persons who actually live within a one-mile radius of the airport. Mr. Livingston stated after going through the process and looking at the applications, there were only two applicants who met the requirements.

Mr. Livingston moved, seconded by Mr. McEachern, to appoint Mr. Charles H. Lesser and Mr. Lawrence "Larry" Self to this Commission. The vote in favor was unanimous. (Ms. Scott was away during the vote).

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Board of Assessments and Appeals-1

Mr. Livingston stated there is one appointment to be made to this board with one application received.

Mr. Livingston moved, seconded by Mr. McEachern, appoint Mr. Grady Bernard Ponds, to this board. The vote in favor was unanimous. (Ms. Scott was away during the vote).

NOTIFICATION OF VACANCIES TO BOARDS, COMMISSIONS, COMMITTEES

Mr. Livingston stated the following is notification to certain boards, commission and committees:

- Building Board of Adjustment and Appeal – 3 vacancies
- Conservation Commission – 6 vacancies (He stated appointments are to be made for residents in districts 2, 3, 7, 8, 9, and 11)
- Historic Columbia Foundation – 1 vacancy
- Midlands Commission on Homelessness – 3 vacancies
- Planning Commission - 1 vacancy

CITIZEN'S INPUT

Mr. Pearce stated no one signed up to speak at this time.

EXECUTIVE SESSION

Mr. McEachern moved, seconded by Mr. Meetze, to go into Executive Session.

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**Council went into Executive Session at approximately 9:25 p.m.
and came out at approximately 9:30 p.m.**
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

Contractual Matter

Mr. Pearce stated this was received as information.

Legal Matter: Sloan vs. Richland County

Mr. Pearce stated this was received as information.

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MOTION PERIOD/ANNOUNCEMENTS

Mr. Tuten directed staff to provide a briefing on the procedure for permitting C&D and MSW Landfills.

ADJOURNMENT

The meeting adjourned at approximately 9:31 p.m.

Kit Smith, Chair

L. Gregory Pearce, Jr., Vice-Chair

Susan Brill

Paul Livingston

Joseph McEachern

J.D. "Buddy" Meetze

Anthony G. Mizzell

Stephen F. Morris

Bernice G. Scott

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin