

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 4, 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

Member	Bernice G. Scott
Member	Paul Livingston
Member	Joseph McEachern
Member	Anthony G. Mizzell
Member	L. Gregory Pearce, Jr.
Member	Doris M. Corley
Member	Mike Montgomery
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter

MEMBER ABSENT – Kit Smith

ALSO PRESENT: Michielle Cannon-Finch, T. Cary McSwain, Amelia Linder, Carrie Neal, Milton Pope, Tony McDonald, Roxanne Matthews, Monique Walters, Ashley Bloom, Michael Criss, Kendall Johnson, Stephany Snowden, Brenda Carter, Betty Etheridge, Lynn Keating, Michael Criss, Brad Farrar, Chief Harrell

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE

POINT OF PERSONAL PRIVILEGE – Ms. Scott thanked the Council for allowing her to serve as Chair for the past two years.

ELECTION OF CHAIR

Mr. Livingston moved, seconded by Mr. Pearce, to nominate Mr. Tony Mizzell.

Mr. Pearce moved to close the nominations and elect Mr. Mizzell by acclamation.

Mr. McEachern requested a show of hands.

The vote for Mr. Mizzell as Council Chair was as follows:

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

The motion passed.

Ms. Scott turned the gavel over to Mr. Mizzell.

Ms. Michelle Cannon-Finch, Clerk of Council, wanted the record to reflect that Ms. Smith would be absent. Ms. Finch stated Ms. Smith made a request about where she would like to be seated.

ELECTION OF VICE-CHAIR

Ms. Corley moved, seconded by Ms. Dickerson, to nominate Mr. Greg Pearce.

Mr. Montgomery moved, seconded by Mr. Livingston, to close the nominations. The vote was in favor.

The vote was in favor to elect Mr. Pearce as Vice-Chair.

SELECTION OF SEATS

Mr. Mizzell stated the next order of business is the selection of seats.

Mr. Livingston moved, seconded by Mr. Pearce, to grant Ms. Smith the opportunity to make the selection of her seat based on her seniority as presented to the Clerk of Council.

Ms. Finch stated Ms. Smith would like to sit on either side closest to the Chair.

A discussion took place.

Mr. Livingston and Mr. Pearce withdrew their motions as it would take unanimous consent of Council.

(The selection of seats were taken up by seniority and continued in alphabetical order.)

The seats were selected from left to right as follows:

1. Montgomery
2. McEachern
3. Corley
4. Smith
5. Pearce
6. Mizzell
7. Livingston
8. Hutchinson
9. Dickerson
10. Scott
11. Jeter

PRESENTATION

Ms. Finch asked for all of Council to stand. On behalf of Council, Ms. Scott and Ms. Brady were presented with plaques for their outstanding service as Chair and Vice-Chair.

POINT OF PERSONAL PRIVILEGE - Mr. Mizzell recognized the following persons in the audience: Representative Leon Howard, Ms. Thelma Tillis, Ms. Joan Brady, Ms. Sandra Poliocoff (former school board member), Mayor Campbell, Mr. Wilson (Eastover Town Council) and Melinda Anderson.

CITIZEN'S INPUT

No one signed up to speak at this time.

ADOPTION OF AGENDA

Ms. Finch stated a JEDA Bond need to be added to the agenda for a public hearing. She stated the information came in to the County Attorney's office today from an outside attorney's office. Ms. Finch stated the item had been advertised for a public hearing for today's date.

Mr. Larry Smith, County Attorney, briefed Council on the matter. He stated that the items were on the December 7th agenda but was deferred to allow for the advertisement of a public hearing. Mr. Smith stated the public hearing would need to be held and the

resolution would need to be approved. He stated this matter would not have any impact or effect on Richland County.

Ms. Scott moved, seconded by Mr. Livingston, to add the bond and resolution to the agenda.

Mr. John VanDuys stated the notice of a public hearing was originally attached Administration and Finance Committee packets.

Mr. McEachern stated outside offices need to inform the Clerk of Council's Office of all advertisements in the future.

The vote in favor was unanimous.

The item was added under Public Hearing Items.

Mr. Pearce moved, seconded by Ms. Scott, to approve the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated there were no items to be discussed in executive session at this time.

APPROVAL OF MINUTES

Regular Session: December 14, 2004 – Mr. Livingston moved, seconded by Ms. Scott, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: December 14, 2004 – Mr. Pearce moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Land Development Code Report – Mr. T. Cary McSwain, County Administrator, informed Council that the report was included in their packets. He stated if there were any questions staff would be glad to address them.

Staff was questioned about the mailing out of notification cards to the public along with copies of the mail-outs to Council.

Legislative Delegation Reception – Mr. McSwain stated that the City of Columbia has invited Council to the reception at the Metropolitan Convention Center which is to take place on January 12th from 6:00 p.m. until 9:00 p.m.

Village at Sandhills – Because of a legal explanation, Mr. McSwain requested that a vote not be taken regarding this item. He stated he would have an explanation once the item is taken up.

REPORT OF THE CLERK OF COUNCIL

2005 NACo Legislative Conference – Ms. Finch stated the conference is scheduled for March 4-8th in Washington, D.C. She requested for interested persons to contact her.

SCAC 18th Annual Mid-Year Conference - Ms. Finch reported this will be held at the Embassy Suites Hotel on February 23rd and the Institute of Governments will be on February 22nd. She requested for interested persons to contact her.

OPEN/CLOSE PUBLIC HEARINGS

JEDA Bonds – Mr. Mizzell opened the floor to the public hearing.

No one in the audience wanted to speak to this item.

The floor to the public hearing was closed.

JEDA Bonds Resolution - Mr. McSwain explained to the new Council members that the bond is for the purpose of assisting with the building of the new convention hotel for the City of Columbia.

A discussion took place.

Mr. Livingston moved, seconded by Mr. McEachern, to approve the resolution. The vote in favor was unanimous. (Mr. Jeter abstained.)

APPROVAL OF CONSENT ITEMS

Mr. Livingston moved, seconded by Ms. Scott, to approve the following consent items:

- **An Ordinance amending the Richland County Code of Ordinances to create the Richland County Hospitality Tax Advisory Committee** [Third Reading]
- **Ordinance authorizing the issuance and sale of General Obligation Bonds not to exceed \$3,000,000** [Second Reading] Mr. Montgomery requested information on the cost breakdown, any estimates with regards to the millage effect of this and the retirement schedule. Mr. McSwain stated a copy would be given to each Council member.

SECOND READING ITEM

Village at Sandhills – Mr. McSwain stated a zoning change will be going to the Planning Commission on January 10th. He stated that the Legal Department has advised that because the original ordinance was a development agreement and adopted by an ordinance only one hearing and a mutual consent of both parties can amend the development agreement.

Mr. McSwain stated a public hearing will be held on January 18th. He stated Council can adopt it with one reading on January 18th after the public hearing.

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

Land Development Code Map Amendment Ordinance – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item for Second Reading.

Ms. Amelia Linder, Assistant County Attorney, stated the map amendment would place the new zoning districts in the text that has been adopted on all of the property in the County. She reported that an amendment has been offered to accommodate the development agreement. (The amendment was included in Council's packet).

A discussion took place.

Ms. Scott requested for this item to be discussed at Council's Retreat.

Ms. Scott made a substitute motion, seconded by Ms. Dickerson, to defer this until after the retreat. The vote was in favor.

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

Wanda Hart, 303 Pineneedle Road, Columbia, South Carolina 29209

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

Ms. Ashley Bloom, Assistant to the County Administrator, gave a brief explanation of the procedure for these types of applications.

The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Notification of Vacancies on Boards, Commissions, and Committees

Mr. McEachern stated the Committee approved advertisement of the following boards and commissions:

- **Zoning Board of Adjustment and Appeals-1**
- **Planning Commission-1**

The vote in favor was unanimous.

Notification of Appointments to Boards, Commissions, and Committees

Appearance Commission-1 – Mr. McEachern stated the Committee had a legal question and deferred the appointment.

Hospitality Tax Committee-5 – Mr. McEachern reported there are five vacancies with two applications received. The Committee recommended appointing the two applicants and re-advertising for the three vacancies. The vote in favor was unanimous.

Ms. Holli S. Emore and Mr. Robert G. Tunnell were appointed to the Committee.

Planning Commission-1 – Mr. McEachern reported one vacancy with two applications received. He stated the Committee recommended re-appointing Mr. Larry M. McBride.

<u>McBride</u>	<u>Powell</u>
Montgomery	Corley
McEachern	
Pearce	
Mizzell	
Livingston	
Hutchinson	
Dickerson	
Scott	

Mr. Larry M. McBride was re-appointed to the Commission.

Richland Memorial Hospital-1

Mr. Pearce raised concerns regarding the discussions that took place at the December 7th meeting.

Mr. Pearce moved, seconded by Ms. Corley, to announce that a vacancy does exist for an unexpired term and re-advertise in order for persons to apply for it.

A discussion took place.

After discussions, Ms. Corley withdrew her motion.

Mr. Pearce moved, seconded by Mr. Montgomery, to announce that a vacancy does exist for an unexpired term and re-advertise in order for persons to apply for it.

Mr. McEachern made a substitute motion to accept the application submitted. The substitute motion died for a lack of a second.

Mr. Pearce clarified his motion, seconded by Ms. Dickerson, to make official notification that a vacancy is available for the Richland Memorial Board and subsequently
Richland County Council

re-advertise the position. The vote was in favor.

CITIZEN'S INPUT

Mr. Joe Stewart spoke of concerns regarding infrastructure and the road system. He requested help on Kennerly, Hollingshed, Koon and Coopers Roads.

Mr. Mizzell directed staff to indicate whether these are state or county roads.

Mr. McSwain stated these are state roads and staff will approach DOT to get a response.

MOTION PERIOD

Mr. Pearce moved, seconded by Ms. Corley, to approve a Resolution recognizing South Carolina Share as an agency that transports elderly and/or persons with disability. The vote in favor was unanimous.

ADJOURNMENT – The meeting adjourned at approximately 7:00 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