

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, JULY 26, 2005 6:30 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.

MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice-Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Bernice G. Scott
Member	Kit Smith
Member	Doris M. Corley

ABSENT: Mike Montgomery (business trip)

OTHERS PRESENT: T. Cary McSwain, Larry Smith, Amelia Linder, Michielle Cannon-Finch, Ashley Bloom, Sherry Wright-Moore, Roxanne Matthews, Joe Cronin, Monique Walters, Tony McDonald, Milton Pope, Jocelyn Jennings, Marsheika Martin, Anna Almeida, Michael Criss

CALL TO ORDER

The meeting was called to order at approximately 6:36 p.m.

INVOCATION

The Invocation was given by the Honorable Paul Livingston.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Ms. Michielle Cannon-Finch, Clerk of Council, stated the Public Works and Utilities Ordinance Amendment needs to be added to the agenda for Second Reading. Mr. Mizzell stated this will be added as item 2-b on the agenda.

Mr. McEachern moved, seconded by Mr. Pearce, 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 – Regular Session Meeting: July 19, 2005

Mr. Livingston moved, seconded by Mr. Pearce, to adopt the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEM

Ms. Amelia Linder, Assistant County Attorney, stated there are no items on the agenda to be discussed in Executive Session.

REPORT OF THE COUNTY ADMINISTRATOR

USC Technology Park Garage Agreement – Mr. McSwain stated staff is working on the financial arrangement to bring back to Council.

After discussion, Mr. McSwain stated if the item is on a timeline, it will be placed on the September 6th agenda.

Solid Waste Management Plan – Mr. Tony McDonald, Assistant County Administrator, reported that an attorney has been retained at the direction of Council. He stated staff met with the attorney and a plan of action has been made. The attorney will report back by the 5th of September with a report of their analysis and give guidance.

Report of the Farmer's Market Land Purchase – Mr. McSwain stated the land purchase is eminent and has to occur before the end of the month. He stated the execution of the MOU needs to be signed before August 1st when the deed restrictions are accepted by the State.

Mr. Mizzell informed the Administrator that he will be going out of town through August 1st. Mr. McSwain stated the Chair could delegate either the Vice-Chair or the County Administrator to sign the MOU.

REPORT OF THE CLERK OF COUNCIL

Meeting Schedule for September – Ms. Finch questioned whether or not Council would be meeting the 6th of September, which is a day after Labor Day.

After discussion, Council decided to keep the meeting schedule of September 6th.

SCAC 38th Annual Council – Ms. Finch stated information will be sent to Council members attending the conference. She reported that she would not be attending the conference this year, but the Assistant Clerk will be going in her place.

THIRD READING ITEMS

05-48MA, Hawkins Creek Development, c/o Ron Anderson, RU to PDD (formerly known as PUD-1R), Single Family Residential, 14800-05-36, Wilson Blvd., South of Turkey Farm Road – Mr. McEachern moved, seconded by Ms. Scott, to approve this item for Third Reading. The vote in favor was unanimous.

Recreation Commission Bond Ordinance - Ms. Scott moved, seconded by Ms. Hutchinson, to defer this item to the September 6th meeting. The vote in favor was unanimous.

SECOND READING ITEMS

05-39MA, Robert Fuller, RU to PDD, Commercial Business Park, 20200-03-49 & 50, Clemson Road near U.S. Post Office – Ms. Hutchinson moved, seconded by Ms. Scott, to approve this item for Second Reading. The vote in favor was unanimous.

Public Works Utilities Ordinance – Mr. Pearce moved, seconded by Ms. Corley, to approve this item as amended for Second Reading. The vote in favor was unanimous.

Budget Amendment for Special Services Ordinance – Mr. Pearce moved, seconded by Ms. Corley, to approve this item for Second Reading.

Ms. Smith stated the ordinance was not included in the packet and needs to be before Council by Third Reading.

The vote in favor was unanimous.

REPORT OF DEVELOPMENT & SERVICES COMMITTEE

Temporary Receivership of Piney Grove Utilities - Mr. Jeter stated the Committee recommended approval of the Resolution and forwarded to Council for discussion.

Mr. Andy Metts, Director of Utilities and Services, answered questions regarding the operation of the system.

RECESS - Mr. Mizzell announced that the Zoning Public Hearing is scheduled for 7:00 p.m. He stated Council needed to recess the Special Called Meeting and reconvene after the public hearings are held.

Ms. Scott moved, seconded by Ms. Corley, to recess the Special Called Meeting. The vote in favor was unanimous.

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Council recessed the meeting at approximately 6:59 p.m. and reconvened at approximately 7:14 p.m.
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It was moved and seconded to reconvene the meeting. The vote in favor was unanimous.

Mr. Willie Morgan, Office of Regulatory Staff, gave an update on findings at the sites of Franklin and Albene Parks. He reported that the utility owner of the system has not addressed the problems concerning the system.

Mr. Jeffrey P. Debessanet, a DHEC representative, spoke of how the system would operate at the current level.

Ms. Smith offered three amendments to the resolution (one amendment with three points in it). The amendment to the motion was as follows: *“At the very end of the resolution where it says to authorize the County Administrator to execute a receivership agreement subject to the approval of the County Attorney; and the inclusion of the following terms: The County assumes no liability for the operation of the system financially or otherwise during the period of temporary receivership; the County may terminate within one week with giving one week’s notice from temporary receivership if it finds any financial hardship accrues to the County or there are insufficient resources to operate the system; and the Council must approve any agreement for permanent receivership prior to submission to a court.* The motion died for lack of a second.

A discussion took place.

Ms. Scott called for the question, seconded by Ms. Dickerson

Ms. Scott yielded to Mr. Livingston.

Mr. Livingston offered an amendment to the Committee’s recommendation that permanent receivership comes back before Council for a vote and recommended for Council to come up with a policy reference permanent receivership for any of these. Ms. Hutchinson seconded.

After discussion, Mr. Livingston offered a second amendment to move with a temporary receivership for a year and bring it back to Council for consideration of a permanent receivership. Ms. Scott seconded. The vote in favor was unanimous.

Ms. Smith stated Council needed to first vote on the first amendment.

The vote in favor of the first amendment was unanimous.

The vote in favor of the second amendment was unanimous.

A discussion took place regarding the main motion as amended.

The vote in favor of the main motion as amended was unanimous.

Starks Terrace Sewer Project – Mr. Jeter stated the Committee recommended approval. The vote in favor was unanimous.

REPORT OF ADMINISTRATION & FINANCE COMMITTEE

No report was given at this time.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Ordinance authorizing a First Amendment of the Lease Agreement between Richland County and Blue Cross and Blue Shield of South Carolina - Mr. Livingston stated the Committee recommended approval of this item.

Mr. McEachern requested the breakdown of the expansion by Second Reading.

The vote in favor of First Reading approval was unanimous.

Ordinance authorizing the sale of Industrial Park Property – Mr. Livingston stated the Committee recommended approval.

Ms. Smith questioned whether this was going to the corporation or the individual. She requested the information by Second Reading.

The vote in favor was unanimous.

Application for Locating a Community Residential Care Facility in an Unincorporated Area of Richland County

**Ms. Sarah Long
424 Calvary Drive
Columbia, South Carolina 29203**

Mr. McEachern requested for this item to be tabled until the requested information is received. The vote in favor was unanimous.

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

MOTION PERIOD

Woodrow Wilson House - Mr. Pearce stated during the budget process he made a motion to repair the roof on the Woodrow Wilson House. He stated there was not a contingency on spending the \$135,000.

Mr. Pearce moved, seconded by Ms. Scott, to clarify his position in order for the money to be released to repair the roof on the house. The vote in favor was unanimous.

Ombudsman Office Position

Ms. Scott requested for the County Administrator to look for funding for personnel for the Ombudsman's Office and forward to the Administration and Finance Committee. The vote in favor was unanimous.

Increment Weather Policy

Mr. Jeter requested for a policy to be sent out to all County departments regarding increment weather and make sure that each Director adheres to the policy. Ms. Scott seconded. The vote in favor was unanimous.

Mr. Montgomery's absence

Mr. Mizzell reported that Mr. Montgomery was excused due to a job-related activity.

ADJOURNMENT

The meeting was adjourned at approximately 7:50 p.m.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

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