

MINUTES OF



RICHLAND COUNTY COUNCIL'S REGULAR SESSION MEETING TUESDAY, OCTOBER 19, 2004 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	Bernice G. Scott
Vice-Chair	Joan B. Brady
Member	Susan Brill
Member	Doris M. Corley
Member	Paul Livingston
Member	Joseph McEachern
Member	Anthony G. Mizzell
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Thelma M. Tillis
Member	James Tuten

ALSO PRESENT: Michielle Cannon-Finch, T. Cary McSwain, Larry Smith, Amelia Linder, Milton Pope, Tony McDonald, Kendall Johnson, Roxanne Matthews, Anna Almeida, Michael Criss, Chief Harrell, Stephany Snowden, Chris Eversman, Marsheika Martin

CALL TO ORDER

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

INVOCATION

The Invocation was given by the Honorable James Tuten

PLEDGE OF ALLEGIANCE

PERSONAL PRIVILEGE – Mr. Pearce brought to Council's attention that October is National Breast Cancer Awareness Month and stated that is why he is wearing a pink tie to honor special persons such as his sister and Ms. Kit Smith who are breast cancer survivors.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated there were no items on the agenda as this time for Executive Session.

ADOPTION OF AGENDA

Ms. Michelle Cannon-Finch, Clerk of Council, stated item 2-c (Planning and Development: Adoption of the 2003 Editions of the International Building Code, International Fire Code, International Mechanical Code, International Plumbing Code and International Energy Conservation Code) need to come of the consent agenda as staff will recommend deferral. Ms. Scott stated it would be taken off during the Approval of the Consent Agenda.

Ms. Finch reported that the attorneys involved advertised item 6-a (A Resolution authorizing the execution and delivery of an interlocal agreement with the Capital Trust agency and other matters related thereto) for a public hearing.

Ms. Finch stated the Local Options Sales Tax Ordinance needs to be added to the agenda as item 2-I and the Land Development Code would be 2-J.

Ms. Tillis requested that a correction be made to items 1.a. and 1.b. regarding the address of the rezoning requests.

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

CITIZEN'S INPUT – Ms. Evelyn Bush spoke of several concerns.

APPROVAL OF PROCLAMATION – Honoring South Carolina's Environmental Systems Operators Week – On behalf of Council, Ms. Brady presented Mr. Andy Metts and staff with a proclamation recognizing October 18th through October the 24th, 2004.

Mr. Metts thanked Council on behalf of Environmental Systems Operators throughout the state. He had a few of the operators present to stand.

PRESENTATION: American Red Cross - Ms. Genevieve Sullivan, Chief Development Officer of the Central South Carolina Chapter, brought Council up-to-date about the relief efforts that have been made by citizens and the continued need for financial support from the community.

Mr. Gary Snyder, Chapter Chairman, thanked Council for their time and requested assistance with funding.

Mr. Mizzell moved, seconded by Ms. Scott, to amend the current fiscal year general fund budget adding \$10,000 from undesignated, unreserved, general operating fund balance for disaster relief efforts for the American Red Cross.

A discussion took place.

Ms. Smith made a substitute motion, seconded by Ms. Brady, to refer this item to the Administration and Finance Committee for study.

Mr. Livingston made a second substitute motion, seconded by Mr. McEachern/Ms. Tillis, to give First Reading approval and then forward the item to the Administration and Finance Committee and consider other options at this time.

Ms. Scott withdrew her second to the main motion.

The vote in favor of the second substitute motion was unanimous.

PRESENTATION: Convention Center - Mr. Steve Camp, President and CEO of the Midlands Authority for Convention, Sports and Tourism, presented Council with a picture of the limited edition, "Opening New Doors". He thanked Council for its part in making the Convention Center possible.

APPROVAL OF MINUTES

September 28, 2004: Zoning Public Hearing – Mr. Tuten moved, seconded by Ms. Brady, to approve the minutes as submitted. The vote in favor was unanimous.

October 5, 2004: Special Called Meeting – Ms. Brady moved, seconded by Mr. Tuten, to approve the minutes as submitted. The vote in favor was unanimous.

October 5, 2004: Millage Public Hearing – Ms. Brady moved, seconded Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

October 5, 2004: Regular Session – Ms. Brady moved, seconded Mr. Tuten, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Milton Pope, Assistant County Administrator, stated Mr. McSwain is attending the International City Managers Conference and will be returning on Thursday.

REPORT OF THE CLERK OF COUNCIL

Holiday Meeting Schedule - Mr. Livingston moved, seconded by Ms. Brady, to adopt the schedule as submitted. The vote in favor was unanimous.

OPEN/CLOSE PUBLIC HEARING ITEMS

Ms. Scott opened the floor to the following public hearing:

Interlocal Agreement for Capital Trust Agency Bond Issue

No one signed up to speak at this time.

The floor to the public hearing was closed.

APPROVAL OF RESOLUTION

Authorizing the execution and delivery of an interlocal agreement with the Capital Trust agency and other matters related thereto

Ms. Brady moved, seconded by Ms. Corley, to approve the Resolution. The vote in favor was unanimous.

APPROVAL OF CONSENT ITEMS

Ms. Brady moved, seconded by Mr. Mizzell, to approve the following items for the consent agenda:

- **04-67MA, William Smoak, Expansion location for R&R Motors, RU to C-3, 11126 Broad River Road [Third Reading]**
- **04-70MA, Cornell H. Boyd, D-1 to C-3, Beauty Salon, 14205-04-01/02/03/04, North Side of Fontaine Road, ¼ mile west of Two Notch Road, 1104, 1108, 1113, 116 Fontaine Road [Third Reading]**
- **05-01MA, Danny Kiser, RU to C-2, Alteration Shop, 14700-07-05/07, Corner of Wilson Blvd (Hwy. 21) & North Pines [Third Reading]**
- **05-02MA, Lee Miller, RU to PUD-1R, Residential Subdivision, 25900-03-14(P), Bookman & Old Two Notch Road [Third Reading]**
- **05-04MA, Coogler Construction Company, C-3 to PDD, Continuance & expansion of existing use, 02408-02-06, 1750 Dutch Fork Road (Hwy 76) [Third Reading]**
- **05-05MA, Harold Pickrel, RU to C-3, Retail Development, 03300-08-29, Intersection of Hwy 176 & 76 [Third Reading]**
- **05-06MA, Clifton Kinder, D-1 to PUD-1R, Commercial/Residential PUD, 21800-01-03/14 & 21900-09-08, Corner of Trotter & Garners Ferry Road [Third Reading]**
- **05-07MA, Killian Lakes, M-1 to PUD-1R, Commercial/Residential PUD, 17300-02-03, Farrow Road South of Killian Road [Third Reading]**
- **05-09MA, Gentry Development, LLC, RU to C-3, Retail Center, 174600-06-10 & 17400-07-01/02/04 & Portion of Old Clemson Road, Intersection of Clemson & Longtown Road [Third Reading]**
- **Ordinance to authorize easement to SCE&G at 5 Medical Park Drive – Palmetto Richland Hospital [Second Reading]**
- **Sheriff's Department Budget Amendment: Petrol, Oil and Lubricant [Second Reading]**

- **Sheriff's Department Budget Amendment: Administrative Services** [Second Reading]
- **Sheriff's Department Budget Amendment: DNA and Firearms Lab** [Second Reading]

The vote in favor was unanimous.

THIRD READING ITEMS

Text Amendments to Chapter 26 of the County Code (The Zoning Ordinance) regarding bulletin signs incidental to Churches

Ms. Smith moved, seconded by Mr. Pearce, to adopt the ordinance as distributed by staff. The vote in favor was unanimous.

SECOND READING ITEMS

Animal Care: Ordinance to amend Chapter 5, Animals and Fowl – Mr. Pearce moved, seconded by Mr. Mizzell, to amend Section 5-11 deleting subparagraph-b in its entirety. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Corley, to amend Section 5-14 to require that an impounded pet be micro-chipped prior to it being redeemed. The vote in favor was unanimous.

Planning and Development: Adoption of the 2003 Editions of the International Building Code, International Fire Code, International Mechanical Code, International Plumbing Code and International Energy Conservation Code

Mr. Livingston moved, seconded by Mr. Pearce/Mr. Tuten, to defer this item. The vote was in favor.

Sheriff's Department Budget Amendment: Victim's Assistance Program

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

Quit-Claim Deed Peyton Road and Pepper Street – Ms. Brady moved, seconded by Ms. Corley, to approve this item. The vote was in favor.

Local Option Sales Tax Ordinance– Mr. Mizzell moved, seconded by Mr. Livingston, to approve the ordinance. The vote in favor was unanimous.

Land Development Code

A discussion took place regarding a group of amendments distributed by Ms. Smith.

Ms. Smith moved, seconded by Ms. Brill, to adopt the amendments as distributed (please see attached).

Ms. Smith went through the amendments and a discussion took place.

The vote was as follows:

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

The motion passes.

Ms. Smith moved, seconded by Ms. Brill, to adopt Second Reading of the Land Development Code as amended.

Mr. McEachern offered an amendment to the motion, seconded by Ms. Smith, to hold Third Reading at a Special Called Meeting on Tuesday, November 9th. The vote was in favor.

The vote was as follows for Second Reading:

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

The motion passed.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE MEETING

Ordinance authorizing the Sale of Property at Richland Northeast Industrial Park

Mr. Livingston stated the Committee recommended First Reading approval of this item. The vote in favor was unanimous.

Ordinance authorizing incentives for Farmer's Market Vendors

Mr. Livingston stated the Committee recommended First Reading approval of this item. The vote in favor was unanimous.

APPLICATION FOR A COMMUNITY RESIDENTIAL CARE FACILITY

839 Woodside Avenue, Columbia, S.C. 29203 – Ms. Tillis moved, seconded by Ms. Smith, to approve the application. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Appointment to Midlands Workforce Development Board

Mr. McEachern stated the Committee recommended appointing Ashley Bloom to the board. The vote in favor was unanimous.

Appearance Commission Ordinance

Mr. McEachern stated the Committee recommended First Reading approval to the ordinance amendment. The vote in favor was unanimous.

Policy for when to lower the flag

Mr. McEachern stated the Committee requested wording for a policy to include Richland County leaders.

Council Protocol- Mr. McEachern stated the Committee would bring back information in written form.

Updating system for sending Council agendas to citizens - Mr. McEachern reported that this item is still in committee.

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

MOTION PERIOD – No motions were made at this time.

ADJOURNMENT – The meeting adjourned at approximately 7:35 p.m.

Bernice G. Scott, Chair

Joan B. Brady, Vice-Chair

Susan Brill

Doris M. Corley

Paul Livingston

Joseph McEachern

Anthony G. Mizzell

L. Gregory Pearce, Jr.

Kit Smith

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin