

**RICHLAND COUNTY COUNCIL
SPECIAL-CALLED MEETING
JUNE 29, 2004
6:00 P.M.**

MEMBERS PRESENT

Bernice G. Scott, Chair; Susan Brill; Paul Livingston; Doris M. Corley; Joseph McEachern; Anthony Mizzell; L. Gregory Pearce, Jr.; Kit Smith; James Tuten, Thelma M. Tillis

ABSENT

Joan Brady was out of town due to her son having an accident at camp.

OTHERS PRESENT:

T. Cary McSwain, Larry Smith, Milton Pope, Tony McDonald, Ashley Bloom, Pam Davis, Roxanne Matthews, Carrie Neal, Marsheika Martin, Stephany Snowden, Kendall Johnson, Monique Walters, Geo Price, Chief Harrell, Amelia Linder, Michael Criss

CALL TO ORDER

The meeting was called to order at approximately 6:05 p.m.

INVOCATION

The Invocation was given by the Honorable James Tuten.

PLEDGE OF ALLEGIANCE

POINT OF PERSONAL PRIVILEGE - Ms. Brill introduced her replacement, Ms. Val Hutchinson, in the audience, as well as Ms. Barbara Wyatt who serves on the Planning Commission. Ms. Brill expressed her appreciation for her years of service on Richland County Council.

Ms. Smith shared with Council and citizens a picture of Ms. Tillis's granddaughter, as well as a picture of Ms. Tillis as a baby.

CITIZEN'S INPUT – Ms. Evelyn Bush spoke regarding the Township Auditorium.

ADOPTION OF AGENDA

Mr. Pearce wanted to make sure that the hospitality tax issue is on the agenda the first meeting in July.

Mr. Larry Smith, County Attorney, added a contractual matter regarding Owens Field. He stated it would need to be discussed in Executive Session.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Again, Mr. Smith stated the Owens Field Airport need to be discussed in Executive Session, as well as, a contractual matter regarding property.

REPORT OF COUNTY ADMINISTRATOR AND CLERK OF COUNCIL – No reports were given at this time.

SECOND READING ITEM

Land Development Code

Ms. Smith stated concepts for amendments were placed on Council's desk for adoption. She requested that Council would adopt the amendments but not give the ordinance Second Reading and also adopt the calendar which is as follows:

- Tuesday, July 13 – Public Hearing
- Thursday, July 15 – Special Called Meeting: Second Reading
- Thursday, July 22, Special Called Meeting: Third Reading

Ms. Smith moved, seconded by Ms. Brill, to take up the amendments for adoption as well as approve the calendar as submitted.

A detailed discussion took place regarding the process.

Mr. Livingston called for the question, seconded by Mr. Mizzell. The vote in favor was unanimous.

The vote for the main motion was as follows:

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

The motion passed.

Amendment 1: Incorporate new Stormwater Management Ordinance

Ms. Smith moved, seconded by Mr. Livingston/Ms. Brill, to approve the amendment. The vote was in favor.

Amendment 2: Require detention ponds be set back from adjacent property by 15'

Ms. Smith moved, seconded by Ms. Brill, to approve the amendment. The vote was in favor.

Amendment 3: Adopt McEachern amendments to 26-21 (a)(1) and 26-21 (c) (4) from work session to clarify "otherwise provided" and "protective intent"

Ms. Smith moved, seconded by Ms. Brill, to approve the amendment. The vote was in favor.

Amend 26-21 (C) (4) to read: The interpretation of the zoning administrator shall be in keeping with the protective intent and purpose of this chapter whenever an interpretation is necessary for a specific instance

Ms. Smith moved, seconded by Ms. Brill, to approve the amendment.

Ms. Scott recommended approving the entire document.

A discussion took place.

Draft Amendments: Land Use Code

Ms. Scott made a substitute motion, seconded by Ms. Tillis, to approve the entire document.

Point of Personal Privilege - Ms. Scott requested for the record to reflect that Ms. Brady's son was in an accident; however, he is doing fine.

A discussion took place regarding the amendments. Ms. Smith requested striking amendment 24 because Council had not discussed it.

Ms. Scott stated amendments 24 and 18 will be taken out.

The vote was in favor of the substitute motion.

Calendar

Ms. Smith moved, seconded by Mr. Mizzell, to adopt the proposed calendar.

A discussion took place.

The vote in favor was unanimous to adopt the following schedule:

- July 13th – Regular Meeting and Public Hearing
- July 14th – Second Reading (Special Called Meeting to debate amendments)
- July 21st – Third Reading of Land Use Code and End of July Meeting before the August break.

EXECUTIVE SESSION

Ms. Smith moved, seconded by Ms. Tillis to go into Executive Session to discuss the following:

- Contractual Matter: Owens Field Airport
- Contractual Matter: Property

The vote in favor was unanimous.

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Council went into Executive Session at approximately 6:54 p.m. and came out at approximately 8:21 p.m.
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Contractual Matter: Property – Mr. McEachern moved, and it was seconded, to direct the County Administrator to continue negotiations as discussed in Executive Session. The vote in favor was unanimous.

Bond Ordinance for Land Purchase – Mr. Livingston moved, seconded by Ms. Corley, to approve this item for First Reading. The vote in favor was unanimous.

Resolution authorizing land purchase – This was accepted as information only. Staff was directed to bring this item back before Council at the 13th meeting.

Contractual Matter: Owens Field Airport

Mr. Pearce moved, seconded by Ms. Corley to direct the County Administrator to enter into a contract using Option 1 as distributed.

Mr. Livingston offered an amendment to the motion beginning the 6th year (after the 5th year) a \$1,500 rent payment is begun and also a CPI increase in all revenues from that point throughout the remaining of the lease. Mr. Mizzell seconded the motion.

A discussion took place.

Ms. Smith offered a second amendment that if Mr. Livingston's amendment is not agreed upon, Council implements Option 4. The motion died for a lack of a second.

The discussions continued.

The vote for the amendment was as follows:

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

The motion failed.

The vote for the main motion was as follows:

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

The motion passed.

Ms. Smith wanted the record to reflect that "I was denied an opportunity to speak on the main motion."

Ms. Scott wanted the record to reflect that "as Chairman, Bernice G. Scott, did not allow Ms. Scott to speak to the motion because she was out of order."

MOTION PERIOD

Response to Audit Letter

Ms. Smith moved, seconded by Mr. McEachern, to direct the administration to present Council with a management response to the audit letter and remediation plan and an explanation as to the new fund balance by the first meeting in September.

Report regarding Time Warner Cable

Mr. Pearce stated a nice report was prepared regarding Time Warner Cable. He requested to schedule some time in September for an update to be presented to full Council.

Recognition of student and teacher of Spring Valley High School

Ms. Brill moved to recognize a high school senior at Spring Valley High School and her teacher. The student, [Katie Vashay](#), was recognized as one of the top ten students in USA Today. Her teacher, [Marilyn Synaway](#), is retiring.

Amendments to the Land Use Code

Ms. Scott made a motion for staff to check the amendments and make sure that the Planning Commission has had them; and if not, make sure that they do.

ADJOURNMENT – Mr. McEachern moved, seconded by Mr. Mizzell, to adjourn the meeting at 6:53 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