

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
MAY 16, 2000
6:00 P.M.**

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

ABSENT: Kit Smith (illness in her family).

OTHERS PRESENT: Tony McDonald, Milton Pope, Larry Smith, Monique Walters, Tonya Dunham, Marsheika Martin, Ash Miller, Pam Davis, Mullen Taylor, Stephanie Thompson, Jocelyn Jennings, Malik Whitaker, Simon Jackson, David Chamber

CALL TO ORDER

The meeting was called to order at approximately 6:10 p.m.

Mr. Pearce announced the Budget Public Hearing had been cancelled.

INVOCATION

The Invocation was given by the Honorable Jim Tuten.

CITIZEN'S INPUT

A discussion took place regarding citizens speaking to the Budget Public Hearing even though the Budget Public Hearing was cancelled.

Ms. Scott moved, seconded by Mr. Mizzell, to proceed with Citizen's Input for issues regarding the Budget Public Hearing even though the hearing had been cancelled. The vote in favor was unanimous.

Ms. Cindy Smith spoke regarding the Historic Foundation budget application. Ms. Gwen Goodluch spoke regarding Owens Field Hangers.

APPROVAL OF MINUTES

May 9, 2000: Regular Session

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

ADOPTION OF AGENDA

Mr. Morris moved, seconded by Mr. Meetze, to move Executive Session items to after item-4.

Mr. Morris moved, seconded by Mr. Meetze, to add to the agenda regarding Ms. Kay McClanahan lawsuit issue as item 4-a. The vote was in favor. Ms. Scott opposed. The item was denied because of a lack of unanimous consent.

After discussion, Mr. Mizzell moved, seconded by Mr. Livingston, to reconsider the McClanahan briefing. The vote in favor was unanimous.

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Mr. Morris moved, seconded by Ms. Scott, to add a briefing regarding the McClanahan lawsuit. The vote in favor was unanimous.

Mr. Tony McDonald, Assistant County Administrator, stated the Cell Tower issue for the Judicial Center needed to be placed on the agenda for Second Reading.

Mr. Morris moved, seconded by Mr. Tuten, to add the Cell Tower issue to the agenda as item 2-C. The vote in favor was unanimous.

Mr. Milton Pope, Assistant County Administrator, stated the wording of the title of item 1-F should state "Ordinance authorizing a deed to Richland County School District One".

Ms. Scott moved, seconded by Ms. Brill, to strike the words "quit claim" from the wording. The vote in favor was unanimous.

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

PRESENTATION OF PROCLAMATION – PEARCE

Mr. Pearce presented a Proclamation to the Mental Health Center recognizing the Month of May 2000 as the Mental Health Month of Richland County.

POINT OF PERSONAL PRIVILEGE

Mr. McEachern announced one of the members of the Mental Health Center, Ms. Hardy, is a citizen of his district.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Legal Briefing: Richland County Detention Center

Mr. Larry Smith, County Attorney, stated the legal briefings and the McClanahan Lawsuit needed to be discussed in Executive Session.

BUDGET PUBLIC HEARING

Mr. Pearce again announced the Budget Public Hearing has been cancelled. He stated Council needed to reschedule a date for the Public Hearing.

Ms. Scott moved, seconded by Mr. Mizzell, to hold the Budget Public Hearing on Tuesday, June 6th. The vote in favor was unanimous.

A discussion took place regarding this issue.

Mr. Morris requested an amendment to the motion to hold the Second Reading of the Budget on Monday, June 12th or Wednesday, June 14th.

Ms. Scott did not accept the amendment.

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Ms. Scott called for the question, seconded by Ms. Tillis. The vote was in favor. Mr. Morris opposes.

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

Mr. Morris moved, seconded by Mr. Tuten, to move Second Reading of the Budget from June 6th to Wednesday, June 14th.

Mr. Morris withdrew his motion.

Mr. Morris moved, seconded by Mr. Tuten, to hold a Special Called Meeting on Thursday, June 8th at 6:00 p.m. to hold Second Reading of the Budget.

The vote was as follows:

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

The motion failed.

REPORT OF COUNTY ADMINISTRATOR

Mr. McSwain update

Mr. Pope updated Council on Mr. McSwain's condition stating it is possible he would come back on a part-time basis as early as next week.

Worksession for General Fund Budget

Mr. Pope stated a Work Session to discuss the General Fund Budget is scheduled for Monday, May 22nd at 4:00 p.m. He also reported of the following dates for other Worksessions to be held:

May 17th @ 4:00 p.m. – General Fund
 May 23rd @ 4:00 p.m. – Water and Sewer
 May 23rd after A&F Meeting – First Reading of the budget (Special Called Meeting)

THIRD READING ITEMS

An Ordinance amending the FY 99-00 General Fund Budget to add one hundred thousand dollars (\$100,000.00) from undesignated, unreserved, general fund balance to provide funding as needed to fund current operations of the Eau Claire Cooperative Health Center as needed. If a resolution is found between Eau Claire Cooperative Health Center and Palmetto Health Alliance then Palmetto Health Alliance will consider reimbursing Richland for the \$100,000.00 appropriation – (PUBLIC HEARING)

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Mr. Pearce stated no one signed up to speak on the agenda.

Mr. Morris stated the agenda title is wrong and \$100,000.00 is not to be reimbursed.

Mr. Smith stated the ordinance could be amended to state that if this occurs, reimbursement would be considered.

Mr. Meetze moved, seconded by Ms. Brill, to change the language to state "then Palmetto Health Alliance will **"consider"**". The vote in favor was unanimous.

Ms. Sue Haddock, Consultant, updated Council on the status of the merge. She stated information has been collected and both groups have signed a confidentiality statement. She also stated they are moving forward and would meet on Monday for further discussions. She passed out a worksheet in reference to their financial status and reported on it.

A discussion took place.

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

A discussion took place.

Mr. Mizzell made a substitute motion, seconded by Mr. Tuten, to defer this item until the June 20th meeting.

The vote for the substitute motion was as follows:

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

The motion passed.

00-24MA, Kevin Meetze, from RU to M-1, E/S Howard Coogler Road

Mr. Meetze moved, seconded by Mr. Morris, to approve this item for Third Reading. The vote in favor was unanimous.

00-25MA, Stewart Mungo, From RU to PUD, TMS 04100-04-01, Koon Road

Mr. Meetze moved, seconded by Mr. Morris, to approve this item for Third Reading. The vote in favor was unanimous.

00-26MA, Stewart Mungo, From RU to PUD, TMS 04100-03-07 & 08, Kennerly Road

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Mr. Meetze moved, seconded by Mr. Morris, to approve this item for Third Reading. The vote in favor was unanimous.

Ordinance authorizing an assignment from Lamson to Quatro of Lamson's interests in the County-Lamson Inducement Agreement and the County-Lamson FILOT Lease as to the real property portion of the project; a County-Quatro FILOT Lease; and related amendments to the County-Lamson

Mr. Pearce stated no one signed up to speak to the Public Hearing.

Mr. George Wolf of Nelson Mullins, reported there is a technical change to the ordinance clarifying that the infrastructure credit that is part of this transaction will be part of the assignment that is occurring pursuant to this ordinance.

Mr. Morris moved, seconded by Mr. Meetze, to approve this item for Third Reading. The vote in favor was unanimous.

Ordinance authorizing a Deed to Richland County School District One

Mr. Meetze moved, seconded by Mr. Morris, to approve this item for Third Reading. The vote in favor was unanimous.

SECOND READING ITEMS

Budget Amendment for the Atlas Road Sewer Project

Mr. Morris moved, seconded by Mr. Tuten, to approve this item for Second Reading. The vote in favor was unanimous.

00-09MA, Andrew Weddle, From M-2 to RG-2, 400 Heyward Street

Mr. Morris moved, seconded by Mr. Tuten, to approve this item for Second Reading. The vote in favor was unanimous.

(Ms. Brill left the meeting at approximately 7:35 p.m.)

Lease with Columbia Cellular Telephone Company.

A discussion took place.

Mr. McDonald stated this item is going back to Committee for further information. He stated Council needed to consider it today to keep it on track with the timeline the company is on.

Mr. Meetze requested information on how much it weighs, how many pounds per square feet the roof is rated at, and if it will set up there safely without going through the roof.

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Mr. Gary Peddington, Attorney for Columbia Cellular Telephone, stated antennas mounted on the roof would be in three locations: corners that face Assembly St and the Judicial Center. He stated there is a very limited of scope to cover.

Mr. Morris moved, seconded by Mr. Mizzell, to give this item Second Reading approval for an ordinance authorizing the execution of a lease with Columbia cellular Telephone Company for construction and operation of cellular communication devices at the Judicial Center and authorized the Company to proceed with installation at their own risk prior to Third Reading.

(Mr. Morris left the meeting at approximately 7:46 p.m.)

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Recommendations from Committee meeting held May 9, 2000

Mr. Livingston reported on recommendations to changes in the rules such as: Three Council member signatures required for items defeated, no more than a total of 30 minutes for Citizen's Input, Committee as a whole was deleted. The vote in favor of the recommendations was unanimous.

CITIZEN'S INPUT

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

Mr. Pope reported on Animal Control issue. He stated there are ongoing negotiations with the animal shelter agreement and staff has spoken to the City regarding this issue. Mr. Pearce and Mr. Livingston are liaisons to this committee.

Mr. Pope stated more animals are being picked up daily and there is a delay in getting animals in shelter. Staff is searching for vacant animal runs, possible vacant shelters. He has directed Mr. Simon Jackson to get pricing on temporary runs. Mr. Pope will continue to update Council on the agreement and overcrowding.

EXECUTIVE SESSION ITEMS

Mr. Livingston moved, seconded by Mr. Meetze, to go into Executive Session to discuss two legal briefings on SBA Towers Litigation and McClanahan lawsuits.

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**Council went into Executive Session at approximately 7:55 p.m. and
came out at approximately 8:45 p.m.**
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

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Legal Briefing: SBA Towers Litigation and McClanahan vs. Richland County

These items were accepted as information.

Legal Briefing: Richland County Detention Center

Ms. Scott moved, seconded by Mr. Mizzell, directed staff to move forward as discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

No motions were made at this time.

ADJOURNMENT

It was moved and seconded to adjourn the meeting at approximately 8:45 p.m. The vote in favor was unanimous.

Kit Smith, Chair

L. Gregory Pearce, Jr.

Susan Brill

Paul Livingston

Joseph McEachern

Anthony G. Mizzell

Stephen F. Morris

J.D. "Buddy" Meetze

Bernice G. Scott

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin