

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 4, 2006 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.

MEMBERS PRESENT:

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

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Joe Cronin, Roxanne Matthews, Larry Smith, Amelia Linder, Donny Phipps, Michael Criss, Susan Britt, Anna Almeida, John Newman, Monique Walters, David Adams, Dan Gregory, Cindy Simpson, Daniel Driggers, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Audrey Shifflett, Sheriff Leon Lott, Chief Harrell, Michelle Onley

CALL TO ORDER

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

INVOCATION

The Invocation was given by Rev. Wiley Cooper

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

PRESENTATION

Don Purcell, Northeast Summit – Mr. Purcell gave a presentation regarding the meetings that have been taking place with regard to this program. Mr. Purcell would like Council to attend the meeting that has been scheduled in the next few weeks.

Virginia Bedford, Three Rivers Music Festival – Mr. Bobby Gist and Ms. Bianca Crawford gave a presentation regarding the Three Rivers Music Festival.

Sheriff Lott/David Adams, Expired Tag Program – Sheriff Leon Lott and Mr. Adams gave an update on the Expired Tag Program and presented Council with a check for \$1,550,000.00.

ADOPTION OF AGENDA

Mr. Mizzell stated that Item 5.b. needed to be removed from the agenda.

Mr. McEachern moved, seconded by Ms. Scott, to add the Thompson residential care facility as 8.b.

The agenda was also renumbered, as it was numbered incorrectly originally.

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

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Zoning Public Hearing: January 24, 2006 – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: February 28, 2006—Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

Regular Session: March 21, 2006 – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: March 28, 2006 – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated that there was one item that may need to be discussed in Executive Session:

1. TIF Report—Legal Briefing

Mr. Livingston moved, seconded by Ms. Scott, to move the Executive Session to after Citizen's Input.

REPORT OF THE COUNTY ADMINISTRATOR

Recreation Commission – Mr. Pope reminded Council about proceeding with the third appointment to the commission.

Township Properties – Mr. Pope stated that he had previously e-mailed the information regarding these properties to Council.

REPORT OF THE CLERK OF COUNCIL

RMH Reception – Ms. Finch stated that the reception will be held April 5th at 6:00 p.m.

Firefighters Graduation – Ms. Finch stated that the graduation is to be held April 7th at 6:30 p.m. Mr. Mizzell stated that Ms. Dickerson will be representing Richland County at this event.

REPORT OF THE CHAIRMAN

Township Meeting – Mr. Mizzell stated that the meeting will be held on April 5th at 8:30 a.m. and that Council is invited to attend.

PUBLIC HEARING ITEMS

- **KPR Holdings, L.P. Transfer to Tyson Prepared Foods, Inc.** – No one signed up to speak.
- **A Budget Amendment Regarding the Detention Center Medical Contract** – No one signed up to speak.
- **Budget Amendment to Add Four (4) New Full-Time Positions to the Finance Department** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Mr. Jeter, to approve the following consent items:

- **KPR Holdings, L. P. Transfer to Tyson Prepared Foods, Inc.** [Third Reading]
- **A Budget Amendment Regarding the Detention Center Medical Contract** [Second Reading]
- **06-01MA, Jack Wolfe, RU to RS-LD, Single Family Residences, 01312-01-05, Johnson Marina Road** [Second Reading]
- **06-05MA, RT Retail Development Services (Gary Stanfield), RU to GC, Retail Store, 05000-04-37, Broad River Road @ Rah Rah Way** [Second Reading]
- **06-08MA, Enga Acciardo, C-1 to C-3, Commercial Retail Store, 22900-02-05(p), Forum Drive in Village at Sandhill** [Second Reading]
- **06-11MA, Enga Acciardo, C-3 to C-1, Commercial Retail Store, 22900-02-05(p), Forum Drive in Village @ Sandhill** [Second Reading]
- **Amend the definition of Major and Minor Subdivision** [Second Reading]
- **Approval of Close-Out Change Order for Broad River Heights Sewer Project**
- **Adoption of Fair Housing Resolution for 2006**
- **Ordinance Authorizing a Quit-Claim Deed to Hendricks Commercial Properties, LLC for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street**

- **Ordinance Authorizing a Quit-Claim Deed to ASW Land Partnership for a Certain Portion of an Abandoned Right-of-Way Known as Oakdale Street**

The vote in favor was unanimous.

SECOND READING ITEMS

Budget Amendment to Add Four (4) New Full-Time Positions to the Finance Department – Mr. Livingston moved, seconded by Ms. Corley to approve this item. The vote in favor was unanimous.

FIRST READING ITEMS

06-09MA, Bright-Meyers 2001 LLC, Robert Fuller, M-1 & RU to GC, Wal-Mart and Associated Development, 17400-11-03 & 14781-04-14/13/12, NW Quadrant of Killian Road & I-77

Mr. Livingston moved, seconded by Mr. Pearce, to approve this item and direct staff to draft a development agreement before Second Reading, if possible. A discussion took place.

Mr. McEachern made a substitute motion to defer this item until the May 2nd meeting, seconded by Ms. Dickerson.

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

The substitute motion failed.

A discussion took place.

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

The vote on the main motion was in favor.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Funding Request: Wood + Partners, Task 2, Entertainment/Recreation Complex (referred from February A/F Mtg.) – Ms. Smith moved, seconded by Mr. Montgomery, to approve this item with a stipulation that there be very strict penalties on any delays or missed deadlines. A discussion took place. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Amendment to the Ordinance Requirements Regarding Residence for Board/Committee Members – Mr. McEachern stated that this item will remain in committee.

SCAC Rules for Motion Period – Mr. McEachern stated that this item will remain in committee.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Richland Northeast Industrial Park Land Sales:

- a. Seal Jet: 3.56 acres
- b. Forum Development II, LLC: 9.665 acres, Lot 12
- c. Forum Development II, LLC: 2.713 acres, Lot 28
- d. Brazell Family, LLC: 6.941 acres, Lot 11
- e. Brazell Family, LLC: 5.057 acres, Lot 6
- f. Fastenel: 3.4 acres, Lot 26

Mr. Livingston stated that the committee recommended First Reading approval of these items. A discussion took place. The vote in favor was unanimous.

APPROVAL OF RESIDENTIAL CARE FACILITY

Ms. Jeanette Lynn Smith, 226 Gusty Lane, Hopkins, South Carolina 29061 – Ms. Scott moved, seconded by Ms. Corley to approve this item. The vote in favor was unanimous.

Karen (or) Ebony Thompson, 323 Nelson Road, Columbia, SC 29203 – Mr. McEachern moved, seconded by Ms. Corley, to reject the application. A discussion took place. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR'S TASK FORCE

Mr. Mizzell stated that all the bids have been received and the task force met April 4th to review this information. Staff was to e-mail Council the information that has been received.

The task force plans to meet again in the next two weeks so they can provide Council with a recommendation at the April 18th Council meeting.

CITIZEN'S INPUT

Mr. Sherman Goodwin spoke regarding the use of tax payer money.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Pearce moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 7:17 p.m. and came out at approximately 7:45 p.m.
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Mr. Pearce moved, seconded by Mr. Jeter, to come out of Executive Session. The vote in favor was unanimous.

1. **TIF Report—Legal Briefing** – No action was taken.

MOTION PERIOD

Columbia City Jazz Dance Company – Ms. Scott directed the County Administrator to identify \$5,000 from the General Fund and bring back a recommendation to Council. A discussion took place.

Ms. Smith appealed the ruling of the Chair. Mr. Mizzell read the Council Rules regarding the Motion Period. Ms. Smith withdrew her appeal.

POINT OF ORDER – Mr. Montgomery stated that he clearly heard Ms. Scott say that her intent was to “give” the money, and then stated that he heard Mr. Smith say that he interpreted that as to “find” it.

POINT OF ORDER – Mr. Montgomery would like to have articulation as to how appropriating funds for a private group to travel is a County related matter.

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

Tabling of Items in Committee – Ms. Scott requested the Rules & Appointment Committee bring back to Council a rule that would allow matters that are tabled in Committee to be brought to Council upon the request of three council members.

Energy Management Group Presentation – Mr. Jeter referred to D&S an energy management group presentation.

Economic Development Officer Position – Mr. McEachern referred to A&F the feasibility of having an Economic Development officer.

Presentation by Chief Justice Jean Toal – Mr. Montgomery referred to A&F a presentation by Chief Justice Jean Toal and the Richland County Bar on the conditions and recommendations regarding the courthouse.

ADJOURNMENT

Mr. Pearce moved, seconded by Mr. McEachern, to adjourn. The vote in favor was unanimous.

The meeting adjourned at approximately 8:08 p.m.

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 Michelle M. Onley