

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION MEETING TUESDAY, JUNE 7, 2005 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	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith
Member	Doris M. Corley

Absent Damon Jeter

ALSO PRESENT: Michielle Cannon-Finch, T. Cary McSwain, Larry Smith, Milton Pope, Tony McDonald, Ashley Bloom, Michael Criss, Edith Caudle, Monique Walters, Marsheika Martin, Chief Harrell, Joe Cronin; Chris Eversmann

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION – The Invocation was given by the Honorable L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Ms. Michielle Cannon-Finch, Clerk of Council, stated item 2-f (05-68MA) rezoning request needs to be changed from MH to PUD-2.

Mr. Pearce requested adding a legal briefing to be discussed in Executive Session.

Ms. Scott moved, seconded by Ms. Dickerson, to adopt the agenda as amended. The vote in favor was unanimous.

PRESENTATIONS

Ms. Mickey Koontz – CASA -Volunteer of the Year Award – Ms. Koontz was honored for serving as Guardian for a total of 90 children in Richland County. Family, friends and staff from CASA were present to support Ms. Koontz.

On behalf of National CASA Association, Mr. Milton Pope, Assistant County Administrator, congratulated Ms. Koontz on receiving the Richland County CASA's Program Achievement Award. A \$1500 donation was made in Ms. Koontz's name to Richland County CASA.

Council was invited to attend reception which was being held on the 4th Floor immediately following the presentation.

Richland 101 Graduation – Citizens were given certificates for their participation in the semi-annual class on County issues.

Dr. Mike McGee, Athletics Director of The University of South Carolina – On behalf of Council, Mr. Mizzell and Ms. Hutchinson, presented Dr. McGee a resolution for his successful career as Athletic Director at USC.

CITIZEN'S INPUT

No one signed up to speak at this time.

APPROVAL OF MINUTES

Regular Session: May 17, 2005 – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

Budget Public Hearing: May 19, 2005 – Mr. Pearce moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: May 24, 2005 – Ms. Scott moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated the Legal Briefing is the only item on the agenda to be discussed in Executive Session.

REPORT OF THE COUNTY ADMINISTRATOR

Presentation from SCAC: Mr. Robert S. Croom, Assistant Director of the Legal and Legislative Affairs at the SCAC, has requested a brief presentation regarding the legislative outcome for this year.

City/County Subcommittee – The subcommittee held a breakfast meeting at the Clarion Townhouse to discuss various city/county issues. The outcome was significant and positive.

Budget Director's request – Council was asked to get budget motions to the Budget Director's Office before Third Reading.

USC MOU – The MOU has been executed and delivered to the Budget and Control Board on Monday. The financial strategy was not available at this time.

REPORT OF THE CLERK OF COUNCIL

Community Relations Council's Annual Luncheon – The luncheon is scheduled for Wednesday, June 15th from 12:30p until 2:30p at Seawell's. The following Council members said they could attend: McEachern, Livingston, Hutchinson, Mizzell, Dickerson and Scott.

Utilities Work Session - The work session is scheduled for Tuesday, June 14th from 5:00p until 7:00p.

Council's Meeting Schedule for July – Mr. Pearce moved, seconded by Mr. McEachern, to cancel the July 5th meeting and reschedule the first meeting in July for the 12th. The vote in favor was unanimous.

Special Called Meeting Agenda – Council was informed that the agendas for the June 8th Meeting are available and will be passed out at the end of the meeting.

PSI-Private Investigator Item - Council was informed that this consent item was inadvertently left off of the agenda.

Ms. Smith moved, seconded by Ms. Scott, to add the item to the agenda as item-3-f.3. The vote in favor was unanimous.

FY 2005 Budget Amendment Request – Council was informed that this item should be on the agenda for Third Reading and not Second Reading.

OPEN/CLOSE PUBLIC HEARINGS

There were no items on the agenda for a public hearing.

APPROVAL OF CONSENT ITEMS

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

- **Ordinance authorizing the funding of a site for a new Farmer's Market through the issuance of not to exceed \$5,000,000 Richland County** [Third Reading]
- **05-60MA, Randy Mosteller, RU to C-3, Retail Commercial, 01511-01-04/05/06/08, Dutch Fork Road near the Lowman Home** [Second Reading]
- **05-61MA, David Lucas, D-1 to C-3, General Commercial, 04003-02-16, Broad River Road & Sease Road** [Second Reading]
- **05-62MA, Karen McMillan, RS-3 to C-1, Board House, 09311-06-05, 5752 Kinghter Road near Monticello Road** [Second Reading]
- **05-64MA, Carroll Investment Properties, C-3 & D-1 to RG-2, Construct multi-family development, 19100-04-20, North Side Garner's Ferry Road at Mill Creek** [Second Reading]
- **05-68MA, RSL Simon, LLC, Jeff Freeman, PUD-2 to amended PUD-2, MH to PUD-2, Office Park, 23000-03-19, Summit Terrace Court** [Second Reading]
- **05-70MA, Village of Hope, CDC, RG-2 to PUD-1R, Mixed Residential densities & commercial, 09104-01/06/20, McRae and Gibson Streets** [Second Reading]
- **Land Development Code-Vested Rights** [Second Reading]
- **Planning and Development Services: Adoption of the 2003 Editions of the International Residential Code, International Fuel Gas Code, and International Property Maintenance Code**
- **Emergency Services-Purchase Orders for 2005-2006**
- **Emergency Services-Ballentine Fire Station Roof Installation**
- **Ordinance repealing Deed in Richland Northeast Industrial Park**
- **Information Technology: Countywide Microsoft Licensing**
- **U.S. Economic Development Administration Comprehensive Economic Development Strategy (CEDS)**
- **Private Investigator Business License Applications-Brooks Professional Investigative & Consultant Services (Israel Brooks)**
- **Private Investigator Business License Applications-Gordon Agencies, Inc. (James Gordon, Jr.)**
- **Private Investigator Business License Applications-PSI**
- **Planning and Development Services: Organization Ordinance**
- **Department of Public Works-Purchase of replacement clamshell truck**
- **Department of Public Works-2005 Roadway Resurfacing Project**
- **Department of Public Works-Traffic calming standard**
- **A Resolution to appoint and commission James W. Bouknight, Clarence E. Hudgins, Albert R. Little, and Stephanie P. Obley as**

- **Code Enforcement Officers for the property, security, general welfare, and convenience of Richland County**

The vote in favor was unanimous.

THIRD READING ITEM

Fiscal Year 2005 Budget Amendment Request – Ms. Smith stated this is an amendment to transfer funds from one division to another to bring the budget into conformity. She stated that Committee's recommendation was for approval on a divided vote. The vote in favor was unanimous.

SECOND READING

05-52MA, NKD, Inc., River Shoals, TMS 04300-04-10 O'Sheal Road, RU to PUD-1R

Ms. Scott moved, seconded by Ms. Dickerson, to approve the rezoning request for Second Reading. The vote was in favor.

05-63MA, Christina Middleton, D-1 to RS-2, Single Family Detached Subdivision, 22015-04-40/63, Lower Richland Boulevard

Mr. Livingston moved, seconded by Mr. Pearce, to approve the rezoning request for Second Reading. The vote was in favor.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Department of Public Works - Utilities Ordinance Amendment

Ms. Smith stated the Committee recommended approval (on a divided vote) of an ordinance to establish the Department of Utilities as a separate department from Public Works.

Mr. McEachern offered an amendment to the main motion, seconded by Ms. Scott, to strike the section regarding the General Support Services from the ordinance.

Mr. McSwain stated a recommendation could be brought back to Council regarding the change in duties and the grading of it. He stated that could be presented within the ordinance.

After discussion, Ms. Scott moved, seconded by Mr. Jeter, to defer this item to the next meeting. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

1. Notification of Vacancies on Boards, Commissions and Committees

Mr. McEachern notified Council of the following vacancies:

- **Board of Assessment Control-1**
- **Central Midlands Council of Governments-2**
- **Community Relations Council-3**
- **East Richland Public Service Commission-1**
- **Employee Grievance Committee-1**
- **Library Board of Trustees-6**

2. Notification of Appointments to Boards, Commissions, and Committees

Building Codes Board of Adjustments and Appeals-1 - Mr. McEachern stated there is one vacancy to this board with one application received. The committee recommended re-appointing Mr. Steve Nelson to the board. The vote in favor was unanimous.

Internal Audit Committee-1 - Mr. McEachern stated there is one vacancy to this board. The Committee recommended re-advertising for this position and requested for the advertisement to stay current until the position is filled in order to avoid reoccurring costs. The vote in favor was unanimous.

Recreation Commission – Mr. McEachern stated the committee recommended advertising all seven (7) positions for five-year appointments and set up a Work Session to discuss other legal issues. The vote in favor was unanimous.

Mr. McEachern stated a Work Session date can be scheduled during the Motion Period.

3. Item for Discussion

Including Sponsors' Names on Resolutions - Mr. McEachern stated the Committee recommended that if a Council Member makes a motion for a Resolution that their name be placed on the Resolution as the sponsor along with any other members who would like to sponsor the Resolution.

A discussion took place.

After a voice vote, the vote was as follows:

In favor

Corley
Pearce
Scott

Oppose

Montgomery
McEachern
Mizzell
Smith
Livingston
Hutchinson
Dickerson

The motion failed.

Ms. Scott wanted the record to reflect that she received 86% of votes in her district and is well known.

APPLICATION OF LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

**LaVerne M. Hickson
300 Charring Cross Road
Irmo, South Carolina 29063**

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

FIRST READING ITEMS

Recreation Commission Bond

1. **Petition to approve \$26,000,000 Recreation Bonds** – Ms. Scott moved, seconded by Ms. Dickerson, to give First Reading by title only.

Mr. Montgomery made a substitute motion, seconded by Ms. Smith, to change the name of the item on the agenda and make it *Motion to approve Recreation Commission Bonds* and not include the amount in the matter.

After a voice vote, the vote was as follows:

In favor

Montgomery
Smith
Pearce
Hutchinson
Livingston

Oppose

McEachern
Corley
Mizzell
Dickerson
Scott

The motion failed.

2. Ordinance to give first reading approval to the issuance of Bonds

Ms. Scott moved, seconded by Ms. Dickerson, to approve this item for First Reading. The vote was in favor.

3. Resolution to establish a public hearing regarding the Recreation Bonds

Ms. Scott moved, seconded by Ms. Dickerson, to approve the resolution. The vote in favor was unanimous.

CITIZEN'S INPUT

Ms. Leanne Johnson spoke regarding her involvement in local governments.

EXECUTIVE SESSION

Legal Briefing regarding a potential claim

Mr. Pearce moved, seconded by Ms. Corley, to go into Executive Session to receive a legal briefing. The vote in favor was unanimous.

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Council went into Executive Session at approximately 7:10 p.m. and came out at approximately 7:27 p.m.
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Mr. Pearce moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

Mr. Mizzell stated this item was received for information.

MOTION PERIOD

Comprehensive Land Use Plan – Ms. Scott inquired about the status of the issue regarding family-owned property. She stated she had previously made a motion that if the property was family-owned, that a 60-ft wide road would not be required.

A discussion took place.

Mr. McSwain stated staff is currently working on the amendment.

The discussion continued.

Ms. Scott directed staff to bring the issue before Council when it is ready, preferably before July 1st.

Resolutions for Mayor of Blythewood and an Eagle Scout

Ms. Dickerson moved, seconded by Ms. Scott, to create two (2) resolutions. The vote in favor was unanimous.

Tracking System

Mr. Montgomery moved, seconded by Ms. Scott, to ask the Clerk, a representative from Information Technology and the Rules and Appointments Committee to meet and discuss the idea of developing a tracking system for items that are raised in Council meetings in order to make sure items are followed up. The vote in favor was unanimous.

Work Session for the Recreation Commission

Mr. McEachern stated a date needed to be scheduled to hold discussions regarding the Recreation Commission.

This item will be discussed with other items at the Work Session scheduled for Tuesday, June 14th beginning at 5:00p.

ADJOURNMENT – The meeting adjourned at approximately 7:43 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

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