

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 21, 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	Doris Corley
Member	Paul Livingston
Member	Joyce Dickerson
Member	Kit Smith
Member	Bernice G. Scott
Member	Damon Jeter

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Larry Smith, Amelia Linder, Anna Almeida, Michael Criss, Jennie Sherry-Linder, Jim Wilson, Chief Harrell, Stephany Snowden, Joe Cronin, Daniel Driggers, Audrey Shifflett, Teresa Smith, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable L. Gregory Pearce, Jr.

PRESENTATIONS

“Charley” Children’s Book Presentation – Caroline Coleman Bennett presented the members of Council with a copy of *Charley’s Columbia Backyard* and recognized all those that helped her with the publication of this book.

ADOPTION OF AGENDA

Mr. Mizzell stated that he had received a letter from Scott Powers, Columbia Sports Council, requesting that the rowing center be added to the agenda.

Mr. Livingston moved, seconded by Mr. Montgomery, to add the rowing center to the agenda. The vote in favor was unanimous.

Ms. Finch stated that 2.c. and 2.d. should have been listed as consent.

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

CITIZEN’S INPUT

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Mr. Mizzell recognized that Councilman-Elect Norman Jackson and Auditor-Elect Paul Brawley were in the audience.

APPROVAL OF MINUTES

Regular Session: November 14, 2006 – Mr. Montgomery moved, seconded by Ms. Smith, to approve the minutes as distributed. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Hutchinson stated that her new grandson was born this morning.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated the following items were potential Executive Session items:

- a. **Pending Litigation—Whitaker vs. Richland County**
- b. **Pending Litigation—Richland Northeast Sanitary Landfill vs. Richland County**
- c. **Contractual Matter—TIF Update**
- d. **Contractual Matter—Rowing Center**

Ms. Smith moved, seconded by Mr. Montgomery to move Executive Session until after Citizen’s Input. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Employee Grievance – Ms. Smith moved, seconded by Mr. Montgomery, to uphold the Administrator’s recommendation. The vote in favor was unanimous.

Legal Update: Sease Road – Mr. Pope requested that this item be taken up during Executive Session.

Mr. Livingston moved, seconded Mr. Pearce, to add this item to Executive Session. The vote in favor was unanimous.

All America County Pins – Mr. Pope stated that an All America pin should have been placed at each Council member's seat.

REPORT OF THE CLERK OF COUNCIL

December Schedule – Ms. Finch stated that D&S, A&F and Zoning Public Hearing was presently scheduled for December 26th and would like guidance from Council regarding the December schedule.

Mr. Mizzell stated that this will be taken up during the motion period.

REPORT OF THE CHAIRMAN

Administrator Search Special Called Meeting – Mr. Mizzell stated that Mr. Jim Mercer gave him the date of November 27th to discuss the potential candidates and that this would be taken up during the motion period.

PUBLIC HEARING ITEMS

- Mr. Mizzell stated there were no public hearings.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Scott, to approve the following consent items:

- **Ordinance Authorizing Deed to L-J, Inc., for Lots 18 and 19 (Approximately 14.14 Acres Total) in the Richland Northeast Industrial Park, a Portion of Richland County TMS#25800-04-01** [Third Reading]
- **06-52MA, Rice Creek Farms, Partnership/Joe Clark & Tom Studer, RU to NC, Neighborhood Commercial, 01506-01-05/06, Three Dog Road & Hwy. 76** [Third Reading]
- **06-56MA, Judy/Gwen Properties, LLC/Gwen Scott, RU to RS-LD, Residential Use 03310-01-03, 27 Natures Creek Trail** [Third Reading]
- **Coroner: Request to Change Part-Time Clerk 1 Position to Full-Time Secretary** [Second Reading]
- **Election Commission: Budget Amendment for Voting System Hardware and Software Maintenance (\$25,396.00)** [Second Reading]
- **Ordinance Authorizing Deed: Northeast Industrial Park Land Purchase, Lot 25, (William H. Godshall and Bryan Chassereau)** [Second Reading]
- **Ordinance Authorizing Water Main Easement to the City of Columbia on Consolidated Systems Property** [Second Reading]

Ms. Scott moved, seconded by Mr. Pearce, to approve the consent items. Mr. Montgomery stated for the record that he abstained from voting on 06-56MA, Judy/Gwen Properties, LLC/Gwen Scott, RU to RS-LD, Residential Use, 03310-01-03, 27 Natures Creek Trail.

THIRD READING ITEMS

An Ordinance Amendment to the Richland County Road Paving Program to Permit Reordering of the Road Priority List – Mr. Livingston moved, seconded by Ms. Corley, to amend the ordinance to take effect with the next cycle of road paving.

POINT OF ORDER – Mr. Montgomery stated that the proposed amendment had been previously proposed and defeated twice by tie votes and was not a proper amendment.

Mr. Mizzell ruled that the motion and amendment were out of order.

Ms. Smith moved, seconded by Mr. Montgomery, to approve this item. A discussion took place.

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

The motion failed.

SECOND READING ITEMS

06-50MA, Brantley Manor, RS-LD to RU, Bed & Breakfast, 02307-01-07, 10 Leitner Point – Ms. Corley moved, seconded Ms. Dickerson, to approve this item. A discussion took place.

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

The vote was in favor.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

- a. **Lexington/Richland Drug Abuse Council Term Date Changes Ordinance** – Mr. McEachern stated the committee recommended Second Reading of this item. The vote in favor was unanimous.

- b. **Richland County Transportation Study Commission** – Mr. McEachern stated the committee recommendation was to advertise for this commission. The vote in favor was unanimous.

Mr. McEachern also stated that each Council member has an appointment to this commission and staff will be providing Council with applications. Council needs to have their recommendations to the committee by December 13th.

Mr. McEachern requested that staff send letters to the other entities that have appointment authority.

Application for Locating a Community Residential Care Facility in an Unincorporated Area of Richland County, Mrs. Catherine B. Hammond, 1124 Eastmont Drive, Columbia, SC 29204 [Deferred from mtg. of 11/14/06] – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Reconsideration of October 17, 2006 minutes [06-39MA, Parker Jennings, RU to PDD, Mixed Use Development, TMS 01500-02-09, 1300 Peace Haven Road] – Ms. Smith stated that the following amendments to the ordinance were suggested:

- a. The site shall be limited to no more than eight pieces of heavy equipment at any one time (heavy equipment shall include, but not be limited to, excavators, small bulldozers, and rubber tire back hoes); and
- b. The hours of operation for any business on this site shall be between the hours of 6:00 a.m. and 8:00 p.m.; and
- c. The transporting of any heavy equipment (as defined above) into or out of this site shall be performed after 8:00 a.m. during the academic school year.

Mr. Livingston moved, seconded by Ms. Scott, to approve the minutes with the amended language. The vote was in favor.

Potential Bond Items (Referred from Work Session at 4:00 p.m.) – Ms. Smith moved, seconded by Mr. Livingston, to direct staff to develop a bond ordinance dealing with all the bond issues except for the Hospitality Tax appropriation for the Woodrow Wilson House and that staff bring back to Council a plan for the expenditure of the Hospitality Tax, including the Woodrow Wilson House, as soon as possible. The vote in favor was unanimous.

Rowing Center Access – A discussion took place.

Mr. Pearce moved, seconded by Ms. Smith, to defer action on this item until after Executive Session. The vote in favor was unanimous.

CITIZEN'S INPUT

The citizen who signed up to speak did not speak at this time.

EXECUTIVE SESSION ITEMS

- a. **Pending Litigation—Whitaker vs. Richland County** – No action taken.

- b. **Pending Litigation—Richland Northeast Sanitary Landfill vs. Richland County** – No action taken.
- c. **Contractual Matter—TIF Update** – No action taken.
- d. **Contractual Matter—Rowing Center Access** – Mr. Livingston moved, seconded by Mr. Jeter, to accept the Administrator’s recommendation to lease the property for access to the rowing center for the four month period.

A discussion took place.

The vote in favor was unanimous.

- e. **Legal Update—Sease Road** – No action taken.

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

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Council went into Executive Session at approximately 7:00 p.m. and came out at approximately 8:03 p.m.
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Mr. Montgomery moved, seconded by Mr. McEachern, to come out of Executive Session. The vote in favor was unanimous.

MOTION PERIOD

November 27th Special-Called Meeting – Ms. Scott moved, seconded by Ms. Dickerson, to schedule a Special-Called Meeting on November 27th at 5:00 p.m. to meet with the Mercer Group to receive an update regarding the Administrator’s Search. The vote in favor was unanimous.

Stuart Hamilton Resolution – Mr. Livingston moved, seconded by Ms. Scott, to adopt a resolution for Stuart Hamilton. The vote in favor was unanimous.

Hammond School Resolution – Mr. Pearce moved, seconded Ms. Scott, to adopt a resolution for Hammond School in recognition for their Class AAA State Championship. The vote in favor was unanimous.

Korean Day Resolution – Mr. McEachern requested a resolution in honor of Korean Day. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 8:12 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