

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
MARCH 20, 2001
6:00 P.M.**

MEMBERS PRESENT: Kit Smith, Chair; L. Gregory Pearce, Jr., Vice-Chair; Joan B. Brady, Susan Brill, Paul Livingston, Joseph McEachern, J.D. "Buddy" Meetze, Anthony Mizzell, Bernice G. Scott, Thelma M. Tillis, James Tuten

OTHERS PRESENT: Michielle Cannon-Finch, T. Cary McSwain, Darren Gore, Larry Smith, Amelia Linder, Milton Pope, Tony McDonald, Randy Jorgenson, Monique Walters, Mullen Taylor, Pam Davis, Ash Miller, Ralph Pearson, Marsheika Martin

CALL TO ORDER

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

PRESENTATION OF RESOLUTION (Bob Pulliam; Douglas Oates, Bernie McGuire)

On behalf of Council, Mr. Pearce presented a Resolution of commendation to Mr. Bob Pulliam. Ms. Brill presented a Resolution of commendation to Mr. Bernie McGuire.

ADOPTION OF AGENDA

Mr. Livingston stated he needed to add the following two items to the Report of the Rule and Appointments Committee:

- Council Rules as item 4-b.
- A report of the Central Midlands Regional Transit Authority Board as 4-c.

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

CITIZEN'S INPUT

The following persons spoke during Citizen's Input:

- Mr. Chip Carter spoke of concerns regarding 2.d.
- Mr. Robin White spoke in favor of items 1-a and 1-b.
- Mr. Kirkman Finly III spoke of concerns regarding item 3.a.
- Mr. John Foster spoke of concerns regarding item 3.a.
- Ms. Sally Crane spoke of concerns regarding item 3.a.
- Mr. John Finnal spoke of concerns regarding item 3.a.
- Ms. Ruth Johnson spoke of concerns regarding item 3.a.
- Mr. Jim Wiseman spoke of concerns regarding item 3.a.
- Mr. Bill Boyd spoke of concerns regarding item 3.a.

APPROVAL OF MINUTES

Regular Session: March 7, 2001

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

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REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Larry Smith, County Attorney, stated there were no items on the agenda to be discussed in Executive Session.

REPORT OF COUNTY ADMINISTRATOR

Detention Center Renaming Ceremony

Mr. McSwain commented that the ceremony was well received and thanked staff for their successful efforts.

Budget Process

Mr. McSwain stated that 60% of Department/Agency budget requests have been reviewed and the process is moving smoothly.

City-County Planning Co-Location

Mr. McSwain stated that the City-County Planning Committee met this week to discuss co-location. The City recognized the need for joint planning efforts and both the City and County are continuing to look at available options.

Governor's Summit on Growth

Mr. McSwain announced that several County Council Members and staff members attended the conference held last week.

Southeastern Economic Alliance

Mr. McSwain attended a Southeastern Economic Alliance meeting to discuss high-speed rail for the southeast region. He stated he would continue to participate in these meetings and will keep Council informed of the progress made.

OPEN/CLOSE PUBLIC HEARING ITEM

2.c. Schmalbach Lubeca

The floor was open for a public hearing.

Ms. Smith stated no one signed up to speak to the public hearing.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

1.a Approval of an ordinance authorizing a Development Agreement between Richland County, South Carolina and Village at Sandhill, LLC, and other matters related thereto – Third Reading approval given to this ordinance authorizing the execution of a Development Agreement.

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2. SECOND READING ITEMS

2.a. 01-23MA, Wendy Luce, First Commercial Company, From D-1 to C-3, 17112-01-01(P), South Side Rabon Road just East of Farrow Road – Second reading given to this rezoning request.

2.b. Ordinance Amendment: Increase in County Code Violation – Second reading approval given to an ordinance amendment that increases the maximum penalty for code violations from \$200.00 to \$500.00.

2.c. Schmalbach Lubeca – Second reading approval given to an ordinance consenting to revisions to the lease agreement between Richland County and Schmalbach Lubeca and the lease agreement between Richland County and Wilmington Trust Company to provide for a sale-leaseback arrangement between Schmalbach Lubeca and its affiliates.

2.d. Business Directory Signs – Second reading given to this ordinance amendment that provides for regulations permitting business and/or industrial development directory signs.

1. THIRD READING ITEMS

a. 01-26MA, Alan B. Kahn, Clemson University, From C-1 to RG-2 and C-3, 23000-02-02 (P), (deferred from Council meeting of 3/7/01)

Ms. Scott moved, seconded by Mr. Mizzell, to approve this item for Third Reading. The vote was in favor. Ms. Brill opposed.

3. FIRST READING ITEMS

a. Storm Water Management Ordinance

Mr. Meetze moved, seconded by Ms. Scott, to adopt the minimum FEMA standards and leave the impediment out.

A discussion took place.

Mr. Meetze called for the question, seconded by Ms. Scott. The vote was as follows:

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

The call for the question failed.

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Ms. Brill made a substitute motion, seconded by Mr. McEachern, to adopt the storm water management ordinance draft of 3.15.01 as amended with the incorporation of new amendments, Section 8-269(h) strike and insert. (The amendments are attached to the minutes).

Mr. Pearce offered an amendment to the motion requesting the Chair to write a letter to FEMA noting that the vote by Council today in no way reflects Council's position on any development in this area. Ms. Brill and Mr. McEachern accepted the motion.

A discussion took place.

Ms. Scott wanted the record to reflect "that this motion is definitely against any development in that area. We have had landowners on top of landowners that came before us today to tell us to take out just those two entities. What we are doing to landowners is saying we don't need you there, but we are going to take care of the school, the City and the Wastewater Treatment Plant."

The vote on the substitute motion was as follows:

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

The substitute motion passes.

Ms. Scott wanted the record to reflect "that this is a first step for a lawsuit because this is definitely wrong."

Council recessed at 7:25 p.m. and reconvened at approximately 7:27 p.m.

b. Conservation Commission Ordinance

Mr. Pearce moved, seconded by Ms. Brill, to give First Reading approval to an ordinance that moves provisions of the Richland County Code that establishes the Conservation Commission from the Stormwater Managements Chapter to Chapter 2, Administration, Article VII, Boards, Commissions, and Committees. The vote in favor was unanimous (Ms. Scott was away during the vote).

c. Littering Penalty Ordinance

Mr. Mizzell moved, seconded by Ms. Brady, to give First Reading to an ordinance amendment that corrects an inconsistency between the littering fine found in the Stormwater Management Ordinance and the Garbage, Trash and Refuse Ordinance. The vote in favor was unanimous.

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4. REPORT OF RULES AND APPOINTMENTS COMMITTEE

a. Notification of Vacancy on the Building Board of Adjustment and Appeal

Mr. Livingston gave notification of three vacancies on this board. He stated an engineer, contractor and a plumber are needed.

b. Council Rules

Mr. Livingston announced that revised Rules would be ready for Council action at the next Council Meeting.

c. Appointments to Regional Transit Authority

Mr. Livingston reminded Council there are eight appointments to that board. He stated there is a combination of council members and citizens on the board and asked Council for their input regarding this.

It was decided to appoint Mr. Meetze, Mr. Livingston, Mr. McEachern and Ms. Brady to serve as Council representatives, with four citizens appointed as well. Mr. Livingston requested for staff to start advertising for citizens to serve on the board.

5. MOTION PERIOD

- Ms. Scott requested Mr. McSwain to investigate allegations of misuse of County personal computers and laptops, and to produce an inventory of computers accounting for all hardware and software.
- Mr. McEachern/Ms. Tillis moved to adopt a Resolution commending Keenan High School for winning 3A-basketball championship. Ms. Smith stated this will not go through committee, but would come back to Council.
- Mr. Mizzell/Mr. Pearce/Ms. Smith moved to adopt a Resolution commending Dreher High School for winning the women's 3A-varsity basketball championship. Ms. Smith stated this will not go through committee, but would come back to Council.
- Ms. Brill requested that Council read the S.C. Highway Beautification Act in preparation for billboard work session scheduled for March 27th at 4:00 p.m.
- Mr. Pearce moved to adopt a Resolution recognizing Mr. Walter Todd upon his retirement from the Midlands Technical School Board of Directors.
- Mr. Pearce moved to adopt a Resolution recognizing Ms. Jean Stiglebower for receiving the award of S.C. Middle School Administrator of the Year.
- Ms. Brady encouraged Council to attend the Gang Awareness Workshop on tomorrow, March 21st.

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- Mr. McSwain announced that discounted passes for the Three Rivers Music Festival are available if Council is interested.

6. CITIZEN'S INPUT

- Mr. Fred Cunningham spoke of issues concerning the Sheriff's Department.

7. ADJOURNMENT

The meeting adjourned at approximately 7:41 p.m.

Kit Smith, Chair

L. Gregory Pearce, Jr., Vice-Chair

Joan Brady

Susan Brill

Paul Livingston

Joseph McEachern

J.D. "Buddy" Meetze

Anthony G. Mizzell

Bernice G. Scott

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin