

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, JULY 25, 2006 11:00 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: Damon Jeter
Member: Paul Livingston
Member: Joseph McEachern
Member: Bernice G. Scott
Member: Mike Montgomery
Member: Kit Smith
Member: Joyce Dickerson

Absent: Doris Corley

ALSO PRESENT: Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Larry Smith, Amelia Linder, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Dwight Hanna, Teresa Smith, Janet Claggett, Dale Welch, Audrey Shifflett, Jocelyn Jennings, Donny Phipps, Anna Almeida, Michael Criss, Susan Britt, Andy Metts, Chief Harrell, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 6:12 p.m.

INVOCATION

The Honorable Mike Montgomery

PLEDGE OF ALLEGIANCE

The Honorable Mike Montgomery

ADOPTION OF AGENDA

Mr. Mizzell requested that a Personnel Issue be added under the Report of the Chairman. Ms. Scott moved, seconded by Ms. Hutchinson, to add this item under the Report of the Chairman. The vote in favor was unanimous.

Ms. Finch requested that two items be added under the Report of the County Administrator: the Sale of County Property and Update on Riverside Golf Property. Ms. Scott moved, seconded by Ms. Dickerson to add these two items under the Report of the County Administrator. The vote in favor was unanimous.

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

APPROVAL OF MINUTES

Regular Session: July 18, 2006 – Mr. Pearce moved, seconded by Ms. Scott, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. **Clerk of Council Evaluation**
- b. **Richland County Recreation Commission vs. Richland County Council**
- c. **Sale of County Property**
- d. **Update on the Riverside Golf Course**
- e. **Owens Field Assignment**
- f. **Personnel Issue**

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

REPORT OF THE COUNTY ADMINISTRATOR

Site Event Tour—Economic Development/RNE Industrial Park & North Point Industrial Park – Mr. Pope requested that Mr. Livingston give a brief update regarding this issue.

Mr. Livingston stated those that attended the tour greatly benefited from it.

REPORT OF CLERK OF COUNCIL

- a. **NACo Prescription Cards** – Ms. Finch stated that she had the prescription cards to distribute to Council.
- b. **Columbia Rowing Club Invitation** – Ms. Finch stated that the Columbia Rowing Club has invited Council to go rowing Thursday, July 27th on the Broad River.
- c. **Public Hearing and Regular Council Meeting, September 12, 2006** – Ms. Finch stated that she had spoken with the Township Auditorium and it was available. Ms. Finch further stated that she needed to know what location Council desired to use for the public hearings. Council directed that the hearings would be held in Chambers on September 12th.

REPORT OF CHAIRMAN

Personnel Issue – To be taken up in Executive Session

PUBLIC HEARING ITEMS

None.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Dickerson, to approve the consent items. The vote in favor was unanimous.

- **06-21MA, Harold Pickrel, RU to RS-MD, Residential Subdivision, 17500-03-32 (p), West Side of Longtown Rd. @ Holly Ridge [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration, Article VIII, Personnel Regulations; Division 8, Grievance Proceedings; Section 2-478, the Employee Grievance Committee; Paragraph (k); so as to establish a time limit for the County Administrator to bring recommendations to Richland County Council [Third Reading]**
- **06-34MA, 24/7 Bail Bonding Co., Inc., RS-HD to NC (3.2 Acres), Neighborhood Commercial, 13416-01-01, Eastway Drive at Bluff Road [Third Reading]**

SECOND READING ITEMS

- a. **Ordinance to Prohibit the Parking of Vehicles in the Front Yard of any Property Zoned RS-LD, RS-MD, or RS-HD** – Mr. Montgomery moved to approve this item as amended. Motion died for lack of a second.

Ms. Dickerson moved, seconded by Ms. Hutchinson, to table this item. The vote was in favor.

- b. **Ordinance Authorizing the Execution of an Intergovernmental Agreement by and between Richland County, South Carolina and the Central Midlands Regional Transit Authority; Providing for Public Transit Services within the County; Providing for the Levying of ad valorem Taxes to Provide Sufficient Revenue to Fund the County's Obligation Under the Relating Thereto.** – Ms. Smith moved, seconded by Mr. Livingston, to approve this item and to forward this item to the September 12th public hearing. A discussion took place.

POINT OF ORDER – Mr. McEachern stated that Council received information in a previous meeting that this action would require a referendum.

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

The motion failed.

Mr. Pearce moved, seconded by Mr. McEachern to recess the Special Called meeting until after the Zoning Public Hearing.

Mr. Pearce moved, seconded by Ms. Hutchinson, to reconvene the Special Called meeting at 7:18 p.m.

Owens Field Assignment – Mr. Pearce moved, seconded by Ms. Scott, to empower the County Administrator and County Attorney to proceed with the assignment of the contract pursuant to Option 1, as discussed in Executive Session.

Ms. Smith stated for the record that she was concerned two years ago and remains concerned that the initial contract that Council entered into was in violation of many Federal assurances that are required as a condition of receipt of Federal money. For example, she believes that the Hatch Act may have been violated, the assurance that requires no economic discrimination has been violated and that requirement that the airport be operated in the best interest of the people of Richland County and not to the personal benefit of any individual or company has been violated. Therefore, she cannot support the assignment of a contract that she thinks is in violation, not only, potentially, of Federal law, but just in violation of good sense and justice. When Council entered into the agreement to build the new terminal, it was based on financial assurance from a number of people, including our advisory Airport Commission, our Airport Manager and the FBO that those numbers were good and solid and would hold true. In the negotiations of the contract, at that time, Council was told that the \$3,000 a month rent, for example, could not be paid because the finances of the FBO could not afford it, so Council adjusted the terms of the agreement to meet the needs of the current FBO rather than looking at the interests of Richland County citizens. Therefore, giving away almost a \$1,000,000 over a period of twenty years that should have accrued to the taxpayers. She believes this is an issue of fairness and Council is very much derelict in their duty by doing this. She has been resigned that this was going to happen.

A discussion took place.

POINT OF ORDER – Mr. Pearce stated that Council was not renegotiating a contract that was done two years ago. Council is discussing the assignment of a contract in 2006, not a contract that was negotiated in 2004.

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

The vote on the main motion was in favor. Ms. Smith opposed the motion.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Notification of Vacancies on the Midlands Commission on Homelessness-3 – Mr.

McEachern stated the committee recommended for staff to advertise the vacancies. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Richland Northeast Industrial Park Covenants and Restrictions – Mr. Livingston stated the committee recommended extending the due diligence on this particular item until September 15th, in order for the Administrator and the County Attorney to meet with all parties involved to resolve the contract issues. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Farmer's Market Easement – Mr. Jeter stated the committee recommended First Reading approval of this item and to direct the Administrator to negotiate the terms and location of the easement.

Ms. Smith moved, seconded by Mr. Livingston, to amend the motion to state that no easement be negotiated that would impede the ability to deliver the services to the vendors. The vote in favor was unanimous.

The vote on the main motion was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Premiums for Retiree Dependent Health Insurance – Ms. Smith stated that the committee recommended First Reading approval by title only of this item. The vote in favor was unanimous.

Resolution in Support of Issuance of JEDA Bonds for the Goodwill Industries of Upper South Carolina, Inc. – Mr. Smith stated that he had spoken with Haynsworth, Sinkler & Boyd and they do not want Council to take action on this item tonight.

Ms. Smith moved, seconded by Mr. Livingston, to defer this item until notice is received from the attorney and the item is placed on the agenda by the Administrator. The vote in favor was unanimous.

CITIZEN'S INPUT

Mr. John C. B. Smith, Jr. spoke regarding the Owens Airport Assignment.

Mr. Robert McLeod spoke regarding the CMRTA issue.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. Clerk of Council Evaluation
- b. Richland County Recreation Commission vs. Richland County Council
- c. Sale of County Property
- d. Update on Riverside Golf Property
- e. Owens Field
- f. Personnel Issue

Ms. Scott 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 6:48 p.m. and came out at approximately 7:11 p.m.
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Mr. Livingston moved, seconded by Ms. Hutchinson, to come out of Executive Session. The vote in favor was unanimous.

Richland County Recreation Commission vs. Richland County Council – Mr. Montgomery moved, seconded by Ms. Scott, to direct the County Attorney and County Administrator to proceed with consummating the settlement of this action and taking all necessary action to accomplish that pursuant to the advice of the County Attorney. The vote in favor was unanimous.

Sale of County Property – No action taken.

Update on the Riverside Golf Course – Ms. Smith moved, seconded by Ms. Scott, to authorize the County Administrator to enter into a contract for the purchase of the property and bring back a long-term financing plan. A discussion took place.

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

The motion failed.

MOTION PERIOD

POINT OF PERSONAL PRIVILEGE – Mr. McEachern thanked staff on behalf of his wife for the flowers and cards sent to her family upon the death of her father.

ADJOURNMENT

Mr. Pearce moved, seconded by Ms. Scott, to adjourn. The vote in favor was unanimous. The meeting adjourned at approximately 10:06 p.m.

Submitted by,

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr.

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

**Richland County Council
Special Called
Tuesday, July 25, 2006
Page Seven**

Joseph McEachern

Mike Montgomery

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley