

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
SEPTEMBER 21, 2004  
6:00 P.M.**

**MEMBERS PRESENT**

Bernice G. Scott, Chair; Joan B. Brady, Vice-Chair; Susan Brill;  
Paul Livingston; Doris M. Corley; Joseph McEachern; L. Gregory Pearce, Jr.;  
James Tuten, Thelma Tillis; Anthony G. Mizzell

**ABSENT**

Ms. Kit Smith

**OTHERS PRESENT:**

T. Cary McSwain, Michielle Cannon-Finch, Amelia Linder, Larry Smith,  
Milton Pope, Tony McDonald, Roxanne Matthews,  
Carrie Neal, Michael Criss, Chief Harrell,  
Stephany Snowden, Marsheika Martin, David Adams

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*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.*

**CALL TO ORDER**

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

**INVOCATION**

The Invocation was given by the Honorable James Tuten.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION**

**Appearance Counts** : On behalf of the Appearance Commission, Mr. Ken Corley gave awards to this year's winners.

**CITIZEN'S INPUT** – No one spoke at this time.

**APPROVAL OF MINUTES**

**Regular Session Meeting – September 7, 2004** – Mr. Tuten moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

**ADOPTION OF AGENDA**

Mr. McEachern moved, seconded by Ms. Brady, to adopt the agenda as submitted. The vote in favor was unanimous.

## REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated the following items need to be discussed in Executive Session:

- **Contractual and Personnel Matters, Sheriff Leon Lott**
- **Columbia Venture LLC vs. Richland County – Pending Litigation**

## REPORT OF COUNTY ADMINISTRATOR

**Dutch Fork Magistrate** - Mr. T. Cary McSwain, County Administrator, stated a property acquisition matter regarding the Dutch Fork Magistrate need to be added to the agenda and discussed in Executive Session. Council accepted the addition to the agenda.

**Animal Care** - Mr. McSwain stated the Assistant County Administrator, Mr. Milton Pope, has a brief update on the animal care issues. Council stated this matter can be discussed at a later date.

## REPORT OF THE CLERK OF COUNCIL

Ms. Michielle Cannon-Finch, Clerk of Council, made the following reports:

**River Alliance** – The River Alliance has invited Council to go canoeing on October 1<sup>st</sup>.

**Medal of Honor** - There are two tickets available for the Congressional Medal of Honor Banquet on Thursday, September 30<sup>th</sup>. Ms. Cannon-Finch stated Council members who are interested in attending need to contact her by tomorrow. Ms. Brady and Mr. Pearce stated they were interested.

**Special Called Meeting for Wednesday, September 22<sup>nd</sup> - Council** members were reminded of the cancellation of the Special Called Meeting on September 22<sup>nd</sup> at 3:30 p.m.

**Emergency Operation Plan Manual** – Council members were informed that one copy of the manual will be available for review in the Clerk of Council's office.

## OPEN/CLOSE PUBLIC HEARING ITEMS

There were no public hearing items at this time.

## APPROVAL OF CONSENT ITEMS

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

- **Ordinance authorizing the execution and delivery of a fee agreement regarding Holopack International (FKA Project Prosperity) [Third Reading]**
- **Ordinance authorizing Revenue Bonds (not exceeding three-hundred million) to acquire a certain project (International Paper FKA Project Cookie,) and authorizing a Lease Agreement [Third Reading]**
- **Ordinance authorizing a Deed to the City of Columbia for waterlines on Blue Cross and Blue Shield's property [Third Reading]**

- **An Amendment to the Budget Ordinance to create a new position in the Treasurer’s Office** [Third Reading]
- **Ordinance authorizing Lease-Swap Agreement with Richland School District One** [Third Reading]
- **04-59MA, H. Heath Hill, RU to M-2, Construction Site, 38800-01-06/07, NW of intersection of McCords Ferry Road, Hwy 601 & Reynolds Road** [Third Reading]
- **04-60MA, Cynthia B. Stukes, D-1 to C-3, Accounting Office, boutique, restaurant, 21800-01-10, 8420 Garners Ferry Road** [Third Reading]
- **04-63MA, First Canterbury, LLC, RU to PUD-1R, Single Family Residential Neighborhood, 03400-04-07, NW on Highway 176 bounded by I-26** [Third Reading]

The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE** – Ms. Scott informed Council and the public of the death of Mr. Heath Hill’s father, Harold C. Hill. She stated that the Eastover Magistrate Building will be dedicated to him when the family is ready for the ceremony.

#### **SECOND READING ITEMS**

**04-65MA, Fairfield Electric, RU to PDD, Office Buildings, Warehouse & Outdoor Storage, 12600-03-01/02**

Mr. Tuten moved, seconded by Ms. Corley, to approve this item for Second Reading.

Mr. McEachern made a substitute motion, seconded by Ms. Brady, to deny the rezoning request.

The vote for the substitute motion was as follows:

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

The motion to deny failed.

The vote for the main motion was as follows:

In favor

Pearce  
Livingston  
Corley  
Mizzell  
Scott  
Tuten

Oppose

Brady  
Brill  
McEachern  
Tillis

The motion to approve passed.

**CITIZEN'S INPUT** – No one signed up to speak at this time.

**EXECUTIVE SESSION**

It was moved and seconded to go into Executive Session to discuss the following:

- **Columbia Venture vs. Richland County**
- **Richland County Sheriff's Department Recommendation**
- **Property Acquisition Matter – Dutch Fork Magistrate**

The vote in favor was unanimous.

Council stated that due to the sensitive issue to be discussed regarding the Sheriff's Department recommendation, only the Council members and Attorneys need to participate in discussions in Executive Session.

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**Council went into Executive Session at approximately  
6:15 p.m. and came out at approximately 7:12 p.m.**  
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Mr. Mizzell moved, seconded by Ms. Corley, to come out of Executive Session. The vote in favor was unanimous.

Ms. Scott stated all of the items were received for information with the exception of the Richland County Sheriff's Department issue.

**Richland County Sheriff's Department Recommendation**

Ms. Scott stated a committee will be appointed to the Sheriff/Administrator Committee. She requested for council members who are interested to call Ms. Cannon-Finch's office.

## **MOTION PERIOD**

### **Customer Service Week**

Mr. Mizzell moved, seconded by Ms. Scott, to designate October 4-8<sup>th</sup> as Customer Service Week. The vote in favor was unanimous.

### **Neighborhood Planner**

Mr. Mizzell directed the Administrator or staff to begin a RFP or RFQ to secure a Neighborhood Planner/Consultant to work with the residents of the Lower Richland area to formulate a sub-area plan in the Lower Richland Blvd and Garners Ferry Road corridor.

A discussion took place.

Mr. Pope stated there is a position available for a Neighborhood Planner and this item will be on the next committee meeting agenda with a recommendation from staff.

Mr. Mizzell stated he would wait until the committee meeting to hear staff's recommendation.

### **Voting Machines**

Mr. Livingston directed the County Attorney to look into the issue regarding voting machines. He requested a report on how funds are allocated and the power and decisions Council has as it relates to voting machines.

### **Schedule for the Land Development Code**

Mr. Livingston stated Council needs to reschedule the meeting for the Land Development Code.

Mr. Livingston moved to schedule the meeting for next Wednesday, September 29<sup>th</sup> at 3:30 p.m.

A discussion took place.

Mr. Livingston moved, seconded by Ms. Brill, to reschedule the meeting for the land use plan for Tuesday, September 28<sup>th</sup> at 3:00 p.m.

Ms. Tillis made a substitute motion, seconded by Ms. Brady, to schedule the land use plan meeting for October 5<sup>th</sup> at 4:00 p.m.

The vote for the main motion was as follows:

In favor

Pearce  
Livingston  
Mizzell  
Brill

Oppose

Brady  
Scott  
Corley  
Tuten  
McEachern  
Tillis

The motion failed.

The vote for the substitute motion was as follows:

In favor

Pearce  
Corley  
Brady  
Scott  
Tuten  
McEachern  
Tillis  
Livingston

Oppose

The motion passed.

Mr. Livingston wanted the record to reflect that he is glad the vote was in favor this time so there should not be an excuse for not having this meeting.

**Invitation to Ms. Brady's Fire Station Grand Opening**

Ms. Brady moved, seconded by Ms. Tillis, to tear up the invitations and state that the invitations are from "Richland County Council" and not from Joan Brady and Richland County Council."

**Township Auditorium Annual Audit**

Mr. Pearce stated the Township Auditorium released an audit report on yesterday; and even though they are still in a deficit, Ms. Sally Roach has done a remarkable job in making a significant impact with the Township Auditorium. He stated the County is certainly getting its money's worth with the new director at the Township Auditorium. Mr. Pearce stated copies of the report can be made available for review.

**List of the County's Vendors**

Ms. Cannon-Finch stated Ms. Carrie Neal, Finance Director, will need the form back regarding the list of the county's vendors.

**ADJOURNMENT** – The meeting adjourned at approximately 7:30 p.m.

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Bernice G. Scott, Chair

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Joan B. Brady, Vice-Chair

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Susan Brill

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L. Gregory Pearce, Jr.

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Kit Smith

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Thelma M. Tillis

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James Tuten

The minutes were transcribed by Marsheika G. Martin