

**RICHLAND COUNTY COUNCIL
SPECIAL CALLED MEETING
JULY 25, 2006
IMMEDIATELY FOLLOWING
ADMINISTRATION & FINANCE
COMMITTEE MEETING**

**CALL TO ORDER Honorable Anthony G. Mizzell,
Chairman**

INVOCATION Honorable Mike Montgomery

**PLEDGE OF ALLEGIANCE
Honorable Mike Montgomery**

ADOPTION OF AGENDA

APPROVAL OF MINUTES

July 18, 2006: Regular Session [Pages -5-12]

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE
SESSION ITEMS**

- a. Clerk of Council evaluation**
- b. Richland County Recreation Commission vs
Richland County Council**

REPORT OF THE COUNTY ADMINISTRATOR

- a. Site Event Tour – Economic Development/RNE
Industrial Park & North Point Industrial Park**

REPORT OF THE CLERK OF COUNCIL

- a. Public Hearing and Regular Council Meeting
September 12, 2006**

REPORT OF THE CHAIRMAN

**OPEN/CLOSE PUBLIC HEARING ITEMS
NONE**

**APPROVAL OF CONSENT ITEMS
1.a., 1.b., 1.c.,**

1. THIRD READING ITEMS

- a. 06-21MA
Harold Pickrel
RU to RS-MD
Residential Subdivision
17500-03-32 (p)
West Side of Longtown Rd. @ Holly Ridge
[CONSENT] [Pages 13-16]**
- b. 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 [CONSENT]
[Page 17]**

- c. **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
[CONSENT] [Pages 18-20]**

2. 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 [Pages 21-26]**
- 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. [Pages 27-28]**

3. Owens Field Assignment

4. REPORT OF RULES AND APPOINTMENTS COMMITTEE (meeting held 07/18/06)

- a. **Notification of vacancies on the Midlands Commission on Homelessness-3**

5. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

- a. **Richland Northeast Industrial Park Covenants and Restrictions**

- 6. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**
- 7. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**
- 8. CITIZEN'S INPUT**
- 9. MOTION PERIOD**
- 10. ADJOURNMENT**

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 18, 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	Bernice G. Scott
Member	Damon Jeter
Member	Paul Livingston
Member	Joyce Dickerson
Member	Kit Smith
Member	Doris Corley

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Amelia Linder, Elizabeth McLean, Chief Harrell, Anna Almeida, Michael Criss, Geo Price, Janet Claggett, Dale Welch, John Hixson, Bill Peters, Randy Book, Sherry Wright-Moore, Monique Walters, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Teresa Smith, Daniel Driggers, Michelle Onley

CALL TO ORDER

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

INVOCATION

The Invocation was given by the Honorable Joseph McEachern

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joseph McEachern

PRESENTATION

Mr. Bill Peters, Richland County Fleet Manager: National Award – Mr. Randy Book, General Manager of the First Vehicle Services Richland County Services Center, presented Mr. Peters with a certificate of achievement from National Organization of Fleet Equipment Magazine.

Mr. Mel Jenkins: National Night Out – Mr. Mel Jenkins briefed Council regarding the National Night Out that will be held on August 1st at Owens Field Park.

Captain Allen T. Brown (McEachern) – Mr. McEachern presented Capt. Brown, a Bronze Star recipient, with a resolution from County Council.

ADOPTION OF AGENDA

Mr. McEachern stated that the criteria for presentations before Council needed to be added under Rules and Appointment on the agenda.

Ms. Scott moved, seconded by Mr. McEachern, to approve the agenda as amended.

CITIZEN'S INPUT

Mr. Ray McKay and Wade Mullins spoke regarding Owens Field.

APPROVAL OF MINUTES

Regular Session: July 11, 2006 – Mr. Pearce moved, seconded by Ms. Scott, to approve the minutes as submitted. The vote in favor was unanimous.

Special Called: June 27, 2006 – Ms. Scott moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

Regular Session: June 15, 2006 – Mr. Montgomery moved, seconded by Ms. Scott, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. **Clerk of Council's Evaluation** – Mr. Mizzell stated this item will be taken up at the July 25th Special Called Meeting.
- b. **Owens Field Assignment**

REPORT OF THE COUNTY ADMINISTRATOR

- a. **Economic Committee Tour** – Mr. Pope stated that the tour will be held on July 19th. Those participating should meet on the 2nd Floor of the garage at 9:00 a.m.
- b. **NaCo Drug Card Program** – Mr. Pope stated that there have already been over 100 inquiries about the program.

REPORT OF THE CLERK OF COUNCIL

- a. **Longevity Reception** – Ms. Finch reminded Council that the Longevity Reception will be held July 21st from 12:00-3:00 p.m. in the 4th Floor Conference Room. Ms. Finch will be notifying those Council members that will receive longevity checks.
- b. **Mr. McEachern's Father-in-Law's Funeral Arrangements** – Ms. Finch stated that the funeral will be July 19th at 2:00 p.m. in Florence, South Carolina and a flower had been sent.
- c. **Executive Recruiting Consultant** – Ms. Finch stated that she had sent out an e-mail requesting interview time with the Executive Recruiting Consultant. Ms. Finch requested that those Council members wishing to meet with the consultant, to please respond as soon as possible in order for the interviews to be scheduled.
- d. **Date for Public Hearings in September** – Ms. Finch stated that she needed to know when Council wished to meet in September in order to schedule the public hearings.

REPORT OF THE CHAIRMAN

No report was given.

PUBLIC HEARING ITEMS

- **Ordinance Amending Ordinance No. 038-06HR, which Authorized Two Deeds to Forum Development II, LLC for Certain Parcels of Land Known as Lot 12 (Approximately 9.665 Acres) and Lot 28 (Approximately 2.713 Acres) in the Richland Northeast Industrial Park; so as to Delete any Reference to Lot 28 – No one signed up to speak.**

APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Ms. Corley, to approve the following consent items:

- **06-18MA, Brant Taylor, RM-MD to GC, Commercial Warehouse, 22601-01-03, Percival Road near Inglesby Drive [Third Reading]**
- **06-27MA, Chinese Cultural Center, M-1 to GC, Chinese Culture Activity Center, 16104-02-13, 1217 Pineview Drive [Third Reading]**
- **06-29MA, Martin Moore, NC to OI, Professional Office Park, 20200-01-18, Clemson Rd. Across from Killian Elementary School [Third Reading]**
- **06-31MA, Mungo Company, RS-LD to NC, Neighborhood Commercial, 24700-02-08(p), E. Side of Lower Richland Blvd. ¼ mile South of US 378 [Third Reading]**
- **06-36MA, Jon Williams, HI to RM-MD, Residential Multi Family, 13607-02-01, SW Corner of Shop Rd. & Mauney Dr. [Third Reading]**
- **An Ordinance Amending the Residency Requirements for Members of the Richland County Planning Commission**
- **Amendment to Hospitality Tax Ordinance to Limit Distribution Increases to no more than 3% Annually [Second Reading]**
- **An Ordinance Authorizing Deeds to Wesley United Methodist Church (along Barnwell Street) [Second 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 [Second Reading]**
- **06-34MA (deferred from 07/11), 24/7 Bail Bonding Co., Inc., RS-HD to NC (3.2 Acres), Neighborhood Commercial, 13416-01-01, Eastway Drive at Bluff Road [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

06-21MA, Harold Pickrel, RU to RS-MD, Residential Subdivision, 17500-03-32(p), West Side of Longtown Rd. @ Holly Ridge – Mr. McEachern moved, seconded by Ms. Dickerson, to defer this item until the July 25th Special Called meeting. The vote in favor was unanimous.

Ordinance Amending Ordinance 038-06HR, which authorized two deeds to Forum Development II, LLC for certain parcels of land known as Lot 12 (Approximately 9.665 Acres) and Lot 28 (Approximately 2.713 Acres) in the Richland Northeast Industrial Park; so as to delete any reference to Lot 28 – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

SECOND READING ITEMS

Ordinance to Prohibit the Parking of Vehicles in the Front Yard of any Property Zoned RS-LD, RS-MD, or RS-HD – Mr. Jeter moved, seconded by Ms. Corley, to defer this item until the July 25th Special Called meeting. The vote was in favor with Mr. Mizzell and Mr. Livingston voting against the deferral.

Ordinance to Amend Ordinance No. 006-06HR, which authorized a deed to Forum Development II, LLC for a certain parcel of land known as Lot 27 (Approximately 2.699 Acres total) in the Richland Northeast Industrial Park, a portion of Richland TMS #25800-04-01; so as to allow Forum Development II, LLC to assign its interest in the property – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Approval of Construction Contract for Ridgewood Community Infrastructure Improvements Project (deferred from 07/11/06) – Mr. Jeter moved, seconded by Mr. Pearce, to defer this item until Administration receives the required easement information. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

- I. **NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES**

- a. **Community Relations Council—1** – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.
- b. **Employee Grievance Committee-1** – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.
- c. **Midlands Commission on Homelessness-3** – Mr. McEachern stated the committee recommended for staff to advertise the vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Board of Assessment and Appeals—1** – Mr. McEachern stated there was one applicant and one vacancy. The committee's recommendation was to appoint Thomas Watts. The vote in favor was unanimous.
- b. **Community Relations Council-2** – Mr. McEachern stated that this item would be held in committee.
- c. **Midlands Workforce Development Board-2** – Mr. McEachern stated there was one applicant and two vacancies. The committee's recommendation was to appoint Bernie Baum. The vote in favor was unanimous.

III. ITEMS FOR DISCUSSION

- a. **Criteria for Presentations Before Council** – Mr. McEachern stated that the committee had been requested, by fellow Council members, to draft a criteria regarding funding presentations before Council. Council members are encouraged to offer any recommendations to the committee regarding this item.

Update on timetable for the RFP and training for the electronic agenda – Mr. Dale Welch from IT briefed Council on this item. Mr. Welch stated that the RFP was published in The State newspaper on July 16th. The RFP will be closed on August 15th and the vendors will be evaluated at that time.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Owens Field Assignment – Mr. Pearce moved, seconded by Mr. Livingston, to defer this item until the July 25th Special Called meeting.

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

The vote was in favor.

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

=====
Council went into Executive Session at approximately 6:48 p.m. and came out at approximately 7:11 p.m.
=====

Mr. Livingston moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Creation of CMRTA Millage Agency Option – Mr. Mizzell moved, seconded by Ms. Dickerson, to remove from this item from the table and place it on the July 25th Special Called meeting agenda. A discussion took place.

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

The vote on the main motion was unanimous.

Scheduling of September Public Hearing – Mr. Montgomery moved, seconded by Mr. Jeter, to request staff to schedule the public hearings for September 5th at a location more accessible and larger than Council chambers, i.e. The Township. A discussion took place.

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

The motion failed.

Scheduling of September Public Hearing – Mr. Pearce moved, seconded by Ms. Scott, to request staff to schedule the public hearings for September 12th at a location more accessible and larger than Council chambers and that Mr. Mizzell send a letter to the Mayor and City Council of Columbia strongly encouraging them to be present at the public hearing. A discussion took place.

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

The vote was in favor.

Mr. Livingston stated for the record that he does not think it is necessary to change the venue and that Council Chambers is suitable for any public hearing that needs to be held.

Mr. Mizzell ruled that it takes unanimous consent to change the public hearing location.

POINT OF ORDER – Mr. Montgomery stated that Mr. Mizzell could not make the ruling after the vote was taken. Mr. Mizzell had to make the ruling before the vote was taken. Mr. Mizzell agreed.

Mr. Montgomery moved, seconded by Mr. Dickerson, to reconsider the previous motion.

Scheduling of September Public Hearing – Mr. Montgomery moved, seconded by Mr. Livingston, to request that staff recommend a suitable location and time for a public hearing on September 12th. The vote in favor was unanimous.

Scheduling of September Meeting – Ms. Scott moved, seconded by Ms. Dickerson, to schedule the regular September meeting for September 12th. The vote in favor was unanimous.

Richland County Recreation Commission Vacancies – Ms. Scott referred to the Rules & Appointments Committee the issue of the Recreation Commission vacancies.

Richland County Recreation Commission Vacancies – Ms. Scott moved, seconded by Ms. Dickerson, to waive Council rules and send to the next available Council meeting the issue of the Recreation Commission vacancies. The vote in favor was unanimous.

ADJOURNMENT

Mr. Montgomery moved, seconded by Mr. McEachern, to adjourn. The vote in favor was unanimous.

The meeting adjourned at approximately 7:36 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

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 17500-03-32 FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (a portion of TMS # 17500-03-32) described in Exhibit A, which is attached hereto, from RU (Rural District) zoning to RS-MD (Residential, Single-Family – Medium Density District) zoning.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. This ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: June 27, 2006
First Reading: June 27, 2006
Second Reading: July 11, 2006
Third Reading: July 25, 2006 (tentative)

Exhibit A
Property Description

PARCEL A:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, shown and designated as Parcel A (8.71 acres) on a Plat prepared for Johnnie C. Rivers by C. Ashley Able & Associates, dated August 6, 2004, and, according to said plat, having the following metes and bounds, to-wit:

Beginning at an iron (n) located on the southwestern side of the 66' right-of-way of Longtown Road (S-40-1051) and running in clockwise direction along property of Michael Mungo N82°50'05"W for a distance of 197.46 feet to an iron (o); then turning and running along said property N54°06'05"W for a distance of 1,626.88 feet to an iron pipe (o), this being the Point of Beginning of Parcel A, then turning and running along property now or formerly of I.B.M. N14°20'00"W for a distance of 709.13 feet to an iron (n) marking the centerline of the branch; then turning and running along the centerline of the branch the following courses and distances, N76°43'24"E along said property for a distance of 170.11 feet to a concrete pipe; then turning and running along said property S82°41'27"E for a distance of 99.38 feet to a concrete pipe; then turning and running along said property S16°55'19"E for a distance of 33.20 feet to a concrete pipe; then turning and running along said property N77°29'50"E for a distance of 102.21 feet to a concrete pipe; then turning and running along property of Johnnie C. Rivers S35°33'29"E for a distance of 240.43 feet to an iron (n); then turning and running along said property S42°21'44"E for a distance of 96.98 feet to an iron (n); then turning and running along said property S53°23'10"E for a distance of 111.56 feet to an iron (n); then turning and running along said property S41°38'22"E for a distance of 97.61 feet to an iron (n); then turning and running along said property S10°26'40"E for a distance of 280.86 feet to an iron (n); then turning and running along Parcel B S85°22'58"W for a distance of 66.06 feet to an iron (n); then turning and running along said parcel S88°21'20"W for a distance of 542.88 feet to an iron (o), marking the point of beginning, be all measurements a little more or less. The above-referenced plat is hereby incorporated herein by reference for a more complete description of the premises.

PARCEL B:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, shown and designated as Parcel B (24.73 acres) on a Plat prepared for Johnnie C. Rivers by C. Ashley Able & Associates, dated August 6, 2004, and, according to said plat, having the following metes and bounds, to-wit:

Beginning at an iron (n) located on the southwestern side of the 66' right-of-way of Longtown Road (S-40-1051) and running in clockwise direction along property of Michael Mungo N82°50'05"W for a distance of 197.46 feet to a iron (o); then turning and running along said property N54°06'05"W for a distance of 1,626.88 feet to an iron pipe (o), then turning and running along Parcel A N88°21'20"E for a distance of 542.88 feet to an iron (o); then continuing along Parcel A N85°22'58"E for a distance of 66.06 feet to an iron (n); then continuing along property of Johnnie C. Rivers N85°22'58"E for a distance of 332.05 feet to an iron (o); then

turning and running along said property N88°42'35"E for a distance of 590.66 feet to an iron (o); then turning and running along said property S80°02'44"E for a distance of 67.51 feet to an iron (a); then turning and running along said property S61°14'51"E for a distance of 292.29 feet to an iron (o); then turning and running along the western side of the 66' right-of-way of Longtown Road (S-40-1051) S17°32'22"W for a distance of 247.37 feet to a concrete pipe; then continuing along said right-of-way S19°14'45"W for a distance of 197.45 feet to a concrete pipe; then turning and running along said right-of-way S21°05'10"W for a distance of 217.35 feet to a concrete pipe; then continuing along said right-of-way S23°24'17"W for a distance of 213.32 feet to a concrete pipe; then turning and running along said right-of-way S22°17'14"W for a distance of 86.74 feet to an iron pin (n), marking the point of beginning, be all measurements a little more or less. The above-referenced plat is hereby incorporated herein by reference for a more complete description of the premises.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

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 THE RICHLAND COUNTY COUNCIL.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. 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); is hereby amended to read as follows:

- (k) Except as provided in (l) and (m) below, the committee shall, within twenty (20) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the county administrator. The administrator shall within twenty (20) days ~~immediately~~ forward to the county council such findings and recommendations along with his/her own evaluation and recommendation. If the county council approves, the recommendation of the committee shall be its decision and copies of the decision shall be transmitted to the employee and to the head of the particular department involved. If, however, the county council rejects the decision of the committee, the county council shall make its own decision without further hearing, and that decision shall be final. Copies of the decision shall be transmitted to the employee and to the head of the particular department involved.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 13416-01-01 FROM RS-HD (RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property described as TMS # 13416-01-01 from RS-HD (Residential, Single-Family – High Density District) zoning to NC (Neighborhood Commercial District) zoning.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. This ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: June 27, 2006
First Reading: June 27, 2006
Second Reading: July 18, 2006
Third Reading: July 25, 2006 (tentative)

ATTEST THIS THE ____ DAY

OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: July 11, 2006
Second Reading: July 18, 2006
Third Reading: July 25, 2006 (tentative)

AMENDED DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-10, PARKING IN RESIDENTIAL ZONES OF THE COUNTY; SO AS TO PROHIBIT THE PARKING OF MOTOR VEHICLES IN THE FRONT YARD IN CERTAIN RESIDENTIAL ZONING DISTRICTS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential Zones of the County; is hereby amended to read as follows:

Section 17-10. Parking in residential zones of the county.

a. It shall be unlawful for a truck tractor, a semi-trailer having more than two (2) axles, or a trailer having more than two (2) axles to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the "Zoning Map of Unincorporated Richland County", as amended. For the purpose of this paragraph, the following definitions shall apply:

1. *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.
2. *Semi-trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
3. *Trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

b. It shall be unlawful for an automobile, motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired

AMENDED DRAFT

or invalid licenses to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

c. All motor vehicles and/or trailers without a valid state issued license plate permitting operation on public roads and highways, which are stored, parked, or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such covered vehicle shall not be visible from the public right-of-way. Licensed automobile dealerships, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

d. Any motor vehicle and/or trailer that is not capable of operating in accordance with South Carolina law and/or capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential zoning district in the unincorporated areas of the county (except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district) for more than a single period of thirty (30) consecutive days during any calendar year unless it is kept in an enclosed garage, in a carport attached to the residence, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way.

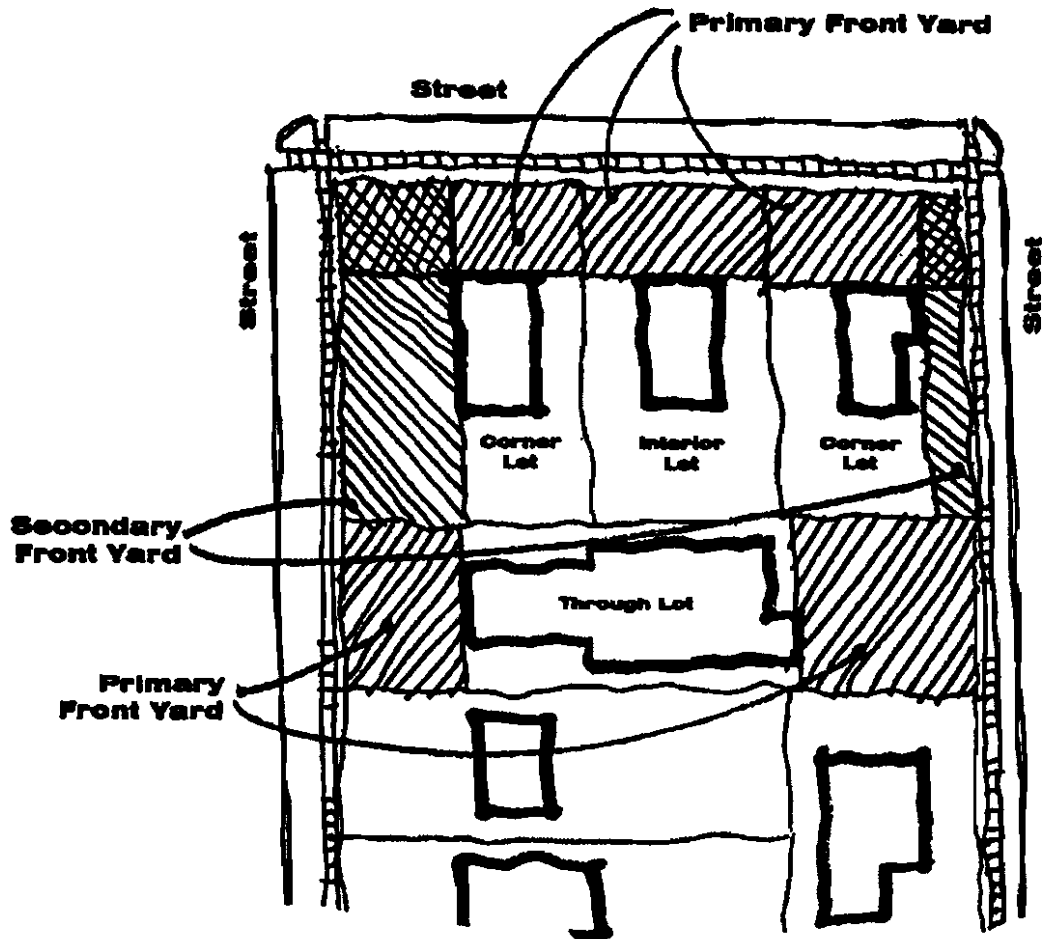
e. Parking within the front yard of any property zoned RS-LD, RS-MD, or RS-HD is prohibited.

1. *Definitions.* For purposes of this subsection only, the following words and phrases shall have the following meaning:

Driveway means an area improved in accordance with paragraph 3, below, leading from a street or alley to a parking space.

Primary front yard means that area between the street-facing facade of the principal building, the front lot line, and either both side lot lines (for interior lots and through lots) or a side lot line and the secondary front lot line (for corner lots). See graphic figure below:

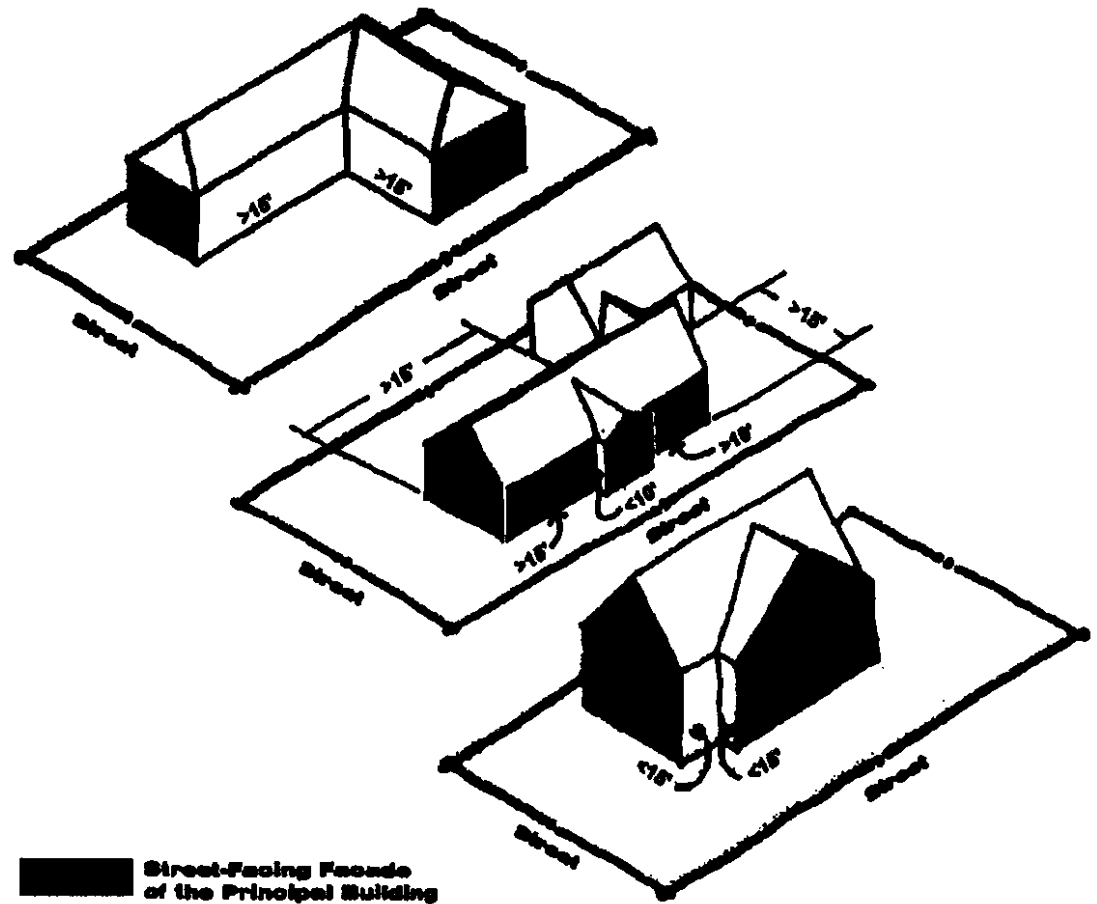
AMENDED DRAFT



Secondary front yard means that area between the street-facing facade of the principal building, the secondary front lot line, the front lot line, and the rear lot line. See graphic figure above.

Street-facing facade of the principal building means any facade of the principal building which approximately parallels a street lot line(s), exceeds ten feet in length, and is located within 15 feet of that portion of, or is, the facade of the principal building closest to the corresponding street lot line. See graphic example below:

AMENDED DRAFT



Temporary parking means that the vehicle leaves from and returns to the property approximately once per business day in conjunction with a trip, visit, errand, or other similar reason.

2. No person shall park a motor vehicle of any description, including, but not limited to, automobiles, trucks, vans, buses, motorcycles, all-terrain or similar off-road vehicles, recreational vehicles, motor homes, campers or camping trailers, trailers, boats, and jet skis within the front yard of any property zoned RS-LD, RS-MD, or RS-HD. Provided, however, this subsection is not intended to prohibit the temporary parking of a motor vehicle upon a driveway.
3. Driveways shall be paved with asphalt, brick, concrete, or covered with pervious material such as crushed stone, gravel, or mulch.
4. Where the driveway is covered with a pervious material, such material shall be confined to the driveway with a device expressly designed for such purposes including but not limited to bricks, railroad ties, and plastic/PVC

AMENDED DRAFT

landscaping borders. The pervious material shall be renewed or replaced as reasonably necessary to maintain a neat and orderly appearance.

e. f. Penalties: Unless otherwise prescribed by law, any owner and/or operator of a motor vehicle and/or trailer violating the provisions of this Section shall be deemed guilty of a misdemeanor. In addition, any owner and/or occupant of the residential property on which a motor vehicle and/or trailer is parked in violation of this Section shall be deemed guilty of a misdemeanor.

f. g. Administration and enforcement: The sheriff of the county shall be authorized to enforce the provisions of this Section, and may engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY
OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

AMENDED DRAFT

First Reading: July 11, 2006
Second Reading: July 25, 2006 (tentative)
Public Hearing:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN 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 INTERGOVERNMENTAL AGREEMENT; AND OTHER MATTERS RELATING THERETO.

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section 1. Findings and Determinations. The County Council (the "County Council") of Richland County, South Carolina (the "County"), hereby finds and determines that:

(a) The Central Midlands Regional Transit Authority was created pursuant to the Regional Transportation Authority Law codified at Title 58, Chapter 25, Code of Laws of South Carolina 1976 as amended (the "Enabling Act") and an Agreement Creating a Regional Transit Authority of the Geographic Area of Lexington and Richland Counties and the Municipalities therein to be known as the Central Midlands Regional Transit Authority (the "Authority");

(b) The Board of Directors of the Authority has undertaken an effort to obtain a dedicated source or sources of funding for the operations of the Authority. As part of that effort, the Authority has requested that the County Council take all steps necessary to approve an intergovernmental agreement whereby the Authority will provide transit services within the County at an agreed upon level of service.

(c) County Council has determined it to be in the best interest of the citizens and residents of the County to approve the terms of an intergovernmental agreement (the "Intergovernmental Agreement") which will provide for transit services in the County and to authorize the county-wide levy and collection of ad valorem taxes in an amount sufficient to fund the County's financial obligations pursuant to the intergovernmental agreement.

Section 2. Approval of Intergovernmental Agreement. The form, terms and provisions of the Intergovernmental Agreement presented at and filed with the minutes of the Council meeting at which this Ordinance was enacted be and hereby are approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Intergovernmental Agreement were set out in this Ordinance in its entirety. The Chairman of County Council be and is hereby authorized, empowered and directed to execute, acknowledge and deliver, and the Clerk to Council is hereby authorized, empowered and directed to attest, the Intergovernmental Agreement in the name and on behalf of the County. The Intergovernmental Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the Chairman of County Council (with advice from the County's Attorney), the Chairman's and Clerk to Council's execution thereof to constitute conclusive evidence of approval of any and all changes or revisions therein from the form of the Intergovernmental Agreement now before this meeting. Any amendment to the Intergovernmental Agreement shall be executed in the same manner.

Section 3. Payment for Fiscal Year 2006-2007. Pursuant to the Intergovernmental Agreement, the County is obligated to pay the amount of \$3,750,000 for service in fiscal year 2006-07 beginning January 1, 2007. In order to produce the required revenue in the amount of \$3,750,000, there is hereby authorized to be levied ad valorem taxes in the amount of _____ mills. The County Council shall take such steps as are necessary to include the necessary millage in Ordinance No. ____-06 (the Millage Ordinance).

Section 4. Subsequent Fiscal Years. In order to produce the revenue required to pay the County's obligation under the Intergovernmental Agreement, the County Council shall consider, in each fiscal year beginning in fiscal year 2007-2008, levying an appropriate amount of millage as necessary to produce the required revenue of \$7,500,000.

Section 4. Miscellaneous. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

This Ordinance shall become effective upon its enactment.

Enacted this ____ day of _____, 2006.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Anthony G. Mizzell, Chair
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF _____, 2006.

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Date of First Reading: June 20, 2006
Date of Second Reading: July 25, 2006 (tentative)
Date of Public Hearing: _____, 2006
Date of Third Reading: _____, 2006