

**RICHLAND COUNTY GOVERNMENT**



**Office of the County Administrator**

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS  
REGULAR SESSION COUNCIL MEETING**

**April 18, 2006  
6:00 PM**

**CALL TO ORDER:** Mizzell

**INVOCATION:** Scott

**PLEDGE OF ALLEGIANCE:** Scott

**ADOPTION OF THE AGENDA** – Davis et al vs. Richland County was added under the Report of the County Attorney for Executive Session Items. The agenda was adopted as amended.

**CITIZEN'S INPUT** – No one spoke.

**APPROVAL OF MINUTES**

**Regular Session: April 4, 2006** – The minutes were approved as amended. Doris Corley's name was mentioned twice in the minutes under Council members present; one was removed.

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

Larry Smith informed Council that the following item could be discussed in Executive Session if they chose to do so:

- a. **Davis et al vs. Richland County**
- b. **Stormwater Management Program Legal Update**
- c. **An Ordinance extending the moratorium on either the approval or denial of floodplain management permits for development or construction within a portion of the Congaree River Floodplain**

Executive Session was moved after Citizens' Input.

**REPORT OF THE COUNTY ADMINISTRATOR**

1. **Tax Increment Financing Legal Update**: J. Milton Pope informed Council that a letter will be delivered to the City regarding this issue. **ACTION:**  
**ADMINISTRATION, LEGAL**

2. **Stormwater Management Program Legal Update:** Mr. Pope informed Council that this item would be discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
3. **Recreation Commission Request:** Mr. Pope stated that the Recreation Commission has asked for an extension to submit their budget request. **ACTION: ADMINISTRATION, BUDGET**
4. **Farmers' Market Update:** Roxanne Matthews gave a brief presentation, and requested Council to consider hiring Wilbur Smith Associates as Project Manager for the County's wholesale portion of the market. Council made a motion to forward this item to the 4/25 A&F Committee for action. **ACTION: ADMINISTRATION**
5. **1701 Capital Request Meeting:** Mr. Pope informed Council that there will be a meeting Wednesday, April 19, 2006 at 9:30 a.m. at the Court House. Council members Smith, Montgomery, McEachern, and Pearce will be attending on behalf of Council. **ACTION: ADMINISTRATION**
6. **Public Works Director:** Mr. Pope introduced Teresa Smith as the new Public Works Director.

#### **REPORT OF THE CLERK OF COUNCIL**

1. **International Downtown Spring Conference April 22 – 24, Marriott Hotel:** Ms. Finch reminded Council of the upcoming conference.

#### **REPORT OF THE CHAIRMAN**

1. **International Downtown Spring Conference April 22 – 24, Marriott Hotel:** Mr. Mizzell stated that Matt Kennell called him and personally invited all Council members to attend the IDA.

**OPEN/CLOSE PUBLIC HEARINGS** – Item 8 (Public Hearing and Support of JEDA Bond to Finance a Student Housing Project at Allen University): No one spoke.

**APPROVAL OF CONSENT ITEMS** – The following items were approved for the Consent Agenda and adopted by motion of the County Council: 1a, 1b, 1c, 1d, 1e, 1f, 1g, 2b, 2c, 2d, 2e, 2f, 2g

#### **1. THIRD READING ITEMS**

- a. **A budget amendment regarding the Detention Center Medical Contract:** The budget amendment ordinance in the amount of \$587,000 for the Detention Center Medical Contract was given third reading approval. **ACTION: LEGAL, BUDGET**
- b. **Budget amendme nt to add four (4) new full-time positions to the Finance Department:** The budget amendment ordinance adding four new full-time positions to the Finance Department was given third reading. **ACTION: LEGAL, BUDGET**

- c. **06-01 MA; Jack Wolfe; RU to RS-LD; Single Family Residences; 01312-01-05; Johnson Marina Road:** Council gave third reading approval to a zoning amendment that changes the property from RU to RS-LD. **ACTION: PLANNING, LEGAL**
- d. **06-05 MA; RT Retail Development Services; Gary Stanfield; RU to GC; Retail Store; 05000-04-37; Broad River Road at Rah Rah Way:** Council gave third reading approval to a zoning amendment that changes the property from RU to GC. **ACTION: PLANNING, LEGAL**
- e. **06-08 MA; Enga Acciardo; C-1 to C-3; Commercial Retail Store; 22900-02-05 (p); Forum Drive in Village at Sandhill:** Council gave third reading approval to a zoning amendment that changes the property from C-1 to C-3. **ACTION: PLANNING, LEGAL**
- f. **06-11 MA; Enga Acciardo; C-3 to C-1; Commercial Retail Store; 22900-02-05 (p); Forum Drive in Village at Sandhill:** Council gave third reading approval to a zoning amendment that changes the property from C-3 to C-1. **ACTION: PLANNING, LEGAL**
- g. **Amend the definition of Major and Minor Subdivision:** Council gave third reading to the Land Development ordinance amendment. **ACTION: PLANNING, LEGAL**

## 2. SECOND READING ITEMS

- a. **06-09 MA; Bright-Meyers 2001 LLC; Robert Fuller; M-1 & RU to GC; Wal-Mart and Associated Development; 17400-11-03 & 14781-04/14/13/12; NW Quadrant of Killian Road & I-77:** This item was deferred to the May 2, 2006 Regular Session Council Meeting, at which time a Development Agreement is to be brought to Council. **ACTION: PLANNING, LEGAL**
- b. **Ordinance authorizing a Quit-Claim Deed to Hendricks Commercial Properties, LLC for a Certain Portion of an Abandoned Right-of-Way known as Oakdale Street:** Council gave second reading to the ordinance authorizing a Quit-Claim Deed to Hendricks Commercial Properties, LLC. **ACTION: LEGAL**
- c. **Ordinance authorizing a Quit-Claim Deed to ASW Land Partnership for a Certain Portion of an Abandoned Right-of-Way known as Oakdale Street:** Council gave second reading approval to the ordinance authorizing a quit-claim deed to ASW Land Partnership. **ACTION: LEGAL**

- d. **Ordinance to authorize deed to SJ, LLC (Seal Jet): 3.56 acres:**  
Council gave second reading to the ordinance authorizing deed to SJ, LLC. **ACTION: ADMINISTRATION, LEGAL, BUDGET**
- e. **Ordinance to authorize deeds to Forum Development II, LLC: 9.665 acres, Lot 12 and 2.713 acres, Lot 28:** Council gave second reading to the ordinance authorizing deed to Forum Development II, LLC.  
**ACTION: ADMINISTRATION, LEGAL, BUDGET**
- f. **Ordinance to authorize deeds to Brazell Family, LLC: 6.941 acres, Lot 11 and 5.057 acres, Lot 6:** Council gave second reading to the ordinance authorizing deed to Brazell Family, LLC. **ACTION: ADMINISTRATION, LEGAL, BUDGET**
- g. **Ordinance to authorize deed to Cheek Properties, LLC (Fastenal): 3.38 acres, Lot 26:** Council gave second reading to the ordinance authorizing deed to Cheek Properties. **ACTION: ADMINISTRATION, LEGAL, BUDGET**

### 3. FIRST READING ITEMS

- a. **An ordinance amending the Fiscal Year 2005-2006 Industrial Park Budget to add Forty Thousand (\$40,000) Dollars to provide funds for KOLORPRO:** Council gave first reading to the budget ordinance amendment. **ACTION: ADMINISTRATION, BUDGET, LEGAL**
- b. **An ordinance extending the moratorium on either the approval or denial of floodplain management permits for development or construction within a portion of the Congaree River Floodplain:** After taking this item up in Executive Session, Council gave first reading to the ordinance extending the moratorium with regards to floodplain management permits within a portion of the Congaree River Floodplain for another 60 days. **ACTION: LEGAL, PLANNING, ADMINISTRATION**

### 4. APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

- a. **Yvonne Harrison, 10425 Wilson Blvd., Blythewood, SC 29016**

This item was tabled since it is not a community residential care facility; rather, it's a continuing care facility not requiring council approval.

5. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**
  - a. **Ordinance authorizing an amendment to the I-77 Fairfield / Richland County Regional Industrial Park Master Agreement: Expand Boundaries of Park to Include Elite ES, LCC:** Council gave first reading approval to the ordinance. **ACTION: LEGAL, ADMINISTRATION**
  - b. **Ordinance authorizing an amendment to the I-77 Fairfield / Richland County Regional Industrial Park Master Agreement: Expand Boundaries of Park to Include Guardian Fiberglass, Inc.:** Council gave first reading approval to the ordinance. **ACTION: LEGAL, ADMINISTRATION**
  - c. **An ordinance to authorize deed to Miller Valentine Partners, LTD, II: 6.11 acres, Lot 2 and a portion of Lot 18:** Council gave first reading approval to the ordinance. McEachern requested a map of the Richland Northeast Industrial Park properties, along with the corresponding sale amounts. **ACTION: LEGAL, ADMINISTRATION**
6. **APPROVAL OF RESOLUTION TO APPOINT AND COMMISSION JOHN ADAM HIXON, SR., HOWARD R. BOYD, II, SRINIVAS VALAVALA, ERNEST ROBERT HIGHTOWER, JR., GARY DAVID BARTON, AND DAVID D. CABLE AS CODE ENFORCEMENT OFFICERS FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY:** Council approved the resolution appointing the aforementioned individuals as Code Enforcement Officers. **ACTION: LEGAL, PLANNING**
7. **REPORT OF COUNTY ADMINISTRATOR'S SEARCH TASK FORCE:** This report will be presented at the May 2, 2006 Council Meeting. The Task Force will meet Thursday at 4:00 p.m. to discuss their recommendations. Council members are to forward information / recommendations to Procurement by Thursday. **ACTION: PROCUREMENT, LEGAL**
8. **Public Hearing and resolution in support of JEDA Bond to finance a student housing project at Allen University:** The public hearing was held, and the resolution was approved. **ACTION: LEGAL**
9. **Public Hearing and Resolution in Support of JEDA Bond Issue for Eau Claire Cooperative Health Centers, Inc.** This item was deferred to the May 2, 2006 meeting. **ACTION: ADMINISTRATION**
10. **Funding Request for the Columbia City Jazz Trip to Beijing:** This funding request was denied.

11. **CITIZEN'S INPUT:** No one spoke.

12. **EXECUTIVE SESSION:**

1. **Item 3b, An Ordinance Extending the Moratorium on Either the Approval or Denial of Floodplain Management Permits for Development or Construction Within a Portion of the Congaree River Floodplain:** This item was approved, allowing the extension of the moratorium for another 60 days. **ACTION: LEGAL, ADMINISTRATION, PLANNING**
2. **Stormwater Management Program Legal Update:** Mr. Pope was directed to negotiate an agreement with DHEC regarding the consent order. **ACTION: ADMINISTRATION**
3. **Davis et al vs. Richland County:** Mr. Smith is to issue a letter of support to the Governor indicating Council's support for the Legislative Delegation's Recreation Commission nominees. **ACTION: LEGAL**

13. **MOTION PERIOD:**

1. A funding allocation mechanism for undesignated Hospitality Tax funds was referred to the 4/25 A&F Committee meeting. (Livingston) **ACTION: ADMINISTRATION**
2. Lucas McFadden will be "County Administrator for the Day" on April 24, 2006 via Council resolution. (Hutchinson) **ACTION: CLERK OF COUNCIL, OFFICE OF PUBLIC INFORMATION**
3. The Bright Meyers 2001 LLC Development Agreement was given first reading by title only. This ordinance should be placed on track with the corresponding zoning amendment ordinance (06-09MA). (McEachern) **ACTION: LEGAL, PLANNING**
4. The Administrator's Search Task Force will meet Thursday at 4:00 p.m.

14. **ADJOURNMENT:** Council adjourned at 7:55 p.m.