

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
APRIL 5, 2005  
6:00 P.M.**

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

**INVOCATION          Honorable Joyce M. Dickerson**

**PLEDGE OF ALLEGIANCE  
Honorable Joyce M. Dickerson**

**ADOPTION OF AGENDA**

**PRESENTATION OF RESOLUTIONS**

**Sheriff Leon Lott – Sheriff of the Year**

**Capital City Shamrocks Baseball Team**

**CITIZEN’S INPUT**

**APPROVAL OF MINUTES**

**Regular Session:                      March 15, 2005  
[Pages 7-14]**

**Zoning Public Hearing:                March 22, 2005  
[Pages 15-18]**

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

## **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Employee Grievance**

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

- a. Request from the Recreation Commission to set up a work session with Council before April 14<sup>th</sup> regarding capital improvement projects listed in the RCRC Ten Year Master Plan for 2002-2012 (Mizzell)**

## **OPEN/CLOSE PUBLIC HEARINGS**

**1.a., 1.b., 1.c., 1.d., 4.b.,**

## **APPROVAL OF CONSENT ITEMS**

**1.b., 1.c., 1.d., 2.a., 2.b., 2.c., 2.d., 3.a., 4.a., 4.b., 4.d., 4.e.,**

## **1. THIRD READING ITEMS**

- a. Conservation Easements Policy – Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions created and recognized; subsection (H), Richland County Conservation Commission; so as to establish policies for the endorsement of conservation easements by the Richland County Council [PUBLIC HEARING] [Pages 19-21]**
- b. Ordinance authorizing quit claim deed to 321 Fairfield, LLC [PUBLIC HEARING] [CONSENT] [Pages 22-23]**
- c. Ordinance authorizing quit claim deed to 321 Fairfield, LLC and Carolina Wrecking, Inc. [PUBLIC HEARING] [CONSENT] [Pages 24-25]**

- d. **Ordinance amending the fiscal year 2004-2005 road maintenance and stormwater fund annual budget to transfer two full-time engineering technical positions from the road maintenance fund to the stormwater fund. The positions are a grade nine (9) non-exempt. This will not require the transfer of any funds [PUBLIC HEARING] [CONSENT] [Pages 26-27]**

**2. SECOND READING ITEMS**

- a. **05-41MA  
V.W. Cate c/o Leah Browder  
RS-1 to C-1 (1.08 acres)  
Financial Planning Office  
07303-0202  
121 Arrowwood Drive  
south of Bush River Road  
[CONSENT] [Pages 28-30]**
- b. **05-46 MA  
Pioneer Land Co. LP  
D-1 to C-3 (1.21)  
Commercial  
25808-03-03  
Hwy. 1, north of Spears Creek Church  
Road [CONSENT] [Pages 31-33]**
- c. **05-47MA  
Michael Morrisson  
RU to C-3 (1.35 acres)  
Framing & Art Gallery  
15000-02-15  
Wilson Boulevard (Hwy. 21)  
[CONSENT][Pages 34-36]**

- d. **05-49MA**  
**Walgreens/Gene Dinkins**  
**RU to C-3 (3.42 acres)**  
**Commercial**  
**2415-03-01/02**  
**Hwy. 76 & Hwy. 6, Ballentine**  
**[CONSENT][Pages 37-39]**

**3. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE [Page 40]**

- a. **Facilities and Grounds Maintenance: Ordinance to authorize utility easement at Columbia Owens downtown Airport [CONSENT][Page 41]**
- b. **Department of Public Works: Solid Waste Management Plan**
- c. **Restructuring the membership to the Richland County Development Corporation**

**4. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE [Pages 42-43]**

- a. **Central Midlands Council of Governments: Approval of Resolution adopting the Natural Hazards Risk Assessment and Hazard Mitigation Plan [CONSENT]**
- b. **Hammond School: Approval of Resolution supporting JEDA Bond Issuance [PUBLIC HEARING] [CONSENT] [Pages 44-45]**
- c. **Department of Public Works: Utilities Ordinance Amendment**

- d. Community Development: Fair Housing Resolution [CONSENT]**
- e. Legal Department: Budget Request (Ordinance Amendment) [CONSENT]**
- f. Department of Planning And Development Services: Planning Ordinance Amendment**
- g. Report of the Clerk of Council: Personnel Matter**
- h. Sheriff's Department: Holiday Pay**

**5. REPORT OF ECONOMIC DEVELOPMENT**

- a. An Ordinance consenting to an assignment of the rights and obligations of American Italian Pasta Company under an inducement agreement, a lease agreement, a bond, and a fee agreement between Richland County and American Italian Pasta Company [Pages 46-48]**

**6. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE [Page 49]**

- I. Notification of Vacancies on Boards, Commissions, and Committees**
  - A. Board of Assessment Appeals-1 [Pages 50-51]**
  - B. Board of Zoning Adjustments and Appeals-1 [Pages 52-53]**
- II. Notification of Appointments to Boards, Commissions, and Committees**

**C. Building Codes Board of Adjustments  
and Appeals-1**

**D. Historic Columbia Foundation-1  
[Pages 54-55]**

**E. Internal Audit Committee-1  
[Pages 56-57]**

**III. Scheduling the Administration and Finance  
“Immediately Following the Development &  
Services**

**7. APPLICATION FOR LOCATING A  
COMMUNITY RESIDENTIAL CARE FACILITY  
IN AN UNINCORPORATED AREA OF  
RICHLAND COUNTY [Pages 58-59]**

**8. CITIZEN’S INPUT**

**9. MOTION PERIOD**

**10. ADJOURNMENT**

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION MARCH 15, 2005 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.*

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### MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott

**MEMBERS ABSENT:** Doris M. Corley, Kit Smith (in Brazil) and L. Gregory Pearce, Jr. (hospitalized)

**ALSO PRESENT:** T. Cary McSwain, Michielle Cannon-Finch, Amelia Linder, Milton Pope, Tony McDonald, Ashley Bloom, Kendall Johnson, Stephany Snowden, Marsheika Martin, Sheriff Lott, Chief Harrell, Roxanne Matthews, David Adams

### CALL TO ORDER

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

### POINT OF PERSONAL PRIVILEGE

Mr. Mizzell recognized the following persons in the audience: Mr. Vince Ford from the School Board; David Adams, County Treasurer; and the South Carolina Sheriff of the Year, Sheriff Leon Lotts.

Mr. Mizzell asked for a moment of silence for the loss of a good friend to Richland County, Mr. Butch Spires, a former Lexington County Council member.

On behalf of Council, Ms. Scott welcomed back Ms. Dickerson after the death and burial of her son-in-law, Mr. Scott Spurgeon.

## INVOCATION

The Invocation was given by the Honorable Damon Jeter.

## PLEDGE OF ALLEGIANCE

## ADOPTION OF AGENDA

Mr. Livingston moved, seconded by Ms. Hutchinson, to add a resolution honoring and commemorating Mr. Butch Spires. The vote in favor was unanimous.

Mr. Mizzell stated that without objection the item would be added to the agenda as item-6, before the Executive Session Items. There were no objections.

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

## PRESENTATIONS

**Richland Memorial Hospital Annual Report** – Mr. Vince Ford gave a brief report on some of the services and programs that have been provided and funded.

**The Lottery Commission** – Mr. Ernie Passailaigue, Director of the Lottery Commission, first thanked Council for the services provided.

Mr. Passailaigue updated Council on lottery tickets sales.

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

## APPROVAL OF MINUTES

**Zoning Public Hearing: February 22, 2005** - Ms. Michielle Cannon-Finch, Clerk of Council, made a correction on Page 7 of the agenda packet which was as follows:

*The Kerry Lee rezoning issue should read: 14800-05-22 instead of 48000-05-22.*

Mr. McEachern moved, seconded by Ms. Scott, to approve the minutes as amended. The vote in favor was unanimous.

**Regular Session: March 1, 2005** - Ms. Finch requested clarification from Ms. Dickerson regarding the Quit Claim on 321 Fairfield on page 15 of the agenda packet. She wanted to know if the quit claim was approved with or without compensation.

Ms. Dickerson clarified that the motion from committee was to approve this item with compensation.

Ms. Dickerson moved, and it was seconded, to approve the minutes as clarified. The vote in favor was unanimous.

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

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

- **Personnel Matter – update on Grievance**
- **Columbia Venture vs. Richland County: A pending litigation**
- **Contractual Matter: Recreation Commission**
- **Personnel Matter**

Ms. Scott moved, seconded by Mr. McEachern, to move these items to the end of the agenda, after Citizen's Input and before Motion Period. The vote in favor was unanimous.

## **REPORT OF COUNTY ADMINISTRATOR**

Mr. T. Cary McSwain, County Administrator, gave the following report:

**Arrangements for Mr. Butch Spires** – Visitation will be on Wednesday, March 16<sup>th</sup> from 6:00 p.m. until 9:00 p.m. at Kitty Wake Baptist Church, 420 Kitty Wake Drive, West Columbia. The Funeral Services will be at 4:00 p.m. on Thursday, March 17<sup>th</sup>, at Trinity Baptist Church, 2003 Charleston Highway in Cayce. This information will be e-mailed to Council.

**Local Options Sales Tax Education for Municipalities** - The County will host a workshop on tomorrow from 8:00 a.m. until 9:30 p.m. at the South Carolina Municipal Association Building on Gervais Street. An update will be given on collection timetables and projections. Council was invited to attend.

Mr. McSwain stated there will be three workshops on next week for Richland County Merchants. He stated the response has been overwhelming.

**Richland 101: Spring Session:** Classes will begin April 11<sup>th</sup>.

**Current Update of Retreat Items** – These items were distributed to Council prior to the meeting.

## REPORT OF THE CLERK OF COUNCIL

Ms. Finch gave the following report:

**Letters to CASA Volunteers** – Folders were placed at each Councilperson's seat. The letters are addressed to volunteers in the different Council districts. The letters require Council members' signatures.

**Blackberrys** – Council members who had not picked up Blackberrys were told they may do so.

## OPEN/CLOSE PUBLIC HEARING ITEMS

There were no items at this time.

## APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Mr. McEachern, to approve the following items for the Consent Agenda as amended:

- **05-36MA, Kerry Lee, RU to PUD-1R, Single Family Residential, 14800-05-22, US Highway 21 [Third Reading]**
- **05-37MA, Windsor/Aughtry Co. c/o Paul Aughtry, M-2 to M-1, Highway commercial services and light industrial, 17300-02-02 & 17400-09-13(p), I-77 & Killian Road [Third Reading]**
- **05-38MA, Richland County School District Two, c/o Jacqueline Myers, C-3 to C-1, Elementary School, 19811-01-02, Polo Road east of Alpine Road [Third Reading]**
- **05-32MA, Barnstormers c/o E. Clifton Kinder, RS-2/D-1 to PUD-1R, Single Family Residential, 21800-01-04 & 21900-09-17, Trotter Road & Lower Richland Blvd [Third Reading]**
- **05-30MA, The James Company (E.C. Kinder, Jr.), M-1 to RS-3, Single Family Residences, 17300-02-10, Northwest corner of intersection of Hardscrabble and Farrow Road [Third Reading]**
- **Conservation Easements Policy – Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions created and recognized; Subsection (H), Richland County Conservation Commission; so as to establish policies for the endorsement of Conservation Easements by the Richland County Council [Second Reading]**
- **Ordinance authorizing Quit Claim deed to 321 Fairfield, LLC [Second Reading]**
- **Ordinance authorizing Quit Claim deed to Carolina Wrecking, Inc. [Second Reading]**
- **Ordinance amending the fiscal year 2004-2005 Road Maintenance and Storm water Fund annual budget to transfer two full-time**

- **engineering technician positions from the Road Maintenance fund to the storm water fund. The positions are a grade nine (9) non-exempt. This will not require the transfer of any funds. [Second Reading]**

The vote in favor was unanimous.

## **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

### **Select Comfort/Blind John LLC Request (deferred from March 1, 2005 meeting)**

Mr. Livingston stated this is a request to grant and extend the abatement. He stated the Committee recommended approval.

Mr. Montgomery requested for the committee to consider an amendment to the motion to require some verification or certification of that investment, to cancel the abatement in the event that the investment was not made in the appropriate period of time. Mr. Livingston accepted the amendment on behalf of the committee (if there were no objections by the committee members present).

The vote in favor of the committee's recommendations along with the friendly amendment was unanimous.

## **APPROVAL OF RESOLUTIONS**

**A Resolution to appoint and commission Andrew S. Thompson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County** - Ms. Dickerson moved, and it was seconded, to approve the resolution. The vote in favor was unanimous.

### **A Resolution to appoint M. Donny Phipps as the Richland County Building Official**

Mr. Michael Criss, Planning Director, introduced Mr. Phipps to Council.

Ms. Dickerson moved, and it was seconded, to approve the resolution. The vote in favor was unanimous.

### **A Resolution to appoint and commission Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County**

Mr. Criss introduced the eight officers to the Council.

Ms. Scott moved, seconded by Mr. Montgomery, to approve the resolution.

Mr. Montgomery amended the motion correcting Arthur B. Langley to Arthur H. Langley.

The vote in favor of the motion as amended was unanimous.

**A Resolution honoring and commemorating Mr. Butch Spires** – Mr. Livingston moved, seconded by Ms. Scott, to approve the resolution. The vote in favor was unanimous.

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

**EXECUTIVE SESSION ITEMS**

Ms. Scott moved, seconded by Ms. Dickerson, to go into Executive Session to discuss the following issues:

- **Personnel Matter – update on Grievance**
- **Columbia Venture vs. Richland County: A pending litigation**
- **Contractual Matter: Recreation Commission**
- **Personnel Matter**

The vote in favor was unanimous.

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**Council went into Executive Session at approximately 6:45 p.m. and came out at approximately 7:22 p.m.**  
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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

**Personnel Matter: Update on Grievance** – Received as information.

**Columbia Venture vs. Richland County: A pending litigation** - Received as information.

**Personnel Matter: Sheriff Department** – Mr. Montgomery moved, seconded by Ms. Scott, to appropriate \$8,375 to the Sheriff's Department for the commencement of an Expired Vehicle License Enforcement Program to be provided by Treasurer Adams and Sheriff Lott and direct the County Administrator to bring a proposal for funding of that either through a budget transfer or budget amendment. The vote in favor was unanimous.

**Contractual Matter: Recreation Commission** – Mr. Livingston moved, seconded by Mr. Montgomery, to forward this item to the Administration and Finance Committee. The vote in favor was unanimous.

## MOTION PERIOD

**Roadside Trash in District 10** – Ms. Scott moved, seconded by Mr. Jeter, to request for this item to be sent to the Development and Services Committee to review the ordinance to see what can be done to “beef up” security. The vote in favor was unanimous.

**Driveway Code Enforcement** – Ms. Dickerson stated there is a problem in her community with persons using their driveways for garages to fix up cars.

Mr. Mizzell directed staff to get with Ms. Dickerson to work with her on the process.

**Northeast Traffic Study** – Ms. Hutchinson moved to forward the study to the Development and Services Committee. (tape was inaudible).

**Resolution honoring Sheriff Lott** – Mr. Mizzell moved, seconded by Mr. McEachern, to recognize Leon Lott for being named Sheriff of the Year by the South Carolina Sheriff's Association. The vote in favor was unanimous.

**Tokens to Citizens** – Ms. Scott moved, seconded by Ms. Dickerson, to direct staff to find something besides a resolution to present to citizens per each Council member's request. The vote in favor was unanimous.

**Zoning Ordinance regarding restriction on wholesale trading** – Mr. Montgomery moved, seconded by Ms. Scott, to ask the Development and Services Committee to consider a modification to clarify what activities are deemed wholesale trade and being allowable in a GC Zone. The vote in favor was unanimous.

**Point of Personal Privilege** – Ms. Dickerson thanked Ashley Bloom and all of staff for going out to her community meeting on March 7<sup>th</sup> during her absence.

**ADJOURNMENT** – It was moved and seconded to adjourn at approximately 7:29 p.m. The vote in favor was unanimous.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

\_\_\_\_\_  
Joyce Dickerson

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Valerie Hutchinson

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Damon Jeter

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Paul Livingston

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Joseph McEachern

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Marsheika G. Martin

**MINUTES OF**



**RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING  
FEBRUARY 22, 2005  
7:00 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.*

*(Due to misplacement of the Citizen's Sign-In Sheet, some of the names may be misspelled. We apologize for any inconvenience.)*



**MEMBERS PRESENT**

- Chair            Anthony G. Mizzell
- Member        Doris M. Corley
- Member        Joyce Dickerson
- Member        Valerie Hutchinson
- Member        Damon Jeter
- Member        Paul Livingston
- Member        Joseph McEachern
- Member        Mike Montgomery
- Member        Bernice G. Scott

**ABSENT:** L. Gregory Pearce, Jr. and Kit Smith

**ALSO PRESENT:** T. Cary McSwain, Anna Almeida, Michael Criss, Michielle Cannon-Finch, Geo Price, William Simon, Stephany Snowden, Ashley Bloom, Skim Limbaker, Marsheika Martin

**CALL TO ORDER**

The meeting was called to order at approximately 7:01 p.m.

**OPEN PUBLIC HEARING**

**Additions/Deletions** – There were no items to be added or deleted at this time.

**MAP AMENDMENTS – Public Comment and First Reading Items**

**05-39MA, Robert Fuller, RU to PDD, Commercial Business Park, 20200-03-49 & 50, Clemson Road near U.S. Post Office**

Mr. Mizzell stated this request was deferred from the February 22<sup>nd</sup> meeting.

Ms. Hutchinson moved, seconded by Ms. Scott, to defer First Reading and the public hearing to the next Zoning Public Hearing in April due to ongoing discussions. The vote in favor was unanimous.

**05-03MA, Stedfast Unmovable Ministries, Inc., c/o Nancy E. Johnson, RS-2 to C-3, Commercial Development, 20200-01-31, Clemson Road west of Hardscrabble Road**

Mr. Mizzell stated this request was deferred from the February 22<sup>nd</sup> meeting.

Ms. Dickerson moved, seconded by Mr. McEachern, to defer First Reading and the public hearing to the next Zoning Public Hearing in April. The vote in favor was unanimous.

**05-41MA, V.W. Cate c/o Leah Browder, RS-1 to C-1, Financial Planning Office, 07303-02-02, 121 Arrowwood Drive south of Bush River Road**

Mr. Mizzell stated the Planning Commission recommended approval. He stated there were persons signed up to speak “in favor” of the item and no one had signed “against” it.

The floor to the public hearing was opened.

The citizens waived their right to speak at this time.

The public hearing was closed.

Ms. Scott moved, seconded by Mr. Jeter, to give this item First Reading approval. The vote in favor was unanimous.

**05-46MA, Pioneer Land Co. LP, D-1 to C-3, Commercial, 25808-03-03, Hwy 1 north of Spears Creek Church Rd**

Mr. Mizzell stated the Planning Commission recommended approval. He stated there were persons signed up to speak “in favor” of the item and no one had signed “against” it.

The floor to the public hearing was opened.

The citizens waived their right to speak at this time.

The public hearing was closed.

Ms. Dickerson moved, seconded by Ms. Scott, to give this item First Reading approval. The vote in favor was unanimous.

**05-47MA, Michael Morrison, RU to C-3, Framing & Art Gallery, 15000-02-15, Wilson Boulevard (Hwy 21)**

Mr. Mizzell stated the Planning Commission recommended denial. He stated there was one person signed up to speak "in favor" of the item and no one had signed "against" it.

The floor to the public hearing was opened.

Mr. Michael Morrison spoke "in favor" of the item.

The public hearing was closed.

Ms. Dickerson moved, seconded by Ms. Scott, to approve this item for First Reading. The vote in favor was unanimous.

**05-49MA, Walgreens/Gene Dinkins, RU to C-3, Commercial, 2415-03-01/02, Hwy 76 & Hwy 6, Ballentine**

Mr. Mizzell stated the Planning Commission recommended approval. He stated there were persons signed up to speak "in favor" of the item and no one had signed "against" it.

The floor to the public hearing was opened.

The citizens waived their right to speak at this time.

The public hearing was closed.

Ms. Dickerson moved, seconded by Ms. Scott, to give this item First Reading approval. The vote in favor was unanimous.

**TEXT AMENDMENTS – PUBLIC COMMENT AND FIRST READING**

**An Ordinance Amending Ordinance NO. 074-04HR (The Richland County Land Development Code), Article IX, Subdivision Regulations, so as to add a new section that permits the subdivision of property to immediate family members in the RU Zoning District**

Mr. Michael Criss, Director of Planning, gave a brief description of what the change would do.

Ms. Scott moved, seconded by Ms. Corley, to defer this item to the next Zoning Public Hearing. The vote in favor was unanimous.

**OTHER BUSINESS** – No other business came before Council at this time.

**ADJOURNMENT** – The meeting adjourned at approximately 7:20 p.m.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

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Joyce Dickerson

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Joseph McEachern

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Marshaika G. Martin

# DRAFT

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-326, BOARDS AND COMMISSIONS CREATED AND RECOGNIZED; SUBSECTION (H), RICHLAND COUNTY CONSERVATION COMMISSION; SO AS TO ESTABLISH POLICIES FOR THE ENDORSEMENT OF CONSERVATION EASEMENTS BY THE RICHLAND COUNTY COUNCIL.

Pursuant to the authority granted by the Constitution of the State of South Carolina 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 VII, Boards, Commissions and Committees; Section 2-326, Boards and commissions created and recognized; Subsection (h), Richland County Conservation Commission; is hereby amended by the renumbering of paragraph (8), *Richland County Conservation Commission Fund*, to hereafter read as paragraph (9) and by the addition of a new paragraph (8) as follows:

(8) *Conservation easements.*

- a. Any landowner desiring to obtain an endorsement by the Richland County Council for the granting of a conservation easement to a qualified organization, exclusively for conservation purposes, shall submit an application to the Commission, along with the appropriate user fee as described in subparagraph d. below.
- b. Upon review of the application, the Commission shall prepare a report for Council concerning the features and characteristics of the subject property and the conservation easement. The report to Council shall:
  1. Identify the conservation values of the parcel that justify the interest by Richland County. Conservation values are characteristics of property, which because of their ecological, historic, scenic, or open space value, are essential to the continued integrity of Richland County; and
  2. Indicate that the conservation easement protects in perpetuity all aspects of the parcel with conservation value; and
  3. Indicate that any developments proposed by the owner on non-conservation aspects of the parcel would not disturb the conservation values of the parcel; and

# DRAFT

4. Indicate that the Donee organization to hold the easement has sufficient credibility and resources to adequately monitor and enforce the easement and has been approved by the Commission.
- c. Upon receipt of this report, County Council shall make a finding that such easement furthers a “significant public benefit”. No conservation easement shall be accepted or endorsed unless the easement fulfills a “significant public benefit”, defined as:
1. Recreation or education of the public (this requires that the public have free access to the land); or
  2. Protection of an important watercourse or natural habitat of fish, wildlife, or plants; or
  3. Preservation of historically important land or structures; or
  4. Preservation of open space for the scenic enjoyment of the public or pursuant to a clearly delineated governmental conservation policy; provided that such preservation will yield a significant public benefit, such as:
    - (i) Furthering a county or municipal green space plan, of which the donor’s conservation easement will be an integral part; or
    - (ii) The easement will protect open space, the view of which can be and is enjoyed by the public from vantage points on adjacent or nearby property (e.g. from a road or adjoining public land), and that the protection of this viewshed will yield a significant public benefit.
- d. In order to offset the costs incurred by the Commission and Council in evaluating the application for endorsement and in making the actual endorsement, each applicant shall pay a required user fee to the County. Such user fee shall be an amount equal to 2% of the appraised value of the property being donated for conservation purposes, as reflected in the records of the Richland County Tax Assessor, or five hundred (\$500.00) dollars, whichever is greater.

SECTION II. Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

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

# DRAFT

SECTION IV. Effective Date. This Ordinance shall be effective from and after \_\_\_\_\_, 2005.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

ATTEST this the \_\_\_\_ day of  
\_\_\_\_\_, 2005

\_\_\_\_\_  
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:        March 1, 2005  
Second Reading:     March 15, 2005 (tentative)  
Public Hearing:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR

AN ORDINANCE AUTHORIZING QUIT CLAIM DEED TO 321 FAIRFIELD, LLC

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 I. The County of Richland and its employees and agents are hereby authorized to grant a quit claim deed to 321 Fairfield, LLC for a certain piece of land, as specifically described in the "Quit Claim Deed to Real Estate", which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_, 2005.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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: March 1, 2005  
Second Reading: March 15, 2005 (tentative)  
Public Hearing:  
Third reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-05HR

AN ORDINANCE AUTHORIZING QUIT CLAIM DEED TO 321 FAIRFIELD, LLC AND  
CAROLINA WRECKING, INC.

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 I. The County of Richland and its employees and agents are hereby authorized to grant a quit claim deed to 321 Fairfield, LLC and Carolina Wrecking, Inc. for certain parcels of land, as specifically described in the "Quit Claim Deed to Real Estate", which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_, 2005.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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: March 1, 2005  
Second Reading: March 15, 2005 (tentative)  
Public Hearing:  
Third reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-05HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 ROAD MAINTENANCE AND STORMWATER FUND ANNUAL BUDGET TO TRANSFER TWO FULL-TIME ENGINEERING TECHNICIAN POSITIONS FROM THE ROAD MAINTENANCE FUND TO THE STORMWATER FUND. THE POSITIONS ARE A GRADE NINE (9) NON-EXEMPT. THIS WILL NOT REQUIRE THE TRANSFER OF ANY FUNDS.

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. That two full-time Engineering Technicians, which are grade seven, non-exempt are hereby transferred from the Road Maintenance budget to the Stormwater budget and that the fiscal year 2004-2005 Annual Budgets is hereby amended accordingly.

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 enforced from and after \_\_\_\_\_ 2005.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2005

\_\_\_\_\_  
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:           March 1, 2005  
Second Reading:        March 15, 2005 (tentative)  
Public Hearing:  
Third Reading:

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 07303-02-02) FROM RS-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-1 (OFFICE AND INSTITUTIONAL 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 07303-02-02) described in Exhibit A, which is attached hereto, from RS-1 Single-Family Residential zoning to C-1 Office and Institutional 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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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: March 22, 2005  
First Reading: March 22, 2005  
Second Reading: April 5, 2005 (tentative)  
Third Reading:

**Exhibit A**  
**Legal Description**

All that certain lot of land, with the dwelling house and improvements thereon, on the west side of Arrowwood Road, in a development known as "Arrowwood", located about 5 miles northwest of the State House, near Bush River Road, in Fork Township, Richland County, South Carolina, being known, designated, and composed of lot "O" and lot "N" as shown and designated on a plat of "Arrowwood", surveyed for Ellis C. Byrd by James C. Covington, C.E., March 22, 1946, and recorded in the office of the Clerk of Court for Richland County in Plat Book "K" at page 133, said lots together being bounded on the north by lot "P" as shown on said plat and measuring thereon two hundred thirty-three and one-half (233½') feet; on the east by Arrowwood Road and fronting and measuring thereon four hundred (400') feet, that is to say 200 feet to each of the two above mentioned lots; on the south by lot "M" as shown on said plat, and measuring thereon two hundred and thirty-six and one-half (236½') feet; and on the west by property by R. D. Anderson (shown on the plat as property of Lancaster), and measuring thereon four hundred (400') feet, that is, 200 feet to each of the two said individual lots.

Purchased by M. N. Cato from Ellis C. Byrd on May 13, 1947. This being the same property conveyed to M. N. Cato, the decedent herein, by deed dated April 30, 1951, and recorded in Deed Book Volume 73, Page 11, in the RMC Office of Richland County.

TMS# 07303-02-02

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 25808-03-03) FROM D-1 (DEVELOPMENT DISTRICT) TO C-3 (GENERAL 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 25808-03-03) described in Exhibit A, which is attached hereto, from D-1 Development District zoning to C-3 General 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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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:        March 22, 2005  
First Reading:        March 22, 2005  
Second Reading:      April 5, 2005 (tentative)  
Third Reading:

**Exhibit A**  
**Property Description**

Richland County TMS 25808-03-03, 1.21 acres, Southside U.S. Highway No. 1 near Pontiac.

Beginning at a No. 4 rebar located on the southern right-of-way of U.S. Highway No. 1, approximately 215 feet from intersection of U.S. Highway No. 1 and Spears Creek Church Road (S-40-53); thence continuing along the southern edge of right-of-way of U.S. Highway No. 1 N72°04'45"E for a distance of 167.62 feet to a No. 4 rebar; thence turning and running S11°42'28"E along property now or formerly of Rhett M. Jacobs (TMS #25808-03-04) for a distance of 336.60 feet to a ¾" open stake; thence turning and running S70°22'39"W along property now or formerly of Carl Brazell (TMS #25807-01-09) and property now or formerly of Mike Taylor Properties, Inc. (TMS #25807-01-01) for a distance of 146.18 feet to a 1" open stake; thence turning and running N15°24'00"W along property now or formerly of Megadrosos (TMS #25808-03-08) and property now or formerly of Rhett M. Jacobs (TMS #25808-03-02) for a distance of 339.29' to the point of commencement.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 15000-02-15) FROM RU (RURAL DISTRICT) TO C-3 (GENERAL 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 15000-02-15) described in Exhibit A, which is attached hereto, from RU Rural District zoning to C-3 General 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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_  
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Public Hearing: March 22, 2005  
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Second Reading: April 5, 2005 (tentative)  
Third Reading:



**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 02415-03-01 AND 02) FROM RU (RURAL DISTRICT) TO C-3 (GENERAL 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 02415-03-01 and 02) described in Exhibit A, which is attached hereto, from RU Rural District zoning to C-3 General 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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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: March 22, 2005  
First Reading: March 22, 2005  
Second Reading: April 5, 2005 (tentative)  
Third Reading:

**Exhibit A**  
**Property Description**

TMS PARCEL 02415-03-01:

Beginning at the intersection of the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) and the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) at a ½" Rebar (o), thence turning and running N75°00'17"E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 35.82 feet to a Point, this being the POINT OF BEGINNING (P.O.B.); thence turning and running N75°00'17"E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 258.05 feet to a ½" Rebar (o); thence turning and running S14°59'40"E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 22.50 feet to a ½" Rebar (o); thence turning and running N75°00'16"E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 330.35 feet to a 1" Pipe (o); thence turning and running S19°19'45"W along Tract "A" (TMS 3303-03-03) for a distance of 292.57 feet to a ½" Rebar (o); thence turning and running S06°38'44"W along Tract "A" (TMS 3303-03-03) for a distance of 189.84 feet to a ½" Rebar (o); thence turning and running S73°48'55"W along Tract "A" (TMS 3303-03-03) for a distance of 172.25 feet to a ½" Rebar (o); thence turning and running N50°12'47"W along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) for a distance of 70.24 feet to a Point; thence turning and running N14°16'05"W along property now or formerly John W. & Blanche B. Derrick for a distance of 260.26 feet to a Point; thence turning and running S89°23'55"W along property now or formerly John W. & Blanche B. Derrick for a distance of 157.20 feet to a Point; thence turning and running N09°36'05"W along property now or formerly John W. & Blanche B. Derrick for a distance of 87.85 feet to a Point, the POINT OF BEGINNING (P.O.B.).

TMS PARCEL 02415-03-02:

Beginning at the intersection of the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) and the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) at a ½" Rebar (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running N75°00'17"E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 35.82 feet to a Point; thence turning and running S09°36'05"E along property now or formerly John Willie Derrick for a distance of 87.85 feet to a Point; thence turning and running N89°23'55"E along property now or formerly John Willie Derrick for a distance of 157.20 feet to a Point; thence turning and running S14°16'05"E along property now or formerly John Willie Derrick for a distance of 260.26 feet to a Point; thence turning and running N50°12'47"W along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) for a distance of 376.89 feet to a ½" Rebar (o); thence turning and running in a curved line of length 109.32 feet along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) (curve of radius 50.00 feet, chord bearing of N12°22'22"E, chord distance of 88.81 feet) to a ½" Rebar (o), the POINT OF BEGINNING (P.O.B.).

# **RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE**

Doris Corley  
District 1

Joyce Dickerson  
District 2

Damon Jeter, Chair  
District 3

Greg Pearce  
District 6

Bernice G. Scott  
District 10

*Tuesday, March 22, 2005  
5:00 PM*

## **Recommendations**

- Consent**    **A. Facilities and Grounds Maintenance: Ordinance to Authorize Utility Easement at Columbia Owens Downtown Airport** – The Committee recommended that Council grant a utility easement to South Carolina Electric & Gas at Columbia Owens Downtown Airport to allow for the installation of three phase power connections to the new terminal building.
- Consent**    **B. Department of Public Works: Solid Waste Management Plan** – The Committee recommended that Council adopt the revision of the Richland County Solid Waste Management Plan, with the understanding that if certain questions posed by Mr. Livingston aren't answered, this item will be deferred.
- C. Restructuring the Membership to the Richland County Development Corporation** – The Committee recommended that this item be sent to full Council for further consideration.

Staffed by Roxanne Matthews

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-05HR

AN ORDINANCE AUTHORIZING A UTILITY EASEMENT TO SOUTH CAROLINA ELECTRIC & GAS COMPANY ON PROPERTY IDENTIFIED AS TMS NUMBER 13702-09-01A (ALSO KNOWN AS OWENS FIELD, COLUMBIA, SOUTH CAROLINA).

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 I. The County of Richland and its employees and agents are hereby authorized to grant a utility easement right-of-way to South Carolina Electric & Gas Company, upon land identified as TMS Number 13702-09-01A (also known as Owens Field, Columbia, South Carolina), and as described in the Easement Indenture, a copy of which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 \_\_\_\_\_, 2005.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2005.

\_\_\_\_\_  
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: April 5, 2005 (tentative)  
Second Reading:  
Public Hearing:  
Third reading:

# RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE

Kit Smith, Chair    Mike Montgomery    Paul Livingston    Joseph McEachern    Valerie Hutchinson  
District 5                      District 8                      District 4                      District 7                      District 9

*Tuesday, March 22, 2005  
6:00 PM*

## Recommendations

- Consent**      **A. Central Midlands Council of Governments: Approval of Resolution Adopting the Natural Hazards Risk Assessment and Hazard Mitigation Plan** – The Committee recommended that Council approve the resolution to adopt the Natural Hazards Risk Assessment and Hazard Mitigation Plan.
- Consent**      **B. Hammond School: Approval of Resolution Supporting JEDA Bond Issuance** – The Committee recommended that Council hold a joint public hearing with the South Carolina Jobs Economic Development Authority (JEDA) in connection with JEDA’s issuance of economic development revenue bonds, not exceeding \$5,000,000 to benefit Hammond School. The Committee also recommended that Council adopt a resolution supporting the bond issuance as required by Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended.
- C. Department of Public Works: Utilities Ordinance Amendment** – The Committee recommended that Council have a work session on this item in conjunction with Item F.
- Consent**      **D. Community Development: Fair Housing Resolution** – The Committee recommended that Council approve the Resolution, affirming Richland County’s commitment to fair housing
- Consent**      **E. Legal Department: Budget Request (Ordinance Amendment)** – The Committee recommended that Council approve the request of \$142,000, and that staff review the existing legal services policy.
- F. Department of Planning and Development Services: Planning Ordinance Amendment** – The Committee recommended that Council have a work session on this item in conjunction with Item C.
- G. Report of the Clerk of Council: Personnel Matter** – The Committee recommended that this item remain in Committee to appear on the April A&F agenda. Councilman Montgomery will meet with Administration regarding this matter.

**H. Sheriff's Department: Holiday Pay** – The Committee requested a more comprehensive analysis and fiscal impact of holiday pay by County Administration at the next County Council meeting. No specific recommendation was approved by Committee.

Staffed by Roxanne Matthews

**AMELIA LINDER**

**From:** Kluiters, Edward [ekluiters@hsblawfirm.com]  
**Sent:** Tuesday, March 01, 2005 11:48 AM  
**To:** 'AMELIA LINDER'  
**Cc:** McKinney, Kathy; Pry, Dorothy; 'tifkovits@hammondschool.org'  
**Subject:** RE: Revised Notice of Public Hearing

*Michielle,  
 Let me know  
 if you have  
 any questions.  
 This request has been  
 sent to Roxanne  
 for the Committee  
 meeting on the  
 22nd  
 Amelia*

Amelia:

The resolution looks fine to me. The signature lines can be on page 2. We will need 5 copies of this document when it is adopted by Council on April 5. Unless I hear from you otherwise, I will publish the notice of public hearing next week. Thanks for all your help.

Edward G. Kluiters  
 Haynsworth Sinkler Boyd, PA  
 1201 Main Street, Suite 2200  
 Columbia, South Carolina 29201  
 Mailing address:  
 PO Box 11889  
 Columbia, South Carolina 29211-1889  
 Tel. (803) 540-7955  
 Fax (803) 765-1243  
 Direct Fax (803) 733-0802  
 Email ekluiters@hsblawfirm.com

This electronic mail transmission contains confidential information intended only for the person(s) named. Any use, distribution, copying or disclosure by another person is strictly prohibited.

-----Original Message-----

**From:** AMELIA LINDER [mailto:amelialinder@richlandonline.com]  
**Sent:** Tuesday, March 01, 2005 11:28 AM  
**To:** 'Kluiters, Edward'  
**Subject:** RE: Revised Notice of Public Hearing

Edward,

I have sent the Council Request of Action to Roxanne, as well as the Public Hearing Notice. Please "proof" the Resolution before I send that to her.

Thanks!

Amelia R. Linder, Esq.  
 Assistant County Attorney  
 Richland County Government  
 2020 Hampton Street, Suite 4018  
 Columbia, South Carolina 29204

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the South Carolina Jobs-Economic Development Authority (the "Issuer") and the County Council of Richland County, South Carolina, on Tuesday, April 5, 2005, at 6:00 p.m., in Council Chambers of the Richland County Council located in the Richland County Administration Building, 2<sup>nd</sup> Floor, 2020 Hampton Street, Columbia, South Carolina, in connection with the issuance by the Issuer of its Variable Rate Demand Purchase Revenue Bonds (Hammond School Project) Series 2005 (the "Bonds"), in an aggregate principal amount not to exceed \$5,000,000, the proceeds of which will be used to defray the cost of (i) construction of an approximately 17,650 square foot new building which will house classrooms, office space and a conference facility; (ii) renovation of an approximately 8,012 square foot existing building which houses a library and office space; and (iii) the development and construction of an Athletic Complex on approximately 76 acres on the south end of campus (behind the Lower School Complex) which will include a pond, soccer fields, 8 tennis courts, baseball and softball fields, cross country tracks, paved parking facilities and restrooms, including the acquisition of certain equipment, office facilities and furnishings to be installed therein (collectively, the "Project"). The Project is located at 854 Galway Lane in Columbia, South Carolina, and will be operated by Hammond School (the "Borrower"), a South Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. The Borrower will unconditionally covenant to make payments sufficient to pay the principal and interest on the Bonds. The Bonds will be payable solely and exclusively out of payments to be made by the Borrower with respect to the Project.

The Bonds do not represent a general obligation of the State of South Carolina, the Issuer, Richland County, or any other such political subdivision or agency of the State of South Carolina within the meaning of any state constitutional provision or statutory limitation or constitute or give rise to any pecuniary liability of the State or any political subdivision or agency thereof or a charge against its general credit or taxing powers.

The public is invited to attend the hearing at the address set forth above and/or submit written comments on the issuance of the Bonds and the financing of the above Project to the South Carolina Jobs-Economic Development Authority at 1441 Main Street, Suite 905, Post Office Box 8327, Columbia, South Carolina 29202, and Richland County Council at Post Office Box 192, Columbia, South Carolina 29202-0192.

SOUTH CAROLINA JOBS-ECONOMIC  
DEVELOPMENT AUTHORITY  
Elliott E. Franks, III, Executive Director and  
Chief Executive Officer

COUNTY COUNCIL OF RICHLAND COUNTY  
Michielle Cannon-Finch, Clerk of Council

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR

AN ORDINANCE CONSENTING TO AN ASSIGNMENT OF THE RIGHTS AND OBLIGATIONS OF AMERICAN ITALIAN PASTA COMPANY UNDER AN INDUCEMENT AGREEMENT, A LEASE AGREEMENT, A BOND, AND A FEE AGREEMENT BETWEEN RICHLAND COUNTY AND AMERICAN ITALIAN PASTA COMPANY

WHEREAS, Richland County, South Carolina (the "County") has entered into a fee-in-lieu of taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Big Fee Act"), with American Italian Pasta Company, a Delaware corporation ("Original Affiliate"), in connection with which the County and Original Affiliate entered into a December 6, 1994 Inducement Agreement (the "Inducement Agreement") and a December 29, 1995 Corrective Lease Agreement (the "Lease") concerning certain land and certain buildings or other improvements thereon and all machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of producing and/or distributing dried pasta products and related food products and any other related activities (the "First Project");

WHEREAS, in connection with the First Project, the County has issued to Original Affiliate that certain \$50,000,000 Richland County, South Carolina Industrial Development Revenue Bond (American Italian Pasta Company Project) Series 1995 (the "Bond");

WHEREAS, the County has entered into a fee-in-lieu of taxes arrangement under Title 12, Chapter 44, Code of Laws of South Carolina 1976, as amended (the "Non-Title Act"), with Original Affiliate in connection with which the County and Original Affiliate entered into a Fee Agreement dated as of December 1, 2003 (the "Fee Agreement") concerning certain buildings or other improvements thereon and/or machinery, apparatus, equipment, office facilities, furnishings and other personal property to be installed therein for the purpose of a project to add certain production lines and products and/or packaging capabilities and other expansion investments and any and all activities relating thereto (the "Second Project");

WHEREAS, in connection with a reorganization of the operations of Original Affiliate, all of the assets of the First Project and the Second Project have been or will be transferred (including the Inducement Agreement, the Lease, the Bond and the Fee Agreement), to AIPC South Carolina, Inc., a South Carolina corporation and subsidiary of Original Affiliate ("New Affiliate"), and all of the liabilities of the First Project and of the Second Project have been or will be assumed by New Affiliate;

WHEREAS, the County now wishes to provide any necessary consents, ratifications and approvals of such transfers and assignments as described above to the extent required by Section 4-29-67(O)(4) of the Big Fee Act and Section 12-44-120(D) of the Non-Title

Act and confirm the continuance of the benefits under the Inducement Agreement, the Lease, the Bond and the Fee Agreement;

NOW, THEREFORE, BE IT ORDAINED by Richland County, South Carolina, as follows:

Section 1. The County, pursuant to Section 4-29-67(O)(4) of the Big Fee Act and Section 12-44-120(D) of the Non-Title Act, hereby expressly consents to, ratifies and approves the transfers and assignments described above (including the assignment of all rights and obligations under the Inducement Agreement, the Lease Agreement, the Bond and the Fee Agreement to New Affiliate) and all of the transactions contemplated thereby effective as of such assignments and transfers. The County does hereby substitute New Affiliate in the place of Original Affiliate under the Inducement Agreement, the Lease, the Bond and the Fee Agreement and all other agreements and instruments related thereto or arising therefrom effective as of such assignments and transfers, and the County does hereby confirm that the New Affiliate is entitled to continue the benefits available under the Inducement Agreement, the Lease, the Bond and the Fee Agreement.

Section 2. Each of the Chair of County Council and the County Administrator be and each is hereby authorized and directed, in the name and on behalf of the County, to take such further actions and execute such further instruments as New Affiliate or Original Affiliate may reasonably request to evidence the consent, assignments and transfers described in this Ordinance and the substitution of New Affiliate in place of Original Affiliate as the party in interest under the Inducement Agreement, the Lease, the Bond and the Fee Agreement and all other agreements and instruments related thereto or arising therefrom.

Section 3. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 4. All orders, resolutions, ordinances and parts thereof 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.

Done, ratified and adopted this \_\_\_ day of \_\_\_\_\_, 2005.

**RICHLAND COUNTY COUNCIL**

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2005

---

**Michielle R. Cannon-Finch**  
Clerk of Council

**Richland County Attorney's Office**

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Approved as to legal form only  
No opinion rendered as to content

**First Reading:** April 5, 2005 (tentative)  
**Second Reading:**  
**Public Hearing:**  
**Third Reading:**

# Richland County Council Rules and Appointments Committee



*Joseph McEachern*  
Chairman  
District Seven

*Paul Livingston*  
District Four

*Mike Montgomery*  
District Eight

*Staffed by:*

*Monique Walters*  
Assistant to the Clerk of  
Council

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION MEETING  
APRIL 5, 2005**

## **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

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

#### **A. Board of Assessment Appeals-1**

There is one vacancy on this board for an un-expired term.

John C. Elkins

November 4, 2006

#### **B. Board of Zoning Adjustments and Appeals-1**

There is one vacancy on this board for an un-expired term.

Kenneth E. Myers, Sr.

September 10, 2005

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

#### **C. Building Codes Board of Adjustments and Appeals-1**

There is one appointment to be made to this committee for an expired term; no applications were received at this time.

#### **D. Historic Columbia Foundation-1**

, There is one appointment to be made to this committee. One application was received from the following

John W. Cullum, Banking, Investment, Planning, Management

#### **E. Internal Audit Committee-1**

There is one appointment to be made to this committee. An application was received from:

Melvin T. Miller, SC Community Bank \*



**RICHLAND COUNTY  
SOUTH CAROLINA  
Board of Assessment Appeals**

P.O. BOX 192  
2020 HAMPTON ST.  
COLUMBIA, S.C. 29202  
TELEPHONE (803) 343-5300

March 4, 2005

Michelle Cannon Finch  
Clerk of Council  
Richland County Council  
Columbia, South Carolina 29201

Re: Appointment to Richland County Board of Assessment Appeals

Dear Ms. Finch:

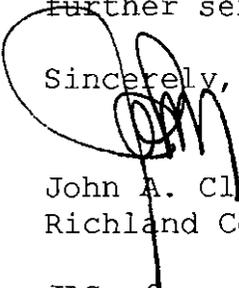
I am writing in reference to the replacement for John C. Elkins to the Richland County Board of Assessment Appeals.

Mr. Elkins was reappointed in 2003 by Council to the current term which will expire in June of 2006. I am enclosing a copy of a letter dated February 21, 2005 in which he is resigning as a member of the Board of Assessment Appeals. Mr. Elkins has been a diligent board member, serving several terms since his initial appointment in the late 80s. He has been a tremendous asset to the Board during these years of service.

The Board is currently involved in a full schedule of hearing appeals for Reassessment 2004; therefore we would request a replacement for Mr. Elkins as soon as possible.

Thank you for your assistance in this matter. If I may be of further service to you please contact me.

Sincerely,

  
John A. Cloyd, SRA, RM, RES  
Richland County Assessor

JAC:cfy

cc: Members of the Board of Assessment Appeals

2841 Chatsworth Road  
Columbia, SC 29223  
February 21, 2005

Mr. John Cloyd  
Richland County Tax Assessor  
P O Box 192  
Columbia, SC 29202

Dear John:

As mentioned to you shortly after our last meeting I am offering my resignation as a member of the Board of Assessment Appeals.

It seems to me that since I have been back on the Board this time things aren't handled in a business like way. In my opinion who the taxpayer is or who represents him should not intimate The Board. Further, Board members should study the facts presented by both the taxpayer and the assessor before attending the meeting. Certainly I do not agree with all of the Assessor's findings, but feel that I must not take the stance that the taxpayer is always right and the County is just out to get more tax money. I have always thought, and still do, that the people in the Assessor's office are professional fair-minded workers with no ax to grind in doing their job. But by the same token they are also human and subject to human errors. This is, I think, the sole purpose of having the Board hear these disputed cases.

My experience as a member of the Board has been enjoyable for the most part and I believe we served the citizens in a fair and impartial way during the last countywide assessment. John, we use to have strong leaders like Bucky Goings, Lane Legion and others, which kept the Board in line and working. Everyone had a chance to express his opinion as long as it was in line with the material provided. No one held himself up as the expert and tried to monopolize the time. The Chairman saw to that.

Kindest regards and best wishes for a smooth operation in the appeals process facing you in the months ahead.

Sincerely,

  
John C. Elkins

RECEIVED  
BY MAIL

FEB 23 2005

51 of 59  
RICHLAND COUNTY  
ASSESSOR'S OFFICE

**MONIQUE WALTERS**

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**From:** GEO PRICE  
**Sent:** Monday, March 07, 2005 1:18  
**To:** MONIQUE WALTERS  
**Subject:** FW: Revision to agenda

-----Original Message-----

**From:** kenneth myers [mailto:myers\_kenneth@msn.com]  
**Sent:** Monday, February 07, 2005 9:56 AM  
**To:** geoprice@richlandonline.com  
**Subject:** RE: Revision to agenda

MR. PRICE

AS EVIDENT BY MY NOT ATTENDING THE PAST SEVERAL BOARD MEETINGS, I AM HAVE WORKING HOURS AND DISTANCE THAT PREVENT ME FROM ATTENDING. I WORK IN ALLENDALE SCHOOL DISTRICT AND DRIVE 4 HOURS DAILY!

IT IS PROPER THAT I OFFICALLY RESIGN MY TENURE ON THE ZONING BOARD EFFECTIVE 2/5/05.

I HAVE ENJOYED SERVING THE CITIZENS OF RICHLAND COUNTY AND REGRET NOT BEING ABLE TO CONCLUDE MY DUTIES AS BOARD MEMBER.

THANK YOU

**KENNETH E. MYERS, SR.,**

\spirituality, knowledge, and commitment

>From: GEO PRICE <geoprice@richlandonline.com> >To: "Margaret Perkins (E-mail)" <MPERKINS@WCC.STATE.SC.US>, KENNETH MYERS <MYERS\_KENNETH@MSN.COM>, KIM FORMYDUVAL <KFORMYD@AOL.COM>, NAPOLEON TOLBERT <CARMAILING@AOL.COM>, PRESTON YOUNG <PYOUNGRLTR@AOL.COM>, SHELIA DORSEY <SMDARCY@HOTMAIL.COM>, TERRY BROWN <TYBRO@AOL.COM> >Subject: Revision to agenda >Date: Tue, 30 Nov 2004 14:15:29 -0500 > >The discussion (page 42) for case 05-22 is incorrect. The discussion should >have been to support the request. The recommendation is correct.

---

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APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: John W. Cullum  
Home Address: 1712 Crestwood Dr. Columbia, SC 29205  
Telephone: (home) 803-771-6090 (work) 803-799-8650  
Office Address: 2711 Middleberry Dr, Suite 214, Columbia, SC 29204  
Educational Background: B.A.S University of South Carolina  
Professional Background: Banking, Investments, Planning, Management  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Historic Columbia Foundation  
Reason for interest: Previous served on Board of Historic Columbia; Interested in Historic Preservation in the Midlands; Volunteer  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
Great Knowledge of Historic Columbia and the issues that they face  
Previous Board position  
Presently serve on any County Board/Commission/Committee? Internal Audit  
Any other information you wish to give? Richland County Resident for 25 years  
Recommended by Council Member(s): Kit Smith, Greg Pence  
Hours willing to commit each month: What is needed

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

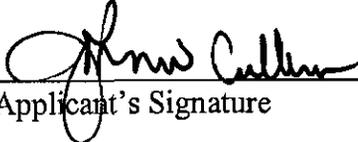
### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_

No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

March 24, 2005  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-5060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

1st Appt 4/7/04



**APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Melvin T. Miller

Home Address: 422 Sesqui Trail, Columbia, SC 29223

Telephone: (home) (803) 736-8849 (work) (803) 733-8100 ext 1119

Office Address: 1545 Sumter St, Columbia, SC 29201

Educational Background: BS in Business Administration (USC), MBA (Webster University)

Professional Background: Banking 15 years

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Internal Audit Committee

Reason for interest: Opportunity to give back to Richland County

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
I am a motivated individual with 15 years of banking experience that could be used most efficiently on this committee

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? \_\_\_\_\_

Recommended by Council Member(s): Susan Brill

Hours willing to commit each month: as needed

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Melvin T. Miller *Melvin T. Miller* 3/17/04  
Applicant's Signature Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-5060.**

**One form must be submitted for each committee or which you wish to serve.**

**Applications are current for one year.**

<b>received</b>		<b>Staff Use Only</b>	
Date Received: _____	<u>3-17-2004 MW</u>	Received by: _____	_____
Date Sent to Council: _____			
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> On file

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

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the State Department of Health and Human Services.)

Applicant must be the director of the proposed facility.

1. Applicant's Name: Sanders Aye

2. Applicant's Address: 613 Adams Scott Road  
Gadsden, S.C 29052

3. Applicant's Telephone: Home: 803-353-8122 Office: 803-353-5299

4. Location of proposed community care home:

Street address: 1369 Poultry Lane

City, Zip: Eastover, S.C 29044 Tax Map Number: R34800-03-13

5. Do you own the building that will house the proposed community care home?

YES  NO

If "NO," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have, and also list the name, address, and phone number of the current owner and/or lessor.

\_\_\_\_\_

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES  NO  N/A

7. Will the proposed community care home be established in your current permanent residence? YES  NO

8. How many bedrooms and bathrooms does the proposed community care home have? Bedrooms 4 Bathrooms 2

9. How many resident clients will be housed in this proposed community care home? Nine or less  Ten or more

10. Describe the type of resident clients to be housed in this proposed facility (senior citizens or children, physically or mentally disabled, etc.)

Disabled veterans that are not terminally ill, and that need some assistance with daily living activities.

11. How many full-time and part-time staff will care for the resident clients of the proposed community care home? Full-Time 3 Part-Time \_\_\_\_\_

12. How many total persons will occupy the proposed community care home during the night? (Include resident clients, staff, staff family, applicant, applicant's family, etc. as applicable.) Total Persons 6

13. Do you currently operate any other community care facilities in Richland County? YES  NO

If you do, list the location, year licensed, and number of resident clients for each facility:

Street Address	Year Licensed	# of Residents

14. Have you ever had a license revoked for any type of residential health care facility located in South Carolina? YES  NO

I hereby certify that if granted approval from Richland County Council to locate a community care home as described above, I will fully comply with all regulations of the appropriate state licensing and regulatory agency or agencies, the State Fire Marshal's Office, and Health Department Officials which apply to community care facilities in establishing and obtaining licensing for my community care home.

I also certify that all of the above information is correct to the best of my knowledge.

Sanders Chye  
Signature of Applicant

3/28/05  
Date