

RICHLAND COUNTY COUNCIL DEVELOPMENT & SERVICES COMMITTEE

Bernice G. Scott
District 10

Joyce Dickerson
District 2

Greg Pearce
District 6

Damon Jeter, Chair
District 3

Doris Corley
District 1

*December 20, 2005
5:00 PM*

**Richland County Council Chambers
County Administration Building
2020 Hampton Street**

Call to Order

Approval of Minutes – November 29, 2005: Regular Session Meeting [Pages 2 – 3]

Adoption of Agenda

I. Items for Action

- A. Emergency Ordinance Establishing a Temporary Moratorium on Approval of Floodplain Management Permits for Development or Construction Within a Portion of the Congaree River Floodplain**
[Pages 4 – 6]

II. Items for Discussion / Information

There are no items for discussion/information.

III. Items Pending Analysis

There are no items pending analysis.

Adjournment

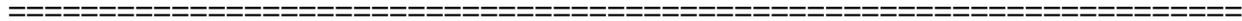
Staffed by: Joe Cronin

Minutes Of



**Richland County Council
Development and Services Committee
November 29, 2005
5:00 PM**

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.



Members Present:

- Chair: Damon Jeter
- Member: Bernice G. Scott
- Member: Joyce Dickerson
- Member: L. Gregory Pearce, Jr.

Absent: Doris M. Corley

Others Present: Milton Pope, Monique Walters, Michelle Onley, Larry Smith, Tony McDonald, Ashley Jacobs, Roxanne Matthews, Joe Cronin, Chief Harrell, Michael Criss, Kendall Johnson, Susan Britt, Stephany Snowden, Jennifer Dowden, Amelia Linder, Donny Phipps, Sherry Wright-Moore, John Cloyd

CALL TO ORDER

The meeting was called to order at approximately 5:03 p.m.

APPROVAL OF MINUTES

October 25, 2005 (Regular Session) – Ms. Dickerson moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt the agenda. The vote in favor was unanimous.

PRESENTATION

Northeast Columbia Soccer Association (NECSA): Mr. Ron Tryon – Mr. Ron Tryon from Park Poe Law Firm gave an overview of what this association is doing for the children in the Richland County community. He also advised Council that there is a need for additional land to expand their program.

I. ITEMS FOR ACTION

- A. Resolution Endorsing the Blueprint on Homelessness** – Mr. Pearce moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

- B. Acceptance of DHEC Used Oil and Waste Tire Grants** – Ms. Scott moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

- C. Solid Waste Collector Rate Increase Request & Extension of Contracts**

Ms. Scott moved, seconded by Mr. Pearce, to go into Executive Session.

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Council went into Executive Session at approximately 5:25 p.m. and came out at approximately 5:48 p.m.
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Mr. Pearce moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

Ms. Scott moved, seconded by Ms. Dickerson, to forward to Council the staff's recommendation of a rate increase for solid waste collection contracts in Service Areas 5A, 5B and 7, and to amend the collections budget accordingly. The vote in favor was unanimous.

II. ITEMS FOR INFORMATION/DISCUSSION

- A. Sease Road Update** – The information was included in Council's packet. This item is in regard to the Friarsgate community new entrance/exit that is to be constructed next year.

ADJOURNMENT

Ms. Scott moved, seconded by Ms. Dickerson, to adjourn.

The meeting adjourned at approximately 5:50 p.m.

Submitted by,

Damon Jeter
Chair

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR**

**AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM
ON APPROVAL OF FLOODPLAIN MANAGEMENT PERMITS FOR DEVELOPMENT
OR CONSTRUCTION WITHIN A PORTION OF THE CONGAREE RIVER
FLOODPLAIN.**

WHEREAS, Richland County is a participating community in the National Flood Insurance Program (“NFIP”) administered by the Federal Emergency Management Agency (“FEMA”). Pursuant to 44 C.F.R. § 60.3, FEMA must provide a participating community with data upon which floodplain management regulations shall be based. To be a participating community, Richland County is required by 44 C.F.R. § 60.2(h), to adopt and apply this data for enforcement of floodplain management regulations in unincorporated Richland County; and

WHEREAS, on November 18, 2005, the United States District Court, South Carolina Division, in the case of *Columbia Venture v. Federal Emergency Management Agency*, Case Number 3:01-4100-MBS, entered a written Order vacating the Congaree River base flood elevations as revised by the Federal Emergency Management Agency (“FEMA”) on August 20, 2001 and effective on February 20, 2002; and

WHEREAS, the Court’s Order rendered null and void the Congaree River base flood elevations as promulgated by FEMA on August 20, 2001 and effective February 20, 2002. Consequently, pursuant to 44 C.F.R. § 60.3, FEMA must provide sufficient data upon which Richland County’s floodplain regulations are to be based as they apply to the Congaree River Floodplain. To date, FEMA has not provided the required data; and

WHEREAS, the absence of sufficient data from FEMA concerning the Congaree River Floodplain constitutes an emergency; and

WHEREAS, an emergency moratorium on construction and development in flood-prone areas of the Congaree River Floodplain is needed to protect public health, safety and welfare, and allow the County time to determine what actions may be needed to maintain compliance with the NFIP.

THEREFORE, BE IT ENACTED THAT:

SECTION I. Richland County Council hereby declares a moratorium on the approval or denial of any permit submitted to Richland County for construction, development, zoning, building, disturbance of land, or for stormwater management purposes, as defined within Chapter 26 of the Richland County Code of Ordinances, on property located in a flood-prone area within the Congaree River Floodplain.

Congaree River Floodplain means the geographic area shown on Flood Insurance Rate Map panels 0091, 0092, 0094, 0160, 0178 and 0190 for Unincorporated Richland County.

Flood-prone means any land area susceptible to being inundated by water from the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

This moratorium does not apply to permit applications for maintenance of existing structures, levees or buildings.

SECTION II. The Richland County Attorney and Interim Administrator, and/or their designees or agents, shall, before this Ordinance expires, make reasonable efforts to determine from FEMA or by other reasonable and necessary means, how Richland County will maintain compliance with the NFIP in light of the Order entered by the United States District Court, South Carolina Division, on November 18, 2005, in the case of *Columbia Venture v. Federal Emergency Management Agency*. The Richland County Attorney and Interim County Administrator shall report their findings to Richland County Council as soon as practicable before the expiration of this Ordinance.

SECTION III. 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 IV. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are superseded during the time this Ordinance is effective.

SECTION V. This Ordinance shall be effective immediately upon adoption by Richland County Council.

SECTION VI. This Ordinance shall expire sixty-one (61) days following the date of adoption of this Ordinance, or until rescinded by Richland County Council, whichever is earlier.

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