

MINUTES OF



RICHLAND COUNTY COUNCIL'S SPECIAL CALLED MEETING TUESDAY, NOVEMBER 9, 2004 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	Bernice G. Scott
Member	Susan Brill
Member	Paul Livingston
Member	Joseph McEachern
Member	Anthony G. Mizzell
Member	L. Gregory Pearce, Jr.
Member	Thelma M. Tillis
Member	James Tuten

MEMBER ABSENT: Doris M. Corley (bereavement)

ALSO PRESENT: Michielle Cannon-Finch, T. Cary McSwain, Larry Smith, Amelia Linder, Carrie Neal, Milton Pope, Tony McDonald, Roxanne Matthews, Chief Harrell, Stephany Snowden, Sherry Wright-Moore, Michael Criss, Kendall Johnson, Geo Price, Anna Almeida, Marsheika Martin

CALL TO ORDER

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

INVOCATION

The Invocation was given by the Honorable James Tuten

PLEDGE OF ALLEGIANCE

POINT OF PERSONAL PRIVILEGE

Representative Joan B. Brady was in the audience. She stated that she is very delighted and proud to have been elected to represent District 78, but is very sad by the required abrupt department from Richland County Council. She explained the procedure

for her current position as a representative. Ms. Brady thanked Council and staff for their support during her years of service to Richland County.

On behalf of County Council, Ms. Smith presented Ms. Brady with a token of appreciation.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Larry Smith, County Attorney, stated the following contractual matters need to be discussed in Executive Session if they are added to the agenda:

- Farmer's Market
- Township Auditorium
- Recreation Consultant

Ms. Scott stated the Executive Session items will be added after the second Citizen's Input as item 6-a. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Smith stated the contractual matters that the County Attorney was referring to were items brought forth by the Capital Projects Task Force Committee.

Ms. Smith moved, seconded by Mr. Tuten, to adopt the agenda as amended. The vote in favor was unanimous.

CITIZEN'S INPUT – Ms. Evelyn Bush signed up to speak to the Land Development Code, but she was informed of Council's rule regarding items that have received public hearings.

No one spoke at this time.

APPROVAL OF MINUTES

Regular Session: October 28, 2004 – Mr. Livingston moved, seconded by Mr. Mizzell, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR AND REPORT OF THE CLERK OF COUNCIL

No items were reported at this time.

OPEN/CLOSE PUBLIC HEARING ITEMS APPROVAL OF CONSENT ITEMS

There were no public hearing or consent items at this time.

Request for funding: American Red Cross – Ms. Scott stated they have withdrawn their request.

Mr. Livingston moved, seconded by Mr. Pearce, to accept the withdrawal of the request. The vote in favor was unanimous.

Approval of a Resolution to appoint an Interim Building Official - Mr. McSwain requested for this item to be deferred to possibly the next Council meeting on November 16th.

Mr. McEachern moved, seconded by Mr. Livingston, to defer this item to the next Council meeting. The vote in favor was unanimous.

Approval of Resolution recognizing November 19th – 25th, 2004 as National Farm City Week - Mr. Livingston moved, seconded by Mr. Pearce, to approve the resolution. The vote in favor was unanimous.

THIRD READING ITEM

1. Land Development Code

Ms. Smith recommended taking up the November 8th memorandum from Ms. Linder and Mr. Criss that lists amendments and recommendations.

Creation of an RD Redevelopment Overlay District – Mr. McEachern moved, seconded by Ms. Smith, to approve for this amendment to be a part of the Land Development Code. The vote in favor was unanimous.

Allows the parks and open space option to apply to minor residential land developments and to minor residential subdivisions - Mr. Pearce moved, seconded by Ms. Brill, to approve the amendment. The vote in favor was unanimous.

Mr. Pearce requested an explanation to an issue that staff states has already been dealt with regarding an additional issue of parks and open space.

Mr. Michael Criss, Planning Director, gave a brief explanation as to why the additional amendment is not necessary.

Changes the date that staff has to mail notice to property owners – from 30 days to 90 days after adoptions of the ordinance - Ms. Smith moved, seconded by Mr. Mizzell, to approve the amendment which will coincide with the requirements of the ordinance in the map amendments. The vote in favor was unanimous.

Changes the date that staff submits administrative documents to Council from March 1, 2005 to April 1, 2005 – Ms. Smith moved, seconded by Ms. Brill, to approve the amendment. The vote in favor was unanimous.

Resolution on Community Facilities Planning – Ms. Smith stated she has drafted a resolution to be sent to the Planning Commission which states the following:

That this Council resolves and directs that the Planning Commission initiate a community facilities plan and planning process as soon as possible that will include designation of preferred growth areas. Priority infrastructure funding will be given to those preferred growth areas where:

1. the community desires growth
2. the area has had little infrastructure investment
3. there are high numbers of low to moderate income households.

There were several seconds to the motion. The vote in favor was unanimous.

An Ordinance of the County Council of Richland County, South Carolina, Amending the Zoning Map of Unincorporated Richland County, South Carolina, to change the zoning designation for all real property located in the unincorporated areas of Richland County, as described herein; and providing for severability and an effective date – Ms. Smith moved to forward this item to the Planning Commission and set a Special Called Zoning Public Hearing on Thursday, January 6th.

Ms. Amelia Linder, Assistant County, stated that the Special Called Zoning Public Hearing could be held on December 14th following the Regular Council Meeting.

Ms. Smith amended her motion to December the 14th for the Special Called Zoning Public Hearing on this ordinance, seconded by Ms. Brill. The vote in favor was unanimous.

Ms. Smith moved, seconded by Ms. Brill, to give Third Reading adoption of the Land Development Code as amended.

Discussions took place.

Mr. McEachern suggested for staff to make sure that citizens are able to appeal to the Planning Commission for hardship cases and to make sure it is already incorporated into the ordinance.

Mr. Pearce requested for staff to give the schedule for the implementation of the Land Development Plan between November 9th and July 1, 2005.

Ms. Linder gave the following schedule for implementation plan:

1. The November 9th minutes will need to be approved for an official document.
2. Move forward with a map amendment ordinance, a public hearing and give Third Reading. Make sure the minutes are approved for that.
3. In the meantime, the Planning Staff and other departments that need to be involved with creating the administrative documents will begin working on that, as well as putting together a notice requirement. Notices will be mailed out prior to Third Reading (sometime in January) on the map amendment ordinance to give the public notice that the land uses could be changed because of the ordinances.
4. Prior to April 1st, the two Administrative Manuals and a series of checklists will be sent to Council for information and comments.
5. Staff is planning to have phone numbers listed on the notices for citizens.

Mr. Pearce requested monthly reports of progress. He emphasized that no procedures for anything will go into effect until July 1, 2005.

Mr. Criss stated that text and maps will take effect the same day.

Mr. Pearce stated that changes to the code could be made prior or after July 1st.

Ms. Scott requested for staff to place Council members' names and numbers on the notices that will be sent out.

The vote in favor was unanimous.

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

POINT OF PERSONAL PRIVILEGE

Mr. Livingston expressed significant appreciation to Mr. Mizzell for his tremendous leadership on the Local Option Sales Tax.

EXECUTIVE SESSION ITEMS

Report of the Capital Projects Task Force Committee

It was moved and seconded to go into Executive Session to discuss contractual matters regarding:

- Farmer's Market
- Township Auditorium
- Recreation Consultant

The vote in favor was unanimous.

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**Council went into Executive Session at approximately 6:47 p.m.
and came out at approximately 7:13 p.m.**

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It was moved and seconded to come out of Executive Session. The vote in favor was unanimous.

The items discussed in Executive Session were received as information.

ADJOURNMENT – Mr. McEachern moved, seconded by Mr. Livingston, to adjourn the meeting at approximately 7:14 p.m. The vote in favor was unanimous.

Bernice G. Scott, Chair

Susan Brill

Doris M. Corley

Paul Livingston

Joseph McEachern

Anthony G. Mizzell

L. Gregory Pearce, Jr.

Kit Smith

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin