



Richland County Council
SPECIAL CALLED
MINUTES
February 14, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Overture Walker, Chair; Jessica Mackey, Vice-Chair; Derrek Pugh, Jason Branham, Yvonne McBride, Paul Livingston, Don Weaver, Gretchen Barron, Cheryl English, and Chakisse Newton

NOT PRESENT: Allison Terracio

OTHERS PRESENT: Michelle Onley, Michael Byrd, Angela Weathersby, Dale Welch, Michael Maloney, Patrick Wright, Leonardo Brown, Anette Kirylo, Sandra Haynes, Tamar Black, Susan O’Cain, Jeff Ruble, Abhijit Deshpande, Crayman Harvey, Stacey Hamm, Chelsea Bennett, Casey White, Jennifer Wladischkin, Dan Kim, John Thompson, Geo Price, and Lori Thomas.

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
Mr. Walker noted, for the record, Ms. Terracio will not be in attendance due to traveling out of the country.
2. **INVOCATION** – The Invocation was led by Pastor Warren Bolton, Mt. Zion Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Overture Walker.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: February 7, 2023** – Mr. Livingston moved to adopt the minutes as distributed, seconded by Ms. Barron.
In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Terracio
The vote in favor was unanimous.
5. **ADOPTION OF AGENDA** – Mr. Patrick Wright, County Attorney, noted there were two items that qualified for Executive Session: 1741 Cushman Road – Potential Sale of Property and Item 15(a) – “An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation”.
Mr. Pugh moved to adopt the agenda as amended, seconded by Ms. Newton.
In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Terracio
The vote in favor was unanimous.
6. **PRESENTATION OF PROCLAMATION AND RESOLUTIONS**
 - a. **A Proclamation recognizing the 30th Anniversary of Richland Main Library** – Ms. Newton presented the Richland Library a proclamation in honor of the 30th Anniversary of Richland Main Library. Ms. English requested to have her name added to the proclamation.

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b. A Resolution recognizing the Red Cross and declaring January as National Blood Donor Month

Mr. Livingston moved to adopt the resolution recognizing the Red Cross and declaring January as National Blood Donor Month, seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

Ms. Chelsea Bennett, Deputy Director – Communications, read the resolution into the record on behalf of County Council.

c. A Resolution recognizing Wholespire and declaring February as American Heart Month – Ms. Chelsea Bennett, Deputy Director – Communications, read the resolution into the record on behalf of Council.

Ms. Barron moved to adopt the resolution recognizing Wholespire and declaring February as American Heart Month, seconded by Ms. Newton.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Barron invited everyone to participate via Zoom or YouTube for the “Go Red for Women” Lunch and Learn on February 15th at Noon.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Patrick Wright, County Attorney, noted the following items qualified for Executive Session:

a. 1741 Cushman Drive – Legal Advice

b. “An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation – Legal Advice

8. **CITIZENS’ INPUT**

a. For Items on the Agenda Not Requiring a Public Hearing – No one signed up to speak.

9. **CITIZENS’ INPUT**

a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.) – No one signed up to speak.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

a. Updates for Consideration – Mr. Leonardo Brown, County Administrator, noted the following Town Hall Meetings:

- Districts 2 and 9 Proposed Re-Zoning: February 21, 2023 – 6 PM, Killian Park, 1424 Marthan Road
- District 7 Proposed Re-Zoning: March 6, 2023 – 6 PM, Adult Activity Center, 7494 Parklane Road

Mr. Brown noted the County will be supporting the American Heart Association by participating in the Midlands Heart Walk at Segra Park on March 25th. He challenged the Chair and Vice Chair to help sign up individuals to participate in the walk and other activities to encourage heart health.

11. **REPORT OF THE CLERK OF COUNCIL** – No report was given.

12. **REPORT OF THE CHAIR** – No report was given.

POINT OF PERSONAL PRIVILEGE – Mr. Walker noted that Ms. McBride was presented with the Richard Allen Award at Allen University’s 17th Annual ‘A Mind Is’ UNCF Scholarship Gala.

13. **OPEN/CLOSE PUBLIC HEARINGS**

a. Authorizing the first amendment of that certain fee agreement by and between Richland County, South Carolina and Eastover Solar, LLC., relating to, without limitation, the further investment of the project; the increase of the phase termination date, and an update to the fee payment schedule and amount and other related matters – No one signed up to speak.

14. **THIRD READING ITEM**

a. Authorizing the first amendment of that certain fee agreement by and between Richland County, South Carolina and Eastover Solar, LLC., relating to, without limitation, the further investment of the projects; the increase of the phase

termination date, and an update to the fee payment schedule and amount and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

15. **SECOND READING ITEM**

- a. An ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation – Mr. Walker moved to include the following language: “It is unlawful to intentionally dump, throw, drop, deposit, or discard fireworks onto the land of another unless granted permission by the legal owner.” This language will be inserted at (c)(3) with subsequent being renumbered. In addition, to amend the language of (f) as follows: “2nd and 3rd offense violations are for convictions occurring within a period of five (5) years of a previous conviction.” Mr. Pugh seconded the motion.

In Favor: Branham, Pugh, McBride, Livingston, Barron, Walker, English, and Newton

Opposed: Weaver and Mackey

Not Present: Terracio

The vote was in favor.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Project Connect to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; authorizing the execution and delivery of a project development agreement or memorandum of understanding by Richland County, South Carolina; and other related matters – Mr. Livingston moved to approve this item, seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

16. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a public infrastructure credit agreement to provide for public infrastructure credits to a company identified for the time being as Project Subtext; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, English, and Newton

Recuse: Mackey (Due to her parent company representing the business)

Not Present: Terracio

The vote in favor was unanimous.

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

17.

- a. Blythewood Road Widening Award of Construction – Mr. Walker stated the committee recommended approval of staff's recommendation to award the construction contract to the lowest responsive, responsible bidder, Cherokee, Inc., in the amount of \$10,061,778.01, with a 10% contingency in the amount of \$1,006,177.80 to cover costs related to unforeseen conditions, for a total to be managed by staff of \$11,067,955.81.

Ms. Newton noted the briefing document mentioned the costs were greater than the previous estimate. She inquired where the difference in costs come from.

Mr. Walker responded the difference will come from the unused funds the original Blythewood Improvement, which was de-scoped.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

Ms. Mackey moved to reconsider this item, seconded by Ms. Barron.

Opposed: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The motion for reconsideration failed.

19. **OTHER ITEMS**

- a. FY23 – District 9 Hospitality Tax Allocations (Richland County Recreation Commission - \$3,000) – Mr. Pugh moved to approve this item, seconded by Ms. Mackey.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

Mr. Livingston moved to reconsider this item, seconded by Ms. Barron

Opposed: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The motion for reconsideration failed.

19. **EXECUTIVE SESSION**

- a. 1741 Cushman Road – Potential Sale of Property

- b. “An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation

Ms. Barron moved to go into Executive Session, seconded by Mr. Pugh.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:42 PM
and came out at approximately 7:28 PM***

Mr. Pugh moved to come out of Executive Session, seconded by Ms. McBride.

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

Chairman Walker stated no actions were taken during the excuse session.

20. **MOTION PERIOD** – No motions were received.

21. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. Newton

In Favor: Branham, Pugh, McBride, Livingston, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: Terracio

The vote in favor was unanimous.

The meeting adjourned at approximately 7:32 PM.



Richland County Council

STATEMENT OF RECUSAL

In accordance with Section 8-13-700(B) [*provides in part that no public official, public member or public employee may make, participate in making, or in any way attempt to use their official office, membership or employment to influence a governmental decision in which they, a member of their immediate family, an individual with whom they are associated, or a business with which they are associated has an economic interest.*], I hereby recuse myself from all votes, deliberations and other action on the following matter(s):

(Please add agenda item number and description):

11ea - Delivery of a public infrastructure credit agreement to provide..... Project Subtext

REASONS FOR DISQUALIFICATION:

My parent company represents the business making the request

Jessica Mackey / Jessica Mackey

Print and sign your name

Anette A. Keylo

Print and sign your name

2/14/23

Date

2/14/23

Date received by Clerk Dept.