



Richland County Council
Regular Session
MINUTES
December 5, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, Chelsea Bennett, Lori Thomas, Stacey Hamm, Susan O’Cain, Dale Welch, Ashiya Myers, Kyle Holsclaw, Angela Weathersby, Andrew Haworth, Abhijit Deshpande, Dante Roberts, Jennifer Wladischkin, Tamar Black, Geo Price, Sandra Haynes, Jeff Ruble, Michael Byrd, Bill Davis, Elizabeth McLean, Thomas Gilbert, Jani Hussain, and Venyke Harley

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Don Weaver.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Don Weaver.
4. **APPROVAL OF MINUTES**
 - a. Special Called Meeting: November 14, 2023 – Ms. Newton moved to approve the minutes as distributed, seconded by Ms. Barron.

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

The vote in favor was unanimous.
 - b. Zoning Public Hearing: November 16, 2023 – Mr. Weaver moved to approve the minutes as distributed, seconded by Ms. Barron.

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

The vote in favor was unanimous.
5. **ADOPTION OF AGENDA** – Mr. Weaver moved to adopt the agenda as published, seconded by Mr. Pugh.

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

The vote in favor was unanimous.
6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Ms. Elizabeth McLean, Chief Deputy County Attorney, indicated the following items qualify for Executive Session under South Carolina Code section 30-4-70:
 - a. Alvin S. Glenn Detention Center Update [Pursuant to S.C. Code Sect. 30-4-70(a)](2)
 - b. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of said finding and authorization
 - c. 2023-2024 County Administrator Evaluation Process
 - d. 2023-2024 County Attorney and Clerk to Council Performance Evaluation Process

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

Special Called Meeting Minutes
December 5, 2023

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

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:06 PM
and came out at approximately 6:20 PM***

Mr. Livingston moved to come out of Executive Session, seconded by Ms. Barrion.

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

The vote in favor was unanimous.

Mr. Walker indicated no action was taken in Executive Session.

7. CITIZENS' INPUT

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

8. 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.)

1. Mr. Bill Malinowski, 11824 Broad River Road, Chapin, SC 29036 – November 7, 2023 Minutes
2. Mr. Mike Sloan, 1430 Wonder Drive, Chapin, SC 29036 – November 7, 2023 Minutes
3. Ms. Cynthia Spencer, 1813 Pennfield Drive, Columbia, SC 29223 – Sheriff Lott Meeting

9. REPORT OF THE COUNTY ADMINISTRATOR

a. Updates for Consideration – Mr. Leonardo Brown, County Administrator, stated staff recently sent out information about the opening of the Hospitality and Accommodations Tax grant process. The process will close in February 2024.

b. Administrator's Nomination (Items in this section require action that may prejudice the County's interest in a discernable way [i.e., time-sensitive, exigent, or of immediate importance.]

1. *County Administration – Resolution to Approve the Issuance of Revenue Bonds for Brookfield Pointe by the Columbia Housing Authority* – Mr. Brown noted the Columbia Housing Authority has requested Richland County to approve a resolution regarding the proposed issuance of revenue bonds for Brookfield Pointe affordable housing development. He indicated this project was approved in October 2021. Working with SC Housing, the project has now received an increased allocation of tax credits to support its completion. This does not fiscally impact the County but must be approved by the jurisdiction where the project occurs. Staff recommends approval of the resolution.

Ms. Barron moved to approve the resolution, seconded by Ms. Newton.\

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

2. *Operational Services – Contract Approval for Design & Construction Services for the Family Service Center at the former Dillard's location at Columbia Place Mall* – Mr. Brown indicated staff recommends approval of a contract to MB Kahn Construction to provide the design-build services to construct the new Richland County Family Services Center at the former Dillard's location at the Columbia Place Mall with an estimated project budget of \$47M.

Mr. Pugh moved to approve this item, seconded by Ms. Terracio.

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

The vote in favor was unanimous.

Ms. Barron moved for reconsideration of this item, seconded by Mr. Weaver.

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

The motion for reconsideration failed.

10. **REPORT OF THE CLERK OF COUNCIL**

- a. Strategic Planning Forum, January 25-26, 2023 – Ms. Anette Kirylo, Clerk to Council, reminded Council members of the upcoming 2024 Strategic Planning Forum on January 25-26, 2024.
- b. Special Called Meeting: December 12, 2023, and Committees Meetings: December 14, 2023 – Ms. Kirylo reminded Council and the public there will be a Special Called Meeting on December 12, 2023, and Committee meetings on Thursday, December 14, 2023.

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

12. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization

Mr. Livingston moved to waive Council rules to allow all individuals signed up for the public hearing an opportunity to speak, seconded by Ms. Newton.

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

The vote in favor was unanimous.

1. Mr. Jeremy Wilson, 1545 Sumter Street, Columbia, SC 29201 – In Favor
2. Mr. Bill Malinowski, 11824 Broad River Road, Chapin, SC 29036 – Opposed
3. Ms. Hannah Cardwell, 1311 Pine Street, Cayce, SC 29033 – In Favor
4. Mr. Hal Stevenson, 1511 Hagood Avenue, Columbia, SC 29203 – In Favor
5. Ms. Deonca Shuler, 204 Upland Trail Road, Elgin, SC 29045 – In Favor
6. Mr. Bob Davidson, 1650 Milford Road, Columbia, SC 29206 – In Favor
7. Mr. Clay Sharpe, 2122 S. Beltline Boulevard, Columbia, SC 29201 – In Favor
8. Mr. Jason Snyder, 2830 Stepp Drive, Columbia, SC 29204 – In Favor
9. Ms. Sam Queen, 206 Woodrow Street, Columbia, SC 29205 – In Favor
10. Mr. John Lumpkin, 490 Alexander Circle, SC 29206 – In Favor
11. Mr. Tristan Weinkle, 512 Congaree Avenue, Columbia, SC 29205 – In Favor
12. Ms. Tracie Broom, 806 Naples Avenue, Cayce, SC 29033 – In Favor
13. Mr. Derrick Williams, 3800 Trenholm Road, SC 29206 – In Favor
14. Ms. Holly Groover, 3635 Foxhall Road, Columbia, SC 29204 – In Favor
15. Ms. Jane Salter, 1005 Natchez Trail, West Columbia, SC 29169
16. Mr. Tommy Stringfellow, 705 Maple Street, Columbia, SC 29209
17. Mr. George Bailey, 8 Heathwood Circle, Columbia, SC 29205

- b. 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 Orei Columbia 22% Acres Property Owner, LLC, a company previously identified as Project Orei; and other related matters – No one signed up to speak.

13. **APPROVAL OF CONSENT ITEMS**

- a. Case #23-042MA, Michaela Gonzales, NC to OI (1.98 Acres), 14, 18 & 19 Blythe View Ct. TMS # R15200-01-61, R15200-01-62 & R15200-01-63 [SECOND READING]
- b. Case #23-044MA, Garrett McNeill, PDD to OI (5.27 Acres), 151 Westpark Blvd., TMS # R06103-01-02 [SECOND READING]
- c. Department of Public Works – Engineering-Harborside Pointe Right-of-Way
- d. Department of Public Works – Jim Hamilton – LB Owens Airport (CUB) Airport – Richland County Code of Ordinances, Chapter 3, Airport [FIRST READING]
- e. Community Planning & Development – Conservation Division – Columbia Rowing Club Operating Agreement
- f. Grants & Community Outreach – CDBG Substantial Amendments to Consolidated Plan and Annual Action Plans for Affordable Rental Housing Development

Ms. Mackey moved to approve Items 13(a) – 13(f), seconded by Ms. Newton.

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

The vote in favor was unanimous.

Ms. Terracio moved to reconsider Items 13(c), (e), and (f), seconded by Mr. Pugh.

Ms. McBride inquired if the County could ethically fund the Columbia Rowing Club. She indicated it is for a member's only club, and she wants to ensure this is something the County can do.

Mr. Brown responded this is an operating agreement with Columbia Rowing Club. This is an extension of an existing operating agreement with the County.

Ms. McBride noted concerns about the County's existing agreement with the organization. There is a maintenance fee of \$6,000, which is being paid by the County for a private club.

Mr. Aric Jensen, Assistant County Administrator, stated the maintenance fee is not for the portion of the property where the Columbia Rowing Club operates. The Columbia Rowing Club maintains and provides insurance on the portion of the property they utilize. The maintenance fee applies to the property not occupied by the Columbia Rowing Club and used by the citizens of Richland County.

Ms. McBride stated is confused as to why the maintenance fee is included in the operating agreement and not separated.

Mr. Jensen noted the Columbia Rowing Club operates on one acre of the property. The organization's portion of the property is gated for liability reasons. The organization provides maintenance and insurance on their portion of the property, not the County. The remaining part of the property is a parking lot and fishing area for the citizens of Richland County. The maintenance fee covers the collection of refuse, grading of the parking lot, and monitoring the County's portion of the property.

Mr. Walker requested Mr. Brown to have staff follow up with Ms. McBride regarding her concerns.

In Favor: McBride

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

The motion for reconsideration failed.

14. **THIRD READING ITEM**

- 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 Orei Columbia 22% Acres Property Owner, LLC, a company previously identified as Project Orei; and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. Barron.

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

Recuse: Mackey (due to her parent company representing the applicant).

The vote in favor was unanimous.

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

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

Recuse: Mackey (due to her parent company representing the applicant).

The motion for reconsideration failed.

15. **SECOND READING ITEM**

- a. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization – Ms. English moved to approve this item, seconded by Ms. Newton.

Ms. Barron stated she is not a fan of raising taxes and has stood by that since she has been on Council. In every budget cycle, she has voted against raising taxes. She noted we did vote against this last time, but she believes we are in a different place. As we look at how things are moving forward in the County, this goes hand-in-hand with other projects Council has voted on over the past several months. She noted we need to be mindful that the zoo is a special purpose district, which means their hands are tied as to how they can secure funding. She has met with and provided recommendations to Mr. Stringfellow for the County residents (i.e., buy one get one free). She believes when people see a return on their investment, it somewhat softens the blow.

Mr. Livingston stated this is an outstanding opportunity for the community. When approaching major decisions as a Council member, he leans toward our vision and mission statement. His role is to be a visionary and make decisions with foresight and imagination. When he looks at the zoo expansion, he does not just see a project but a vision. He sees an opportunity for us to be nationally recognized. He noted he does not see this as a tax increase but an investment.

Mr. Walker stated when this item came before Council a year ago, he voted in the affirmative. At that time, Council was not pondering the passage of a "Penny". He noted last year, Lexington County requested the zoo to wait a year because they were considering a "Penny," and now the shoe is on the other foot. What we view as an investment is an expense for someone else. He views it as a two-pronged test; it has to be a necessity, and we have to exhaust all other alternatives. While the zoo's request is important, he does not view it as a necessity, and he does not believe we have exhausted all the other options for a funding mechanism. In addition, he has not been able to quantify how many tourists stay in hotels/motels in the

unincorporated portion of the County. Therefore, most of the Accommodations and Hospitality tax funds will go to the City of Columbia and the City of West Columbia.

Mr. Livingston maintained from his experience on Council that this will be in the County's best interest and that we will benefit from this.

Ms. Mackey reiterated Council has not approved a new Transportation Penny. Additionally, funding for the zoo and any other initiative are separate issues.

Mr. Walker clarified that the county has authorized a private company to assess its transportation and transit needs, which is a precursor to the county asking the residents to extend the Transportation Penny.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, Mackey, English, and Newton

Opposed: Branham, Weaver, and Walker

The vote was in favor.

16. **REPORT OF THE DEVELOPMENT & SERVICES COMMITTEE**

- a. An Ordinance amending the Richland County Code of Ordinances, Chapter 18, Offenses, by amending Section 18-4, Unsafe and Noxious Vegetation, so as to establish standards for unsafe and noxious vegetation, to define necessary terms, to provide that the responsible party of the property has a duty to maintain or remove unsafe and noxious vegetation and amend the cut back requirements for certain property lines, to provide a penalty for the failure to maintain or remove unsafe and noxious vegetation, and to remove language allowing a responsible party to request that work be done by the Department of Public Works for the County [FIRST READING] – Ms. Newton stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

17. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Grants & Community Outreach – FY23-24 CDBG Public Service Projects and Public Facilities Infrastructure Projects – Ms. Mackey stated the committee recommended approval of this item. Since the committee meeting, one of the grantees informed staff they could not take on the grant at this time and declined the funding award. Therefore, staff moved forward with the next applicant.

Ms. Barron and Ms. Newton thanked the staff for all their hard work.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

18. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. A Resolution clarifying the boundaries of the Pineview Industrial Park and other matters related thereto – Mr. Livingston stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

- b. 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 Earlewood Apartment Rental Properties, LLC, and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

19. **REPORT OF THE EMPLOYEE EVALUATION AND OVERSIGHT AD HOC COMMITTEE**

- a. 2023-2024 County Administrator Evaluation Process

- b. 2023-2024 County Attorney and Clerk to Council Performance Evaluation Process

These items were taken up in Executive Session.

20. **OTHER ITEMS**

- a. FY24 – District 2 Hospitality Tax Allocations (F.U.N.D.S. Inc. - \$5,000)
- b. FY24 – District 4 Hospitality Tax Allocations (Columbia City Ballet [SC Ballet] - \$5,000 and SC Philharmonic - \$5,000)
- c. FY24 – District 5 Hospitality Tax Allocations (SC Philharmonic - \$10,000; Columbia Classical Ballet - \$5,000; Ann Brodie's Carolina Ballet - \$5,000; Columbia City Ballet [SC Ballet] - \$5,000; and Trustus Theatre - \$5,000)
- d. FY24 – District 7 Hospitality Tax Allocations (Pink & Green Community Service Foundation - \$4,500)
- e. FY24 – District 8 Hospitality Tax Allocations (Captain's Hope - \$10,000 and Pine & Green Community Service Foundation - \$6,000)
- f. FY24 – District 9 Hospitality Tax Allocations (Columbia Classical Ballet - \$10,000)
- g. FY24 – District 11 Hospitality Tax Allocations (Historic Columbia: African American Tourism Program - \$11,500)

Ms. Newton moved to approve Items 20(a)-20(g), seconded by Mr. Pugh

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

The vote in favor was unanimous.

Ms. Newton moved to reconsider Items 20(a)-20(g), seconded by Ms. Barron.

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

The motion for reconsideration failed.

21. **EXECUTIVE SESSION**

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

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

The vote in favor was unanimous.

***Council went into Executive Session at approximately 7:47 PM
and came out at approximately 8:04 PM***

Ms. Mackey moved to come out of Executive Session, seconded by Mr. Weaver.

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

The vote in favor was unanimous.

Mr. Walker indicated no action was taken in Executive Session.

- a. Alvin S. Glenn Detention Center
- b. 2023-2024 County Administrator Evaluation Process
- c. 2023-2024 County Attorney and Clerk to Council Performance Evaluation Process

Ms. Newton moved to accept the evaluation process recommendations, as discussed in Executive Session, for Items 21(b) and (c), seconded by Mr. Pugh.

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

The vote in favor was unanimous.

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

23. **ADJOURNMENT** – Ms. Newton moved to adjourn the meeting, seconded by Ms. Mackey.

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

The vote in favor was unanimous.

The meeting adjourned at approximately 8:06 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):

14a - Third Reading Project Drei

REASONS FOR DISQUALIFICATION:

My parent company represents the applicant/
business.

Jessica Mackey / Jessica Mackey
Print and sign your name

Anette A. King
Print and sign your name

12/5/2023
Date

12/5/23
Date received by Clerk Dept.