



Richland County Council
Special Called
MINUTES
November 14, 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 (via Zoom)

OTHERS PRESENT: Michelle Onley, Aric Jensen, Patrick Wright, 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, Crayman Harvey, Sandra Haynes, Jeff Ruble, Michael Byrd, Wayne Thornley, Bill Davis, 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 Bishop Dustin Coggins, Church of Latter-Day Saints, on behalf of the Honorable Jason Branham.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Jason Branham.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: November 7, 2023** – Mr. Branham noted on p. 5 of the minutes the following individuals need to be moved from those who spoke in opposition to the Land Development Code Text Amendments to those speaking in favor: Edwin Johnson, Ivery Jackson, and Donna Cole.

Mr. Pugh moved to approve the minutes as corrected, 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. Pugh moved to adopt the agenda as published, seconded by Ms. McBride.

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)** – Mr. Wright indicated the following items qualify for Executive Session under South Carolina Code section 30-4-70:
 - 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 said finding and authorization
 - b. Alvin S. Glenn Detention Center [Pursuant to S.C. Code Sect. 30-4-70(a)(2)]
Ms. Barron moved to go into Executive Session, 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 come out of Executive Session, seconded by Ms. Terracio.

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

1. Edith Taylor, 1099 Motley Road, Hopkins, SC 29061 – Ombudsman’s Office

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. Terry Rowell, 3635 Kennerly Road, Irmo, SC 29063 – Zoning Signage
2. Kim Murphy, 154 Old Laurel Lane, Chapin, SC 29036 – Heyward Coogler Road
3. Jeff Dustin, 233 Richland Farms Road, Hopkins, SC 29061 – Land Development Code re-zoning designations

9. REPORT OF THE COUNTY ADMINISTRATOR

a. Updates for Consideration:

1. *Ethics Training* – The County Administrator, Leonard Brown, indicated the South Carolina Ethics Commission will offer ethics training to Richland County employees in January 2024. The training will take place in Council Chambers.
2. *Employee Recognition* – Mr. Brown recognized the following employees:
 - a. Jennifer Wladischkin, Director of Procurement: On September 14, 2023, was nationally recognized by Euna Solutions for her leadership in public procurement.
 - b. Bill Davis, Utilities Director: On September 20, 2023, became Speaker-Elect of the House of Delegates for the Water Environment Federation (WEF). It is a not-for-profit technical and educational organization of more than 30,000 individual members and 75 affiliated Member Associations representing water quality professionals around the world.
 - c. Crayman Harvey, Alvin S. Glenn Detention Center Director: On October 24, 2023, completed the jail manager certification program and became a Certified Jail Manager. The certification is granted upon completion of a rigid experiential background application and an intensive four-hour examination jointly prepared by the American Jail Association and the Jail Manager Certification Commission. Receiving this certification demonstrates competency and professionalism in the field, indicates a strong level of knowledge in the specialty, and recognizes continuing education and growth.

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

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

12. APPROVAL OF CONSENT ITEMS

- a. Case #23-030MA, Fan Disharoon, OI to RS-LD (0.37 Acres), 1528 Legrand Road, TMS # R19100-07-01 [THIRD READING]
- b. Case #23-037MA, Ernesto Martinez, GC to RM-MD (0.46 Acres), 226 Jamaica Street, TMS # r19813-03-04 [THIRD READING]

Ms. Newton moved to approve the Consent Items, seconded by Mr. Pugh.

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

The vote in favor was unanimous.

13. THIRD READING ITEM

- a. An Ordinance to adopt the text amendment recommendations of the Richland County Planning Commission to the 2021 Land Development Code, which will regulate development in the unincorporated areas of Richland County – Mr. Branham moved to approve this item, seconded by Ms. Newton.

Mr. Livingston mentioned on 2nd Reading that he has some concerns. He noted we will have to look at how we prepare for new residents and growth in our community. With Scout Motors coming, we are going to have to take a look at housing. When we started discussing the Land Development Code, much of what is going on now was not happening.

Ms. Barron noted this is an end to a beginning. There is still something we need to continue to look at. We need to ensure there is a media presence so the residents understand what we did, and these are the next steps.

Mr. Weaver stated his concern is we may be making sprawl worse in some cases. If we reduce density, we will force some workers to live in Fairfield and Kershaw counties. We are doing a good job of bringing industries in, but we are not going to have affordable housing for the workers. He would like to revisit the issue in the future.

Ms. Newton indicated one of the next things is updating the Comprehensive Plan, which is key to protecting the kind of community we want. Some of the concerns people have are not addressed by the Land Development Code but by the permitting process or the Comprehensive Plan.

Ms. Mackey inquired when the Land Development Code will go into effect.

Mr. Wright responded the plan will go into effect on March 1, 2024. He indicated nothing would be done with applications for the new zoning designations until they officially go into effect.

Mr. Walker inquired if there would be any sort of moratorium between tonight and March 1, 2024.

Mr. Wright responded residents could make application, but the new code would not take effect until March 1, 2024.

Ms. McBride asked what happens if they make an application now and it is approved.

Mr. Wright responded whatever the equivalent is under the old code will transition automatically to the new zoning designation.

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

Opposed: Weaver

The vote was in favor.

POINT OF PERSONAL PRIVILEGE – Mr. Branham thanked the 2022 Council members who sent the Land Development Code back to the Planning Commission for further consideration. In addition, he thanked the Planning Commission for the hours they spent drafting the recommendations.

Ms. Newton moved to reconsider Items 12(a), 12(b), and 13(a), seconded by Ms. Barron.

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

The motion for reconsideration failed.

- b. Case #23-039MA, Alonza Haynes, Jr., RU to OI (2.69 Acres) 1849 Willowby Street, TMS #R19707-01-06 – Ms. English moved to approve this item, seconded by Ms. Barron.

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

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, Mackey, English, and Newton

The motion for reconsideration failed.

14. **FIRST READING ITEMS**

- 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. Barron stated she believes this project goes hand-in-hand with a lot of things Council has already approved in the past (i.e., Scout Motors). We are in somewhat of an Economic Development thrust right now. As we prepare for new citizens to come to Richland County and we move forward to have conversations about this particular bond item, we are creative in our approach. The zoo is something the citizens invest in, but we often do not know what our return is on that investment. She wants us to ensure that the return is there for the citizens as we invest in this project.

Ms. Newton noted the zoo is the #1 tourism attraction in the State of South Carolina, and we are lucky to have a world-class zoo. She wants the citizens to know this is not something we take lightly. This came

before the body before, and we said no at that time. She acknowledged that we have data showing that for every \$1 invested in the zoo, there is a multiplied impact in terms of people visiting and eating in our areas. Additionally, because of the type of governmental entity the zoo is, the options they have to raise funds are through a bond. If they could go out to the market and obtain a loan, they would. Unless the SC Legislature changes something, that is not an option.

Mr. Livingston made a point there is a difference between an investment and a cost, and this is clearly an investment. He noted that governmental entities provide about 12% of the zoo operations, with an additional 10% from society donations. As we consider this issue, we need to remember the zoo is doing something for the County and not the other way around. The benefit of the jobs, shopping, and quality of life to the County is tremendous. We are talking about an additional cost of \$0.35 a week on an average house and a minimal cost on vehicles to pay for these bonds.

Ms. McBride stated we have a vision for Richland County to be a world-class County. To achieve that vision, we need initiatives like the zoo. The zoo brings tourism from all over the United States. To expand the zoo is expanding our efforts to be a world-class County. She believes the citizens would not only appreciate it but also benefit from it.

Ms. Mackey stated the zoo is a statewide attraction and the jewel of our state. However, only Lexington and Richland residents are responsible for paying the debt, not the entire state. Because of that, she also wants to make a conscious effort to consider the impact this will have on the residents. She would like us to consider additional conversations, to talk about other ways we can move forward, and things we can do with the bond to benefit the residents. For example, looking at different admission prices and ways to ensure all residents can visit the zoo regardless of income level. In addition, to look at the residents' long-term benefits and ensure they understand the impact on their tax bill.

Mr. Walker noted he is a huge proponent of the zoo. He will be voting "no" on this item because he believes it is an inopportune time, and he thinks we need to look at another mechanism for financing this request. Last week, Council voted to utilize unused debt millage to finance capital projects. At the same time, we simultaneously passed on an opportunity to reduce the tax obligation of the residents. Now, we are being asked to consider increasing the tax obligation. If he is going to increase the tax obligation on residents, it has to be a last resort and an absolute necessity. While he supports the zoo's expansion plans, he does not consider it necessary. He indicated we passed a resolution to put a penny on the ballot in 2024. His concern is that it could frustrate, if not stymie, our efforts to get a penny passed. He noted he could not tell his constituents he passed on an opportunity to reduce the tax obligation. Then, he decided to increase the tax obligation; at the same time, he requested to keep a penny on the books slated to come off in 2026. He pointed out that the mechanism he would support does not coincide with the timeline the zoo has. He proposes using a capital sales tax to pay for the endeavor. This is being touted as big for tourism; therefore, he takes the position that the tourists help pay for it. He noted budget season is approaching, and the other millage agencies will be requesting an increase in the millage to meet their needs.

Mr. Livingston stated that in his time on Council, he cannot think of a single major initiative where there was not an argument saying, "It was not the right time." Richland County is in deep trouble if a \$ 0.35-a-week increase will stop the support of any other initiative. Keep in mind the benefit to the County is more than the investment.

For clarification, Ms. Mackey stated that the body did not approve a resolution to have a penny on the ballot in 2024. We approved a resolution to look at transportation projects, which will be brought back to the body.

Mr. Branham stated he would support the ordinance tonight, but he could be a "no" in the end unless some of the terms change.

Mr. Pugh noted he agreed with his colleagues that we need to talk about how this will benefit the three entities that are taking on the tax burden.

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

Opposed: Walker

The vote was in favor.

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

- a. A Resolution consenting to the assignment by Kemira Chemicals, Inc. to Kemira Water Solutions, Inc. of the fee agreements by and between Kemira Chemicals, Inc. and Richland County, South Carolina; and other related matters – Mr. Livingston stated the request is to transfer the terms from one company to another. He noted the committee recommended approval of this item.

Ms. Terracio inquired if this was a name change for the company.

Mr. Livingston responded that the business is the same, but the company's name differs.

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

The vote in favor was unanimous.

- b. A Resolution approving a sponsor affiliate to join in the fee agreement between Intertape Polymer Corp. and Richland County, South Carolina; and other matters related thereto – Mr. Livingston stated the committee recommended approval.

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

The vote in favor was unanimous.

16. **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

a. **NOTIFICATION OF APPOINTMENTS**

- I. East Richland Public Service District – One (1) Vacancy – Ms. Barron stated the committee recommended re-appointing Ms. Lisa Kelly Stewart.

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

The vote in favor was unanimous.

- II. Central Midlands Council of Governments – One (1) Vacancy – Ms. Barron stated the committee recommended appointing Mr. Clyde “Chuck” Fallaw, III.

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

The vote in favor was unanimous.

- III. Transportation Penny Advisory Committee – Three (3) Vacancies – Ms. Barron stated the committee recommended appointing Mr. Algeron Williams, Mr. Kamal Shlon, and Ms. Shirley Robinson.

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

The vote in favor was unanimous.

- IV. Richland Memorial Hospital Board – Five (5) Vacancies – Ms. Barron stated the committee recommended appointing Ms. Frances Ashe-Goins and re-advertising the remaining vacancies.

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

The vote in favor was unanimous.

b. **NOTIFICATION OF VACANCIES**

1. Accommodations Tax Committee – Four (4) Vacancies (ONE applicant must have a background in the Lodging Industry, TWO applicants must have a background in the Hospitality Industry, and ONE applicant must have a cultural background)
2. Building Codes Board of Appeals – Eight (8) Vacancies (ONE applicant must be from the Architectural Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Building Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry as alternates)
3. Business Service Center Appeals Board – Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicants must be CPAs)
4. Central Midlands Regional Transit Authority – One (1) Vacancy
5. Hospitality Tax Committee – Three (3) Vacancies (TWO applicants must be from the Restaurant Industry and ONE is an at-large position)
6. Richland Memorial Hospital – Four (4) Vacancies

Ms. Barron stated the committee recommended advertising for the vacancies as noted above. The committee requested to add the Midlands Workforce Development Board’s labor representative vacancy. The advertisement will run from November 17-December 15.

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

The vote in favor was unanimous.

Ms. Barron noted there are several boards that cannot conduct business because they do not have enough individuals. She requested her colleagues to help recruit for these vacancies.

17. **OTHER ITEMS**

- a. A Resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$80,000,000 of General Obligation Bonds of Richland-Lexington Riverbanks Parks District, South Carolina and to provide for the publication of the notice of such hearing – Mr. Livingston moved to approve this item, seconded by Ms. Barron.

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

Opposed: Walker

The vote was in favor.

18. **EXECUTIVE SESSION**

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

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 7:34 PM
and came out at approximately 8:47 PM***

Mr. Livingston 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.

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

20. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. Terracio.

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 8:48 PM.