

RICHLAND COUNTY

REGULAR SESSION

AGENDA



TUESDAY SEPTEMBER 17, 2024

6:00 PM

COUNCIL CHAMBERS

Richland County Council 2024



Derrek Pugh
District 2
Vice Chair



Jason Branham
District 1



Gretchen D. Barron
District 7



Yvonne McBride
District 3



Paul Livingston
District 4



Allison Terracio
District 5



Don Weaver
District 6



Overture E. Walker
District 8



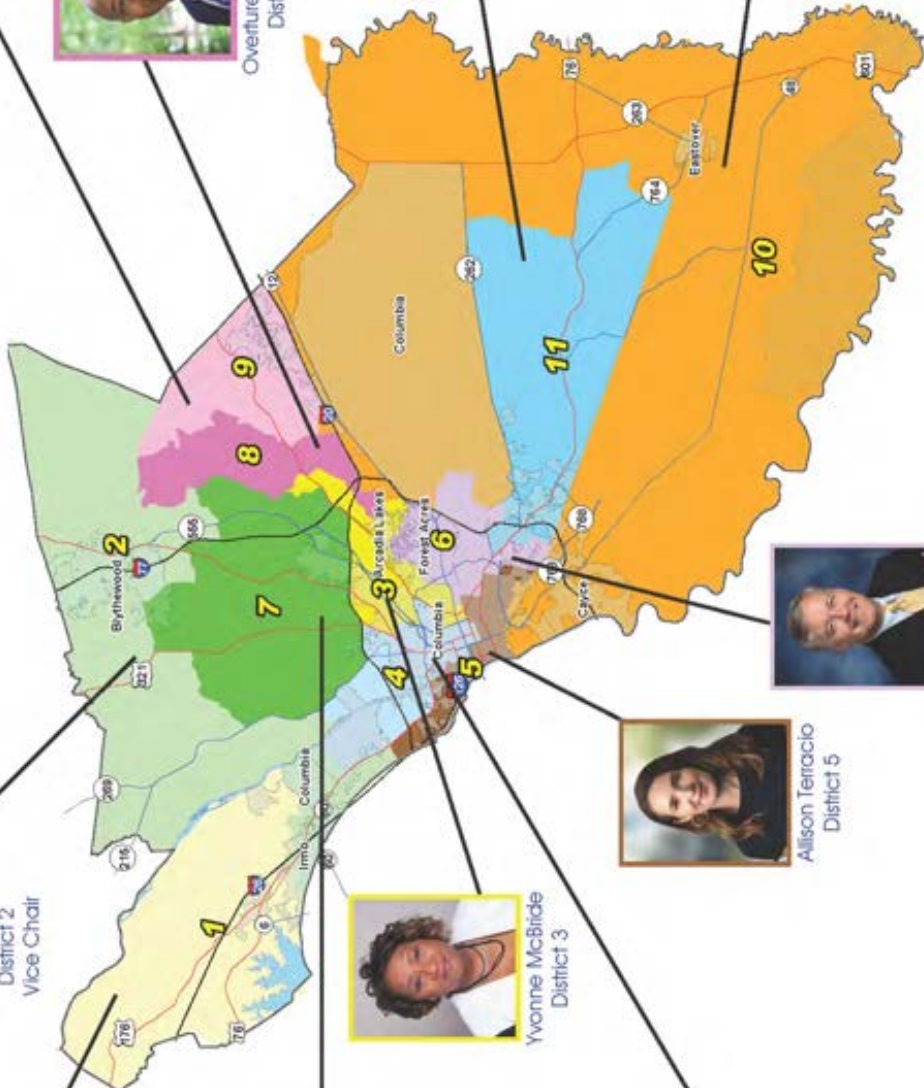
Chakisse Newton
District 11



Cheryl D. English
District 10



Jessica Mackey
District 9
Chair





**Richland County
Regular Session**

AGENDA

September 17, 2024 - 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

1. **CALL TO ORDER**

The Honorable Jesica Mackey, Chair
Richland County Council

 - a. ROLL CALL
2. **INVOCATION**

The Honorable Gretchen Barron
3. **PLEDGE OF ALLEGIANCE**

The Honorable Gretchen Barron
4. **PRESENTATION OF RESOLUTIONS**
 - a. A Resolution declaring September as "South Carolina State Guard Month" in Richland County
5. **APPROVAL OF MINUTES**

The Honorable Jesica Mackey

 - a. Special Called Meeting: September 10, 2024
[PAGES 9-13]
6. **ADOPTION OF AGENDA**

The Honorable Jesica Mackey
7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

Patrick Wright,
County Attorney

After Council returns to open session, council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

 - a. Alvin S. Glenn Detention Center Update [pursuant to S.C. Code of Laws Sect. 30-4-70(a)(2)]
 - b. Tourism Development Fee [pursuant to S.C. Code of Laws Sect. 30-4-70(a)(2)]
 - c. Personnel Matter - Grievance Reviews and Recommendations [Pursuant to S.C. Code of Laws, Sec. 30-4-70(a)(1)]

d. PROPERTY INQUIRY – NE/S Lykes Ln, TMS#R06400-01-01 [Pursuant to S.C. Code of Laws, Sec. 30-4-070(a)(2)]

e. PROPERTY INQUIRY – 1070 Caughman Rd N., TMS# R06500-01-01 [Pursuant to S.C. Code of Laws, Sec. 30-4-070(a)(2)]

8. CITIZEN'S INPUT

The Honorable Jesica Mackey

a. For Items on the Agenda Not Requiring a Public Hearing

9. CITIZEN'S INPUT

The Honorable Jesica Mackey

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.)

10. REPORT OF THE COUNTY ADMINISTRATOR [PAGE 14]

Leonardo Brown,
County Administrator

a. UPDATES FOR CONSIDERATION

1. General Updates

11. REPORT OF THE CLERK OF COUNCIL

Anette Kirylo,
Clerk of Council

a. Transportation Penny Town Halls

b. Transportation Penny Referendum Public Hearing,
October 15, 2024 - 3:30 PM, Council Chambers

12. REPORT OF THE CHAIR

The Honorable Jesica Mackey

13. OPEN / CLOSE PUBLIC HEARINGS

The Honorable Jesica Mackey

a. An Ordinance Authorizing easement to Dominion Energy South Carolina, Inc. for the installation, operation, and maintenance of DESC facilities at 1403 Jim Hamilton Boulevard; Richland County TMS #13702-01-30(p)

14. APPROVAL OF CONSENT ITEMS

The Honorable Jesica Mackey

a. An Ordinance Authorizing easement to Dominion Energy South Carolina, Inc. for the installation,

operation, and maintenance of DESC facilities at 1403
Jim Hamilton Boulevard; Richland County TMS
#13702-01-30(p) [THIRD READING] [PAGES 15-21]

15. THIRD READING ITEMS

The Honorable Jesica Mackey

- a. Case #24-014MA
Erik Norton
RT to MU1 (2.60 Acres)
1301 Three Dog Road & E/S Dutch Fork Road TMS
#R01507-02-03 & R01507-02-04 {District 1}[THIRD
READING] [PAGES 22-23]

16. SECOND READING ITEMS

The Honorable Jesica Mackey

- a. An Ordinance Authorizing quit claim deed to Mary
Alice Butler Walker, Aretha B. Pigford, and Isaac B.
Butler's heirs and assigns for a parcel of land located
in Richland County, known as Butler Road, over with
the County may have a prescriptive easement
[PAGES 24-28]

17. REPORT OF RULES & APPOINTMENTS COMMITTEE

The Honorable Gretchen Barron

a. NOTIFICATION OF APPOINTMENTS

- 1. Board of Zoning Appeals - One (1) Vacancy
[PAGE 29]
 - a. Anthony Stovall (Applicant also applied for the Community Relations
Council and the Township Auditorium Board)
- 2. Building Codes Board of Appeals - Seven (7) Vacancies (ONE applicant
must be from the Architecture Industry, ONE applicant must be from the
Gas 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) [PAGE 30]
 - a. Colby Fuller (Applicant also applied for the Community Relations
Council)
- 3. Community Relations Council - Four (4) Vacancies [PAGE 31]
 - a. Colby Fuller (Applicant also applied for the Building Codes Board of
Appeals)
 - b. Terence Rickenbacker
 - c. Ashley McCall

d. Anthony Stovall (Applicant also applied for the Board of Zoning Appeals and the Township Auditorium Board)

e. Amanda Rice

4. Employee Grievance Committee - One (1) Vacancy [\[PAGE 32\]](#)

a. Kyle Hughes (*Incumbent)

5. Midlands Workforce Development Board - One (1) Vacancy (Applicant must represent the Higher Education Industry) [\[PAGE 33\]](#)

a. Kenita Pitts

b. Lauren Holland

c. Kathryn Whitener

6. Township Auditorium Board - One (1) Vacancy [\[PAGE 34\]](#)

a. Veronica Goodwin

b. Anthony Stovall (Applicant also applied for the Board of Zoning Appeals and the Community Relations Council)

c. Ken Etheredge

d. Tuesday Duckett

18. REPORT OF TRANSPORTATION AD HOC COMMITTEE

The Honorable Overture Walker

a. Award of Construction - Atlas Road Widening - Phase 1A [\[PAGES 35-39\]](#)

19. OTHER ITEMS

The Honorable Jessica Mackey

a. FY25 - District 7 Hospitality Tax Allocations [\[PAGES 40-41\]](#)

1. Pink & Green Community Service Foundation - \$15,000

20. EXECUTIVE SESSION

After Council returns to open session, council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

Patrick Wright,
County Attorney

21. MOTION PERIOD

- a. I move that the Administrator explore the possibility and present a draft ordinance to place a moratorium on demolition and new construction in the Olympia area of Richland County.

The Honorable Allison Terracio

22. ADJOURNMENT

The Honorable Jesica Mackey



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
Special Called Meeting
MINUTES
September 10, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

NOT PRESENT: Overture Walker

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, Lori Thomas, Stacey Hamm, Susan O’Cain, Kyle Holsclaw, Angela Weathersby, Patrick Wright, Ashley Fullerton, John Thompson, Jackie Hancock, Dante Roberts, Sandra Haynes, Ashiya Myers, Jeff Ruble, Kenny Bowen, Todd Money, Phillip Harris, Jennifer Wladischkin, Tamar Black, Synthia Williams, Thomas Gilbert, Michael Byrd, and Judy Carter

1. **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 6:00 PM.

Ms. Mackey noted that Mr. Walker, Mr. Pugh, and Ms. McBride notified her that they would not attend tonight’s meeting in person and would attend online as allowed by the Council Rules.

2. **INVOCATION** – The Invocation was led by Apostle Renaldo Turner, New Destiny Church International.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **APPROVAL OF MINUTES**

- a. Special Called Meeting: August 27, 2024 – Ms. Barron moved to approve the minutes as distributed, seconded by Mr. Weaver.

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

Not Present: Walker

The vote in favor was unanimous.

5. **ADOPTION OF AGENDA** – Mr. Branham requested to defer Item 14(b): “Case #24-014MA, Erik Norton, RT to MU1 (2.60 Acres), 1301 Three Dog Road & E/S Dutch Fork Road, TMS #R01507-02-03 & R01507-02-04” to the September 17th Council meeting.

Mr. Branham moved to adopt the agenda as amended, seconded by Ms. Barron.

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

Not Present: Walker

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. English wished Mr. Geo Price, Deputy Community Planning and Development Director/Zoning Administrator, a happy birthday.

6. **PRESENTATION OF PROCLAMATIONS**

- a. A Proclamation Recognizing September as Sickle Cell Disease Awareness Month – Ms. Susan O’Cain, Director of Communications and Public Information, read the proclamation into the record.

**Special Called Meeting Minutes
September 10, 2024**

Ms. Barron encouraged residents to participate in the Sickle Cell Disease Walk on September 14, 2024.

Ms. Newton noted there is currently a shortage of blood, which is critical to individuals with sickle cell disease. She urged people to donate blood.

Ms. McBride thanked the James R. Clark Sickle Cell Foundation for all the work they do in the community.

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

- a. Legal Advice: Tourism Development Fee [Pursuant to S.C. Code of Laws, Sec. 30-4-70(a)(2)]

8. **CITIZENS' INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing

1. Anna Herron, 21 Oak Lake Court, Blythewood, SC 29016 – Affordable Housing

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.)

1. Anna Herron, 21 Oak Lake Court, Blythewood, SC 29016 – Agenda distribution and difficulty staying informed of the various meetings.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration:

1. *General Updates*

- a. Goal 6 Objectives – The County Administrator Leonardo Brown stated Objective 6 is “Establishing Operational Excellence.” Under this goal, we have:

- Initiative 6.2 – “Encourage Investment in Employee and County Development”
- Initiative 6.4 – “Address Employee Related Matters”
- Initiative 6.5 – “Develop Methods of Accountability to Stay the Course”
- Initiative 6.7 – “Address Current and Future Resource Needs”

He noted that we are conducting an “Employee Climate Survey” to encourage employees to discuss working conditions at Richland County. We want to continue to ensure a better understanding of what we can do to serve our employees. Additionally, employee resource groups will be established.

2. *National Day of Service and Remembrance – September 11th* – Mr. Brown noted September 11th had a drastic impact on many lives in our country. We want to take the time to recognize the men and women who serve at Richland County who were directly impacted. Whether it was family members or service members who were serving, individuals face ongoing impacts during this time of year.

- 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. *Requesting authorization to transfer the County’s interest in the property identified by tax map number TMS# R30600-01-05* – Mr. Brown indicated this is a request to authorize the transfer of the County’s interest in the property identified as TMS #R30600-01-05. The property owners are requesting that the County not do any maintenance on their property and remove their property from its maintenance roster.

Ms. Newton moved to give first reading by title only to “An Ordinance Authorizing a quitclaim deed to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler’s heirs and assigns for a parcel of land located in Richland County, known as Butler Road, over which the County may have a prescriptive easement, and further identified on the Richland County Tax Maps as TMS #30600-01-05”, seconded by Ms. English.

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

Not Present: Walker

The vote in favor was unanimous.

11. **REPORT OF THE CLERK OF COUNCIL** – The Clerk of Council, Anette Kirylo, noted that several town hall meetings have been scheduled to keep the community informed. The meetings are as follows:

- a. District 11 Town Hall – September 19, 2024, 6:00-7:00 PM, Garners Ferry Adult Activity Center
b. District 10 Town Hall – September 23, 2024, 6:00-7:30 PM, Bluff Road Park

- c. Districts 2 and 7 Town Hall – September 26, 6:00-7:30 PM, Doko Manor
- d. Transportation Penny Referendum Public Hearing – October 15, 3:30 PM, Council Chambers
- e. District 1 Town Hall – October 21, 6:00-7:30 PM, Friarsgate Park
- f. Districts 8 and 9 Town Hall – October 23, 6:00-7:30 PM.

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

13. **OPEN/CLOSE PUBLIC HEARINGS**

- g. An Ordinance Authorizing an easement to the City of Columbia for a sanitary sewer main located at 1871 Omarest Drive, Richland County TMS #07415-01-01(p)—No one signed up to speak.
- h. An Ordinance Authorizing an easement to the City of Columbia for a storm drainage line at 1403 Jim Hamilton Boulevard; Richland County TMS #13702-01-30(p) – No one signed up to speak.
- i. An Ordinance Authorizing an easement to the City of Columbia for a sanitary sewer main located at the South Side of Plowden Road; Richland County TMS #13608-01-13(p) – No one signed up to speak.

14. **APPROVAL OF CONSENT ITEMS**

- a. Case #24-004MA, John T. Bakhaus, RT to GC (1.16 Acres), 10336 Wilson Blvd., TMS #R14900-03-01 {District 2} [THIRD READING] [Ordinance #031-24HR] – Ms. Newton moved to approve this item, seconded by Ms. Terracio.

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

Not Present: Walker

The vote in favor was unanimous.

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

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

Not Present: Walker

The motion for reconsideration failed.

- b. Case #24-014MA, Erik Norton, RT to MU1 (2.60 Acres), 1301 Three Dog Road & E/S Dutch Fork Road, TMS #R01507-02-03 & R01507-02-04 {District 1} [THIRD READING] – This item was deferred during the Adoption of the Agenda.

- c. An Ordinance Authorizing easement to Dominion Energy South Carolina, Inc. for the installation, operation, and maintenance of DESC facilities at 1403 Jim Hamilton Boulevard, Richland County TMS #13702-01-30(p) [SECOND READING] – Ms. English moved to approve this item, seconded by Ms. Barron.

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

Not Present: Walker

The vote in favor was unanimous.

15. **THIRD READING ITEMS**

- a. An Ordinance Authorizing an easement to the City of Columbia for a sanitary sewer main located at 1871 Omarest Drive, Richland County TMS #07415-01-01(p) [Ordinance #028-24HR]
- b. An Ordinance Authorizing an easement to the City of Columbia for a storm drainage line located at 1403 Jim Hamilton Boulevard; Richland County TMS #13702-01-30(p) [Ordinance #029-24HR]
- c. An Ordinance Authorizing an easement to the City of Columbia for a sanitary sewer main located at the South Side of Plowden Road; Richland County TMS #13608-01-13(p) [Ordinance #030-24HR]

Ms. Newton moved to approve Items 14(a)-14(c), seconded by Ms. Barron.

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

Not Present: Walker

The vote in favor was unanimous.

Ms. English moved to reconsider Items 14(a)-14(c), seconded by Ms. Barron.

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

Not Present: Walker

The motion for reconsideration failed.

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

- a. Project Connect Blythewood Road Widening Contract – Mr. Livingston stated the committee recommended approval of this item.

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

Not Present: Walker

The vote in favor was unanimous.

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

- a. NOTIFICATION OF VACANCIES – Ms. Barron stated the committee recommended advertising for the following vacancies:

1. Accommodations Tax Committee – Four (4) Vacancies (TWO applicants must have a background in the lodging industry, ONE applicant must have a background in the hospitality industry, and ONE applicant must have a cultural background)
2. Airport Commission – One (1) Vacancy
3. Board of Assessment Appeals Board – One (1) Vacancy
4. Board of Zoning Appeals – One (1) Vacancy
5. Building Codes Board of Appeals – Seven (7) Vacancies (ONE applicant must be from the Architecture Industry, ONE applicant must be from the Gas 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)
6. Business Service Center Appeals Board – Three (3) Vacancies (ONE applicant must be from the Business Industry, and TWO applicants must be CPAs)
7. East Richland Public Service Commission – One (1) Vacancy
8. Employee Grievance Committee – Two (2) Vacancies (Applicants must be Richland County Government employees; applicants will serve as alternates)
9. Hospitality Tax Committee – Five (5) Vacancies (TWO applicants must be from the Restaurant Industry)
10. Lexington-Richland Alcohol and Drug Abuse Council (LRADAC) – One (1) Vacancy
11. Richland Memorial Hospital Board – Three (3) Vacancies
12. River Alliance – One (1) Vacancy
13. Township Auditorium – One (1) Vacancy

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

Not Present: Walker

The vote in favor was unanimous.

18. **OTHER ITEMS**

- a. FY25- District 5 Hospitality Tax Allocations: (Jam Room Foundation -- \$8,800)
- b. FY25 – District 8 Hospitality Tax Allocations (Lower Richland Veterans Formation -- \$15,000; Pink & Green Community Service Foundation -- \$18,000)

Ms. Barron moved to approve Items 18(a) and (b), seconded by Ms. Newton.

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

Not Present: Walker

The vote in favor was unanimous.

Ms. Barron moved to reconsider Items 18(a) and (b), seconded by Ms. Terracio.

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

Not Present: Walker

The motion for reconsideration failed.

19. **EXECUTIVE SESSION**

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

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

Not Present: Walker

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:45 PM
and came out at approximately 7:16 PM***

Ms. Barron moved to come out of Executive Session, seconded by Ms. English.

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

Not Present: Walker

The vote in favor was unanimous.

Ms. Mackey indicated Council entered into Executive Session to receive legal advice for the item listed below. No action was taken in Executive Session.

- a. Legal Advice: Tourism Development Fee [Pursuant to S.C. Code of Laws, Sec. 30-4-70(a)(2)] – No action was taken.

17. **MOTION PERIOD**

- a. Ms. Mackey submitted the following motion:
I move that 15% of each prior year's collections of accommodations tax be allocated for affordable housing in alignment with Sec. 6-1-530(7) of the S.C. code of Laws, workforce housing and home ownership promotion requirement and Act 57 of 2023's "mortgage assistance" requirement. This allocation is to directly focus on down payment assistance for homeownership for Richland County employees, public safety, EMS and Richland One and Two teachers. [MACKEY] – Ms. Barron and Ms. Terracio requested to be added as sponsors of the motion.

Chair Mackey referred this motion to the Administration and Finance Committee.

- b. Ms. Newton submitted the following motion:
I move to direct the County Administrator to commission an analysis of the County's residential development permitting processes and standards related to noise, flooding, air pollution and other environmental impacts, in order to ensure that the County has adopted and is following the most current industry best practices to reduce negative environmental impacts. This may include recommendations for improving and enhancing the County's Land Development Code, Land Development Design Manual, Comprehensive Plan, Zoning Map, and related documents. [NEWTON] – Mr. Pugh and Ms. Barron requested to be added as sponsors of the motion.

Chair Mackey referred this motion to the Development and Services Committee.

18. **ADJOURNMENT** – Ms. Newton moved to adjourn the meeting, seconded by Mr. Livingston.

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

Not Present: Walker

The vote in favor was unanimous.

The meeting adjourned at approximately 7:20 PM.



Report of the County Administrator

Regular Session – September 17, 2024

ITEMS FOR EXECUTIVE SESSION:

PROPERTY INQUIRY – NE/S Lykes Ln, TMS#R06400-01-01

PROPERTY INQUIRY – 1070 Caughman Rd N., TMS# R06500-01-01

PERSONNEL MATTERS

1. Grievance Reviews And Recommendations

UPDATES FOR CONSIDERATION:

GENERAL UPDATES

Richland County Council Request for Action

Subject:

Department of Public Works - Engineering - Dominion Energy Easement Request at 1403 Jim Hamilton Blvd

Notes:

July 23, 2024 – The Development and Services Committee recommends providing an easement to Dominion Energy for the location of power at 1403 Jim Hamilton Blvd. (R13702-01-30)

First Reading: August 27, 2024

Second Reading: September 10, 2024

Third Reading: September 17, 2024 {Tentative}

Public Hearing: September 17, 2024



Agenda Briefing

Prepared by:	Shirani W Fuller	Title:	County Engineer
Department:	Public Works	Division:	Engineering
Date Prepared:	July 2, 2024	Meeting Date:	July 23, 2024
Legal Review	Elizabeth McLean via email	Date:	July 5, 2024
Budget Review	Maddison Wilkerson via email	Date:	July 5, 2024
Finance Review	Stacey Hamm vi email	Date:	July 15, 2024
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Development & Services		
Subject	Dominion Energy Easement Request at 1403 Jim Hamilton Blvd		

RECOMMENDED/REQUESTED ACTION:

Staff recommends providing an easement to Dominion Energy for the location of power at 1403 Jim Hamilton Blvd (R13702-01-30), Richland County owned property.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There is no anticipated fiscal impact to the County.

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

Not applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

STRATEGIC & GENERATIVE DISCUSSION:

Dominion Energy requests an easement at 1403 Jim Hamilton Blvd., at the Richland County property commonly known as Owens Field Park. The park is leased by the City of Columbia who has enlisted Dominion to install new underground cable to power a new restrooms and irrigation.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

Goal: Foster Good Governance

Objective: Collaborate with other governments

ATTACHMENTS:

1. Easement document with exhibit
2. Ordinance

INDENTURE, made this _____ day of _____, 2024 by and between RICHLAND COUNTY, of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the DOMINION ENERGY SOUTH CAROLINA, INC., a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of Richland, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract or lot of land containing 62.89 acres, more or less, and being the same lands conveyed to Grantor, dated or recorded 1/1/1962, and filed in the Register of Deeds office for Richland County in Deed book 330 at Page 131.

The property is located at 1403 Jim Hamilton Blvd., Richland County, SC.

The right of way granted herein is for the installation, operation and maintenance of DESC facilities. These facilities are more fully shown on Exhibit "A" attached hereto, which is by reference only made a part hereof. Thee actual final Right of Way to be determined by the final location of the facilities as installed in accordance with the easement.

TMS: R13702-01-30

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines.

Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

RICHLAND COUNTY

By: _____ (SEAL)

Print: _____

Title: _____

1st Witness

2nd Witness

Easement # 905615

ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA

COUNTY OF **RICHLAND**

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named, _____, for **RICHLAND COUNTY**, personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this _____ day of _____, 2024

Signature of Notary Public State of SC

My commission expires: _____

Print Name of Notary Public

**RIGHT OF WAY GRANT TO
DOMINION ENERGY SOUTH CAROLINA, INC.**

Line: **Owens Field Ball Park - Bathroom**

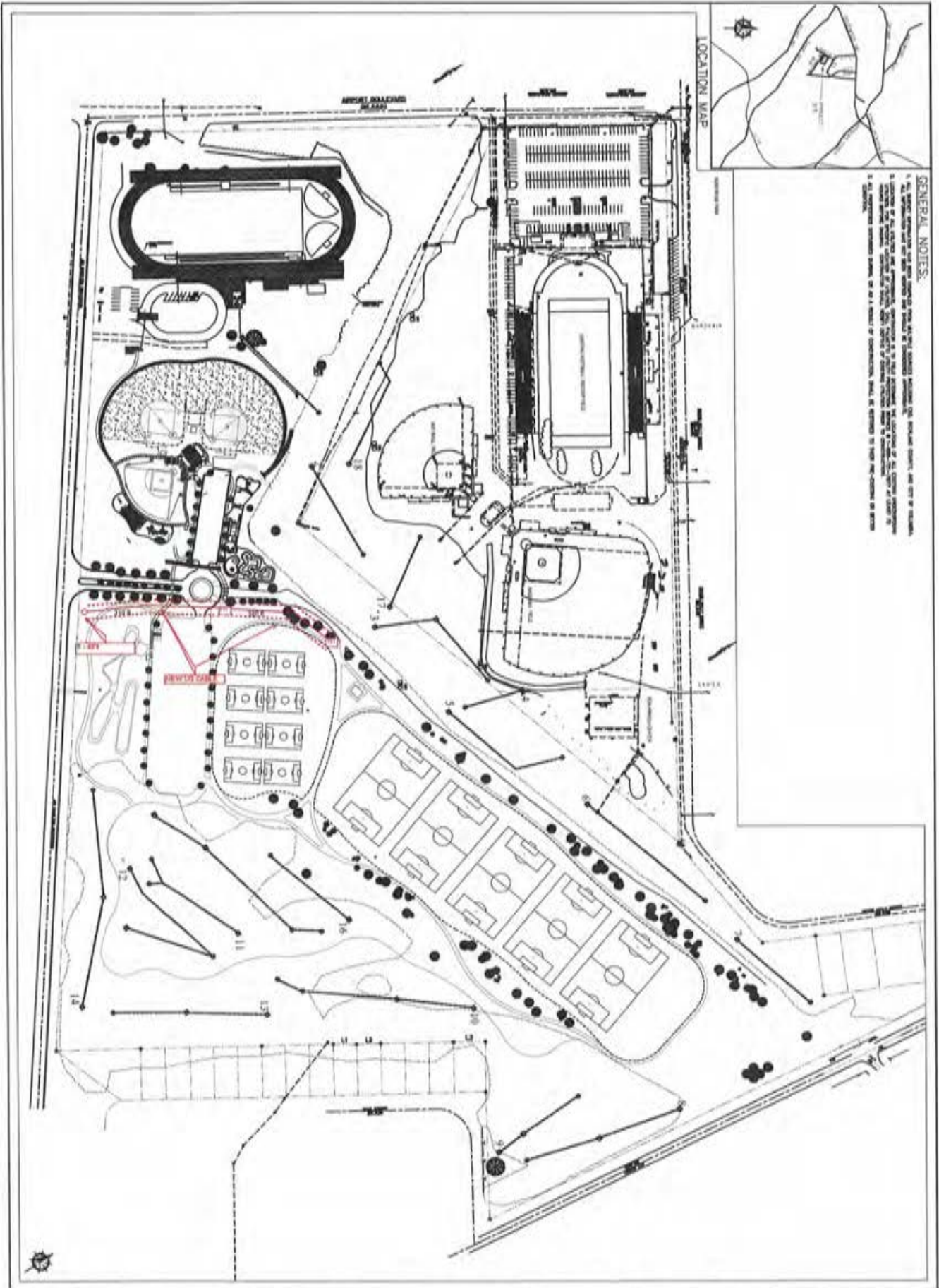
County: **RICHLAND**

R/W File Number: **27333**

Grantor(s): **RICHLAND COUNTY**

Return to: DESC

EXHIBIT "A"



GENERAL NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

SHEET TITLE OVERALL SITE PLAN	PROJECT TITLE OWENS FIELD PARK RENOVATIONS (SOCCER FIELDS)	REVISION	
		NO.	DATE
DESIGNER DRAWN BY CHECKED BY DATE		DESCRIPTION	

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-24HR

AN ORDINANCE AUTHORIZING EASEMENT TO DOMINION ENERGY SOUTH CAROLINA, INC. FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF DESC FACILITIES AT 1403 JIM HAMILTON BOULEVARD; RICHLAND COUNTY TMS #13702-01-30(P).

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement for the installation, operation, and maintenance of DESC facilities to DOMINION ENERGY SOUTH CAROLINA, INC., located at 1403 Jim Hamilton Boulevard; a portion of Richland County TMS #13702-01-30, as specifically described in the Easement, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Jessica Mackey, Chair

Attest this _____ day of _____, 2024.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request for Action

Subject:

Case #24-014MA
Erik Norton
RT to MU1 (2.60 Acres)
1301 Three Dog Road & E/S Dutch Fork Road
TMS #R01507-02-03 & R01507-02-04

Notes:

First Reading: July 23, 2024
Second Reading:
Third Reading:
Public Hearing: July 23, 2024

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-24HR

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 THE REAL PROPERTY DESCRIBED AS TMS # R01507-02-03 AND R01507-02-04 FROM RESIDENTIAL TRANSITION DISTRICT (RT) TO NEIGHBORHOOD MIXED USE DISTRICT (MU1); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R01507-02-03 and R01507-02-04 from Residential Transition District (RT) to Neighborhood Mixed Use District (MU1).

Section II. Severability. 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 III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2024.

RICHLAND COUNTY COUNCIL

By: _____
Jesica Mackey, Chair

Attest this _____ day of
_____, 2024

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: July 23, 2024
First Reading: July 23, 2024
Second Reading: August 27, 2024
Third Reading: September 10, 2024

Richland County Council Request for Action

Subject:

An Ordinance Authorizing quit claim deed to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler's heirs and assigns for a parcel of land located in Richland County, known as Butler Road, over with the County may have a prescriptive easement

Notes:

First Reading: September 10, 2024

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. -24HR

AN ORDINANCE AUTHORIZING QUIT CLAIM DEED TO MARY ALICE BUTLER WALKER, ARETHA B. PIGFORD, AND ISAAC B. BUTLER’S HEIRS AND ASSIGNS FOR A PARCEL OF LAND LOCATED IN RICHLAND COUNTY, KNOWN AS BUTLER ROAD, OVER WHICH THE COUNTY MAY HAVE A PRESCRIPTIVE EASEMENT.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit claim deed to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler’s heirs and assigns for a certain parcel of land, as specifically described in the “Release of Easement and Quit Claim of Interest,” which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2024.

RICHLAND COUNTY COUNCIL


By: _____
Jesica Mackey, Chair

ATTEST THIS THE ____ DAY

OF _____, 2024.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

 08/30/2024

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third reading:

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**RELEASE OF EASEMENT
AND
QUIT CLAIM OF INTEREST**

WHEREAS, Richland County possesses an easement over property owned by Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler’s heirs and assigns by prescription;

WHEREAS, the Easement affects property identified on the Richland County Tax Maps as TMS 30600-01-05 also known as Butler Road and described as: 50’ Road (proposed) containing 2.62 acres according to the plat as recorded in the office of the R.M.C. for Richland County, South Carolina in Plat Book 50 at page 7288 attached hereto.

WHEREAS, Richland County desires to terminate any rights and interest it may have in the said Easement and property; and

NOW, THEREFORE, for the sum of One Dollar and 00/100 (\$1.00) and other valuable consideration, this day paid by Mary Alice Butler Walker on behalf of herself and all owners, to Richland County, the receipt of which is hereby acknowledged, Richland County does hereby remise, release, and forever quit-claim to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler’s heirs and assigns all rights and interest which Richland County may have in and to the Easement and property above described.

To have and to hold unto the undersigned below, and its respective successors and assigns forever.

WITNESS the hand and seal of the undersigned on this _____ day of _____, 2024.

WITNESSES:

RICHLAND COUNTY:

BY: _____
Jessica Mackey
Chairperson
Richland County Council

Richland County Attorney’s Office

Lisa Gonzales 08/22/2024

**Approved As To LEGAL Form Only
No Opinion Rendered As To Content**

STATE OF SOUTH CAROLINA)
)
COUTNY OF RICHLAND)

PROBATE
(Grantor)

Personally appeared before me, the undersigned witness, who, being duly sworn, says that (s)he saw the within-name Grantor by its officer(s) or partner(s) as its act and deed, sign, seal, and deliver the within Release of Easement and Quit Claim of Interest and that (s)he with the other witness whose signature appears above witnessed the execution thereof.

Witness

SWORN to and SUBSCRIBED before
me this ____ day of _____, 2024.
Notary Public For South Carolina
My Commission Expires: _____

Richland County Council Request for Action

Subject:

Board of Zoning Appeals (1)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends re-advertising for the vacancy.

Richland County Council Request for Action

Subject:

Building Codes Board of Appeals (7)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends re-advertising for the vacancies.

Richland County Council Request for Action

Subject:

Community Relations Council (4)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends appointing Terence Rickenbacker, Ashley McCall, Anthony Stovall, and Amanda Rice.

Richland County Council Request for Action

Subject:

Employee Grievance (1)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends re-appointing Kyle Hughes.

Richland County Council Request for Action

Subject:

Midlands Workforce Development Board (1)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends appointing Lauren Holland.

Richland County Council Request for Action

Subject:

Township Auditorium (1)

Notes:

September 10, 2024 – The Rules & Appointments Committee recommends appointing Veronica Goodwin.

Richland County Council Request for Action

Subject:

Award of Construction - Atlas Road Widening - Phase 1A

Notes:

July 23, 2024 – The Transportation Ad Hoc Committee recommends awarding the construction contract to McClam & Associates, Inc. based on the bid received in the amount of \$7,944,720.50, to include a construction contingency of 15% for a total approved amount of \$9,136,428.58.



Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Interim Director
Department:	Transportation	Division:	
Date Prepared:	July 3, 2024	Meeting Date:	July 23, 2024
Legal Review	Patrick Wright via email	Date:	July 10, 2024
Budget Review	Maddison Wilkerson via email	Date:	July 10, 2024
Finance Review	Stacey Hamm via email	Date:	July 10, 2024
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Meeting/Committee	Transportation Ad Hoc		
Subject	Award of Construction - Atlas Road Widening - Phase 1A		

RECOMMENDED/REQUESTED ACTION:

Staff recommends award of the construction contract to McClam & Associates, Inc. based on the bid received in the amount of \$7,944,720.50, to include a construction contingency of 15% for a total approved amount of \$9,136,428.58.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Staff presented the project budget for Atlas Road in the amount of \$36,300,000.00 to Council in 2020 with a de-scope plan for Widening Atlas Road from Shop Road to Garners Ferry Road. In 2024, staff has separated the work item of the same project limits into Phase 1A - Utility Relocation, and 1B - Road Construction. The amount requested for Phase 1A of the project is \$9,136,428.58.

Prior Expenses for design, fees, and right of way	\$8,782,828.00
Project Balance Remaining	\$18,380,743.40

Applicable fund, cost center, and spend category: Fund: Atlas Road
Cost Center: Transportation Penny
Spend Category: Capital Projects

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Request for Bids RC-667-B-24 was issued on June 3rd. A Non-Mandatory Pre-Bid Conference was held at 10 a.m. on Monday, June 17, 2024, during which attendees gained information and bidding directives for the project, including the SLBE participation goal for the project.

A bid opening was conducted at 2:00 PM on Tuesday, July 2, 2024, via the County’s online procurement portal. Procurement has reviewed the (2) two submitted bids for the Atlas Road Water and Sewer and found that the apparent low bidder, Williams Infrastructure, did not meet the SLBE requirement. Their

Good Faith Efforts were provided to the Office of Small Business Opportunity, who found that they were unsatisfactory. This rendered the bid non-responsive. The next lowest bidder, McClam & Associates, was the lowest, responsive, responsible bidder with an SLBE commitment that exceeded the goal of 17%.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

STRATEGIC & GENERATIVE DISCUSSION:

The Atlas Road (S-50) Widening Project scope includes the reconstruction of a two-lane roadway to a five-lane roadway with four 12’ travel lanes separated by a 15’ center lane from Shop Road (SC 768) to Garners Ferry Road (US 76), including a 4-foot bike lane and 5-foot concrete sidewalks in each direction. This phase of the project includes the construction of new sanitary sewer and public water supply main and the relocation of private utilities to prepare the corridor for future roadway construction.

There were two bidders. The two bids received were about \$455,000 apart, or an approximately 5.9% spread. Non-bidders indicated they are presently engaged with other projects and would be unable to complete this project.

The next phase, Phase 1B will be the road construction for the widening of Atlas Road from Shop Road to Garners Ferry Road. This phase is approved by the South Carolina Department Transportation (SCDOT). The bidding for construction will await a 50% completion progress milestone of Phase 1A.

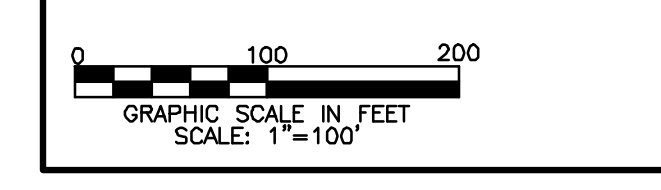
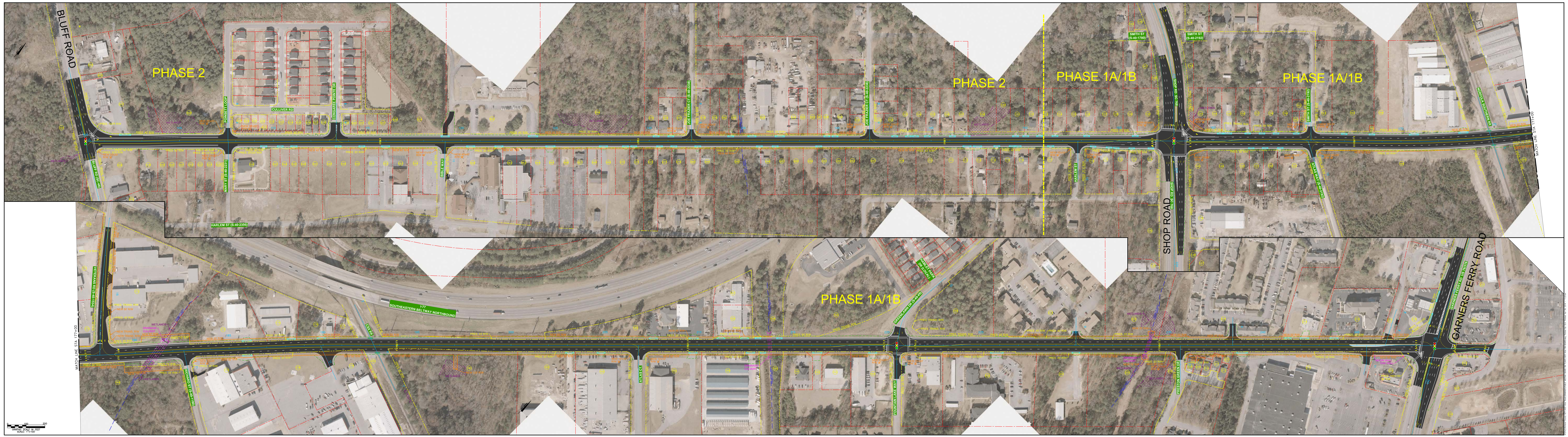
Phase 2 will widen Atlas Road from Bluff Road to Shop Road. Plans are being completed for Phase 2 widening of Atlas Road and will be reviewed by the SCDOT for construction authorization.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

Goal: Plan for Growth through Inclusive and Equitable Infrastructure

ATTACHMENTS:

1. Project Plan Overview
2. Bid tabulation



RC-667-B-24		McClam and Associates Inc.	Williams Infrastructure, LLC
Atlas Road Water and Sewer			
Line Relocation Project	Total Cost	\$7,944,720.50	\$7,488,934.00
Due 7/2/2024 @ 2pm			



REQUEST OF ACTION

Subject: FY25 - District 7 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$15,000** for District 7.

B. Background / Discussion

For the 2024 - 2025 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY25, Regular Council Meeting – June 18, 2024: Establish Hospitality Tax discretionary accounts for each district in FY25 at the amount of \$82,425. Move that up to \$300,000 of unallocated district specific H-Tax funding for FY23-24 be carried over and added to any additional funding for FY24-25.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY25 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 7 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Discretionary Account Funding	\$ 82,425
FY2024 Remaining	\$ 1,950
	Pink & Green Community Service Foundation
	\$ 15,000
Total Allocation	\$ 15,000
FY25 Approved Allocations YTD	\$ 10,000
Remaining FY2025 Balance	\$ 59,375

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of the Budget FY19- June 21, 2018
- 3rd Reading of the Budget FY20- June 10, 2019
- 3rd Reading of the Budget FY21- June 11, 2020
- 3rd Reading of the Budget FY22- June 10, 2021
- 3rd Reading of the Budget FY23- June 7, 2022
- 3rd Reading of the Budget FY24- June 6, 2023
- 3rd Reading of the Budget FY25- June 18, 2024

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.