

RICHLAND COUNTY

REGULAR SESSION

AGENDA



TUESDAY NOVEMBER 19, 2024

6:00 PM

COUNCIL CHAMBERS

Richland County Council 2024



Deirrek Pugh
District 2
Vice Chair



Jason Branham
District 1



Jessica Mackey
District 9
Chair



Overture E. Walker
District 8



Gretchen D. Barron
District 7



Yvonne McBride
District 3



Chakisse Newton
District 11



Paul Livingston
District 4



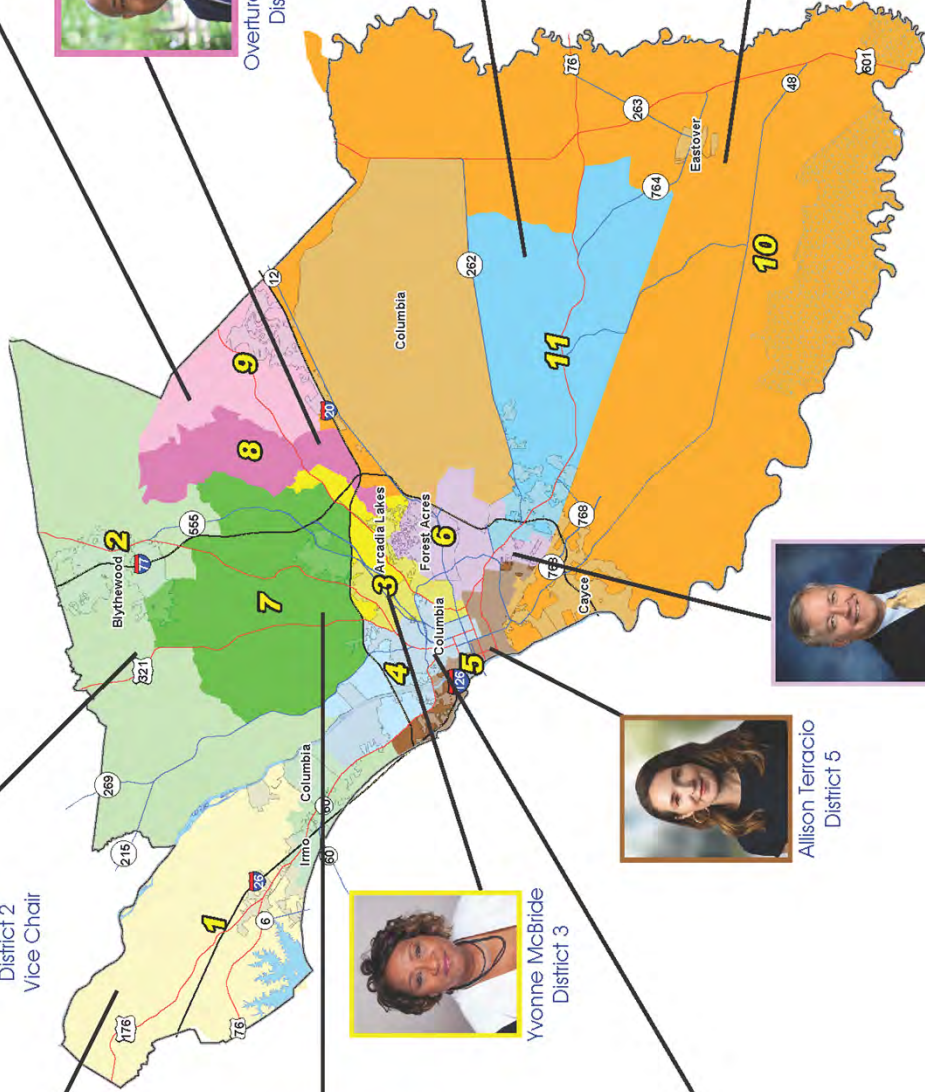
Allison Terracio
District 5



Don Weaver
District 6



Cheryl D. English
District 10





**Richland County
Regular Session**

AGENDA

November 19, 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 Cheryl English

3. **PLEDGE OF ALLEGIANCE** The Honorable Cheryl English

4. **PRESENTATION OF PROCLAMATION**
 - a. A Proclamation Recognizing Small Business Saturday Coalition The Honorable Jason Branham
The Honorable Derrek Pugh
The Honorable Yvonne McBride
The Honorable Paul Livingston
The Honorable Allison Terracio
The Honorable Don Weaver
The Honorable Gretchen Barron
The Honorable Jesica Mackey
The Honorable Cheryl English
The Honorable Chakisse Newton

5. **APPROVAL OF MINUTES** The Honorable Jesica Mackey
 - a. Special Called Meeting: November 12, 2024 **[PAGES 8-17]**

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. Project Connect Property Update[Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)
 - b. Personnel Matter: Clerk to Council Contract [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(1)

8. CITIZEN'S INPUT

The Honorable Jessica Mackey

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

9. CITIZEN'S INPUT

The Honorable Jessica 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

Leonardo Brown,
County Administrator

- a. UPDATES FOR CONSIDERATION
 - 1. General Updates

11. REPORT OF THE CLERK OF COUNCIL

Anette Kirylo,
Clerk of Council

November 21, 2024 Committee Meetings.

12. REPORT OF THE CHAIR

The Honorable Jessica Mackey

13. APPROVAL OF CONSENT ITEMS

The Honorable Jessica Mackey

- a. Case # 24-013MA
Krut Patel
HI to R3 (33.33 Acres)
2336 Hard Scrabble Road
TMS #R17211-01-02 [District 7] [THIRD READING]
[\[PAGES 18-19\]](#)
- b. Case #24-018MA
Bonnie Joshi
HM to RT (4.39 Acres)
140 Richland Farms Road
TMS #R30953-01-06 [District 11] [THIRD READING] [\[PAGES 20-21\]](#)
- c. Case # 24-034MA
Willie Simmons
INS to R3 (0.52 Acres)
N/S Innsbrook Drive
TMS #R07401-07-22 [District 5] [THIRD READING]
[\[PAGES 22-23\]](#)

- d. Case # 24-041MA
Norman Gross
AG to HM (40.08 Acres)
1463 Ridge Road
TMS #R24900-07-24 [District 11]
[THIRD READING] [\[PAGES 24-25\]](#)

- e. Case # 24-039MA
Joy C. McMillion
HM to RT (4.08 Acres)
1140 Congaree Road
TMS #R24700-10-30 [District 11] [THIRD READING] [\[PAGES 26-27\]](#)

14. SECOND READING ITEMS

The Honorable Jesica Mackey

- a. An Ordinance authorizing the execution and delivery of an amendment to the infrastructure credit agreement by and between Richland County, South Carolina, and Gable Oaks Housing Associates LP; and other related matters [\[PAGES 28-36\]](#)

15. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

The Honorable Paul Livingston

- a. A Resolution adding additional property to the public infrastructure credit agreement between Richland County, South Carolina and 2019 Bull Street Owner, LLC; authorizing an amendment to Exhibit A of the public infrastructure credit agreement to include the additional property; and other related matters [\[PAGES 37-40\]](#)

16. REPORT OF RULES & APPOINTMENTS COMMITTEE

The Honorable Gretchen Barron

- a. NOTIFICATION OF APPOINTMENTS
 - 1. Airport Commission - Three (3) Vacancies (TWO applicants must reside in the Rosewood, Shandon, or Hollywood-Rose Wale neighborhoods)
 - a. Kendrick Scott
 - b. Prentiss McLaurin (*Incumbent)
 - c. John Brisini
 - d. Leroy Greene, II
 - 2. Board of Zoning Appeals - One (1) Vacancy
 - a. Merrell Johnson

3. Business Service Center Appeals Board - Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicants must be CPAs)
 - a. Sheila Hemingway
4. East Richland Public Service Commission - One (1) Vacancy
 - a. Jennifer Creed (*Incumbent)
5. Township Auditorium - One (1) Vacancy
 - a. Andrew Theodore (*Incumbent)

17. REPORT OF THE COMMUNITY IMPACT GRANTS COMMITTEE

- a. Areas of Impact [\[PAGE 41\]](#)

18. 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

19. MOTION PERIOD

- a. I move that the county consider developing a Neighborhood Master Plan that establishes policies and goals related to preservation and development in the Ballentine community with the goal to preserve and promote the desired character of the community while also conserving and protecting the waters and watershed of Lake Murray.

The Honorable Jason Branham

20. 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
MINUTES
November 12, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Leonardo Brown, Anette Kirylo, Patrick Wright, Callison Richardson, Jennifer Wladischkin, Ashiya Myers, Aric Jensen, Kyle Holsclaw, Michael Maloney, Tamar Black, Synithia Williams, Sandra Haynes, Ashley Fullerton, Michelle Onley, Angela Weathersby, John Thompson, Venyke Harley, Phil Harris, Stacey Hamm, Lori Thomas, Sarah Harris, and Jeff Ruble.

1. **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Cheryl English.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Cheryl English.
4. **APPROVAL OF MINUTES**
 - a. Special Called Meeting: October 15, 2024 – Mr. Livingston 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. Regular Session: October 15, 2024 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. Newton.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.
 - c. Zoning Public Hearing: October 22, 2024 – 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.
5. **ADOPTION OF AGENDA** – Ms. Barron moved to adopt the agenda as published, seconded by Ms. Newton.
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)** – County Attorney Patrick Wright noted the following item was eligible for Executive Session:

- a. Legal Advice: Clerk of Court/Judicial Center – CASA & Legislative Delegation [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
- b. Contractual Matter: Alvin S. Glenn Detention Center & Department of Mental Health – Columbia Area Mental Health Center [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
- c. Fire Services Agreement between the City of Columbia and Richland County [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
- d. Personnel Matter: Clerk to Council Contract [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(1)]

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) – No one signed up to speak.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration:

- 1. *Comprehensive Plan* – Ms. Synithia Williams, Community Planning and Development Director, stated that all the stakeholder meetings have been switched to virtual and split up between two days: November 20th and 21st. They have also begun reaching out to the advisory committee members. Most have confirmed they can meet for a tentatively scheduled meeting on November 26th. Their goal is to have the website live in the next couple of weeks.

Ms. Mackey requested that when the website goes live, Councilmembers be notified.

- 2. *Operation Green Light* – The County Administrator, Leonardo Brown, pointed out that Richland County participated in "Operation Green Light," signifying its support for the veteran community.
- 3. *Employee Climate Survey* – Mr. Brown indicated the County took the temperature of its employees. One of the things we focused on was understanding our current and future resource needs. One of the ways to do that is to seek input; therefore, we sought the employees' input. Councilmembers should have received a packet of information representing the feedback. At a future committee meeting, we can do a deeper dive into the data provided by the employee climate survey.

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

- 1. *Grants & Community Outreach – Contract Approval for FY2024 – CDBG Projects* – Mr. Brown stated, "The U.S. Department of Housing and Urban Development approved the Richland County 2024 Annual Action Plan in August 2024 for the period of October 1, 2024 through September 30, 2025. This plan identifies specific projects and obligates funds to these projects."

All proposed projects have been verified by Community Development staff to meet HUD eligibility criteria, including:

- 1. Meeting a HUD National Objective
- 2. Managed by an eligible subrecipient
- 3. Aligned with the County's PY22-26 Five-Year Consolidated Plan and PY23 Annual Action Plan
- 4. Take place in an LMI area of unincorporated Richland County and or directly serve LMI-qualified residents of unincorporated Richland County.

Community Development staff request that the Council authorize the County Administrator to execute funding contracts with the previously approved sub-recipients of CDBG funds for the purposes of Public Facility and Transitional Housing rehabilitation projects serving Low to Moderate Income (LMI) individuals and areas of the County.

These projects and partner agencies allow for the efficient and impactful use of CDBG funds, positions the County to meet the annual CDBG Timeliness Test, and provide critical services and community improvements for LMI households throughout the County.

Delay in contracting will hinder the County's ability to ensure sufficient funds are expended by the annual CDBG Timeliness Test deadline in July 2025.

Mr. Branham stated, for clarification, that the grant is federal funds, and the project requires a 25% match by the sub-recipient, non-profit organizations: Homeless No More, Midlands Housing Alliance, and Vital Connections of the Midlands. Therefore, the County is a pass-through of the funds.

Mr. Brown responded to a certain extent because the funding received will be utilized to address what was identified in the overall plan. These are the individual local components that will receive the funding.

Mr. Livingston moved to approve the request to authorize the County Administrator to execute Subrecipient Agreements (funding contracts) with previously approved nonprofits for three (3) CDBG-funded projects included in the 2024 Annual Action Plan, pending certification of successful Environmental Review Records, seconded by Ms. Newton.

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

The vote in favor was unanimous.

2. *Department of Public Works – Roads & Drainage Maintenance – Dump Truck Purchase* – Mr. Brown noted, “The Roads & Drainage Maintenance Division was recently made aware of the availability of a tri-axle dump truck previously ordered by another entity that could not complete the purchase. Typically, acquiring a dump truck takes six (6) months to a year, including the build time. This truck is built and ready for delivery. The vendor will hold it for a short period while the County completes its approval process. The trade-in equipment is a 2008 Freightliner with 215,456 miles. The typical service life for heavy trucks is about 8 years. The current trade-in vehicle has been in service for 16 years and is valued at \$15,000. This equipment hauls materials including dirt, stone, and asphalt for the replacement of storm sewer, the replacement of stone base on the roads, and hot mixed asphalt for patching and road paving.”

Ms. Barron inquired where the funds would come from to purchase the dump truck.

Mr. Brown indicated the funds are available in the Public Works Department’s budgeted funds.

Ms. Terracio moved to approve the Roads and Drainage Maintenance staff’s recommendation to purchase a Tri-Axle dump truck from Worldwide Trucks, Inc. for \$218,181, including the trade-in of an existing dump truck, seconded by Ms. Barron.

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

The vote in favor was unanimous.

3. *Utilities – SC Rural Water Association Voting Delegate Renewal* – Mr. Brown stated, “Richland County is an active voting member of the South Carolina Rural Water Association (SCRWA). The SCRWA, with the help of the Legislative Advocacy and Communication Initiative (LACI), monitors, communicates, and intervenes, when necessary, in regulatory and legislative matters that affect utilities statewide. The County has two (2) employees, and Council previously allowed to act as voting delegates. The request is to authorize the County Administrator to execute the Voting Delegate form to allow the Utilities Deputy Director Jani Husan and Utilities Director Bill Davis to serve as voting delegates again.”

Ms. Mackey inquired if the voting delegates would commit to the county's resources or legislative initiatives.

Mr. Brown maintained that Mr. Hussain and Mr. Davis would not commit the County to any resources or represent any legislative action on behalf of the County.

Ms. McBride moved to authorize the County Administrator to execute the voting delegate form to appoint Utilities Deputy Director Jani Hussain and Director Bill Davis as the voting delegate and alternate voting delegate, respectively, to represent and participate in the South Carolina Rural Water Association (SCRWA) initiatives, seconded by Ms. Terracio.

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

The vote in favor was unanimous.

4. *Department of Public Works – Jim Hamilton-LB Owens Airport SC Aeronautics Commission Grant – Beacon Project* – Mr. Brown stated this item relates to the Jim Hamilton-LB Owens Airport. The airport has a beacon designed to allow airplanes to readily see where it is. Over time, trees have grown up in the area and partially blocked the view of the beacon. As a result, the beacon was out of compliance for visibility purposes. The County needed to raise the beacon to allow proper visibility for airplanes coming into the Jim Hamilton-LB Owens Airport. The SC Aeronautics Commission indicated that was in the well-being of those flying in, so they want to provide the County with funding to do what needs to be done for visibility. The request is to allow the Administrator to execute the documents and ratify the receipt of funding for the installation of the beacon.

Ms. Barron moved to allow the Administrator to execute the documents and ratify the receipt of funding for the installation of the beacon, seconded by Mr. Weaver.

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

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Terracio recognized pointed out that we have some students who are in the audience this evening and thank them for their attendance.

Ms. Barron moved to reconsider Items 9(b)(1)- 9(b)(4), seconded by Ms. Newton.

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** – No report was given.

11. **REPORT OF THE CHAIR**

- a. 2024 Transportation Referendum – Ms. Mackey stated that a big undertaking took place in the county to inform Richland County constituents about the works of the Penny in the county which aligns with the Strategic Planning initiative to foster community engagement, good governance and transparency. She thanked her colleagues, the Transportation Penny Advisory Committee, Administration, the Clerk of Council's Office, the Public Information Office, the Information Technology Department, the Public Works Department, specifically the Public Works Director, Michael Maloney.

Mr. Pugh thanked Ms. Mackey for her leadership during this process.

12. **OPEN/CLOSE PUBLIC HEARINGS**

- b. An Ordinance Authorizing a deed to the City of Columbia to waterlines running under and along the dirt road paving project as Summer Haven Drive from Haven Circle to Dead End; Richland County TMS #01312-02-02 & 03, 01312-03-03 & 04, & 01315-01-07 (portion); CF #354-47 – No one signed up to speak.
- c. 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 Richland Owner LLC, a company previously identified as Project Flare; and other related matters

1. Anna Herron, 21 Oak Lake Court, Blythewood, SC 29016 – Spoke in opposition.

At this point Ms. McBride stepped away from the meeting.

13. **APPROVAL OF CONSENT ITEMS**

- a. Case #24-013MA, Krut Patel, HI to R3 (33.33 Acres), 2336 Hard Scrabble Road, TMS #R17211-01-02 {District 7} [SECOND READING]
- b. Case #24-018MA, Bonnie Joshi, HM to RT (4.39 Acres), 140 Richland Farms Road, TMS #R30953-01-06 {District 11} [SECOND READING]
- c. Case #24-034MA, Willie Simmons, INS to R3 (0.52 Acres), N/S Innsbrook Drive, TMS #R07401-07-22 {District 5} [SECOND READING]
- d. Case #24-039MA, Joy C. McMillion, HM to RT (4.08 Acres), 1140 Congaree Road, TMS #R24700-10-30 {District 11} [SECOND READING]
- e. Case #24-041MA, Norman Gross, AG to HM (40.08 Acres), 1463 Ridge Road, TMS #R24900-07-24 {District 11} [SECOND READING]
- f. Community Planning & Development – Heritage Tourism Marketing Plan

Ms. Newton moved to approve Items 13(a)-13(f), seconded by Mr. Pugh.

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

Not Present: McBride

The vote in favor was unanimous.

Ms. Barron moved to reconsider Item 19(f), seconded by Ms. Newton.

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

Not Present: McBride

The motion for reconsideration failed.

14. **THIRD READING ITEMS**

- 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 Richland Owner LLC; a company previously identified as Project Flare; and other related matters – Ms. Terracio moved to approve this item, seconded by Ms. Barron.

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

Not Present: McBride

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

The vote in favor was unanimous.

Mr. Walker moved to reconsider this item, seconded by Mr. Livingston.

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

Not Present: McBride

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

The motion for reconsideration failed.

- b. An Ordinance authorizing a deed to the City of Columbia to waterlines running under and along the dirt road paving project at Summer Haven Drive from Haven Circle to Dead End; Richland County TMS #01312-02-02 & 03, 01312-03-03 & 04, & 01315-01-07 (portion); CF #354-47 – Mr. Walker moved to approve this item, seconded by Ms. Barron.

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

Not Present: McBride

The vote in favor was unanimous.

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

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

Not Present: McBride

The motion for reconsideration failed.

15. **REPORT OF THE STRATEGIC PLANNING AD HOC COMMITTEE**

- a. A Resolution authorizing the formation of a public-private partnership for economic development; approving the bylaws governing the business and activities of the public-private partnership; and other related matters – Ms. Mackey stated the committee recommended approval of the resolution and bylaws. She noted there were proposed amendments by the County Attorney to Article VI – Section 6 and Article VII – Section 5. The amendments provide additional language to assist County Council in having more oversight over the President/CEO of the Public-Private Partnership. The amendments are as follows:

Article VI. Section 6. Removal. *The Directors appointed pursuant to Section 2(b) of this Article VI may be removed by a majority vote of the Richland County Council.*

Section 5. President/CEO. *The President/CEO is selected by the Board of Directors[, following receipt of approval by County Council.] The President/CEO shall serve pursuant to the terms of a contract negotiated with the Board of Directors. County Council shall be given the opportunity to affirm the President/CEO's continued service on the earlier to occur of (i) every fifth anniversary of the President/CEO's employment date, or (ii) on any extension or renewal date of the President/CEO's contract.*

The *President/CEO* may sign any deeds, mortgages, bonds, contracts or other instruments which the Executive Committee has authorized to be executed except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of *President/CEO* and such other duties as may be prescribed by the Board of Directors from time to time, *which duties shall include the preparation and submission of an annual report to the County Council. The Board of Directors shall conduct an annual performance evaluation of the President/CEO and shall solicit input and feedback from the County Council.*

Mr. Livingston moved to approve the resolution and bylaws with the County Attorney's proposed amendments to Articles VI and VII, seconded by Ms. Mackey.

Mr. Weaver stated, for clarification, that we are not utilizing any County tax dollars.

Ms. Mackey replied that when we refer to County tax dollars, we mean the funding already allocated to the Economic Development Department.

Ms. Barron inquired if Section VI, which refers to the removal of Directors, specifically refers to the Board of Directors and if Councilmembers are considered to be Directors.

Mr. Wright responded Section VI does refer to the Board of Directors. The Councilmembers appointed to the Public-Private Partnership would be a part of the Board of Directors.

Ms. Barron noted the Councilmembers on the Board of Directors could be removed by a two-thirds vote.

Mr. Wright indicated Section VI only applies to the three (3) members in Section II(b) appointed by County Council.

Ms. Barron expressed that she would be more comfortable with additional language.

Mr. Branham noted Section X states, "These Bylaws may be amended or repealed and new Bylaws may be adopted by the vote of two-thirds of all members of the Board of Directors." He inquired if there are provisions where the Board of Directors is not allowed to touch certain parts of the Bylaws.

Mr. Wright replied that the Board of Directors can amend the organization's bylaws because it is a separate organization. If the Board of Directors makes any substantive changes (e.g., how members are appointed), Council does not have to fund the organization, and the organization would die.

Mr. Branham pointed out that four (4) Board members must be present for a meeting, but it does not require that any of the four (4) have a connection to County Council.

Mr. Wright responded that we could amend the language if the body desired it.

Ms. Terracio requested some clarity and transparency around how the members are appointed.

Ms. Newton noted that she would like to discuss establishing our metrics for success further. In addition, she would like to see a "kill switch" or "trigger" if the Public-Private Partnership is not working and to pull it back in-house.

Ms. Barron inquired if Council will have an opportunity to revisit the Bylaws and changes related to Councilmembers.

Mr. Livingston maintained one of the weak points in economic development is not including the private sector.

Mr. Walker moved to call for the question, seconded by Ms. Newton.

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

Not Present: McBride

Opposed: Branham and Newton

The vote was in favor of calling for the question.

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

Not Present: McBride

Opposed: Branham and Newton

The vote was in favor of approving the resolution and bylaws.

16. **REPORT OF THE COMMUNITY IMPACT GRANTS COMMITTEE**

- a. Current Grantee Status Update – Ms. Mackey noted that an update on the grantees' status is included in the agenda packet. One organization is not in compliance, and staff is working with them.
- b. Community Partner Determination – Ms. Mackey stated the committee agreed that moving forward, we would re-evaluate the list of Community Partners at least every three years. The current Community Partners will be in their third year and eligible for re-evaluation next year. The current Community Partners are: Senior Resources, MIRCI, Community Relations Council, Palmetto AIDS Life Support, Columbia Chamber of Commerce (BRAC), Transitions, Columbia Urban League, Oliver Gospel Mission, and Pathways to Healing.

Ms. Terracio requested that Council be sensitive to organizations that provide an essential service to the community (e.g., Transitions). She noted we hold a seat on their Board and have a voice in how their funding is utilized.

- c. Areas of Impact – The committee did not take action on this item.

- d. Application – The committee recommended approving the application as submitted, with the exception of the areas of impact.

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

Not Present: McBride

The vote in favor was unanimous.

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

- a. Consultant Contract – This item was taken up in Executive Session.
- b. Annual Evaluation – This item was taken up in Executive Session.
 - 2. County Administrator
 - 3. County Attorney
 - 4. Clerk to Council
- c. Employee Contract Review – This item was taken up in Executive Session.

18. **OTHER ITEMS**

- a. FY25 – District 2 Hospitality Tax Allocations (The Big Red Barn Retreat - \$5,000; Omega Men of Columbia - \$7,500; Women’s SC Golf Association - \$5,000)
- b. FY25 – District 3 Hospitality Tax Allocations (Auntie Karen Foundation - \$33,000; Township Auditorium - \$20,000; Kemetec Institute – 2024 Kwanzaa - \$10,000; Columbia (SC) Chapter of the Link, Inc. - \$10,000; South Carolina Ballet - \$10,000; Jack & Jill of America – Columbia SC - \$7,000; Greater Columbia CRC - \$10,000; Dapper & Distinguished Gentlemen - \$5,000; Columbia World Affairs Council - \$7,000; Wiley Kennedy Foundation - \$20,000)
- c. FY25 – District 4 Hospitality Tax Allocations (SC Restaurant & Lodging Association - \$5,000; The Big Red Barn Retreat - \$5,000; Columbia World Affairs Council - \$10,000)
- d. FY25 – District 5 Hospitality Tax Allocations (Dapper & Distinguished Gentlemen - \$5,000)
- e. FY 25 – District 6 Hospitality Tax Allocation (Camp Cole Foundation - \$10,000; SC Philharmonic - \$10,000; Columbia Music Fest Association - \$5,000)
- f. FY25 – District 7 Hospitality Tax Allocations (ColaJazz Foundation - \$5,000; Black Pages International - \$5,000; The Big Red Barn Retreat - \$10,000; Kappa Foundation of Columbia - \$7,500; Share a Smile PHP - \$5,000; Junior League of Columbia - \$15,000)
- g. FY25 – District 8 Hospitality Tax Allocations (Columbia (SC) Chapter of the Links, Inc. - \$7,500; Kappa Foundation of Columbia - \$7,500)
- h. FY25 – District 9 Hospitality Tax Allocations (Kappa Foundation of Columbia - \$5,000; Columbia (SC) Chapter of the Links, Inc. - \$7,500)
- i. FY25 – District 10 Hospitality Tax Allocations (SC Gospel Quartet Awards - \$10,000; Town of Eastover - \$10,000; LR Sweet Potato Festival - \$25,000; Kingsville Historical Foundation - \$25,000)
- j. FY25 – District 11 Hospitality Tax Allocations (SC Gospel Quartet Awards - \$10,000)
- k. A Resolution to appoint and commission Ashley Bush as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- l. A Resolution to appoint and commission Kendrick Hammond as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- m. A Resolution to appoint and commission William Dodge as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- n. A Resolution declaring the results of the 2024 Special Sales and Use Tax Referendum; and other related matters

Ms. Newton moved to approve Items 18(a) – 18(n), seconded by Mr. Branham.

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

Not Present: McBride

The vote in favor was unanimous.

Ms. Barron moved to reconsider Items 18(a) – 18(n), seconded by Ms. Terracio.

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

Not Present: McBride

The motion for reconsideration failed.

19. **EXECUTIVE SESSION** – Ms. Newton moved to go into Executive Session, seconded by Mr. Livingston.

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

Not Present: McBride

The vote in favor was unanimous.

***Council went into Executive Session at approximately 7:08 PM
and came out at approximately 8:15 PM***

At this point Ms. McBride returned to the meeting while Council was in Executive Session.

Ms. Barron 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.

Ms. Mackey indicated Council entered into Executive Session to receive legal advice. No action was taken in Executive Session.

- a. Legal Advice: Clerk of Court/Judicial Center – CASA & Legislative Delegation [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – Ms. Terracio moved to authorize the Administrator to execute the lease agreement to house CASA, the Legislative Delegation, and additional services, seconded by Mr. Walker.

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 this item, seconded by Mr. Walker.

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

The motion for reconsideration failed.

- b. Contractual Matter – Alvin S. Glenn Detention Center & Department of Mental Health – Columbia Area Mental Health Center [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – Mr. Weaver moved to authorize the Administrator to enter into an annual agreement with Columbia Area Mental Health Center and Richland County for Alvin S. Glenn Detention Center, seconded by Mr. Walker.

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 Ms. Barron.

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

The motion for reconsideration failed.

- c. Fire Services Agreement between the City of Columbia and Richland County [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – No action was taken.

- d. Personnel Matter: Clerk to Council Contract [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(1)] – Ms. Newton moved to authorize the Chair to negotiate the Clerk to Council's contract as discussed in 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.

20. **MOTION PERIOD** – There were no motions submitted.

21. **ADJOURNMENT** – Mr. Walker moved to adjourn the meeting, seconded by Ms. Mackey.

In Favor: Pugh and McBride

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

The motion to adjourn the meeting failed.

Ms. Newton 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 was adjourned at approximately 8:20 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): Council Meeting 11.12.2024

14a - Authorizing the expansion of the
boundaries of the I-77 (Project Flare)

REASONS FOR DISQUALIFICATION:

My parent company represents the
applicant.

Jessica Mackey / Jessica Mackey
Print and sign your name

11-12-24
Date

Anette A. Kirylo
Print and sign your name

11.12.24
Date received by Clerk Dept.

Richland County Council Request for Action

Subject:

Case # 24-013MA
Krut Patel
HI to R3 (33.33 Acres)
2336 Hard Scrabble Road
TMS #R17211-01-02 [District 7]

Notes:

First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading:
Public Hearing: October 22, 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 # R17211-01-02 FROM HEAVY INDUSTRIAL DISTRICT (HI) TO RESIDENTIAL THREE DISTRICT (R3); 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 # R17211-01-02 from Heavy Industrial District (HI) to Residential Three District (R3).

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: September 24, 2024
First Reading: September 24, 2024
Second Reading: October 1, 2024
Third Reading: October 15, 2024

Richland County Council Request for Action

Subject:

Case #24-018MA
Bonnie Joshi
HM to RT (4.39 Acres)
140 Richland Farms Road
TMS #R30953-01-06 [District 11]

Notes:

First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading:
Public Hearing: October 22, 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 # R30953-01-06 FROM HOMESTEAD DISTRICT (HM) TO RESIDENTIAL TRANSITION DISTRICT (RT); 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 # R30953-01-06 from Homestead District (HM) to Residential Transition District (RT).

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: October 22, 2024
First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading: November 19, 2024

Richland County Council Request for Action

Subject:

Case # 24-034MA
Willie Simmons
INS to R3 (0.52 Acres)
N/S Innsbrook Drive
TMS #R07401-07-22 [District 5]

Notes:

First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading:
Public Hearing: October 22, 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 # R07401-07-22 FROM INSTITUTIONAL DISTRICT (INS) TO RESIDENTIAL THREE DISTRICT (R3); 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 # R07401-07-22 from Institutional District (INS) to Residential Three District (R3).

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: September 24, 2024
First Reading: September 24, 2024
Second Reading: October 1, 2024
Third Reading: October 15, 2024

Richland County Council Request for Action

Subject:

Case # 24-041MA
Norman Gross
AG to HM (40.08 Acres)
1463 Ridge Road
TMS #R24900-07-24 [District 11]

Notes:

First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading:
Public Hearing: October 22, 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 # R24900-07-24 FROM AGRICULTURAL DISTRICT (AG) TO HOMESTEAD DISTRICT (HM); 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 # R24900-07-24 from Agricultural District (AG) to Homestead District (HM).

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: September 24, 2024
First Reading: September 24, 2024
Second Reading: October 1, 2024
Third Reading: October 15, 2024

Richland County Council Request for Action

Subject:

Case # 24-039MA
Joy C. McMillion
HM to RT (4.08 Acres)
1140 Congaree Road
TMS #R24700-10-30 [District 11]

Notes:

First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading:
Public Hearing: October 22, 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 # R24700-10-30 FROM HOMESTEAD DISTRICT (HM) TO RESIDENTIAL TRANSITION DISTRICT (RT); 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 # R24700-10-30 from Homestead District (HM) to Residential Transition District (RT).

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: October 22, 2024
First Reading: October 22, 2024
Second Reading: November 12, 2024
Third Reading: November 19, 2024

Richland County Council Request for Action

Subject:

An Ordinance authorizing the execution and delivery of an amendment to the infrastructure credit agreement by and between Richland County, South Carolina, and Gable Oaks Housing Associates LP; and other related matters

Notes:

First Reading: October 1, 2024

Second Reading:

Third Reading:

Public Hearing:

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

**AUTHORIZING THE EXECUTION AND DELIVERY OF AN
AMENDMENT TO THE INFRASTRUCTURE CREDIT AGREEMENT BY
AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND
GABLE OAKS HOUSING ASSOCIATES LP; AND OTHER RELATED
MATTERS.**

WHEREAS, Richland County, South Carolina (“County”), acting by and through its County Council (“County Council”) entered into an Infrastructure Credit Agreement effective as of January 1, 2021 (“Agreement”), with Gable Oaks Housing Associates LP (“Company”) pursuant to the provisions of Title 4, Chapter 1 of the Code of Laws of South Carolina, 1976, as amended (“Act”);

WHEREAS, pursuant to the Agreement the Company committed to (i) acquire and substantially rehabilitate an affordable housing project in the County known as Gable Oaks Apartments (“Project”) consisting of a total investment of greater than \$20,000,000, of which \$6,000,000 was to be expended to rehabilitated and improve the Project (“Company Commitment”) on or before December 31, 2024 (“Certification Date”) and (ii)(A) operate the Project as an affordable housing project, (B) maintain the Project in a safe and secure condition for the residents, and (C) promptly address any code violations;

WHEREAS, based on the Company’s commitments and as authorized under the Act, the County located the project in the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County, South Carolina and agreed to provide credits (“Infrastructure Credits”) against the Company’s fee payments with respect to the Project;

WHEREAS, the Company notified the County that it would not fully-achieve the Company Commitment by the Certification Date and does not presently expect to fully-achieve the Company Commitment due to a change in the Company’s expectations that it would finance the rehabilitation and improvements to the Project through the use of low-income housing tax credits; provided, however, the Company has at all times met its other commitments to (i) operate the Project as an affordable housing project, (ii) maintain the Project in a safe and secure condition for the residents, and (iii) promptly address any code violations; and

WHEREAS, the County and the Company have negotiated a reduction in the term of the Infrastructure Credits and desire to enter into an amendment to the Agreement (“Amendment”), the substantially final form of which is attached hereto as Exhibit A, to memorialize the modification to the term of the Infrastructure Credit;

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

Section 1. *Authorization to Execute and Deliver Amendment.* The reduction of the term of the Infrastructure Credit is hereby approved and the form, terms and provisions of the Amendment is approved. All of the Amendment’s terms and conditions are incorporated in this Ordinance by reference. The Chair of County Council (“Chair”) is authorized and directed to execute the Amendment in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Amendment and to deliver the Amendment to the Company.

Section 2. *Further Assurances.* County Council confirms the authority of the Chair, the County Administrator, the Director of Economic Development, the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, the Director of Economic Development, as appropriate, to take whatever further action and to negotiate, execute and

deliver whatever further documents as may be appropriate to effect this Ordinance and the Amendment.

Section 3. *Savings Clause.* The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

Section 4. *General Repealer.* Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 5. *Effectiveness.* This Ordinance is effective after its third reading and public hearing.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk of Council, Richland County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 1, 2024
Second Reading: November 19, 2024
Public Hearing:
Third Reading:

EXHIBIT A
FORM OF AMENDMENT

**FIRST AMENDMENT TO
INFRASTRUCTURE CREDIT AGREEMENT**

This **FIRST AMENDMENT TO INFRASTRUCTURE CREDIT AGREEMENT** (this "**Amendment**") is made and entered into as of the ____ day of _____, 2024, by and between **RICHLAND COUNTY, SOUTH CAROLINA** ("**County**"), a body politic and corporate and political subdivision of the State of South Carolina ("**State**"), acting through the County Council of the County ("**County Council**") as the governing body of the County, and **GABLE OAKS HOUSING ASSOCIATES LP**, a South Carolina limited partnership ("**Company**"). Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement (as that term is defined below).

WITNESSETH:

WHEREAS, the Company and the County entered into that certain Infrastructure Credit Agreement effective as of January 1, 2021 (the "**Agreement**") pursuant to which the Company committed to acquire and substantially rehabilitate an affordable housing project in the County known as Gable Oaks Apartments ("**Project**") consisting of a total investment of greater than \$20,000,000, of which \$6,000,000 was to be expended to rehabilitate and improve the Project on or before December 31, 2024 ("**Certification Date**");

WHEREAS, the Company further committed to operate the Project in compliance with the Low Income Rental Restrictions, maintain the Project in a safe and secure condition for the residents and promptly address any Code Violations;

WHEREAS, based on the Company's commitments, the County agreed to provide an Infrastructure Credit against certain of the Company's Fee Payments due with respect to the Project for the Credit Term in an amount equal to 90% of the Company's annual Fee Payment due with respect to the Project;

WHEREAS, the Company notified the County that it would not achieve the Company Commitment by the Certification Date and does not presently expect to achieve the Company Commitment due to a change in the Company's expectations that it would finance the rehabilitation and improvements to the Project through the use of low-income housing tax credits;

WHEREAS, under the terms of the Agreement, the County has the right to terminate the Agreement if the Company fails to certify the Company Commitment by the Certification Date and on termination of the Agreement the Company would no longer be entitled to any further benefit under the Agreement including the receipt of the Infrastructure Credit;

WHEREAS, because the Company has met its other commitments to operate the Project in compliance with the Low Income Rental Restrictions, maintain the Project in a safe and secure condition for the residents and promptly address any Code Violations, the County has determined not to terminate the Agreement but rather to reduce the Credit Term;

WHEREAS, the County and the Company are entering into this Amendment to modify the Agreement to memorialize the reduced Credit Term subject to the conditions set forth herein; and

WHEREAS, the County has approved this Amendment by Ordinance enacted by its County Council as of [], 2024.

NOW, THEREFORE, the County and the Company hereby agree as follows:

1. Exhibit B, as referenced in Section 2.2 of the Agreement is amended by restating the “**DESCRIPTION OF INFRASTRUCTURE CREDIT**” in its entirety as follows:

Notwithstanding the Company’s failure to achieve the Company Commitment by the Certification Date, so long as the Company achieves its Interim Commitment (as defined below) on or before December 31, 2026, the Company is entitled to an Infrastructure Credit equal to 90% of the annual Fee Payment due with respect to the Project for a period of 10 years commencing with the first Fee Payment due with respect to the Project, which was property tax year 2021.

“Interim Commitment” shall mean provision of a written certification to the County (by delivery to the County’s Economic Development Department) confirming (i) the completed installation of planned exterior lighting by Dominion Energy, (ii) the expenditure of at least \$200,000 by the Owner for capital improvements and maintenance at the Project, and (iii) that any HVAC units identified as deficient or defective in the property condition assessment commissioned by the Company have been fully addressed. The Company shall include in the written certification to the County a report regarding the maintenance and replacement of HVAC units at the Project.

2. Except as modified by this Amendment, the Agreement remains in full force and effect. The parties agree that the Infrastructure Credit as modified by this Amendment shall supersede any other agreement between the parties with respect to the Infrastructure Credit.

3. Prior to the expiration of the Credit Term, the Company may request an extension of the Credit Term. The County, acting in its sole discretion, may extend the Credit Term by resolution adopted by County Council on a finding of substantial public benefit.

4. This Amendment shall be construed and enforced in accordance with, and the rights of the parties shall be governed by, the laws of the State of South Carolina.

5. The Company represents that the execution, delivery and performance by the individual or entity signing this Amendment on behalf of the Company has been duly authorized and approved by all requisite action on the part of the Company.

6. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument and shall become binding when one or more of the counterparts have been signed by each of the parties and delivered to the other party.

7. This Amendment is effective as of the date first written above.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the date first written above.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Name: _____
Title: _____

ATTEST:

Clerk to County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

GABLE OAKS HOUSING ASSOCIATES LP
a South Carolina limited partnership

By: Rhett Realty LLC,
its General Partner

By: Wishrock Housing Partners LLC,
its Sole Member

By: _____
Name:
Title:

WHEREAS, the County desires to amend Exhibit A of the Existing Agreement to include the Additional Property.

NOW, THEREFORE, BE IT RESOLVED by the County Council as follows:

Section 1. *Approval of Addition of the Additional Property.* The addition of the Additional Property to the Existing Agreement is hereby approved. Exhibit A of the Existing Agreement (and all other provisions as may be necessary) shall be amended to include the Additional Property. The Chair of County Council (“Chair”), is authorized to execute such documents and take such further actions as may be necessary to include the Additional Property in the Existing Agreement.

Section 2. *Expansion of the Park Boundaries, Inclusion of Additional Property.* The expansion of the Park boundaries and an amendment to the Park Agreement to include the Additional Property in the Park is authorized. The Chair is authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries and the amendment to the Park Agreement. Pursuant to the terms of the Park Agreement, the expansion of the Park's boundaries to include the Additional Property is complete on the adoption of this resolution by County Council, receipt of the consent of the City of Columbia as to the inclusion of the Additional Property in the Park and delivery of written notice to Fairfield of the inclusion of the Additional Property, which written notice shall include a copy of this Resolution and identification of the Additional Property.

Section 3. *Authorization.* The County Council authorizes the Chair and the County Administrator, for and on behalf of the County, to take whatever further actions as may be reasonably necessary and prudent to effect the provisions of this Resolution.

Section 4. *Severability.* Should any part, provision, or term of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Resolution or any part, provision or term thereof, all of which is hereby deemed separable.

Section 5. *Repealer Clause.* All orders, resolutions, or any parts of either, in conflict with this Resolution are, to the extent of that conflict, repealed. This Resolution is effective and remains in effect as of its adoption by the County Council.

[Signature Page Follows]

APPROVED AND ADOPTED IN A MEETING THIS ____ DAY OF NOVEMBER, 2024.

RICHLAND COUNTY, SOUTH CAROLINA

Chairman
Richland County Council

Richland County Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

EXHIBIT A

ADDITIONAL PROPERTY

R09016-07-01

All that certain piece, parcel or lot of land, together with the improvements thereon, situate, lying and being at the Southeastern corner of the intersection of Elmwood Avenue and Marion Street, in the City of Columbia, in the County of Richland, in the State of South Carolina, measuring on its Eastern and Western sides forty-four and 3/10 (44.3') feet, more or less, and on its Northern and Southern sides one hundred and four (104') feet, more or less, bounded as follows, to wit: On the North by said Elmwood Avenue; on the East by lot formerly of LaRoche; on the South by the alley way hereinafter referred to, and on the West by said Marion Street; together with the use of, in and the right of way over and along the alley way nine (9) feet in width adjoining the lot above on the South for its entire depth; the use of said alley way being essentially necessary to the use and enjoyment of the lot hereinabove described and conveyed. (For agreement creating and establishing the joint alley way hereinabove referred to between Margery E. Walker and others, see agreement recorded in the Office of the Register of Deeds for Richland County in Book DT at page 102).



Informational Agenda Briefing

Prepared by:	Lori Thomas	Title:	Assistant County Administrator
Department:	Administration	Division:	
Date Prepared:	November 14, 2024	Meeting Date:	November 19, 2024
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Meeting/Committee	Community Impact Grants		
Subject:	FY 2026 Impact Areas for Community Impact Grants		

At the November 12, 2024 Community Impact Grant Committee meeting, staff was requested to work with Committee Chairperson Mackey to recommend and specify areas of impact for the FY 2026 Community Impact Grant applications. Based on this request, below are the areas for consideration.

- Programs to promote home ownership through education on financial planning and education
- Youth and recreational activities to reduce community violence and improve safety
- Programs to create sustainable childcare for working parents to further workforce development
- Food Insecurity
- Veteran's Assistance to improve health and wellness