



Richland County Council
Regular Session
MINUTES
February 6, 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, Paul Livingston, Allison Terracio (via Zoom), Don Weaver, Gretchen Barron, Overture Walker, Cheryl English, and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, Chelsea Bennett, Lori Thomas, Stacey Hamm, Susan O’Cain, Dale Welch, Ashiya Myers, Kyle Holsclaw, Angela Weathersby, Andrew Haworth, Jennifer Wladischkin, Tamar Black, Patrick Wright, Peter Cevallos, Michael Maloney, Ashley Fullerton, Jeff Ruble, Thomas Gilbert, Judy Carter, Shirani Fuller, Harry Polis, and Quinton Epps.

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

Ms. Mackey noted Mr. Pugh would participate via Zoom at this evening’s meeting.

2. **INVOCATION** – The Invocation was led by the Honorable Cheryl English.

3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Jesica Mackey.

POINT OF PERSONAL PRIVILEGE – Ms. English acknowledged that Ms. Anette Kirylo, Clerk to Council, became an American citizen in December 2023.

4. **PRESENTATION OF PROCLAMATIONS**

- a. A Proclamation Recognizing Chung Ho Yi – Mr. Weaver presented a proclamation to Mr. Chung Ho Yi.

POINT OF PERSONAL PRIVILEGE – Mr. Walker recognized former Councilman Jim Manning for being appointed to the Election Commission.

POINT OF PERSONAL PRIVILEGE – Ms. Mackey recognized that Chief Magistrate Valerie Stroman, Judge Donald Simons, and the Recreation Commission’s Acting Executive Director, Taurus Lewis, were in the audience.

5. **APPROVAL OF MINUTES**

- a. Regular Session: January 2, 2024 – Mr. Livingston 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.

6. **ADOPTION OF AGENDA** – Mr. Walker moved to adopt the agenda as published, seconded by Ms. English.

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

The vote in favor was unanimous.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Patrick Wright, County Attorney, indicated the following items qualify for Executive Session under South Carolina Code section 30-4-70: (a)(2)

- a. Legal Update: Transportation Road Map

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

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

The vote in favor was unanimous.

**Council went into Executive Session at approximately 6:15 PM
and came out at approximately 6:59 PM**

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

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

The vote in favor was unanimous.

Ms. Mackey indicated no action was taken in Executive Session.

- a. Legal Update: Transportation Road Map – No action was taken.

8. **CITIZENS' INPUT**

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

9. **CITIZENS' INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.)

- 1. Mr. Taurus Lewis, 7473 Parklane Road, Columbia, SC 29223 – Recreation Commission

10 **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration – There were no updates for consideration.
- 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. *Richland Library – Acquisition of Edgewood Library Branch – 2101 Oak Street* – Mr. Leonardo Brown, County Administrator, stated staff recommends approval of Richland Library's acquisition of the Edgewood Library Branch.

Mr. Branham inquired if the purchase would be made with the library's current budgeted funds.

Mr. Brown responded the library had anticipated this purchase and had the funds to do so.

Mr. Livingston moved to approve Richland Library's acquisition of the Edgewood Library Branch located at 2101 Oak Street, seconded by Ms. Newton.

Ms. McBride requested additional information regarding the purchase since the Edgewood Library has already been built.

Mr. Brown indicated in July 2016, the Richland Library entered into a lease agreement with an option to purchase the property. In 2019, there was an amendment to allow the purchase. Since Richland County is the leaseholder, the library cannot purchase the property on its own.

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

The vote in favor was unanimous.

- 2. *Community Planning & Development Services – Conservation Division: Richland Owner LLC Mitigation Credit Sales* – Mr. Brown indicated staff recommends approval of the Richland Owner, LLC request to purchase 5.1 wetland credits for the construction of the Comet Richland Apartments in Richland County at a rate of \$20,000 per credit. The sale will generate \$113,687.50, which will be credited to the Transportation Penny Program.

Mr. Livingston moved to approve Richland Owner, LLC's request to purchase 5.1 wetland credits for the construction of the Comet Richland Apartments in Richland County at a rate of \$20,000 per credit, 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. *Chief Magistrate – County Magistrate Offices Improvement Priority List* – Mr. Brown stated a previous version of Council communicated to staff that for the Magistrate’s Office to move forward with the decisions on the funding provided, they had to produce a priority list. Through a few iterations of Chief Magistrates, we are now at the point where a priority list is being provided. Staff is requesting approval of the priority list as proposed by Chief Magistrate Valerie Stroman for the County Magistrate facility improvements in the following order:
 - a. *Olympia Magistrate*
 - b. *Pontiac Magistrate*
 - c. *Lykesland Magistrate*
 - d. *Dentsville Magistrate*
 - e. *Waverly Magistrate*
 - f. *Eastover Magistrate*

Mr. Brown noted there was \$8M allocated to improve and/or relocate Magistrate facilities within their specific jurisdictions. The current available funding is \$7,314,149.

Mr. Walker moved to approve the priority list proposed by the Chief Magistrate for improvements and/or relocation of County Magistrate facilities in the following order: Olympia, Pontiac, Lykeland, Dentsville, Waverly, and Eastover, seconded by Ms. English.

Mr. Livingston inquired if the county leased or owned the properties listed.

Judge Simons stated all the facilities listed except the Eastover Magistrate’s Office are leased. He noted the Eastover Magistrate is in dire need of improvements.

Mr. Livingston inquired if their goal is still to own as many Magistrate facilities as possible.

Judge Simons responded that the original plan was to get all of the Magistrates out of rental properties and into county-owned facilities. He indicated the Dutch Fork Magistrate is not on the list but is also in bad shape.

Mr. Walker said it was his understanding there was a previous priority list, and the Pontiac Magistrate was #1 on the list.

Judge Simons maintained there has never been a priority list. When we initially started looking at the Magistrate’s Offices, we submitted a list, but the list changed. He indicated the Olympia Magistrate’s lease is up for renewal soon, which is why they wanted to go ahead and get them into another facility and not renew their lease. The Pontiac and Dentsville Magistrate Offices are currently being housed at Central Court.

Mr. Weaver inquired if the \$7.3M has already been allocated.

Mr. Brown responded that the funding was specifically allocated to relocate and improve the Magistrate offices.

For clarification, Mr. Weaver stated that the County will build six Magistrate facilities for \$7.3M.

Judge Simons replied the \$7.3M will not build all six facilities. We will construct as many as possible, and then they will have to come back to Council for additional funding.

Mr. Weaver said he assumed we would utilize a standard plan for the facilities and not redesign each one.

Judge Simons responded that was their plan.

Ms. Barron inquired as to how the priority list was created and ranked.

Judge Simons stated there are many different factors. One is being able to find a piece of property within the district. Another is the needs of the facilities. There was no favoritism given.

Mr. Pugh noted there are some health issues at the Dutch Fork Magistrate’s Office.

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

The vote in favor was unanimous.

Ms. Newton moved to reconsider Items 10(b)(1), 10(b)(2), and 10(b)(3), seconded by Ms. Terracio.

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

The motion for reconsideration failed.

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

12. **REPORT OF THE CHAIR**

- a. Affordable Housing Ad Hoc Committee – Ms. Mackey stated Council held its annual Strategic Planning Forum in Spartanburg a few weeks ago. A part of the discussion involved affordable housing and where the body wanted to go. From that discussion, she would like to establish an Affordable Housing Ad Hoc Committee to dive deeper into the things discussed and develop a path forward. The Clerk’s Office will email the Council members with a description of the committee. If anyone is interested in participating, please reply by February 13th.

13. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 3, Airports – No one signed up to speak.
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 18, Offenses, by amending Section 18-4, Unsafe and Noxious Vegetation, so as to establish standards for unsafe and noxious vegetation, to define necessary terms, to provide that the responsible party of the property has a duty to maintain or remove unsafe and noxious vegetation and to amend the cut back requirements for certain property lines, to provide a penalty for failure to maintain or remove unsafe or noxious vegetation, and to remove language allowing a responsible party to request that work be done by the Department of Public Works for the County – No one signed up to speak.
- c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Building and Building Regulations; so as to codify the 2021 Editions of the International Residential Code, the International Building Code, the International Fire Code, the International Plumbing Code, the International Fuel Gas Code, the International Mechanical Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Property Maintenance Code and the 2009 South Carolina Energy Conservation Code, and the 2020 National Electric Code (NDPA 70) – No one signed up to speak.

14. **APPROVAL OF CONSENT ITEMS**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 3, Airports [THIRD READING]
- b. County Attorney’s Office – Road Closure Petition – Forest Glen Circle
- c. Department of Public Works – Engineering Division – Comprehensive Transportation Improvement Plan Fiscal Year 2024
- d. Department of Public Works – Jim Hamilton-LB Owens (CUB) Airport – Airport Manual Update
- e. County Administrator – Lease Renewal – Community Partners of the Midlands, LLC, a corporation of the United Way of the Midlands – Mr. Walker moved to approve this item, seconded by Mr. Livingston.

Ms. McBride inquired if the lease extension was for ten years.

Mr. Brown responded the lease terms are for four consecutive one-year terms unless either party decides to provide a 90-day written notice to terminate the lease.

Ms. McBride inquired if consideration had been given to including this in the Family Service Center.

Mr. Brown responded this would be a part of the Family Service Center.

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

The vote in favor was unanimous.

- f. Department of Public Works – Stormwater Management Division – Hickory Ridge Stormwater Conveyance Upgrade Design

Ms. Newton moved to approve Items 14(a)-14(f), seconded by Ms. Terracio.

Ms. McBride made a friendly amendment to remove Item 14(e) for discussion.

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

The vote in favor was unanimous.

Ms. Barron moved to reconsider Items 14(a)-14(f), seconded by Mr. Walker.

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

The motion for reconsideration failed.

15. **THIRD READING ITEM**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 18, Offenses, by amending Section 18-4, Unsafe and Noxious Vegetation, so as to establish standards for unsafe and noxious vegetation, to define necessary terms, to provide that the responsible party of the property has a duty to maintain or remove unsafe

and noxious vegetation and to amend the cut back requirements for certain property lines, to provide a penalty for failure to maintain or remove unsafe or noxious vegetation, and to remove language allowing a responsible party to request that work be done by the Department of Public Works for the County – Ms. Newton moved to approve this item, seconded by Ms. Barron.

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

The vote in favor was unanimous.

16. **SECOND READING ITEM**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to codify the 2021 Editions of the International Residential Code, the International Building Code, the International Fire Code, the International Plumbing Code, the International Fuel Gas Code, the International Mechanical Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Property Maintenance Code and the 2009 South Carolina Energy Conservation Code, and the 2020 National Electric Code (NDPA 70) – Ms. Newton moved to approve this item, seconded by Ms. Terracio.

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

The vote in favor was unanimous.

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

Ms. Terracio requested additional information regarding this project from the Economic Development Director, Jeff Ruble.

Mr. Ruble stated this is an expansion of a food-related company in the Southeast. It represents a \$44.4M investment and an additional 40 jobs.

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

The vote in favor was unanimous.

17. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Sunset Drive Sidewalk Project Award of Construction – Mr. Walker stated the committee recommended the award of the construction contract to Cherokee, Inc. for \$5,132,709.77, with a 10% construction contingency for a total approved amount of \$5,645,980.75. He noted there is an 18% SLBE goal, and the vendor has agreed to exceed the goal.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

OTHER ITEMS

- a. FY24 – District 3 Hospitality Tax Allocations (Auntie Karen Foundation - \$17,500)
- b. FY24 – District 4 Hospitality Tax Allocations (Auntie Karen Foundation - \$4,000)
- c. FY24 – District 5 Hospitality Tax Allocations (Richland County Library - \$2,500)
- d. FY24 – District 7 Hospitality Tax Allocations (Oliver Gospel Mission - \$3,000; Auntie Karen Foundation - \$10,000)
- e. FY24 – District 8 Hospitality Tax Allocations (Richland County Library - \$3,750)
- f. FY24 – District 9 Hospitality Tax Allocations (Richland County Recreation Foundation – Jazz Fest - \$5,000; Richland County Library - \$4,315)
- g. FY24 – District 11 Hospitality Tax Allocations (Richland County Library - \$5,000)

Ms. Newton moved to approve Items 18(a)-18(g), seconded by Ms. Barron.

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

The vote in favor was unanimous.

Ms. McBride moved to reconsider Items 18(a)-18(g), seconded by Ms. Newton

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

The motion for reconsideration failed.

19. **EXECUTIVE SESSION** – There were no additional Executive Session items.

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

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

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

The vote in favor was unanimous.

The meeting adjourned at approximately 7:42 PM.