



Richland County Council
Regular Session
MINUTES
March 5, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

NOT PRESENT: Paul Livingston

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, Lori Thomas, Stacey Hamm, Susan O’Cain, Dale Welch, Ashiya Myers, Kyle Holsclaw, Angela Weathersby, Andrew Haworth, Tamar Black, Patrick Wright, Michael Maloney, Ashley Fullerton, Jeff Ruble, Thomas Gilbert, Judy Carter, Geo Price, Shirani Fuller, Dante Roberts, Jackie Hancock, Quinton Epps, Jennifer Wladischkin, Wayne Thornley, and Zach Cavanaugh

1. **CALL TO ORDER** – Chairwoman Jessica Mackey called the meeting to order at approximately 6:00 PM.
Ms. Mackey noted that Ms. Barron would participate virtually at tonight’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 Derrek Pugh.
POINT OF PERSONAL PRIVILEGE – Ms. Mackey recognized that Judge Joseph Strickland was in the audience.
4. **PRESENTATION OF RESOLUTION**
 - a. **A Resolution recognizing and declaring Harriette “Hettie” Eugenia Anderson as America’s First African-American Artists’ Model** – Mr. Walker moved to adopt a resolution recognizing and declaring Harriette Eugenia Anderson as America’s First African-American Artists’ Model, seconded by Mr. Weaver.
In Favor: Branham, Pugh, McBride, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Livingston
The vote in favor was unanimous.
Mr. Walker read the resolution into the record.
5. **PRESENTATION OF PROCLAMATIONS**
 - a. **A Proclamation Recognizing Stephen Duerr as the 2023 Elementary Physical Education Teacher of the Year** – Ms. Terracio read the proclamation recognizing Stephen Duerr as the 2023 Elementary Physical Education Teacher of the Year into the record.
 - b. **A Proclamation Recognizing Columbia-Richland Fire Chief Aubrey Jenkins** – Ms. Newton moved to adopt a resolution recognizing Columbia-Richland Fire Chief Aubrey Jenkins, seconded by Mr. Pugh.
In Favor: Branham, Pugh, McBride, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Livingston
The vote in favor was unanimous.
Ms. Newton read the resolution into the record.
Mr. Pugh, Ms. English, Ms. Barron, and Ms. Mackey expressed their appreciation of Chief Jenkins.

6. **APPROVAL OF MINUTES**

- a. **Special Called Meeting: February 13, 2024** – Mr. Walker moved to approve the minutes as distributed, seconded by Ms. Newton

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

Not Present: Livingston and Terracio (left the meeting @ 6:31 PM)

The vote in favor was unanimous.

- b. **Zoning Public Hearing: February 27, 2024** – Mr. Walker moved to adopt the minutes as distributed, seconded by Mr. Branham.

Mr. Branham requested the minutes related to Item 4(a)(3) be corrected to include a reference to the existence and location of the gravesites that were discussed. In addition, note the Chicora report is part of the county records.

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

Not Present: Livingston and Terracio

The vote to approve the minutes as corrected was unanimous.

7. **ADOPTION OF AGENDA** – Mr. Pugh moved to adopt the agenda as published, seconded by Ms. Newton.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

8. **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 [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]**

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

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:34 PM
and came out at approximately 7:18 PM***

Ms. Newton moved to come out of Executive Session, seconded by Mr. Branham.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

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

Mr. Pugh moved to approve the Transportation Road Map, as discussed in Executive Session, seconded by Mr. Walker.

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

Abstain: Barron (due to not participating in Executive Session)

Not Present: Livingston and Terracio

The vote in favor was unanimous.

9. **CITIZENS' INPUT**

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

10. **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. Abigail Rogers, 21 Black Gum Road, Columbia, SC 29209 – Township Auditorium
2. Sue Kanipe, 72 Hamptonwood Way, Columbia, SC 29209 – Affordable Housing
3. Allen Browning, 809 Setter Lane, Hopkins, SC 29051 – Rogue Locksmith Company

11. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration

1. *General Updates* – No updates were given.

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

1. *County Utilities – Northeast Sewer Service Area Minor 208 Plan Amendment* – The County Administrator, Mr. Leonardo Brown, stated the Clean Water Act established an areawide approach to mitigating water pollution; the 208 Plan was created in South Carolina to assist local decision-makers regarding land use and its influence on water quality. The 208 Plan created nine municipal decision-makers, one of which is Richland County and another is the City of Columbia. Within the 208 Plan, there are individuals who have a service area. In that service area, they meet those individuals' needs if they can provide the service. They can also manage the area; if they cannot provide the service, they can allow another service provider to do that. What we have tonight is the ability to address the planned growth we expect to see from Scout Motors and to make a strategic decision based on our desires to be both the collaborative of the government and to accommodate future growth. We have three entities (Richland County, Southwest Water, and the City of Columbia) within this agreement that would allow us to serve residents and industry in the area identified in the maps in the agenda packet. This keeps us from having more issues of "fighting over services." Once approved by Council, this item will go to the Central Midlands Council of Governments (CMCOG). We feel confident this plan will be modified and amended to serve both the unincorporated and incorporated areas managed by Richland County and the City of Columbia. The agreement does not cost the County. We do not lose any ability we already retain in service, and it allows us to mitigate any disruptions because of entities fighting over "disputed" territory.

Mr. Weaver moved to approve the amendment to the 208 Plan, seconded by Ms. McBride.

Ms. Mackey inquired if there is an expiration date on this.

Mr. Brown responded that once it was approved, it would be done. The only thing that would change is if there were future amendments needed.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

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

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

Not Present: Livingston and Terracio

The motion for reconsideration failed.

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

13. **REPORT OF THE CHAIR**

- a. County Council Calendar: Reschedule Council meetings scheduled on April 2, 2024, to April 9, 2024 – Ms. Mackey noted that when we adopted the 2024 meeting calendar, we listed April 2nd as the first meeting for April. It has come to her attention that this date falls during Spring Break for many. She is requesting we consider moving the meeting date from April 2nd to April 9th.

Ms. Barron moved to change the meeting date from April 2nd to April 9th, seconded by Ms. English.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

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

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

Not Present: Livingston and Terracio

The motion for reconsideration failed.

14. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Authorizing the execution and delivery of one or more fee-in-lieu of ad valorem taxes and incentive agreement by and among Richland County, South Carolina, McEntire Produce, Inc.; R. C. McEntire Trucking, Inc.; and McEntire Limited Partnership to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – No one signed up to speak.

15. **APPROVAL OF CONSENT ITEMS**

- a. Case # 23-026MA, Tony Lawton, RU to GC, 113 Sease Road (1.14 Acres), TMS # R040032-02-17 [SECOND READING]
- b. An Ordinance amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; by adding Article VII entitled "Short-Term Rentals" so as to establish certain requirements for properties being used as short-term rentals, to define necessary terms, and to provide penalties [FIRST READING]
- c. Community Planning & Development/Department of Public Works – Professional Services – Town of Blythewood Intergovernmental Agreement
- d. Department of Public Works – Engineering Division – Summit Ridge Sidewalk Construction
- e. County Utilities – Quail Creek Sewer Extension
- f. Community Planning & Development – Conservation Division – Mill Creek Bridge Replacement

Mr. Walker moved to approve Items 15(a) – 15(f), seconded by Ms. English.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

Mr. Walker moved to reconsider Items 15(c) – 15(f), seconded by Mr. Pugh.

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

Not Present: Livingston and Terracio

The motion for reconsideration failed.

16. **THIRD READING ITEM**

- a. Authorizing the execution and delivery of one or more fee-in-lieu of ad valorem taxes and incentive agreement by and among Richland County, South Carolina, McEntire Produce, Inc.; R. C. McEntire Trucking, Inc.; and McEntire Limited Partnership 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. Pugh.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

17. **FIRST READING ITEMS**

- a. An Ordinance authorizing a quitclaim deed to Bobby J. and Nancy Y. Spivey for unused and unopened right-of-way on Lake Dogwood Circle South – Mr. Walker moved to approve this item, seconded by Ms. English.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

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

- 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 an infrastructure credit agreement to provide for infrastructure credits to Colite Technologies, LLC; and other related matters [FIRST READING] – Mr. Walker stated the committee recommended approval of this item.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

19. **OTHER ITEMS**

- a. A Resolution to appoint and commission Connor Cox as Code a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- b. FY24 – District 5 Hospitality Tax Allocations (Congaree Vista Guild - \$5,000)
- c. FY24 – District 7 Hospitality Tax Allocations (Wiley Kennedy Foundation - \$2,000 and Columbia Museum of Art - \$15,000)
- d. FY24 – District 11 Hospitality Tax Allocations (Lower Richland Sweet Potato Festival - \$15,000)
- e. FY24 – District 3 Hospitality Tax Allocations (Wiley Kennedy Foundation - \$15,000)

Mr. Walker moved to approve Items 19(a) – 19(e), seconded by Ms. Newton.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

Mr. Pugh moved to reconsider Items 19(b) – 19(e), seconded by Ms. English,

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

Not Present: Livingston and Terracio

The motion for reconsideration failed.

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

21. **MOTION PERIOD**

- a. Authorize the Administrator to add Good Friday to the Holiday Calendar for all Richland County employees, effective 2024. [MACKEY]

Ms. Mackey moved for unanimous consent to take up the motion to authorize the Administrator to add Good Friday to the Holiday Calendar and be effective in 2024 Holiday Calendar for all Richland County employees, seconded by Mr. Walker.

Mr. Weaver inquired if this would be a permanent addition to the Richland County Holiday Schedule.

Ms. Mackey responded this would be a permanent addition.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous to take up the motion.

Ms. Mackey moved to authorize the County Administrator to add Good Friday to the Richland County Holiday Schedule for all Richland County employees, effective 2024, seconded by Mr. Walker.

Mr. Branham inquired if the Administrator was consulted about the motion and its impact on County operations.

Mr. Brown replied that in terms of impact operations, the only thing would be procedural matters (i.e., payroll and check runs).

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

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

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

Not Present: Livingston and Terracio

The motion for reconsideration failed.

22. **ADJOURNMENT** – Mr. Walker moved to adjourn the meeting, seconded by Ms. English.

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

Not Present: Livingston and Terracio

The vote in favor was unanimous.

The meeting adjourned at approximately 7:48 PM.