



Richland County Council
Regular Session
MINUTES
March 19, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, 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, Judy Carter, Geo Price, Jackie Hancock, Jennifer Wladischkin, John Thompson, Sarah Harris, Chelsea Bennett, and Zach Cavanaugh

1. **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 6:00 PM.
Ms. Mackey noted that Ms. Newton 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.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: March 5, 2024** – Mr. Walker moved to approve the minutes as distributed, seconded by Ms. Barron.

Ms. McBride noted a type o, the minutes for Items 4(a) and 5(b) under the roll call needs to be corrected to reflect “McBride” instead of “McEntire”.

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. English moved to adopt the agenda as published, seconded by Mr. Weaver.

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 [NON-EXECUTIVE SESSION ITEMS]**
 - a. **A Resolution expanding the functions, duties, and powers of the Transportation Penny Advisory Committee** – The County Attorney, Patrick Wright, stated the purpose of the resolution is to charge the Transportation Penny Advisory Committee (TPAC) to meet more often in the next few months so they can advise Council and make recommendations regarding potential transportation projects. In addition, allowing Council to charge the municipalities with vacancies to fill those positions by April 5, 2024. If the seats are not filled by that date, the Council Chair and Transportation Ad Hoc Committee Chair can make recommendations to Council to fill those vacancies.

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

Ms. McBride requested a friendly amendment to include the Rules and Appointments Chair in the recommendation process.

Mr. Walker indicated the only misgiving he has is that we are under the gun regarding the timeline. The quickest way to fill the vacancies is for either the Council Chair or the Transportation Ad Hoc Committee Chair to do so. If we were not short on time, he would not have a problem with it going through the Rules and Appointments Committee.

Ms. McBride clarified that she was not suggesting it to go through the Rules and Appointments Committee but to have the Rules and Appointments Committee Chair participate in the process to prevent a tie.

Mr. Walker suggested amending the language to be either the Council Chair or the Transportation Ad Hoc Committee Chair instead of both.

Mr. Wright stated that the Council Chair and Transportation Ad Hoc Committee Chair could agree on a recommendation, or they could both make recommendations. Either way, the recommendation(s) would come to Council for a vote.

Ms. Barron stated to keep in mind there are applicants who have already applied, and the Clerk's Office maintains those applications.

Mr. Wright noted that the individuals Council will be appointing must reside within the municipalities they represent.

Mr. Livingston made a substitute motion, seconded by Ms. McBride, to approve the resolution and to include the Rules and Appointments Chair in the recommendation process.

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

Opposed: Walker

The vote was in favor of the substitute motion.

Ms. Barron moved to reconsider this item, seconded by Mr. Livingston.

In Favor: Walker

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

The motion for reconsideration failed.

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. Disability Rights vs. Richland County [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]

b. Butler vs. Richland County [Pursuant to S.C. Code of Laws, Sec. 3-4-70(a)(2)]

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. Brad Swensen, 7716 Leitner Road, Columbia, SC 29209 – Land Development Code
2. David Bergmann, 560 Regatta Road, Columbia, SC 29212 – Land Development Code
3. Wendi Bergmann, 560 Regatta Road, Columbia, SC 29212 – Land Development Code

10. **REPORT OF THE COUNTY ADMINISTRATOR**

a. Updates for Consideration

1. *2024 Annual Comprehensive Financial Report* – Mr. Leonardo Brown, County Administrator, noted Councilmembers were provided a copy of the report. Any questions should be directed to Assistant County Administrator Lori Thomas or Finance Director Stacey Hamm.
2. *Richland County Conservation Commission (RCCC) FY24-25 Annual Plan* – Mr. John Grego, Conservation Commission Chair, gave a brief overview of the Conservation Commission's Annual Plan.

Mr. Weaver inquired if the Conservation Commission has ever received Hospitality Tax for some of these ongoing projects.

Mr. Grego responded that they had received funds in the past.

Ms. Barron inquired if the Conservation Commission had considered contracting a staff person instead of the County hiring someone.

Mr. Grego indicated the job description is ambitious and is not an easy fit; therefore, contracting a staff person is an option.

3. *Family Service Center Exterior Elevation* – Mr. Brown stated there are renderings included in the agenda packet. Staff requests that Council provide feedback to the Clerk of Council by March 26th. He indicated representatives from the Department of Social Services, Department of Health and Environmental Control, and Department of Health and Human Services have all provided letters of support to the Administrator.

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. *Animal Services – Vector Control – Center for Disease Control/Department of Health and Environmental Control* – Mr. Brown pointed out on p. 43 of the agenda it states, "You do not need to apply for funding. You will be receiving a pre-determined dollar amount. However, you will need to sign a contract agreement, which basically states that you will spend the awarded funds on mosquito control equipment and products and that you will submit receipts to us for reimbursement." He noted this is the reason this item is before Council for approval. Council approval will allow him to execute the agreement for the amount of \$68,301.22, which will be used to support Vector Control.

Ms. Barron 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.

Ms. English 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.

2. *Grants & Community Outreach – Contract Approval for CDBG Rental Acquisition & Rehab Projects* – Mr. Brown stated staff requests approval for two (2) CDBG Affordable Rental Housing Acquisition and Rehab projects with SC Uplift and Reconciliation Ministries for the development of four (4) apartments and one single-family home for low-to-moderate income families in unincorporated areas of the County. The contracts will include a CDBG Subrecipient Agreement and a CDBG Developer's Agreement. The SC Uplift single-family home project is located in Council District 3. The Reconciliation Ministries Quadraplex project is located in Council District 2.

Ms. Barron moved to approve this item, seconded by Mr. Pugh.

Ms. Terracio inquired if the subject properties are rentals.

Mr. Brown responded the Reconciliation Ministries Quadraplex is defined as a rental property, but the other property is a single-family home.

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

The vote in favor was unanimous.

Ms. Barron moved to reconsider this item, seconded by Ms. McBride.

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** – No report was given.

13. **APPROVAL OF CONSENT ITEMS**

- a. Case # 23-026MA, Tony Lawton, RU to GC, 113 Sease Road (1.14 Acres), TMS # R040032-02-17 [THIRD 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 [SECOND READING]

Mr. Walker moved to approve Items 13(a) and (b), seconded by Ms. Terracio.

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

The vote in favor was unanimous.

14. **SECOND READING ITEMS**

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

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

The vote in favor was unanimous.

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

- a. Approval of Selecting an Engineering Firm and of Grants for Rawl/SE Richland Industrial Park – Mr. Livingston stated in February 2022, the County entered into a 5-year optional agreement for the approximate 1,686 acres of land in Southeast Richland County. The county received a grant of \$181,360 from the Department of Revenue, which will be utilized for master planning and due diligence on the tract of land. The committee recommended approval of this item.

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

The vote in favor was unanimous.

Mr. Livingston moved to reconsider this item, seconded by Ms. Terracio.

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

The motion for reconsideration failed.

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

a. NOTIFICATION OF APPOINTMENTS

1. *Richland Memorial Hospital Board – Four (4) Vacancies* – Ms. Barron stated the committee recommended appointing Mr. Charles Mills, Ms. Lochlan Wooten, and Dr. Andrea Darden and re-appoint Mr. Edwin Garrison.

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

The vote in favor was unanimous.

2. *Lexington Richland Alcohol and Drug Abuse Council (LRADAC) – Two (2) Vacancies* – Ms. Barron stated the committee recommended appointing Ms. Crystal Marks and re-appointing Mr. Harold Ward.

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

The vote in favor was unanimous.

3. *Building Codes Board of Appeals – Eight (8) Vacancies (ONE applicant must be from the Architecture Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Building Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry as alternates)* – Ms. Barron stated the committee recommended appointing Mr. Shaun Jackson to fill the Building Industry vacancy.

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

The vote in favor was unanimous.

4. *Central Midlands Regional Transit Authority – One (1) Vacancy* – Ms. Barron stated the committee recommended appointing Mr. Roosevelt Barnwell.

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

The vote in favor was unanimous.

b. NOTIFICATION OF VACANCIES

1. *Accommodations Tax Committee – Four (4) Vacancies (ONE applicant must have a background in the lodging industry, TWO applicants must have a background in the hospitality tax industry, and ONE applicant must have a cultural background)*
2. *Board of Assessment Appeals – One (1) Vacancy*

4. *Building Codes Board of Appeals – Seven (7) Vacancies (ONE applicant must be from the Architecture Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry as alternates)*
5. *Business Service Center Appeals Board – Three (3) Vacancies (ONE applicant must be from the Business Industry, and TWO applicants must be CPAs)*
6. *Central Midlands Council of Governments – Three (3) Vacancies*
7. *Community Relations Council – Six (6) Vacancies*
8. *Historic Columbia – One (1) Vacancy*
9. *Hospitality Tax Committee – Four (4) Vacancies (TWO applicants must be from the Restaurant Industry)*

Ms. Barron stated the committee recommended advertising for the above-referenced vacancies. The advertisement will run until April 23, 2024.

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

The vote in favor was unanimous.

Ms. Barron encouraged those interested in serving to apply, especially for the vacancies that require specific qualifications.

17. REPORT OF THE STRATEGIC PLANNING AD HOC COMMITTEE

- a. Envisio Update – Ms. Mackey stated that Envisio is the dashboard that staff has been working on that will highlight and track our goals and objectives. The official launch will be April 16, 2024.

Ms. Barron noted the SCAC Institute of Government instructor used the county’s strategic plan as an example for their class.

- b. Website Update – Ms. Mackey indicated a website RFP is currently out. The goal is to have an award made within the next 60 days.
- c. Public Private Partnership – Ms. Mackey stated the committee would like feedback from Council on the “menu” items. The Clerk of Council will send an email highlighting the “menu” items requesting your input and a deadline to submit said feedback.

18. OTHER ITEMS

- a. FY24 – District 1 Hospitality Tax Allocations (SC Philharmonic - \$8,000)
- b. FY24 – District 5 Hospitality Tax Allocations (Historic Columbia - \$15,000)
- c. FY24 – District 7 Hospitality Tax Allocations (American Heart Association - \$15,000 and Historic Columbia - \$15,000)
- d. FY24 District 8 Hospitality Tax Allocations (Phi Beta Sigma – Beta Chi Sigma - \$5,000 and Serve & Connect - \$2,500)
- e. FY24 – District 10 Hospitality Tax Allocations (LR Sweet Potato Festival - \$20,000 and Columbia City Ballet - \$5,000)

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

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

Mr. Weaver moved to approve Items 18(c), (d), and (e), 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. English moved to reconsider Items 18(c), (d), and (e), seconded by Mr. Pugh.

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

The motion for reconsideration failed.

19. **EXECUTIVE SESSION**

a. Disability Rights vs. Richland County [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]

b. Butler vs. Richland County [Pursuant to S.C. Code of Laws, Sec. 3-4-70(a)(2)]

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

***Council went into Executive Session at approximately 7:00 PM
and came out at approximately 7:09 PM***

Ms. Terracio moved to come out of Executive Session, seconded by Mr. Pugh.

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

The vote in favor was unanimous.

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

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

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

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

The vote in favor was unanimous.

The meeting adjourned at approximately 7:11 PM.