



Richland County Council
Regular Session
MINUTES
May 7, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jessica Mackey, Chair; Derrek Pugh, Vice-Chair; Jason Branham, Paul Livingston, Allison Terracio, Don Weaver, Gretchen Barron, Overture Walker, Cheryl English, and Chakisse Newton

NOT PRESENT: Yvonne McBride

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, Judy Carter, Jackie Hancock, Jennifer Wladischkin, Chelsea Bennett, Maddison Wilkerson, Lori Thomas, Tish Gonzales, Michael Byrd, John McKenzie, Quinton Epps, Syndi Castelluccio, Shirani Fuller, Bill Davis, Peter Cevallos, Crayman Harvey, Darlene Gathers, Thomas Gilbert, Brittney Terry-Hoyle, John Thompson, Marget Jones, Pamela Green, LaSasha Breland, Dante Roberts, and Sandra Haynes

1. **CALL TO ORDER** – Chairwoman Jessica Mackey called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Gretchen Barron.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **RESOLUTIONS**
 - a. A Resolution Honoring “National Public Works Week” – May 19-25, 2024 – Mr. Walker read the resolution into the record.
 - b. A Resolution Recognizing Robin Waites, Executive Director – Historic Columbia – Ms. Mackey read the resolution into the record.

Ms. Barron and Mr. Livingston expressed their appreciation for Ms. Waites's leadership at Historic Columbia.

- c. A Resolution Honoring Richland County Correctional Officers Weeks, May 5 – 11, 2024—Ms. Susan O’Cain, Public Information/Communications Director, read the resolution into the record.
Mr. Pugh, Ms. Barron, and Ms. English expressed their appreciation for Detention Center Director Crayman Harvey and the Alvin S. Glenn Detention Center staff.
- d. Ratification of a Resolution Recognizing Benedict College’s 35th Annual Harambee Festival
- e. Ratification of a Resolution Recognizing James T. McLawhorn, Jr.
- f. Ratification of a Resolution Recognizing April 28 - May 4, 2024, as Small Business Week

Ms. Newton moved to approve Items 4(a) – 4(f), 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.

5. **APPROVAL OF MINUTES**

- a. Regular Session: April 16, 2024
- b. Zoning Public Hearing: April 23, 2024

Mr. Livingston moved to approve the minutes as distributed, 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.

6. **ADOPTION OF AGENDA** – Mr. Branham requested to defer Items 13(c) and 16(a) to the June 6, 2024 Council meeting.

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

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

Not Present: McBride

The vote in favor was unanimous.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)**

- a. 3650 Bluff Road Property Acquisition Update [Pursuant to S.C. Code Sec. 30-4-70(a)(2)]
- b. Personnel Matter: Discussion & Legal Advice Concerning Duties of the County Administrator [Pursuant to S.C. Code Sec. 30-4-70(a)(1) and (2)]
- c. Offer to Purchase: 1221 Gregg Street, Columbia, SC 29201, TMS #R11406-16-16 and TMS #R11406-16-17 and adjacent property 1306 Barnwell Street, Columbia, SC 29201, TMS #R11406-16-26 [Pursuant to S.C. Code Sec. 30-4-70(a)(2)]
- d. Randolph v. Richland County [Pursuant to S.C. Code Sec. 30-4-70(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. Alonzo Haynes, Jr., 1849 Willowby Street, Columbia, SC 29223 – spoke regarding the East Richland Public Service District and drainage issues on his property.
 - 2. Diane Wiley, 4036 Webb Court, Columbia, SC 29204 – spoke about abandoned buildings and the ditches flooding around her property.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration

- 1. *Alvin S. Gleen Detention Center – April 23rd Letter from South Carolina Department of Corrections (SCDC) Division Director of Jails Inspections* – Mr. Leonardo Brown, County Administrator, read into the record a portion of the letter from the South Carolina Department of Corrections.

“The amount of change and progress toward improvements for the inmates and staff were apparent. The renovations of living conditions, health and hygiene along with security upgrades being conducted and already completed were impressive. There is a definite difference being made and the facility is certainly on the right track. The improvements already completed, along with the plan we saw in action will have a great impact on the public service that Alvin S. Glenn Detention Center provides the community going forward.

In closing, let me thank you and all those involved for the effort to allow us to come see the progress and for the hard work being put into security and safety of the Richland County Detention Center.”

Mr. Branham indicated this letter is objective, outside confirmation of the good work that Director Harvey and the County Administrator are doing. He hopes the media and the public take note of this letter.

2. *Community Planning & Development – Conservation Division – Forestry Stewardship Plan* – Assistant County Administrator Aric Jensen stated the Conservation Division has been working on this for a long time, culminating in this plan. He noted that a forestry management plan includes cutting and replanting trees. We want to ensure the public knows we are doing this with professionals and is part of a plan.

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. *County Utilities – 7525 Broad River Road Easement Relocation Open Agreement for Western Lane* – Mr. Brown noted there is an existing easement associated with access to 7525 Broad River Road and the Richland County Utilities (RCU) administrative office. The current easement conflicts with the development of the surrounding properties. EP Realty desires to improve access for the entire tract with the proposed easement relocation option agreement (EROA). Execution of the agreement will ensure continued and improved access for the RCU staff and customers as well as allow EP Realty to develop the new parcels identified. He indicated staff is recommending approval of this item.

Mr. Walker moved to approve staff’s recommendation, seconded by Mr. Pugh.

Ms. Barron inquired about what is being developed in this area.

Mr. Bill Davis, Utilities Director, stated he did not know if it would be appropriate for him to discuss EP Realty’s plans publicly.

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

Not Present: McBride

The vote in favor was unanimous.

2. *Updated Transportation Road Map* – Mr. Brown stated Council took action as a body on the Transportation Road Map; therefore, since there has been an update to the document, he felt it appropriate to bring it back to Council for approval.

Ms. Barron moved to approve this item, seconded by Ms. English.

Ms. Terracio inquired if the “Transportation Road Map” is easily accessible on the County’s website.

Ms. Mackey replied that there is a public website for the Transportation Penny (www.richlandpenny.com) and a webpage dedicated to the Transportation Road Map.

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

Not Present: McBride

The vote in favor was unanimous.

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

12. **REPORT OF THE CHAIR – MS. MACKEY NOTED THAT** planning for the 2025 Strategic Planning Forum has begun. The Clerk of Council will email Council members regarding their availability and locations for said forum.

13. **OPEN/CLOSE PUBLIC HEARINGS**

a. An Ordinance authorizing the easements to Dominion Energy South Carolina, Inc. to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines; located on property owned by Richland County at 1364 Northpoint Blvd.; and as is more fully described herein – No one signed up to speak.

b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; by adding Section 18-10, so as to prohibit the desecration of a gravesite, cemetery, or burial ground and to provide penalties – No one signed up to speak.

c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 5, Animal and Fowl – The public hearing was deferred to June 4, 2024.

14. **APPROVAL OF CONSENT ITEMS**

a. An Ordinance authorizing the easements to Dominion Energy South Carolina, Inc. to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines; located on property owned by Richland County at 1364 Northpoint Blvd.; and as is more fully described herein [THIRD READING] – Ms. Barron moved to approve this item, 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.

- b. Case #24-006MA, Sam Reynolds, OS to R2 (.04 Acres), Windermere Village, TMS #R2051-02-03 (portion of) [SECOND READING] – Mr. Pugh 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.

- c. Amendment to Chapter 17, Section 9 – Through Truck Traffic Prohibited [FIRST READING] – Ms. Terracio moved to approve this item, seconded by Ms. English.

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

Not Present: McBride

The vote in favor was unanimous.

15. **THIRD READING ITEMS**

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; by adding Section 18-10, so as to prohibit the desecration of a gravesite, cemetery, or burial ground and to provide penalties – Ms. Barron moved to approve this item, seconded by Ms. Terracio.

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

Not Present: McBride

The vote in favor was unanimous.

16. **SECOND READING ITEMS**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 5, Animals and Fowl – This item was deferred to the June 4, 2024 Council meeting.

- 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 Charge to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Ms. Barron moved to approve this item, 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.

17. **FIRST READING ITEMS**

- a. An Ordinance authorizing the levying of Ad Valorem property taxes which together with the prior year's carryover and other State Levies and any additional amount appropriated by the Richland County Council prior to July 1, 2024 will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2024 through June 30, 2025. So as to raise revenue, make appropriations and amend the General Fund, Millage Agencies, Special Revenue Funds, Enterprise Funds, and Debt Service Funds Budget for Richland County, South Carolina for Fiscal Year Beginning July 1, 2024 and ending June 30, 2025 [BY TITLE ONLY] – Ms. English moved to approve this item, seconded by Ms. Newton.

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

Not Present: McBride

The vote in favor was unanimous.

- b. An Ordinance authorizing the levying of Ad Valorem property taxes which together with the prior year's carryover and other State Levies and any additional amount appropriated by the Richland County Council prior to July 1, 2024 will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2024 through June 30, 2025 [BY TITLE ONLY] – Ms. Newton 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.

18. **REPORT OF THE DEVELOPMENT & SERVICES COMMITTEE**

- a. I move that the administrator look at the illegal dumping ordinance and state law and investigate the incorporation of a community service element in the penalty for illegal dumping, as well as look into the possibility of levying a higher penalty for businesses that engage in illegal dumping, including the potential

revocation or suspension of their business license, also incorporating an escalation schedule based on the weight of the material illegally dumped and whether the individual or business is a repeat offender within a twelve-month period [BRANHAM and ENGLISH – February 26, 2024] [FIRST READING] – Ms. Newton stated the committee recommended to adopt the ordinance.

Mr. Branham stated one of the things we discussed in committee was the amount of the fines. As drafted, the dollar amounts were higher than the State statute.

Mr. Brown indicated the committee recommended the fines not exceed the State statute. The draft ordinance included in the agenda packet does not include the revised language.

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

Opposed: Branham

Not Present: McBride

The vote was in favor.

19. **REPORT OF THE ADMINISTRATION & FINANCE COMMITTEE**

- a. Department of Public Works – Engineering Division – Summit Parkway/Summit Ridge Budget Increase – Mr. Walker stated the committee recommended approval of the change order contingent upon completion of the punch list. The funds will not be released until final completion of the project has been achieved. The overage amount is \$175,000, which will come from Road Maintenance funds.

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

Not Present: McBride

The vote in favor was unanimous.

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

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

Not Present: McBride

The motion for reconsideration failed.

- b. Department of Public Works – Jim Hamilton-LB Owens Airport – Award of Fixed-Base Operator Contract – Mr. Walker moved to refer this item back to the committee, 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.

20. **OTHER ITEMS**

- a. FY24 – District 1 Hospitality Tax Allocations (South Carolina Ballet - \$5,000)
- b. FY24 – District 2 Hospitality Tax Allocations (Ridgeview HS Blazer Twilight - \$2,500)
- c. FY24 – District 6 Hospitality Tax Allocations (South Carolina Ballet - \$3,000)
- d. FY24 – District 8 Hospitality Tax Allocations (Ridgeview HS Blazer Twilight - \$5,000, Columbia Classical Ballet - \$5,000, Columbia Music Festival Association - \$5,000)
- e. FY24 – District 9 Hospitality Tax Allocations (Black Pages International - \$5,000)
- f. FY24 – District 10 Hospitality Tax Allocations (Town of Eastover - \$10,000, Black Pages International - \$5,000)
- g. FY24 – District 11 Hospitality Tax Allocations (Black Pages International - \$5,000)

Ms. Newton moved to approve Items 20(a) – 20(g), seconded by Ms. Terracio.

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

Not Present: McBride

The vote in favor was unanimous.

Mr. Pugh moved to reconsider Items 20(a) – 20(g), seconded by Ms. Barron.

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

Not Present: McBride

The motion for reconsideration failed.

21. **EXECUTIVE SESSION**

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

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 7:07 PM
and came out at approximately 7:34 PM*

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

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

Not Present: McBride

The vote in favor was unanimous.

Ms. Mackey indicated council entered into executive session to discuss the below listed items and no action was taken in Executive Session.

- a. 3650 Bluff Road Property Acquisition Update [Pursuant to S.C. Code Sec. 30-4-70(a)(2)] – No action was taken.
- b. Personnel Matter: Discussion & Legal Advice Concerning Duties of the County Administrator [Pursuant to S.C. Code Sec. 30-4-70(a)(1) and (2)] – No action was taken.
- c. Offer to Purchase: 1221 Gregg Street, Columbia, SC 29201, TMS #R11406-16-16 and TMS #R11406-16-17 and adjacent property 1306 Barnwell Street, Columbia, SC 29201, TMS #R11406-16-26 [Pursuant to S.C. Code Sec. 30-4-70(a)(2)] – No action was taken.
- d. Randolph v. Richland County [Pursuant to S.C. Code Sec. 30-4-70(a)(2)] – No action was taken.

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

23. **ADJOURNMENT** – Ms. Terracio moved to adjourn the meeting, seconded by Ms. Newton.

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

Not Present: McBride

The vote in favor was unanimous.

The meeting adjourned at approximately 7:35 PM.