



Richland County Council
Special Called Meeting
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 (arrived at 6:05 PM), 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, Michael Maloney, Ashley Fullerton, Judy Carter, Jackie Hancock, Chelsea Bennett, Lori Thomas, Michael Byrd, Shirani Fuller, Thomas Gilbert, and Elizabeth McLean

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 Rev. Glenn Wigfall, Haskell Heights First Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **PRESENTATION OF RESOLUTIONS**
 - a. A Resolution Recognizing Dr. Ronald Rhames, President of Midlands Technical College, for his years of service and upcoming retirement – Ms. Susan O’Cain, Public Information/Communications Director, read the resolution into the record.

Mr. Livingston, Mr. Pugh, Ms. Newton, and Ms. Barron expressed their appreciation for Dr. Rhames's contributions to Richland County.
 - b. A Resolution Honoring Law Enforcement Week, May 12-18, 2024 – Ms. O’Cain read the resolution into the record.

Ms. Barron, Mr. Pugh, and Ms. English thanked the Sheriff’s Department for their service to the citizens of Richland County.

Mr. Walker moved to approve Items 4(a) – 4(b), seconded by Mr. Pugh.

M. Mackey noted that an additional resolution recognizing Emergency Medical Service Week needed to be added to the agenda.

Mr. Walker amended his motion to include the resolution recognizing Emergency Services Week.

In Favor: Branham, Pugh, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and Newton
Not Present: McBride and English

The vote in favor was unanimous.
 - c. A Resolution Recognizing Emergency Medical Services Week, May 19-25, 2024—Ms. Mackey read the resolution into the record.

Ms. Barron and Mr. Pugh expressed their gratitude for their service to the citizens.

5. **PRESENTATION OF PROCLAMATIONS**

- a. A Proclamation recognizing the United States Tennis Association of South Carolina and Columbia Tennis Association of Richland County – Ms. O’Cain read the proclamation into the record.

Mr. Branham and Ms. Barron spoke in support of the sport of tennis.

6. **APPROVAL OF MINUTES**

- a. Regular Session: May 7, 2024 – Mr. Livingston moved to approve the minutes as distributed, 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.

7. **ADOPTION OF AGENDA** – Mr. Livingston moved to adopt the agenda as published, 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.

8. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – There were no items for Executive Session.

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) – No one signed up to speak.

11. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration

1. *Property Purchase – W/S Congaree Rd., Gadsden, SC 29051, 1.25 Acre portion of TMS # R32500-01-19* – The County Administrator Leonardo Brown noted at the November 1, 2022, Regular Session meeting, Council approved the design and construction for a new elevated water tank for the southeast Richland County area to address existing and future customer needs and provide redundancy for the existing water tank in the Lower Richland area. The County has entered into a contract to purchase approximately 1.25 acres from the Gadsden Community Club, a non-profit located adjacent to the existing City/County Fire Station #19 on Gadsden Community Center Road, near the intersection of Congaree Road and Cartin Street. This property is ideally located to provide water for the fire department and increase the capacity of the water system. Although the Richland County policy allows for and anticipates that goods and property less than \$100,000 in cost will be approved and procured by the County Administrator, he wants to ensure this property acquisition is included in the public record.

Ms. English thanked Mr. Bill Davis, Utilities Director, and his staff for coming out to ensure the community is aware of all that is happening.

12. **REPORT OF THE CLERK OF COUNCIL**

- a. Strategic Planning Forum Update – Ms. Anette Kirylo, Clerk to Council, stated the feedback she received regarding the 2025 Strategic Planning Forum indicated the majority of Council members wish to hold the forum January 15-17, 2025. She requested Council approve the date and designate a location.

Ms. Barron moved to approve holding the 2025 Strategic Planning Forum on January 15-17, 2025, 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.

Ms. Mackey noted that a list of the suggested locations would be emailed to Council members so that the body can make a decision.

13. **REPORT OF THE CHAIR** – No report was given.

14. **APPROVAL OF CONSENT ITEMS**

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

- a. Authorizing the imposition of a one percent (1%) Transportation Sales and Use Tax within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; determining (I) the categories of projects to be funded with the tax, (II) the maximum time for imposition of the tax, and (III) the estimated capital costs of the projects; directing the Board of Voter Registration and Elections of Richland County to conduct a county-wide referendum on the imposition of the tax and the issuance of General Obligation Bonds; prescribing the contents of the ballot questions; and other related matters

Mr. Branham moved to allocate 60% to County Advancement Projects, 20% to COMET Enhancement Projects, and 20% to Community Investment Projects, and to spend up to \$20M from the Community Investment and County Advancement Projects on improvements within each Council district, seconded by Ms. Barron.

POINT OF ORDER – Mr. Walker inquired if this motion was premature since Council has not taken up the recommendation of the Transportation Ad Hoc Committee.

Ms. Elizabeth McLean, Chief Deputy County Attorney, indicated the item is on the agenda where it was placed and is in the correct order. She has no problem with going forward with the vote, as it could be reconsidered later in the agenda.

Mr. Weaver stated he supported Mr. Branham's motion. He noted that if we devote \$20M to each district, it would equate to less than 7% of the \$4 billion. He indicated he understands that every district cannot get the same amount, but every district could benefit from sidewalks. If Council members can go back to their constituents and say they are getting at least \$20-25M, it would establish a bond with the county's residents.

Ms. Terracio noted that the 60/20/20 split is a significant change. She is interested in having further discussions about district-level equity. Most of her constituents are requesting pedestrian and safety improvements. She would be interested in a motion that would make the COMET's portion 25% and the remainder allocated in a way that suits the body.

Ms. Newton inquired if the \$20M set aside per district is to be separate from the projects imagined or if they would be additional projects.

Mr. Branham responded the projects would not be new. The funds would ensure that each district benefited.

Ms. Barron expressed that she supported Mr. Branham's motion, but her priority is that the majority of the funds remain in the Community Investment and County Advancement Projects. She fully supports the COMET and notes that it is needed, but just today, she observed several students walking that could have easily been hit due to the lack of sidewalks. Having the investment in the community is important. During the roadshow, she put forward projects she would like to see in her district. She is unsure where they fall in the scheme of things, but she is concerned about whether District 7 would get its fair chance. There are large projects downtown we know we need to fund. We also need to ensure we are funding dirt roads, greenways, and bikeways. These projects cannot be an afterthought. We have to be intentional about where we put our funds.

Mr. Livingston made a substitute motion to allocate 50% to County Advancement Projects, 25% to Community Investment Projects, and 25% to COMET Enhancement Projects. He noted he is okay with setting aside \$25M for each district from the County Advancement and Community Investment Projects, seconded by Ms. Terracio.

Ms. Newton felt compelled to say that, as we are still determining things, many decisions are yet to be made. This is not our only opportunity to enshrine how we will take care of our communities.

Ms. Mackey stated that one of the reasons Mr. Walker called for a "Point of Order" is that many of the things being discussed were discussed at the Transportation Ad Hoc Committee meeting. There is a lot more detail that has gone into the draft ordinance, which you would have heard under the Report of the Transportation Ad Hoc Committee. The proposed Transportation Penny, and the process, Council has gone through is unlike the previous one. We have worked as a body to provide transparency along the way. We have had multiple public meetings to get feedback and encourage engagement.

POINT OF ORDER – Mr. Branham stated that for clarification, he has a motion, and there was a substitute motion, so we are now going into debate and discussion on the substitute motion without voting on whether the substitute motion should be on the floor. In other words, debate on the original motion has ceased due to the substitute motion.

Ms. Mackey responded in the affirmative.

Ms. Terracio noted the percentage allocated for County Advancement Projects is much greater than she expected. She understands that other districts are dealing with significant growth, which is being heavily

considered. We all hear about safety for people, and when we think about putting in these big, wide roads to go fast on, it does not do much to improve safety.

Mr. Pugh stated he understands wanting to nail down the percentages and providing equity with the set aside of \$20M per district. We serve in communities where people feel they did not get their fair share of the deal when we had the previous Penny, and it is vital we address that. We also need to listen to the recommendations from the Transportation Ad Hoc Committee so that we can make a solid decision.

Ms. Terracio moved to table this item until after the Report of the Transportation Ad Hoc Committee.

Ms. McLean indicated there was already a substitute motion on the floor; therefore, Council would need to deal with it before a motion to defer could be made.

Mr. Branham noted that he made the motion to allocate 60% to County Advancement Projects because the South Carolina Department of Transportation is focused on bridges and interstates. If the residents are looking for improvements that will significantly increase capacity and flow on major thoroughfares, they will have to come from Richland County. There is no robust County Transportation Department that is capable of affording that sort of thing without a Penny. If we are going to make the investment, he would like to see significant allocations go to these substantial projects because they benefit such large parts of the population and cost so much. He declared the State is not coming to save the day when it comes to increasing capacity on major thoroughfares, so if the residents want, they step up and vote to support the Penny. He noted he also supports the significantly supporting the COMET, which it would be with the 20% allocation.

Mr. Walker agreed that the SCDOT's emphasis is being placed on interstates. He noted we are in a county that is growing in areas where you have secondary State roads. While he understands the importance of providing SCDOT with a pot of funds to make the necessary improvements, if we want people to feel like this is their Penny, he does not believe residents will support another Penny if they feel like it is SCDOT's Penny or the improvements are being on roads where they do not live. If we want residents' confidence going forward, that needs to be reflected in the percentage. To him, that emphasis would be more on Community Investment Projects. The reason he feels the conversation is premature is the ad hoc committee talked about ad nauseam the number of years for the Penny. We are throwing out percentages, but we have yet to talk about the duration of the Penny.

Ms. Barron inquired if Mr. Livingston would amend his motion to allow Council to hear the Transportation Ad Hoc Committee's recommendation.

Mr. Livingston stated he could withdraw his motion, but that would leave the original motion on the table, which he does not support.

Mr. Branham indicated he would withdraw his motion to receive the Transportation Ad Hoc Committee recommendation.

Mr. Livingston and Mr. Branham withdrew their respective motions.

Mr. Livingston moved to defer this item until after the Report of the Transportation Ad Hoc Committee, 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.

Ms. English moved to approve the motion from the Report of the Transportation Ad Hoc Committee to collect the Penny Tax for 25 years or until the amount collected reaches \$4.5 billion and allocate 50% to County Advancement, 30% to Community Investment, and 20% to COMET Enhancement, with at least \$20M being set aside from the Community Investment and Council Advancement categories to be spent within each Council district, seconded by Ms. Barron.

Ms. Newton inquired if State road improvements can be a part of the Community Investment category.

Mr. Jones responded State roads can be a part of the Community Investment and County Advancement categories.

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

Opposed: Terracio, Walker, and Newton

The vote was in favor.

- 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 a public infrastructure credit agreement to provide for public infrastructure credits to Silver Hills Huger LLC; and other related matters – Ms. Barron moved to approve this item, 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.

- c. An Ordinance Amending Chapter 17, Motor Vehicles in Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, through truck traffic prohibited; so as to include Clearwater Road, Crestwood Road, and Edgewater Drive – Ms. Terracio 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.

- d. An Ordinance Amending Chapter 12, Solid Waste, Recycling, and Public Sanitation; Article VII, Enforcement; Section 12-66, Penalties; so s to amend the language therein – 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.

16. REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

- a. A Resolution certifying property located at 8911 Farrow Road as an abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 of the Code of Laws of South Carolina, 1976, as amended – Mr. Livingston stated the committee recommended approval of this item.

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 RULES AND APPOINTMENTS COMMITTEE

- a. NOTIFICATION OF APPOINTMENTS

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 industry, and ONE applicant must have a cultural background) – Ms. Barron stated the committee recommended appointing Ms. Raquel Felder to fill the hospitality industry vacancy on the Accommodations Tax Committee.

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

Not Present: McBride

The vote in favor was unanimous.

2. Hospitality Tax Committee – Four (4) Vacancies (TWO applicants must be from the Restaurant Industry) – Ms. Barron stated the committee recommended re-advertising for the Hospitality Tax Committee vacancies.

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

Not Present: McBride

The vote in favor was unanimous.

3. Historic Columbia Board – Two (2) Vacancies – Ms. Barron stated the committee recommended appointing Ms. Deborah Douglas and re-appointing Mr. Church Heyward.

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

Not Present: McBride

The vote in favor was unanimous.

Ms. Terracio noted there were so many good applicants for the Historic Columbia Board. If someone did not get appointed, please apply for other openings.

4. Planning Commission – Two (2) Vacancies – Ms. Barron stated the committee recommended re-appointing Ms. Beverly Frierson and Mr. Terrence Taylor.

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

Not Present: McBride

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

- a. **Penny Matters: Duration, Amount, and Allocation to Categories** – Mr. Walker stated the committee recommended collecting the Penny Tax for a total of 25 years or until the amount collected reached \$4.3 billion and to allocate 40% to Community Investment, 40% to County Advancement, and 20% to COMET Enhancement.

Ms. Terracio moved to collect the Penny Tax for 25 years or until the amount collected reaches \$4.3 billion and allocate 35% to Community Investment, 40% to County Advancement, and 25% to COMET Enhancement. In addition, set aside a minimum of \$20M for each Council district. Mr. Weaver seconded the motion.

Ms. Newton indicated she would prefer a greater amount to be allocated to Community Investment rather than Council Advancement.

Mr. Branham made a substitute motion to collect the Penny Tax for 25 years or until the amount collected reaches \$4.5 billion and allocate 50% to County Advancement, 30% to Community Investment, and 20% to COMET Enhancement, with at least \$20M being set aside from the Community Investment and Council Advancement categories to be spent within each Council district, seconded by Ms. Barron.

Ms. Terracio noted that we do not have to get stuck on percentages but on what those percentages represent in dollar amounts. With a 20% allocation for the COMET, it would not have the capacity to make any improvements; it would only be able to continue the status quo, and with cost increases, it may not even be able to do that. If we are looking to enhance public transit, especially with more people being here and on our roads and more people needing to go to jobs, it would be wise to have a transit system people can utilize in a practical way.

Ms. Barron reminded the Council about conversations about other organizations that received funds over many years. We asked them to look for alternative funding sources. This body is deciding on how much to fund this organization. It has been pointed out that this puts us at a disadvantage in making improvements, but she questioned if it does. It encourages us to think differently about how we fund things. It encourages the COMET to look at other funding sources to supplement its budget. We are requesting that our other agencies and our departments do that. In this case, it is not that we are trying to be the bad guy, but we are trying to do the most with what we have.

Mr. Walker stated it is important for his colleagues to remember that the COMET is not just any other agency coming before Council to request dollars. The way we fund transit in Richland County is through a penny sales tax. There are other funding sources, but the lion's share comes from the Penny. Without the Penny, public transit would be nonexistent. It is easy for us to say they need to look for other funding sources, but the penny sales tax is their primary funding source, and we need to keep that in mind as we think about the allocation.

Ms. Terracio reiterated that, unlike other organizations, the COMET is not a 501(c)3 organization seeking funding. If you look at how transit is funded across the nation, it is funded through the local, state, and federal government. Regarding the COMET, 39% is funded by outside sources and 61% by local sources (i.e., the Penny). The COMET is akin to a government service like the Sheriff's Department or EMS.

Mr. Livingston stated early on that he decided that County Advancement should not receive 60% because the local citizens are paying for the Penny. Allocating the majority of the funds to State roads would be unfair to those citizens. The State would take the funds that should be spent on our roads and spend them somewhere else. In addition, the county is becoming denser, and we are going to see an increase in the need for public transportation. He believes we need to plan for the future when it comes to the COMET.

Ms. Barron stated for clarification, she understands the COMET is our responsibility, and it is funded out of the Penny.

Mr. Branham expressed that he does not see the State moving money away from Richland County projects because Richland County elects to make improvements on State roads. He noted if we are looking for the State to widen Dutch Fork Road, it's not coming. The State has money going to interstates and bridges, with this small pot going to the Council of Governments.

Ms. Mackey indicated she wished the COMET had provided their information sooner so we could have a complete understanding of the COMET's needs. She maintained it puts the body at a disadvantage to truly understand the impact of the COMET. Moving forward, she suggested the COMET put their information forward in a timely manner. As we discuss percentages, the State has not funded the SCDOT at the level it should have. Our gas tax is not where it should be compared to our neighboring states. The State does not make our roads a priority. For the residents in Northeast Columbia, where we are growing, most are State roads. We have been waiting for them to get fixed, and they are not on anyone's list. This body has to acknowledge where the County is growing and come up with solutions, and the solution cannot be waiting on the State.

In Favor: Branham, Pugh, Weaver, Barron, Mackey, and English

Opposed: Livingston, Terracio, Walker, and Newton

Not Present: McBride

The vote was in favor.

19. **REPORT OF THE AFFORDABLE HOUSING AD HOC COMMITTEE**

(This item was reconsidered at the June 4, 2024, Regular Session Council meeting.)

- a. Affordable Housing Fundamentals – Ms. Terracio stated the committee recommended to direct the Administrator to create an RFQ to award up to \$4M for affordable housing, to focus on down payment programs, giving priority to teachers, first responders, public servants, and rehabbing of existing units.

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

Opposed: Branham

Not Present: McBride

The vote was in favor.

20. **OTHER ITEMS**

- a. FY24 – District 2 Hospitality Tax Allocations (Kicking it with Dads - \$3,650)
- b. FY24 – District 4 Hospitality Tax Allocations (Black Pages International - \$5,000; SC Juneteenth Festival - \$5,000, and Columbia Classical Ballet - \$5,000)
- c. FY24 – District 8 Hospitality Tax Allocations (Black Pages International - \$10,000 and Kicking it with Dads – 1,500)

Ms. Newton moved to approve Items 20(a) – 20(c), 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.

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

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

Not Present: McBride

The motion for reconsideration failed.

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

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

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

The meeting adjourned at approximately 7:51 PM.