



Richland County Council
REGULAR SESSION
MINUTES
February 7, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Kyle Holsclaw, Judy Carter, Michael Byrd, Angela Weathersby, Dale Welch, Michael Maloney, Aric Jensen, Patrick Wright, Leonardo Brown, Anette Kirylo, Sandra Haynes, Tamar Black, Susan O’Cain, Jeff Ruble, Ashiya Myers, Abhijit Deshpande, Crayman Harvey, Stacey Hamm, Chelsea Bennett, Zachary Cavanaugh, Casey White, Quinton Epps, Bill Davis, Jennifer Wladischkin, Sarah Harris, Shirani Fuller, and Lori Thomas.

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by Pastor Jeff Phillips, Woodfield Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Overture Walker.
4. **APPROVAL OF MINUTES**
 - a. Regular Session: December 6, 2022 – Ms. Mackey moved to approve the minutes as distributed, seconded by Ms. Terracio.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and Newton
Opposed: English
The vote was in favor.
 - b. Special Called Meeting: December 13, 2022 – Ms. Barron noted there were two applicants for the Community Relations Council with similar names (i.e. Shandelle Simmons and Sharrell Simmons). Due to a slight clerical error, the wrong person was appointed. The correct appointee is Sharrell Simmons.
Mr. Livingston inquired if the person that was erroneously appointed was notified of their appointment.
Ms. Barron responded both of the applicants were notified that they had been appointed. The Clerk’s Office has spoken to the applicants, as well as the organization. Everyone is fully aware of the error, and are willing to accept the decision of the Rules and Appointments Committee.
Ms. Barron moved to approve the minutes as amended, seconded by Ms. McBride.
In Favor: Branham, Pugh, McBride, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
Opposed: Livingston
The vote was in favor.
 - c. Regular Session: January 3, 2023 – Ms. McBride moved to approve the minutes as distributed, seconded by Ms. Mackey.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.

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5. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Ms. Barron.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton.
The vote in favor was unanimous.

6. **PRESENTATION OF RESOLUTION**

a. **Resolution Recognizing February as Black History Month** – Ms. Mackey presented a resolution recognizing February as Black History Month.

POINT OF PERSONAL PRIVILEGE – Mr. Walker recognized that Ms. Oveta Glover, F.U.N.D.S Inc. CEO, was present to receive the resolution.

Mr. Pugh wished Ms. Glover a Happy Birthday.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Patrick Wright, County Attorney, stated the following items were eligible to receive legal advice and be discussed in Executive Session

a. **Proposed Changes to Council Rules**

b. **Project Connect**

Mr. Livingston 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 6:17 PM
and came out at approximately 7:00 PM***

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

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

a. **Proposed Changes to Council Rules** – Ms. Newton moved to accept the County Attorney’s recommendations, seconded by Ms. Barron.

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

The vote in favor was unanimous.

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. Tommy Stringfellow, Riverbanks Zoo, President and CEO, 500 Wildlife Parkway, Columbia, SC 29210 shared updates regarding the zoo.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

a. **Updates:**

1. **Land Development Code Open House Meetings** – Mr. Leonardo Brown, County Administrator noted the proposed locations for the Land Development Code Open Houses are Ballentine Library, Doko Manor, Arcadia Lakes Town Hall, Lower Richland Library, Eastover Town Hall, and Richland County Offices. Members of Council will be working with staff to propose additional meeting locations.

Mr. Branham requested to confirm there is a Land Development Code Open House meeting on February 8th at 6:00 PM at the Ballentine Library.

Mr. Brown responded in the affirmative.

Mr. Branham stated he served as the immediate past Chair of the Planning Commission; therefore, he is paying a lot of attention to this topic. One of the main purposes of the open houses is to share and review the Planning Commission’s recommendations.

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Mr. Wright reiterated that the Land Development Code text was been approved, and we are awaiting the approval of the maps.

Ms. Newton stated, for the record, future dates for the open houses have not been determined.

2. Richland County Website Project – Mr. Brown indicated this project falls in line with one of the Strategic Plan initiatives. A core committee will be formed to walk through the process, which will involve stakeholders within Richland County Government. Council members are encouraged to be a part of the process.
3. Employee Recognition – Bill Davis, Director, Utilities – Mr. Brown recognized Bill Davis, Utilities Director, on being awarded a lifetime achievement service award from the Water Environmental Association of SC – Capital District.

Ms. Newton noted Mr. Quinton Epps, Conservation Division Manager, was named the Outstanding District Employee by the South Carolina Association of Conservation Districts. One of the accomplishments cited was his being instrumental in creating the mitigation credit program.

- b. Seeking approval for disbursement of CDBG and HOME Federal funds – Mr. Brown stated that the utilization of the CDBG and HOME funds align with the FY22 Annual Action Plan previously approved by County Council in July 2022 and is built into the respective approved budget. The CDBG and HOME budgets were also approved as part of the 5-Year Consolidated Plan. The proposed projects fulfill elements of those plans.

The disbursement of CDBG and HOME federal funds to impact low-to-moderate-income residents throughout unincorporated Richland County are as follows:

1. CDBG Public Service – Eight (8) projects totaling \$337,016 utilizing \$254,096 of FY22 CDBG funds and \$82,920 of uncommitted FY21 CDBG Funds.
2. CDBG Infrastructure – One (1) sewer project totaling \$440,000 awarded to Richland County Public Works.
3. CDBG Owner-Occupied Home Repair – Two (2) CDBG Grants to local non-profits to fund Home Repair Programs totaling \$130,000.
4. HOME Investment Partnership – Housing Revitalization – disbursement of HOME funds to support affordable housing developments totaling \$1,405,356.75 including five (5) new construction units for sale and eight (8) rehabbed rental units.

Ms. Mackey moved to approve the disbursement of CDBG and HOME funds, 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. Barron 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.

Ms. McBride inquired if Council members could be provided a report on how the funds are spent.

Mr. Brown stated we could show how the funds are spent because it has to be reported to HUD.

11. **REPORT OF THE CLERK OF COUNCIL**

- a. SCAC Counties Connect: A Legislative Action Day and Institute of Government – February 22-23, 2023 – Ms. Anette Kirylo, Clerk to Council, reminded Council members about the upcoming Legislative Action Day and Institute of Government classes.
- b. County Council Committee Assignments – Ms. Kirylo stated the 2023 County Council Committee assignments have been provided to Council members. If any of the committees desire to meet, please contact the Clerk's Office.

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

13. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance amending the Richland County Code of Ordinances: Chapter 16, Licenses and Miscellaneous Business Regulations; by the addition of Article VII, Residential Rental Property Registration and Regulations – No one signed up to speak.

14. **APPROVAL OF CONSENT ITEMS**

- a. An Ordinance amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; by the addition of Article VII, Residential Rental Property Registration and Regulations – Ms. Terracio moved to amend the ordinance by inserting the property address in Section 16-72(a), seconded by Ms. Newton.

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

The vote in favor was unanimous.

Mr. Branham noted that any foreclosing lienholders are going to be required to register under Section 16-72. He inquired if the phrase “is leased or available for lease” is defined in the ordinance.

Mr. Aric Jensen, Assistant County Administrator, replied staff probably should have used the phrase, “offered for lease”.

Mr. Branham inquired if that would include short-term rentals.

Mr. Jensen indicated the ordinance refers to leases of a month or longer; therefore, it would not include short-term rentals. When we address short-term rentals, we will need to create a similar registration system.

Ms. Mackey noted Council has already taken action on this item. If any changes are desired, we would need to reconsider the vote to include those changes.

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

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

The vote was in favor.

Mr. Branham moved to add the language “for a period of 30 days or longer” after the phrase available for lease, to add the property address in Section 16-7-2(a), and replace the term “available” with “offered” in Section 16-7-2(b), seconded by Ms. Newton.

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. Newton.

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

The motion for reconsideration failed.

- b. FY22 Annual Roads Report – Staff requests the County Council receive the attached Annual Roads Report for information and general publication – Mr. Livingston moved to accept the Annual Roads Report for information and general publication, seconded by Ms. Barron.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

Ms. Mackey inquired if this document will be available for viewing on the County’s website.

Mr. Brown responded the document would be uploaded to the County’s website within one business day.

- c. Conservation Commission – Mill Creek Bridge Replacement
d. Department of Public Works – Road Maintenance Fund Revenue
e. Animal Services – Intergovernmental Agreement – City of Forest Acres
f. Animal Services – Intergovernmental Agreement – Town of Irmo
g. Animal Services – Intergovernmental Agreement – Town of Eastover

Ms. Terracio moved to approve Items 14(c) – 14(g), seconded by Ms. Mackey.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.

Ms. Terracio moved to reconsider Items 14(c) – 14(g), seconded by Ms. Barron.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The motion for reconsideration failed.

Ms. Newton thanked staff for noting that the intergovernmental agreements were standard agreements.

15. **THIRD READING ITEM**

- a. An Ordinance authorizing the option and acquisition of certain property located in Richland County; and other matters related thereto – Mr. Livingston moved to approve this item, seconded by 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 this item, seconded by Ms. English.

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

Ms. Mackey inquired if a public hearing was necessary for this item.

Mr. Wright responded a public hearing is not required for this item.

16. **SECOND READING ITEM**

- a. 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 Viper to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved to approve this item, Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.

- b. Authorizing the purchase of an existing mitigation bank to secure mitigation credits to support economic development projects; and other matters related thereto – Ms. Barron moved to approve this item, seconded by Ms. English.

Ms. Mackey noted, for the record, she had additional questions about management and operations. She has shared those questions with staff and feedback on those questions will be provided prior to Third Reading.

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

The vote in favor was unanimous.

17. **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

- a. An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation [FIRST READING] – Mr. Pugh stated the committee recommended approval of this item. He noted he is aware some Council members still have questions about the ordinance.

Mr. Wright indicated since this item came out of committee there were recommended changes that are not reflected in the agenda packet. He will provide a red-lined version prior to Second Reading.

Ms. Newton stated, as part of those recommended changes, she would like a specific timeframe to be provided for the three (3) offenses in Section 18-7(f).

Ms. Terracio requested public outreach to educate the residents regarding this ordinance.

Mr. Branham noted there is a typographical error in Section 18-7(b). He inquired if there would be exceptions made as it relates to Section 18-7(c)(4). In addition, he inquired about the intent of Section 18-7(g).

Ms. Mackey inquired if the recommendation from the committee is based upon the draft ordinance provided.

Mr. Pugh responded in the affirmative.

Mr. Walker commended the committee on the time and effort they put into drafting the proposed ordinance. He indicated he would like to see an ordinance that has more teeth to it. He would like more accountability as it relates to the penalties.

Mr. Pugh stated he understands the concerns of his colleagues, but they have consulted with those who will be enforcing the ordinance, and these were their recommendations without stepping on the rights of the citizens.

Mr. Walker requested that the proposed changes be included in the Second Reading ordinance.

Ms. Mackey inquired who is making the recommendations.

Mr. Wright responded there were suggestions from committee members, as well as recommendations from the stakeholders, which were not included in tonight's agenda documentation.

Ms. Barron noted it is disappointing that the document the committee worked on is not before them.

Mr. Livingston suggested approving this item by title only and bringing back the full document at Second Reading.

Mr. Pugh inquired if we could defer this item until the updated ordinance is provided.

Mr. Wright indicated he does not think it is necessary to defer the item.

Mr. Pugh encouraged his colleagues to attend committee meetings when there are hot topics, such as this.

Ms. Barron inquired if we are voting on the committee's recommendation or Mr. Livingston's suggestion of approving the ordinance by title only.

Mr. Pugh his preference would be to approve it by title only.

Ms. Mackey inquired if the committee Chair has the ability to change the committee's recommendation when the item comes to Council, or would a motion need to be made.

Mr. Wright responded a motion would need to be made to change the committee's recommendation.

Mr. Pugh moved to approve this item by title only and have the full ordinance presented at Second Reading, seconded by Mr. Livingston.

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

Opposed: Weaver and Walker

The vote was in favor.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

18.

- a. 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 Connect to provide for payment of a fee-in-lieu of taxes; authorizing the execution and delivery of a project development agreement or memorandum of understanding by Richland County, South Carolina; and other related matters [FIRST READING BY TITLE ONLY] – Mr. Livingston stated 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.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

19.

- a. Midlands Workforce Development Board – Ten (10) Vacancies (ONE applicant must have a background in Apprenticeship, THREE applicants must have a background in Education [ONE Midlands Technical College, ONE Adult Education, and ONE Literacy], FIVE applicants must be from the Private Sector and ONE applicant must be nominated and approved by the SC Department of Employment & Workforce) – Ms. Barron stated the committee recommended appointing Ms. Rosalind Harps, Ms. Brittany Singleton, Ms. Maria Calloway, Mr. J. Michael Harpe, and re-appointing Mr. Tim Miller and Ms. Amy Scully.

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

The vote in favor was unanimous.

Ms. Barron noted the four (4) remaining vacancies were re-advertised.

20. **OTHER ITEMS**

- a. A Resolution to appoint and commission Sandra Dickerson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- b. A Resolution to appoint and commission Spencer G. Robertson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- c. A Resolution to appoint and commission Jermain Carr as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County

Mr. Livingston moved to approve Items 20(a) – 20(c), 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 Items 20(a) – 20(c), seconded by Ms. Barron.

Ms. Barron made a substitute motion to reconsider Item 19(a)(1) and Item 20(a) – 20(c), seconded by Ms. Newton.

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

The motion for reconsideration failed.

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

22. **MOTION PERIOD** – There were not motions submitted.

23. **ADJOURNMENT** – Ms. English 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 8:04 PM.