



Richland County Council
REGULAR SESSION
MINUTES

March 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, 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, Casey White, Jennifer Wladischkin, Sarah Harris, Lauren Holm, John Thompson, Trina Walker, Kim Stroman, Hayden Davis, Chris Eversmann, Angela Lewis, Dante Roberts, Geo Price, David Adams, Jeanette McBride, and Lori Thomas.

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
Mr. Walker acknowledged the Secretary of Commerce, Harry Lightsey, was in the audience.
2. **INVOCATION** – Ms. Mackey recognized women elected officials serving in Richland County and acknowledged fellow Councilwomen McBride, Terracio, Barron, English, and Newton; she also acknowledged former Councilwomen Candi Waites and Bernice Scott in honor of Women's History Month.
Ms. McBride recognized the Clerk of Court, Ms. Jeanette McBride, the first African-American Clerk of Court, was in the audience.
The Honorable Cheryl English led the Invocation.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Jesica Mackey.
Mr. Walker acknowledged Chief Magistrate Sandra Sutton was in the audience.
4. **PRESENTATION OF PROCLAMATIONS**
 - a. **A Proclamation Recognizing James Dale Truitt's Retirement [McBRIDE]** – Ms. Tamar Black, Assistant to the Clerk of Council, read the proclamation into the record.
 - b. **A Proclamation recognizing Foodshare South Carolina and declaring March as National Nutrition Month [McBRIDE, LIVINGSTON, BRANHAM, NEWTON, and ENGLISH]** – Ms. Chelsea Bennett, Public Information/Communication Deputy Director, read the proclamation into the record.
5. **PRESENTATION OF RESOLUTION**
 - a. **A Resolution Recognizing T. Dwight Hanna's Retirement** – Mr. Pugh moved to approve a resolution recognizing Mr. T. Dwight Hanna's retirement, 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. Mackey presented a resolution to Mr. T. Dwight Hanna, Human Resources Director, recognizing his retirement from Richland County after 25 years.

POINT OF PERSONAL PRIVILEGE – Ms. English stated the t-shirt she was wearing was in honor of the University of South Carolina's Center for Development Resources annual expo. She noted March is Disability Awareness Month.

6. **APPROVAL OF MINUTES**

- a. Special Called Meeting: February 14, 2023 – Ms. Barron brought to the Clerk of Council staff's attention that some of the details of Council's discussion(s) were left out of the minutes. She noted she would follow up with the Clerk's Office regarding the items she referenced.

Ms. Newton moved to approve the minutes as distributed, seconded by Ms. Barron.

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

The vote in favor was unanimous.

- b. Zoning Public Hearing: February 28, 2023 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. McBride.

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

The vote in favor was unanimous.

7. **ADOPTION OF AGENDA** – Mr. Patrick Wright, County Attorney, requested to add "Project Connect" under the Report of the Attorney for Executive Session.

Mr. Livingston moved to adopt the agenda as amended, seconded by Ms. English.

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

The vote in favor was unanimous.

8. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Wright stated the following item is eligible to receive legal advice and be discussed in Executive Session:

- a. Project Connect

Ms. Barron moved to go into 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.

*Council went into Executive Session at approximately 6:27 PM
and came out at approximately 7:12 PM*

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

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

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.) – No one signed up to speak.

11. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Updates for Consideration:

1. 1741 Cushman – The County Administrator, Leonardo Brown, stated he sent a counteroffer to Allen University. He has not received an additional offer from them.
2. Gregg Street Property – Mr. Brown stated he had received a tentative request related to the property on Gregg Street where the Probation, Pardon, and Parole were housed. He is anticipating receipt of an offer.
3. Hospitality Tax and Accommodations Tax Process – Mr. Brown noted he had received emails regarding the hospitality and accommodations tax process. Some applicants missed the application deadline. He spoke with the County Attorney, and our process depends on the applicants meeting the deadline(s). Council members can address organizations outside of the committee process during the budget process.

4. ClearGov – The Budget Director, Abhijit Deshpande, gave a brief overview of the ClearGov software.

Ms. McBride inquired about the communication timeline for budget submission.

Mr. Deshpande responded the initial communication was sent in December 2022 via email and announced on the Executive Team call.

Ms. McBride inquired if there would be communications going out to outside agencies. She noted there had been confusion previously regarding communications.

Mr. Deshpande replied the first announcement about the hospitality and accommodations tax grant process was in November 2022.

AUDIO PROBLEMS

Ms. English inquired if this would be a one-time expenditure or an ongoing request for Voter Registration.

Mr. Brown responded Voter Registration input information into the system, and then we would talk about it at the budget meeting. This particular request is related to the increased funding for salaries. The licensing and upkeep of the machines will be a recurring cost. He noted some of these costs would be reimbursed because of how this office operates. He stated there is a way to determine whether a request is a one-time or recurring request. Then we discuss whether the costs can be addressed with the current budget or if it would require new dollars coming in.

Ms. Mackey inquired is an internal program or whether Councilmembers will be expected to utilize it.

Mr. Deshpande responded only internal staff would be utilizing the program.

12. REPORT OF THE CLERK OF COUNCIL

- a. Capital Planning and Coronavirus Ad Hoc Committee Work Sessions – The Clerk of Council, Anette Kyrlo, reminded Council, and the public, the Capital Planning Work Session is scheduled for March 8th at 3:30 in Council Chambers. In addition, the Coronavirus Ad Hoc Committee Work Session will be held on March 21st at 2:00 PM. The agendas for these meetings were provided to Councilmembers at tonight's meeting.
- b. Richland International Gala – Ms. Kyrlo stated Councilmembers should have received an invitation to the Richland International Gala. The gala will be held on March 23rd, and the International Festival will occur on April 1st and 2nd.

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

14. OPEN/CLOSE PUBLIC HEARINGS

- a. An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within unincorporated Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation – No one signed up to speak.

15. APPROVAL OF CONSENT ITEMS

- a. Case # 22-038MA, Drew Huddleston, RU to GC (2.72 Acres), W/S Hard Scrabble Road, TMS # R20300-04-17 [SECOND READING] – Mr. Livingston moved to approve this item, seconded by Ms. Barron.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.
- b. Case # 22-039MA, Richland County, M-1 to HI (574.57 Acres), Bluff Road and Longwood Road, TMS # R18900-02-22, R16100-02-03, R16200-03-02, R16100-02-22, R18900-01-01, and R16100-02-07 [SECOND READING]
- c. Court Administration – Intergovernmental Agreement – Town of Arcadia Lakes – Municipal Judge
- d. Treasurer's Office – Disbursement of Forestry Funds
- e. Department of Public Works – Jim Hamilton-LB Owens Airport – Use of Landside Airport Property
- f. Operational Services – Hampton Street – Elevator Modernization
- g. Operational Services – Selective Demolition of Dillard's

Ms. Newton moved to approve Items 15(b)–15(g), 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 Items 15(c)-15(g), seconded by Ms. Newton.

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

The motion for reconsideration failed.

16. **THIRD READING ITEM**

- a. An Ordinance establishing the offense of using, discharging, shooting, or igniting fireworks or similar explosives within unincorporated Richland County between certain hours, to provide exceptions, and to provide a penalty for each violation – Ms. Newton moved to amend the language of Sec. 18-7(c)(5), as follows: “To ignite or detonate fireworks within six hundred (600) feet of a church, hospital, public school, *other than a lawful property owner or resident that occupies property within the six hundred (600) feet*, unless authorized by the proper officials or managers of the property, during times allowable under section (b);”. Mr. Pugh seconded the motion.

Ms. Terracio inquired if the ordinance addresses the prohibition of discharging fireworks during school or church hours.

Mr. Wright replied that the ordinance prohibits fireworks shooting between 10:00 PM-7:00 AM. The ordinance does not prohibit them from shooting fireworks during daylight hours.

Ms. Newton stated citizens are allowed to do so now, and it is not a rampant problem. She noted she intended to allow residents to enjoy their homes on holidays.

Ms. McBride inquired about the penalty for the first offense.

Mr. Wright replied it is up to \$500. The 2nd offense is up to \$750, and the 3rd offense is up to \$1,000.

Ms. McBride requested a public information campaign be put in place to educate the citizens.

Mr. Brown stated he believes that would be appropriate.

Mr. Wright noted the recommended effective date is July 1, 2023.

Ms. Newton indicated she is in favor of regulating fireworks during these hours. The fireworks affect her family and pets. She is troubled by the \$500 fine, so she will vote against this item.

Ms. McBride stated for clarification that the magistrate determines the amount of the fine.

Mr. Wright responded in the affirmative.

Ms. McBride inquired if legally the amount of the fine could be negotiated.

Mr. Wright replied the amount of the fine is up to Council.

Ms. McBride inquired if Ms. Newton had a recommendation for the fine amount.

Ms. Newton responded this has been deliberated and discussed so many times by this body; therefore, she does not know what a “good” amount is.

Mr. Walker noted that the effective date for the ordinance is July 1, 2023.

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

Opposed: Weaver and Newton

The vote was in favor.

POINT OF PERSONAL PRIVILEGE – Mr. Pugh thanked his colleagues for the discussion and deliberations on this ordinance. He noted he received phone calls regarding this matter when he took office. He assured the citizens this was not a ploy to take away fireworks but to give veterans and pet owners a better quality of life.

Mr. Walker thanked Mr. Pugh and the Development and Services Committee for their hard work on this issue.

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

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. Newton.

Ms. Barron made a substitute motion to reconsider Items 16(a) and (b), seconded by Mr. Livingston.

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

The motion for reconsideration failed.

17. SECOND READING ITEM

- 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 a public infrastructure credit agreement to provide for public infrastructure credits to a company identified for the time being as Project Subtext; and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. Barron.

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

Opposed: Terracio

Recuse: Mackey (due to her parent company representing the company)

The vote was in favor.

18. REPORT OF 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 a public infrastructure credit agreement to provide for public infrastructure credits to a company known to the county as Project Wichita; and other related matters [FIRST READING] – 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.

- 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 a company currently identified as Project Siguno; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item.

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

Recuse: Mackey (due to her parent company representing the company)

The vote in favor was unanimous.

- c. Committing to negotiate a fee-in-lieu of ad valorem taxes and incentive agreement between Richland County and Project Charlie Echo; identifying the project; and other matters related thereto

- d. 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 Charlie Echo to provide for payment of a fee-in-lieu of taxes; authorizing certain special source credits; and other related matters [FIRST READING] – Mr. Livingston stated the committee did not have a recommendation. However, he would like to move to approve Items 18(c) and (d), seconded by Mr. Pugh.

AUDIO PROBLEMS

Mr. Wright responded, at this point, it is a part of the committee's report. He stated a Councilmember could make a motion for Council to take it up. The item does not have to go back to the committee since no action was taken in the committee.

For clarification, Ms. McBride stated that the first vote would be to have Council take up the item. If Council approves moving forward with the item, there will be a second vote for approval.

Mr. Branham inquired if the vote would be a majority vote.

Mr. Wright responded in the affirmative.

Ms. Barron inquired, if the vote is in favor of moving forward, will Council take up the item at tonight's meeting?

Mr. Wright responded Council could take up the item at tonight's meeting. The first vote would be to decide if Council wants to take up the item for discussion, and the second would be to give the item First Reading.

Ms. Barron stated she wants to take up the item. However, she could not attend the Economic Development Committee meeting, so she is at a disadvantage because she does not have all the information. She would like Council to consider this item at a later date, so we can be brought up to date on what we are voting on.

Mr. Livingston stated all three members of the Economic Development Committee were present at the meeting when this item was taken up. He reminded everyone this would be the First Reading of this item.

Ms. McBride inquired if Council could receive more information.

Mr. Wright replied Council could go into Executive Session, defer the item to receive additional information, or move forward.

Ms. Barron inquired if this was a time-sensitive item.

AUDIO PROBLEMS

Ms. Barron noted she is fine with voting on this by title only, but that differs from what we are doing.

Mr. Livingston replied that he had no issue approving the item by title only.

Mr. Walker stated the motion on the floor was to take the item up. If the vote is in the affirmative, the next step will be to approve First Reading of the item or defer it.

Mr. Livingston inquired if the motion to take up the item fails; where does that put the item?

Mr. Walker responded the item would die.

Mr. Livingston inquired if the item would go back to the committee.

Mr. Walker replied the item would die, but the committee could subsequently take it up later.

Mr. Livingston stated if this is the case, we need to call a Special Called meeting for tomorrow and change Council Rules. This means that no matter how important an Economic Development item is, one Councilmember can decide that item does not come before Council.

Ms. McBride stated three (3) committee members were at the meeting, and two (2) did not vote to move it forward.

Mr. Livingston stated one committee member voted not to move it forward.

Ms. McBride responded no one voted. The motion died for lack of a second.

Mr. Branham inquired if the County Attorney, or outside counsel, would be prepared to advise Council on this matter in Executive Session.

Mr. Wright replied he did not have all the information with him. The committee members or the Economic Director, Jeff Ruble, could provide additional information.

In Favor: Branham, Pugh, Livingston, Weaver, Walker, and Newton

Opposed: McBride, Terracio, Barron, and English

Recuse: Mackey (due to her parent company representing the company)

The vote was in favor of taking up the item.

Mr. Livingston moved to approve this item for first reading, seconded by Mr. Weaver.

Ms. Barron stated she was not trying to hold anything up. She was merely trying to get more information to support the committee fully. She believes it is only fair if she is being asked to support something, where the committee did not have a recommendation, that she has the information. She wants economic development to take place in Richland County.

Ms. McBride indicated she would vote against this item. She must look out for the young people whom automatic weapons have killed. In addition, she is compelled to look out for the community. She has no problem supporting a manufacturer who manufactures things the military and law enforcement utilize. If certain things get into the hands of people who are irresponsible and could result in havoc and death. In good conscience, she cannot approve using public funds to incentivize this type of manufacturer.

Ms. Terracio noted that she wants the public to be informed about what is happening. Additionally, this week we celebrated a manufacturer that will bring positivity to the County. She stated that this other industry has a lot of money, and they do not need the County's extra dollars.

Mr. Weaver indicated this is a long-time manufacturer in Northeast Columbia who has done much for the US military. We need to approve this out of respect for those who have or are serving.

Ms. Barron made a substitute motion to go into Executive Session, seconded by Mr. Branham.

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

Opposed: Terracio and Weaver

Recuse: Mackey (due to her parent company representing the company)

The vote was in favor.

***Council went into Executive Session at approximately 8:11 PM
and came out at approximately 8:24 PM***

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

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

Recuse: Mackey (due to her parent company representing the company)

The vote in favor was unanimous.

Mr. Walker inquired if Mr. Livingston needed to make the motion again for First Reading approval.

Mr. Wright responded there was no need to remake the original motion.

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

Opposed: McBride, Terracio, and Newton

Recuse: Mackey (due to her parent company representing the company)

The vote was in favor of First Reading approval.

19. OTHER ITEMS

- a. A Resolution to appoint and commission Rayvoughn Demaris Ray as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- b. FY23 – District 5 Hospitality Tax Allocations: Trustus Theatre - \$10,000
- c. FY23 – District 7 Hospitality Tax Allocations: Homeless No More - \$1,000

Ms. Newton moved to approve Items 19(a)-19(c), 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. Newton moved to reconsider Items 19(a)-19(c), seconded by Ms. Terracio.

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

The motion for reconsideration failed.

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

21. MOTION PERIOD – There were no motions submitted.

22. ADJOURNMENT – Ms. Newton moved to adjourn the meeting, seconded by Mr. Pugh.

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 8:28 PM.