



Richland County Council
Special Called Meeting
MINUTES
September 13, 2022 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Anette Kirylo, Leonardo Brown, Patrick Wright, Lori Thomas, Aric Jensen, Michael Byrd, John Thompson, Stacey Hamm, Jennifer Wladischkin, Angela Weathersby, Justin Landy, Tamar Black, Sandra Haynes, Geo Price, Jeff Ruble, Dale Welch, Abhijit Deshpande, Susan O’Cain, Michelle Onley, Chelsea Bennett, Crayman Harvey and Ashiya Myers

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Allison Terracio
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Allison Terracio
4. **APPROVAL OF MINUTES**
 - a. **Special Called Meeting: August 30, 2022** – Ms. McBride moved to approve the minutes as distributed, seconded by Ms. Barron.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

5. **ADOPTION OF AGENDA** – Ms. Mackey requested to add a motion to the agenda. The proposed motion is as follows: “I move that this body give first reading by title only to ‘An Ordinance authorizing several easements to Dominion Energy South Carolina, Inc. for the transportation of gas, oil petroleum products, or any other liquids, gases or substances which can be transported through a pipe line; located on property owned by Richland County along Clemson Road; and as is more fully described therein.’”

Ms. Newton requested to remove Item #16(e): “FY23 – District 11 Hospitality Tax Allocations”

Ms. Barron moved to adopt the agenda as amended, seconded by Ms. McBride.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. O. Walker acknowledged that Allen University President, Dr. Ernest McNealey and Vice President, Mr. Dub Taylor were in the audience.

6. **REPORT OF ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- a. Economic Development: Credit Agreement for Project Bulldog
- b. Alvin S. Glenn Detention Center
- c. General Expenditures

Mr. Livingston moved to go into Executive Session, seconded by Mr. Pugh.

Mr. J. Walker stated, for clarification, the intent is to take up all three items in this Executive Session.

Mr. Patrick Wright, County Attorney, responded in the affirmative.

Ms. Barron inquired if we have any public participation. She does not want the public to have to wait if there are Executive Session items that can wait until the 2nd Executive Session.

Mr. Wright noted Item 6(c) needs to be taken up during the first Executive Session.

Mr. Malinowski made a motion to reconsider the agenda and move Citizens' Input before Executive Session, seconded by Ms. Barron.

After considering the cost of attorney's fees, Mr. Malinowski withdrew his motion.

In Favor: Pugh, McBride, Livingston, Terracio, O. Walker, Mackey, English and Newton

Opposed: Malinowski, J. Walker and Barron

The vote was in favor.

***Council went into Executive Session at approximately 6:12 PM
and came out at approximately 7:32 PM***

Mr. J. Walker moved to come out of Executive Session, seconded by Mr. Malinowski.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Chairman Walker stated no actions were taken during executive session.

Ms. Mackey noted she did not enter into Executive Session on Item 6(a): "Economic Development: Credit Agreement for Project Bulldog" due to her parent company being affiliated with the project.

Economic Development: Credit Agreement for Project Bulldog – No action was taken.

General Expenditures – No action was taken.

7. **CITIZEN'S INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No one signed up to speak.

8. **CITIZEN'S 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. Lee Carroll, 3905 Marsteller Street, Columbia, SC 29203 – Repairing damage to Marsteller Street from construction on North Main.
2. Barbara Roach, 205 Penrose Drive, Columbia, SC 29203 – Blight/rental properties
3. Roger Leaks – Blight/rental properties
4. Joe Geter, 1029 Birchwood Drive, Columbia, SC 29203 – North Main Street Construction Update
5. Elaine DuBose, 7262 Sunview Drive, Columbia, SC 29209 – Blight/rental properties

9 **REPORT OF THE COUNTY ADMINISTRATOR** –

- a. Coronavirus Update – The County is currently at community level High.
- b. Other Updates
 1. Items Requiring Potential Council Action
 - *Requests from external sources:* The County Administrator will forward requestor’s information to Council for consideration as a part of the Report of the County Administrator. For action to be taken concerning the request, County Council will need to make a motion. If no motion is made during the initial meeting the request is presented, the item will be treated by Administration as “for information only.”
 - *Requests from the County Administrator:* The County Administrator will forward the request to Council for consideration as a part of the Report of the County Administrator. The request will be submitted with a recommendation for Council action. For action to be taken concerning the request, Council will need to make a motion. If no motion is made during the initial meeting the request is presented, the item will be treated by Administration as “for information only.”
 2. Allen University Property Request – 1741 Cushman Drive, Columbia, SC 29203 – Mr. Leonardo Brown, County Administrator, stated there is a request from Allen University related to County property located at 1741 Cushman Drive. The information regarding the request was forwarded to Council under separate cover.

Ms. McBride inquired how will take action on this request.

Mr. Brown responded, since Council has previously taken action on this item, it does not have to go through the committee process.

Ms. Barron stated, at this point, we need to determine if the body is going to make a decision on the project. The process is a separate matter.

Mr. O. Walker stated, for clarification, the County Administrator is not suggesting Council take action on the property request. As part of the Administrator’s Report, the Administrator outlined a process on bringing items before Council.

Ms. McBride noted she would like Allen University to have the opportunity to meet with Council in Executive Session to discuss their request.

Ms. McBride moved to have the requested information available by the next Council meeting and then take action, seconded by Mr. Malinowski.

Ms. Mackey stated, for clarification, the motion includes an opportunity for Allen University to present to Council in Executive Session.

Ms. Barron inquired if we are requesting additional information that was not included in the initial proposal.

Ms. McBride responded there are two parts, and it is sort of convoluted.

Ms. Barron stated she is concerned about receiving additional information when Allen University has provided Council with information and have had an opportunity to have audience with them. At this point, if there is additional information Council members need, they need to seek that information out.

Ms. Mackey noted the next Council meeting is next week and there may not be enough time to pull the information together before the agenda deadline.

Ms. McBride stated, in light of the tight deadline, this item should be included on the October 4th Council agenda.

In Favor: Malinowski, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Recuse: Mr. Pugh recused himself due to the fact he is a faculty member at Allen University.

The vote in favor was unanimous.

10. **REPORT OF THE CLERK OF COUNCIL** – Ms. Anette Kirylo, Clerk of Council, stated the Rules and Appointments Committee amended their meeting schedule as follows: September 27th (3:00-4:00 PM); October 25th (3:00-4:00 PM); November 1st (3:00-5:00 PM); November 15th (3:00-5:00 PM); December 6th (3:00-5:00 PM); December 13th (3:00-5:00 PM).

11. **REPORT OF THE CHAIR**

- a. Community Impact Grant Committee – Chairman O. Walker appointed Mr. Livingston, Ms. McBride, Ms. Barron, Ms. English and Ms. Mackey to serve on the Community Impact Grant Committee.

12. **OPEN/CLOSE PUBLIC HEARINGS**

- 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 Dawson to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – No one signed up to speak.
- b. An Ordinance authorizing the acquisition of certain property located in Richland County; and other matters related hereto – No one signed up to speak.

13. **APPROVAL OF CONSENT ITEMS**

- a. Case # 22-009MA, Josh Brown, RU to GC (1 Acre), 341 Western Lane, TMS # R04000-03-03 [THIRD READING]
- b. Case # 22-011MA, Oliver Mack, RC to LI (4.7 Acres), 6108 Bluff Road, TMS # R21300-01-02, 31 and 32 [THIRD READING]
- c. Case # 22-012MA, Richard Hendy, PDD to PDD (4.63 Acres, E/S Hard Scrabble Rd., TMS # R20400-01-19 [THIRD READING]

Mr. Malinowski moved to approve Consent Items a, b and c, second by Ms. English.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

14. **THIRD READNIG ITEMS**

- a. Case # 22-013MA, Patrick Palmer, M-1 to GC (161.79 Acres), 310 Killian Road, TMS # R14600-03-16 – Ms. Barron moved to approve this item, seconded by Mr. Malinowski.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- b. An Ordinance Authorizing the acquisition of certain property located in Richland County; and other matters related thereto – Mr. Livingston moved to approve this item, seconded by Mr. J. Walker.

Mr. Malinowski noted the correct TMS # is R15100-02-01.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Mr. J. Walker to reconsider this item, seconded by Mr. Malinowski.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

15. **SECOND READING ITEMS**

- 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 Dawson to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. Livingston moved to approve this item, seconded by Mr. J. Walker.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

16. **OTHER ITEMS**

- a. FY23 – District 7 Hospitality Tax Allocation: The Big Red Barn - \$10,000; Talented Tenth - \$5,000; Junior League of Columbia - \$20,000; Broad River Business Alliance - \$5,000; and Aja Wilson Foundation - \$5,000 – Ms. Barron moved to defer this item to the September 20th, meeting seconded by Mr. Malinowski.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- b. FY23 – District 9 Hospitality Tax Allocation: Range Fore Hope Foundation - \$2,500 – Ms. Mackey moved to defer this item to the September 20th meeting, seconded by Ms. English.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- c. Deferred Maintenance of Cessna Plane Contract – Emergency Procurement – Mr. J. Walker moved to approve this item, seconded by Ms. Barron.

In Favor: Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

The vote was in favor.

Ms. English moved to reconsider this item, seconded by Mr. J. Walker.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

- d. Adoption of Comprehensive Council Rules – Ms. Barron moved to refer this item back to the Rules and Appointments Committee, seconded by Mr. Malinowski.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

17. **EXECUTIVE SESSION** – Ms. Mackey moved to go into Executive Session, seconded by Mr. Pugh.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

The vote was in favor.

***Council went into Executive Session at approximately 8:14 PM
and came out at approximately 8:17 PM***

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

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Chairman Walker stated no actions were taken during executive session.

The vote in favor was unanimous.

- a. Alvin S. Glenn Detention Center – No action was taken.

18. **MOTION PERIOD**

- a. I move that this body give first reading by title only to “An Ordinance authorizing several easements to Dominion Energy South Carolina, Inc. for the transportation of gas, oil petroleum products; or any other liquids, gases or substances which can be transported through a pipe line. located on property owned by Richland County along Clemson Road; and as is more fully described herein”[MACKEY] – Ms. Mackey moved for unanimous consent for the motion to receive First Reading, seconded by Ms. McBride.

Mr. Malinowski noted the reason this item did not go through the committee process was because there were no committee meetings in August, which necessitated it being brought directly to Council for action.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Ms. Mackey moved to give First Reading By Title Only to the Ordinance, seconded by Mr. Livingston.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Mr. Malinowski noted he made four (4) motions in April related to the Land Development Code, which received unanimous consent. He spoke with some Planning Commission members and they advised him they had never seen the motions. He had an additional motion in May related to the Alvin S. Glenn Detention Center IGAs, which he has not received an update on.

Mr. Brown stated he has been in discussions with the staff at the detention center and they have begun to address the motion. He noted he would ensure the Planning Commission were provided Mr. Malinowski’s motions from April.

19. **ADJOURNMENT** – Mr. J. Walker moved to adjourn the meeting, seconded by Ms. English.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English.

The vote in favor was unanimous.

The meeting adjourned at approximately 8:23 PM.



Richland County Council

STATEMENT OF RECUSAL

In accordance with Section 8-13-700(B) [*provides in part that no public official, public member or public employee may make, participate in making, or in any way attempt to use their official office, membership or employment to influence a governmental decision in which they, a member of their immediate family, an individual with whom they are associated, or a business with which they are associated has an economic interest.*], I hereby recuse myself from all votes, deliberations and other action on the following matter(s):

(Please add agenda Item number and description):

6a. Economic Development : Credit agreement for Project
Bulldog. (Executive Session Item)

REASONS FOR DISQUALIFICATION:

My parent company represents the business making
the request.

Jessica Marking
Signature

Signature

9/13/22

Date

[Signature]
Date received by Clerk Dept.



Richland County Council

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(Please add agenda Item number and description):

9b. Other updates: Allen University Property Request
1741 Cushman Drive, Columbia, SC 29203

REASONS FOR DISQUALIFICATION:

A faculty member of Allen University.

A handwritten signature in blue ink, appearing to be "D. [unclear] [unclear]".

Signature

9/13/22

Date

Signature

Date received by Clerk Dept.