



Richland County Council
Special Called
MINUTES
December 12, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

NOT PRESENT: Jason Branham

OTHERS PRESENT: Michelle Onley, Aric Jensen, Leonardo Brown, Anette Kirylo, Chelsea Bennett, Lori Thomas, Stacey Hamm, Susan O’Cain, Dale Welch, Ashiya Myers, Kyle Holsclaw, Angela Weathersby, Andrew Haworth, Dante Roberts, Jennifer Wladischkin, Tamar Black, Patrick Wright, Peter Cevallos, Michael Maloney, Brittney Hoyle-Terry, Wayne Thornley, Michael Zaprzalka, Ashley Fullerton, Jeff Ruble, Michael Byrd, Thomas Gilbert, and Venyke Harley

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.
Mr. Walker noted Ms. Terracio and Ms. English are participating virtually in tonight’s meeting due to medical matters. Mr. Branham will not be in attendance tonight due to a work engagement.
2. **INVOCATION** – The Invocation was led by the Honorable Don Weaver.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Don Weaver.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: December 5, 2023** – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. Newton.
In Favor: Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Branham
The vote in favor was unanimous.
5. **PRESENTATION OF PROCLAMATIONS**
 - a. **A Proclamation Recognizing Rachel Fobare as the 2023 Health Education Professional of the Year** – Ms. Newton presented the proclamation to Ms. Fobare, recognizing her as the 2023 Health Education Professional of the Year.
6. **ADOPTION OF AGENDA** – Ms. McBride noted a typo on Item 21(b). It should read FY24- District 3 Hospitality Tax Allocation instead of District 2.
Ms. Barron moved to adopt the agenda as amended, seconded by Ms. Mackey.
In Favor: Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
Not Present: Branham
The vote in favor was unanimous.
7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Ms. Elizabeth McLean, Chief Deputy County Attorney, indicated the following items qualify for Executive Session under South Carolina Code section 30-4-70:
 - a. **2023-2024 County Administrator and Clerk to Council Performance Evaluation**

b. Personnel Matter – Compensation Plan

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.) – No one signed up to speak.

10. **REPORT OF THE COUNTY ADMINISTRATOR** – No report was given.

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

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

13. **APPROVAL OF CONSENT ITEMS**

a. Case #23-042MA, Michaela Gonzales, NC to OI (1.98 Acres), 14, 18 & 19 Blythe View Ct. TMS # R15200-01-61, R15200-01-62 & R15200-01-63 [THIRD READING]

b. Case #23-044MA, Garrett McNeill, PDD to OI (5.27 Acres), 151 Westpark Blvd., TMS # R06103-01-02 [THIRD READING]

c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 3, Airports [SECOND READING]

Ms. Newton moved to approve Items 13(a) – 13(c), seconded by Mr. Pugh.

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

Not Present: Branham

The vote in favor was unanimous.

Ms. Newton moved to reconsider Items 13(a) and (b), seconded by Mr. Pugh.

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

Not Present: Branham

The motion for reconsideration failed.

14. **THIRD READING ITEM**

a. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization – Mr. Weaver indicated, if this item passes, he hopes the zoo will consider Ms. Barron's suggestion that the property owners in Lexington and Richland County, who will be paying this tax, will get a day at the zoo.

Ms. Barron responded the zoo's staff sent an email to Council members recapping the services they already provide to the citizens of Richland and Lexington counties. Those services include Free Fridays, unlimited school trips and field studies for students, \$5 General Admission for SNAP participants, and Two Can Tuesday that benefits Harvest Hope. In addition, the zoo will provide 20% off of General Admission, free parking for Lexington and Richland counties, more Free Fridays throughout the year, and select "Free After Three PM" (July and August). She noted there will be a committee formed of residents that will have an opportunity to provide input on how to move forward.

Mr. Livingston moved to approve this item, seconded by Ms. Barron.

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

Opposed: Weaver and Walker

Not Present: Branham

The vote was in favor.

Ms. Barron moved to reconsider this item, seconded by Mr. Livingston.

In Favor: Weaver and Walker

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

Not Present: Branham

The motion for reconsideration failed.

15. **SECOND READING ITEM**

- a. An Ordinance amending the Richland County Code of Ordinances, Chapter 18, Offenses, by amending Section 18-4, Unsafe and Noxious Vegetation, so as to establish standards for unsafe and noxious vegetation, to define necessary terms, to provide that the responsible party of the property has a duty to maintain or remove unsafe and noxious vegetation and amend the cut back requirements for certain property lines, to provide a penalty for the failure to maintain or remove unsafe and noxious vegetation, and to remove language allowing a responsible party to request that work be done by the Department of Public Works for the County – Ms. Newton moved to approve this item, seconded by Mr. Weaver.

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

Not Present: Branham

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 Earlewood Apartment Rental Properties, LLC, and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. Barron.

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

Not Present: Branham

The vote in favor was unanimous.

16. **FIRST READING ITEMS**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to codify the 2021 Editions of the International Residential Code, the International Building Code, the International Fire Code, the International Plumbing Code, the International Fuel Gas Code, the International Mechanical Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Property Maintenance Code and the 2009 South Carolina Energy Conservation Code, and the 2020 National Electric Code (NDPA 70) – Mr. Livingston moved to approve this item, seconded by Ms. Newton

Mr. Weaver inquired if the regulation to secure a permit from the County to construct a pool is new because he does not remember having to do that when he had his pool built.

Mr. Jensen replied the contractor should have secured the proper permits.

Mr. Weaver stated the proposed ordinance says, "In the event, an approved wall, fence, or other substantial structure is not in existence, the property owner shall be responsible for making sure said structure remains in place as long as the swimming pool exists." He inquired if that meant they could never change their fence or take the existing one down as long as the pool was there.

Mr. Jensen responded that one of the standards of the International Building Code is that a swimming pool must be completely enclosed with a non-scalable fence.

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

Opposed: Weaver

Not Present: Branham

The vote was in favor.

17. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. A Resolution Authorizing the addition of a survey to fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina, the Ritedose Corporation and TRC Propco, Inc.; and other related matters – Mr. Livingston stated the committee recommended approval.

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

Not Present: Branham

The vote in favor was unanimous.

- b. A Resolution approving a sponsor affiliate to join in one or more fee agreements between LDE LLC, Shop Grove 1 LLC, and Richland County, South Carolina; and other matters related thereto – Mr. Livingston stated the committee recommended approval.

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

Not Present: Branham

The vote in favor was unanimous.

- c. A Resolution committing to negotiate a fee-in-lieu of ad valorem tax agreement between Richland County and Project Shreds; identifying the project; and other matters related thereto – Mr. Livingston stated the committee recommended approval.

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

Not Present: Branham

The vote in favor was unanimous.

- 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 Shreds to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval.

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

Not Present: Branham

The vote in favor was unanimous.

18. **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

a. **NOTIFICATION OF APPOINTMENTS**

1. *Richland County First Steps Partnership Board: Richland Library Appointment* – Ms. Barron stated the committee recommended appointing Ms. Lee Patterson to represent the Richland Library on the Richland County First Steps Partnership Board.

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

Not Present: Branham

The vote in favor was unanimous.

b. **NOTIFICATION OF VACANCIES**

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)
2. *Board of Zoning Appeals* – One (1) Vacancy
3. *Building Codes Board of Appeals* – Eight (8) Vacancies (ONE applicant must be from the Architecture Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Building Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry, as alternates)
4. *Business Service Center* – Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicants must be CPAs)
5. *Central Midlands Regional Transit Authority* – One (1) Vacancy
6. *Hospitality Tax Committee* – Three (3) Vacancies (TWO applicants must be from the Restaurant Industry)
7. *Richland Memorial Hospital Board* – Four (4) Vacancies

Ms. Barron stated that the committee recommended advertising the above-referenced vacancies. The ad will run from December 15, 2023- January 12, 2024.

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

Not Present: Branham

The vote in favor was unanimous.

c. ITEMS FOR ACTION

1. *I move that Council establishes written guidelines regarding the number of proclamations and acknowledgment resolutions that can be presented at County Council meetings [WEAVER and TERRACIO] – Ms. Barron stated the committee recommended not establishing any rules of procedures related to resolutions and proclamations. However, to request the Clerk to Council to provide informal guidelines to Council. In the past, when we had proclamations, the Clerk to Council's Office would notify the individual receiving the proclamation and provide them instructions. This will now be our operating procedure.*

Mr. Walker inquired procedurally what this would look like.

Mr. Wright stated the committee's recommendation is not to establish any official rule and have the Clerk to Council provide informal guidelines.

Ms. Barron noted that we will essentially operate the same way we do now, but the Clerk to Council will share with Council members what is being said to the individuals brought into Chambers.

Ms. McBride inquired if Mr. Weaver was satisfied with the committee's recommendation.

Mr. Weaver responded in the affirmative. He has complete faith in the Clerk to Council.

Mr. Pugh noted that since this matter was brought to Council members' attention, there has been a decrease in proclamations/resolutions. Therefore, he believes this can be handled with good communication between Council and the Clerk to Council's Office.

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

Opposed: Pugh, McBride, and Walker

Not Present: Branham

The vote was in favor.

19. **REPORT OF THE COMMUNITY IMPACT GRANTS COMMITTEE**

- a. FY2024-2025 Community Impact Grants Application – Ms. Mackey stated the committee recommended the following:

Application:

1. Item #13 – “Benefit to the Community” – Include more specific language regarding districts and/or zip codes. This will streamline questions from other Council members and constituents;
2. Item 14 – “Sustainability” – Request the specific amounts regarding the organization and its other funding sources.
3. Item #15 – “Partnerships/Community Support” – Describe the type of partnerships they have so we know they are working with a specific organization to provide “x, y, and z” services.
4. Item #16 – “Outcomes” – Provide specific, measurable goals and objectives.

Community Partners:

1. Fund up to ten community partners in three-year cycles;
2. Include a statement that Council has a general objective to, over time, see a reduction of Community Impact Grant recipient's dependence on community impact grants.

In addition, the date for the “Grant Award Notification” should be June 28, 2024, instead of 2025.

Ms. Newton made a motion to change the community partners' three-year cycle to a two-year cycle, seconded by Mr. Weaver.

Ms. McBride inquired, once the grants are awarded, how can the community access the services provided? Will there be a resource manual?

Mr. Brown responded the grantee receiving the award will be responsible for providing that information to the county, but it is not a specific requirement listed in the application process.

Ms. McBride noted her concern is that the people who need the services the most are unaware of the services and do not know how to access them. If there is a way to improve that process, we can maximize the use of the resources we are paying for.

In Favor: Pugh, Terracio, Weaver, Walker, and Newton

Opposed: McBride, Livingston, Barron, Mackey, and English

Not Present: Branham

The motion failed.

Ms. Barron moved to change the "Grant Award Notification" to June 28, 2024, seconded by Mr. Walker.

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

Opposed: McBride

Not Present: Branham

The vote was in favor.

Ms. Mackey stated the committee recommended approval of the full application packet.

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

Opposed: McBride and Terracio

Not Present: Branham

The vote was in favor.

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

In Favor: McBride and Terracio

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

Not Present: Branham

The motion for reconsideration failed.

20. **REPORT OF THE CORONAVIRUS AD HOC COMMITTEE**

- a. Youth and Recreation Category – No report was given.

21. **OTHER ITEMS**

- a. FY24 – District 1 Hospitality Tax Allocations (SC Philharmonic - \$10,000 and Harbison Theatre at Midlands Tech - \$10,000)
- b. FY24 – District 3 Hospitality Tax Allocations (Pink & Green Community Service Foundation - \$10,000)

Ms. Newton moved to approve Items 21(a) and (b), seconded by Ms. Mackey

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

Not Present: Branham

The vote in favor was unanimous.

Mr. Pugh moved to reconsider Items 21(a) and (b), seconded by Ms. Newton

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

Not Present: Branham

The motion for reconsideration failed.

22. **EXECUTIVE SESSION**

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

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

Not Present: Branham

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:48 PM
and came out at approximately 7:37 PM***

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

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

Not Present: Branham

The vote in favor was unanimous.

Mr. Walker indicated no action was taken in Executive Session.

- a. 2023-2024 County Administrator and Clerk to Council Performance Evaluation – Ms. Mackey moved to have the Chair and Vice Chair move forward with the County Administrator and Clerk to Council performance evaluation, as discussed in Executive Session, seconded by Ms. Barron.

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

Not Present: Branham

The vote in favor was unanimous.

- b. Personnel Matter: Compensation Plan – No action was taken.

22. **MOTION PERIOD**

- a. I move that the County Administrator work in collaboration with the Office of Economic Development, Office of Small Business Opportunities, Community Development and Grants to identify and/or create policies and initiatives to increase access to affordable quality childcare in Richland County [MACKEY] – Mr. Walker referred this motion to the Administration and Finance Committee.

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

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

Not Present: Branham

The vote in favor was unanimous.

The meeting adjourned at approximately 7:42 PM.