



Richland County Council
Development and Service Committee Meeting
MINUTES
July 26, 2022 – 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Derrek Pugh, Alliston Terracio, Gretchen Barron, Cheryl English, and Chakisse Newton.

OTHERS PRESENT: Bill Malinowski, Anette Kirylo, Sarah Scheier, Dale Welch, Leonardo Brown, Patrick Wright, Justin Landy, Kyle Holsclaw, Angela Weathersby, Tamar Black, Jennifer Wladischkin, Geonard Price, Lovetta Walton,

1. **CALL TO ORDER** – The Honorable Derrek Pugh called the meeting to order at approximately 5:00 PM.

2. **APPROVAL OF MINUTES**

a. June 28, 2022 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. Newton.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Barron moved to add “Other items” to the agenda and move Adjournment to Item #8, seconded by Ms. Newton.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. Community Planning & Development – Conservation – Historic Columbia Heritage Tourism Marketing Plan – Mr. Pugh moved to defer this item until the September committee meeting, seconded by Ms. Newton.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

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5. **ITEMS FOR DISCUSSION**

- a. I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individual who violate county ordinance and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance [NEWTON AND DICKERSON November 19, 2019] - Ms. Barron inquired when the draft ordinance will be available for review.

Mr. Aric Jensen, Assistant County Administrator, responded the draft ordinance should be available by September.

Ms. Newton inquired if they would still be able to proceed under the original motion or if staff needs to update the motion in order to draft the ordinance.

Mr. Patrick Wright, County Attorney, responded they will be able to proceed under the original motion.

Ms. Newton inquired if the change to the ordinance is cost neutral to the County.

Mr. Jensen responded as the County grows they will have to hire additional enforcement officers, which will eventually result in a need for more employees. If Council wants staff to become more proactive it will require additional enforcement personnel.

6. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Move to direct staff to evaluate current zoning laws that permit zoning designations for large residential developments to remain in perpetuity and present options to re-evaluate and or rezone those properties if they are not developed within 7 years. Recommendations should include processes to ensure that zoning and the comprehensive plan remain consistent with the lived character of the community [NEWTON – July 13, 2021] – Ms. English stated she still has concerns about the legality of this motion and those that purchase land with the intent to develop understanding this motion. She recommended including this in the ordinance.

Mr. Wright stated they will need to look at the “in perpetuity” part as we do not know what could happen 50 years from now.

Ms. Terracio inquired if they are going to include disclosure language so someone would know in advance what the rules are.

Mr. Wright responded it is allowing the designation to be in place forever. We cannot predict the future, so that is a concern. We have to see if it is possible or something we should do.

Ms. Newton stated the language “in perpetuity” was not part of her motion to ask that zoning remain in perpetuity, but rather to address the current situation, which is if something is rezoned it lasts until something changes. Her motion was to look at the way we treat zoning laws and evaluate if something is not done for decades. The Planning Commission was discussing the legal concerns around the motion. When the item comes back it may not be the exact motion submitted, and we will have a chance to evaluate it then.

- b. I move that Richland County update its policies to allow the expenditure of CDBG and other federal funds for affordable housing anywhere in Richland County regardless of jurisdiction.

(Current Richland County policies only allow expenditure of these funds in the unincorporated parts of the county.) [NEWTON – May 17, 2022] – Mr. Pugh inquired why this item was not in the Administration and Finance Committee.

Ms. Newton stated this item was addressed with the current CDBG plan we will be addressing later tonight.

Mr. Leonardo Brown, County Administrator, stated, while the item is being addressed in another committee, it has not been resolved as there has not been an approval of what staff proposed. This item has been addressed as part of the HUD plan, but there was no action from Council. The item was directed to this committee by the Council Chair.

Ms. Newton inquired if what is before them tonight on the Council agenda in their HUD plan was a proposal from staff that once approved by Council would constitute their policy.

Mr. Brown stated Council did not establish a policy, so staff implemented a practice in order to utilize HUD funds. Council will need to establish a policy.

Ms. Sara Scheirer, Community Development Division Manager, stated, for clarification, this is not a County policy that excluded the incorporated areas. The County is required to notify the incorporated areas they are able to opt in or out from participating in the funds. They are in the process of drafting letters to each of the municipalities to give them the option to be included in the CDBG, and by default the HOME funds. The restrictions come from the Federal Government.

Mr. Malinowski stated he wanted the guidelines from the Federal Government as it could eliminate a lot of questions he had.

7. **Other items** – Ms. Barron it was brought to her attend Councilmembers could not direct staff to do anything. Council can only direct the Administrator and Clerk of Council.

She moved to direct the Clerk's Office to clean up any motions that will allow for the proper verbiage being used, seconded by Ms. Terracio.

Ms. Newton inquired why they would not be able to direct anything to the County Attorney.

Mr. Wright responded the code states, "The Council and its members shall deal with the administrative services solely through the County Administrator, and no member therefore shall give order to any County employee or subordinate of the County Administrator, either publicly or privately." In the rules it states there are two officials that serve Council; the Administrator and the Clerk of Council. Specifically for attorneys, not just in the County, but a general government thing, there is a certain level of separation for the attorney to be able to advise or make decisions that Council may not agree with.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

8. **ADJOURNMENT** – Ms. Barron moved to adjourn, seconded by Ms. English.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 5:28 PM.