



Richland County Council
Special Called Meeting
MINUTES
August 29, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Kyle Holsclaw, Aric Jensen, Patrick Wright, Leonardo Brown, Anette Kirylo, Chelsea Bennett, Lori Thomas, Stacey Hamm, Jennifer Wladischkin, Tamar Black, Thomas Gilbert, Angela Weathersby, Geo Price, Venyke Harley, Michael Byrd, Ashiya Myers, Jeff Ruble, Susan O’Cain, Dale Welch, Ashley Fullerton, and Wayne Thornley

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 Cheryl English.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Cheryl English.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: July 18, 2023** – Mr. Pugh 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.
 - b. **Zoning Public Hearing: July 25, 2023** – Mr. Livingston moved to approve the minutes as distributed, seconded by Mr. Pugh.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.
5. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Ms. Mackey.
In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton
The vote in favor was unanimous.
POINT OF PERSONAL PRIVILEGE – Mr. Weaver thanked the Clerk of Council staff for their excellent job in preparing Council for the SCAC Annual Conference.
POINT OF PERSONAL PRIVILEGE – Mr. Pugh recognized the military members in the audience.
6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Patrick Wright, County Attorney, indicated the following item qualifies for Executive Session under South Carolina Code section 30-4-70:
 - a. **Blythewood Intergovernmental Agreement/Annexation**
 - b. **MPG Arden, LLC v. Richland County, et al. Road Closure Petition**
 - c. **Proposed Amendment to Land Development Code Interim Procedures**
 - d. **Legislative Act 81 and Amendment to Richland County Code regarding First Steps Program**
 - e. **Personnel Matter: County Attorney Contract**

f. The Honorable Joseph M. Strickland v. Richland County Legislative Delegation, Richland County, et al.

7. **CITIZENS' INPUT**

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

8. **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. Kim Murphy, 154 Old Laurel Lane, Chapin, SC 29036 – County Ordinance Procedures

9. **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 Vista Depot Holding, LLC, among other of its affiliates, to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – No signed up to speak.

b. Authorizing the execution and delivery of one or more fee-in-lieu of ad valorem taxes and incentive agreements by and among Richland County, South Carolina, LDE LLC, and Shop Grove 1 LLC (formerly known as Project Growth) 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.

c. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park 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 2222 Main LLC, a company formerly known to the County as Project Main View; and other related matters – No one signed up to speak.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

Mr. Leonardo Brown, County Administrator, noted he and other County Administrators throughout the State received an invitation from the SC Ethics Commission to provide training to the various department heads and elected officials. The training can be provided in person or virtually. He will provide additional details as they become available.

Mr. Michael Byrd, Emergency Management Director, provided an update on Hurricane Idalia and its projected effect on Richland County.

Mr. Brown indicated he met with the school districts, private schools, colleges/universities, etc., to coordinate plans affecting the community and employees. The school districts will have early releases on Wednesday and delayed starts on Thursday. If they have business to conduct with the County, the community is encouraged to do so by noon to limit the number of individuals on the roads.

a. Administrator's Nomination: Items in this section require action that may prejudice the County's interest in a discernible way (i.e., time-sensitive, exigent, or of immediate importance)

1. *County Administrator's Office – South Carolina Veterans' Affairs Enhancement Plan Grant Letter of Support* – Mr. Brown stated the County has received a request from the SC Military Department Director of Strategic Initiatives to provide a letter of support to seek funding to provide enhancements to the TAG Complex at 1 National Guard Road in Columbia. The proposal is to repurpose an existing facility (formerly leased by Dominion Energy) for community outreach and improved service member, veteran, and family services support. Staff recommends approval of this item.
2. *Community Planning & Development – Conservation: Mitigation Bank Credit Sales – JLAM Blythewood Investors* – Mr. Brown stated staff is recommending approval of the request to purchase 3.7 wetland credits for the development of the Richland Logistics Center in Richland County at a rate of \$20,000 per credit.
3. *Community Planning & Development – Conservation: Mitigation Bank Credit Sales – J&C Investments, LLC* – Mr. Brown stated staff is recommending approval of the request to purchase 3.9 wetland credits for the expansion of a commercial facility in Lexington County at a rate of \$20,000 per credit.
4. *Office of the County Administrator – Military Enhancement Plan Grant Proposal -McEntire Joint National Guard Base – Grant Letter of Support* – Mr. Brown stated staff is recommending approval of the letter of support for grant funding for the modular temporary housing units for dedicated firefighters at McEntire Joint National Guard Base.

Ms. McBride moved to approve items 10(a)(1), 10(a)(2), 10(a)(3), and 10(a)(4), seconded by Ms. English. 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 10(a)(1), 10(a)(2), 10(a)(3), and 10(a)(4), seconded by Ms. Terracio.

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

The motion for reconsideration failed.

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

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

POINT OF PERSONAL PRIVILEGE – Ms. Mackey recognized the SCAC Level I Graduates: Ms. Barron, Clerk of Council Kirylo, Assistant County Administrator Thomas, and herself.

13. **APPROVAL OF CONSENT ITEMS**

- a. Case #23-012MA
Michael Arnold
RM-HD to GC (.25 Acres)
1559 Daulton Drive
TMS # R17102-03-10 [SECOND READING]
- b. Case #23-014MA
David Cook
RU to RS-LD (5.63 Acres)
2271 Hollingshed Road
TMS # R05204-01-05 & R05200-01-38 [SECOND READING]
- c. Case #23-019MA
Keisha Garrick
RU to NC (.73 Acres)
7730 Bluff Road
TMS # R32403-02-07 [SECOND READING]
- d. Case #23-020MA
Scott R. Armstrong
RU to RS-MD
113 Beaver Dam (.58 Acres)
TMS # R22707-03-02 [SECOND READING]

Ms. Newton moved to approve items 13(a)-13(d), seconded by Ms. Terracio.

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

The vote in favor was unanimous.

e. Department of Public Works – Jim Hamilton-LB Owens Airport (CUB) Airport – Conditional Approval of Work Authorization(WA) and Associated Grants

Ms. Newton moved to approve item e, 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. Newton moved to reconsider Item 13(e), seconded by Ms. English.

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

The motion for reconsideration failed.

14. **THIRD 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 Vista Dept Holding, LLC, among other of its affiliates to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. Livingston moved to defer this item until the September 12th Council 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.
- b. Authorizing the execution and delivery of a fee-in-lieu of one or more fee-in-lieu of ad valorem taxes and incentive agreements by and among Richland County, South Carolina, LDE LLC, and Shop Grove 1 LLC (formerly known as

Project Growth) 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 Ms. McBride.

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

The vote in favor was unanimous.

- c. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park 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 2222 Main, LLC, a company formerly known to the County as Project Main View; and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. English.

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 items 14(b) and 14(c), seconded by Ms. English.

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

The motion for reconsideration failed.

15. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Department of Public Works – Engineering – Pavement Management System – Ms. Mackey stated the committee recommended approval of the pavement management system from Roadway Management Technology.

{AUDIO PROBLEMS}

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

Opposed: Weaver

Abstain: Barron (due to audio problems)

The vote was in favor.

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

In Favor: Weaver

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

Abstain: Barron (due to audio problems)

The motion for reconsideration failed.

16. **REPORT OF THE OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE**

- a. Review of OSBO Ordinance:

1. *Ordinance 058-16HR – “An Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to move the division known as the Office of Small Business Opportunity from Procurement so that this division directly reports to the County Administrator* – Mr. Pugh stated the committee recommended approval.

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

The vote in favor was unanimous.

17. **REPORT OF THE EMPLOYEE EVALUATION AD HOC COMMITTEE**

- a. 2023 Employee Evaluation – Ms. Newton stated the committee recommended Council approve Pathway’s Consulting’s recommendations for staff evaluations and negotiate to extend the contract for an additional year to assist with employee evaluations.

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 this item, seconded by Mr. Pugh.

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

18. **OTHER ITEMS**

- a. FY24 – District 5 Hospitality Tax Allocations (Nickelodeon Theatre - \$5,000; Jam Room Foundation - \$6,000; ColaJazz Foundation - \$5,000; Five Points Association - \$10,000; and Columbia Music Festival Association - \$5,000)
- b. FY24 – District 6 Hospitality Tax Allocations (ColaJazz Foundation - \$5,000)
- c. FY24 – District 9 Hospitality Tax Allocations (ColaJazz Foundation - \$5,000 and Ridgeview High School “The Bash” - \$20,000)
- d. FY24 – District 10 Hospitality Tax Allocations (Latino Communications CDC - \$15,000 and Columbia City Ballet - \$5,000)
- e. FY24 – District 11 Hospitality Tax Allocations (Main Street Latin Festival - \$5,000)

Mr. Pugh moved to approve items 18(a)-18(e), seconded by Ms. English.

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 18(a)-18(e), seconded by Mr. Pugh.

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

19. **EXECUTIVE SESSION**

Mr. Pugh moved to go into 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.

***Council went into Executive Session at approximately 6:46 PM
and came out at approximately 7:27 PM***

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

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

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

- a. Blythewood Intergovernmental Agreement/Annexation – Mr. Walker moved to direct the Administrator to proceed as discussed in Executive Session, seconded by Ms. Terracio.

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

Abstain: Barron and Newton (due to not participating during Executive Session)

The vote in favor was unanimous.

- b. MPG Arden, LLC v. Richland County, et al. Road Closure Petition – No action was taken.
- c. Proposed Amendment to Land Development Code Interim Procedures – No action was taken.
- d. Legislative Act 81 and Amendment to Richland County Code regarding First Steps Program – Ms. Mackey moved to amend the Richland County Code of Ordinances; Chapter 15, Libraries by amending Section 15-2 so as to authorize the

County Library Board to recommend one employee of the library system to the County Council to serve as a member of the County's First Steps Partnership; and Chapter 2, Administration, by amending Section 2-332 so as to recognize the Richland County First Steps Partnership Board, seconded by Ms. Terracio.

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

Abstain: Barron and Newton (due to not participating during Executive Session)

The vote in favor was unanimous.

Ms. McBride inquired if an ordinance does not go through the committee process if it is due to extenuating circumstances.

Mr. Wright responded that this item is something that the Legislature recently approved, and the County is required to do by them. Therefore, it does not necessarily have to go through a committee.

Ms. McBride expressed concern about amending ordinances without them going through the committee process unless there is an extenuating circumstance or mandated by the Legislature.

- e. Personnel Matter: County Attorney Contract – No action was taken.
- f. The Honorable Joseph M. Strickland v. Richland County Legislative Delegation, Richland County, et al. – No action was taken.

20. **MOTION PERIOD**

- a. I move County Council fund EdVenture Children's Museum Hospitality Tax request for facility improvements and enhancements to improve safety and attract new visitors [MACKEY] – The Chair referred this item to the A&F Committee.

21. **ADJOURNMENT** – Ms. Terracio moved to adjourn the meeting, seconded by Ms. Barron.

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

Opposed: Walker

The vote was in favor.

The meeting adjourned at approximately 7:45 PM.