



Richland County Council
Transpiration AD Hoc Committee Meeting
MINUTES
June 28, 2022 – 4:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jesica Mackey, Chair; Bill Malinowski, Derrek Pugh, Paul Livingston and Overture Walker

OTHERS PRESENT: Gretchen Barron, Dale Welch, Nathaniel Miller, Patrick Wright, Michael Maloney, Jeff McNesby, Justin Landy, Melissa Hughey, Ali Eliadorani, Anette Kirylo, Leonardo Brown, Tamar Black, John Thompson, Ashiya Myers, Angela Weathersby, Stacey Hamm, Aric Jensen, Lori Thomas and Abhijit Deshpande

1. **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 4:00PM.

2. **APPROVAL OF MINUTES**

a. May 24, 2022 – Mr. Pugh moved to approve the minutes as distributed, seconded by Mr. Livingston.

In Favor: Malinowski, Pugh, Livingston and Mackey

Not Present: O. Walker

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Livingston moved to adopt the agenda as published, seconded by Mr. Pugh.

In Favor: Malinowski, Pugh, Livingston and Mackey

Not Present: O. Walker

The vote was in favor.

Mr. O. Walker arrived at approximately 4:06 PM.

4. **ITEMS FOR ACTION**

a. Broad River Road Widening Project Right-of-Way Acquisition – Mr. Maloney stated staff is requesting approval to award Right-of-Way condemnation and acquisition to CECS, Inc. at a

cost of \$1,330,804.65 for the Broad River Road Widening Project. In addition, to meet the aggressive thirty month design schedule, staff is requesting approval to initiate Eminent Domain powers for all parcels where Right-of-Way acquisition is necessary for the widening. At this time, there is no parcel identification or dollar amounts, but to commit to the acquisition process that would invoke a company to prepare for eminent domain, they are seeking preliminary approval. The list of parcels, with the dollar amounts per square foot, would come back to the committee within 12 months.

Mr. Pugh inquired if staff's request is blanket acquisition approval.

Mr. Maloney responded it would be for a process and the actual dollar amounts would be after the appraisals. The plans have to be at 60% approved by SCDOT for acquisition. At that point, we would have the entire list of parcels, with the dollar amounts per acre.

Mr. Malinowski inquired if staff is going to have a list of all the properties they need to get the right-of-way and file eminent domain on.

Mr. Maloney responded in the affirmative.

Mr. Malinowski inquired if the filing of eminent domain would become a court record.

Mr. Wright responded a condemnation would have to be filed, so it would be a court action.

Mr. Malinowski inquired if a court action could cause harm to the citizen.

Mr. Wright responded the action is for the property, not the citizen. The action is only to acquire the property.

Mr. Malinowski stated everyone should first have the option to determine if they would like to accept an offer for the right-of-way before eminent domain action.

Mr. Wright stated before they file an action they would have to speak with the property owner to give them the opportunity to give the property or receive fair market value for the property.

Mr. Malinowski requested a map of the project so the public could see the project.

Mr. Malinowski inquired if they are acquiring 130 or 150 parcels.

Mr. Maloney responded the assumption is there would be 20 parcels that would be secured by permission by the original offer.

Mr. Malinowski inquired what the estimated relocation assistance is for.

Mr. Maloney responded if the right-of-way created damages to the parcel that it is not operable as the business it currently is.

Mr. O. Walker moved to forward to Council with a recommendation to approve staff's recommendation to award Right-of-Way condemnation and acquisition to CECS, Inc. at a cost of \$1,330,804.65 for the Broad River Road Widening Project. In addition, in order to complete the work under the aggressive thirty (30) month design schedule, to approve the initiation of Eminent Domain powers for all parcels where Right-of-Way acquisition is necessary..

In Favor: Malinowski, Pugh, Livingston, O. Walker and Mackey

The vote in favor was unanimous.

- b. Southeast Richland Neighborhood Improvements (SERN) Sidewalk Phase 2 – Mr. Maloney stated this project is to extend sidewalks along Rabbit Run Road from Garners Park Road (formerly Rabbit Run Connector) to Trotter Road. The estimated cost is \$712,000 for construction, \$160,000 for engineering and professional services for a total of \$872,000. The request is to use SERN funds for the sidewalk extension.

Mr. Malinowski inquired if the project was part of a previous list or just a part of the SERN.

Mr. Maloney responded the sidewalk was not a part of the Penny Projects. It is a part of the master plan area.

Mr. Malinowski inquired why this project was not completed with the previous work.

Mr. Maloney responded it was not in the Phase I scope, but the neighborhood have grown.

Mr. O. Walker moved to forward to Council with a recommendation to proceed with a project to extend a five foot wide concrete sidewalk along Rabbit Run Road from Garners Park Road (formerly Rabbit Run Connector) to Trotter Road, seconded by Mr. Livingston.

In Favor: Malinowski, Pugh, Livingston, O. Walker, and Mackey

The vote in favor was unanimous.

5. **ADJOURNMENT** – Mr. O. Walker moved to adjourn, seconded by Mr. Livingston.

In Favor: Malinowski, Pugh, Livingston, O. Walker and Mackey.

The vote in favor was unanimous.

The meeting adjourned at approximately 4:15PM.