



Richland County Council  
Regular Session  
**MINUTES**  
February 15, 2022  
2020 Hampton Street, Columbia, SC 29202

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

OTHERS PRESENT: Michelle Onley, Angela Weathersby, Kyle Holsclaw, Ashiya Myers, Randy Pruitt, Michael Byrd, Stacey Hamm, John Thompson, Judy Carter, Bill Davis, Dwight Hanna, Dale Welch, Geo Price, Jeff Ruble, Leonardo Brown, Tamar Black, Lori Thomas, Brittney Hoyle-Terry, Patrick Wright, Justin Landy, Michael Maloney, Aric Jensen, Shane Kitchen, Steven Gaither, Melissa Hughey, Syndi Castellccio, Sierra Flynn, Abhi Deshpande, Dante Roberts and Chris Eversmann

1. **CALL TO ORDER** – Chairman O. Walker called the meeting to order at approximately 6:00PM. He stated that Councilwoman McBride is not present tonight due to her attendance at the National Association of Counties (NACo) Legislative Conference in Washington, DC.
2. **INVOCATION** – The Invocation was led by Pastor Simeon Moultrie on behalf of the Honorable Gretchen Barron.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **APPROVAL OF MINUTES**
  - a. **Special Called Meeting: February 8, 2022** – Ms. Newton moved, seconded by Ms. Barron, to approve the minutes as distributed.

Mr. Malinowski noted that a correction needed to be made to the motion on Item 16(b): “Richland County Conservation Commission – Cabin Branch Property Purchase” needs to be corrected as follows: “to allow the Conservation Commission to enter into negotiations regarding the purchase...”

Ms. Terracio moved, seconded by Ms. Newton, to approve the minutes as corrected.

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

Not Present: McBride

The vote in favor was unanimous.

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5. **ADOPTION OF AGENDA** – Mr. Pugh moved, seconded by Ms. Barron, to adopt the agenda as published.

Mr. Malinowski asked Patrick Wright, County Attorney, when he was made aware of the items that were added under the Report of the Attorney for Executive Session Items, which required the agenda to be amended.

Mr. Wright responded he was made aware of two of them on Thursday, February 10<sup>th</sup>. He was informed of the other item on Monday, February 14<sup>th</sup>.

Mr. Malinowski inquired if they were time-sensitive.

Mr. Wright responded Items 6(a) and (b) are time sensitive.

Mr. Malinowski inquired as to when the agenda was sent to the public.

Ms. Kirylo responded the amended agenda was provided to Council, and the public, on Monday, February 14<sup>th</sup>.

Mr. Malinowski stated, for the record, to pay attention to the items for the agenda.

Mr. O. Walker stated, in fairness to staff, Mr. Wright was informed by outside counsel on Thursday, about the upcoming hearings on Items 6(a) and (b).

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

Not Present: McBride

The published agenda was adopted unanimously.

Mr. Malinowski moved, seconded by Ms. Barron, to reconsider the agenda.

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

Not Present: McBride

The vote in favor of reconsideration was unanimous.

Ms. Barron moved, seconded by Mr. Malinowski, to add “Alvin S. Glenn Detention Center” to the Report of the Attorney for Executive Session.

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

Not Present: McBride

The vote in favor was unanimous to amend the agenda to add “Alvin S. Glenn Detention Center” to the Report of the Attorney for Executive Session.

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

- a. **Regional Gateway Project - Intergovernmental Agreement (IGA)**

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- b. City of Columbia v. Richland County (2018-CP-40-5991) [Pursuant to SC Code of Laws § 30-4-70(a)(2)]
- c. Richland County v. City of Columbia (2019-CP-40-0627) [Pursuant to SC Code of Laws § 30-4-70(a)(2)]
- d. Alvin S. Glenn Detention Center

7. **CITIZENS' INPUT**

a. **For Items on the Agenda Not Requiring a Public Hearing**

- 1. Eugene Washington, 2131 Heyward Brockington Road, Columbia, SC 29203; spoke about unsafe practices of GFL Environmental issues.
- 2. Thurmond Guess, 3004 Dell Drive, Columbia, SC 29209; County easement legal document dispute on heir property.

8. **CITIZENS' INPUT**

- a. **Must Retain 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.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. **Coronavirus Update** – Mr. Leonardo Brown, County Administrator, stated the number of cases are decreasing, but the County is still considered a high transmission area. He noted the County has distributed all of its Emergency Rental Assistance (ERA I and ERA II) funds. The County requested additional funds from the Treasury, and they opened a Voluntary Reallocation Program. The County has met with SC Housing, and they have agreed to work with us. At this point, we have received approval to receive funds, but a date of receipt has not been given.

b. **Project Updates:**

- **Redistricting Process** – The County has submitted the maps and a letter to the Regulatory Affairs Office, Voter Registration and Elections Office have been notified. Their office will go through a process with the Office of Research and Fiscal Affairs (RFA) and the SC Elections Commission. Once the process has been completed, Voter Registration and Elections will then communicate any concerns about the mapping data. The changes will be communicated to the voters by Voter Registration and Elections.
- **Lobbyist Solicitation(s)** – The County has issued a Notice of Intent to Award to one of the responders. Once it is finalized, it will come back to Council.

Ms. Terracio inquired about the timeframe of when we will have someone in place.

Mr. Brown responded the process is nearing completion. He will notify Council as soon as the lobbyist has been secured.

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- Culinary Arts Institute – Mr. Brown has met with Midlands Technical College and other community partners to inquire about this. The questions posed by Midlands Tech are included in the agenda packet.
- Connecting Communities Initiative – Mr. Brown noted had an opportunity to speak before Leadership Columbia and the Irmo Chamber.

- c. **MBLG: Regional Gateway Project – Intergovernmental Agreement (IGA)** – Mr. Brown stated legal counsel has reviewed the information, and the County has been in conversations with our partners at MBLG. The expectation is the next time this is before Council we will be ready for action.

Mr. James Bennett, Midlands Business Leadership Group (MBLG), thanked Ms. Terracio, Ms. Newton and Mr. Livingston for their participation in the governmental cooperation. He noted they are to the point that in the spring they would go into the planning stage for the gateways. At some point, they will need a formal vote from the County to continue to participate. The governmental entities include: Lexington County, Richland County, City of Columbia, City of West Columbia, Springdale, City of Lexington, Irmo and Forest Acres. They have received approval from all of the entities, with the exception of the City of West Columbia and Richland County. This is a public-private initiative. To implement the eight (8) gateways will cost approximately \$2M. For the first two, Airport (Hwy. 302/Airport Blvd.) and Ft. Jackson will cost about \$1.2M. All of the private funds have been raised. The understanding is the governmental entities will provide ongoing maintenance. The pro rata share for Richland County will be \$46,000/year.

Ms. Barron inquired if \$23,000, per project, will be consistent across all of the gateways.

Mr. Bennett stated, once all of the projects are completed, Richland County's portion will be approximately \$207,000.

Ms. Barron inquired where the funding for these projects will come from in the County's budget.

Mr. Brown responded, ideally, the funding would come from the General Fund.

Mr. Livingston inquired if the MBLG is paying for the physical structures, and the total cost.

Mr. Bennett responded in the affirmative. Upon completion, it will be approximately \$2M.

Mr. Livingston stated he feels the County needs to take advantage of the opportunity to make the gateways into the County more appealing.

Mr. Malinowski requested the overall cost of maintenance and the amount each entity will be providing.

10. **REPORT OF THE CLERK OF COUNCIL** – Ms. Anette Kirylo, Clerk of Council, reminded Council of the upcoming SCAC Mid-Year Conference and Institute of Government classes.

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

12. **APPROVAL OF CONSENT ITEMS**

- a. **21-037MA, Deborah Stratton, NC to RM-HD (2 Acres & 2.16 Acres), 2241 & 2133 Clemson Road,**

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**TMS # R20281-01-24 & R20281-01-27 [THIRD READING]**

**b. 21-040MA, Dr. Alexis Collins, RU to GC (1.4 Acres), 1774 Dutch Fork Road, TMS # R02505-02-05 [THIRD READING]**

Ms. Newton moved, seconded by Mr. J. Walker, to approve the Consent Items.

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

Not Present: McBride

The vote in favor was unanimous.

Ms. Barron moved, seconded by Mr. J. Walker, to reconsider Items # 12(a) and (b).

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

Not Present: McBride

The motion for reconsideration failed.

**13. SECOND READING ITEMS**

**a. An Ordinance Amending the Richland County Code of Ordinances: Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County – Mr. J. Walker moved, seconded by Ms. Mackey, to approve this item.**

Mr. O. Walker noted, at the last meeting, Attachment A: re-written ordinance and Attachment B: summary of changes were not included in the agenda packet. Mr. Malinowski requested to be provided the missing documentation prior to this meeting.

Mr. Malinowski stated he has not been provided the requested information. The only thing provided in the agenda packet is the proposed ordinance.

Mr. Brown assured Mr. Malinowski the information will be provided at the next meeting.

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

Opposed: Malinowski

Not Present: McBride

The vote was in favor.

**14 REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

**a. NOTIFICATION OF VACANCIES**

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1. Accommodations Tax – Seven (7) Vacancies (TWO applicants must have a background in the lodging industry, THREE applicants must have a background in hospitality industry, ONE applicant must have a cultural background and ONE applicant will fill an At-Large seat)
2. Airport Commission – Two (2) Vacancies (ONE applicant must reside within one mile of the airport: Rosewood, Shandon or Hollywood-Rose Wales Garden neighborhoods)
3. Board of Assessment Appeals – One (1) Vacancy
4. Board of Zoning Appeals – One (1) Vacancy
5. Building Codes Board of Appeals – Nine (9) Vacancies (ONE applicant must be from the Architecture Industry, ONE from the Gas Industry, ONE from the Building Industry, ONE from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, ONE applicant must be from the Engineering Industry and TWO from the Fire Industry as alternates)
6. Business Service Center – Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicants must be CPAs)
7. Central Midlands Council of Governments – One (1) Vacancy
8. Community Relations Council – One (1) Vacancy
9. Employee Grievance Committee – Two (2) Vacancies (MUST be a Richland County employee; 1 seat is an alternate)
10. Hospitality Tax – Three (3) Vacancies (ONE applicant must be from the Restaurant Industry)
11. Internal Audit Committee – Two (2) Vacancies (applicant with CPA preferred)
12. Lexington Richland Alcohol and Drug Abuse Council (LRADAC) – Two (2) Vacancies
13. Music Festival – One (1) Vacancy
14. Planning Commission – Three (3) Vacancies
15. Richland Memorial Hospital Board of Trustees – Four (4) Vacancies
16. Township Auditorium – Two (2) Vacancies
17. Transportation Penny Advisory Committee (TPAC) – Five (5) Vacancies

Ms. Barron stated the committee recommended Council approve advertising/re-advertising the vacancies for the above-mentioned boards, commissions and committees.

Ms. Newton inquired when the advertisement for the vacancies would be posted, and how long the application period will be open.

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Ms. Kirylo responded the advertisement will be posted on, or before, February 20<sup>th</sup>. The application period will be open until March 18<sup>th</sup>.

Ms. Terracio inquired if the advertisement will be posted anywhere else besides the newspaper.

Ms. Kirylo responded the Public Information Office will post the advertisement on the County's website and on social media.

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

Not Present: McBride

The vote in favor was unanimous.

## 15 **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. **Atlas Rd. CE&I and Materials Testing** – Mr. O. Walker stated the committee recommended Council approve the award of the Construction, Engineering and Inspection and Materials Testing Work Authorization to F&ME in the amount of \$1,179,994, with a 15% contingency in the amount of \$176,999.19 for a total of \$1,356,993.10.

Mr. Malinowski inquired if we ever put these contracts out for bid.

Mr. Maloney, Public Works & Transportation Director responded these items are the On-Call services we have. The work goes to multiple engineers. The fees are negotiated before it comes to Council.

Mr. Malinowski stated, for clarification, it was not just this On-Call. All of the On-Calls were involved.

Mr. Maloney responded they look at the various On-Calls' availability and schedule, then negotiate with them for the project.

Mr. Malinowski stated the briefing document indicates Richland County is providing the Project Manager. He inquired why the County has to provide the Project Manager.

Mr. Maloney responded this is for three years of testing, observation at the construction site, and there are various documents that have to be facilitated throughout the process.

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

Not Present: McBride

The vote in favor of the committee's recommendation was unanimous.

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

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

Not Present: McBride

The motion for reconsideration failed.

16. **OTHER ITEMS**

a. **FY22 – District 7 Hospitality Tax Allocations:**

1. Annual Black History Parade and Festival 2022 - \$5,000
2. An Evening of Philanthropy (March 11-13, 2022) - \$5,000

Ms. Barron moved, seconded by Ms. Newton, to approve this item.

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

Opposed: J. Walker

The motion for reconsideration failed.

b. **Veteran's Treatment Court Match** – Ms. Mackey moved, seconded by Ms. J. Walker, to approve this item.

Mr. Malinowski inquired if the documentation provided by the Solicitor's Office prior to the meeting is different than the information in the agenda packet. He noted he did not see the grant listed in the budget information provided.

Ms. Newton inquired if we have identified the source of funds for this match.

Mr. Brown responded you would be looking at the General Fund, if you approve the request.

Ms. Newton stated, during the budget process, we were careful with the grants we awarded, in terms of making commitments to have additional staff in perpetuity. She inquired how this request relates to that.

Mr. Brown responded this would not require us to maintain a staffing presence after funds are exhausted.

Ms. Barron inquired if this is the first time this funding has been requested.

Mr. Brown responded in the affirmative.

Ms. Barron inquired if we would need to make sure this amount is budget in the next fiscal year.

Mr. Brown responded, if the same grant is sought, we would need to budget for it in the next fiscal year.

Ms. Barron stated, for clarification, the existing grant is a one-year grant, contingent upon renewal or re-applying, or, is it a multi-year grant.



Mr. Brown responded, it is his understanding, this is a multi-year grant. When it was initially brought before the County, it was presented as a one-year grant, but it is actually a multi-year grant. The request is for match funding for the additional years associated with the grant.

Mr. Byron Gipson, 5<sup>th</sup> Circuit Solicitor, stated the match they are requesting, at this juncture, is \$20,263, which will allow them to receive the grant.

Ms. Barron stated, for clarification, the request is for the remainder of this grant cycle.

Mr. Gipson responded in the affirmative.

Mr. O. Walker stated, in essence, the Bureau of Justice approved more than what the Solicitor's Office anticipated.

Mr. Gipson responded in the affirmative. He stated the Bureau of Justice had additional funding, and entrusted the funding to the Solicitor's Office because they have been good stewards of the funding.

Mr. O. Walker stated, since the Solicitor's Office submitted the application, the Federal government approved them for more funding than anticipated; therefore, they are requesting additional match funding in order to receive the grant.

Mr. Malinowski stated, for clarification, when Council initially approved submission of the application in December 2020, it was for \$64,000. He inquired if the grant submission in March 2021 was also for \$64,000.

Mr. Gipson responded they did an estimate before the application process opened to ensure they were going to be able to apply for the grant. As they learned there was more monies available, we applied for the \$125,000.

Mr. Malinowski inquired if it would have been incumbent for the Solicitor's Office to come back to Council prior to submitting an application for additional funding.

Mr. Hans Pauling, Director of Affiliate Services, indicated the Bureau of Justice, on December 17, 2021, awarded the Solicitor's Office the \$125,000, plus an additional \$31,000. They only required a match for the \$125,000.

Mr. Malinowski stated, his point is, Council approved the Solicitor's Office to request a certain amount. He noted, if everyone that received grants requested additional funding, the County could begin to suffer financially.

Mr. Pauling stated the Solicitor's Office was not aware before December 17, 2021 the additional funding was going to be available.

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

Opposed: Malinowski

Not Present: McBride

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The vote was in favor of approving the Solicitor's Office request for additional match funds.

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

In Favor: Malinowski

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

Not Present: McBride

The motion for reconsideration failed.

## 17. **EXECUTIVE SESSION**

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

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

Opposed: Malinowski

Not Present: McBride

The vote was in favor of going into Executive Session.

***Council went into Executive Session at approximately 6:58 PM  
and came out at approximately 7:45 PM***

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

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

Not Present: McBride

The vote to come out of Executive Session was unanimous.

- a. **Regional Gateway Project - Intergovernmental Agreement (IGA)** – No action was taken.
- b. **City of Columbia v. Richland County (2018-CP-40-5991) [Pursuant to SC Code of Laws § 30-4-70(a)(2)]**
- c. **Richland County v. City of Columbia (2019-CP-40-0627) [Pursuant to SC Code of Laws § 30-4-70(a)(2)]** – Mr. J. Walker moved, seconded by Ms. Terracio, to proceed as discussed in Executive Session for Items 17(b) and (c).

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

Opposed: Malinowski

Not Present: McBride

The vote was in favor.

d. **Alvin S. Glenn Detention Center** – No action was taken.

18. **MOTION PERIOD** – There were no motions.

19. **ADJOURNMENT** – Ms. Newton moved, seconded by Ms. Barron, to adjourn.

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

Not Present: McBride

The vote in favor was unanimous.

The meeting adjourned at approximately 7:49 PM