



Richland County Council  
REGULAR SESSION  
**MINUTES**  
November 1, 2022 – 6:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Jennifer Wladischkin, Kyle Holsclaw, Judy Carter, Michael Byrd, Angela Weathersby, Justin Landy, Dale Welch, Michael Maloney, Dante Roberts, Aric Jensen, Patrick Wright, Leonardo Brown, Anette Kirylo, Sandra Haynes, Tamar Black, Susan O’Cain, Jeff Ruble, Dwight Hanna, Shirani Fuller, Ashiya Myers, Michael Zaprzalka, Abhijit Deshpande, Crayman Harvey, Stacey Hamm and Lori Thomas

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.

**POINT OF PERSONAL PRIVILEGE** – Mr. Malinowski congratulated Mr. Patrick Wright, County Attorney, on his one-year anniversary with the County.

4. **APPROVAL OF MINUTES**

a. **Regular Session: October 18, 2022** – Ms. Mackey noted the written recusal forms from the October 18<sup>th</sup> meeting were not included in the agenda packet, but will be added prior to them being posted on the County’s website.

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

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

The vote in favor was unanimous.

b. **Zoning Public Hearing: October 25, 2022** – Mr. Pugh moved to approve the minutes as distributed, seconded by Ms. McBride.

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

The vote in favor was unanimous.

c. **Special Called Meeting: October 25, 2022** – Mr. Pugh moved to approve the minutes as distributed, seconded by Ms. Barron.

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

The vote in favor was unanimous.

5. **ADOPTION OF AGENDA** – Mr. Leonardo Brown, County Administrator, requested that Item 15(a): “Department of Public Works – Solid Waste & Recycling – Articulated Dump Truck” be removed from the agenda.

Ms. McBride moved to adopt the agenda as amended, seconded by Mr. J. Walker.

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

6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – There were no items for Executive Session.

7. **CITIZENS' INPUT**

a. For Items on the Agenda Not Requiring a Public Hearing – No one 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. Ms. Gwendolyn Boykin, 3704 Judy Street, Columbia, SC 29223 – 2014 Flood Recovery.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

a. Updates – There were no updates.

10. **REPORT OF THE CLERK OF COUNCIL**

a. Strategic Planning Forum (Annual Council Retreat): January 25-27, 2023 – Ms. Anette Kirylo, Clerk to Council, noted the Strategic Planning Forum (Council Retreat) will be held on January 25-27, 2023.

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

12. **OPEN/CLOSE PUBLIC HEARINGS**

a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article II, County Council; Section 2-14, Compensation of Council Members; so as to reflect the new annual salary for County Council

1. Elaine Cooper, 3105 Dalloz Road, Columbia, SC 29204  
2. Mustafa Abdullah, 2101 Riding Ridge Road, Columbia, SC 29223

b. Developing a multi-county park with Fairfield County; authorizing the execution and delivery of an agreement governing the multi-county park; authorizing the inclusion of certain property located in Richland County in the multi-county park; authorizing the execution of an intergovernmental agreement; and other related matters – No one signed up to speak.

13. **APPROVAL OF CONSENT ITEMS**

a. 22-023MA, Gerald A. Lee, RS-MD to RM-MD (3.12 Acres), W/S Archie Drive, TMS# R17116-01-01 [SECOND READING]

b. 22-016MA, John Stephenson, M-1 to RS-LD (138.5 Acres), B/S Longwood Road, TMS # R18900-02-01 [SECOND READING]

c. 22-029MA, Douglas Putlock, NC to RS-MD (3 Acres), 1012 Bickley Road, TMS # R02415-02-01 [SECOND READING]

d. 22-032MA, Ervin Capers, HI to RU (4.86 Acres), 208 & 217 Gatehill Road & E/S McCords Ferry Rd., TMS # R38800-02-09, R38900-03-06 and R38900-03-07 [SECOND READING]

e. Community Planning & Development – Building Inspections – South Carolina Building Codes Council Mandated 2021 Code Cycle

f. Department of Public Works – Engineering Division – Comprehensive Transportation Improvement Plan (CTIP) budget and proposed projects for Fiscal Year 2023 (FY-23)

g. Move to direct the County Administrator to evaluate current zoning laws that permit zoning designations for large residential developments to remain in perpetuity and present options to re-evaluate and 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]

h. Based on the below information, the matter of urban heat mapping should be referred to the Planning Commission for consideration. The expanding residential, commercial and transportation infrastructure

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contribute to areas where temperatures are much warmer, and that could put people at risk of injury or death on hot days.

“This study will help demonstrate to local governments and others where we need to preserve undeveloped land and trees, plant additional trees or build other green infrastructure to reduce or prevent heat islands in Richland County,” (Quinton) Epps said. (Division Manager, Community Planning and Development Department).

The heat-mapping initiative aims to improve understanding of and guide action to reduce heat health risks, encourage economic development and boost the area’s quality of life overall, therefore, prior to council deciding what zoning needs to be placed in specific areas without having that information would be a dereliction of our duties to the residents of the county. [MALINOWSKI – August 30, 2022]

- i. Department of Public Works – Engineering Division – Summit Ridge/Summit Parkway Project
- j. Utilities Department – Engineering Services for the Design and Construction of an Elevated Water Tank
- k. Department of Public Works – Engineering Division – Little Jackson Creek Upditch Improvement Project

Ms. Newton moved to approve Items 13(a) – (k), seconded by Ms. Terracio.

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

The vote in favor was unanimous.

- l. Direct the County Administrator to look into what it will take to have Richland County CASA receive state funding to operate the way that all other CASA groups in the state do, with state funding. Richland County should not be excluded from something that is provided to all other counties by the state. [MALINOWSKI – May 3, 2022] – Ms. Terracio requested the maker of the motion to give an overview of the intent of the motion.

Mr. Malinowski stated Richland County CASA is the only County not funded by the State. His understanding is that because Richland County began the program prior to the other counties, when it came time for the State to approve funds they approved the funding for all of the other counties, but not Richland County’s program. The motion is for the Administrator and staff to consult with CASA to provide the State with the information that could potentially allow us to receive State funding to support the County’s CASA program. It is not an effort to end or defund CASA.

Ms. Mackey noted the motion out of committee was to develop a fiscal impact statement, which is what the Administrator needs to move forward.

Mr. J. Walker stated, for clarification, this is not an attempt to have the State to run the County’s CASA program, but an inquiry regarding funding.

Mr. Malinowski responded in the affirmative.

Ms. Terracio inquired about the timeline to receive the information.

Mr. Brown responded the information was presented to the Administration & Finance Committee. At the committee meeting, he indicated if any further action was to take place the committee would need to make a recommendation to Council. A motion was forwarded out of the committee to direct the Administrator to develop a fiscal impact statement. At this time, he does not have a timeline for the process.

Ms. McBride inquired if we have discussed this matter with the Legislative Delegation.

Mr. Brown stated Mr. Dante Roberts, CASA Executive Director, has been in conversations with Dr. Kim Janha, Richland County Delegation Director. He noted it will take Council, Administration, CASA, and the Legislative Delegation working together to move this item forward.

Ms. McBride inquired about who runs the other counties’ CASA programs.

Mr. Brown responded the other counties are under the State’s program.

Mr. Wright noted the State’s program is modeled after the County’s program. When the State began its program, it allowed the County to continue running its program independently.

Mr. Livingston inquired if the County’s program receives any State funding.

Mr. Roberts indicated the County’s program does not receive any State funding.

Mr. O. Walker stated he is a little uncomfortable with this item. He noted it started with CASA coming before the body seeking additional funding for vacant attorney positions. From there, it appears to have morphed into a threat to the agency. If he were in the Director's shoes, he would probably think twice about coming back before the body to request assistance if the response is going to be "let's figure out a way to get you funding from another entity" or see if the State can take over the program. From what he has read, and has been shared with him, he does not think there is a happy median where the County retains control of the program and receives State funding. In addition, the Legislative Delegation has not been engaged. He is not sure if we have thought about the impact of what would happen in the event CASA has to come under the State program. It his understanding, CASA staff would have to reapply for their positions. He noted many of these employees have served the County for decades, and now would be required to reapply. Richland CASA comprises \$1.7M of the County's overall budget, and the services offered are to the County's most important constituents, abused and neglected children.

Mr. Malinowski stated the motion is merely to allow the Administrator to begin conversation with the Legislative Delegation. Once the facts are presented, the Council can make an informed decision.

Ms. Barron stated, for clarification, the motion on the agenda is not what was stated by Ms. Mackey.

Ms. Kirylo replied, for consistency, Mr. Malinowski's motion is listed on the agenda, but the recommendation out of committee is "to direct the County Administrator to draft a fiscal impact statement."

Ms. Mackey inquired what does "table" mean.

Mr. Wright replied the item will be postponed to a specific date.

**POINT OF ORDER** – Mr. J. Walker stated, it is his understanding, Mr. Wright is describing a motion to defer. The motion before the body is a motion to table, which is an indefinite suspension of the motion.

Mr. Wright responded Mr. J. Walker is correct.

Mr. Livingston made a substitute motion to table the item, seconded by Mr. J. Walker.

In Favor: McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, and English.

Opposed: Malinowski, Pugh, Mackey, and Newton.

The vote was in favor.

#### 14. **THIRD READING ITEMS**

- a. 22-006MA, Jared Munneke, GC/M-1/RU/RM-HD to RM-HD (74.28 Acres), End of Idlewilde Boulevard and Barnes Street, TMS# R11111-01-02, 54 & 55, R11114-01-02 & 13 – Ms. English moved to approve this item, seconded by Mr. J. Walker.

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

Recuse: Mackey (due to her parent company representing the applicant)

The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE** – Ms. English thanked Mr. Bob Coble and Mr. Ron Scott for working with her on this item.

- b. Developing a multi-county park with Fairfield County; authorizing the execution and delivery of an agreement governing the multi-county park; authorizing the inclusion of certain property located in Richland County in the multi-county park; authorizing the execution of an intergovernmental agreement; and other related matters – Mr. Pugh moved to approve this item, seconded by Ms. Barron.

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

Recuse: J. Walker (as per the written recusal statement submitted to the Clerk's Office); Mackey (due to her parent company representing the company)

The vote in favor was unanimous.

- c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article II, County Council; Section 2-14, Compensation of Council Members; so as to reflect the new annual salary for County Council – Mr. Livingston moved to approve this item, seconded by Ms. Terracio.

Mr. Malinowski made a substitute motion to approve a 4% increase, seconded by Mr. J. Walker.

In Favor: Malinowski and J. Walker

Opposed: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English, and N.

The substitute motion failed.

The motion to approve was made by Mr. Livingston and Second by Ms. Terracio.

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

Opposed: Malinowski, J. Walker, and Newton.

The vote was in favor of the original motion.

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

- a. Department of Public Works – Solid Waste & Recycling – Articulated Dump Truck – This item was removed during the Adoption of the Agenda.

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

- a. Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Wellness; identifying the project, and other matters related thereto – Mr. Livingston stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

- b. 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 Wellness 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 of this item.

Ms. Terracio requested additional information about the project.

Mr. Jeff Ruble, Economic Director, stated this is an expansion of an existing industry. It represents an \$81M investment and 94 new jobs with an average wage of \$33/hr.

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

The vote in favor was unanimous.

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

- a. NOTIFICATION OF APPOINTMENTS:

1. Central Midlands Council of Governments Board (CMCOG) – One (1) Vacancy – Ms. Barron stated the committee recommended approving Ms. Susan Brill.

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

Opposed: Malinowski

The vote was in favor.

2. Airport Commission – One (1) Vacancy – Ms. Barron stated the committee recommended re-appointing Mr. D. Michael Kelly.

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

The vote in favor was unanimous.

3. Board of Zoning Appeals – Six (6) Vacancies – Ms. Barron stated the committee recommended appointing Mr. David Fulmer and Ms. Shasai Hendrix and re-advertising for the remaining vacancies.

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

The vote in favor was unanimous.

b. ITEMS FOR ACTION

1. Review of Comprehensive Council Rules – Ms. Barron stated the proposed Council Rules were forwarded to Council and requested feedback. She noted the committee is recommending approval of the Comprehensive Council Rules, with the inclusion of the modifications requested by Ms. Newton.

Ms. Newton stated, for the record, her suggested revision is as follows: “Rule 5.18: ...ballot elections **may** be used.”

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

Opposed: McBride.

The vote was in favor.

2. Internal Auditor Position – Ms. Barron stated the committee recommended the Employee Evaluation and Oversight Ad Hoc Committee lead the endeavor to draft a job description and advertise for the position in an effort to fill the Internal Auditor position.

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

The vote in favor was unanimous.

18. REPORT OF THE COMMUNITY IMPACT GRANTS COMMITTEE

- a. Criteria, Application, and Schedule for Community Impact Grant Funds – Ms. English stated the committee recommended using the same parameters and metrics used to award the FY23 discretionary grants. After consideration and conversations with committee members, we would like to modify the proposed schedule to open the grants application period on November 2<sup>nd</sup> and close the grant application period on November 23<sup>rd</sup>. The committee will review the applications and make recommendations to Council by December 13<sup>th</sup>.

Ms. English moved the proposed process for the award of the \$300,000 Community Impact Grants and to establish the grant application period for November 2-23, 2022.

Mr. Malinowski stated, for clarification, the only change to the committee’s recommendation is the closing date for the grant application period.

Ms. English responded in the affirmative.

Ms. Newton inquired if the committee’s recommended grant awards will come back to Council.

Ms. English replied the recommendations will come to Council.

Ms. Newton stated, as we look at future community impact grants, she would like to see how they align with the strategic plan.

Ms. McBride indicated she does not believe the timeline allows ample time for applicants to apply and implement the grants. She suggested delaying the start of the application process to allow us time to look at the weak areas. Oftentimes, small non-profit organizations are unable to serve the communities in need because the process is competitive. Therefore, those underserved communities are not able to get the programs. At this time, she is concerned with geographic equity.

Ms. McBride moved to delay the funding of the discretionary programs until FY24, seconded by Mr. Malinowski.

Mr. Malinowski inquired if the recommendation if for the \$300,000 approved during the budget process or an additional \$300,000.

Ms. English responded it is the \$300,000 approved during the budget process.

Ms. Barron inquired if the \$300,000 allocated will carry over to the FY24 budget.

Mr. Brown responded the funds would not carry over.

Ms. McBride noted Council could make a motion to carry over the funds.

Ms. Barron stated, for clarification, we would be technically increasing the amount we are setting aside for discretionary grants.

Mr. Brown replied hypothetically that would be the case.

Ms. McBride stated the intent is for the funds to be there because we will not have expended those funds.

Ms. Barron noted her concern is if a situation arises where we need the \$300,000, and we know we have the \$300,000 we will use it.

Ms. Newton stated, for clarification, there will be an entirely new grant cycle starting in the new fiscal year.

Mr. Brown responded in the affirmative.

Ms. Mackey noted this is something we have stated to the community and the non-profits. We should move forward and allow those entities that have been waiting to receive their funding. When we get to the next budget cycle, we can reevaluate and develop a plan that fits the needs of the community.

Ms. McBride stated she does not think there is anyone on the Council that is more of an advocate for community programs than she is. She wants to make sure we are not rushing and not using the funding in the most efficient way possible. In addition, she wants to make sure the underserved communities will have the opportunity to be served.

In Favor: Malinowski, McBride, and J. Walker.

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

The motion to delay the application process and funding failed.

Ms. English moved to approve the proposed process for the award of the \$300,000 Community Impact Grants and to establish the grant application period as November 2-23, 2022, seconded by Ms. Mackey.

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

Opposed: Malinowski and J. Walker

The vote was in favor.

Ms. English moved to reconsider this item, seconded by Ms. Barron.

In Favor: Malinowski

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

The motion for reconsideration failed.

## 19. **OTHER ITEMS**

- a. A Resolution to appoint and commission Michael Brent Davis as a Code Enforcement Officer for the proper security, general welfare and convenience of Richland County – Mr. J. Walker moved to approve this item, seconded by Ms. Barron.

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

The vote in favor was unanimous.

## 20. **EXECUTIVE SESSION** – There were no items for Executive Session.

## 21. **MOTION PERIOD** – There were no motions submitted.

## 22. **ADJOURNMENT** – Mr. J. Walker moved to adjourn the meeting, seconded by Ms. Newton.

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

The vote in favor was unanimous.

The meeting adjourned at approximately 7:13 PM.