



Richland County Council

SPECIAL CALLED MEETING
February 11, 2020
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Calvin “Chip” Jackson, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton and Allison Terracio

OTHERS PRESENT: Michelle Onley, Kim Williams-Roberts, John Thompson, Ashiya Myers, Ashley Powell, Angela Weathersby, Brad Farrar, James Hayes, Stacey Hamm, Judy Carter, Jeff Ruble, Tariq Hussain, Beverly Harris, Clayton Voignier, Leonardo Brown, Larry Smith, Sandra Haynes, Ronaldo Myers, Brittney Hoyle-Terry, Michael Niermeier, Michael Maloney, David Bertolini, Dante Roberts, Dale Welch, Christine Keefer, Jennifer Wladischkin, Michael Byrd and Erica Wade

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Calvin Jackson
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Calvin Jackson
4. **PRESENTATION: Introduction of Irmo Town Council** – Mayor Barry Walker and Mayor Pro-Tem Kathy Condom expressed their desire to collaborate with Richland County Council on future endeavors.
5. **APPROVAL OF THE MINUTES**
 - a. **Special Called Meeting: December 17, 2019** – Ms. Dickerson moved, seconded by Ms. McBride, to approve the minutes as submitted.

Mr. Malinowski inquired about the status of the motion regarding the change to the Horizon meeting schedule.

Ms. Roberts responded, after consultation with the Chair, it was suggested to place the motion on the Rules and Appointments agenda.

In Favor: Walker, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Opposed: Malinowski

The vote was in favor.
 - b. **Zoning Public Hearing: December 17, 2019** – Ms. Dickerson moved, seconded by Ms. Terracio, to approve the minutes as submitted.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

The vote in favor was unanimous.

- c. Special Called Meeting: January 7, 2020 – Ms. Dickerson moved, seconded by Ms. Terracio, to approve the minutes as submitted.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Present but Not Voting: Manning

The vote in favor was unanimous.

- 6. **ADOPTION OF THE AGENDA** – Ms. Newton requested the Report of the Rules & Appointments Committee be removed from the agenda. There are additional interviews for the Community Relations Council that need to be held prior to this item going forward.

Mr. Smith requested to remove Item #7(b): “Project Grayfield Update” and add “Richland County vs. Centurylink” to the agenda under the Report of the Attorney for Executive Session.

Ms. Dickerson moved, seconded by Ms. Myers, to adopt the agenda as amended.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson and Livingston

Opposed: Manning

Present but Not Voting: Newton

The vote was in favor.

- 7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- a. Richland County vs. SC Dept. of Revenue Update
- b. Richland County vs. Centurylink Update

- 8. **CITIZENS’ INPUT**

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

- 9. **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.) – Ms. Lynn Robertson, Mr. Barry Coats, Ms. Dianne Moore and Mr. Edward Blessing spoke in opposition of Fairfield County’s proposed wastewater treatment facility.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson stated the County is working on obtaining information on the proposed wastewater treatment facility.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. RCS D High Intensity Drug Trafficking Area Initiative (HIDTA) Attorney Pay Increase – Provided as information.
- b. Framework/Criteria to Review Requests – Mr. Brown stated at the Council Retreat we discussed putting something in place to help us communicate consistently the direction of how we handle things from the County’s perspective. He gave a brief overview on how he plans to accept information, to assist Council and the stakeholders to understand how that information is shared to help us make consistent decisions. When people bring information to the Administrator, and ask for various resources, the key questions are “Do they fall in line with the mission statement to provide essential services?” “Do they improve efficiency?” “Do they improve effectiveness?” The surrounding questions that speak to that are: “Have all key stakeholders been impacted by this decision been included and informed throughout this process?”, “Has the matter been voted on by Council?” and “Has the proposed decision been financially accounted for in the budget approved by Council or the Capital Improvement Program?”

Ms. Dickerson requested clarification on how the “framework” would affect Council motions/requests.

Mr. Manning suggested Mr. Brown not using the phrase “all stakeholders”.

Mr. Jackson stated, for example, Council received a proposal from the Sheriff’s Department in reference to some funded positions and grants that had a timeline attached to it. He inquired if that is something that could conceivably go through the Administrator’s Office, as opposed to Council, to have their questions answered.

Mr. Brown stated it would not prohibit that from coming to Council. He is simply trying to be prepared to answer those questions.

11. **REPORT OF THE CLERK OF COUNCIL**

- a. Upper Township Magistrate Office Ribbon Cutting Ceremony – Ms. Roberts reminded Council of the Upper Township Magistrate Office’s Ribbon Cutting Ceremony on February 12th at 11:00 AM.

12. **REPORT OF THE CHAIR**

- a. Council Retreat Update – Mr. Livingston thanked the Councilmembers and staff for a productive Council Retreat. Mr. Brown will bring back additional follow-up/wrap up at a later date.

13. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly 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 Huger Hospitality, LLC (formerly known under a code name as Project Kline); and other related matters – No one signed up to speak.

14. **APPROVAL OF CONSENT ITEMS**

- a. 19-042MA, Lenny Williams, OI to RS-MD (.4 Acres), 1221 Inland Drive, TMS # R06015-01-15 [SECOND READING]
- b. 19-043MA, Odell Flemming, RU to LI (2 Acres), 13081 Garners Ferry Road, TMS # R39400-02-02 [SECOND READING]

Ms. Dickerson moved, seconded by Ms. Myers, to approve the consent items.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Present but Not Voting: Manning

The vote in favor was unanimous.

15. **THIRD READING ITEM**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly 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 Huger Hospitality, LLC (formerly known under a code name as Project Kline); and other related matters – Mr. Jackson moved, seconded by Mr. Walker, to defer this item.

In Favor: Walker, Malinowski, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Abstain: McBride

Present but Not Voting: Manning

The vote in favor was unanimous with Ms. McBride abstaining from the vote.

16. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an infrastructure credit agreement to provide for infrastructure credits to Project Marion; and other related matters – Mr. Jackson moved, seconded by Ms. Dickerson, to approve this item.

In Favor: Walker, Jackson, Kennedy, Terracio, Dickerson, Livingston and McBride

Opposed: Malinowski and Newton

Abstain: Myers

The vote was in favor.

17. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

a. **NOTIFICATION OF APPOINTMENTS**

- I. Community Relations Council – Two (2) Vacancies – This item was withdrawn during the Adoption of the Agenda.

18. **OTHER ITEMS**

- a. A Resolution to appoint and commission Kiawanna Tucker as Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Ms. Myers, to approve this item.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Manning, Terracio, Dickerson, Livingston and Newton

The vote in favor was unanimous.

- b. A Resolution to appoint and commission Fabian Josue Rodriguez-Pujols as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Ms. Myers, to approve this item.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Manning, Terracio, Dickerson, Livingston and Newton

The vote in favor was unanimous.

- c. A Resolution to appoint and commission Jamal Rashawn Clavon as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Ms. Myers, to approve this item.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Manning, Terracio, Dickerson, Livingston and Newton

The vote in favor was unanimous.

- d. Change Order – Millbrook Rd. – CDBG-DR – Ms. Myers moved, seconded by Mr. Jackson, to approve this item.

Mr. Voignier stated the change order is relation to the Single Family Homeownership Revitalization – Disaster Recovery Program. The change order is to allow for the addition of gutters to divert water away from the existing structure.

Mr. Malinowski inquired if this job was bid.

Mr. Voignier stated they use fixed price bidding for Disaster Recovery projects. The bid is based on the scope of work the inspectors create. Then, they have a list of contractors that accept the work.

Mr. Malinowski stated, for clarification, the contractor did not come up with appraisal for the work, but someone else.

Mr. Voignier responded in the affirmative.

Mr. Malinowski inquired if improvements to the structures are allowed to be made in these particular projects.

Mr. Voignier stated they are not.

Mr. Malinowski stated then he does not understand how gutters can be added if they were not there previously.

Mr. Voignier stated the gutters are to stabilize the home to prevent future flooding. He stated the inspectors did not take into account the pitch of the roof to support the gutters. There is some additional work that needs to be done to block out the roofing so that it can support the gutters at the correct angle to divert water away.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Present but Not Voting: Manning

Ms. Myers moved, seconded by Mr. Jackson, to reconsider this item.

Opposed: Walker, Malinowski, McBride, Jackson, Myers, Kennedy, Terracio, Dickerson, Livingston and Newton

Present but Not Voting: Manning

The motion for reconsideration failed.

19. **EXECUTIVE SESSION** – Mr. Malinowski moved, seconded by Mr. Walker, to go into Executive Session.

In Favor: Walker, Malinowski, McBride, Myers, Kennedy, Terracio, Dickerson and Livingston

Opposed: Jackson and Newton

The vote was in favor.

Council went into Executive Session at approximately 6:52 PM and came out at approximately 7:36 PM

Mr. Manning moved, seconded by Mr. Jackson, to come out of Executive Session.

In Favor: Walker, Malinowski, McBride, Jackson, Myers, Manning, Terracio, Dickerson, Livingston and Newton

Present but Not Voting: Kennedy

The vote in favor was unanimous.

20. **MOTION PERIOD** –

- a. I move that Richland County staff reevaluate the sewer project methodology to potentially allow for usage based rather than flat rate fees. [MYERS] – This item was referred to the Sewer Ad Hoc Committee.
- b. I move that Richland County utilities install one plastic conduit, usable for 5G fiber, while the roads are being opened for the sewer project and that Richland County sell long term fiber leases to telecom companies using that plastic tube to help defray the costs of the sewer network. [MYERS] – This item was referred to the D&S Committee.
- c. I move to direct the County Administrator to work with staff to develop a modified sewer plan that:
 - Corrects the disparity in sewer rates for the new Richland County sewer customers transferred from City of Columbia sewer service in January 2020; and
 - Assesses and updates the County’s long-term sewer strategy to ensure the sustained health of the system while also preserving fair, consistent rates for all sewer users.

This plan should be comprehensive in nature and include a timeline, benchmarks, and a methodology for tracking its success. It should also identify the parties responsible for completing proposed work as well as a robust constituent communication strategy. The plan should move to Council for review and action as soon as possible and no later than Council’s March 17th meeting (or not more than four (4) weeks from the date of Council’s February 18th meeting). [NEWTON] – Mr. Manning moved, seconded by Mr. Jackson, for unanimous consent for this to bypass the committee process and go directly to the County Administrator.

Ms. Dickerson inquired if this item is time sensitive.

Mr. Malinowski stated there is a lot of information included in the motion, and he is not sure he understands the intent of the motion; therefore, to bypass the committee where we can get the questions answered, does not seem productive.

In Favor: McBride, Myers, Kennedy, Manning, Livingston and Newton

Opposed: Malinowski, Jackson and Dickerson

The motion for unanimous consent failed.

This item was referred to the Sewer Ad Hoc Committee.

- d. The CMRTA (COMET) board has two vacancies. I move that Richland County Council appoints one Councilmember to the board and advertises the remaining vacancy. [NEWTON, LIVINGSTON and DICKERSON] – This item was referred to the Rules & Appointments Committee.

21. **ADJOURNMENT** – The meeting adjourned at approximately 7:48 PM