



Richland County Council

SPECIAL CALLED MEETING
September 11, 2018 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Greg Pearce, Seth Rose, Calvin “Chip” Jackson, Norman Jackson, Gwen Kennedy, Paul Livingston, Jim Manning, Yvonne McBride, Dalhi Myers

OTHERS PRESENT: Michelle Onley, Sandra Yudice, Larry Smith, Trenia Bowers, Beverly Harris, Brandon Madden, Jennifer Wladischkin, Stacey Hamm, Quinton Epps, Tracy Hegler, Jeff Ruble, Michael Niermeier, Eden Logan, John Thompson, Nathaniel Miller, Steven Gaither, Tyler Kirk, James Hayes, Brad Farrar, and Dwight Hanna

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The invocation was led by the Honorable Calvin “Chip” Jackson.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Calvin “Chip” Jackson.
4. **APPROVAL OF MINUTES**
 - a. **Budget 3rd Reading: June 21, 2018** – Ms. Myers moved, seconded by Mr. C. Jackson, to approve the minutes as distributed.

Mr. Pearce stated the motion on p. 15 of the minutes needs to be clarified the funding for the Columbia Museum of Art is for 2 years at \$125,000 per year.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.
 - b. **Zoning Public Hearing: July 24, 2018** – Mr. Pearce moved, seconded by Mr. Manning, to approve the minutes as distributed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.
 - c. **Special Called Meeting: July 24, 2018** – Ms. Myers moved, seconded by Mr. Pearce, to approve the minutes as distributed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- d. **Special Called Meeting: July 31, 2018** – Ms. McBride moved, seconded by Mr. Livingston, to approve the minutes as distributed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- 5. **ADOPTION OF AGENDA** – Mr. Livingston moved, seconded Ms. Myers, to adopt the agenda as published.

Mr. Malinowski stated there are approximately 6 items on the agenda that indicate they require action, but there is not any backup information for any of those items. He inquired if they will be provided the information.

Dr. Yudice stated the information will be provided in Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- 6. **PRESENTATION OF RESOLUTION**

- a. **A Resolution Honoring the life of James E. “Jim” Jaco** – Mr. Rose and Ms. Myers presented a resolution to Mr. Jaco’s family and friends.

- 7. **REPORT OF THE COUNTY ATTORNEY** – Mr. Smith stated the following items are eligible for Executive Session.

- a. **Huger St. Property Design/Development Review Commission and Minor Subdivision Plat Applications**
- b. **Correct Care, LLC – Letter of Agreement**
- c. **Potential Property Purchase: Northwest Recycling Center**
- d. **Property Acquisition Letter of Intent – 911 Communications Center**
- e. **Property Acquisition—Township Auditorium**
- f. **Employee Grievance**
- g. **Personnel Matter**

- 8. **CITIZENS’ INPUT: For Items on the Agenda Not Requiring a Public Hearing** – No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Ms. Myers recognized that Representative Wendy Brawley was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Dickerson recognized that Richland School District I Superintendent Dr. Witherspoon was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Rose recognized that District 5 Councilwoman-Elect Allison Terracio was in the audience.

9. **REPORT OF THE ASSISTANT COUNTY ADMINISTRATOR**

- a. **GFOA Award: Budget & Grants Office and Finance Department** – Dr. Yudice recognized the Budget Grants Office and the Finance Department on receiving the Excellence in Financial Reporting and the Distinguished Budget Presentation Award from the Government Finance Officers Association.
- b. **Property Acquisition Letter of Intent – 911 Communications Center** – This item was taken up in Executive Session.
- c. **Property Acquisition – Township Auditorium** – This item was taken up in Executive Session.
- d. **Employee Grievance** – This item was taken up in Executive Session.
- e. **Request from Library for Property Sale Proceeds** – Dr. Yudice stated this item was before Council on June 20, 2017 and during the FY19 Budget Amendment process. The library has requested Council approve providing the proceeds from the sale of the Summit Parkway property to the Richland Library. The proceeds total \$909,105.50. Staff will proceed, as directed by Council on this matter

Mr. Livingston moved, seconded by Mr. Manning, to support the Library Board’s recommendation.

Mr. Malinowski stated he thought when Council approved the budget a large amount was allocated for this particular capital project.

Mr. Hayes stated the budgeted funds were for operations. This is a separate item.

Ms. Dickerson stated this is from the sale of the property in Sandhills.

Mr. Malinowski inquired if construction has begun on this site.

Dr. Yudice stated they plan to allocate \$700,000 to fund the furniture and technology needs at the Edgewood Branch.

Mr. Malinowski inquired if Council will be provided an itemized list showing how the funds will be expended.

Mr. Steve Sullivan, Richland Library’s Chief Operating Officer, stated they do have a detailed budget for the Edgewood Library project, and he would be happy to provide it Council.

Mr. Malinowski inquired if the funds for Personnel and other expenses are available.

Mr. Sullivan stated the funds for Personnel are coming out of the operating budget. They have been working on the staffing for this location for approximately 3 years. The branch is slated to be opened late this year.

Ms. McBride stated we have waited for this library for a long time, and this issue has come before us a number of times. She stated it is a good project.

Ms. Dickerson stated there was a lot of discussion about the funds and the sources of the funds, and whether it was a part of a bond referendum. She stated it is her understanding the property was purchased with bond referendum funds.

Mr. Sullivan stated this project was not a part of the bond referendum. Before the referendum took place, we publicized the project that would be involved, and this was not a project that was to be involved. We had to find funding outside of the referendum for this project. They were able to bring in \$125,000 that was categorized as "Outreach Libraries" in the bond project, but they did not feel it was fair to the citizens to take any more money that were slated to go toward existing libraries or libraries that had already been planned.

Mr. Manning stated he believes the question was in reference to the Sandhills Branch that used to be in Richland County District 8, that the voters passed the money in the bond, all those years ago, to build that building.

Mr. Sullivan stated, if that is the case, that is correct. We passed that \$27 million bond referendum in 1991, and the Sandhills Library at 1 Summit Parkway was a part of that. At that time, the developer gave us a lot and we used the bond proceeds to build the library.

Mr. Manning stated the question before us tonight is whether the taxpayers' money that voted directly for the money to go to the public library, now that it has moved, where the proceeds from that move forward out of District 8 into the Edgewood Branch decades later.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Rose moved, seconded by Mr. Livingston, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

Mr. Smith inquired if the motion was for the \$700,000.

Mr. Livingston stated, for clarification, it was for the proceeds in the amount of \$909,150.50.

- f. **Disbursement of FY19 Hospitality Tax Funding to the Pinewood Lake Park Foundation** – Dr. Yudice stated the Foundation for FY19 was approved for amount totaling \$376,129.88. The Foundation requested \$67,500; \$40,196.20 are ineligible expenses under the grant guidelines for the upfront payment. Prior to releasing the FY19 funds, the guidelines require grantees to submit an end of the year report. In this case, for FY18 the amount was \$14,870.12. According to the Foundation's submitted documentation, \$627.92 are appropriately documented with proof of payments. Staff has presented 2 options for Council's consideration. The first one is, to consider the request and approve waiving the grant policy, and disburse \$40,196.20 for FY19 funds. The 2nd option is to consider the request, and do not approve waiving the grant policy. Under this option, staff will wait until the Foundation submits a completed FY18 final report, with proper documentation, prior to disbursing the FY19 funds.

Mr. Hayes stated the Foundation has an outstanding payment request for \$40,196. They have processed the check, but they cannot release the funds until the grantee has complied with the guidelines of completing a FY18 final report, which will show documentation of the \$14,870 they received. Of the \$14,870, less than \$700 has been shown to be properly documented.

Mr. Rose moved, seconded by Mr. Malinowski, to not waive the policy.

Mr. Livingston inquired what is required for them to meet the guidelines.

Mr. Hayes stated, per Council's guidelines, to show what they spent the \$14,870.25 on. He stated Grants staff is willing to sit down with them and assist them with that.

Mr. N. Jackson stated they were sent a letter telling them how to move forward, and they did that. Another letter was sent by Grants staff to rescind or stop it.

Mr. Hayes stated what they attempted to do was to sit down and work with the Foundation, as we do with all of our grantees. We had a meeting with them on Friday, July 25th explaining to them everything they would need to come into compliance. There major issue last year had to do with procurement. In the meeting, because we did not explicitly state that the final report had to be done, he in good faith offered an opportunity for them to have an extension. The guidelines state the final report is to be submitted by July 31st.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, Livingston, Rose and McBride

Abstain: Kennedy, Manning and N. Jackson

The vote in favor was unanimous with Ms. Kennedy, Mr. Manning and Mr. N. Jackson abstaining from the vote.

- g. Pinewood Lake Park Foundation Inventory Disposition** – Dr. Yudice stated Council authorized the Conservation Commission to take over the management of the Pinewood Lake Park, effective July 1, 2017. Recently the Pinewood Lake Foundation inventoried the items and requested reimbursement for certain items. Based on staff's research of the available records, only the security cameras, and companion hardware, were reimbursed with Hospitality funds. Staff will not able to determine if the County had paid for any other items in the inventory list. Staff recommends returning items that will not cause any damage or dismantling of County-owned property to the Foundation and not reimburse the Foundation.

Mr. Livingston inquired what the items were.

Ms. Hegler inquired if Mr. Livingston was referring to the items that were to be returned or reimbursed.

Mr. Livingston stated he is mainly interested in the items for reimbursement.

Ms. Hegler stated there is a lengthy list of items that are being requested to be returned. Staff is recommending returning those items. In addition, they have asked to be reimbursed for the security cameras, with wiring, sink and grill at one of the shelters, and barricades located throughout the property.

Mr. Livingston inquired if these are items that someone else paid for, and not the County.

Ms. Hegler stated in their research of funding over the last few years they could not substantiate that the County paid for the items.

Mr. Livingston stated, for clarification, the County is suggesting the Foundation not be reimbursed for the items.

Ms. Hegler stated, of the 3 items they requested reimbursement for, they have been reimbursed for the security cameras. The other items we could not substantiate paying for.

Mr. C. Jackson stated the thing that is most troubling for him is that a well-intentioned, well-needed, well-deserved historic facility has been dragging on now since he has been on Council. One of the few landmarks that seems to be having the kind of difficulty that Pinewood Lake Park has been having, unlike Historic Columbia and some of the other places. He is very concerned that we are not giving it the proper attention it needs to make sure it can be successful. At the end of the day, when the gates are locked and the building is boarded up, the citizens of that community are the ones that end up suffering. We made an attempt to have the Foundation work, in concert with the Conservation Commission, and that yielded very little results and was unsuccessful. Now we are here talking about taking grills and other artifacts out of a building because we cannot verify whether the County has paid for them. He wanted to go on record saying he is concerned that the way we have handled this over his time on Council is unlike any other facility or historic site that he has been involved in. He hopes once we resolve this we find a way to ensure through proper management we will be able to have a park that is representative of Richland County, as many of our other parks are around the County, and we do not continue to bicker over the management of the park to the detriment of the community.

Mr. N. Jackson stated this park was properly managed and ran with the Foundation for the past 3 ½ years. There was never a complaint about operations or management of the park. Everyone went and enjoyed the park. When it was turned over to the Conservation Commission there was some friction or misunderstanding. That is when everything went south. The Foundation has helped and worked with the community. They have introduced programs. They requested a meeting with the Conservation Commission, for citizens' input, before making any agreement or contract, and the meeting was denied. Any other community, before any decisions are made, there is usually public input. We just saw a big mess with North Main where they put in painted lanes, and afterwards they had a meeting with the community, they had to remove the lanes because they did not have public input. As far as the items, it is his understanding the outside cameras were purchased by the County, but the cameras in the house, which have been used for security, the Conservation Commission wants to give them back the cameras. The Foundation paid for the cameras. Had them wired and installed, for the security of Richland County property. He does not think it is fair after 3 ½ you should just give them the cameras. What are they are going to do with it? They do not want or need these cameras. He was the one with the vision for the park. It is the only facility, outside of the incorporated area, that Richland County has used Penny Tax funding to build. We asked the people to create a Foundation, and they did. They have done a good job. There has to be a breakdown or disconnect in communication why we are having this problem right now. To resolve this, he would think Council, without him being involved, would create a committee to work with the Conservation Commission and the Foundation or at least have input from the citizens of the area. We should not treat any area or organization different.

Mr. Malinowski inquired about what happened to all of the original items that were on the property. Are they still there or were they were with these others items, and now if theses go there is nothing left in there.

Ms. Hegler stated she could not answer that. She is not aware of what was in there 4 years ago. Her guess is there was not very much within the facility. The items that are being asked to be removed

are things you would use in the day-to-day functioning of the facility. Her guess is those have been acquired over the course of the last few years.

Mr. Malinowski inquired if there was any request or authorization given for these security cameras.

Ms. Hegler stated that would pre-date their involvement.

Mr. Malinowski inquired if the Foundation could substantiate they paid for the items.

Ms. Hegler stated she does not have invoices for it, but they could be requested.

Mr. Malinowski inquired about what exactly Council is voting on because in the briefing document there are things about reimbursement for management and operating the park since 2015, repairing spillways, cutting trees, etc.

Ms. Hegler stated, it involves property and reimbursement, the request is can we give back the items, that during the inventory, the Foundation has tagged as theirs. For the items they are seeking reimbursement, would you like to reimburse them for that. If so, she can get some invoices and proof of payment and provide the funding amount.

Ms. Kennedy stated it seems like we are being petty and looking for reasons to not give these items back to the Foundation.

Ms. Hegler stated staff's recommendation is to give it back, but because it was the removal of property off of a County-owned facility, it is simply being brought to Council for them to endorse the recommendation.

Mr. Livingston stated, it was his understanding, their preference was rather than give the items back to be reimbursed for those items.

Ms. Hegler stated there is a list of items that were tagged by the Foundation as being theirs. Staff is recommending the Foundation be allowed to remove those items. Beyond that, there are 3 items they wanted not to remove, but to be reimbursed.

Mr. Livingston inquired as to why we are not reimbursing them for those items.

Ms. Hegler stated Council has the discretion to do so, but staff did not have the authority to do that. She stated she does not know what was paid for the items, but staff could request invoices for those items.

Mr. Livingston stated if the reimbursable items are items for the facility, and they cannot be used, they are of no value to them. They are valuable to the facility, so we would be better off reimbursing them because we are going to need them anyway. He inquired if there was a Pinewood Lake Committee.

Ms. Dickerson stated the reason these items were brought before us is because we do not have the proper staff to make those decisions. She stated she was not going to take the responsibility of making the decision, so she had staff to put it on the agenda so Council could make the decision.

Mr. Livingston moved, seconded by Mr. C. Jackson, to have the Pinewood Lake Ad Hoc Committee meet with staff and discuss the matter, and bring back a recommendation to Council as soon as possible.

Ms. McBride inquired as to what will happen to the park hereon.

Mr. Livingston stated he would hope the committee, after resolving this issue, would start working on some recommendations for the park.

Ms. McBride inquired if the County will maintain the park.

Mr. Livingston the Conservation Commission will maintain the park.

Ms. Myers made a substitute motion to accept staff's recommendation, move forward with reimbursement of the 3 items needed for the operation of the park, and return the items enumerated in the request, and have the committee going forward manage whatever needs to be managed, without Mr. N. Jackson being a part of it. The motion died for lack of a second.

Ms. Myers stated Mr. Livingston's motion would have the committee take these same items and re-litigate them. Staff has already looked at them, and made a list of things that need to be returned or reimbursed. She does not know what the point of having a committee look at it again.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, Livingston, Rose and McBride

Abstain: N. Jackson

The vote in favor was unanimous with Mr. N. Jackson abstaining from the vote.

10. ⁴
REPORT OF THE CLERK OF COUNCIL

- a. **Doris Greene, US Census Bureau** – This item was deferred until a future meeting.
- b. **2019 County Council Retreat** – Mr. Malinowski moved to hold the 2019 Council Retreat in Council Chambers. The motion died for lack of a second.

Mr. Malinowski moved to hold the 2019 Council Retreat at the Parklane Adult Activity Center. The motion died for lack of a second.

Mr. Manning stated when this item was deferred, and the minutes reflect there were some questions about the dates, and the amount of days. He did not note any changes in the backup documentation.

Ms. Dickerson stated she did not change anything to allow Council to discuss the matter.

Ms. Dickerson moved, seconded by Mr. Livingston, to hold the 2019 Council Retreat at the Embassy Suites in Myrtle Beach

Mr. Manning stated the minutes reflect, there was a discussion about the Retreat being 3 days instead of 2 days. He inquired if there some clarification about that, or is that to be discussed tonight as well.

Ms. Dickerson stated it was suggested we hold the Retreat for 3 days because we will have several new Councilmembers and we need additional time to get them acclimated.

In Favor: Dickerson, Livingston

Opposed: Malinowski, C. Jackson, Myers, Manning, Rose and McBride

Abstain: Pearce and N. Jackson

The motion failed.

Ms. Myers moved, seconded by Mr. C. Jackson, to hold the 2019 Council Retreat January 24 – 25 at the Embassy Suites in Myrtle Beach.

In Favor: C. Jackson, Myers, Kennedy, Dickerson, and Livingston

Opposed: Malinowski and Rose

Abstain: Pearce and N. Jackson

The vote was in favor.

- c. **Capital City Classic: “A Journey Remembered” Honoring Coach Willie and Mary Jeffries, September 17th, 6:00 PM, Columbia Metropolitan Convention Center, 1101 Lincoln Street** – Ms. Onley stated the Clerk’s Office received an invitation for Council to attend the Capital City Classic: “A Journey Remembered” event on September 17th at the Convention Center. In addition, she stated there has been 2 tables set aside for Councilmembers who wish to attend.
- d. **Midlands Technical College Annual Oyster Roast & Shrimp Boil, October 17th, 6:00 – 8:00 PM, MTC Northeast Campus, 151 Powell Road** – Ms. Onley stated the Clerk’s Office received an invitation for Council to attend Midlands Technical College’s Annual Oyster Roast & Shrimp Boil on October 17th at the MTC Northeast Campus.
- e. **Charter Nex Ribbon Cutting, October 11th, 1:00 PM, Carolina Pines Industrial Park, 10771 Farrow Rd., Blythewood** – Ms. Onley stated the Economic Development Department request Council’s presence at the Charter Nex Ribbon Cutting on October 11th at the Carolina Pines Industrial Park.
- f. **Tea & Talks with Planners, September 24th, 2:00 – 4:00 PM, 4th Floor Conference Room** – Ms. Onley stated the Clerk’s Office received an invitation for Council to participate in Tea & Talks with Planners on October 11th in the 4th Floor Conference Room.

11. **REPORT OF THE CHAIR**

- a. **Introduction of Richland County Recreation Commission Executive Director** – Ms. Dickerson introduced the new Recreation Commission Executive Director, Lakita Watson, to Council.

Ms. Watson thanked County Council for their continued support of the Recreation Commission.

- b. **Personnel Matter** – This item was taken up in Executive Session.

Ms. Dickerson stated she met with staff last week, and with the resignation of Dr. Ellis and Ms. Renwick's departure from the PIO Office, we are in crisis mode. We cannot continue to do business in the County the way we are. The staff is not at liberty, at this point, to make a lot of decisions. A lot of things are being held up because we are not able to make these decisions. They have to come to Council for us to make a decision. That puts tremendous time on staff and it causes a lot of delay in what we are attempting to do. She finds herself in a crisis mode because she is not the Administrator, but she is having to work with staff on a constant basis to try to make sure we keep the County in the best way we can. After receiving a call last week from 2 staff members, and they were just desperately asking for help because they are overwhelmed with the duties they have taken on, and not being able to make a decision. When they make decisions they are criticized. She stated we had a roundtable, and during the discussion we talked about the Interim Administrator. We also had an option to look at an Acting Administrator. At the next meeting, we were supposed to bring some names that we thought might be able to act as an Administrator until we could hire an Interim Administrator. We did not bring any suggestions, so we did not have an Acting Administrator. Because we do not have an Acting Administrator, the times in Richland County are really, really bad. We are working from various avenues that we do not have substantial help. Problems have to be resolved and we do not have anyone to help resolve those issues. Staff is under a tremendous amount of pressure right now. She tried to speak with a few Councilmembers last week as to how we can find some resolution to this problem. She spoke with a couple people to see if they would qualify. She did come across one person that might be a solution to help us get through this problem, and get us back on track, until we can either get an Interim Administrator or we hire an Administrator. She stated she will give Mr. Hanna all of the information, and he can distribute the information to the Councilmembers. If that person would be someone that Council thinks would be a suitable Acting Administrator, until we can resolve this problem, she would be happy to entertain that.

Mr. Manning moved, seconded by Mr. Malinowski, to go into Executive Session to receive the name of the person.

Mr. Malinowski inquired if we have to amend the agenda to take action on this item since it was under the Report of the Chair.

Mr. Smith stated Council needs to indicate, at this point, that they intend to take action because it is not designated as such on the agenda.

Ms. Kennedy stated she hopes we are only getting information because this is not a one Council person decision. There are going to be 11 Councilmembers that make this decision.

Ms. Dickerson stated she said, when we had our meeting, we were asked to bring names back that we could consider. At that point, no names came back for consideration. Where we are now, she is asking for your help to resolve the problem. It is up to Council to vote for it. All of us have a vote, and she is not trying to take authority over it. She is simply saying this is where we are and this is something we need.

Mr. C. Jackson moved, seconded by Mr. Malinowski, to call for the question.

Mr. N. Jackson stated, at several of the Council meetings, he did ask if any suggestions of any names, and it was ignored. He thinks what is best is to remind us to bring some names forward, instead of discussing it with a few Councilmembers, and then bring a name forward.

Ms. Dickerson stated she did share a name with anyone.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson and McBride

Opposed: Manning

The vote was in favor of calling for the question.

POINT OF ORDER – Mr. Livingston stated this is not an action item and going into Executive Session is an action.

Mr. Smith stated the Personnel Matter, that is on the agenda, is certainly one that qualifies for Executive Session.

Mr. N. Jackson stated the Personnel Matter is for the Clerk.

Mr. Manning withdrew his motion to go into Executive Session.

Mr. Livingston stated since there is a process now, and there is going to be a report later from the committee that is dealing with this issue. There may be a couple people being interviewed.

Mr. Livingston moved, seconded by Mr. Rose, to make sure Mr. Hanna gets the name of the person Ms. Dickerson referenced, and add that name to the persons being interviewed by the committee.

In Favor: McBride, C. Jackson, Myers, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous to add the person's name to the applicants being interviewed by the committee.

- c. **Carolina Crossroads Comments** – Ms. Dickerson stated the reason this is before us is that she is not going to signing anything or going forward with anything without Council's permission. She stated she did not have the authorization, so she brought it to Council to decide on who should execute this particular document.

Dr. Yudice stated this is the comments, on behalf of Richland County, that will go to the SCDOT on the Carolina Crossroads project.

Ms. Myers moved, seconded by Ms. Dickerson, to deputize Dr. Yudice to sign the comments, on behalf of the County, once they have been reviewed and approved.

Mr. Malinowski stated he does not recall what the comments were and he does not have that info in his agenda packet. He inquired if this is the one where we want the funding.

Dr. Yudice stated this is just the comments, on behalf of the County. The funding from the Penny is a separate issue.

Ms. Hegler stated it appears in the agenda packet as a letter, not necessarily a list of comments. It is basically a letter of comments from staff who attended a few meetings to review the design. They are in an environmental study phase and asked for public comments. The comments are generically summarized. It is more about mobility of people.

Mr. N. Jackson stated, for clarification, is the comments from citizens or just staff.

Dr. Yudice stated it is staff's comments based on the attendance of the different SCDOT meetings regarding the Carolina Crossroads Project.

Mr. N. Jackson inquired if staff's comments will reflect Council's desire. He does not sure why you would need permission to do that. If Council were to endorse it or make comments also, he could understand why.

Mr. Manning inquired if there was any consultation with the Program Development Team.

Ms. Hegler stated they have been consulted.

In Favor: C. Jackson, Myers, Pearce, Dickerson, Livingston, Rose and McBride

Opposed: Malinowski, Kennedy, Manning, N. Jackson

The vote was in favor.

12. **OPEN/CLOSE PUBLIC HEARINGS**

- a. **An Ordinance allowing for the temporary waiver of Richland County Administration and Richland County Council review and approval of change orders for work on structures damaged by the storm and flood during the period of October 3 through October 6, 2015** – No one signed up to speak.
- b. **An Ordinance Amending Chapter 17, Motor Vehicles In Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, Through Truck Traffic Prohibited; so as to include Hobart Rd.** – No one signed up to speak.

13. **APPROVAL OF CONSENT ITEMS**

- a. **18-025MA, Evan Wilson, RS-LD to RS-MD (7.18 Acres) Joiner Road and Deloach Drive, TMS # R16415-04-24, 25, 26, 33, 34, 35, 36, 37, 38, 39 & R16415-05-01, 02 [SECOND READING]** – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

14. **THIRD READING ITEMS**

- a. **An Ordinance allowing for the temporary waiver of Richland County Administration and Richland County Council review and approval of change orders for work on structures damaged by the**

storm and flood during the period of October 3 through October 6, 2015 – Mr. Pearce moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- b. **An Ordinance Amending Chapter 17, Motor Vehicles In Traffic, Article II, General Traffic and Parking Regulations; Section 17-9, Through Truck Traffic Prohibited; so as to include Hobart Rd.** – Ms. Myers moved, seconded by Mr. Pearce, to approve this item.

Mr. C. Jackson stated he has raised this issue before, and he wants to raise it again. He thinks simply putting up a sign that says, “No Through Truck Traffic Ahead” does no good. He lives in a neighborhood where that exact sign is up, and it has no impact or effect on the through traffic. Something beyond a sign needs to be done, in terms of enforcement.

Mr. Ozbek stated at Second Reading we had several discussions. We went back and responded to the questions. As far as an answer to Mr. C. Jackson’s question, they do not have an answer. He believes the enforcement would have to be the Sheriff’s Department. He stated that Mr. C. Jackson is correct, putting up the sign will not do it.

Mr. Malinowski stated he was going to make the same comment Mr. C. Jackson did. The same thing happened in his district. The sign went up, and everybody ignores it. You can get all the Sheriff’s personnel you want, but all they have to do is say they are not going through. They do not have to prove anything, and there are still no fines. He noticed in the email from Randy Wells, with the City of Columbia, to Stephen Staley, at the County, it says, “If Hobart Road is indeed closed off (which is probably safer for citizens since it crosses two train tracks without crossing guards)”. Maybe we can look into that in the future. If we agree to put the signs up now, we can keep it on the list to have it to be closed off to benefit everyone better.

Mr. Pearce moved, seconded by Mr. C. Jackson, to return this item to the D&S Committee for further discussion.

Ms. Dickerson stated this item is in her district. She has been on the phone and visiting these people for months. It is a private road and subdivision. It is the large trucks that is going through the subdivision that is the issue. She stated the residents do not feel like they are getting the right treatment because this has been coming back and forth to the County for approximately 14 years.

Mr. Livingston stated we can do something later on, but we need to do something now. Even if we stop 3 trucks from going through there we are doing something, but to just punt and not do anything would not be fair to the citizens.

Mr. Pearce stated the intent on the motion was to do exactly that. If the motion is passed, then someone is going to have to start over again with making a motion. It will have to go to the next Council meeting, and then it will go to D&S in the future. If this motion passes, it goes right back to D&S, we deal with these issues and bring it back to Council. The intent of his motion was to get action quicker. If you want to go ahead and put up the sign, that may or may not work, this fine, but that would be end of this item and we are going to have to start from scratch again.

Mr. Ozbek stated, for clarification, this is a public road.

Ms. Dickerson stated the problem with this road is the road goes through a private neighborhood, and when they turn it is an issue.

Mr. Malinowski made a second substitute motion, seconded by Ms. Dickerson, to put up the signs, as has been requested, while at the same time, staff will send back to the D&S Committee recommendations regarding closing and a more permanent solution.

Mr. Pearce withdrew his substitute motion.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Ms. Dickerson thanked her colleagues.

15. **SECOND READING ITEMS**

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways, and Bridges; Section 21-1, Purpose; and Section 21-2, Jurisdiction; so as to add language regarding annexation** – Mr. Malinowski moved, seconded by Mr. Rose, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. **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 DPX Technologies, LLC and DPX Holdings, LLC; and other related matters** – Mr. Livingston moved, seconded by Mr. C. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

16. **REPORT OF THE 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 Arclin Surfaces – Blythewood Co.; and other related matters [FIRST READING BY TITLE ONLY]** – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

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

18. **NOTIFICATION OF APPOINTMENTS**

- a. **Historic Columbia – 1** – Mr. Malinowski stated the committee recommended re-appointing Ms. Dawn Mills Campbell.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. **Accommodations Tax – 3 (One applicant must have a background in Cultural Industry; Two applicants must have a background in the Hospitality Industry)** – This item was held in committee.

- c. **Midlands Workforce Development Board – 3 (One Apprenticeship seat; must be a representative of a registered apprenticeship program and Two Private Sector Business seats; must represent private sector business with policy-making or hiring authority)** – Mr. Malinowski stated the committee recommended appointing Mr. Tim Miller, Jr. and Ms. Kathryn “Kate” Lang.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor unanimous.

Mr. Livingston inquired if the remaining vacancy would be re-advertised.

Mr. Malinowski stated they automatically stay in re-advertising mode, if not filled.

- d. **Building Codes Board of Appeals – 5 (One applicant must be from the Architectural Industry; One from the Plumbing Industry; One from the Electrical Industry; and Two from the Fire Industry as alternates)** – This item was held in committee.

19. **INTERIM ADMINISTRATOR AD HOC COMMITTEE**

- a. **Recommendation of Committee** – Mr. N. Jackson stated the committee met on Monday, September 10th and decided to postpone the interviews until Thursday, September 13th from 11:00 AM – 1:00 PM to interview 2 -3 candidates, but they will also accept other qualified candidates.

20. **OTHER ITEMS**

- a. **Resurfacing Package P** – Ms. Dickerson inquired if this item from forwarded from the Transportation Ad Hoc Committee.

Mr. C. Jackson stated it was not.

Dr. Thompson stated this did not come through the Ad Hoc Committee.

Ms. Dickerson inquired if this item can be referred to the Ad Hoc Committee.

Mr. Livingston moved, seconded by Mr. C. Jackson, to refer this item to the Transportation Ad Hoc Committee.

Mr. Malinowski made a substitute motion, seconded by Mr. Manning, to accept Dr. Thompson's recommendation.

Mr. Livingston inquired if Dr. Thompson's recommendation is to move forward with this, and it has been vetted with the Program Development Team.

Mr. Livingston withdrew his motion.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Pearce, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- b. FY19 – District 3 Hospitality Tax Allocations** – Mr. Manning moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Pearce, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The motion for reconsideration failed.

- c. FY19 – District 5 Hospitality Tax Allocations** – Ms. Myers stated she has a question about this item. In the back up documentation it says District 5 at the top, and District 6 at the bottom. She is not sure which district it is for.

Mr. Hayes stated the allocation is for District 5. There is a typo in the documentation.

Mr. Manning moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Pearce, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The motion for reconsideration failed.

- d. **FY19 – District 7 Hospitality Tax Allocations** – Mr. Manning moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Pearce, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The motion for reconsideration failed.

- 21. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – There were no citizens that spoke, at this time.
- 22. **EXECUTIVE SESSION** – Mr. Livingston moved, seconded by Ms. Dickerson, to go into Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Manning

The vote was in favor.

Council went into Executive Session at approximately 7:46 PM and came out at approximately 8:31 PM.

In Favor: Malinowski, C. Jackson, Pearce, Kennedy, Dickerson, Livingston and Rose

The vote was unanimous to come out of Executive Session.

- a. **Huger St. Property Design/Development Review Commission and Minor Subdivision Plat Applications** – Mr. Pearce moved, seconded by Ms. Myers, to ratify the execution of a letter of agreement for the Huger Street Design and Development signed by Dr. Sandra Yudice on August 29, 2018.

In Favor: Malinowski, C. Jackson, Pearce, Kennedy, Dickerson, N. Jackson, Rose and McBride

The vote in favor was unanimous.

- b. **Correct Car, LLC – Letter of Agreement** – Mr. Rose moved, seconded by Mr. C. Jackson, to enter into a letter of agreement with the Columbia Regional Care Center, a division of Correct Care, LLC, to

provide medical services to a detainee at Alvin S. Glenn Detention Center, as discussed in Executive Session.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Rose and McBride

Opposed: Malinowski

The vote was in favor.

- c. **Potential Property Purchase: Northwest Recycling Center** – Ms. Myers moved, seconded by Mr. Rose, to refer this item to the Property Distribution Management Ad Hoc Committee, as discussed in Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Rose and McBride

The vote in favor was unanimous.

- d. **Property Acquisition Letter of Intent – 911 Communications Center** – Ms. Myers moved, seconded by Mr. Rose, to refer this item to the Property Distribution Management Ad Hoc Committee, as discussed in Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Rose and McBride

- e. The vote in favor was unanimous.

- f. **Property Acquisition – Township Auditorium** – Mr. Pearce moved, seconded by Ms. Myers, to direct staff to enter into discussions with the property owner and bring back a potential purchase price of the property requested by the Township Board.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous

- g. **Employee Grievance** – Mr. Malinowski moved, seconded by Mr. N. Jackson, to direct staff to provide Council copies of the videos, as well as, the interviews of 3 other witnesses, before making a final decision.

Ms. Dickerson made a substitute motion, seconded by Ms. Myers, to accept staff's recommendation.

Mr. Malinowski stated we are dealing with someone's potential career here; therefore, we need to take all the necessary precautions before we make a decision.

In Favor: C. Jackson, Myers, Dickerson and Livingston

Opposed: Malinowski, Pearce, Kennedy, N. Jackson, Rose and McBride

The substitute motion failed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston, Rose and McBride

Opposed: Dickerson

The vote was in favor of the original motion.

- h. Personnel Matter** – Ms. Myers moved, seconded by Mr. C. Jackson, to proceed with adjustments, as discussed in Executive Session, for the Clerk’s contract with the offset of the overtime, and direct Mr. Hanna and Mr. Smith to carry forth the directive.

In Favor: C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and Rose

Opposed: Malinowski, Dickerson and McBride

The vote was in favor.

23. **MOTION PERIOD**

- a. Move that Council immediately move forward with the revised Lower Richland Sewer Plan, which has been (1) improved to remove lift stations from private property (consolidated into 3 on public property), (2) expanded to replace all failed, closed septic systems at Richland One Schools (Hopkins Elementary and Middle Schools and Gadsden Elementary School) and the Franklin Park subdivision, (3) clarified to ensure that access to public sewer is available, without tap fees, to any requesting resident along the revised route, who requests service as the lines are being constructed. No resident will be required to tap on to the system unless they wish to. Staff is further instructed to expedite the planning and procurement process to facilitate commencement of construction by April 2019, and targeted build out to residents, schools, and McIntyre Air Force Based by August 2019 [MYERS]** – This item was referred to the D&S Committee.
- b. Move to authorize Dr. Yudice and staff to utilize emergency funds to facilitate third party well testing in areas potentially impacted by Westinghouse’s previously undisclosed 2011 uranium leak. Funds would be available for testing over the next thirty days, subject to individual requests [MYERS and DICKERSON]** – This item was referred to the D&S Committee.
- c. The Lourie Center recently lost funding from United Way necessary to continue operating a program that transports seniors to medical appointments and essential shopping. They are requesting Council provide \$12K in additional funding so that this program can continue [PEARCE]** – This item was referred to the A&F Committee.
- d. To resolve the water contamination issues in the Lower Richland community and put the citizens at ease I move that Richland County move forward with the water system already approved with partnership with Westinghouse nuclear energy plant, International Paper, SCE&G and others to provide seed funds as they all have contributed to water quality in the area [N. JACKSON]** – This item was referred to the D&S Committee.
- e. Move forward with approved Sewer System which has been delayed since February 2018 for unknown reasons. Citizens have signed up and are depending on the service [N. JACKSON]** – This item was referred to the D&S Committee.
- f. Move forward with an overlay for the Garners Ferry/Sumter Highway corridor with setbacks, signage not to exceed 8’ with earth tone natural colors in keeping the Rural Character [N. JACKSON]** – This item was referred to Planning staff.

- g. **Move forward with review of the SE & NE Sport Complex plans to promote tourism and support AAU and other sports in the county [N. JACKSON]** – This item was referred to the A&F Committee.
 - h. **In the absence of an interim, acting, or administrator, Richland County is not in compliance with State law. I move that Richland County abide by all State laws and rules until the position is filled [N. JACKSON]** – This item was referred to the Legal Department.
 - i. **Because of recent orders from the Chair in order to stop or prevent abuse, mistreatment or special treatment of anyone, I move that in the absence of an administrator, Council develop a policy addressing staff's duties and responsibilities and Council's role. An opinion from the AG's Office is advised [N. JACKSON]** – This item was referred to the Legal Department.
 - j. **Move for the approval of Amended FY2018-2019 Budget for Richland County School District One. Move that this should be first reading only based on previous agreement [N. JACKSON]** – This item was referred to the Budget Ad Hoc Committee.
24. **ADJOURNMENT** – The meeting adjourned at approximately 8:45 PM.