



Richland County Council
Special Called Meeting
MINUTES
December 14, 2021
Council Chambers
2020 Hampton Street, Columbia, SC 29201

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

OTHERS PRESENT: Kyle Holsclaw, Michelle Onley, Tamar Black, Ashiya Myers, Justin Landy, Dale Welch, Lori Thomas, Anette Kirylo, John Thompson, Angela Weathersby, Casey White, Aric Jensen, Quinton Epps, Geo Price, Leonardo Brown, and Patrick Wright

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00PM.
2. **INVOCATION** – The Invocation was led by the Honorable Derrek Pugh.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Derrek Pugh.
4. **APPROVAL OF MINUTES** – Ms. Barron moved, seconded by Mr. J. Walker, to approve the minutes as distributed.

Ms. Mackey noted she submitted a recusal form to the Clerks' Office in reference to Items 18(a), (b) and (c).

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. Livingston noted the following items need to added to the agenda:
 - a. Opioid Litigation (Report of the County Attorney)
 - b. Presentation of Proclamation to Hopkins Middle School
 - c. Report of the Sewer Ad Hoc Committee

Ms. Mackey moved, seconded by Ms. Barron, to adopt the agenda as amended.

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

The vote in favor was unanimous.

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PRESENTATION OF PROCLAMATION

6. a. **Proclamation Recognizing Hopkins Middle School on their 2020-2021 Championship** – Mr. O. Walker and Ms. English presented the proclamation to Coach Davis.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEM** – Mr. Wright indicated the following items qualified for Executive Session.

- a. **Opioid Litigation Update**
b. **County Administrator's Evaluation/Agreement**

8. **CITIZENS' INPUT**

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

9. **CITIZENS' INPUT**

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) – Mr. Lamont Christian and Ms. Sutton Shaw spoke regarding Warrior Path Program.

10. **REPORT OF THE COUNTY ADMINISTRATOR** – No report was given.

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

- a. **Redistricting Outreach** – Ms. Onley stated Public Information and Government and Community Service Departments have begun public outreach regarding the redistricting process.

12. **REPORT OF THE CHAIR**

- a. **County Administrator's Evaluation/Agreement** – This item was taken up in Executive Session.
b. **Redistricting Update** – Mr. Livingston reminded Council members about the timeline for redistricting. The schedule is as follows:

First Reading: December 14, 2021
Second Reading: January 4, 2022
Public Hearing: January 18, 2022
Third Reading: February 8, 2022

Ms. Terracio requested the schedule to be posted.

Mr. Brown stated the schedule, as well as the draft maps, will be publicized via social and print media.

Ms. Terracio inquired when the draft maps will be publicized.

Mr. Brown responded, once Council has deemed they have viewed the maps, the maps will be publicly displayed.

Ms. McBride and Mr. Malinowski expressed a desire to defer First Reading until the draft maps are available for review.

Ms. Mackey moved, seconded by Mr. Malinowski, to hold First Reading of the Redistricting Ordinance and maps on December 16th.

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

The vote in favor was unanimous.

13. OPEN/CLOSE PUBLIC HEARINGS

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Westinghouse Electric Company, LLC, to provide or payment of a fee-in-lieu of taxes; and other related matters – No one signed up to speak.
- 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 Carolina Pines Industrial I, LLC to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits and other related matters – No one signed up to speak.

14. THIRD READING ITEMS

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Westinghouse Electric Company, LLC to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. J. Walker moved, seconded by Ms. McBride, to approve this item.

Ms. Terracio inquired about the number of employees and pay rates.

Mr. Ruble responded the average salary is \$24-\$26/hr. and there are opportunities for advancement. There are currently 900 employees, with no new jobs anticipated.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

- 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 Carolina Pines Industrial I, LLC to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. O. Walker moved, seconded by Ms. McBride, to approve this item.

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

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

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

The motion for reconsideration failed.

15. **SECOND READING ITEMS**

- a. **Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Project Wheat to provide for payment of a fee-in-lieu of taxes; and other related matters** – Ms. McBride moved, seconded by Mr. J. Walker, to approve this item.

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

Recuse: Mackey

The vote in favor was unanimous.

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

- a. **Authorizing the sale of certain real property owned by Richland County, South Carolina; and other matters related thereto [FIRST READING]** – Ms. McBride stated the committee recommended approval of this item.

Mr. Malinowski requested a definition of “effective date” by Second Reading.

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**

I. **NOTIFICATION OF APPOINTMENTS**

- a. **Richland Memorial Hospital Board of Trustees – 2** – Mr. Malinowski stated the committee recommended appointing Dr. Stacey Brennan.

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 STRATEGIC PLANNING AD HOC COMMITTEE** – Ms. Mackey stated the committee met and reviewed the draft Strategic Plan Report from the November 15th Strategic Planning Retreat. The draft report laid out a draft vision and mission, along with 7 strategic goals. The document will be utilized as a guide at the upcoming Council Retreat in establishing and prioritizing our goals for the coming year.

19. **SEWER AD HOC COMMITTEE**

- a. **TCO Change Order** – Mr. Malinowski stated the committee recommended approval of staff’s recommendation of a change order in the amount of \$172,000.05, which is need to provide additional storage for the residential grinder pump in Lower Richland.

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

The vote in favor was unanimous.

Ms. Newton moved, seconded by Ms. Newton, to reconsider this item.

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

The motion for reconsideration failed.

- b. **Resuming Disconnection for Non-Payment** – Mr. Malinowski stated disconnections were suspended during the pandemic. The County is currently in arrears approximately \$1M.

The committee recommended approval of staff’s recommendation to resume disconnections for non-payment.

Mr. Livingston inquired if we know the cost.

Mr. Brown responded in May 2020 the Governor lifted the “ban” on disconnections. The County continued to work with citizens, and as a result we are not able to fully support the resources of the enterprise system.

Ms. Newton inquired if the County has worked to establish payment plans, and, if so, will those efforts continue.

Mr. Brown responded the County does have “payment plans” and we will continue those efforts.

Ms. Terracio inquired if the County was able to assist citizens through the ARP Program.

Mr. Brown responded in the affirmative.

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

The vote in favor was unanimous to resume disconnections for non-payment.

Ms. Newton moved, seconded by Ms. Newton, to reconsider this item.

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

The motion for reconsideration failed.

19. **OTHER ITEMS**

a. **An Ordinance establishing new electoral districts for the election of members of Richland County Council pursuant to the United States Census of 2020 and in compliance with Section 4-9-90 of the South Carolina Code of Laws, 1976, as amended** – This item was taken up under the Report of the Chair.

b. **Department of Public Works – Solid Waste & Recycling Division—Residential Curbside Collection Services, Area 3—Contract Award recommendation** – Mr. O. Walker moved, seconded by Mr. Pugh, to accept the committee’s recommendation to deny the contract award and to authorize the Administrator to negotiate with the current vendor.

Mr. J. Walker inquired if this is a valid motion.

Mr. Wright responded as long as Council is basing their decision on the information received by Procurement.

Mr. Brown responded, in the contract, there are different options Council can take. A renewal/negotiation is one of those options.

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

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Mackey, to reconsider this item.

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

The motion for reconsideration failed.

c. **A Resolution to appoint and commission Bill Davis, Glemmie Haines, and Zan Norris as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Ms. Mackey moved, seconded by Mr. J. Walker, to approve this item.

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

The vote in favor was unanimous.

d. **Resolution to approve the issuance of revenue bonds for Brookfield Pointe by the Columbia Housing Authority** – Mr. Brown stated this is an administrative process that requires the County’s approval.

Ms. McBride inquired if this for housing/apartments.

Mr. Brown responded, his understanding is, the process comes through Council, but does not put the County at risk. The County has to approve the resolution in order for the Housing Authority to address housing.

Ms. McBride inquired, if the County does not approve the resolution, would the Housing Authority be able to do what they want to do.

Mr. Wright responded the Housing Authority it required to go through a local government. They are not able to do it themselves.

Ms. McBride inquired which district Brookfield Pointe is located in.

Mr. O. Walker responded it is in District Eight.

Mr. O. Walker moved, seconded by Mr. J. Walker, to defer this item.

Mr. Livingston inquired if this item is time-sensitive.

Mr. Brown responded he was not aware it was time-sensitive.

Mr. Jensen stated, for information, this is an administrative function of the County. The Housing Authority desires to issue tax-exempt bonds to help fund the project. There is not liability, or obligation on behalf of the County. Essentially, it is to add transparency to the process to the process because the Housing Authority is not a local government agency.

Mr. O. Walker stated the public hearing for this item was done telephonically, based on the provided information, but no one has reached out to him regarding this project.

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

The vote in favor was unanimous for deferral until the December 16th meeting.

- e. **Resolution to approve the issuance of revenue bonds for St. Andrew's Crossing by the Columbia Housing Authority** – Mr. Pugh moved, seconded by Mr. J. Walker, to approve this item.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

20. **EXECUTIVE SESSION**

Ms. Mackey moved, seconded by Ms. Barron, to go into Executive Session.

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

Opposed: J. Walker

The vote was in favor.

*Council went into Executive Session at approximately 7:04 PM
and came out at approximately 7:18 PM*

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

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

The vote in favor was unanimous.

- a. **Opioid Litigation** – Ms. Mackey moved, seconded by Mr. J. Walker, to authorize the County Attorney to agree to participate, as discussed in Executive Session.

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

The vote in favor was unanimous.

- b. **Administrator's Evaluation/Agreement** – Mr. J. Walker moved, seconded by Ms. Barron, to authorize the Chair to present and execute an extension with the County Administrator, with the terms discussed in Executive Session.

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

The vote in favor was unanimous.

Ms. McBride moved, seconded by Ms. Newton, to reconsider Items 20(a) and (b).

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

The motion for reconsider of Items 20(a) and (b) failed.

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

22. **ADJOURNMENT** – The meeting adjourned at approximately 7:23PM