



Richland County Council

SPECIAL CALLED MEETING

July 11, 2017 – 6:00 PM

Council Chambers

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

OTHERS PRESENT: Gerald Seals, Brandon Madden, Jamelle Ellis, Tracy Hegler, Beverly Harris, Sandra Yudice, Tony Edwards, Stacey Hamm, Shane Kitchens, Michelle Onley, Geo Price, Larry Smith, Jeff Ruble, Roger Sears, David Browser, James Hayes and Kimberly Williams-Roberts

CALL TO ORDER – Ms. Dickerson called the meeting to order at approximately 6:00 PM.

INVOCATION – The invocation was led by the Honorable Gwen Kennedy

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by the Honorable Gwen Kennedy.

APPROVAL OF MINUTES

- a. Regular Session: June 20, 2017 – Mr. Pearce moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.
- b. Special Called Meeting: June 27, 2017 – Ms. Myers moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST

The vote in favor was unanimous.

- c. Zoning Public Hearing: June 27, 2017 – Ms. Myers moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST

The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith stated Items # 14(a) and 14(b): "Authorizing the execution and delivery of a fee-in-lieu of ad valorem tax and incentive agreement by and between Richland County, South Carolina and (Project Red River) to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters" and "An Ordinance Authorizing the conveyance of certain real property by the County in connection with Project Aegis; and matters relating thereto" should also be listed under the Report of the Attorney for Executive Session. In addition, Item 21(c): "Intergovernmental Agreement between Richland County and City of Columbia for Fire Service" should also be listed under the Report of the Attorney for Executive Session.

Mr. Seals requested the following item be added under the Report of the County Administrator: "Eclipse Participation by the County".

Mr. Pearce moved, seconded by Mr. Malinowski, to adopt the agenda as amended.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST

The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. Palmetto Health Affiliation Agreement
- b. Employee Grievance - 1
- c. Hunter's Run Subdivision Update

- d. Authorizing the execution and delivery of a fee-in-lieu of ad valorem tax and incentive agreement by and between Richland County, South Carolina and (Project Red River) to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters
- e. An Ordinance Authorizing the conveyance of certain real property by the County in connection with Project Aegis; and matters relating thereto
- f. Intergovernmental Agreement between Richland County and City of Columbia for Fire Service

Council went into Executive Session at approximately 6:04 PM and came out at approximately 6:24 PM.

CITIZENS INPUT: For Items on the Agenda Not Requiring a Public Hearing – Ms. Shaneka Oliver and Mr. Mike Quinn spoke regarding Item # 16(b) on the agenda: “Approve an agreement with Cascata Development, LLC and Rivers Station, LLC to complete the construction of the roads in Rivers Station Subdivision and Blythecreek Subdivision”.

Mr. Charles Sharp spoke against County ordinance 26-181(4)(c) – Road Standards, which requires subdivisions to place green space in each cul de sac.

Mr. Bob Nerban, Ms. Brittany Hochstein, Mr. J. P. Miller, Mr. Matthew Perkins and Mr. C. D. Rose spoke regarding Item # 21(a): “To establish and create a Special Tax District within Richland County, South Carolina, to be known as the “Lake Dogwood Special Tax District”; to define the nature and level of services to be rendered therein; to authorize the imposition of ad valorem taxes and user service charges therein, which shall be imposed solely within the Special Tax District; to establish a commission for the tax district and provide the terms therefore; and all other matters related thereto”.

REPORT OF THE COUNTY ADMINISTRATOR

- a. Introduction of Interim Detention Center Director – Mr. Seals introduced Mr. Shane Kitchens as the Interim Detention Center Director.
- b. Introduction of Finance Director – Mr. Seals introduced Ms. Stacey Hamm as the new Finance Director.
- c. Introduction of Budget Director – Mr. Seals introduced Mr. James Hayes as the new Budget Director.
- d. Sale of Sandhills – Mr. Seals stated this item was not ready to go forward.
- e. Employee Grievance – 1 – This item was taken up in Executive Session.
- f. Eclipse Participation by County – Ms. Harris stated the eclipse will occur on Monday, August 21st. Richland County is expected to draw approximately 600,000 people because it has been deemed one of the best viewing spot in the country. Richland County Emergency Services is planning to have additional staff on hand.

There are several opportunities for Council and Richland County Government to be involved. There is an all-day event at the State Museum that Council may want to attend. The cost associated with the event at the museum is \$150.00 per person. In addition, there is an opportunity for Richland County to be designated as a distribution site for the glasses. The costs for the special eclipse glasses so people can safely view parts of the eclipse, which will be branded with the County’s logo, is \$15,000 for approximately 25,000 pairs of glasses.

Ms. McBride inquired if the glasses would be free to those individuals who cannot afford to purchase them.

Ms. Harris stated the glasses will be available to the public for free.

Mr. C. Jackson and Mr. Rose expressed concerns regarding safety issues with the influx of so many people on the County's roadways and requested additional information from the Sheriff's Department's regarding this matter.

Ms. Dickerson stated this item will be placed on the July 25th Special Called Meeting agenda for action.

REPORT OF THE CLERK OF COUNCIL

a. July 25th Meeting Schedule:

1. Council Work Session with External Auditors
2. Committees – Development and Services (5:00 PM); Administration & Finance (6:00 PM)
3. Zoning Public Hearing – Cancelled
4. Special Called Wrap-Up Meeting – Immediately following Administration & Finance

Ms. Onley reminded Council of the July 25th schedule.

- b. BUDGET REMINDER: Third Reading of Second Year of Biennium Budget I: FY 2019 Budget Ordinance, July 13, 6:00 PM – Ms. Onley reminded Council that 3rd Reading of the Second Year of Biennium Budget I will be held on July 13th at 6:00 PM.
- c. Institute of Government and SC Association of Counties Annual Conference: July 30 – August 2 – Ms. Onley reminded Council of the upcoming Institute of Government classes and SC Association of Counties Annual Conference.

REPORT OF THE CHAIR

No report was given.

OPEN/CLOSE PUBLIC HEARINGS

- a. An Ordinance Authorizing deed to the City of Columbia for certain water lines to serve the Ballentine Branch Library, Dutch Fork Road; Richland County TMS # 03303-01-06 & 02 (portion) – No one signed up to speak.
- b. An Ordinance Authorizing the lease of certain property from the County of Richland to Frank's Express Car Wash of N. E., Inc. pursuant to S. C. Code Ann. 4-9-30(2) – No one signed up to speak.
- c. An Ordinance Authorizing the execution and delivery of a fee-in-lieu of taxes and Special Source Revenue Credit Agreement between Richland County, South Carolina and Project Aegis (the "Company") in connection with the Company's project in Richland County (the "Project"); the execution and delivery of one or more grant agreements relating to the Project; the provisions by the County of certain infrastructure in support of the Project; and matters relating thereto – No one signed up to speak.

- d. An Ordinance Authorizing the conveyance of certain real property by the County in connection with Project Aegis; and matters relating thereto – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- a. An Ordinance authorizing deed to the City of Columbia for certain water lines to serve the Ballentine Branch Library, Dutch Fork Road; Richland County TMS # 03303-01-06 & 02 (portion) [THIRD READING] – Mr. Livingston moved, seconded by Mr. Malinowski, to approve this item.

<u>FOR</u>	<u>AGAINST</u>
Pearce	
Rose	
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	
Myers	
McBride	

The vote in favor was unanimous.

- b. 17-011MA, Bill Hampton, RU to OI (0.53 Acres), 1654 Dutch Fork Road, R02412-01-07 [SECOND READING]
- c. 17-014MA, Carolyn B. Adkins & Joyce Gantt, RM-HD to GC (1 Acre), 1564 Daulton Drive, R17012-02-09 [SECOND READING]
- d. 17-015MA, Jacob Crowder, RU to GC (1.2 Acres), 10612 Two Notch Road, R25808-03-04 [SECOND READING]

Mr. Livingston moved, seconded by Mr. Malinowski, to approve the remaining consent items.

<u>FOR</u>	<u>AGAINST</u>
Pearce	
Rose	
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	
Myers	
McBride	

The vote in favor was unanimous.

ORDINANCES – THIRD READING

- a. An Ordinance Authorizing the lease of certain property from the County of Richland to Frank’s Express Car Wash of N. E., Inc. pursuant to S. C. Code Ann. 4-9-30(2) – Mr. Manning moved, seconded by Mr. Livingston, to approve this item.

FOR

Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

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

The motion for reconsideration failed.

ORDINANCES – SECOND READING

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem tax and incentive agreement by and between Richland County, South Carolina and (Project Red River) to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. Livingston moved, seconded by Mr. Manning, to approve this item.

FOR

Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST

Malinowski

The vote was in favor.

- b. An Ordinance Authorizing the conveyance of certain real property by the County in connection with Project Aegis; and matters relating thereto – Mr. Livingston moved, seconded by Mr. Manning, to approve this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST
Malinowski

The vote was in favor.

- c. 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 209 Stoneridge, LLC; and other related matters – Mr. Livingston moved, seconded by Mr. Manning, to approve this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST
Malinowski

The vote was in favor.

ORDINANCES – FIRST READING

- a. An Ordinance Amending the Fiscal Year 2017-2018 General Fund Annual Budget to appropriate Four Hundred Thirty Three Thousand Nine Hundred Eighty Eight Dollars (\$433,988) to increase funding to the Board of Voter Registration & Elections Department – Mr. C. Jackson inquired if staff had been able to confirm the amount reimbursed the Board of Voter Registration and Elections Department by the State.

Mr. Seals stated that information had been provided to Council via a memorandum.

Mr. C. Jackson inquired if the amount the budget amendment had been adjusted once the information had been received.

Mr. Seals stated the amount had not been adjusted.

Mr. C. Jackson inquired if an adjustment needed to be made.

Mr. Seals stated that is the prerogative of Council.

Mr. C. Jackson stated the original number was based upon a lack of information. If in fact that information has been provided and there needs to be an adjustment based upon the information, he requested that be done prior to 2nd Reading.

Mr. Malinowski inquired if regular elections that the Voter Registration & Elections office knows are coming up are a part of their overall regular budget.

Mr. Seals responded in the affirmative.

Mr. Malinowski stated if there is a special election and they need additional funds, they make a request of the County. The County provides the funding and the State reimburses a portion of the funding back to the County. Therefore, if Council had already provided the Voter Registration & Elections Office \$126,600 in advance, why would you not take that amount and subtract it from the approximately \$434,000 reimbursed to the County by the State.

Mr. Seals stated it has been the custom and practice of the County in the past to take from the General Fund and recharge a line item. Almost every time it has done this it has registered a statement in the management audit letter. Therefore, what staff chose to do was to be consistent, in terms of the fiscal year, with the current custom and practice and to correct the staff error of reporting the agency was not managing its funds appropriately.

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

Ms. Myers requested clarification. She inquired if making the Voter Registration and Elections whole includes or does not include adding the \$133,000 to their budget.

Mr. Seals stated it's his belief that adding the \$434,000, which is consistent with the County's practice at the time, makes the agency whole. However, the argument being made has to do with the reimbursement that comes from the State and if the County is required to actually show that. And the answer is no. Therefore, you can back that out and it will still be appropriate.

Mr. Manning inquired if this budget amendment is for FY17-18.

Mr. Seals responded in the affirmative.

Mr. Manning stated he did not see the urgency in taking action on this item tonight.

Mr. Manning made a substitute motion, seconded by Mr. Malinowski, to defer this item until the next meeting.

FOR
Pearce
Rose
C. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST
N. Jackson

The vote was in favor of deferral.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

- a. Contract Extension for NPDES Services for Public Works Stormwater Management Division – Mr. Rose stated the committee recommended approval of this item.

Mr. Malinowski stated in reviewing the backup documentation the RFP was published in May 2014 and the initial contract in FY16 was for \$85,000 and FY17 was for \$87,000. The current fiscal year contract almost doubles to \$159,000. He inquired as to why another request was not published to try to reduce the costs.

Ms. Wladischkin, Acting Procurement Director, stated the Stormwater Services Division has been working with the contractor/consultant for the last 2 years. Therefore, they are familiar with the NPDES program and felt it would be prohibitive to reissue a solicitation and possibly have another consultant come in and have to be briefed on what had already been done. In addition, this is a different scope of work.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers
Manning

AGAINST
Malinowski

The vote was in favor.

- b. Approve an agreement with Cascata Development, LLC and Rivers Station, LLC to complete the construction of the roads in Rivers Station Subdivision and Blythecreek Subdivision – Mr. Rose stated the committee recommended approval of this item.

Mr. Malinowski stated his notes from the committee meeting indicated that this item was to be held in committee.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers

AGAINST
Manning

The vote was in favor.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

- a. Council Motion: Based on the mission of the Conservation Commission, I move that the Rowing Club and Historic Columbia be placed under management of the Conservation Commission – Mr. Pearce stated the committee recommended Council approve placing the management of the Rowing Club property under the Conservation Commission.

Mr. N. Jackson made a substitute motion, seconded by Ms. Kennedy, to have all properties owned by Richland County to report to the Conservation Commission.

Mr. N. Jackson stated the mission of the Conservation Commission is to promote the protection of the County's natural, historical, and cultural resources and promoting nature-based recreation, eco- and heritage tourism. The commission does this by negotiating voluntary protection strategies with landowners through conservation easements and land acquisition, and through grant programs and special projects.

Mr. N. Jackson stated every organization that receives grants reports to the grant committee. If the County owns property and an organization manages and/or operates the property, they are still accountable to the County for what they do with the property. There should be a department/agency in Richland County they give an account to. To say one organization should, but another should not is setting a bad precedence. All organizations should be treated equally and fairly.

Ms. Myers inquired if Mr. N. Jackson was referring to all property that had natural, historical or cultural features because some properties do not fall under the category.

Mr. N. Jackson responded in the affirmative. The three specifically are the Rowing Club property, Historic Columbia, and Pinewood Lake Park.

Mr. Malinowski inquired if the organizations will be required to provide any funding above and beyond what the County gives them.

Mr. N. Jackson responded in the affirmative. He further stated that if the organization rents the property then anything they do with the property should be reported to the County. For example, the County was informed the Woodrow Wilson House's steps had separated so badly that the County had to pay \$350,000 to repair the steps. The County spent an additional \$6 million to renovate the Woodrow Wilson House. If the County had the authority to manage the property or review an annual report the County would know what is going on there.

Mr. Malinowski stated he would be able to support the motion if he received additional information from Administration regarding which departments the organizations would be reporting to, if there are going to be any costs incurred and if the County would benefit financially.

Mr. Pearce stated in respect to Mr. N. Jackson's remarks regarding the Woodrow Wilson House, it was the Hampton-Preston that required the steps to be repaired. He further stated, this item was discussed in committee and the differences between the Rowing Center and Historic Columbia were discussed at that time. Mr. N. Jackson has made a motion that does not relate to what came out of committee. The motion adds a new level of bureaucracy for the Conservation Commission to manage. In addition, he does not understand the Historic Columbia reporting to the Conservation Commission when they report to a Board of Directors. Richland County appoints members to the Board; therefore, they are being monitored by the County.

Mr. Livingston stated his concern is how you decide what properties to include. Also, keep in mind these organizations are not fully by Richland County. A large portion of their funding comes from other sources. Some of them as much as 80%. It would be his recommendation that Council move forward with the committee's recommendation and request additional information regarding the Historic Columbia and other relative properties.

Mr. N. Jackson stated all non-profit organizations have boards and have the ability to get additional grants and funding. He further stated, some of his colleagues created a position for the Conservation Commission to manage property the County owns. If the County owns property, any non-profit organizations that wish to manage the property should report to the Conservation Commission.

Ms. McBride inquired if there were any organizations under management of the Conservation Commission that are similar to Historic Columbia.

Mr. N. Jackson responded in the affirmative.

Ms. McBride then inquired as to why some organizations were under Conservation Commission and some were not.

An answer to her inquiry was not provided.

Mr. Pearce stated this involves more than Historic Columbia. How about Township Auditorium, it's a historic building? He further stated he does not feel Council has enough information, nor does he understand what Mr. N. Jackson wants in regards to his motion.

POINT OF ORDER – Mr. N. Jackson stated that Mr. Pearce says this motion has nothing to do with it. A committee can make a motion, but that does not tell Council members that they cannot make a substitute motion.

Ms. Myers made a second substitute motion, seconded by N. Jackson, to direct staff to look at the properties the County manages and bring back to Council an analysis of which ones may be similarly situated to Pinewood Lake and which ones may need oversight by the County.

Mr. Manning requested clarification on Ms. Myers' motion. He inquired if her motion incorporated the original motion to place the Rowing Center under the Conservation Commission.

POINT OF PERSONAL PRIVILEGE – Mr. Manning stated a statement was made Council provided \$144,000 for a person to run the park. He does not believe that is accurate, but does not want to get into that. He made the following statement to his constituents: if he in any way voted for \$144,000 for a person to run the park, he apologizes.

Ms. Myers withdrew her second substitute motion and replaced it with the following second substitute motion: To direct staff to look at the properties that the County owns and manages that fall under the natural, historical, and cultural designation and report back to Council which ones might be similarly situated as the Rowing Club and Pinewood Lake and may need County oversight. In addition, to move forward with place the Rowing Club property under the management of the Conservation Commission. Mr. N. Jackson seconded the second substitute motion.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- b. Intergovernmental Agreement to Appoint Judge Caroline Streater to the position of City of Forest Acres Judge – Mr. Pearce stated the committee recommended approval of this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

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

The motion for reconsideration failed.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

- a. A Resolution Authorizing the execution and delivery of a memorandum of understanding by and between Richland County, South Carolina and a company known as Project Aegis and other matters related thereto – Mr. Livingston stated the committee recommended approval of this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST

The vote in favor was unanimous.

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

FOR
Pearce
Rose
C. Jackson
N. Jackson
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST
Malinowski

The vote was in favor.

- c. An Ordinance Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Project Flag (the "Company") and the extension of the term of an existing fee-in-lieu of tax agreement between Richland County and the Company; the execution and delivery of such documents as may be necessary to effect the intent of this ordinance; and other matters related thereto [FIRST READING BY TITLE ONLY] – Mr. Livingston stated the committee recommended approval.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST
Manning

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. Hospitality Tax Advisory Committee – 3 (Two Applicants must be from the Restaurant Industry; the other is an at-large seat) – Mr. Malinowski stated the committee recommended appointing Mr. Keith Tolen and re-advertising for the other vacancies.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- b. Richland Memorial Hospital Board of Trustees – 1 – Mr. Malinowski stated the committee was unable to make a recommendation since all 3 applicants were duly qualified; therefore, Council will need to vote on each applicant individually.

Woods: N. Jackson, Dickerson, Livingston, Kennedy, Myers, and McBride
Mustain: Pearce, Rose, C. Jackson, Malinowski, and Manning
Wassermann: No Votes

Ms. Helen B. Wood was appointed to the Richland Memorial Board of Trustees.

II. RULES AND APPOINTMENTS: ITEMS FOR ACTION

- a. Move to direct staff to abide by Council rules and have motion items on the proper committee agenda at the proper time with backup materials and impartial opinion. If staff is unable to carry out the necessary tasks/duties then Council should consider hiring additional staff. In addition, the old practice of listing items on standing committees that have not been completed once again be listed as “Items Pending Action.” This will hopefully prevent items from “disappearing” that have not had complete action taken by staff/Council. [N. JACKSON/MALINOWSKI] – Mr. Malinowski stated the committee recommended approving the following language: “Pursuant to Council Rules motions forwarded to a committee will appear on the committee agenda. Items not completed will be listed at the end of succeeding agendas as ‘Items Pending Action’ and the reason they are still on the committee list as pending.”

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
McBride

AGAINST
Manning

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- a. Transportation Improvement Contract Award – Mr. Manning moved, seconded by Mr. Livingston, to approve the recommendation to award the contract to the lowest responsive and responsible bidder, Palmetto Corporation, in the amount of \$5,717,285.75. In addition, to approve the 10% construction contingency of \$571,728.59 and the relocation contingency of \$44,290.83 for a total cost of \$6,333,305.16.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- b. Decker Boulevard Neighborhood Improvement Project: Executive Summary – Mr. Manning stated this item was before Council at the June 20th Council meeting. There were several questions raised during the meeting. The answers to those questions were provided in the Administrator’s Report.

Mr. Manning further stated it is the committee’s recommendation to move forward with the Decker Neighborhood Improvement Project as presented.

Mr. Malinowski stated on p. 183 of the agenda is the following statement: “As the design is progressed, the viability of one or more of the recommended improvements listed above may alter and/or the improvement cost may increase or decrease. Therefore, the following studies and improvements are recommended to be progressed into the design phase, resulting in potential changes to the recommendations.” This statement is in reference to 4 major items that are to be researched; therefore, he does not know why the County is moving forward when all of the answers have not been provided. Although there is a current estimate as to what each particular neighborhood improvement project will cost, on the following page it states, “These projects are considered ‘cost-constrained,’ meaning the Neighborhood Improvements category will not exceed the allocated \$63 million.” That does not mean that you cannot get halfway through these projects

and have used the \$63 million and the other half do not get anything. In moving forward, as is recommended, we need to stipulate that each particular project does not exceed the current estimate.

Mr. Manning accepted Mr. Malinowski's friendly amendment to stipulate that each project not exceed the current estimate.

<u>FOR</u>	<u>AGAINST</u>
Pearce	
Rose	
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	
Myers	
Manning	
McBride	

The vote in favor was unanimous.

REPORT OF THE BLUE RIBBON AD HOC COMMITTEE

- a. Approval for submitting full applications for HMGP 4286-DR funding, with the 25% local match – Mr. Pearce stated the committee recommended approval of the full application submission and the local funding match recommendations.

<u>FOR</u>	<u>AGAINST</u>
Pearce	
Rose	
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	
Myers	
Manning	
McBride	

The vote in favor was unanimous.

Mr. Pearce moved, seconded by N. Jackson, to reconsider this item. The motion for reconsideration failed.

- b. Approval for the CDBG-DR Action Plan update and revision – Mr. Pearce stated the committee recommended approval of the update and revision of the County's CDBG-DR Action Plan.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. N. Jackson, to reconsider this item. The motion for reconsideration failed.

OTHER ITEMS

- a. To establish and create a Special Tax District within Richland County, South Carolina, to be known as the "Lake Dogwood Special Tax District"; to define the nature and level of services to be rendered therein; to authorize the imposition of ad valorem taxes and user service charges therein, which shall be imposed solely within the Special Tax District; to establish a commission for the tax district and provide the terms therefore; and all other matters related thereto – Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve this item.

Mr. Pearce inquired if the referendum has already been held.

Mr. N. Jackson responded in the affirmative.

Mr. Pearce inquired if Council is now required to establish the tax district.

Mr. Smith stated as Council recalls they passed an ordinance authorizing these communities to conduct a referendum to establish these special tax districts. Procedurally it has to come to County Council for the referendum results to be ratified.

Mr. Pearce stated the concerns they expressed would have to be directed to the HOA.

Ms. Myers inquired if there were any guidelines established for the vote of the HOA and the manner in which it has to be taken. She stated some of the concerns voiced tonight were a little disturbing and she wanted to ensure the process that was followed by the HOA gave all of the interested parties the right, the opportunity and the notice to be heard.

Mr. Smith stated he was not familiar with this particular tax district, so he cannot speak to what was done in this case. The attorney for the HOA is present and may be able to address these questions.

Mr. C. D. Rose with the law firm of Pope Flynn. The referendum was properly noticed in accordance with State law. It was held and the vote was overwhelming in favor of the creation of the tax district. He further pointed out there were two things before Council. The first is a resolution that certifies the

results of the referendum. The other item is an ordinance for First Reading that establishes the tax district. The public hearing will be held at Second Reading of the ordinance.

Mr. Malinowski stated the resolution was not listed on the agenda. In addition, Council cannot certify elections that would be the Election Commission. He further stated, there are numerous corrections that need to be made to the backup documentation.

Mr. C. Jackson stated he certainly hoped given the comments made tonight that there will be an attempt by the HOA to reach back out to the citizens in the community before Second Reading.

Mr. C. D. Rose stated there has already been a dialogue started and discussions with Mr. N. Jackson. In response to who certifies the elections, in this particular statute the HOA is required to come back to County Council for a final certification of the results of the referendum.

Mr. N. Jackson inquired if the language in the agenda is what was placed on the ballot for the referendum.

Mr. C. D. Rose responded in the affirmative.

Ms. Myers requested notice since a large portion is in her district.

Mr. N. Jackson stated he wants to ensure the price for repairs are not exorbitant and the bids are specific to what needs to be repaired.

Mr. Malinowski inquired if Mr. Smith would recommend adding the word "resolution" to the ordinance language to address the approval of the resolution included in the agenda packet.

<u>FOR</u>	<u>AGAINST</u>
Pearce	Myers
Rose	Manning
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	

The vote was in favor.

- b. FY18 District 6 Hospitality Tax Allocations – Mr. Pearce moved, seconded by Mr. Manning, to approve this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- c. Inter-Governmental Agreement between Richland County and City of Columbia for Fire Service – This item was taken up in Executive Session.

CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda – Mr. Roger Leaks and Ms. Barbara Roach spoke regarding the repealing of County ordinances regarding the height of grass and parking of vehicles in front yards.

Mr. Manning made a substitute motion, seconded by Mr. Pearce, to go into Executive Session and take up the Palmetto Health Affiliation Agreement and come back out before taking up the remaining Executive Session items.

FOR
Pearce
Rose
Livingston
Manning
McBride

AGAINST
C. Jackson
N. Jackson
Malinowski
Dickerson
Kennedy
Myers

The motion failed.

Council went into Executive Session at approximately 8:08 PM and came out at approximately 10:04 PM.

EXECUTIVE SESSION

- a. Palmetto Health Affiliation Agreement – Mr. Pearce moved, seconded by Mr. Livingston, to approve and adopt a resolution consenting to the entry of Palmetto Health into an affiliation transaction with the Greenville Health System resulting in the creation of a new health company and providing for other matters relating thereto. With the addition that the document have the provision that the Richland County representative on the new board be required to provide a report to Richland County Council as to the various activities of that organization on a quarterly basis.

Ms. Myers stated this is difficult for her because she wants to enthusiastically support this. She does personally support it, but she is a bit surprised Council is racing through this with many of the Council members still asking for concessions on behalf of the residents of Richland County. She further stated she represents the one district where it can take up to 55 minutes to get to a hospital in an emergency. And this has been the case for years. It is not too much to ask for a board representative to keep pushing, so that those citizens actually make it to the hospital in time to get care. As a lawyer and a person who consumes healthcare, this is the right thing. It is not the right way. She was deeply saddened that she had to vote the way she had to vote because we cannot be convinced to ask for the small concessions that would make it a little better for the people who do not have access to healthcare in Richland County and who own the asset Council is voting on. The people that she represents deserves for her to put their concerns on this record and to ask that you remember the poor people in Richland County who are not just entitled to emergency care when they make it to the hospital, but who are entitled to be able to access a hospital. She does not think we are paying attention closely enough to those needs. It's the right train to get on, at the right moment. However, she is concerned that when we lose local access to the ultimate board that controls the hospital that the little people, in the small rural areas of Richland County, are even more forgotten and they may have a more difficult time getting the healthcare they need.

Ms. Dickerson stated she would like to ditto everything Ms. Myers said. She stated she thinks it is a slap in the face that all she is going to get is a quarterly report. She further stated she is having to make a decision on something she has only had 30 days to digest when Palmetto Health has had over a year to negotiate.

Mr. N. Jackson stated from what he is hearing this is the perfect opportunity and if we do not take advantage of this we may not be able to get the same deal in the future. He is not sure where the future of healthcare is going.

Mr. C. Jackson stated that representative government is a beautiful thing because it allows all of us to represent the needs of those who elected us. Therefore, he respects his colleagues' views and thoughts as it relates to healthcare. The future of healthcare is more critical to him and his family than it was just a few years ago. He further stated he can personally speak to the benefit of joining these two healthcare systems.

Ms. Kennedy expressed her displeasure with not having more local representation on the board.

Mr. Manning thanked the Chair and Mr. Pearce, the Palmetto Health Council liaison, for their leadership in relations to the series of meetings that were held. He further thanked the Palmetto Health personnel who have been available to meet with Council, as needed. After being here for more than 8 years, he believes everyone on the Palmetto Health Board he has been a part of appointing have been eager and desirous of serving well. The Board has studied this matter and voted unanimously in favor of the joining of the systems.

Ms. Myers requested a friendly amendment to include the language: "...or the Board Chair."

Mr. Pearce accepted the friendly amendment.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Manning
McBride

AGAINST
Myers

The vote was in favor.

Mr. Rose moved, seconded by Mr. Pearce, to reconsider this item. The motion for reconsideration failed.

- b. Employee Grievance – 1 – Mr. Malinowski moved, seconded by N. Jackson, to give the grievant a written counseling notice as a final penalty in this matter.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- c. Hunter’s Run Subdivision Update – Mr. N. Jackson moved, seconded by Ms. Myers, to move forward as discussed in Executive Session.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers
Manning
McBride

AGAINST

The vote in favor was unanimous.

- d. Inter-Governmental Agreement between Richland County and City of Columbia for Fire Service – Mr. Malinowski moved, seconded by Mr. Rose, to defer this item.

FOR
Pearce
Rose
C. Jackson
N. Jackson
Malinowski
Dickerson
Livingston
Kennedy
Myers

AGAINST
Manning

The vote was in favor.

MOTION PERIOD

- a. Explore bringing the “Turning Leaf Program” to Richland County Detention Center [ROSE] – This item was referred to the Jail Ad Hoc Committee.
- b. Explore additional options on supplemental insurance for employees. Note: There are new products available. Staff should talk to existing and additional agencies to provide better or additional options for employees [N. JACKSON] – This item was referred to the A&F Committee.

ADJOURNMENT – The meeting was adjourned at approximately 10:22 PM.

X

Joyce Dickerson
Chairwoman

X

Bill Malinowski
Vice Chair

X

Calvin "Chip" Jackson
District Nine

X

Norman Jackson
District Eleven

X

Gwendolyn Kennedy
District Seven

X

Paul Livingston
District Four

X

Jim Manning
District Eight

X

Yvonne McBride
District Three

X

Dalhi Myers
District Ten

X

Greg Pearce
District Six

X

Seth Rose
District Five

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council