



Richland County Council

REGULAR SESSION

April 7, 2020

Council Chambers

2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Kimberly Williams-Roberts, Ashiya Myers, Ashley Powell, Angela Weathersby, Beverly Harris, Leonardo Brown, Larry Smith, Clayton Voignier, Brad Farrar, Jeff Ruble, John Thompson, James Hayes, Michael Byrd, Michael Niermeier, Christine Keefer, Ronaldo Myers, and Quinton Epps

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Allison Terracio
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Allison Terracio

Mr. Livingston stated, in reference to our staff, some of us take for granted, or do not understand, what is required to keep our County Government functioning. He expressed his special thanks to Administration, the Attorney’s Office, the Clerk’s Office, IT, EMS, Sheriff’s Dept., Public Works, Custodial staff, Treasurer, etc. who are working on the front lines.

4. **PRESENTATION OF PROCLAMATION**

- a. 2020 Census Proclamation – Ms. Roberts read the proclamation into the record.

5. **APPROVAL OF THE MINUTES**

- a. Regular Session: March 17, 2020 – Ms. Dickerson moved, seconded by Ms. McBride, to approve the minutes as distributed.

Ms. Terracio made a substitute motion, seconded by Mr. Walker, to defer the approval of the minutes.

Mr. Jackson requested the maker of the motion to explain the reason for the deferral.

Ms. Terracio responded she would like to wait to approve these minutes until after we have the discussion related to the SCDOR matter in Executive Session.

In Favor: Terracio, Newton, Myers and Walker

Opposed: Malinowski, McBride, Livingston, Jackson, Manning and Dickerson

The motion for deferral failed.

Ms. Myers inquired about what portion of the minutes Ms. Terracio wished to defer.

Ms. Terracio responded the portion she wished to defer is in reference to the "Richland County vs. SC Dept. of Revenue Update" Executive Session item.

Ms. Terracio made a substitute motion, seconded by Mr. Walker, to defer the portion of the minutes that related to "Richland County vs. SC Dept. of Revenue".

Mr. Malinowski stated we attempted to defer the minutes, which failed. He inquired if a motion can then be made to single out a portion of minutes for deferral.

Mr. Farrar stated it is a different motion, so it is permissible to make a new motion for deferral of a particular portion.

In Favor: Terracio, Newton, Myers, Jackson and Walker

Opposed: Malinowski, McBride, Livingston and Dickerson

The vote was in favor.

Ms. Terracio moved, seconded by Ms. Newton, to approve the minutes as amended.

Ms. Newton stated, on p. 3, of the minutes she was listed as "Present but Not Voting", but she voted in favor of the item.

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

Opposed: Malinowski and Manning

The vote was in favor.

- b. Special Called: March 31, 2020 – Ms. Terracio moved, seconded by Mr. Walker, to approve the minutes as distributed.

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

Opposed: Malinowski

The vote was in favor.

6. **ADOPTION OF THE AGENDA** – Ms. Terracio moved, seconded Ms. McBride, to remove Items 21(k)(1 – 3):

- a. A Resolution of the Richland County Council calling upon Governor Henry McMaster to issue a mandatory stay-at-home order for the State of South Carolina for a minimum fourteen day period or for such further period of time as may be deemed necessary and appropriate by the South Carolina Department of Health and Environmental Control [MANNING]

- b. A Resolution affirming Federal and State guidelines in response to the Coronavirus Disease (COVID-19) and encouraging the citizens of Richland County to continue to thrive in their resilience and vigilant observance of practical measures to preserve public health [WALKER]
- c. An Emergency Ordinance implementing the guidance and recommendations of the United States Government, the Government of the State of South Carolina, and public health professionals in response to the Coronavirus (COVID-19) Pandemic for the protection of individuals in Richland County, and implementing social distancing measures to achieve the intent thereof [FIRST READING]

Mr. Walker stated, as the maker of one of these motions, he is comfortable with this course of action given the recent developments statewide.

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

The vote in favor was unanimous.

Mr. Brown requested to add an item to the agenda under Executive Session entitled “TetraTech Task Order Response to COVID-19”.

Ms. Terracio moved, seconded by Ms. McBride, to add the “TetraTech Task Order Response to COVID-19” to the agenda.

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

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

The vote in favor was unanimous.

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

- a. Richland County vs. SC Dept. of Revenue Update
- b. TetraTech Task Order Response to COVID-19
- c. Contractual Matter
- d. Report of Detention Center Ad Hoc Committee

8. **CITIZENS’ INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – Mr. Paul Beasley addressed the affordable housing crisis in the County and requested a virtual meeting with Council members.

9. **CITIZENS’ INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.) – No one submitted any comments for this item.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Coronavirus Update – Mr. Brown stated staff had been doing daily briefing for Council, and upon learning how Council had participated in many webinars and other conference calls about COVID-19,

it became a duplicative process and used time that could better be spent for Council members to respond to COVID-19. By way of information, we have the number of participants on those calls. At the height of those calls, we had 72 people participating, and at the low, we had 18 people. While staff was doing those calls in an effort to make sure Council was aware of what was going on with the County, and COVID-19, we became aware that Council members were aware because of their participation on multiple calls, and meetings. We were aware, while some members of the public were on those calls, there was not a large volume. We do not believe that stopping those daily calls was disservice to the public, as much of that information is available and reported out through the media, as well as through the Dept. of Health and Environmental Control. Additionally, in terms of Richland County, there were 340 reported positive cases in our community. There were 29 new reported cases today. Internally, at Richland County Government, we have 5 employees from EMS and 2 employees from the Detention Center in isolation. We have been working with the COVID-19 Ad Hoc Committee to produce a plan of relief for residents and other community partners, including non-profits and businesses. The ad hoc committee has met several times, has reviewed information, and made certain recommendations for how a plan is to be structured and administered. We expect to see that plan to be supported, from a Council perspective, in the near future, so citizens can have access to dollars the County has set aside, at the request of Council. Additionally, we do want to make sure we say thank you to our First Responders and appreciate those men and women who are on the frontlines of this pandemic. We also want to acknowledge that we have many in our community who have lost loved ones, and that Richland County recognized that. We had considered having an opportunity to have a First Responders (i.e. EMS, ASGDC, Sheriff's Department and Coroner's Office) appreciation activity, in which we provide lunch for them. We recognize that these men and women are potentially exposed on a daily basis, and put their lives on the line.

11. **REPORT OF THE CLERK OF COUNCIL** – No report was given.

12. **REPORT OF THE CHAIR**

a. **Contractual Matter** – This item was taken up in Executive Session.

13. **OPEN/CLOSE PUBLIC HEARINGS**

a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to codify the 2018 Editions of the International Residential Code, the International Building Code, the International Fire Code, the International Plumbing Code, the International Fuel Gas Code, the International Mechanical Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Property Maintenance Code and 2009 South Carolina Energy Conservation Code, and the 2017 National Electric Code (NCPA 70)** – No one submitted any comments for this item.

14. **APPROVAL OF CONSENT ITEMS**

a. **20-002MA, Tommy Wood, RS-MD to GC (1.46 Acres), 7220 Frost Avenue, TMS # R09402-02-01(p)** **[THIRD READING]** – Mr. Livingston removed this item from the agenda until the next Council meeting.

b. **20-004MA, Deborah Stratton, RU to NC (2.17 Acres), 4133 Clemson Road, TMS # R20281-01-27** **[THIRD READING]**

c. **20-005MA, Angie Dodson, NC to GC (1.46 Acres), 1526 Leesburg Road, TMS # R16415-07-04** **[SECOND READING]**

Regular Session

April 7, 2020

Mr. Walker moved, seconded by Ms. Terracio, to approve the agenda items.

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

The vote in favor was unanimous.

15. **SECOND READING ITEM**

- a. Approving the sale of certain property located on Farrow Road; and other related matters – Mr. Walker moved, seconded by Mr. Jackson, to approve this item.

Mr. Malinowski inquired if this item was on the surplus property list for Richland County.

Mr. Ruble stated it was on the list of properties to be sold for the Renaissance Project.

Mr. Malinowski inquired if Mr. Ruble recalled when the County enacted guidelines for the sale of property.

Mr. Ruble responded they have inquired with Administration and nothing has been approved.

Mr. Malinowski stated in an Economic Development meeting on February 5, 2019, there was a lengthy discussion about that taking place, and it gave all of the guidelines that were supposed to be put into effect. He does not know why, since that meeting, it has not been put into practice.

Mr. Ruble stated this sale was just pertaining to Economic Development, and believes the policy referred to was a wider policy that was being considered by the entire County, and Administration; therefore, he cannot speak to that.

Mr. Malinowski stated the policy was to be put in place for all Richland County property. In the minutes approved for our March 3, 2020 meeting, he raised several questions, and was told by one of his colleagues they would include answers to his questions, in the next Council meeting packet. He stated that was over 30 days ago, and there is nothing different before us. There is definitely no answers to his questions: Where is it? Why are we selling it? Who decided we did not need this property? There are no maps. There is a TMS#, but that does not answer his questions. One of the main items he was in favor of, when the County sold any property, is the transparency of listing it publicly with a realty company, or, at least, putting it on a list to let people know the County had property for sale. And, not just having somebody come up and say, "Hey, I'd like to buy that property." He stated he does not know any of the circumstances surrounding it.

Mr. Ruble stated we do have the details to present to you. It needs to be done in Executive Session. The reason that is not on Executive Session tonight is because he did not know the County had the technical capability to hold Executive Session. He stated, if you want to defer it to the next meeting, we can discuss it in Executive Session. The issue of listing brokers is a conversation that happened outside of Economic Development; therefore, he cannot speak to that.

In Favor: Newton, McBride, Livingston, Jackson, Walker and Dickerson

Opposed: Malinowski, Terracio, Myers and Manning

The vote was in favor.

16. **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE** – No report was given.
17. **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE** – No report was given.
18. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE** – Mr. Jackson moved, seconded by Ms. McBride, to defer the Economic Development items until the April 21st Council meeting.

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

The vote in favor was unanimous.

- a. A Resolution Authorizing the Administration by the County of certain grant funds from the South Carolina Department of Commerce – Deferred
 - b. A Resolution Authorizing the extension of an Option Agreement between Richland County, South Carolina and Garners Ferry Development Company and other matters related thereto – Deferred
 - c. Consenting to the partial assignment and assumption of a fee in-lieu of tax and incentive agreement from PPT Real Estate Enterprises, L.P. to Stag Industrial Holdings, LLC; and other related matters – Deferred
 - d. Authorizing, approving, ratifying and consenting to the partial assignment and assumption of an infrastructure credit and incentive agreement from Pure Power Technologies, Inc. to PPT Real Estate Enterprises, L.P.; authorizing, approving, ratifying and consenting to the partial assignment and assumption of an infrastructure credit and incentive agreement from PPT Real Estate Enterprises, L.P. to Stag Industrial Holdings, LLC; and other related matters – Deferred
19. **REPORT OF THE DETENTION CENTER AD HOC COMMITTEE** – The report was deferred until after Executive Session.
 20. **REPORT OF THE CORONAVIRUS AD HOC COMMITTEE**

- a. Sheriff's Coronavirus Emergency Supplemental Funding Grant, CESH – Mr. Brown stated the committee recommended to allow the Sheriff's Department to apply for, and receive grant funding, which would allow the Sheriff to pay for various supplies and personnel related to COVID-19 Response.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

- b. Critical Needs Areas – Mr. Brown stated there was a discussion about a waiver of certain late payments. Ms. Myers requested staff to come back with a list of specific items staff was referencing. The specific list is as follows: Hospitality Tax, Tourism Fees and Business License Fees.

The committee recommended to approve the waiver of these fees.

Ms. McBride stated the committee also recommended a time period of 60 days.

Ms. Myers stated all of the items staff enumerated relate to business fees, and none that relate to individual fee payments (i.e. sewer and water). She inquired if those fees are already waived, or if there is something unique to those payments.

Mr. Brown stated, for purpose of clarity, a waiver of late payments for water and sewer, and other individual payments, are not being penalized.

Ms. Myers requested that Mr. Brown would enumerate which fees that late fees will be waived on.

Mr. Brown responded water and sewer late fees will be waived.

Ms. Newton stated, she would hope, whatever revenue we receive from these late payments that amount goes towards that list, so we can continue planning for how this is going to impact our budget.

Mr. Manning stated, at our last meeting, we voted to do a bridge where Hospitality Tax would not be due until June 20th. He inquired, if us waiving these fees is a technical thing we have to do to be in line with the fact that we determined the tax would not be due until June 20th.

Mr. Brown stated there will be no penalty for late payment of those, as well, so it is a combination of issues. One is a delayed time for payment. The second part is, there is no penalty if those are paid late, within a specified period of time.

Mr. Manning stated, for clarification, it only applies to the June 20th date.

Mr. Brown responded in the affirmative.

Mr. Manning stated, for clarification, we are saying, even though they have collected it, and they are keeping it, rather than giving it to us, so that helps them bridge through limping along times. Then, they collect it for another month, and keep it. When it is due on June 20th, and they do not pay it for another 59 days, there would not be a penalty.

Mr. Brown responded it would not be an additional 59 days beyond the June 20th date. Immediately following the next time they are due, if they do not pay them on that date, the initial timeframe would not require a penalty be paid until Council chose differently.

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

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, Terracio, Newton, McBride, Myers, Livingston, Jackson, Walker and Dickerson
The motion for reconsideration failed.

Ms. McBride stated, at the last Council meeting, we discussed another area, and the exact allocation of \$500,000. Staff was supposed to develop a criteria and bring it back.

Mr. Brown stated we are going to have funding available to meet those needs, to a certain degree. We did not set a solid amount, and we did not determine what source those funds would come from. In the last few days, they receive additional information related to some areas of our source funds, specifically CDBG, which can be utilized for the purpose of responding to businesses. He stated we are going to have funding available to tackle the issue. There will be additional details in the coming days.

Ms. McBride stated she did not want to paralyze the movement of staff by the Council continuing to analyze all of these sources. Therefore, the public is not getting the services/funding they need. If we are still in deliberation and planning that means you cannot put this out to the public.

Mr. Brown stated, if you wanted to have an amount, staff originally recommended \$500,000.

Ms. McBride stated what she wants them to be able to do is move forward, and not have to wait on Council. If we need to give them an amount, then let's do it, but if they can move forward without Council identifying a specific amount that is fine.

Mr. Livingston stated, for clarification, we did not agree on an amount.

Ms. McBride responded that we did not for one area. We kept going back and forth, in terms of one particular area.

Mr. Livingston inquired if staff has a recommendation, in terms of what we can do to move forward.

Mr. Brown stated the recommendation was for \$500,000 for that particular area.

Mr. Livingston stated, for clarification, Mr. Brown is saying there are available funds from CDBG to do that.

Mr. Brown responded in the affirmative.

Ms. McBride moved, seconded by Ms. Dickerson, to approve \$500,000 for the staff to move forward with the funding for small businesses, and other areas they have identified.

Ms. Dickerson requested a friendly amendment to approve up to \$500,000, and, if it exceeds that amount, staff will come back to Council.

Mr. Malinowski stated he is getting confused because he was told, when Mr. Brown was giving us notes from his list, there was a specific list he was providing us regarding waiving of penalties for H-Tax, tourism fees, business licenses fees, and water and sewer. All of a sudden we are talking about putting \$400,000 - \$500,000 in a pot for small businesses.

Mr. Livingston responded that was one of the items listed on the Coronavirus Ad Hoc Committee agenda for discussion.

Mr. Malinowski stated the Federal Government has a multi-million dollar plan in place to help virtually every small business out there, so he does not understand what kind of assistance the County is giving these businesses.

Ms. McBride responded this assistance is a stop gap. The Federal government is taking a while to get these funds out. We wanted to do something, as soon as possible, to help the small businesses in

Richland County. This was supposed to be on a fast track. We do not know how long the Federal government will take.

Mr. Malinowski stated no one has told him which small businesses we are trying to help, who can make application, the maximum amount each small business can get, and can you get the funding if you are just a small business, or do you have to be on the essential list of businesses? To him, there is a lot of questions that has not been answered.

Ms. McBride stated staff has already developed much of the criteria, and we need to move forward.

Mr. Malinowski stated it seems like we should have had all of that information in the agenda packet.

Ms. Kennedy stated, for clarification, the County is giving them money, and then the Federal government, so they will be receiving funds twice.

Mr. Livingston stated the Federal government's definition of a business is 500 or less individuals. The committee was talking about helping those "mom or pop" stores that may to fall through the cracks.

Mr. Manning stated he was thinking these were going to be small businesses, in our County, which did not qualify for the Federal funding, and for some reason fell through the cracks. If that is the case, they would not get paid twice because if they qualified for the Federal funding, they would not qualify for the County's funding.

Ms. McBride stated the Federal government funds are loans, which may be forgiven. This is not a loan. This is to help them hold on to their rental facilities.

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

Opposed: Malinowski

The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Myers, to reconsider this item.

In Favor: Malinowski

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

The motion for reconsideration failed.

21. OTHER ITEMS

- a. Mitigation Bank Credit Sales – City of Sumter, Shot Pouch Greenway – Mr. Epps stated we are definitely breaking even with the sale of the mitigation credits, and all of the proceeds from those credits are being returned to the Transportation Penny Program.

Mr. Brown stated staff's recommendation is to approve the sale of these mitigation credits.

Mr. Malinowski stated, while Mr. Epps says we are breaking even, the briefing document says we will be adding \$122,000 to the Transportation Penny Fund.

Mr. Epps responded that is correct.

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

Opposed: Walker

The vote was in favor.

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

In Favor: Walker

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

The motion for reconsideration failed.

- b. Richland County Sheriff's Department – Forensic Laboratory Information Management System (LIMS) Grant – Mr. Brown stated, after speaking with the Sheriff's Department, this would be a ratification of action taken by that department. The Sheriff's Department was under the impression this item was approved. They had already received the grant funding, and had took steps to expend those funds.

Mr. Manning moved, seconded by Ms. Terracio, to ratify the Sheriff's Department's actions.

Mr. Malinowski inquired why this was not brought to Council, prior to Mr. Brown signing it, or in September once the document had been signed.

Mr. Brown responded this is a two-part question. One is related to the budget process, and the other is related to the actual expenditure and utilization of those dollars.

Mr. Malinowski stated during the budget process we made general approval for grants. We do not have details. The attachment in front of us is one page, and it says it is page 1 of 17. It would be nice to know what is on the other 16 pages, and if there are any additional requirements or obligations on behalf of the County or the Sheriff's Department.

Chief Cowan stated the documents Mr. Malinowski is referencing are general points of the grant, and do not give any descriptive information. This item was approved, in its full capacity, during the budget process. Mr. Brown signed the documents in September, in confirmation of your approvals, and that is part of the process by the Federal government for the funding to actually come to the Sheriff's Department. Procurement felt it wise that Council receive this information now, as we are making the purchase, to make sure Council was aware that all of those steps had taken place, and that we were following proper procurement guidelines.

Mr. Malinowski inquired if there were any additional requirements associated with the grant.

Chief Cowan responded it was all non-matching. There was no cost to the County, and no expenditures by the County.

Mr. Malinowski stated, for clarification, no continuation of anything.

Chief Cowan stated this is a one-time purchase.

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

Ms. Terracio moved, seconded by Ms. Dickerson, to reconsider this item.

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

The motion for reconsideration failed.

- c. Resolution requesting PrismaHealth to provide information to the public regarding the impending acquisition of Providence Hospital, Providence Hospital – Northeast, Kershaw Health and Providence Health – Fairfield Emergency Room – Ms. Dickerson and Ms. McBride requested additional information on this matter.

Mr. Walker moved, seconded by Mr. Malinowski, to defer this item until after the current health situation has come to an end.

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

Opposed: Manning

The vote was in favor.

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

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

The vote in favor was unanimous.

- e. A Resolution to appoint and commission Jameela Darcell Bryant as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Walker moved, seconded by Ms. McBride, to approve this item.

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

The vote in favor was unanimous.

- f. Constituent Update – Using Tele-Town Hall Meeting – Ms. Keefer stated, in fall 2018, the library reached out to Government and Community Services, and the Public Information Office, about collaborating on a series of tele-town hall meetings. The meetings were primarily with the senior citizen population to engage them in what was happening in the County. The library is more interested in doing these now because COVID-19. We have been invited to take part in these meetings, if we would like. We also have the option of the County doing their own tele-town hall series to share information about our response to the community, in light of the virus. If we were to host our own series, we would have to do a little more thinking and be intentional about how many conferences there would be because there is a cost associated with them. We would also have to come up with a phone list to share with the tele-town hall company that orchestrates these meetings. They would actually dial out invitations to the citizens, on our behalf, and the citizens are given the opportunity to opt-in to the phone call. The meetings are hosted, so there would be a

person from the County who would serve as the host and moderate the discussion. There are features to record the meetings, and to chat online during the meeting. This has been successfully used by the State Chapter of the AARP.

Ms. Dickerson stated, it seems, this is more of a statewide program. She inquired as to how you would narrow it down to countywide. If we are going to pay for something like this we would have to make sure those dollars were being spent in Richland County. She thinks it is a wonderful idea to do town halls, but she would like additional information, and the costs associated with the initiative.

Ms. Keefer stated there are certain call lists the County may have. For instance, we are doing reverse 911 calls, the business licensee list, and a call list the Ombudsman's Office may have.

Ms. Dickerson stated, for clarification, that one of the venues mentioned was the library.

Ms. Keefer responded the library is putting together a series, which will kick off on April 9th. The series is geared toward parents of school age children.

Ms. Dickerson inquired if she would be able to participate in the series, so she can see how it works.

Ms. Keefer stated she will share the information with the Clerk's Office, so that it can be shared with full Council.

Ms. Dickerson stated she feels like we are isolated from the constituents right now, so she would support something that would assist us in staying connected.

Ms. Terracio stated she is very supportive of all the efforts to help get us connected with constituents during this time. She appreciative of our partnership with the library, and she would welcome the opportunity to keep this line of communication open, so we can connect with our constituents and neighborhood associations on a regular basis. During the Coronavirus outbreak, and in light of the new stay-at-home orders, she appreciates the library keeping the Wi-Fi for everyone, and hopes that would be seen as a needed resource, and not something that is deemed non-essential during this period of social distancing.

Ms. Myers stated approximately a year ago she requested staff to work on this because this is an easy way to convene constituents and make them aware of what we are doing. She would like to see staff take the lead on this and create a series of events where Council, and the County, are bringing citizens in to discuss where we are, and what is going on during COVID-19. She thinks it is great to partner with the library, and she is favor of that. The County has to convene this, or some other method, of keeping in touch with our citizens during this strange period. She does not know that we want to cede that responsibility or obligation to the library.

Ms. Dickerson stated she welcomes the library, but she thinks, for the most part, the issues we deal with from Council are different. She is concerned about always being a follower, and staff should figure out a way to have each of us engaged in some type of town hall.

Ms. McBride expressed her concern about staff having the time, or the expertise, to get this done in a timely manner. She thinks this needs to be unique to Richland County. In addition to the town hall meetings, we need other methods of communication because a lot of people do not have the ability to access the tele-town hall meetings. She stated we need a really good public information/education strategy. Our staff may need additional help because they have a lot things going on right now, so that needs to be taken under consideration. She inquired about how long it takes to develop this type of update.

Ms. Keefer stated it would take 1 – 2 weeks to put get all of the particulars in order: How often we would hold the meetings? The timeframe? As well as, what we would cover on each call? The recommendation is to keep these calls to no more than an hour.

Ms. Newton stated she supports this, and anything else we can do to make our communications with our constituents more robust, particularly now. She was not sure what the next appropriate action would be, based on the conversation we are having today.

Mr. Livingston stated this came about because of what the library is doing now. If we are going to do something quick, the library does have the speakers and setup. They have the resources and contacts, so it would be something they could quickly do, if we wanted to do something tomorrow, or the next day. We are going to have to put that in place, if we are going to do it all ourselves. Are we talking about one, or both? Are we talking about forgetting a relationship with the library, and trying to do something on our own? Or, are we talking about doing both?

Ms. Terracio stated, as a liaison to the library, it is her understanding that the library is moving forward with some of these at our request, and is willing to cost share with us. One of the things she is curious about is, if the cost is tiered, based on number of participants, and length of time.

Ms. Terracio moved to move forward with a tele-town hall with the library, assess the success of that partnership, and determine whether or not we move forward with tele-town halls on our own.

Mr. Livingston requested Mr. Brown to instruct staff to do a table of contents for the prepared document. He stated a lot of the questions being asked could be easily answered because a lot of that information is in the document, but it is not easily accessible

Mr. Malinowski stated this was listed on the agenda as an update. We got the update, so should not belabor this, and move on.

Mr. Livingston inquired if Mr. Brown has enough information without needing a motion to move forward on this item.

Mr. Brown responded, not specifically, as it relates to whether or not Council is going to employ a tele-town hall. In general, they got the feedback to get more information, and provide a table of contents to provide accessibility to the document, and potentially work on the County's own potential topics and conversations.

Mr. Livingston stated, if there is an opportunity of partnership, with the library, that needs to be brought before us.

Ms. Dickerson stated there is also a financial implication associated with this, and there was no discussion on what the financial implication will be.

Ms. Terracio stated, for anyone that is interested, there is a tele-town hall with the school district on Thursday, April 9th at 6:30 PM.

- g. FY21 Budget Amendment Calendar – Mr. Malinowski moved, seconded by Mr. Walker, to approve this item.

Ms. Newton requested calendar invites be sent out for these dates.

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

The vote in favor was unanimous.

- h. Richland County and Columbia Rowing Club 5-Year Operating Agreement Renewal – Mr. Voignier stated this item is before Council for consideration at the request of the Conservation Commission. At its February 20th meeting, the Conservation Commission approved the 5-year renewal of an existing operating agreement between the County and the Columbia Rowing Club for access to, and use of, the County’s Rowing Center, located on the Broad River, for recreational rowing activities and events pursuant to the purpose of their organization. The Conservation Commission recommends Council approve the 5-year operating agreement renewal with the Columbia Rowing Club.

Mr. Walker moved, seconded by Mr. Malinowski, to approve this item.

Mr. Malinowski stated many times in our agreements, we do 5-year agreements, with 1-year renewals, in the event that something should happen (i.e. Rowing Club disbanded, they fail to maintain insurance, etc.), we have the opportunity to not be locked in. He did not know if we wanted to consider doing that on this one also. Secondly, has this been reviewed by Legal, and do they concur with the terms of the agreement.

Mr. Brown stated this item has been before Legal for review.

Mr. Malinowski stated, on p. 174 of the agenda packet, it says, In 2017, the A&F Committee requested staff “to provide the specifics on how the property is being used, by whom and when it is being used, and if there are any incomes being obtained from the use of the property.” From reviewing the documentation, it does not appear we have received that information, and he believes we should be provided this information.

Ms. Myers stated that is important, and she had not thought of that. She would suggest we defer this item until we receive that information. If it is a revenue generating opportunity for them, then the citizens of Richland County should know that, and it should be a consideration.

Mr. Livingston responded that it is not a revenue generator for them.

Ms. Myers stated she did not disagree with Mr. Livingston, but we do not have any evidence to support that.

Mr. Livingston inquired to the expiration date of the agreement.

Mr. Voignier stated, on p. 184 of the agenda packet, there is background information on the Columbia Rowing Club. They charge membership fees to members to pay for the insurance, and to purchase and maintain rowing equipment, which is accessible to all the members. He does not believe they are generating revenue.

Ms. Myers inquired if the membership is exclusive, or can anyone be a member.

Mr. Voignier stated their membership is open to the public, the membership costs are income-based eligibility, and no one is turned away for inability to pay.

Mr. Malinowski stated he understands it says they charge these fees to cover the costs of insurance, and certain other costs for the club, but nowhere does it say whether or not they are charging fees for any of these events and/or outside groups that come in to use the facility.

Ms. Powell stated, in answer to Ms. Myers' earlier question, the agreement expires today.

Mr. Malinowski offered a friendly amendment to approve the 5-year contract, in 1-year increments, and we receive the requested information on any financial activity.

Mr. Walker inquired if the structure Mr. Malinowski proposed impede the club's operations.

Mr. Voignier responded he does not believe it would impact their operations, particularly at this time because that area is closed to the public, and they are using that area due to the pandemic.

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

The vote in favor was unanimous.

- i. Change Orders for CDBG-DR Rehabilitation Projects – Mr. Voignier stated staff is recommending approval of 2 change orders totaling \$48,137.74 to complete 2 rehabilitation projects in our Single Family Homeowner Rehabilitation Program, related to the 2015 Flood recovery efforts. The funds are available in the CDBG-DR Grant for these change orders. For the 1st Change Order, the work related was not in the original scope because the homeowner was unaware of the damage to the ductwork underneath the home. The 2nd Change Order, the related work was not in the original scope due to the fact that damage to the floor joist and seals was not discovered until demolition of the kitchen floor was underway, as part of the original scope. This damage subsequently caused damage to the kitchen walls and cabinetry, and upstairs bathroom walls and flooring, as a result of settling.

Ms. McBride moved, seconded by Ms. Terracio, to approve this item.

Mr. Malinowski inquired if there is a better way to get inspections in place, so we do not keep getting these large change orders.

Mr. Voignier responded, not to his knowledge. The majority of the change orders, either the homeowner was not aware of certain damage, and our inspectors were not able to uncover it, or work had already began and the damage was discovered that would require future work, such as in the 2nd Change Order before you.

Ms. Newton stated she understands these changes, or needs, were not discovered until later. Her question is, in these projects, how common is it? Is it a situation where it rarely happens that we are discovering this extensive level of additional or does it almost always happen? If it is happening all of the time, there might be a different process we can use to handle everyone's time and dollars efficiently, but if it just the one off thing, then it would not matter.

Mr. Voignier stated these types of change orders, with these amounts, are typically only brought before Council for approval, so they are indeed rare given the fact that we have approximately 200 properties we are working on at any given time, or have worked on in the past.

Ms. Newton inquired, as part of some of the dollars we are looking at being available for the Coronavirus Task Force, some of the funds identified were CDBG funds. Do these change orders decrease the amount of funding available for the Coronavirus Task Force, or was that taken into account when the numbers were provided.

Mr. Voignier responded these change orders would not decrease the amount available.

Ms. Myers requested, before the next meeting, to provide the actual amount of annual CDBG funding, based on the Federal formula that allocates the County's CDBG annual grant. As well as, the actual overall balance of CDBG funding we have in house.

Ms. Powell responded she will provide that information.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

- j. Coronavirus (COVID-19) Hospitality Tax Relief Amendment [FIRST READING] – Ms. Terracio moved, seconded by Ms. Myers, to approve this item.

Ms. Terracio inquired, in light of our previous motion to defer late fees, if this ordinance needs to speak to late fees, or if we can leave that out.

Mr. Farrar stated the ordinance before you is a standalone ordinance that only pertains to the Hospitality Tax. The intent here was to specifically deal with H-Tax, as far as extending the deadline to a date certain. He is not sure if the other fees are necessarily tied to that date.

Ms. Newton inquired if the only way to handle this item is to do Three Readings and a Public Hearing, or is there a shorter timeline we could proceed on.

Mr. Farrar responded anytime you change an ordinance, unless it is an emergency ordinance, it has to have 3 Readings and Public Hearing.

Mr. Livingston inquired, since the ordinance came out of the Coronavirus Ad Hoc Committee, why was it not considered an emergency ordinance.

Mr. Farrar responded Council can designate it an emergency ordinance, but an emergency ordinance is only good for 30 days; therefore, you would have to renew it. In addition, if you extend the deadline to June 20th, it is hard to justify that as an emergency. The County would be sending a mixed message, if after giving the ordinance 1st Reading, they were to say, "We are on track to approve this ordinance, but we are still going to collect before June 20th, so he does not see that as a concern.

Mr. Livingston inquired, when would the ordinance take effect?

Mr. Farrar would take effect upon 3rd Reading, but again, once you have announced your intent to extend the deadline, the County would have to attempt to collect something while at the same time trying to extend the deadline.

Mr. Walker stated, for clarification, by suspending the late fees on the various taxes, we contemplated earlier, is this ordinance not redundant. If we are going to suspend the late fee

associated with remittance of the Hospitality Tax until the June 20th, are we not already achieving the same intent we are trying achieve with this ordinance.

Mr. Farrar responded the problem is the Hospitality Tax is collected by ordinance, so if you are going to change the way you are collecting it you have to do it by ordinance. The change has to be by the same formalities as how it was put in place, which is an ordinance amendment.

Mr. Walker stated, as a Hospitality Tax remitting business, and the business knows there will be no late fees charged, on late payments, until June 20th, and they do not remit the Hospitality Tax until June 20th, at which point they would begin to accrue late fees, have they not in effect done the same thing this ordinance is trying to achieve.

Mr. Farrar stated you have sent a clear message to the public that Council wants to extend the deadline to June 20th. If you then turned around and attempted to collect this, it would be a disaster. When you have announced your intent not to collect these fees, the ordinance is memorializing the action Council has already taken.

Ms. Myers stated you could level the concern Mr. Farrar has, as well as, the practical consideration by enacting it as an emergency ordinance. An emergency ordinance would be an ordinance, and it is a legal ordinance, that would repeal the 3 Readings and a public hearing enacting ordinance that got us to the tax. She understands what Mr. Farrar is saying, but an emergency ordinance is no less an ordinance, and it levels all the concerns that are being raised.

Mr. Livingston stated, for clarification, this cannot be treated like the others because it is an ordinance.

Mr. Farrar stated he does not necessarily know what the others were. If the business license fee is also pursuant to an ordinance, then you would have to adjust that ordinance too. If you want to do an emergency ordinance, that is fine. It is inconceivable the County would announce its intention not to collect these fees, and all of a sudden try to collect them. So, he is not seeing the time urgency Council is.

Ms. McBride inquired if everything legal if he does this. It appears it does not make any difference, so why can we not go on and pass this. We can continue to do everything that we have put forth.

Mr. Farrar stated, if you are going to do this, and you wanted to do an omnibus thing, the best way, would be to identify the fees you want to waive. To the extent that all of them are provided by ordinance, this emergency ordinance will waive or suspend those until whatever date you choose.

Ms. McBride inquired if the ordinance before us would address all the actions we have taken so far. Mr. Farrar stated the only one before you is dealing with Hospitality Tax, so you would convert it to an emergency ordinance, and amend it to say, in addition to the Hospitality Tax, you "lump" in the other fees, and extend the collection date to whatever date certain you want.

Mr. Malinowski stated, in the past, we did a pending ordinance doctrine where it took effect immediately, then you had so many days to get the remaining readings and public hearing done.

Mr. Farrar stated the pending ordinance doctrine typically comes in with zoning or permitting items.

Mr. Livingston stated the only matter before the body is Hospitality Tax.

Mr. Farrar stated you also discussed, earlier in the meeting, about the suspension of other fees, so that has been properly noticed to the public. If you wanted to amend this ordinance to say Hospitality Tax, and all the other fees, it would be properly before the body tonight.

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

Opposed: Manning

Abstain: Walker

The vote was in favor, with Mr. Walker abstaining from the vote for reasons of direct financial participation in this.

- k. Coronavirus (COVID-19) Emergency Ordinance and Resolutions: (These items were removed during the Adoption of the Agenda)
1. A Resolution of the Richland County Council calling upon Governor Henry McMaster to issue a mandatory stay-at-home order for the State of South Carolina for a minimum fourteen day period or for such further period of time as may be deemed necessary and appropriate by the South Carolina Department of Health and Environmental Control [MANNING]
 2. A Resolution affirming Federal and State guidelines in response to the Coronavirus Disease (COVID-19) and encouraging the citizens of Richland County to continue to thrive in their resilience and vigilant observance of practical measures to preserve public health [WALKER]
 3. An Emergency Ordinance implementing the guidance and recommendations of the United States Government, the Government of the State of South Carolina, and public health professionals in response to the Coronavirus (COVID-19) Pandemic for the protection of individuals in Richland County, and implementing social distancing measures to achieve the intent thereof [FIRST READING]

22. **EXECUTIVE SESSION**

- a. TetraTech Task Order Response to COVID-19
- b. Contractual Matter
- c. Report of Detention Center Ad Hoc Committee

Ms. Terracio moved, seconded by Ms. Newton, to go into Executive Session.

Mr. Manning stated he thought, at the beginning of the meeting, that we did not move forward on a portion of the minutes because we were waiting for the Executive Session item, and now he is hearing we are not going to have that item as an Executive Session item.

Mr. Smith stated he was ready to go forward with the Richland County vs. SC Dept. of Revenue Update.

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

Opposed: Malinowski, Walker and Manning

The vote was in favor.

Council went into Executive Session at approximately 8:35 PM and came out at approximately 11:37 PM

Ms. Dickerson moved, seconded by Ms. Terracio, to come out of Executive Session.

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

The vote in favor was unanimous.

- a. Richland County vs. SC Dept. of Revenue Update – No action was taken.
- b. TetraTech Task Order Response to COVID-19 – No action was taken.
- c. Report of the Detention Center Ad Hoc Committee – Ms. Myers stated the committee recommended to allow, or request, staff (i.e. the Administrator and the Legal Dept.) to work on amendments to our current contract with the medical provider, at the Detention Center, to provide testing for our employees, and on an as needed basis for the detainees, and to provide them additional equipment, as needed, at the Detention Center.

Mr. Malinowski stated, for clarification, he thought it was to provide screenings, and not use the word testing.

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

The vote in favor was unanimous.

- d. Employee Contractual Matter – Ms. Terracio moved, seconded by Ms. Dickerson, to proceed as discussed in Executive Session.

In Favor: Terracio, Newton, McBride, Myers, Livingston and Dickerson

Opposed: Malinowski, Jackson, Walker and Manning

The vote was in favor.

Mr. Malinowski moved, seconded by Ms. Dickerson, to approve the portion of the March 17th minutes that were deferred.

Mr. Walker made a substitute motion, seconded by Ms. Terracio, to defer the portion of the March 17th minutes deferred to the April 21st Council meeting.

In Favor: Terracio, Newton and Walker

Opposed: Malinowski, McBride, Livingston, Jackson, Manning and Dickerson

Abstain: Myers

The substitute motion failed.

In Favor: Malinowski, McBride, Livingston, Jackson, Manning and Dickerson

Opposed: Terracio, Newton, Myers and Walker

The vote was in favor.

23. **MOTION PERIOD** – There were no motions.

24. **ADJOURNMENT** – The meeting adjourned at approximately 11:48 PM.