



Richland County Council  
Regular Session  
June 18, 2019 – 6:00 PM  
Council Chambers

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

OTHERS PRESENT: Michelle Onley, Beverly Harris, John Thompson, Stacey Hamm, Larry Smith, Jennifer Wladischkin, Ashiya Myers, Sandra Yudice, Shahid Khan, James Hayes, Ashley Powell, Dwight Hanna, Ismail Ozbek, Kimberly Williams-Roberts, Cathy Rawls, Geo Price, Angela Weathersby, Dale Welch, Clayton Voignier, Janet Claggett, Eva Prioleau, Casey White and Jeff Ruble

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 Bill Malinowski
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Bill Malinowski
4. **APPROVAL OF MINUTES**
  - a. **Special Called Meeting: May 30, 2019** – Ms. Kennedy moved, seconded by Ms. Dickerson, to approve the minutes as distributed.  
  
In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Dickerson, Livingston and McBride  
  
The vote in favor was unanimous.
  - b. **Regular Session: June 4, 2019** – Ms. Myers moved, seconded by Ms. Kennedy, to approve the minutes as distributed.  
  
In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Dickerson, Livingston and McBride  
  
The vote in favor was unanimous.
5. **ADOPTION OF THE AGENDA** – Ms. Myers moved, seconded by Mr. Jackson, to move Item #20(a):  
“Consistent with Council motions and subsequent successful votes. I move to suspend (until at least the

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first quarter of 2020) the implementation of any sewer service rate increases until the public information and education process has been undertaken and completed, and new construction has begun.” to “Other Items” for action.

Ms. Myers stated we adopted a rate increase, with conditions that were not met, but the rate increase is scheduled to go into effect immediately.

Ms. Dickerson inquired if this item was time-sensitive since it will involve funding.

Mr. Malinowski stated the Utilities Director was not in attendance, and inquired if he needed to be present to give input.

Dr. Yudice stated this item is time-sensitive because the rate increase goes into on effective July 1<sup>st</sup>. There are many implications Council will have to consider, if the rate increase is suspended.

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

The vote in favor was unanimous.

Ms. Myer moved, seconded by Ms. Newton, to adopt the agenda as amended.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

6. **PRESENTATION: Unite Way of the Midlands** – Ms. G. B. Olsen thanked the County for their continued support of the United Way. She presented awards to the following departments: Treasurer’s Office (Most Money Donated), Human Resources (Largest Campaign Growth), Information Technology (100% Participation), and Public Works (Most Money Raised Through Special Events).

**POINT OF PERSONAL PRIVILEGE** – Ms. Dickerson recognized that Sheriff Leon Lott was in the audience.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Fields et. al. vs. Richland County
- b. Personnel Matter

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

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

Present but Not Voting: Manning

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:13 PM and came out at approximately 6:52 PM***

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

In Favor: Malinowski, Myers, Dickerson, Livingston and McBride

Abstain: Manning

Present but Not Voting: Terracio, Newton and Kennedy

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

- a. Fields et. al. vs. Richland County – No action was taken.

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

9. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – No one signed up to speak.

10. **REPORT OF THE ACTING COUNTY ADMINISTRATOR**

- a. Columbia/Richland Fire: Fire Accreditation Process – Mickey Folsom, Assistant Chief and Will Broschious, Battalion Chief, gave an overview of the accreditation process.

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

- a. Upcoming Budget Meetings: – Ms. Roberts reminded Council of the upcoming budget meeting.
  1. July 18 – Public Hearing and 3<sup>rd</sup> Reading of Biennium Budget II (FY21), 6:00 PM, Council Chambers
- b. AG + Art Tour Events – Ms. Roberts reminded Council of the upcoming events associated with the AG + Art Tour.
  1. Kick-Off Party, June 21, 5:30 – 9:00 PM, Senate's End, 316 Senate Street
  2. AG + Art Tour, June 29 (10:00 AM – 4:00 PM); June 30 (1:00 – 5:00 PM); Tour Sites Include: Carolina Bay Farms, City Roots, Doko Farms, Fabel Farms, Purple Tuteur Farm and Soda City Market

Ms. Myers moved, seconded by Ms. Kennedy, allow Mr. John Newman, a representative of the AG + Art Tour, to speak.

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

Present but Not Voting: Kennedy and Manning

The vote in favor was unanimous.

- c. Neighborhood Block Party, June 27, 6:00 – 7:30 PM, Meadowlake Park, 600 Beckman Roads – Ms. Roberts reminded Council of the upcoming Neighborhood Block Party.

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12. **REPORT OF THE CHAIR**

- a. Council Meeting Schedule Update – Mr. Livingston stated he has been informed that State statute says that County Councils must meet at least once every month of the year, which means that Council is violating State statute by not meeting during the month of August. His recommendation would be to meet on August 1<sup>st</sup>, in order to be consistent with State statute.

Ms. Dickerson stated it is a funny thing that she has been on Council for 15 years, and this is the first year this has been an issue. She wants to know how they have allowed us to not to be in compliance, with State statute, knowing that we have to be here 12 months out of the year.

Ms. Myers stated, for the 2 years that she has been on Council, staff has been raising the issue, and it is not something that people wanted to indulge.

Mr. Manning moved, seconded by Ms. Dickerson, to continue with our current process and request an AG opinion if State law can mandate that, or if that is local government.

Ms. Myers stated it is a pretty clear part of the Home Rule Act, and they are not stretching anything to tell us that we have to do it.

Mr. Smith stated, in answer to Ms. Dickerson's question, this was brought up 2 – 3 years, and a discussion took place with staff. He thought the information was passed on by the former Administrator to Council.

Dr. Yudice stated, when she came to the County in 2017, she learned Council took the month of August off. She brought it to the Administrator and Legal's attention. Her former employer did the same thing, and the County Attorney there told them that they needed to meet at least once a month, which meant that had to meet once in August.

Ms. McBride stated that we meet more than once a month. We meet a number times during the month, so it is not that we take "vacation" in August. It is that in August we do not have a Council meeting.

Ms. Newton made a substitute motion, seconded by Ms. Myers, to hold a Special Called Council meeting on August 1<sup>st</sup> at 6:00 p.m.

Mr. Malinowski suggested holding a meeting at the SCAC Conference.

In Favor: Terracio, Newton, Myers and Livingston

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

The substitute motion failed.

Mr. Jackson requested Ms. McBride's comments regarding multiple meetings, in other months, which is more than is required by statute, be included in the request for the AG's opinion.

Mr. Manning accepted the friendly amendment.

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

Opposed: Newton, Myers and Livingston

Abstain: Terracio

The vote in favor was unanimous.

13. **OPEN/CLOSE PUBLIC HEARINGS**

- a. To Establish and Create a Special Tax District within Richland County, South Carolina, to be known as the "Windsor Lake 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 therefor; and all other matter related thereto – No one signed up to speak.
- b. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an infrastructure credit agreement to provide for infrastructure credits to North Main Senior, LLC; and other related matters – No one signed up to speak.

14. **THIRD READING ITEMS**

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

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

Present but Not Voting: Manning

The vote in favor was unanimous.

15. **SECOND READING ITEMS**

- a. To Establish and Create a Special Tax District within Richland County, South Carolina, to be known as the "Windsor Lake 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 therefor; and all other matters related thereto – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

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

Present but Not Voting: Myers

The vote in favor was unanimous.

16. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- a. Recommendation on ALTA Survey for Blythewood Industrial Park Site – Mr. Jackson stated the committee recommended approval of this item.

Mr. Malinowski inquired why we did not have this information when it was first presented to Council.

Mr. Jackson stated we had to submit bids and we just got the bids back.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

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

**A. NOTIFICATION OF APPOINTMENTS**

1. Richland Memorial Hospital Board – 2 – Ms. Newton stated the committee recommended appointing Ms. Judy Cotchett Smith and re-advertising for the remaining vacancy.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

2. Board of Assessment Appeals – 3 – Ms. Newton stated the committee recommended appointing Ms. Tammy Davis.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

3. Accommodations Tax – 3 (Two applicants must have a background in the lodging industry and

1 applicant must have a background in the cultural industry) – Ms. Newton stated the committee recommended re-appointing Mr. David Erbacher.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

4. Employee Grievance – 6 (Must be a Richland County employee; 2 seats are alternates) – Ms. Newton stated the committee recommended appointing Mr. Tony L. Wingard.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

5. Midlands Workforce Development Board – 1 (Education seat; must represent the education sector) – Ms. Newton stated the committee recommended appointing Ms. Amy Scully.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

18. **OTHER ITEMS**

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

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

The vote in favor was unanimous.

- b. Total Rewards Implementation – Mr. Hanna stated there is a lot of expectation on part of employees, supervisors, directors, and appoint and elected officials, as it relates to the study. He emphasized that all of the departments were cooperative and engaged. The Legal Department and County Attorney is a part of the study. The Public Defender's Office employees are currently being paid according to a plan submitted by the Public Defender to Council for approval. This also applies to the Solicitor's Office employees. The Total Rewards Study, if approved by Council, will equalize those jobs, if the minimum requirements for the jobs are the same. Part of the objective for the Total Rewards Study is to move employees closer to a market or competitive pay rate. Because all

departments have been cooperative, it enables us to move away from so many individual or separate plans. Public Safety employees were included in the study and are anxious to have it approved. One of the things, we are asking Council to do is to authorize us to implement the new pay grades, bring employees up to the minimum of the pay grades in August 2019, and the Human Resources Director and the County Administrator to follow- up on the findings from the employee opinion survey. In January 2020, we would utilize the funding of \$1.5 million to begin bringing employees up to a more market competitive pay rate.

Ms. Myers inquired where the document is that outlines the phase in of the study. She stated we have requested this information numerous times. She noted the Housekeeping staff got a pay raise from \$7.00 to \$10.00 in 2017, so she is assuming they are not moving with this study. The discussion, at one of the work sessions, was whether \$10.15 is a living wage, so she is concerned the robustness of it may not be what we are expecting.

Mr. Hanna stated what we have is some details, in terms of steps, included in this. They also have prepared a more detailed document, as it relates to the scheduling time, and the departments.

Ms. Myers inquired how this impacts the Housekeeping staff. Will they remain at \$10.00/hr.?

Mr. Hanna stated all department, including the Operations & Facilities Department, are included in the study. He does not have their details here, but looking back on the report, that department is scheduled to receive a significant amount of increase.

Ms. McBride stated she thinks we should set an example for employers to at least start with an hourly salary of more than \$10 - \$11. Richland County should be a role model in that area. She inquired as to what the minimum wage would be our employees, based on Total Rewards.

Mr. Hanna stated the hourly wage would be \$10.27, if they are at the minimum of the pay range.

Ms. McBride stated one of her major concerns was prioritizing who gets paid first. She does not want someone making \$80,000 to get a pay increase, and somebody making \$10.00/hr. not get one.

Mr. Hanna stated the way it works is that all employees that are below the market rate for their job, based on their years of service, and job performance, would get an increase at the same time, based on the funding provided by Council. It would not be a certain group of employees, based on their wages.

Ms. McBride stated her concern was that those that need the pay may not be getting it.

Ms. Myers stated what she thinks we are saying is that we do not think anybody in the County should be paid \$10.15. Her concern is that we still have the low band, as the lowest, and we do not think there should be a band that low because it is not a living wage.

Mr. Hanna stated they did look at a model for removing both the lowest pay band, or the lowest (2) pay bands, but they did not remove them. Obviously, that increases the costs.

Ms. Myers inquired as to why the bands were not removed.

Mr. Hanna stated it would cost additional funding to remove the bands, and they were working to stay within the funding.



Ms. Myers suggested shaving some off the higher bands, and look at this more equitably.

Mr. Hanna inquired if the interest is removing the lowest grade or the lowest (2) grades.

Ms. Myers moved, seconded by Mr. Jackson, to approve and implement the Total Rewards Program.

Ms. McBride inquired, for clarification, if the motion was to move the Total Rewards with improving the band.

Ms. Myers stated the motion is to remove the lowest band.

Ms. Dickerson requested a friendly amendment to remove the two lowest bands.

Ms. Myers accepted the amendment, and requested, for public information, that Council's salary be added to the document. For clarification, the motion is that the Total Rewards survey and program be implemented, with the elimination of employee categories 1 and 2, and that Council's salary be listed at the bottom of the document.

Ms. Newton inquired if approving the motion, as presented, approve only the funding mechanisms that we have identified. Or, does it also include the additional \$14 million.

Ms. Myers stated it includes what has been put before us, and what we have been able to review.

Ms. Newton stated, p. 104 states, "The FY 2020 budget includes \$1.4M+ to bringing employees to the new market minimum in August 2019 and \$1M to bringing employees to the mid-range in January 2020." She inquired if those are the numbers that we are looking at in the chart on p. 102.

Mr. Hayes stated Phase 1, which will start in the Fall, is the \$1.4M in funding we have available, that was left over from the COLA and will roll over into FY20. In January 2020, Administration had originally recommended \$1M, but Ms. Myers motion last week increased the amount by \$500,000. He stated the \$3.3M, notated on the chart, had to do with dividing the \$10M over a period of time.

Ms. Newton inquired if we need an additional \$3.3M for FY21 to continue.

Mr. Hayes stated, of the total amount that was approved, the \$1.4M is coming from current year funds; the \$1.5M approved for January 2020, becomes \$3M in FY21. That serves as the funding for the current seed. They have not identified any additional funding. Anything over and above that will have to be tied to additional revenue for FY21.

Ms. Newton stated she will take that as an action, and try to procure additional sources of funds.

Ms. Myers stated this is exactly what Council has been requesting be provided for the last 2 months, which is why her motion only covers the first phase.

Mr. Hayes stated, when he was asked about additional funding for FY21, he said, at this point, the amount put before Council is what he felt comfortable with. A year from now, after we have gone through FY20, and we have more defined revenue projections for FY21, perhaps the numbers can be increased.

Mr. Manning stated, with regard to the motion, he is understanding that relates to what we have

before us in our packet.

Ms. Myers stated it relates to the bands in the packet, and the funding mechanisms that they provided. It does not relate to the overall amount because we have not been given funding mechanisms for that, and that is what we have been asking for.

Mr. Manning stated the Budget Director just made the statement that he believes what Ms. Newton was referencing was an outdated packet, so he is unclear if what we have before us, that he is voting on, is an outdated packet. He is uncomfortable voting for the motion when the packet in front of us appears to be an outdated packet.

Ms. Myers stated that is why she asked Mr. Hanna to come up and discuss the implementation. We have only been given FY20 and FY21. She has consistently requested the implementation plan, and all we have gotten is FY20 and FY21. That is why her motion relates, exclusively, to what was approved in the budget for FY20 and FY21.

Mr. Hanna stated the documents in the packet is a dated document. It was in response to the Council's request for more aggressive proposed plan. The actual plan they have used, is as Mr. Hayes outlined. They are proposing to stay within the funding Council has authorized, not the more aggressive proposal.

Ms. Dickerson stated, for clarification, staff is not going to explain how we are going to fund this going forward.

Mr. Hayes stated what we are funding for FY20 will continue to fund employees for FY21 and FY22, at the rates that Council has approved. Anything over and above what Council has approved, will require additional funding sources.

Mr. Malinowski stated there was all the discussion about the Public Defender's salary needing to be brought up equal to the Solicitor's salary, but in the packet, it shows that in most instances the Public Defender's employees were making more than the Solicitor's employees were.

Ms. Myers stated it is an average salary.

Mr. Malinowski stated the average salary is higher. Then, the proposed minimum for the Solicitor is lower than what it is now. Does that mean he has to take a cut on the average salary?

Mr. Hanna stated no one's salary will be cut, as it relates to implementation of the study. There would be some minimum that are below what the current employee is making, but in those cases their salary would be brought down to the minimum. What they are proposing to do is to equalize the salary, based on the same job minimum requirements.

Ms. Newton stated, in an attempt to give Mr. Hanna what he needs to move forward, when it comes to Total Rewards, there is a motion on the floor to approve implementation of Total Rewards, as outlined for FY20 and FY21. She inquired, if it is correct, that the implementation of Total Rewards, would also include the implementation of some of the non-monetary recommendations of the study.

Mr. Hanna stated, based on the employee engagement, the employees had many compliments and concerns. Upon talking with the department heads, as it relates to the respective concerns, in the

various departments, if there are any things that need to be addressed, from a policy perspective, those things would have to come back to Council.

Ms. Newton inquired, in order for them to start this process, do they need Council to approve that as a part of the Total Rewards implementation.

Mr. Hanna responded in the affirmative.

Ms. Newton inquired if that is included in Ms. Myers' motion.

Ms. Myers agreed to amend the motion and include the employee engagement survey findings.

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

Abstain: Malinowski and Manning

The vote in favor was unanimous with Mr. Malinowski and Mr. Manning abstaining from the vote.

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

In Favor: Malinowski, Jackson and Manning

Opposed: Terracio, Newton, Myers, Kennedy, Dickerson, Livingston and McBride

The motion for reconsideration failed.

- c. Consistent with Council motions and subsequent successful votes, I move to suspend (until at least the first quarter of 2020) the implementation of any sewer service rate increase until the public information and education process has been undertaken and completed, and new construction has begun. [MYERS] – Ms. Myers stated this is the Wildan rate study for the sewer improvements and the sewer fees that have not been adjusted in many years. Her concern was Council, in approving the rate increases, also required that there be public information, so that people had information, as to the improvements on the system, when the rate increases, etc. before the rates were increased. Because the public information piece has not happened, she spoke with Mr. Jackson, who helped her come up with a way to ameliorate the problem. The staff is concerned that will be negative budget consequences, if the rate is not increased July 1<sup>st</sup>. Obviously, Council is concerned the public should have some time to adjust to such a rate increase, and more information. She and Mr. Jackson discussed, during the Economic Development Committee, a funding proposal. On the new FILOTs we are getting, there is unassigned money in that area. We thought that we could temporarily use that money to make sure we cover what the Utilities Department says it needs, until we implement the rate increases, so there is a source of funds, but that we have time to educate the public before we implement the rate increase.

Mr. Hayes stated he would be disturbed by using the FILOT because that is a revenue line item in the General Fund. If we use that, it would limit the amount of revenue that we need to support what is already budgeted.

Ms. Myers stated she was told it would not, which is why she suggested that. Dr. Yudice and Dr. Thompson were in the meeting, and she was told it would not.

Mr. Hayes stated it is a revenue line item in the General Fund.

Ms. Myers stated this is new fees, not old fees.

Mr. Hayes stated, for clarification, this is a fee that would come on line this year, and the Auditor would send a tax bill out to them in November.

Ms. Myers stated they will get their bill in November and pay it in January.

Mr. Jackson stated China Jushi is one of those. They have not started paying their taxes yet. They will get a bill this year. We asked, in the EDC Meeting, where those funds are going to go once they start coming in. We were told those funds have not been assigned because you have not started collecting them. The funds were not built into the FY20 budget because we have not started receiving them.

Mr. Hayes stated the Auditor will send the bill in November, and they pay taxes in January, but that is a part of the revenues that we budget for.

Ms. Myers stated they were told that you have not budgeted for the new fee, above the amount of the old fee. They specifically asked that, and was specifically told you have not.

Mr. Hayes stated no one asked him.

Ms. Myers stated then that is going to impact what we were trying to do with the other project, so we need to go back and reconsider it. If all the money projected, and in hand, is budgeted...

Mr. Hayes stated, when we do revenue calculations, we project out what we think the new growth and revenue will be. It is a new FILOT from China Jushi, that we have not had before, so that will be considered as new revenue growth.

Dr. Yudice apologized that she misunderstood, and she may have misspoken. When she asked Mr. Hayes how much of the FILOTs were budgeted, he gave her the information for FY18-19, but he did not put in the FY20-21.

Mr. Hayes stated they are still balancing the budget, so he would be concerned that any new growth would be taken away from what we have already budgeted for FY20 for the General Fund.

Ms. Myers inquired if that included the EDC project. If there is not \$100,000 to supplement the wastewater system, how are we going to find \$2 million for the other project.

Dr. Yudice stated we will have to talk to Mr. Ruble because she is not sure how they came up with those assumptions. She thought those FILOTs were just for that EDC project. She did not know that you were thinking about using that funding for this.

Ms. Myers stated, if we cannot find this de minimis amount, she would be reluctant to vote to go forward with the plan for finding millions of dollars that are currently not budgeted.

Dr. Yudice stated they will have to make that clarification with the Economic Development Department.

Dr. Thompson recommended we work with PIO to do the public information campaign, and delay the collection of the increase rates. To delay it on the backend of the quarter.

Ms. Myers stated that was her motion until Dr. Yudice and staff told her that would throw the budget off balance, so we went to look for a source of revenue to replace the revenue they said would be necessary.

Mr. Hayes inquired what the total amount of revenue is needed.

Ms. Myers stated \$385,000 for the year, and we are talking about 2 months.

Mr. Manning moved, seconded by Mr. Jackson, to take a 5-minute recess.

In Favor: Terracio, Jackson, Newton, Manning, Livingston and McBride

Opposed: Malinowski

Present but Not Voting: Myers, Kennedy and Dickerson

The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Terracio, to reconvene the meeting.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

Mr. Jackson stated, he and Ms. Myers had a conversation with staff, and Mr. Khan has a proposed compromise to present.

Mr. Khan stated this is an important matter. It is about public health and the environment. We have in excess of 12,000 customers in the system. The vast majority of the customer base is in Districts 1 and 11. This is something that we have been working on for years because we had not worked on upgrading our system for years. He stated he is not a public campaign expert; he is a subject matter expert. Mr. Gomeau, when he was here, suggested sending notice to the customers in the system. They sent a letter to every customer in the system explaining what we are doing, why the rate is increasing, and when that would be effective. On top of that, we had several work sessions, to discuss this.

Mr. Jackson inquired about the date of the letter.

Mr. Khan stated it was sent by the Finance Department on April 1<sup>st</sup>. He stated they have received numerous calls and have followed up on responses to the letter. In the interest of the public good, and Ms. Myers' concerns, the recommendation is to have the rates become effective August 1<sup>st</sup>. However, between now and July 31<sup>st</sup> we will hold 2 public workshops, led by the Council members. Essentially, the rates are set in stone. There have been public and budget hearings, and the budget ordinance has been approved. He will have to work closely with Administration and the Budget

Department to come up with a way to compensate the month of lost revenue.

Mr. Jackson inquired about the estimated lost revenue.

Mr. Khan stated it is about \$133,000/month.

Mr. Jackson stated two things could happen in the meantime. One, we would find out from Mr. Ruble whether or not there is a possibility of those funds being encumbered or obligated, in terms of the tax revenue that has not been collected. Secondly, the possibility of looking at the reserve fund to cover the shortfall for that period of time, with the consent of Council.

Ms. Dickerson stated she is favor of public health. It was brought to her attention, that this matter was before the A&F Committee last year; although, she does not personally do not remember it. So, for her to support something that just came out of Economic Development Committee today.

Ms. Myers stated we found out information about a funding source in Economic Development. We found out that the rates had gone into effective last week, and that is why she put in a motion.

Ms. Dickerson stated, for clarification, you did it without the Budget Department knowing anything about it.

Ms. Myers stated the Acting Administrator and the Assistant County Administrator were there, but the motion was not predicated on that. The motion was predicated on the fact that, when the Council approved the Wildan study, and implementation of the study, Council also required, and her vote was conditioned on it, that before we implemented new rates, that there be a robust public information campaign, so that citizens would be on notice well before we raised the rates. Last week, when she heard the rates had gone up from the 30's to the 50's, she was concerned, as were they because it is not the normal way that rates go up. She asked this to be put on the agenda, for action, because the Wildan study had been vetted and adopted by Council, through the proper channels. Leaving the motion, on the motions agenda, would mean that the rates would increase without us coming back and being able to say, "Why was not the public information campaign carried out?"

Ms. Dickerson stated it seems like a letter has gone out. It also seems like there have been public hearings held. She cannot understand, if all those things took place, why is it coming across tonight like the people have not gotten that information. It seems like that information was given out.

Ms. Myers stated she thinks the public hearing that were held were in connection with the Wildan study, and she does not think, unless she is mistaken, that post the Wildan study, and our approval there were additional public meetings. The reason that the study was adopted was because we asked that there a public information campaign. This letter is undated, and she was told the letter went out with the last bill. She stated, if she is a customer, and she gets her bill this month that says, "Your rate is going to increase by 30% - 35% next month", for her, she would like a little bit more planning time. She stated this only affects 40 people in her area. It affects hundreds of people in Mr. Malinowski and Ms. Newton's areas. She stated Mr. Khan was correct, this is health and safety. This is what we are using to get those open cesspools off the grounds of 3 schools. She could not be more in favor of this if she was going out and digging the sewer lines herself, but her concerns are that it is only fair, when people are budgeting, to give them time to budget. She thinks the public information campaign slipped through the cracks, and we implemented the funding.

Ms. Dickerson stated she does not understand why this was not a motion during the budget process, so that we could factor these dollars into this current budget, so we can get this done. She is not sure how we learned today where we can find dollars that we did not know about last week. She does not know how to approach this. She wants people to get water, and whatever they need, but, at this point, she is confused about the information she is getting.

Ms. Myers stated she took responsibility for requesting this item but put on the action agenda, but she does not take responsibility for the fact that we precipitously raised these rates. Every single time the Wildan study was discussed, she and Mr. Jackson specifically said, "You cannot increase those rates like that without a robust public information campaign." So, when the rates go up the citizens know they are getting something great in exchange for the higher rate.

Ms. Dickerson stated, if this went through A&F, there had to have been a report out of the committee to Council. She inquired when this came to Council.

Dr. Yudice stated Council voted on this February 19, 2019. Then, we went through the budget process, and in the budget ordinance, those rates are included, and become effective July 1, 2019. She stated the letter, and the last bill, went out April 1<sup>st</sup>. Currently, we bill quarterly, but effective July 1<sup>st</sup>, billing will be done monthly.

Ms. Myers stated a letter, to her, does not constitute a robust public information campaign, and that is what we asked for.

Ms. Dickerson inquired what the difference is between public hearings and a robust campaign.

Ms. Myers stated we have not have public hearings.

Ms. Dickerson inquired if Mr. Khan said he had public hearings on this.

Mr. Khan stated this study has been going on for approximately 2 years. We had a work session, when he presented pictures of sludge flowing through our system, as well as, the rate study. The digital copy, of the rate study, was circulated to Council on January 31, 2018. On March 20, 2018, we had a work session, with Wildan in attendance, where we went through the basics, the rationale, why it happened, where we are today, why we did not do upgrades in the last 30 years, and what we have to do now. On September 18, 2018, he explained to Council why we are where we are, and made a subject matter expert recommendation that we must adopt this. On October 16, 2018, there was an Executive Session discussion on this. On January 24 – 25, 2019, he went through the presentation again. February 19, 2019, there was a discussion, and after that they sent out the letter, as a public campaign. You may not consider it a public campaign, but comparative utilities only put an advertisement in the newspaper. He stated he has taken 100s of calls. He and Mr. Malinowski have exchanged several emails, and he thinks they have explained to the customers. If Council wishes for him to do additional work sessions, he will, but he thinks they have done more than what a typical utility does.

Ms. Dickerson stated, for clarification, the request is for us to subsidize water bills, so they do not begin paying on July 1<sup>st</sup>.

Mr. Khan responded that is one option.

Ms. Newton stated, for clarification, there is an option to delay implementation until August 1<sup>st</sup>,

which will come at a cost to the County in the amount of \$133,000.

Dr. Yudice responded in the affirmative.

Ms. Newton stated, for clarification, at this time, there is not a revenue source identified.

Dr. Yudice responded in the affirmative.

Ms. Newton inquired, for clarification, if Mr. Khan stated he had received customer feedback and questions, after the letter went out.

Mr. Khan responded in the affirmative.

Mr. Malinowski inquired who Ms. Myers and Mr. Jackson envisioned being responsible for the public information campaign.

Mr. Jackson stated, when he spoke to the issue, he specifically inquired about what we can do for those persons who cannot afford this increase. Will there be any type of subsidy that could be provided? And, staff looked into and came back with an answer of "No." His next comment was, then, let's do the best we can to give the maximum amount of time before the rate goes into effect.

Mr. Malinowski stated, so that was left up to Utilities, the Administrator, PIO, etc.

Ms. Myers requested to be included in whatever they planned to make the people aware, and she never heard back. She did not know that it was going into effect until last week when a customer called her.

Ms. McBride stated she is glad that staff provided some clarification, in terms of them not doing anything. They did send out a letter in April, and the 1<sup>st</sup> bill is due in July. Normally, when she has gotten different rate increases, she received notification in the mail. The robust plan that Ms. Myers spoke about would have been great, but this is not out of the norm, in terms of notification. She stated her concern is, we have sent the letter out, and staff has received 100+ calls. Everybody is aware that the rate is going up, based on the letter they received, and the calls. For us to go back and to change the rates, it makes us look really ineffective in what we are doing. She thinks we are going to have to move forward with what we have.

Mr. Manning stated, if we were to postpone this, he is not sure when the bills go out quarterly how we are going to send a bill out, with a quarter, but there is only going to be one month with the old rate....

Mr. Hayes stated the bills are going to start going out monthly.

Mr. Manning stated he was alarmed when staff said that we went through all of this in a public session, then we went through all of it again in Executive Session. That is the reason he sometime votes not to go into Executive Session. Based on his recent experience, the fact that we sent these people a letter, that is probably is robust, for Richland County.

Ms. Myers stated, if the will of Council is not to do this, she will withdraw her motion. Her concern, however, is this was not a small matter, for her and Mr. Jackson. They raised it every single time, and she conditioned her last vote on making sure that the people who are going to have to support



this new system, would not be inspired to come and protest because Council did not give them enough notice. It seems to her, for something this important, she would want someone to explain to her that (a) we are going monthly, rather than quarterly; and (b) the price is going up, but what you are getting in exchange for it is all the shiny new pieces, we are getting all the sewer off the grounds of the schools, and we are having one integrated system. She thinks it would have helped if the public had been made aware. She did not ask for just a letter in the mail. When Mr. Jackson asked for the same thing, did not conceive that we would think a letter in the mail was a campaign. The reason it came up every time is because this is a critical issue. This has been core of what she has been working on since she came on Council. She is a little frustrated that the one thing she conditioned her 3 votes on, is the one thing that we are now saying we did because we had public hearings at the County building, like we always do. If what we say, in passing the motions, does not carry any weight, just let her know that.

Ms. Newton stated, considering that part of what we are looking at is, yes there is a rate increase, we are moving from quarterly billing to monthly billing, which start July 1<sup>st</sup>. That would represent a small premium in July, but they are going to continue to get a bill in August and September, she wondered if we could move forward, as we currently plan to move forward, and still start the information process, which is a follow-up to the letter that was sent out April 1<sup>st</sup>. She would hate to see this get abandoned, all together, if it is important for the community to have those input sessions. The rate goes into effective July 1<sup>st</sup> and we still have the information sessions to soften the blow of this monthly bill.

Mr. Jackson stated he would support, in theory, what Ms. Newton is saying. He would like to go on record saying that they got notice, and he thinks we are talking about 2 different issues: Whether or not they got notice? And, the answer is yes. The kind of notice they got was not what he would have expected to help someone understand the increase and what it means to them. He would say this was a campaign, and he would doubt that PIO would say this was an educational campaign to inform the citizens about how their rates were going to increase and how they would be impacted. All he was saying, when he realized, for many of these citizens, who are going from a septic tank, that they have as much notice as possible, and have an opportunity to hear how they are going to be better off than they were before.

Ms. Myers withdrew her motion.

19. **EXECUTIVE SESSION**

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

Present but Not Voting: Livingston and McBride

Opposed: Manning

The vote was in favor of going into Executive Session.

***Council went into Executive Session at approximately 8:55 PM and came out at approximately 9:11 PM***

In Favor: Malinowski, Newton, and Kennedy

Present but Not Voting: Terracio, Jackson, Myers, Manning, Dickerson, Livingston and McBride

**Regular Session  
June 18, 2019**

The vote in favor was unanimous.

- a. Personnel Matter – No action was taken.

21. **MOTION PERIOD**

- a. “Move to allocate up to \$50,000 per year in FY20 and FY21 to hire a firm to guide the county in establishing a strategic plan. This planning process would begin after completion of the upcoming county-wide survey and use that constituent input to inform county priorities and strategies. Funds are currently available in the FY19 budget that can be encumbered for strategic planning.”  
[NEWTON] – This item was referred to the June A&F Committee meeting.

Mr. Malinowski stated this motion cannot be sent to the June A&F Committee meeting. Rule 4.4 Agendas says, “Appropriate written backup material...must be delivered electronically to the County Administrator’s Office no later than 5:00 p.m. on the date two weeks prior to the committee’s scheduled meeting date.” Therefore, he will have to go to the July A&F Committee meeting.

Ms. Newton moved to suspend the rules. The reason that this came late is because it came out of the budget workshop, where it was originally a motion.

Mr. Manning stated he thought, when we were talking about this during the budget process, the issue was Administration said they had the money before this year ran out, and they could go ahead and allocate it. The motion is not to allocate it for those years, it was to authorize Administration to go ahead and procure it now.

Dr. Yudice stated the funding is there to do strategic planning.

Mr. Manning made a substitute motion, seconded by Ms. Terracio, to suspend the rules and approve the motion.

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

Opposed: Malinowski

Present but Not Voting: Myers

The substitute motion failed.

Ms. Newton stated, during the budget process, there was a motion that we include that in the FY20-21 budget. We were told there were funds available in FY19. Given that the fiscal year is about to end, is there another mechanism that we can use to move forward with the will of Council, that was expressed at the budget meeting. Her impression was that this was something that would move forward, and she is trying to figure out if that was the only mechanism to use the funds available.

Ms. A. Myers stated they have encumbered the funds as “TBD” based upon Council saying they wish to do that. At this time, they have not identified a vendor.

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

Opposed: Malinowski

The motion failed to suspend the rules.

- b. I move, to further address blight and nuisances in Richland County, that we instruct the County's lobbyists and legislative affairs personnel, in conjunction with the South Carolina Association of Counties, to request wo changes to State law as follows: First, to allow counties to regulate hotels, restaurants, cafes and lunch counters to provide for public health, comfort and convenience, in the same manner as State law already allows municipalities to so regulate, pursuant to Title 45, Chapter 3 of the South Carolina Code of Laws, and; Second, to allow counties to "provide by ordinance that the owner of any lot or property" in the county shall keep such lot or property clean and free of rubbish, debris and other unhealthy and unsightly material or conditions which constitute a public nuisance, and to give counties the same authority municipalities already have in this area pursuant South Carolina Code of Laws Section 5-7-80 as amended, which has been a right of municipalities since at least the 1962 Code of Laws

**Supporting Information:** County Council has recently passed a Public Nuisance ordinance and a "Health Massage, Body Work Therapists and Massage Establishment" to address the negative secondary effects associated with businesses that fail to comply with County ordinances and that put the public in danger based on illegal and nuisance activities. This a significant step to address the issue of blight in our community, which is a tangible success in one of the core objectives of the Richland Renaissance initiative. [MANNING] – This item was referred to the D&S Committee.

23. **ADJOURN** – The meeting adjourned at approximately 9:24 PM.