



Richland County Council

SPECIAL CALLED MEETING
May 14, 2018 – 2:30 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Jamelle Ellis, Brandon Madden, Sandra Yudice, Kim Williams-Roberts, Beverly Harris, Trenia Bowers, Brad Farrar, Larry Smith, Michelle Rosenthal and Melissa Watts

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 2:30 PM.

Ms. Dickerson stated that Mr. Manning had informed the Clerk of Council’s Office and herself that he is out of town and will not be in attendance at today’s meeting.

2. **ADOPTION OF THE AGENDA** – Mr. C. Jackson moved, seconded by Mr. Pearce, to adopt the agenda as published. The vote in favor was unanimous.

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

The vote in favor was unanimous.

3. **EXECUTIVE SESSION:**

Mr. Smith stated there was one item on the agenda for Executive Session, which is a Personnel, Contractual and Potential Litigation matter regarding the County Administrator.

Mr. Livingston moved, seconded by Ms. Kennedy, to go into Executive Session.

In Favor: Pearce, Kennedy, Livingston, Seth and McBride

Opposed: Malinowski, C. Jackson, Myers, Dickerson and N. Jackson

The motion failed to go into Executive Session.

Mr. Livingston moved, seconded by Mr. N. Jackson, to reconsider this item.

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

Opposed: Malinowski, C. Jackson, Myers and Dickerson

The vote was in favor of reconsideration.

Mr. Livingston moved, seconded by Ms. Kennedy, to go into Executive Session.

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

Opposed: Malinowski, C. Jackson, Myers and Dickerson

The vote was in favor of going into Executive Session.

*Council went into Executive Session at approximately 2:35 PM
and came out at approximately 3:38 PM.*

Mr. Livingston moved, seconded by Mr. Malinowski, to come out of Executive Session.

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

The vote in favor was unanimous.

Mr. Livingston moved to recess the meeting.

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

The vote was in favor to recess the meeting.

Council recessed the meeting at 3:39 PM and reconvened at 4:00 PM.

Mr. Livingston moved, seconded by Mr. Pearce, to go back into Executive Session.

*Council went into Executive Session at approximately 4:00 PM and
came out at approximately 4:13 PM.*

Ms. Kennedy moved, seconded by Mr. Pearce, to come out of Executive Session.

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

The vote in favor was unanimous to come out of Executive Session.

- a. **Potential Litigation: Personnel/Contractual Matter** – Ms. Dickerson stated the firm offer to settle made by Mr. Seals has been accepted and approved. She moved, seconded by Ms. Myers, to authorize our attorneys to sign the agreement on Council's behalf.

Mr. Smith stated the first motion would be to approve the settlement. There are two steps.

Ms. Dickerson stated the firm offer made by Mr. Seals has been properly accepted and approved.

Ms. Myers moved, seconded by Mr. Pearce, to accept the settlement offer proffered by Mr. Seals, and his attorneys, as discussed with Council by its attorneys.

In Favor: C. Jackson, Myers, Pearce and Kennedy

Opposed: Malinowski, Dickerson, N. Jackson and Livingston

The motion failed.

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

Mr. Smith stated, to the extent that Ms. McBride did not cast a vote, and she was at the dais, her vote is counted on the prevailing side in particular situation.

Mr. Pearce stated because Ms. McBride did not vote she is on the prevailing side; therefore, she has the right to make the reconsideration motion.

Mr. Smith stated, if she did not vote, her vote is cast on the prevailing side because she did not get the chance to cast the vote.

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

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

Opposed: Malinowski, Dickerson and N. Jackson

The vote was in favor of reconsideration.

Ms. Myers moved, seconded by Mr. Pearce, to accept the settlement offer provided by Mr. Seals, and his attorneys, as described to Council by their attorneys in Executive Session.

Mr. C. Jackson stated, given the alternatives of this situation, where we are in the process, and what has happened to this point, it is disappointing that we even have to take this vote, at this time, in order to make this determination. But, as I represent the citizens of Richland County, and those in District 9 specifically, he thinks what is in the best interest of those he represents is to in fact to support the motion, though he does not agree with everything in the motion. But, to support the motion because the greater cause of moving forward as a County Council, and as a County, is more important than our own individual opinion about the actual document before Council tonight. He will support it, not because he agrees with everything in it, but because he believes it is in the best interest of Richland County, based upon what has been presented to him, and the other alternatives.

Mr. Pearce thanked Mr. C. Jackson for his comments and he concurred 100% with him.

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

Opposed: Malinowski, Dickerson, Livingston and N. Jackson

The vote was in favor.

Ms. Myers moved, seconded by Mr. Livingston, to authorize the attorney to sign the agreement on Council's behalf.

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

Opposed: Malinowski, Dickerson and N. Jackson

**Please Note: Mr. Rose was not present for the vote to authorize the settlement agreement.

4. **ADJOURNMENT** – The meeting adjourned at approximately 6:20.