



Richland County Council  
Special Called  
July 24, 2018 – Immediately Following Zoning Public Hearing  
Council Chambers

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

OTHERS PRESENT: Michelle Onley, Beverly Harris, James Hayes, Kim Williams-Roberts, Trena Bowers, John Thompson, Brandon Madden, Jennifer Wladischkin, Tracy Hegler, Sandra Yudice, Stacey Hamm, Ismail Ozbek, Larry Smith, Dwight Hanna, Tim Nielsen, Art Braswell, Stephen Staley, Jamelle Ellis, Melissa Watts, Janet Claggett, Tiffany Harrison, Ashley Powell, Quinton Epps, Sandra Haynes, Nathaniel Miller, Tommy DeLage, and Geo Price

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 7:30 PM.

2. **APPROVAL OF MINUTES**

- a. Special Called Meeting: July 10, 2018 – Mr. Manning moved, seconded by Mr. Pearce, to approve the minutes as distributed.

Mr. Malinowski stated on p. 33, Item (n): Approval of Utility Relocation Estimate, that particular item was removed from the Transportation Ad Hoc Committee meeting, prior to the agenda being approved. Therefore, this is not properly in the minutes and needs to be removed.

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

The vote in favor was unanimous.

3. **ADOPTION OF THE AGENDA** –Mr. Manning moved, seconded by Mr. C. Jackson, to adopt the agenda as published.

Ms. Dickerson stated “FY19-District 4 Hospitality Tax Allocations” needed to be added to the agenda under Other Items.

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

The vote in favor was unanimous.

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

- a. Pinewood Lake Park Update
- b. Colonial Life Property Update
- c. Sungard/CRW Settlement Agreement
- d. Marsha Taylor, et. al. vs. County of Richland Settlement
- e. Potential Property Purchase: Northwest Recycling Agreement
- f. Personnel Matter: Interim County Administrator
- g. Personnel Matter: Clerk to Council Contract
- h. Communications Center: Property Negotiations Update

Colonial Life Property Update – Mr. Smith stated the last time this was before Council there was some issues regarding some additional costs that were associated with that particular contract. Council directed him to go and review the invoices that were submitted by the attorney involved in the transaction. He has done that, and at this point, he would request that Council direct, based on his review, that we execute the necessary documents to close out this particular transaction.

Ms. Dickerson inquired if we have an amount to attach to this.

Mr. Smith stated it was \$57,000.

Ms. Dickerson moved, seconded by Mr. Malinowski, to allow the attorney to go forward with this item, as presented.

Ms. McBride inquired as to what Mr. Smith means by closeout.

Mr. Smith stated the Council had this particular piece of property under contract, and we did not go through with the transaction. He explained to the Council what the consequences would be of not going forward with that transaction. One of the consequences would be that the County would lose the earnest money. Subsequently, they said they had some additional costs. They forwarded some invoices from the attorney that represented the property owner, as it relates to the costs that he had billed. The information was forwarded to him, and he was asked to review the information to make sure it was in order before the invoice was paid. The total amount, including what was billed, was \$57,000.

Ms. McBride stated we will pay the \$57,000 and not purchase the property.

Mr. Smith stated they will retain the \$20,000, which they already have, and we will pay the additional \$37,000 to close out the matter.

Mr. Livingston inquired if there was no reason to negotiate those prices. We automatically agreed to what someone submitted. Was there any basis for challenging or negotiating any of the costs?

Mr. Smith stated they did not automatically agreed to them. The costs were reviewed to determine if whether or not they were appropriated. In fact, to Mr. Livingston's question, there were some things that could have been additional costs, but for purposes of trying to resolve this matter that is where we are at this point. He is asking for authority to resolve it at this junction.

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Mr. Livingston inquired if based on the review Mr. Smith thought the charges were adequate or fair.

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

Opposed: C. Jackson and Myers

The vote was in favor.

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

In Favor: C. Jackson and Myers

Opposed: Malinowski, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

5. **CITIZENS' INPUT: For Items on the Agenda Not Requiring a Public Hearing** – Ms. Helen Taylor Bradley spoke regarding Item 20(b) regarding the healthcare needs in the Lower Richland area.

Mr. Richard Brown stated on May 15, 2018 a petition was submitted to Council to request that some amendments be made to assist with some eyesores and nuisances in the more mature neighborhoods. He requested that the Ordinance Review Committee to take up the petition.

Mr. Malinowski stated Ms. Onley has scheduled the Ordinance Review Committee meeting for September 11<sup>th</sup> at 3:00 p.m.

6. **REPORT OF THE ASSISTANT COUNTY ADMINISTRATOR**

- a. Communications Center: Property Negotiations Update – This item was taken up in Executive Session.
- b. SCDOT Turnback Program – Dr. Yudice stated they have received a letter from SCDOT on 2018-2019 Turnback Program. The Turnback is a voluntary program for which local governments wishing to take over State roads receive a one-time funding, per mile, based on the conditions of the roads. The funding can be used to bring the road to the County's standards and take over their maintenance. We need to be mindful that the cost to bring the road to the County's standards may be more than what the Turnback Program could, or would, fund. The draft to SCDOT is in the agenda packet and indicates the County will submit a letter, with its decision to participate, pending Council's review of the State Road Inventory. She stated they are requesting SCDOT provide the County with a list of the State maintained roads within the County. SCDOT indicated the due date to submit the letter is August 31<sup>st</sup>. Staff will review the inventory the SCDOT submits and bring back to Council for review and discussion.

Ms. Dickerson stated she is going to request a motion to approve the Assistant County Administrator submitting a letter for action.

Mr. Malinowski requested Mr. Ozbek to give Council his thoughts on this matter. He thinks a letter should go back to SCDOT stated the County received this and we are not interested.

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Mr. Ozbek stated this matter was discussed in the legislature last year, and he believes Council had some opportunity to discuss this. He stated his opinion is that we have previously rejected the offer. At that time, they did not have a price tag. This time they are sweetening the pie, and giving the County this much money per mile, depending on the roads. They are going to give you one-time funding, but the County is going to take over these roads for perpetuity.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to not accept the proposal from SCDOT.

Ms. Myers stated there are a couple roads in the Lower Richland community that were destroyed during the flood. She is in support of not accepting mass numbers of road. There are 2 roads that were under discussion, that are critical needs roads that SCDOT was meant to be helping the County get. She would like to reserve the right to go back and ask for those roads, which are presently closed, and are critical needs roads. SCDOT was going to provide funding for those roads. While the State is not going to maintain those roads, the County needs them. The EMS people have told us that not having those roads adds 10 – 11 minutes to their response time.

Mr. N. Jackson stated SCDOT is supposed to maintain these roads through the gasoline tax. The failure to increase the gasoline tax for 31 years, which was \$0.16 per gallon. The SCDOT has been trying to turn these roads over to the counties. He is sure that letters went out to all 46 counties to have the counties to take care of their problem. The SCDOT will not share part of the gasoline tax with the counties. They give you a one-time deal, and in future years the County has to find a way to maintain the roads, while the SCDOT continues to receive the gasoline tax, and using it for whatever they choose. He does not think the County should accept it. As for the road, Ms. Myers is talking about, it is a SCDOT maintained road. They still have the responsibility to maintain their road. If we were to accept those roads, what is going to happen is we have to maintain what they are supposed to maintain. He does not think because of an economically distressed community, SCDOT should not delay doing the job they are supposed to do. Everyone pays the gasoline tax, and he thinks it is their responsibility. We have to ask our representatives in those districts to address those situations, so that SCDOT will take care of their responsibilities.

Ms. Myers stated the roads she was speaking of were roads that SCDOT allowed to become private roads, and they are willing to fund the County to get them back because of the critical needs. They are no longer SCDOT roads, and we are requesting special funding. That is why she does not want them, in this case, to have a blanket statement that says we want no money. Otherwise, they will be private roads and we will not have access to them.

Mr. Livingston stated he is concerned about unsafe, or hazardous roads, in Richland County. He does not care who owns them, but with that said, it says the State will provide a list of roads under consideration. He inquired, for clarification, if the County gets to pick the roads or if the State will provide the County a list of roads

Dr. Yudice stated what we are requesting is an inventory of State maintained roads within the County.

Mr. Ozbek stated the County has a list of State, County and private maintained roads.

Mr. Livingston stated his question is whether we are talking about roads that we are choosing from the State list or are they going to choose for us.

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Mr. N. Jackson stated they are giving us all the roads.

Mr. Livingston stated this clearly says, "Richland County is requesting the Department of Transportation to provide a list of State roads under consideration via this program." He inquired if that meant all State roads, or some that is under consideration.

Dr. Yudice stated the intention was for the State to provide us the list of roads they maintain, not specifically for this program.

Mr. Livingston inquired as to how roads are selected or chosen for this program.

Dr. Yudice stated the County would have to choose those roads, if Council approves participation in the program.

Mr. Manning stated he is not clear. He inquired if there is a list of roads. He stated Ms. Myers said SCDOT met with her about some in her district. He stated he has not had SCDOT meet with him, so he inquired if that meant there were none in District 8.

Dr. Thompson stated the County does not have a State maintained list, in terms of roads.

Mr. Manning inquired what the August 31<sup>st</sup> deadline is for.

Dr. Yudice stated it is to tell SCDOT if the County wants to participate in this program.

Mr. Manning stated, so this program is, either they turn them all over, or they turn none over. Or the program is let's have some more chitchat.

Dr. Yudice stated the County will have to tell SCDOT the County would like to participate in this fiscal year. The County will tell SCDOT which roads we would like to include in the program.

Mr. Manning stated, at this point, we do not know if any of those are in District 8.

Dr. Yudice stated they received the letter last week, and because of the recess, we wanted to bring it to Council's attention before the deadline.

Mr. Manning stated he is still at a loss about how he is going to vote on a program about roads in District 8, but we do not know if there are any roads in District 8, but he is going to vote for participating for roads in District 8. Then when we come back in September we will learn what happened. He inquired if he is understanding that right. He stated tonight you cannot tell me if there is a road in District 8, but by the time we come back in September, a letter will have been written saying yea or nay on participating, not only in District 8, but in all 11 districts. There is going to be some roads chosen, and some roads not chosen. And, that will be a final deal.

Ms. Myers stated, as she understands the program, what the staff is asking us to do today is to opt in, or out, so we have the option later on of picking a road, 2 roads, 3 roads, or no roads. It is just opting in or out, at this point, because the window closes August 31<sup>st</sup>.

Mr. N. Jackson stated, from his experience with SCDOT, they have the 5<sup>th</sup> largest maintained road

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system in the country. They want to turn over all State roads to each county for maintenance. They are going to give a list of State roads in each county. Not for us to choose which one we want, and which one we do not want. They want to turn over all State roads, and give you a portion to fix it one time. He stated he is for safety, and he has concerns with people's safety and safe roads. However, when it comes to a private, he is not sure how SCDOT can turn a road into a private road. He stated SCDOT used to maintain the road. There was a flood, and the road was breached, and SCDOT refused to repair the road. If it is a private road, we do not usually work on private property. He inquired who owned the private road.

Mr. Malinowski stated he thinks he can clarify this and stop the debate. He stated Mr. Ozbek said we have a list of State maintained roads. If you look at the letter provided on p. 42 of the agenda, at the bottom, it states, "If you are interested in participating in the Voluntary Turnback Program, please send a letter to my attention...that includes the route name, as well as the beginning and ending point of the section you are interested in taking into your system." We already have the list, and if we want any of these roads, we tell them which ones we want.

Mr. Ozbek stated they basically gave us 4 categories of how much they are going to pay for the type of road, and you get to pick from the list of State maintained roads within the county. Then, give them the name of the road, and from what station to what station.

Ms. Dickerson stated the option right now is to opt into the program, or either opt out.

Mr. C. Jackson stated, in the interest of time, and this possibly being the last meeting before the August recess, and not having an opportunity of which roads will be selected, and which ones will not, he would be comfortable giving Dr. Yudice authorization to request to participate in the program with the full understanding that we need some extension of time to come back with a list we can all agree upon.

Mr. C. Jackson made a substitute motion, seconded by Ms. Myers, to authorize Dr. Yudice to request to participate in the program, with the understanding that we need time to come back with a list Council can agree upon.

Mr. N. Jackson stated if SCDOT is maintaining these roads now, and we are going to take over a road of our chose from SCDOT, and they are going to give us one-time funding. In the future, we will have to find additional funding to maintain these roads because we will not get a part of the gasoline tax. He stated we will not qualify for STIP funding because the roads will become County roads; therefore, we will have to find additional funding, while SCDOT continues with the gasoline tax. What he proposed in the past, was if they were going to give us a portion of the gasoline tax to continue to maintain these roads, that is fine, but they are keeping the funding, giving us a one-time fee. We will be responsible for it whether we take one or all of the roads.

Mr. C. Jackson inquired as to what the anticipated lifespan of a road that has been repaired.

Mr. N. Jackson stated it is 15 – 20 years.

Mr. C. Jackson stated, in terms of having to do anything, if we do take this over, we are looking at a minimum of 20 years before we have to worry about the problem described by Mr. N. Jackson.

Mr. Ozbek stated the life of pavement is very flexible. We expect them to last 15 – 20 years, but

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unfortunately depending on traffic, they may only last 10 years. There are a lot of variables, but 15 – 20 years is a good estimate.

Mr. Livingston stated, if the roads are unsafe and hazardous, and the State is not doing them, he thinks it is in the best interest to do them for the citizens. What he would like for them to consider, as we move forward, is to at least come up with some kind of criteria, which you are going to use to identify the roads based on unsafe roads.

Ms. Kennedy requested the roads in her district that need desperate repairs be include in the list of roads.

Mr. Ozbek stated we have a list and we can provide a list of which ones are County and which one are State roads. In the Transportation and Public Works Directors' professional opinions, they will not recommend taking over any of the roads, other than the roads notated by Ms. Myers and any State road a Council member may note is not being maintained. He stated he will not recommend any roads.

Ms. Kennedy stated she found out recently that part of Wilson Boulevard is State, part is County, and part is City, which means it is being completed at different stages.

Dr. Thompson stated they are finding that to be the case across the County. For example, in the Greengate Community they are getting calls because the County's contractor went out and laid asphalt to a certain point. SCDOT came out and stopped at a certain point. Now there is this little area in the middle they are asking who will take care of. So, we are working through these issues.

Ms. Kennedy stated it looks ridiculous. Wilson Boulevard is a very active road, and there is a lot of traffic on it.

Mr. Malinowski stated, the way he understands the substitute motion is, we want to go out and look at all of the bad roads, take them over into the County, get one-time payment to fix them, and 10 – 20 years later have to fix them again with no funding.

Dr. Thompson stated, as we consider the Transportation Penny Program, and the \$656 Million investment in the Penny Program, at this point after we make all of our road widenings, and we have a chance to make those types of improvements on the roadways, we do not have a way to maintain those roads. So, now to add more to it, we are only going to exacerbate the issue.

Mr. C. Jackson stated to not become cynical in this discussion and debate, and acting on the recommendation of the Transportation and Public Works Directors against the letter the Assistant County Administrator wrote, and the comments made by Mr. N. Jackson, he withdrew his substitute motion.

Mr. Manning stated he would like to express his concern with the SCDOT, or the USPS, because this letter is dated July 3, 2018 from Park Street, and was received on July 20<sup>th</sup>. He recognizes that Independence Day was in the middle of that, but 17 days for a letter to get from there to here, he is concerned about whoever delayed it for that long.

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

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Opposed: C. Jackson, Myers, Dickerson and Livingston

The vote was in favor of not accepting the proposal from SCDOT.

7. **REPORT OF THE CLERK OF COUNCIL**

- a. 2019 County Council Retreat – Ms. Roberts stated Council was provided a handout with the recommendations of potential locations, and tentative dates, for the 2019 Council Retreat. The Clerk’s Office is requesting Council make a decision, so they are able to have ample time to prepare for the upcoming Retreat.

Mr. Pearce stated he is going to abstain from voting on this item since he will not be here next year.

Mr. C. Jackson moved, seconded by Mr. Rose, to defer this item until the September 11<sup>th</sup> Council meeting.

Ms. Dickerson stated she wanted the Council members to understand this may put us in a position where we may or may not get the date, or the facility at this particular cost.

Mr. C. Jackson stated his request to defer was simply to ask staff to look at the dates again, and see what can be done, because there are inherent conflicts with a couple of the dates. He is not sure all of the Council members recognize this Retreat is for 2 ½ days, and in the past we have gone for 1 ½ days.

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

Opposed: Malinowski and Manning

The vote was in favor.

- b. SCAC Invitations:

1. McNair Law Firm and Compass, August 4, 5, or 6 – Red Fish, 7:00 PM
2. Parker Poe: August 4 or 5 – Dinner Cruise, 5:30 – 9:00 PM
3. Waste Management: August 4, 5, or 6 – Hudson’s Seafood, 7:00 PM
4. Republic Services, August 6 – Alexander’s Restaurant, 12:00 – 1:30 PM

Ms. Roberts reminded Council of the invitations received for the SCAC Conference.

8. **REPORT OF THE CHAIR**

- a. Personnel Matter: Acting County Administrator – Ms. Dickerson stated there was an Ad Hoc Committee meeting held. Mr. N. Jackson chaired this committee, and their recommendation was be taken up in Executive Session.
- b. Personnel Matter: Clerk to Council Contract – This item was taken up in Executive Session.

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9. **APPROVAL OF CONSENT ITEMS**

- a. 18-019MA, Mohammad Tabassum, RU to NC (1.7 Acres), 7125 Monticello Road, TMS # R07600-02-25 [THIRD READING] – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

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

The vote in favor was unanimous.

- b. 18-020MA, Robert L. Legette, NC to GC (.51 Acres), 441 Percival Road, TMS # R016712-06-03 [THIRD READING] – Ms. Myers moved, seconded by Ms. Kennedy, to approve this item.

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

Abstain: Manning

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

- c. 18-022MA, Scott Morrison, RU to RS-E (10.81 Acres), 204 Langford Road, TMS # R15200-05-02(p) [THIRD READING] – Ms. Dickerson moved, seconded by Ms. Myers, to approve this item.

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

Abstain: Manning

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

10. **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 Lorick Place, LLC to assist in the development of a low-income housing project; and other related matters –Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

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

The vote in favor was unanimous.

11. **SECOND READING ITEMS:**

- a. An Ordinance Amending Chapter 17, Motor Vehicles In Traffic; Article II, General Traffic And Parking Regulations; Section 17-9, Through Truck Traffic Prohibited; so as to include Hobart Rd. – Ms. Myers moved, seconded by Mr. Pearce, to approve this item.

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

The vote in favor was unanimous.

12. **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. Proposed District 9 Neighborhood Master Plan – “Pontiac” – Mr. Pearce stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

- b. Council Motion: State and/or Federal law prohibitions against a county plastic bag ordinance [MALINOWSKI and N. JACKSON] – Mr. Pearce stated this item was held in committee for staff to research other counties, municipalities, states and what they have done, and bring back recommendations to the committee.

- c. Council Motion: Coordination of DHEC inquiries [N. JACKSON] – Mr. Pearce stated the committee directed the Assistant Administrator to speak with the entities involved and make sure they coordinate with DHEC themselves.

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

The vote in favor was unanimous.

- d. County Council is requested to approve an amendment of the Richland County Code of Ordinances, Chapter 21: Roads, Highways, and Bridges – Mr. Pearce stated this item is to better define where roads were located. It added language saying “unincorporated” Richland County. The committee’s recommendation was for approval.

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

The vote in favor was unanimous.

13. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Amendment to lease for Economic Development Office – Mr. Livingston stated the committee’s recommendation is for approval.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and

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Opposed: Malinowski

The vote was in favor.

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

In Favor: Malinowski

Opposed: C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- b. City of Columbia and Richland County Animal Care Facilities Intergovernmental Agreement – Mr. Livingston stated the committee’s recommendation was for approval.

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

The vote in favor was unanimous.

- c. Approval of an Intergovernmental Agreement (IGA) between Richland County and the City of Columbia regarding FY 2019 Transportation Penny Program projects – Mr. Livingston stated the committee’s recommendation is for approval.

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

The vote in favor was unanimous.

- d. Affordable Housing Development – Mr. Livingston stated the committee’s recommendation is for approval.

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

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

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- e. Candlewood Neighborhood Park Land Acquisition and Subsequent Deed to Richland County Recreation Commission for Park Maintenance – Mr. Livingston stated the committee’s recommendation was for approval.

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

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- f. Approval to negotiate and enter into a contract for the modernization of the six (6) Judicial Center elevators located at 1701 Main St. – Mr. Livingston stated the committee’s recommendation was for approval.

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

Opposed: Malinowski

The vote was in favor.

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

In Favor: Malinowski

Opposed: C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- g. This is a request for Council to award a contract for the construction of a landfill gas control system to include perimeter and in-waste active landfill gas extraction wells connected by piping to a vacuum blower system, along with ancillary systems – Mr. Livingston stated the committee’s recommendation was for approval.

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

The vote in favor was unanimous.

- h. Council Motion: Reconsider the order to request the return of funds used to purchase four acres for county projects by CHAO and Associates and move the projected forward immediately giving

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appropriate time to complete the project [N. JACKSON] – Mr. Livingston stated the committee Chair ruled this motion was not properly before the committee, and no action was taken.

- i. Council Motion: Appropriate up to \$300,000 from the Gills Creek Part A project to repair the emergency spillway and an additional \$300,000 to build the boardwalk where the temporary bridge was removed [N. JACKSON] – Mr. Livingston stated this item died in committee for a lack of a second.
- j. Council Motion: Allocation of additional \$3M in funding for the Pinewood Lake Park project [N. JACKSON] – Mr. Livingston stated this item died in committee for lack of a second.
- k. Council Motion: Conservation Commission to revise the proposed contract agreement with the Pinewood Lake Park Foundation [N. JACKSON] – Mr. Livingston stated this item died in committee for lack of a second.
- l. Council Motion: Council review of the Hospitality Tax process [KENNEDY] – Mr. Livingston stated the committee recommended providing a flowchart to Council members and the grantees when they are notified of their award.

Mr. N. Jackson stated a motion was made by Ms. Kennedy, and seconded by Mr. Manning, to move the funds from FY18 to FY19. In a subsequent meeting, he and Ms. Kennedy were informed that it was limited to mid-August. He stated that was not the will of Council. He requested a clarification.

Mr. Madden stated the Hospitality Tax funds that were not used by the end of FY18 will be rolled over for the entire fiscal year. There is not a date associated with that.

Ms. Myers stated, for clarification, the funds roll over, but for grantees that were awarded funds in FY18, August 31<sup>st</sup> is the date by which all of their information needs to be in.

Mr. Madden stated, for those organizations that received funding in FY18, prior to them receiving their FY19 funds, they should submit an end of the year report, detailing how they used their funds.

Ms. Myers stated, for clarification, if they have not expended all of their money for FY18, their funding rolls over too.

Mr. Madden responded in the affirmative.

Mr. N. Jackson stated, for clarification, if the organization has not used their funds, they have to declare how it was spent.

Mr. Madden stated if they have not spent any funds, then those funds would roll over, and they would not have to account for those funds that were not spent.

Ms. Dickerson inquired, if they applied for additional funds for FY19, the organization will have their FY18 funding, plus their FY19 funding.

Mr. Madden stated pursuant to the Council motion, that is correct.

Ms. Dickerson stated, if one of the person's in her district planned an event, they applied for funds, funds were allocated, but they did not go through with the function, that means they still have funds.

Mr. Madden stated that is correct.

Ms. Dickerson stated, if they apply to have that same function in FY19, they could add the FY18 funds to the FY19 funds.

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

The vote in favor was unanimous.

- m. The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017 – Mr. Livingston stated the committee's recommendation was to defer this item until the September Committee meeting.

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

Opposed: Malinowski

The vote was in favor.

- n. Request from the University of South Carolina's Center for Applied Innovation and Advanced Analytics to partner and implement (including funding) a project that would provide rural internet to those areas of unincorporated Richland County that do not have access to broadband. – Mr. Livingston stated the committee's recommendation was to defer this item until the September Committee meeting.

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

The vote in favor was unanimous.

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

- a. A Resolution of the County Council of Richland County, South Carolina relating to incentives for affordable low income rental housing developments and other matters related thereof – Mr. Livingston stated the committee recommended approval of this item.

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

The vote in favor was unanimous.

- b. A Resolution committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Monopoly; identifying the project; and other matters related to Project Monopoly –

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Mr. Livingston stated the committee recommended approval of this item.

Mr. Malinowski inquired if the figure of \$19,000,000,000 on p. 286 is correct.

Mr. Livingston stated it is supposed to be \$19,000,000.

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

The vote in favor was unanimous.

- c. An Ordinance Authorizing the execution and delivery of a fee in lieu of ad valorem taxes agreement between Richland County and Project Monopoly; the granting of certain special source revenue credits to Project Monopoly, the transfer of real property located in Richland County to Project Monopoly; the granting of an option and right of first refusal on other real property to Project Monopoly; the execution and delivery of documents necessary to effect the intent of this ordinance; and other related matters [FIRST READING BY TITLE ONLY] – Mr. Livingston stated the committee’s recommendation was for approval.

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

The vote in favor was unanimous.

15. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

16. **NOTIFICATION OF VACANCIES**

- a. Accommodations Tax – Three (3) Vacancies (ONE applicant must have a background in the Cultural Industry; TWO applicants must have a background in the Hospitality Industry)
- b. Hospitality Tax – Two (2) Vacancies (applicants must be from the Restaurant Industry)
- c. Employee Grievance Committee – Six (6) Vacancies (MUST be a Richland County employee; 2 seats are alternates)
- d. Board of Assessment Appeals – One (1) Vacancy
- e. Board of Zoning Appeals – One (1) Vacancy
- f. Building Codes Board of Appeals – Five (5) Vacancies (ONE applicant must be from the Architecture Industry; ONE from the Plumbing Industry; ONE from the Electrical Industry and TWO from Fire Industry as alternates)
- g. Procurement Review Panel – Two (2) Vacancies – (ONE applicant must be from the public procurement arena and ONE applicant must be from the consumer industry)

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- h. Library Board of Trustees – Six (6) Vacancies
- i. Historic Columbia Foundation – One (1) Vacancy
- j. East Richland Public Service Commission – One (1) Vacancy
- k. Midlands Workforce Development Board – Three (3) Vacancies (ONE Apprenticeship seat; must be a representative of a registered apprenticeship program and TWO Private Sector Business seats; must represent private sector business with policy-making or hiring authority)

Mr. Malinowski stated the committee recommended to advertise the vacancies.

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

The vote in favor was unanimous.

17. **REPORT OF THE INTERIM ADMINISTRATOR AD HOC COMMITTEE** – Mr. N. Jackson stated the committee recommended discussing this matter in Executive Session.

18. **OTHER ITEMS**

- a. FY19 – District 11 Hospitality Tax Allocations
- b. FY18 – District 7 Hospitality Tax Allocations
- c. FY19 – District 9 Hospitality Tax Allocations
- d. FY19 – District 4 Hospitality Tax Allocations

Mr. Manning moved, seconded by Mr. Malinowski, to approve Items 18(a) – 18(d).

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

The vote was in favor.

Mr. Manning moved, seconded by Mr. Malinowski, to reconsider Items 18(a) – 18(d).

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce congratulated Mr. Hayes on being awarded the Distinguished Budget Presentation Award FY18-19 Budget Book from the GFOA.

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19. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – Mr. Carl McKinney stated he addressed Council on July 10<sup>th</sup> regarding the Planning Commission meeting of July 9<sup>th</sup>. Since that time someone sloppily changed the agenda posted on the website. There is also a posting for the June 26<sup>th</sup> Zoning Public Hearing, and parts of the Development Review Team meeting from June 28<sup>th</sup>. There are also errors in both the July 9<sup>th</sup> agenda, and tonight's agenda, showing Joiner Road and DeLoach Road as unpaved.

24. **EXECUTIVE SESSION** –

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

Abstain: N. Jackson

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

***Council went into Executive Session at approximately 8:52 PM and came out at approximately 10:38 PM.***

- a. Pinewood Lake Park Update – No action was taken
- b. Sungard/CRW Settlement Agreement – Ms. McBride moved, seconded by Mr. N. Jackson, to authorize staff to execute a full, and final settlement, and release of all claims in the matter.

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

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- c. Marsha Taylor, et. al. vs. County of Richland Settlement Agreement – Mr. C. Jackson moved, seconded by Mr. Livingston, to authorize Richland County to enter into a settlement agreement in the matter of Marsha Taylor, et. al. vs. Richland County.

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

Abstain: Myers

The vote in favor was unanimous with Ms. Myers abstaining from the vote because she represents Taylor Brothers.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

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The motion for reconsideration failed.

- d. Potential Property Purchase: Northwest Recycling Center – Mr. Malinowski moved, seconded by Ms. Myers, to authorize staff to enter into a potential property purchase agreement, up to the amount discussed in Executive Session.

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

The vote in favor was unanimous.

- e. Communications Center: Property Negotiations Update – No action was taken.
- f. Personnel Matter: Interim County Administrator – Mr. N. Jackson stated the Interim Administrator Ad Hoc Committee recommended to offer the position to Applicant A, and do the proper background check.

Mr. Hanna stated it is his understanding Council wishes to offer the applicant discussed the position of Interim County Administrator contingent upon the candidate successfully passing the background checks, verifications, and the mutual agreement of the contract between Council and the candidate.

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

The vote in favor was unanimous.

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

Opposed: Pearce, Rose, McBride, N. Jackson, Malinowski, Dickerson, Livingston, Kennedy, C. Jackson and Manning

The motion for reconsideration failed.

- g. Personnel Matter: Clerk to Council Contract – Ms. Dickerson stated Ms. Roberts has accepted the Council's contract.

Mr. Livingston moved, seconded by seconded by Ms. Kennedy, to approve Ms. Roberts' contract.

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

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

20. **MOTION PERIOD**

- a. I move that the County Council's Property Distribution Management Ad Hoc Committee (formerly 911 Emergency Building Ad Hoc Committee) convene and create a group modeled after the 39 Member Panel (not to be confused with the TPAC) that culminated in the Transportation Penny and/or the Development Roundtable Panel that brought forth the 20+ Environmentalists/Developers Joint Recommendations for implementation and/or the Flood Recovery Blue Ribbon Panel (modeled after a Tennessee local government's work) that guided direction following the 1,000 year flood tragedy, with the goal to culminate in a comprehensive and inclusive strategy for the Renaissance [MANNING] – This item was referred to the Property Distribution Management Ad Hoc Committee.
- b. Based on the discussion at the July 9, 2018 Navigating to Move Forward Council Roundtable Workshop priority discussion of the life and death needs in Lower Richland for a critical health care clinic and in light of the July 10, 2018 establishment of the Property Transition Management Ad Hoc Committee and the fact that the identified property for the clinic was obtained over 10 years ago, I move that the properly authorized Richland County agent(s) request Palmetto Health and Providence to proceed with their proposals to build a free standing emergency room facility to include an ER and outpatient care, pharmacy, clinic, and other preventative healthcare services [MANNING, N. JACKSON and MYERS] – This item was referred to the A&F Committee.
- c. Move to have an ISO study completed to give the County guidance on the need for and potential recommended locations of new fire stations and the proper use of/mix of volunteer and paid fire department employees in all areas of Richland County [MYERS] – This item was referred to the A&F Committee.

21. **ADJOURN** – The meeting adjourned at approximately 10:51 PM.