

RICHLAND COUNTY

RULES & APPOINTMENTS

COMMITTEE AGENDA



Tuesday, JUNE 19, 2018

4:00 PM

The Honorable Bill Malinowski, Chair

County Council District 1

The Honorable Gwendolyn Kennedy

County Council District 7

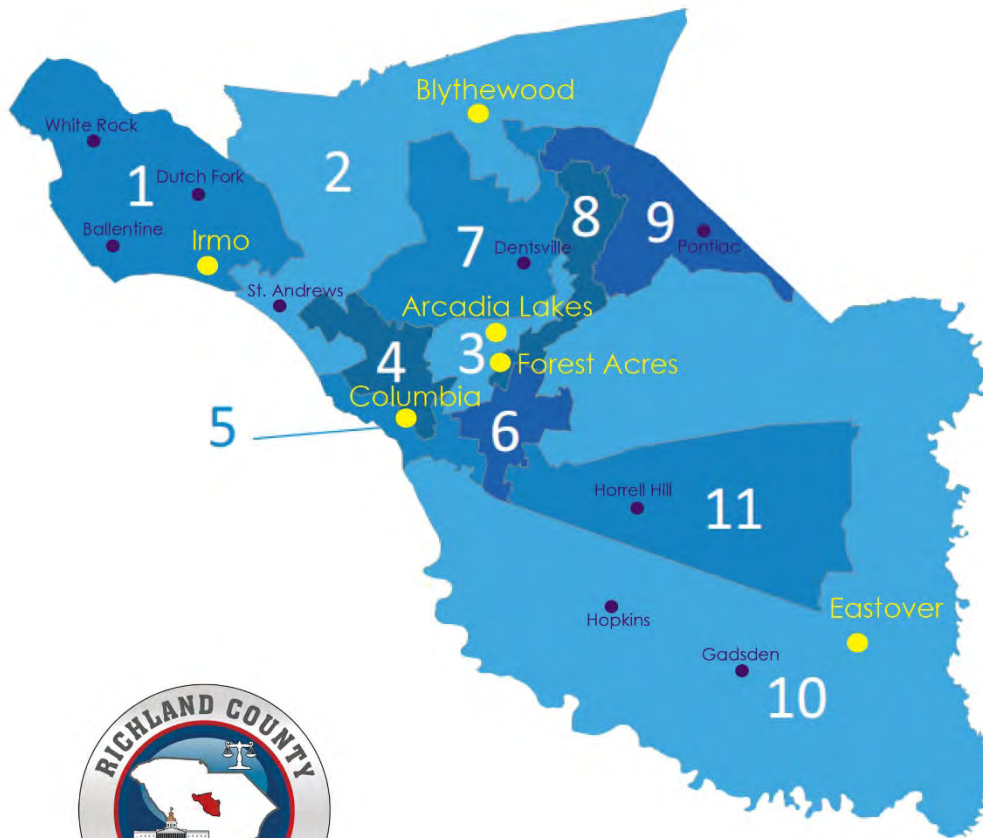
The Honorable Norman Jackson

County Council District 11

The Honorable Yvonne McBride

County Council District 3

RICHLAND COUNTY COUNCIL 2017-2018



VICE CHAIR
Bill Malinowski
District 1



CHAIR
Joyce Dickerson
District 2



Yvonne McBride
District 3



Paul Livingston
District 4



Seth Rose
District 5



Greg Pearce
District 6



Gwendolyn Kennedy
District 7



Jim Manning
District 8



Calvin "Chip" Jackson
District 9



Dalhi Myers
District 10



Norman Jackson
District 11



Richland County Rules & Appointments Committee

June 19, 2018 - 4:00 PM

2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Bill Malinowski

2. **APPROVAL OF MINUTES** The Honorable Bill Malinowski
 - a. June 5, 2018 [PAGES 7-8]

3. **ADOPTION OF AGENDA** The Honorable Bill Malinowski

4. **INTERVIEWS**
 - a. Accommodations Tax – Five (5) Vacancies (ONE applicant must have a background in the Cultural Industry; THREE applicants must have a background in the Hospitality Industry; ONE is an at-large seat)
 1. James Tyler Burns [PAGES 9-10]

 - b. Business Service Center Appeals Board - 1 (Applicant must be an attorney)
 1. James Tyler Burns [PAGES 11-12]
 2. Marcus J. "Marc" Brown [PAGES 13-14]

 - c. Hospitality Tax – Three (3) Vacancies (At least two applicants must be from Restaurant Industry)
 1. George Whitehead [PAGES 15-17]
 2. Bill McCracken [PAGES 18-19]

5. **ITEMS FOR DISCUSSION**
 - a. Move that the Rules & Appointments Committee review the current County Council Rules and offer amendments

for consideration by Council that would clarify exactly how County Council voting will occur with specific reference to how a non-vote (i.e. not a "yes", "no" or "abstain" vote) from a member present at the meeting shall be counted or not counted [PEARCE] [PAGE 20]

6. ADJOURNMENT

The Honorable Bill Malinowski



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
Rules and Appointments Committee
June 5, 2018 – 4:00 PM
4th Floor Conference Room
2020 Hampton Street, Columbia 29204

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair; Yvonne McBride, Norman Jackson and Gwen Kennedy

OTHERS PRESENT: Michelle Onley, Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 4:00 PM

2. **APPROVAL OF MINUTES**

a. May 15, 2018 – Ms. Kennedy moved, seconded by Ms. McBride, to approve the minutes as distributed. The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Kennedy moved, seconded by Mr. Malinowski, to adopt the agenda as published. The vote in favor was unanimous.

4. **INTERVIEWS**

a. Board of Zoning Appeals – 2

Mr. William C. Simon, Jr., Mr. Jason Branham and Mr. Frazier Ben Beatty were interviewed for the Board of Zoning Appeals.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to appoint Mr. William C. Simon, Jr. and Mr. Jason Branham. The vote was in favor.

b. Board of Assessment Appeals – 2

Mr. Eric Grant and Ms. Beverly B. Jacobs were interviewed for the Board of Assessment Appeals.

Mr. N. Jackson moved, seconded by Ms. McBride, to re-appoint Mr. Eric Grant. The vote in favor was unanimous.

Ms. Kennedy moved, seconded by Mr. Malinowski, to re-advertise for the remaining vacancy. The motion failed.

Mr. N. Jackson moved, seconded by Ms. McBride, to forward the remaining vacancy to Council without a

Rules and Appointments Committee
May 15, 2018

-1-

recommendation. The motion failed.

5. **ITEMS FOR ACTION**

- a. Move that the Rules & Appointments Committee review the current County Council Rules and offer amendments for consideration by Council that would clarify exactly how County Council voting will occur with specific reference to how a non-vote (i.e. not a “yes”, “no” or “abstain” vote) from a member present at the meeting shall be counted or not counted [PEARCE] – Mr. Malinowski stated the proposed language from Mr. Farrar is as follows: Each member shall vote on each question put. No member shall be permitted to vote on any question in which that member has a direct personal or pecuniary interest, or in which that member perceives that he or she has a direct personal or pecuniary interest, or in which his or her participation might create an appearance of impropriety in that member’s estimation. A Council member must be at his/her seat in order to vote for those at the dais. If a member does not declare a vote or an abstention, *such member shall not be considered to have voted for either the prevailing or for the non-prevailing side, but instead shall not have his or her vote recorded at all on the question put.*

Mr. Malinowski stated we are changing is so we do not go around with prevailing side, not prevailing side. If you do not vote, you do not vote. It does not count. You are on nobody’s side. The vote stands as it is. If it is a tie vote, it fails.

Ms. McBride stated, for clarification, that Mr. Rose was not at his seat during a meeting and he was allowed to vote.

Mr. Malinowski stated that was a Special Called Meeting. Our rules say you can call in to a Special Called Meeting.

Mr. N. Jackson stated he thinks when you vote other people should not have to see if you vote, just the results.

Mr. Malinowski stated Mr. N. Jackson’s concern will have to come back as a separate motion.

Ms. McBride moved, seconded by Ms. Kennedy, to forward to Council with a recommendation for approval. The vote in favor was unanimous.

6. **ADJOURN** – The meeting adjourned at approximately 5:06 PM



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: James Tyler Burns

Home Address: 119 Cricket Hill Road, Columbia, SC, 29223

Telephone: (home) 803-319-2056 (work) 803-767-4418

Office Address: 1201 Main Street, Columbia, SC, 29201

Email Address: Tyler@burnslawsc.com

Educational Background: BA from Univ. of SC Juris Doctor from USC Law

Professional Background: former attorney for SCDSS for abused children, practicing attorney for 10 years

Male [X] Female []

Age: 18-25 [] 26-50 [X] Over 50 []

Name of Committee in which interested: Business Service Center Appeals Board, Accommodations Tax Advisory Committee

Reason for interest: I've Been involved in public service to my community for many years as a solicitor and working with children through DSS. Now that I am in private private practice i'm looking for other ways to serve.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I am very hard working, honest, loyal and dedicated. I am a father of 2 boys and my hope is that they learn the value of service and try to leave the world slightly better for having been in it and making a positive difference.

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? Willing to answer any questions

Recommended by Council Member(s): Seth Rose

Hours willing to commit each month: 30-40

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

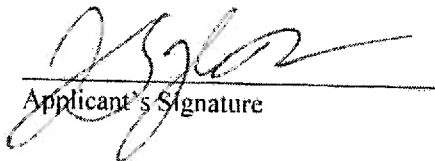
Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X

If so, describe: _____


Applicant's Signature

05-19-18
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Date Received: <u>5/21/18</u>	Staff Use Only
Date Sent to Council: _____	Received by: <u>[Signature]</u>
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant **MUST** reside in Richland County.

Name: James Tyler Burns

Home Address: 119 Cricket Hill Road, Columbia, SC, 29223

Telephone: (home) 803-319-2056 (work) 803-767-4418

Office Address: 1201 Main Street, Columbia, SC, 29201

Email Address: Tyler@burnslawsc.com

Educational Background: BA from Univ. of SC Juris Doctor from USC Law

Professional Background: former attorney for SCDSS for abused children, practicing attorney for 10 years

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Business Service Center Appeals Board, Accommodations Tax Advisory
Committee

Reason for interest: I've Been involved in public service to my community for many Transportation Penny Advisory
Committee
years as a solicitor and working with children through DSS. Now that I am in private private practice i'm looking for other ways
to serve.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

I am very hard working, honest, loyal and dedicated. I am a father of 2 boys and my hope is that they learn the value
of service and try to leave the world slightly better for having been in it and making a positive difference.

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? Willing to answer any questions

Recommended by Council Member(s): Seth Rose

Hours willing to commit each month: 30-40

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X

If so, describe: _____


Applicant's Signature

05-19-18
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Date Received: <u>5/21/18</u>	Staff Use Only
Date Sent to Council: _____	Received by: <u>[Signature]</u>
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Marcus J. Brown ("Marc")
Home Address: 248 Carolina Ridge Dr. Columbia, SC 29229
Telephone: (home) 803-767-8324 (work) 803-255-9593
Office Address: 1320 Main St. 17th FL, Columbia, SC 29201
Email Address: brownmj14@gmail.com
Educational Background: Univ. of SC, B.S. Psych; Emory Univ. School of Law, J.D.
Professional Background (Must be one): CPA [X] Attorney [X] Business person [X]
Male [X] Female [] Age: 18-25 [] 26-50 [X] Over 50 []
Name of Committee in which interested: Business Service Center Appeals Board
Reason for interest: As a citizen of Richland County, I have a vested interest in serving my community
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: I believe my critical thinking and knowledge of local laws would be an asset to the Board. Also, my law practice focuses on business litigation.
Presently serve on any County Board/Commission/Committee? No
Any other information you wish to give? I am also friends with a current Board member, Kitwanda Cyrus.
Recommended by Council Member(s), if any: Paul Livingston
Hours willing to commit each month: 12-15 hours

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board? Yes No

If so, describe: _____

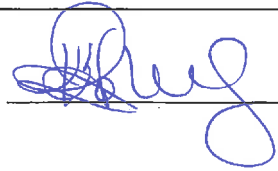

Applicant's Signature

3/1/2018
Date

For more information about the Business Service Center Appeals Board, please e-mail bsc@rcgov.us or call 576-2287.

Applications are current for one year.

Please return applications to:
Richland County
Clerk of Council's Office
Post Office Box 192
Columbia, SC 29202

Staff Use Only	
Date Received: <u>3-5-18</u>	Received by: 
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant **MUST** reside in Richland County.

Name: George Whitehead

Home Address: 509 Saddlebrook Lane, Hopkins, SC 29061

Telephone: (home) 803-622-7128 (work) 803-734-9143

Office Address: 2221 Devine Street, Columbia, SC 29250

Email Address: Gwhiteheadjr2@aol.com

Educational Background: B.A.

Professional Background: SCPPA Member, NABCJ Member

Male X Female

Age: 18-25 26-50

Over 50 X

Name of Committee in which interested: Hospitality Tax Committee

Reason for interest: It would be my great honor to serve the citizens of this great county.

Looking for opportunities to be involved with making our County the best it can be and utilizing all available resources.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Integrity, Committed, Passionate, Computer literate, Outgoing, I can be an asset to your committee by using my valuable qualities from my current jobs. Such as, I am a hard worker and proactive person, my communication with people is good especially with our hotel guest and with my co-workers. I can also use my initiative while working in a team especially on my own task.

Presently serve on any County Committee, Board or Commission? Odyssey Golf Foundation

Any other information you wish to give? Sunday School Teacher,

Recommended by Council Member(s): N/A

Hours willing to commit eac month: As many are needed

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

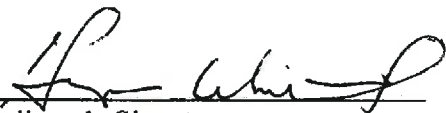
Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____



Applicant's Signature

5-2-18
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>5-2-18</u>	Received by: <u></u>
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Bill McCracken

Home Address: 105 Red Coat Lane, Columbia, S.C. 29223

Telephone: (home) 803-788-3952 (cell work) 803-960-5210

Office Address:

Email Address: bmcCracken51@gmail.com

Educational Background:

Professional Background: Food Service

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: At-Tax

Reason for interest: Enjoyed serving in the past

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Background in Food Service
Lots of Community Service

Presently serve on any County Committee, Board or Commission? At-Tax

Any other information you wish to give?

Recommended by Council Member(s): Jim Manning / Chip Jackson

Hours willing to commit each month: 15-20

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ✓

If so, describe: _____

Bill McCrecker
Applicant's Signature

2/26/18
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2-28-18</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

2

5.21 Voting

Each member shall vote on each question put, ~~except that n~~ No member shall be permitted to vote on any question in which that member has a direct personal or pecuniary interest, or in which that member perceives that he or she has a direct personal or pecuniary interest, or in which his or her participation might create an appearance of impropriety in that member's estimation. A Council member must be at his/her seat in order to vote for those at the dais. If a member does not declare a vote or an abstention, such member shall not be considered to have voted for either the prevailing or for the non-prevailing side, but instead shall not have his or her vote recorded at all on the question put. ~~his/her vote shall be recorded with the prevailing side.~~ If voting an abstention, a reason for the abstention must be stated and recorded in the minutes. No member shall, under any circumstances be permitted to vote after a decision has been announced by the Chair. After the decision of the question, an absent member may be permitted to record the vote she/he would have given if present, but such vote shall not affect the previous question.