

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### REGULAR SESSION MEETING

March 7, 2017  
6:00 PM  
County Council Chambers

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building*

#### CALL TO ORDER

Ms. Dickerson called the meeting to order at approximately 6:00 PM

#### INVOCATION

The Invocation was led by the Honorable Gwendolyn Kennedy

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Gwendolyn Kennedy

#### APPROVAL OF MINUTES

**Regular Session: February 21, 2017** – Ms. Myers stated the minutes should be corrected. Ms. Dickerson called the meeting to order.

Mr. Manning moved, seconded by Mr. Livingston, to approve the minutes as corrected. The vote in favor was unanimous.

**Zoning Public Hearing: February 28, 2017** – Mr. Livingston moved, seconded by Mr. N. Jackson, to approve the minutes as distributed. The vote in favor was unanimous.

#### ADOPTION OF AGENDA

Mr. N. Jackson moved, seconded by Mr. Malinowski, to adopt the agenda as published. The vote in favor was unanimous.

#### PRESENTATION OF RESOLUTION

**Resolution honoring Satch Krantz for his years of service to the Riverbanks Zoo [ROSE]** – Mr. Rose moved, seconded by Mr. Malinowski, to defer this item until Mr. Krantz is available to receive the resolution. The vote in favor was unanimous.



#### Committee Members Present

Joyce Dickerson, Chair  
Bill Malinowski, Vice Chair  
Calvin "Chip" Jackson  
Norman Jackson  
Gwendolyn Davis Kennedy  
Paul Livingston  
Jim Manning  
Yvonne McBride  
Dalhi Myers  
Greg Pearce  
Seth Rose

#### Others Present:

Gerald Seals  
Kimberly Roberts  
Michelle Onley  
Brandon Madden  
Larry Smith  
Ismail Ozbek  
Beverly Harris  
Laura Renwick  
Janelle Ellis  
Kevin Bronson  
Tracy Hegler  
Sandra Yudice  
Shahid Khan  
Daniel Driggers  
Dwight Hanna  
Geo Price

**REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION**

Mr. Smith stated the following items were potential Executive Session Items:

- a. Potential Litigation regarding utility easements**
- b. Potential sale of property – Contractual Matter**

**CITIZENS' INPUT  
(For Items on the Agenda Not Requiring a Public Hearing)**

Mr. Franchot Brown, Ms. Donna Gilbert and Mr. James Cooper spoke regarding the following item:  
“Designating a ‘Cultural and Historic Room’ in the Decker Center”.

Mr. Rose moved, seconded by Ms. Kennedy, to waive Council rules and allow Mr. Cooper to finish his comments. The vote in favor was unanimous.

Ms. Dickerson recognized the Boy Scout Troop in the audience.

**REPORT OF THE COUNTY ADMINISTRATOR**

- a. Introduction of the new Richland County Sheriff’s Department Community Action Team Deputies**  
– Deputy Chief Chris Cowan introduced the CAT Team members.

**REPORT OF THE CLERK OF COUNCIL**

- a. Richland 101, Monday and Thursdays, March 9 – April 10, 6:00 p.m. – 8:00 p.m.** – Ms. Onley reminded Council of the upcoming Richland 101 classes.

**REPORT OF THE CHAIR**

- a. Report of the Clerk’s Office Ad Hoc Committee** – Ms. Myers stated the committee consists of Chairwoman Dickerson, Mr. N. Jackson, Ms. McBride, Mr. Livingston, and herself. The committee has met twice and they are excited about moving the Clerk’s Office into the next century. The goal is to have a new Clerk by the beginning of the fiscal year. The committee plans to visit other Clerk’s Office to gather ideas and implement them here in Richland County.

Mr. C. Jackson and Ms. McBride publicly expressed their appreciation for the work the Clerk’s Office staff has provided to them since coming on Council.

Ms. Dickerson also expressed her appreciation of the Clerk’s Office staff.

- b. Health Insurance Ad Hoc Committee** – Ms. Dickerson stated she will be reactivating the Health Insurance Ad Hoc Committee. If there are Council members that would like to serve on the committee please contact her.

- c. **Decker Center Ad Hoc Committee Members** – Ms. Dickerson stated she reactivated the Decker Center Ad Hoc Committee. The committee will be meeting in the near future to take up how to handle the “Judge Walter Jones” naming.
- d. **Expansion of the Economic Development Committee Membership** – Ms. Dickerson stated she has spoken with the Administrator regarding a change in the number of members on the Economic Development Committee from 3 members to 5 members.

### **APPROVAL OF CONSENT ITEMS**

- **16-041MA, Robert R. Fuller, RU to OI (10.38 Acres), Clemson Road, R20200-03-45 [SECOND READING]**
- **16-045MA, Johnathan L. Yates, PDD to PDD (40.01 Acres), 200 Summit Parkway, R23011-01-01 [SECOND READING]**

Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve the consent items. The vote in favor was unanimous.

### **THIRD READING**

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to restructure the departments of the County** – Mr. Malinowski moved, seconded by Mr. N. Jackson, to defer this item until the March 21<sup>st</sup> Council meeting in order to address additional questions of Council members.

Mr. Livingston inquired if it would be helpful to hold a Council work session to discuss individual Council members’ concerns in regards to the proposed ordinance.

Mr. Malinowski withdrew his motion for deferral.

Mr. Livingston moved, seconded by Mr. N. Jackson, to hold a Council work session to discuss the proposed ordinance prior to Third Reading. The vote in favor was unanimous.

### **SECOND READING**

**16-036MA, Jeff Stallings, PDD to GC (20 Acres), 8000 Wilson Boulevard, 14400-01-03 & 14402-03-01** – Mr. Manning moved, seconded by Ms. Myers, to approve this item for Second Reading. The vote in favor was unanimous.

**An Ordinance authorizing deed to the Columbia Automotive Company, LLC for .4312 Acres previously a portion of Terramont Drive, a public road, which was closed by order of the court** – Mr. Manning moved, seconded by Mr. Livingston, to approve this item for Second Reading.

Mr. Malinowski stated he had requested additional information at the February 21<sup>st</sup> Council meeting. The additional information has not been provided.

Mr. Manning made a substitute motion, seconded by Mr. Malinowski, to defer until the March 21<sup>st</sup> Council meeting in order for staff to provide Mr. Malinowski the additional information requested.

### **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**Designating a “Cultural and Historic Room” in the Decker Center** – Mr. Manning moved, seconded by Mr. N. Jackson, that the Decker Center portion that holds the Central Court have the same naming Council gave the Central Court when it was located on Huger Street to Walter Jones.

Mr. C. Jackson made a substitute motion, seconded by Mr. Livingston, to refer this item to the Decker Center Ad Hoc Committee to be fully vetted and reported back to Council.

Ms. Kennedy requested clarification on what area of the Decker Center is being discussed at this point.

Ms. Dickerson stated the item is being referred to committee for vetting.

The vote was in favor of the substitute motion.

**Funding the 2017 South Carolina Guard Air & Group Expo** – Mr. Rose stated the committee forwarded this item to Council without a recommendation.

Mr. Malinowski requested clarification on the acronyms (i.e. AV gas) included in the backup documentation for this item.

Maj. Ryan Madrid, SC ANG, stated AV gas stands for aviation gas.

Mr. Malinowski inquired if funding has been requested from Lexington County.

Maj. Madrid stated to date there has not been a funding request submitted to Lexington County.

Mr. Malinowski inquired if there were advertising agencies in Richland County that could have provided advertising for the event.

Maj. Madrid stated other proposals will be solicited prior to execution of an advertising contract.

Mr. Malinowski inquired if the “performers” are local.

Maj. Madrid stated the majority of the participants are from outside of the State. There are participants from Concord, North Carolina and Augusta, Georgia.

Mr. Malinowski inquired about the debris removal services for the event.

Maj. Madrid stated the debris removal service is an appropriated funds requirement the military has to cover.

Mr. Livingston inquired about the amount of funding provided by the City of Columbia.

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Maj. Madrid stated they have been in contact with the City of Columbia, but unfortunately, they missed the deadline to appear before them. It is their intention to re-approach the City of Columbia.

Mr. Pearce inquired if the funding will come from the Hospitality Tax fund balance and if there are sufficient funds available to cover the costs.

Mr. Driggers stated there are sufficient funds to cover the costs in the Hospitality Tax fund balance.

Ms. Myers moved, seconded by Mr. N. Jackson, to approve the request for funds for the SC Guard Air & Ground Expo. The SC Military Support Foundation is to receive the funding for the event.

Mr. Pearce inquired about how many attendees are expected for the event.

Maj. Madrid stated 100,000 is the baseline with an anticipated draw of an additional 50,000 for the Southeast Food Truck Association and concert.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Pearce	
Rose	
C. Jackson	
N. Jackson	
Malinowski	
Dickerson	
Livingston	
Kennedy	
Myers	
McBride	

The vote in favor was unanimous.

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

Mr. Driggers stated the item will require three readings and a public hearing; therefore, Ms. Myers withdrew her motion for reconsideration.

**REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Adoption of Amended FY18-19 Budget Calendar** – Mr. Pearce stated there was discussion at the committee meeting about referring the budget calendar to the Budget Ad Hoc Committee. The committee voted to forward this item to Council without a recommendation.

Mr. Pearce stated he sees no reason to refer the calendar to the Budget Ad Hoc Committee.

Mr. Pearce moved, seconded by Mr. Malinowski, to approve the budget calendar.

Ms. Dickerson stated there are new members and we are trying to ensure that everyone is engaged and informed in the process.

Ms. Dickerson made a substitute motion, seconded by Ms. Myers, to forward the budget calendar to the Budget Ad Hoc Committee.

Mr. Pearce stated respectfully he understands the intent to engage Council members, but this is simply a calendar that outlines when items are going to take place. The budget calendar needs to be approved so that staff is able to move forward.

Mr. N. Jackson this is a timeline for the budget; therefore, he is not sure why a committee would need to set the timeline. Mr. Livingston and Ms. Kennedy expressed agreement with Mr. Pearce and Mr. N. Jackson's comments.

Mr. Manning inquired if there was clarification on the dates listed in the Report of Actions.

Mr. Seals requested this item be removed from the agenda.

Ms. Dickerson withdrew her motion and yielded to the Administrator.

Mr. N. Jackson made a substitute motion, seconded by Ms. Kennedy, to defer this item. The vote in favor was unanimous.

**Project VI: Potential Sale of Property – Contractual Matter** – This item was taken up in Executive Session.

## **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

### **I. NOTIFICATION OF VACANICES**

- a. Accommodations Tax – Five (5) Vacancies (One applicant must have a background in the Cultural Industry; Two applicants must have a background in the Lodging Industry; One applicant must have a background in the Hospitality Industry; the other is an at-large seat)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- b. Community Relations Council – Three (3) Vacancies (Applicants will have fundraising responsibilities)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- c. Hospitality Tax – Three (3) Vacancies (Two applicants must be from Restaurant Industry; the other is an at-large seat)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

- d. Internal Audit Committee – One (1) Vacancy (Applicant must be a CPA)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- e. Business Service Center Appeals Board – Two (2) Vacancies (One applicant must be an attorney; the other must be a CPA)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- f. Board of Assessment Appeals – Two (2) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- g. Planning Commission – Three (3) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- h. Central Midlands Council of Governments (CMCOG) – Two (2) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- i. Building Codes Board of Appeals – One (1) Vacancy (Applicant must be from Architecture Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- j. Employee Grievance Committee – One (1) Vacancy (Applicant must be a Richland County employee)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- k. Procurement Review Panel – Two (2) Vacancies (One applicant must be from the public procurement arena and one applicant must be from the consumer industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- l. Transportation Penny Advisory Committee – Five (5) Vacancies** – Mr. Malinowski stated this item was held in committee.

Mr. C. Jackson inquired as to why this item was held in committee.

Mr. Malinowski stated full Council has not decided if the committee will continue. Additional information is to be brought back to the next Rules meeting.

Mr. C. Jackson inquired if this is the committee that is playing a role in the Transportation Penny.

Mr. Malinowski responded in the affirmative. The Clerk's Office and Legal will be bringing the information back to committee.

- m. Township Auditorium Board – Two (2) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

- n. **Airport Commission – Two (2) Vacancies (One applicant must reside within one mile of the airport)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

II. **NOTIFICATION OF APPOINTMENTS**

- a. **Planning Commission** – Mr. Malinowski stated the committee recommended appointing Mr. Prentiss McLaurin to the Planning Commission. The vote in favor was unanimous.
- b. **Community Relations Council – 3 (Applicants will have fundraising responsibilities)** – Mr. Malinowski stated the committee recommended appointing Mr. William Riley, Dr. Gwendolyn Conner and Ms. Jonnieka Farr to the Community Relations Council.

**CITIZENS' INPUT**  
**(Must Pertain to Items Not on the Agenda)**

Mr. Toney Forrester continued his “story” from the previous Council meetings.

**EXECUTIVE SESSION**

*Council went into Executive Session at approximately 6:58 p.m.  
and came out at approximately 7:50 p.m.*

- a. **Potential Litigation regarding utility easements** – Mr. Livingston moved, seconded by Mr. Malinowski, to accept this item as information. The vote in favor was unanimous.
- b. **Potential sale of property – Contractual Matter** – Mr. Pearce moved, seconded by Mr. Livingston, to proceed as discussed in Executive Session and give First Reading by Title Only to the ordinance. The vote in favor was unanimous.

**MOTION PERIOD**

- a. **Resolution honoring Dr. David H. Swinton for his years of service as the Benedict College President [N. JACKSON]** – Mr. Rose moved, seconded by Mr. Malinowski, to adopt a resolution honoring Dr. Swinton. Full Council expressed their support of the resolution. The vote in favor was unanimous.
- b. **If an employee is in need of sick leave, any employee can donate that leave to a specific person and not just a sharing pool [MALINOWSKI]** – This item was referred to the D&S Committee.
- c. **Move County Council rename the Read Street Extension from the 2700 block of Read through the 2900 block of Read Street in honor of Dr. David H. Swinton. Moving to honor the request of Benedict College of having the segment of Read Street from the 2700 block to the 2900 block be designated as David H. Swinton Way [ROSE]** – This item was referred to the D&S Committee.

- d. Resolution designating April 17-21, 2017 as Community Development Week [PEARCE]** – Mr. Pearce moved, seconded by Mr. Livingston, to adopt a resolution designating April 17-21, 2017 as Community Development Week. The vote in favor was unanimous.

Ms. Dickerson stated the motions received after the agenda was printed will be forwarded to the next Council agenda for action.

**POINT OF ORDER** – Mr. N. Jackson stated in the past motions were made at Council meetings. Council then voted to have notice of motions 24 hours in advance.

Recently, the Chair requested Council members to try to have all motions submitted prior to the Horizon Agenda meeting, but it was never voted to abandon the 24-hour notice.

Mr. Malinowski requested clarification from the Parliamentarian on the point of order. It's his understanding there is confusion between the FOI Act and Council Rules. The Council Rules states all items to be placed on an agenda must be submitted by Wednesday at noon to the Clerk's Office.

- e. Resolution honoring Lower Richland Boys Basketball Team on their State Championship [N. JACKSON]** – Mr. N. Jackson moved, seconded by Mr. Malinowski, to adopt a resolution honoring the Lower Richland Boys Basketball Team on their State Championship.

**FOR**

Pearce  
Rose  
C. Jackson  
N. Jackson  
Malinowski  
Dickerson  
Livingston  
Kennedy  
Myers  
Manning  
McBride

**AGAINST**

The vote in favor was unanimous.

Mr. Manning requested clarification on the agenda item submission deadline since the Horizon Agenda meeting is held at 1:00 p.m.

Ms. Dickerson stated the intent is to have all of the items submitted to the Clerk's Office prior to the Horizon Agenda meeting.

**ADJOURNMENT**

The meeting adjourned at approximately 7:54 PM.

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Joyce Dickerson, Chair

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Bill Malinowski, Vice-Chair

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Calvin "Chip" Jackson

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Norman Jackson

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Gwendolyn Kennedy

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Paul Livingston

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Jim Manning

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Yvonne McBride

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Dahli Myers

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Greg Pearce

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Seth Rose

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council