



Richland County Council

REGULAR SESSION
June 2, 2020 – 6:00 PM
Via Zoom Meeting

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

OTHERS PRESENT: Michelle Onley, Kimberly Williams-Roberts, Ashiya Myers, Ashley Powell, Angela Weathersby, Leonardo Brown, John Thompson, James Hayes, Michael Niermeier, Dale Welch, Kyle Holsclaw, Brittney Hoyle-Terry, Tiffany Harrison, Stacey Hamm, Chris Eversmann, Clayton Voignier, Jeff Ruble, Michael Maloney, Synithia Williams, Tyler Kirk and Brad Farrar

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Chakisse Newton
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Chakisse Newton
4. **PRESENTATION OF PROCLAMATION**
 - a. **The COMET Proposed Operating and Capital Budget for FY2020-2021** – Mr. Andoh presented an overview of the COMET’s proposed FY20-21 operating and capital budget.

Mr. Malinowski stated, for clarification, Mr. Andoh indicated Newberry County revenue may be realized for the 93 Route in the amount \$2,500. He inquired if this is something the COMET is not sure of yet.

Mr. Andoh responded it is his understanding the funding has been approved, and will be provided to the COMET as of July 1, 2020.

Mr. Malinowski inquired about the cost to run the route annually.

Mr. Andoh responded it will be \$90,819. Federal funds will cover 50% and fare revenue will cover 15%, which leaves the local share of \$22,704.

Mr. Malinowski noted the University of South Carolina revenue was unknown for funding five (5) trips, and the agreement expired in September 2019. He inquired why we do not know what the revenue was for those trips.

Mr. Andoh responded they are in discussions with the University of South Carolina now to determine if they want to continue those five (5) trips. USC has been told the COMET needs a resolution by June 30, or the five (5) trips will be cancelled, since there is no revenue stream to cover the trips. The University has agreed to reimburse the bus system from September 2019 to June 2020.

Mr. Malinowski stated the documentation in the agenda packet indicates the COMET has contracted security with a private firm, but they are also utilizing the Columbia Police Department and Richland County Sheriff's Department. He inquired as to why the private security firm is not utilized 100%, since their hourly rate is lower than other law enforcement.

Mr. Andoh responded the reason they have a hybrid approach is because the policing entities have the ability to arrest and cite. Whereas the contracted security does not. They use the contracted security primarily at COMET Central, which is Laurel and Sumter, to control the crowds during peak travel times. Then, they utilize law enforcement to ride the buses and provide additional support. Federal funds cover some of the costs of the security/policing services.

Ms. McBride thanked Mr. Andoh for an excellent report that was easy to follow, and for his innovation and progress we have made with the transit system.

Ms. Newton noted Mr. Andoh indicated the costs will increase approximately 15% with the new provider. She inquired if that is what they were anticipating, given that after several years, the contract was bid out.

Mr. Andoh responded they were anticipating there would be a 15% increase because the cost of doing business is significantly higher today than it was in 2015.

Ms. D. Myers noted she has heard from constituents that the COMET is more responsive to their needs, and the routes have improved dramatically. The bus to the Congaree Park could not be more welcome, and she hopes Mr. Andoh stays in Richland County for the rest of his career.

5. **APPROVAL OF THE MINUTES**

- a. Regular Session: May 19, 2020 – Ms. Terracio moved, seconded by Ms. Dickerson, to approve the minutes as distributed.

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

Not Present: Walker

The vote in favor was unanimous.

6. **ADOPTION OF THE AGENDA** – Mr. Livingston requested the following items be added to the agenda:

- a. Approval of the COMET's Proposed FY20-21 Operating and Capital Budget
b. Approval of Inter Project Transfer (Transportation Item)

Mr. Manning moved, seconded by Ms. McBride, to adopt the agenda as amended.

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

Not Present: Walker

The vote in favor was unanimous.

COMET FY20-21 OPERATING AND CAPITAL BUDGET – Ms. D. Myers moved, seconded by Ms. Dickerson, to approve this item.

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

Opposed: Malinowski

Not Present: Walker

The vote was in favor.

Mr. Livingston thanked Ms. Dickerson for all of her years on the COMET Board.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Farrar indicated the following item would be appropriate for Executive Session:

a. Personnel Matter

8. **CITIZENS' INPUT**

a. For Items on the Agenda Not Requiring a Public Hearing – No comments were received for this item.

9. **CITIZENS' INPUT**

a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.) – Ms. Cheryl Outlaw provided comment on Airbnbs near her home in Council District One.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

a. Coronavirus Update – Mr. Brown stated the DHEC website indicates that Richland County stands at 1,542 positive cases of COVID-19. There has been a small increase in positive cases, which is consistent with the information that shared with us both DHEC and PRISMA. In conversations related to Richland County's plans for opening, there have been renewed discussions with members of the committee, as well as staff. Staff has a general working draft for the body, but individual departments have begun to make applicable plans for their departments. The next step is to meet with the Elected Officials within the County to determine what specific outfits they may need for workers, when they return to the County, in order to provide for a safe environment, which is consistent with CDC and DHEC guidelines. As a result of the Coronavirus Ad Hoc Committee meeting today, he was charged with going back to consider a larger scope of work to include general COVID-19 related guidance/recommendations to other organizations residing in Richland County. He hopes to have the information provided within the week.

Mr. Malinowski noted the agenda documentation indicated the Advisory Committee concurred that the County not sign an agreement with DHEC related to a non-congregant sheltering program. He inquired if that is something Council will have to vote on.

Mr. Brown responded that item has been taken care of. DHEC has worked closely with Richland County, and there have been non-congregant sheltering taking place. It did not require a contract to be signed, because we have not had a large number of individuals in non-congregant sheltering.

Mr. Malinowski stated, for clarification, it was noted that DHEC was attempting to pass onto counties, within the State, without any assurances of funding support. While they are saying it is an underfunded mandate, he would say it is an unfunded mandate. He inquired if the County has had to provide funding to them.

Mr. Brown responded, at this time, DHEC has worked with the County. We have not had to provide any funding. Early on in the process, many counties had questions of the State, and felt it was the State's responsibility to manage that particular portion of the response because they felt it was a medical issue, and not an emergency response issue. That has been worked out county by county. Right now, the County has no conflicts with DHEC.

Mr. Malinowski requested a copy of the current COVID-19 identified responses, which were not included in the agenda packet. He inquired if there Federal funding paying any portion of TetraTech's costs.

Mr. Jackson inquired if Mr. Brown has begun the discussion, and, if so, are you able to share with Council where you are in the discussion regarding the return to work for County employees.

Mr. Brown responded we had a conversation this afternoon with the Coronavirus Ad Hoc Committee. As a part of that conversation, he communicated that in his discussions with PRISMA, and Dr. Ossmann, in particular, they indicated they had reviewed our working draft and determined we are somewhere between Phase I and II. During those discussions, it was noted that Dr. Ossmann had given him feedback, and communicated that when COVID-19 was first thought about, in terms of the curve, the projections were there would be a steep curve, and then a steep decline. Those projections are what led to the guidance that said a 14-day decline would be a criteria to determine how you should reopen. Since then, we have not seen a steep decline, but a flattening and a leveling out. In his discussions with the committee, he expressed his concern that, if we used just that single criteria of the 14-day decline, we may run into some issues with when we can reopen. The long and short is, we were tasked with going back to look at some additional criteria we could utilize, and bring a recommendation on when we would be reopening.

Mr. Jackson inquired if that means there are no offices being staffed by County employees, other than when we have events (i.e. Council/committee meetings).

Mr. Brown responded there have been employees in County offices throughout the entire process. The volume of employees is what has been different. The offices are approximately 25 – 30% staffed, and other employees are working remotely. There are people moving about the County at all times.

Mr. Jackson stated there is some public misconception regarding whether we are closed or open. He was aware there were some staff members because he has seen people entering the building to pay their property taxes. He wanted to be sure it was on the record that the County is open in a very staggered sense, but there are employees in the buildings, in offices, and doing work on behalf of the public. He is not sure if that is something the Public Information Office needs to consider putting back out to the public.

Ms. D. Myers stated, in the briefing document, it states, "The COVID-19 Advisory Committee concurred with the recommendation that the County not sign the DHEC agreement, and agreed with the outside consultant that we should go a different direction." She inquired if that is the COVID-19 Advisory Committee that is also vetting the grant applications.

Mr. Brown responded those are separate issues. He stated that was addressed early on, when we received the application from DHEC.

Ms. D. Myers inquired as to which advisory committee they are referring to.

Mr. Brown responded there are multiple COVID committees. The committee referenced in the briefing document is working with TetraTech.

Ms. D. Myers stated, because the committee made a policy decision that we should not sign an agreement with DHEC, she is trying to find out who they are.

Mr. Brown responded he would not say we made a policy decision. The decision was also communicated to Legal because there were consistent questions about the concerns of the State, at the time, making a financial obligation to the County. The County would then be required to perform these services, which counties across the State thought the State would be doing.

Ms. D. Myers stated, she understands that, she is simply asking who the people are that have made a decision that could potentially impact whether or not Richland County is in that agreement with DHEC. She was not aware of it before reading it in these documents.

Mr. Brown responded that he could not answer that question, at this time. He stated he brought this up in a previous committee meeting. The situation was, the agreement itself was for funding the County would receive on a small level.

Ms. D. Myers stated she agrees with the decision. She is not questioning the decision. She is questioning the composition of the committee with the power to make a policy decision. She does not think there are any Council members on that committee, and she does not think the committee comes back to Council before making such decisions.

Mr. Malinowski stated, on p. 86, of the agenda, it says, "The committee decided unanimously not to do some things", and Mr. Beekman from TetraTech said he made a motion to modify certain procedures, which was accepted. Further down, under the recovery plan, it says, "TetraTech has spoken with various members of County staff regarding their thoughts on a COVID-19 Recovery Plan." Yet, nothing has come to Council for input. Unlike when we had the Blue Ribbon Committee, which Mr. Pearce chaired, everything came to Council for final decision-making, but he has not seen anything come back to Council, yet he is reading that decisions have been made.

Mr. Brown stated, he is a little bit confused, because, some of the discussions we have had, we talked about making decisions at the administrative level. He stated he has been bringing everything back to the committee to try to get input and feedback, as a part of the process. It sounds like to him, if there are decisions he is making, they need to come back to the body before those decisions are made, so there can be clarity on what those decisions are.

Mr. Malinowski responded he does not think there this, if Council has given the Administrator that authority, but he does not know about the committee making the decision versus the Administrator.

Ms. McBride stated the committee does not provide information to the Coronavirus Ad Hoc Committee; therefore, they are left out a lot of times, in terms of what is going on with that committee. There is a gap in communications with that committee.

Mr. Manning inquired if these are committees of staff, and the way this report came to Council, in the agenda packet, made it seem like there are committees, Council committees, and community committees.

Mr. Brown responded that is correct.

Mr. Manning stated, in that case, he thinks it is more how it is getting into the Council agenda , and looking like it Council business. It sounds to him this is exactly the way the County Administrator should be doing his work, then bringing the information to the ad hoc committee, and ultimately to full Council.

Ms. D. Myers stated it looks like, from pp. 83 – 89, of the agenda packet, what is being discussed is recommendations from our external advisors to a group, which are not staff members. She would still like to know who is on these committees. It seems like, from the writing, there are votes being taken on significant decisions related to the County’s Coronavirus response. She would not have wanted to vote any differently on the DHEC matter, but whether the County enters into an agreement with other counties and DHEC ought to be something that at least one Council member weighs in on

- b. Personnel Matter – This item was referred to Executive Session.
11. **REPORT OF THE CLERK OF COUNCIL** – No report was given.
 12. **REPORT OF THE CHAIR** – No report was given.
 13. **OPEN/CLOSE PUBLIC HEARING**
 - a. An Ordinance Amending the Fiscal Year 2020 General Fund Annual Budget by \$455,259.00 to pay for in car camera system for the Richland County Sheriff’s Department – No comments were provided for this item.
 - b. An Ordinance Amending the Fiscal Year 2020 General Fund Annual Budget by \$670,000.00 to pay for repairs and improvements at the Central Garage Facility – No comments were provided for this item.
 14. **APPROVAL OF CONSENT ITEMS**
 - a. An Ordinance Amending the Fiscal Year 2020 General Fund Annual Budget by \$455,259.00 to pay for in car camera system for the Richland County Sheriff’s Department [THIRD READING]
 - b. An Ordinance Amending the Fiscal Year 2020 General Fund Annual Budget by \$670,600.00 to pay for repairs and improvements at the Central Garage Facility [THIRD READING]
 - c. Harris Govern Master License and Services Agreement (MLSA) for New CAMA System
 - d. Federal Aviation Administration (FAA) CARES Grant Acceptance

Mr. Manning moved, seconded by Ms. Terracio, to approve the consent items.

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

Not Present: Walker

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. McBride, to reconsider the consent items.

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

Not Present: Walker

The motion for reconsideration failed.

15. **SECOND READING ITEMS**

- a. Approving the transfer of certain property located in the Blythewood Business Park to Fairfield Electric Cooperative; and other related matters – Mr. Jackson moved, seconded by Mr. Manning, to approve this item.

Mr. Malinowski stated, in the minutes that were approved at the beginning of the meeting, there was a particular item Council requested to be added to the agreement, and it has not been included in the backup documentation. The addition was to have been that, if at any time, in the future, the property is no longer used for the purpose of transfer, it reverts back to Richland County, and must be returned in the same condition, as when provided. He also pointed out, in Section 2, there are two lines that have been added, and are not underlined, highlighted, etc.

Mr. Malinowski made a friendly amendment that the language regarding the return of the property be added to the agreement, prior to 3rd Reading.

Mr. Jackson accepted the friendly amendment. He stated he and Mr. Ruble had a conversation about this matter earlier today. He requested that Mr. Ruble address why it is not in the agreement because he indicated it would be in there.

Mr. Ruble stated he knows some of the details, but Ms. Harrison is on the line and has been having conversations with Ms. Luther, at Parker Poe, the real estate attorney handling this transaction. He believes Ms. Harrison can speak a little more clearly about this item.

Ms. Harrison stated the changes, in Section 2, were the attempt, after we worked with legal counsel to address the concern about the property being used for the intended purpose, which was the construction of a substation, infrastructure to support the substation, and the remaining space would be remain as greenspace, as shown in the master plan. The two sentences Mr. Malinowski referred to require Fairfield Electric to begin construction of the substation within 12 months. It also gives us the authority to memorialize that in an agreement with Fairfield Electric.

Mr. Jackson stated he would like to accept Mr. Malinowski's specific request to add the language that says, if it does not go as planned, the property will revert back to the County.

Mr. Manning stated, as the person that seconded the motion, he would like the caveat that if it is not in there the next time, instead of standing for Third Reading that it go back to the committee and start over again. In the 11+ years he's served with Mr. Malinowski, he does not think he has ever been in a Council meeting where Mr. Malinowski does not bring up something that was promised for the next meeting, and it is not. He thinks we need to start doing something differently when this happens meeting after meeting.

Mr. Ruble responded he thinks there is a misunderstanding. They have addressed this. He believes legal counsel did not want to address it within the ordinance.

Ms. Harrison stated when they took this back and discussed the request, she was under the understanding that we wanted to ensure the property was used for the intended purpose, which was the information that she relayed back to Ms. Luther. There were two (2) ways to address that. One was to do what we did here, and give us the authority to have Fairfield Electric to move forward with the construction of the substation, and do so within a certain period of time, which was the intended purpose for us to transfer the property. After the ordinance was passed, we would execute a contract with Fairfield Electric. The second option, would be to put a deed restriction on, and it would be recorded when the deed was recorded. That would require additional action by both parties. It would have to be determined when they have met the requirements, and at time, we would have to go back and take formal action to remove the deed restrictions. That was why this was approached the way it was. She believes they reached out, and had some conversations about whether this was appropriate and the way we were supposed to go.

Mr. Malinowski directed Ms. Harrison and Mr. Ruble to the p. 76 of the agenda, which has the minutes from the last meeting, and in no uncertain terms, it states specifically what was being asked to be included in the document. At the very top of p. 77, is the vote on the matter, so it is a simple straightforward request. It seems he is hearing other jump through the hoops things that have nothing to do with the request. If you put it in the agreement, it is done and we do not have to jump through other hoops and get other restrictions, get them recorded, and get them unrecorded in the future.

Mr. Jackson stated he has given Mr. Malinowski his word that he will be the one to pull it if it is not in there at Third Reading.

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

Not Present: Walker

The vote in favor was unanimous.

- b. An Ordinance Authorizing the temporary waiver of late fees or penalties on the payment of Hospitality Tax, Tourism Development fees, and Business License fees – Ms. Myers moved, seconded by Ms. Newton, to approve this item.

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

Not Present: Walker

The vote in favor was unanimous.

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

- a. Clarification – Sewer/Water Connection – Ms. Dickerson stated this was forwarded to Council without a recommendation.

Mr. Malinowski stated he is not sure this is properly before us. As Ms. Dickerson stated, it came out of committee to Council without a recommendation, but on May 5th the item was sent back to the A&F Committee, and it was not on the May 21st A&F Committee agenda. Therefore, it was not

vetted by the committee. In addition, the information that was in the committee briefing in the April 25th agenda is 100% different from the information that is included in tonight's agenda. Therefore, he does not know what we are being asked to approve.

Ms. Dickerson moved, seconded by Mr. Malinowski, to refer this item back to the next A&F Committee, and to ensure it is the first item on the agenda.

Ms. D. Myers stated, when staff brings this item back to committee, she wants it to be clear this is a commitment that Richland County made to citizens that the taps would be free, and the County would do the work. She is surprised this is an item we are dealing with, but she wanted to remind staff that at least two (2) Council members, three (3) Administrators, staff members, and our consultants have all been in community meetings where we have unequivocally stated that this would not be a cost to the community. She wants to ensure what we are doing is consistent with the way this project was designed and the promises we made.

Ms. A. Myers stated, prior to the minutes being posted from the last meeting, it was our understanding that the item was deferred to the next Council meeting. Since we did not have the information ready for the next Council meeting, we pushed it to the June meeting.

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

Opposed: Manning, Myers and Newton

Not Present: Walker

The vote was in favor.

- b. Replacement Office Building – Stormwater Management Division – Ms. Dickerson stated the committee forwarded this item to Council without a recommendation.

Dr. Thompson stated staff is requesting the replacement of the office building. The current office building has inadequate space, the roof and door is leaking, there is a failing water heater system, and the flooring is unstable. There is funding in their budget for the replacement, and they are seeking Council's approval to move forward with replacing their office building.

Ms. Dickerson moved, seconded by Ms. Newton, to approve this item.

Mr. Malinowski inquired, with all of the buildings Richland County has purchased, do we not have something that would accommodate this division.

Dr. Thompson responded individuals would have to be co-located to another location. Currently they are located on the same Powell Road campus, with the Public Works Director, so the team is there intact. We could look into them going to another location, but they have been there and working in sync with other staff members in Public Works.

Mr. Malinowski stated, for clarification, it is to our benefit to keep them there with the other Public Works staff. Just for clarification, this item was on the April 28th agenda, and forwarded without a recommendation due to running out of time.

Ms. McBride stated she has been asking for a tracking document of motions. We go through this time and time again because we are not able to track our motions, and the status they are in. We

need to develop a tracking document. She stated several times a year we lose motions in the dark hole or we are confronted with not knowing what was done.

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

Not Present: Walker

The vote in favor was unanimous.

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

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

In Favor: Manning

The motion for reconsideration failed.

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

a. NOTIFICATION OF APPOINTMENTS

1. Historic Columbia – 1 – Mr. Malinowski stated the committee recommended appointing Mr. C. Carroll Heyward, Jr. the Historic Columbia Board.

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

The vote in favor was unanimous.

2. Central Midlands Regional Transit Authority (CMRTA) – 1 – Mr. Malinowski stated the applicant, Mr. Leaks, requested that his interview be postponed until the next meeting, as he was unable to attend today. In addition, because of a change to the makeup of the committee from 2 citizens and 1 Council member to 1 citizen and 2 Council members, the committee feels that future appointments should be held until staff and Ms. Dickerson, who is currently a CMRTA committee member, meets with the CMRTA to determine if there is any preferred criteria.

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

The vote in favor was unanimous.

b. ITEMS FOR DISCUSSION/ACTION

1. In my continued decade long battle for accountability, transparency, efficiency and effectiveness. I move that all County Council standing committees, ad hoc committees and one time/short term committee meetings be held in Council Chambers, as is the Transportation Ad Hoc Committee with votes recorded in like fashion [MANNING] – Mr. Malinowski stated the committee, after reviewing this, determined the Transportation Ad Hoc Committee did not always meet in Council Chambers, and is not always guaranteed to meet there. The committee recommends meeting locations be determined on a case-by-case basis since some meetings overlap, and Chambers is utilized for other purposes and may not be available.

Mr. Jackson stated, in his experience, one of the critical problems has been, there has been difficulty in ensuring public access was a part of the committee meeting. The ability to have that access is important, so citizens can hear. It also helps with misinformation, as a result of it not being recorded and livestreamed. If the committee meetings are not going to be held in Chambers, he would request that, wherever the meeting is held, the ability for it to be livestreamed be a part of the format of the meeting, so there is full transparency.

Mr. Jackson made a substitute motion, seconded by Mr. Walker, that if the recommendation of the Rules and Appointments Committee is upheld, we require staff to livestream all meetings, wherever they are being held.

Ms. Newton stated she would support the recommendation. She knows the Transportation Ad Hoc Committee is not currently being livestreamed. She noted one of the other items being discussed in the Rules and Appointments Committee puts in the rules the livestreaming of all of our Council meetings.

Mr. Malinowski stated he believes we need to get staff input on the difficulty, if any, to livestream from other locations.

Ms. Terracio stated it would be her assumption that we would open up a Zoom feed, and do exactly what we are doing now. Unless we wanted to improve our production value, there should not be extra equipment required.

Mr. Livingston responded it is important for staff to come back and tell us if there are any concerns or issues since we are talking about all meetings.

Ms. Dickerson stated when we come back with the recommendations we have a budget assessed, so we can decide how to proceed.

Mr. Malinowski stated what we are possibly trying to do is pass a new Council rule that may not be needed, when we are not having to meet remotely.

Mr. Malinowski made a second substitute motion, seconded by Ms. Dickerson, to refer this item back to committee to discuss the questions raised by Council.

Ms. Dickerson stated, depending on the setup we are going to have, we may have to look at rescheduling and reassigning the committees.

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

Abstain: Manning

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

18. **OTHER ITEMS**

- a. Approval of Inter Project Transfer – Dr. Thompson stated the Transportation Department is requesting to transfer funding from one project to another. The reason being, with Resurfacing Package Q, there are 46 roads and the contractor is 5 months ahead of schedule, and we want to make sure we pay the contractor timely. We do not have any additional funds in this particular line

item for the resurfacing package until next year. Therefore, we want to transfer funding from the Atlas Road Widening Project to Resurfacing Package Q.

Mr. Livingston inquired if this will affect the timing of any other projects.

Dr. Thompson responded that it will not.

Mr. Malinowski stated, in the agenda briefing, it says the project requiring a budget transfer is 5 months ahead of schedule. He inquired if someone did not realize a month ago that we were going to need to transfer funds.

Dr. Thompson responded this should have been discovered months ago.

Mr. Malinowski stated it is technically a violation of our rules because it was not provided by the agenda submission deadline. Once again, we have people not doing their job, and then are rewarded by getting their work on an agenda and voted on. The only reason he will support this is he does not believe that we should be holding up contractor's funds after they have done something for the County.

Ms. Newton requested staff refresh her memory about what the process is once we transfer funds from one project to another project to ensure that we return it where it needs to be.

Dr. Thompson responded the next fiscal year we will take the funds that we are reprogramming from the Atlas Road Widening Project and it will be returned to the project to make it whole.

Ms. Newton inquired if that is an automatic process on a fiscal year basis, or do we also assess more frequently.

Dr. Thompson responded it is assessed per project.

Ms. Terracio stated she is curious why the funds are being transferred from a widening project to a resurfacing project.

Dr. Thompson responded, in terms of the referendum, there are 3 categories .One category is for roads, one is for bike paths/greenways, and the other is for the COMET. From a budgeting perspective, we are keeping it in the same category.

Ms. D. Myers stated the briefing document does not list the roads that are in Package Q. She requested someone list those roads.

Mr. Niermeier responded they would not typically not have a list of roads since it is requesting a budget transfer. The 46 roads are listed in the monthly report, which is currently on the webpage, and a hard copy in your Council mailbox.

Ms. D. Myers stated she would like it posted. The last time we touched Penny projects in the Lower Richland community she got a lot of blow back from people who have accused Council of rationally the Penny Program on the back of Lower Richland. She wants it to be clear that neither her, nor Ms. Newton, is allowing anything close to that to happen. We are rationalizing money from year to year. Because that widening is not on task for this year, and does not need the money now, there are 46 roads that will be completed. We are transferring money to pay contractors, and will realize a benefit of having roads completed 5 months early, but still doing what we promised under the

referendum. Just because we are shifting to make an early payment, we are not taking away from any project in the Lower Richland community. The Council is committed to the community, as it is other communities.

Mr. Jackson stated, as the Chair of the Transportation Ad Hoc Committee, he would like to enjoin his name with Ms. D. Myers and Ms. Newton, in regards to anyone rationalizing the moving of funds from one district to another. He noted this is not the first time a transfer has occurred because projects finish early, and we need funds sooner than the budget will allow. We move funding to pay for those projects that have finished early, with the documentation that, when the funding does come in, it automatically goes back to the account it was moved from. Any insinuation that does not happen, or there needs to be a double-check, this is a fiscal financial responsibility that happens automatically. For the record, there has not been any attempt by the Transportation Ad Hoc Committee to realign funds from projects that have not started. You can be assured once those projects begin those funds will be there.

Ms. Dickerson stated you know how she feels about the Upper Richland County/Cedar Creek area where there has been a lot of transferring of funds. Therefore, she wants to go on record in agreement with Ms. D. Myers, Ms. Newton and Mr. Jackson.

Mr. Jackson moved, seconded by Ms. Dickerson, to accept staff's recommendation.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

- b. COVID-19 Pandemic Relief Grant Update – Award Recommendations – Ms. A. Myers noted, as of May 19th, we have had 30 new applicants. The 2nd round of applications closed on May 18th for review. Many of the non-profits have been focused on homelessness. For small businesses, the largest category was for salons and barbershops, and minority owned. Overall, what we are seeing is there has been a decrease in the size of businesses. Whereas, there may have been one that had 16 – 50 employees, which has decreased in size due to COVID-19. The committee has made its recommendations for funding, which are included in the agenda packet, for your review. We also included other resources available for COVID-19 for community members.

Ms. D. Myers thanked staff for listing out the businesses as either a small business or a non-profit. For future reference, she requested the addresses be provided so they can ascertain whether they are in the unincorporated part of the County. With regard to the non-profits, there are several of them that are at \$10,000. She inquired if there is some rationale where they are in need of greater funds than we could provide, so that number was assigned, or how did you get there.

Ms. A. Myers responded, in regard to the non-profits, we funded up to \$10,000, which was the most frequently requested amount.

Ms. D. Myers stated there is one on the list that is recommended for \$99,500.

Ms. A Myers responded the most frequently requested, and recommended amount, for the non-profits was \$10,000. There was an entity that requested \$99,500, and it was recommended to award them that amount.

Ms. D. Myers stated, with regard to the entity that requested \$99,500, she would like some more information as to where they are providing relief because that represents a large portion of what we have available to give. She wants to be clear that they are reaching more agencies, peoples, and entities than could otherwise be reached by smaller grants.

Ms. Keefer stated their understanding on the “Non-Profit Grant Review Committee” was there was no cap on the amount of grant funding they could request, unlike the small business grants. This entity had asked for far more than the \$99,500 that is being recommended. The review committee is recommending to cover what they classified as program expenses to serve 65 households in some of the most vulnerable populations in the County (i.e. zip codes 29203, 29223 and 29210). The bulk of the funds are to be used to provide rental assistance, utility assistance, and help with mortgage payments, as well as to help restock the food pantry at the Cooperative Ministry. From the committee’s perspective, this was exactly the kind of relief that we understood Council wanted to provide. We explored to see if they were receiving funding from other sources. Especially since Midlands Gives was going on at the same time. We did find they received additional grant funding for COVID-19 relief through Midlands Gives, and they did note they were serving more families and households than they anticipated. For all those reasons, the committee felt this was a valid grant request, and that it was serving a number of people with the needs Council was hoping to fulfill.

Ms. D. Myers stated, for clarification, Ms. Keefer said they will serve 65 families per week. She would like this entity to reach out to all of the zip codes because there are people in need in the zip codes Ms. Keefer mentioned, but there are people in need in other zip codes, as well.

Mr. Malinowski stated, for clarification, that all of the funding provided by the County was supposed to be used in unincorporated Richland County.

Ms. D. Myers responded that was her understanding.

Mr. Malinowski stated there is a chart on p. 201 that says 35% is being utilized in incorporated Richland County.

Ms. A. Myers responded, the point was raised, that because the individuals who live in incorporated Richland County are also taxpayers, they should also be able to receive some of the funding. The majority of the funds should be allocated toward unincorporated, but that did not mean that people in the incorporated areas were ineligible to receive funding.

Mr. Malinowski inquired if we have any way of assuring that these people are not double-dipping because the City is also giving money.

Ms. A. Myers responded the grant applicant did have to sign a statement indicating they would not “double-dip”, when they signed their application agreement.

Mr. Malinowski inquired if the City has provided any funds to the unincorporated area.

Ms. A. Myers responded not to her knowledge. She has included what was available on their website within the agenda packet. She noted we are also coordinating with other entities that are doing this type of grant funding, to include the City of Columbia, so we do exchange information.

Mr. Malinowski stated on p. 209 it says, "The Midlands Response Fund was established in March 2020", which was 1 ½ months before we decided to make funds available. He inquired if there were not any other groups established that could have been used.

Ms. A. Myers responded we are not using them. This was just to show what other resources are available in the community for other people to use. She noted that 65% of the small business grant funds were recommended to be awarded to the unincorporated area, and 35% of the funds would go toward the incorporated area.

Mr. Malinowski requested a copy of the backup documents that does not have the information cut off on the left side.

Ms. McBride stated she would not have voted for the grant funding if it had not included funding both the incorporated and unincorporated areas. Additionally, even in the incorporated area, there was only a minimal amount of dollars, so only a few people received funding. She is glad we had the wisdom to include the unincorporated and incorporated areas. The other area of concern is she is having difficulty in following the matrix. She inquired if this is a conclusive summary, and includes everyone that has applied.

Ms. A. Myers responded it does not. There were over 400 applications. We only provided those that were recommended for award.

Ms. McBride stated she would like to see the applications for all of those that applied. The information provided does not give her any information to vote on other than what the review committee recommended. We do not have any idea what these people will be doing. It is not enough information for her to make a good decision on.

Mr. Walker moved, seconded by Ms. Terracio, to approve staff's recommendation.

Ms. D. Myers stated she is going to vote in favor of this because these organizations need the money. For future reference, she would request staff to provide more backup information, and also to consider the recommendation we made earlier today about having the names of the people on the committee provided to Council. In addition, to perhaps involve at least one member of the body on the committee.

Mr. Jackson stated he looked at the backup documentation and noticed there were no barbershops. He thought it was a little odd, since everyone has been talking about barbershops being one of the categories of people we wanted to help.

Ms. Dickerson stated we may not have gotten any applications from barbershops, so she would like to see if there were any.

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

The vote in favor was unanimous.

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

Opposed: Malinowski, Dickerson, Livingston, Terracio, Walker, Jackson, Myers and Newton

In Favor: McBride

The motion for reconsideration failed.

19. **EXECUTIVE SESSION**

- a. Personnel Matter – Mr. Brown stated it is his recommendation is to uphold the Grievance Committee’s recommendation; therefore, Executive Session may not be necessary.

Mr. Malinowski stated we normally get this information in our agenda packet, and he does not have anything. If it is the one item he is thinking of, it came via email and he did not realize we were taking action on it at tonight’s meeting.

Mr. Malinowski moved, seconded by Mr. Walker, to defer this item until the June 16th Council meeting.

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

Opposed: Manning

The vote in favor was unanimous.

Ms. McBride inquired if the County has received any funds from the CARES Act.

Mr. Brown responded that the County has not received any, but there are a couple programs that we have applied for that has CARES Act funding related to them.

20. **MOTION PERIOD**

- a. Direct the Administrator to have Richland County staff, in conjunction with the Solicitor’s/Magistrate’s Office, provide financial assistance to individuals wearing any type of court ordered monitoring device. Richland County is providing assistance to businesses and individuals who suffered financially due to the pandemic. Those individuals are also affected financially. Courts have been closed or operating at less than optimum levels and those individuals who would have had their case already heard would not continue to incur these expenses. [MALINOWSKI] – This item was referred to the Detention Center Ad Hoc Committee.

21. **ADJOURNMENT** – The meeting adjourned at approximately 8:22 PM.