

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### SPECIAL CALLED MEETING

December 13, 2016  
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

Mr. Rush called the meeting to order at approximately 6:00 PM

#### INVOCATION

The Invocation was led by the Honorable Julie-Ann Dixon

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Julie-Ann Dixon

#### PRESENTATIONS

- a. **Carolina United: Essie Garner** – Ms. Garner gave a brief update regarding their program and thanked the County for its continued support of the flood victims.
- b. **Director's Customer Service Competition Recognition/Award Presentation** – Mr. Rush presented Public Works with the Director's Customer Service award.

#### APPROVAL OF MINUTES

**Regular Session: December 6, 2016** – Ms. Dixon moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

Mr. Manning requested the Clerk's Office clarify the minutes as they relate to the action taken and his subsequent reconsideration request on the following item: "Notification of Appointment: Central Midlands Council of Governments (CMCOG) – 1". The Clerk's Office will ensure the minutes are clarified prior to posting the minutes online.

Mr. Pearce moved, seconded by Ms. Dixon, to approve the minutes as corrected. The vote in favor was unanimous.



#### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Damon Jeter  
Paul Livingston  
Bill Malinowski  
Jim Manning  
Dalhi Myers  
Seth Rose

#### Others Present:

Gerald Seals  
Kimberly Roberts  
Daniel Driggers  
Michelle Onley  
Quinton Epps  
Brandon Madden  
Larry Smith  
Brad Farrar  
Ismail Ozbek  
Beverly Harris  
Rob Perry  
Judy Carter  
Bill Peters  
Hayden Davis  
Laura Renwick  
Will Simon  
Synthia Williams  
Brittany Hoyle  
Tamara Rodriguez  
Pam Davis  
Eva Prioleau  
Jeff Ruble  
Tracy Hegler

### **ADOPTION OF AGENDA**

Mr. Livingston moved, seconded by Ms. Dixon, to add the presentation of a resolution recognizing Ms. Stephanie Johnson as the 2017 Horace Mann Award for Teaching Excellence to the agenda. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Dixon, to adopt the agenda as amended. The vote in favor was unanimous.

### **PRESENTATION OF RESOLUTION**

**Resolution recognizing Stephanie Johnson as the 2017 Horace Mann Award for Teaching Excellence** – Mr. Livingston presented the resolution to Ms. Johnson recognizing her as the 2017 Horace Mann Award for Teaching Excellence.

### **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION**

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

- a. **Pending Litigation: Jones vs. Richland County**
- b. **Employee Grievances (2)**
- c. **Legal Advice: Land Development Code Enforcement**
- d. **Personnel Matter**

*Council went into Executive Session at approximately 6:20 p.m.  
and came out at approximately 7:08 p.m.*

- a. **Pending Litigation: Jones vs. Richland County** – Mr. Pearce moved, seconded by Ms. Dickerson, to direct the Legal Department to take action as discussed in Executive Session. The vote in favor was unanimous.

### **CITIZENS' INPUT**

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

No one signed up to speak.

### **REPORT OF THE COUNTY ADMINISTRATOR**

- a. **County Organization Design Structure: "An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to restructure the departments of the County"** **[FIRST READING]** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

Mr. Malinowski stated he will be voting against this item since he has not had time to thoroughly review the proposed ordinance.

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Mr. Manning stated he feels the County Administrator should be able to line up County government the way he/she feels will best accomplish Council's directives.

The vote was in favor.

- b. Item #13: "An Ordinance Amending the Fiscal Year 2016-2017 Hospitality Tax Fund Annual Budget to appropriate \$1.00 of Hospitality Fund Balance to provide seed funding for commemorating Fort Jackson's 100<sup>th</sup> Birthday** – Mr. Seals stated he had amended the memo regarding this item.

**REPORT OF THE CLERK OF COUNCIL**

- a. Swearing-In Ceremony, January 10, 2017, 3:00 p.m., Council Chambers – Reception immediately following** – Ms. Onley reminded Council of the Swearing-In Ceremony on January 10<sup>th</sup> at 3:00 p.m. in Chambers.
- b. January Council/Committee Meetings, January 10, 2017; Special Called Council Meeting – 4:45 p.m.; Development and Services Committee – 5:00 p.m.; and Administration and Finance Committee – 6:0 p.m.** – Ms. Onley reminded Council of the upcoming January Council/Committee meetings.
- c. 2017 Annual Council Retreat, January 26 – 27, 2017, Charleston, SC** – Ms. Onley reminded Council of the upcoming Council Retreat being held on January 26 – 27, 2017 in Charleston, SC.

**REPORT OF THE CHAIR**

- a. Personnel Matter** – This item was taken up in Executive Session.

**SECOND READING ITEMS**

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions: so as to add Section 1-16 related to payment of legal bills** – Ms. Dixon moved, seconded by Mr. Malinowski, to approve this item.

**FOR**

Rose  
Malinowski  
Dixon  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Myers  
Manning  
Jeter

**AGAINST**

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The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2016-2017 Hospitality Tax Fund Annual Budget to appropriate \$1.00 of Hospitality Fund Balance to provide seed funding for commemorating Fort Jackson's 100<sup>th</sup> Birthday** – Ms. Dixon moved, seconded by Mr. Manning, to approve this item.

Ms. Dixon inquired how the citizens will be able to access the park since you need a sponsor to get on the Fort Jackson campus.

Mr. Seals stated the access will be granted similar to the way it is for the waterpark.

Mr. Mark Wells, President of Gateway to the Army Association, stated citizens will be able to go to the front gate and state they want to go to the waterpark or Centennial Park. There will be a brief background check run on the citizen each time they request admittance to the park. Once the citizen passes the background check, the citizen will be allowed access to the fort. Those with felony convictions will not be allowed on the fort's campus.

Mr. Malinowski commented that even though that person pays Richland County taxes that have been used for the project they can't go on base to see how those taxes were used.

Ms. Dixon inquired about how the residents at Fort Jackson have responded to the proposed park.

Mr. Wells stated they have not addressed any residential groups regarding the proposed park.

Mr. Pearce inquired if the project had been approved by the government.

Mr. Wells stated it has not been officially approved.

Ms. Dickerson and Mr. Malinowski requested a copy of the budget for this project.

Mr. Pearce made a substitute motion, seconded by Mr. Jeter, to approve \$300,000 for this item.

Mr. Livingston requested a friendly amendment to fund the project at \$100,000 for three years, the funds are not to be released until a comprehensive budget is received and there is clear approval from the Army.

Mr. Pearce accepted the amendment to the substitute motion.

**FOR**

Rose

Dixon

Pearce

Rush

Livingston

Dickerson

Myers

Jeter

**AGAINST**

Malinowski

Jackson

Manning

The vote was in favor.

## REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

**Authorizing the provision of water and sewer infrastructure to the Pineview Industrial Park and the execution of certain agreements related thereto; authorizing an amendment to the master agreement governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County ("Park") to amend the internal distribution to Richland County for property located in the Pineview Industrial Park area of the park; and other related matters [FIRST READING]** – Mr.

Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax – 3 – Three (3) Vacancies (One applicant must have a background in the Cultural Industry; other Two applicants must have a background in the Lodging Industry)** – 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 – Two (2) Vacancies (Applicants must be from Restaurant Industry)** – 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 – One (1) Vacancy (Applicants must be in Business Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- f. **Board of Assessment Appeals – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- g. **Planning Commission – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- h. **Central Midlands Council of Governments (CMCOG) – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. 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. **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.
- k. **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.
- l. **Transportation Penny Advisory Committee – Five (5) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

**II. NOTIFICATION OF APPOINTMENTS**

- a. **Airport Commission – 1** – Mr. Malinowski stated the committee recommended appointing Mr. John D. Parrish. The vote in favor was unanimous.
- b. **Riverbanks Park Commission – 1** – Mr. Malinowski stated the committee recommended appointing Mr. Robert G. Davidson.

Mr. Manning stated that Mr. Davidson lives in the City of Columbia and Mr. Goodall lives in unincorporated Richland County.

<u>FOR</u>	<u>AGAINST</u>
Rose	Malinowski
Dixon	Jackson
Rush	Pearce
Livingston	Dickerson
Myers	
Manning	
Jeter	

The vote was in favor.

- c. **Business Service Center Appeals Board – Two (2) Vacancies (Applicants must be in Business Industry)** – Mr. Malinowski stated the committee recommended appointing Mr. A. Dowl Knight. The vote in favor was unanimous.

**REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. **Shop Road Widening Project: OET Service Agreement** – Mr. Livingston stated the committee recommended approving the service agreement with Mead & Hunt, one of the five contracted on-call engineering teams, for \$1,697,021.07. In addition, to approve a contingency for \$141,398.50, this will bring the total to \$1,838,419.57.

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<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Myers	
Manning	
Jeter	

The vote in favor was unanimous.

- b. Blythewood Road Widening Project: Concept Report** – Mr. Livingston stated the committee recommended approval of Alternate A typical section.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Myers	
Manning	
Jeter	

The vote in favor was unanimous.

**OTHER ITEMS**

- Certifying a petition received by Richland County, South Carolina, pursuant to Section 4-9-30(5)(a) of the Code of Laws of South Carolina, 1976, as amended, and other matters relating thereto [Lake Dogwood]** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

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**FOR                      AGAINST**

Rose  
Malinowski  
Dixon  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Myers  
Manning  
Jeter

The vote in favor was unanimous.

**Palmetto Utilities – Amendment to 2006 Agreement** – Mr. Livingston moved, seconded by Mr. Jeter, to approve the amendment to the 2006 agreement.

**FOR                      AGAINST**

Rose  
Malinowski  
Dixon  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Myers  
Manning  
Jeter

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider this item. The motion for reconsideration failed.

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

No one signed up to speak.

**POINT OF PERSONAL PRIVILEGE** – Ms. Dixon, Mr. Jeter and Mr. Rush expressed their gratitude to staff and their colleagues upon their departure from County Council.



**EXECUTIVE SESSION**

*Council went into Executive Session at approximately 7:56 p.m.  
and came out at approximately 9:14 p.m.*

- a. **Employee Grievances (2)** – Mr. Malinowski moved, seconded by Ms. Dixon, to uphold the Administrator’s recommendation. The vote in favor was unanimous.
  
- b. **Legal Advice: Land Development Code Enforcement** – Mr. Malinowski moved, seconded by Ms. Dixon, to direct staff to move forward as discussed in Executive Session. The vote in favor was unanimous.

**MOTION PERIOD**

- a. **A centralized court in Richland County was always a dream of Judge Walter Jones; therefore, after his death in 1999, the Central Court facility on Huger Street was renamed in his honor as the “Walter Jones, Sr. Central Court Facility.” Central Court has recently relocated from the Huger Street location to the Decker Center. I move that a part of the Decker Center and/or a court room in the facility be named in honor of the late Judge Walter Jones and the bronze bust commissioned by Richland County be placed at the facility [JACKSON]** – This item was referred to the Decker Center Ad Hoc Committee.

**ADJOURNMENT**

The meeting adjourned at approximately 9:16 PM.

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Torrey Rush, Chair

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Greg Pearce, Vice-Chair

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Joyce Dickerson

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Julie-Ann Dixon

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Jim Manning

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Dalhi Myers

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Seth Rose

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