

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

REGULAR SESSION MEETING

November 15, 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 Norman Jackson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Norman Jackson

PRESENTATIONS

- a. **Justice 360: Mandy Medlock, Executive Director** – Ms. Medlock gave a brief overview of their program and invited Council and members of the audience to attend an event entitled “Grace, Justice and Mercy” with Bryan Stevenson on Thursday, November 17th at the Township Auditorium.
- b. **Catawba Trail Elementary School: Recognition of Councilwoman Julie-Ann Dixon** – Ms. Chanda Cooper and Mr. Quinton Epps presented Councilwoman Dixon with an award from Catawba Trail Elementary School for her support of conservation education.

PRESENTATION OF RESOLUTION

- a. **Resolution honoring SCE&G employee Greg Sinkler for assisting the citizens of Lower Richland during and after Hurricane Matthew [JACKSON]** – Mr. Jackson presented a resolution to Greg Sinkler honoring him for his assistance to the Lower Richland community during and after Hurricane Matthew,



Committee Members Present

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

Others Present:

Gerald Seals
Kimberly Roberts
Daniel Driggers
Michelle Onley
Tracy Hegler
Jeff Ruble
Quinton Epps
Brandon Madden
Larry Smith
Brad Farrar
Ismail Ozbek
Dwight Hanna
Beverly Harris
Janelle Ellis
Donald Woodward
Brenda Parnell
Kevin Bronson
Chad Fosnight
Chanda Cooper
Pam Davis
Rob Perry

APPROVAL OF MINUTES

- a. **Regular Session: November 1, 2016** – Mr. Pearce moved, seconded by Malinowski, to reconsider the following item: “Intergovernmental Agreement with the City of Columbia”. The vote in favor was unanimous.

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

ADOPTION OF AGENDA

Mr. Pearce requested that the “Intergovernmental Agreement with the City of Columbia” be added to the agenda under Other Items.

Mr. Rush requested the following amendments to the agenda: addition of the “Report of the DSS Ad Hoc Committee” and the addition under the Report of the Chair the “December 20th Wrap-Up Meeting”.

Mr. Manning requested to add Ms. Dixon’s name to the following motion: “Seed Funding for Commemorating Fort Jackson’s 100th Birthday”.

Mr. Malinowski stated there was not backup documentation regarding the item discussed at the DSS Ad Hoc Committee meeting included in the Council agenda for Council’s review.

Mr. Pearce moved, seconded by, to waive the rules to add the “Report of the DSS Ad Hoc Committee”. The vote was in favor.

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

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION

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

- a. **Sexually Oriented Business Ordinance**

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

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

No report was given.

REPORT OF THE CLERK OF COUNCIL

- a. **REMINDER: Committees and Zoning Public Hearing – November 17th** – Ms. Onley reminded Council of the November 17th committee meetings and informed Council that the Zoning Public Hearing for November had been cancelled.
- b. **REMINDER: China Jushi Groundbreaking, Pineview Industrial Park, December 8th, 10:30 a.m.** – Ms. Onley reminded Council of the China Jushi Groundbreaking on December 8th at the Pineview Industrial Park.

REPORT OF THE CHAIR

- a. **December 20th Wrap-Up Meeting** – Mr. Rush stated if there is a need for a wrap-up meeting on December 20th it will be held immediately following the Zoning Public Hearing. Ms. Onley is to send out a calendar invite to Council.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Authorizing the deed to the City of Columbia for certain water lines to serve the Decker Center; Richland County TMS # 16911-03-09** – No one signed up to speak.
- **An Ordinance Amending the Fiscal Year 2016-2017 General Fund Annual Budget to appropriate Six Hundred Forty-Six Thousand Four Hundred Twenty-Eight Dollars (\$646,428) to fund officer safety equipment and service agreement—body worn cameras** – Mr. John Hinks, Ms. Brenda McGriff, Mr. Perry Bradley, Elder Grady Burgess, Ms. Ethel Greene, and Mr. Jaehoon Choe spoke in favor of this item.
- **An Ordinance Authorizing the First Amendment of that certain fee agreement by and between Richland County, South Carolina and Sensor Electronic Technology, Inc., relating to, without limitation, extension of the completion date to allow for continuing and further investment in the project and other related matters** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Authorizing deed to the City of Columbia for certain water lines to serve the Decker Center; Richland County TMS # 16911-03-09 [THIRD READING]** – Mr. Manning moved, seconded by Ms. Dixon, to reconsider this item. The motion for reconsideration failed.
- **16-028MA, Desta Nelson, RU to NC (1.68 Acres), 4000 Leesburg Road, 25000-01-04A(p) [THIRD READING]**
- **16-030MA, Arthur Bush, RU to OI (17 Acres), 424 Lee Road, 20300-02-45 [THIRD READING]**

Ms. Dixon moved, seconded by Mr. Manning, to approve the consent items. The vote in favor was unanimous.

THIRD READING

An Ordinance Amending the Fiscal Year 2016-2017 General Fund Annual Budget to appropriate Six Hundred Forty-Six Thousand Four Hundred Twenty-Eight Dollars (\$646,428) to fund officer safety equipment and service agreement—body worn cameras – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

Mr. Pearce stated he is concerned about the wording of the motion since the contract is for five years, but the motion will only be providing funding for one year.

Mr. Farrar stated there are two issues here: contracting authority vs. funding. The motion before Council is to fund this item for the first year and take it up in future budget processes.

Deputy Chief Cowan stated the Sheriff's Department's request is for 5 years of funding for the equipment, the service agreement, and the personnel.

Mr. Smith stated the County has historically approved multi-year contracts by yearly renewing the contract for budgeting purposes.

Mr. Rose made a substitute motion, seconded by Mr. Jackson, to approve the Sheriff's Department's request and enter into the 5-year agreement, to be funded on an annual basis. The first year funding will be in the amount of \$646,428 with the amount of \$418,668 in years 2-5 to be approved on an annual basis. In addition, to approve the request of the Sheriff's Department for 2 positions in the amount of \$34,727 for the first year and in the amount of \$121,934 for years 2-5. The \$132,000 allocated by the State will be put forward to those funds.

Mr. Malinowski inquired when the contract will become effective.

Deputy Chief Cowan stated it will become effective immediately after approval.

Ms. Myers stated changing the numbers on Third Reading makes it a little confusing and would suggest approving the original motion.

Mr. Manning inquired if the personnel costs, as stated in the motion, took into account pay increases.

Mr. Rush inquired as to when the body cameras are activated.

Deputy Chief Cowan stated they will be activated when another camera is on, if a taser is drawn, and there are trigger points in the vehicle.

Mr. Seals stated the ordinance before Council does address personnel costs.

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

The vote was in favor.

Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a credit agreement to provide for special source revenue credits to [Project Alimex]; and other related matters – Mr. Pearce moved, seconded by Mr. Jackson, to approve this item.

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

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to change the uses of “Restaurants, Cafeterias” and “Restaurants, Full Service (Dine-In)” from permitted to ones with special requirements; and to add a new use of “Restaurants, Limited Service (Dine-In)” with special requirements – Ms. Dixon moved, seconded by Mr. Malinowski, to approve this item.

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

The vote was in favor.

SECOND READING

An Ordinance Authorizing the First Amendment of that certain fee agreement by and between Richland County, South Carolina and Sensor Electronic Technology, Inc., relating to, without limitation, extension of the completion date to allow for continuing and further investment in the project and other related matters – Mr. Livingston moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; so as to remove the division known as the Office of Small Business Opportunity from Procurement – Ms. Dixon, seconded by Mr. Jackson, to approve this item.

Mr. Manning made a friendly amendment to change the title of the ordinance as follows: “An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to move the division known as the Office of Small Business Opportunity from Procurement so that this division directly reports to the County Administrator”.

The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. **Airport Commission – 2 (One applicant must reside within one mile of the airport)** – Mr. Malinowski stated the committee recommended appointing Mr. Aurel Emerson Smith. The vote in favor was unanimous.
- b. **Richland Memorial Hospital Board of Trustees – 3** – Mr. Malinowski stated the committee recommended re-appointing Ms. Sandra P. Sims and Dr. C. Guy Castles, III and appointing Ms. Rosalyn Woodson Frierson. The vote in favor was unanimous.

II. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax – 3 (One applicant must have a background in the Cultural Industry; other 2 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 – 3 (Applicants will have fundraising responsibilities)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- c. **Hospitality Tax – 3 (Two applicants must be from the Restaurant Industry; other position is at-large seat)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

- d. Internal Audit Committee – 1 (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 – 2 (Applicants must be in Business Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- f. Board of Assessment Appeals – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- g. Planning Commission – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- h. Central Midlands Council of Governments (CMCOG) – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- i. Building Codes Board of Appeals – 1 (Applicant must be from the Architecture Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- j. Riverbanks Park Commission – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- k. Airport Commission – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.

REPORT OF THE DSS FACILITY AD HOC COMMITTEE

Recommendation for Design Services on the DSS Facility – Mr. Rush stated the committee recommended approval of the contract with GMK Associates in the amount of \$175,700. The vote was in favor.

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

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

MOTION PERIOD

- a. Seed Funding for Commemorating Fort Jackson’s 100th Birthday [MANNING]** – This item was referred to the A&F Committee.
- b. Intergovernmental Agreement with City of Columbia** – Mr. Pearce moved, seconded by Ms. Dickerson, to authorize staff to amend and execute the agreement with the City of Columbia and have them serve as a pass through for County funds and actively reflect the details of the project in regard to

funding appropriated for the dredging of Lake Katherine and accurately reflect the details of the project and who will be securing services and administering it. The vote in favor was unanimous.

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

- c. **Legal Review of Airport Lease** -- I move that the Legal Department review the standard Hamilton-Owens Airport hangar lease to ensure that the County, which is the landlord under the lease, although it acts through its Fixed Base Operator (FBO), is properly protected.

EXECUTIVE SESSION

*Council went into Executive Session at approximately 7:43 p.m.
and came out at approximately 8:58 p.m.*

- a. **Sexually Oriented Business Ordinance** – No action was taken.

ADJOURNMENT

The meeting adjourned at approximately 9:00 PM.

Torrey Rush, Chair

Greg Pearce, Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

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Dalhi Myers

Seth Rose

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