



Richland County Council
RULES AND APPOINTMENTS COMMITTEE
MINUTES
May 3, 2022 – 3:00 PM
Council Chambers

COMMITTEE MEMBERS PRESENT: Gretchen Barron, Chair, Bill Malinowski, Jesica Mackey

OTHERS PRESENT: Michelle Onley, Anette Kirylo, Tamar Black, Kyle Holsclaw, Justin Landy, Patrick Wright, Ashiya Myers, Leonardo Brown, Lori Thomas, Randy Pruitt, Angela Weathersby, Dwight Hanna and Aric Jensen

1. **CALL TO ORDER** – Chairwoman Gretchen Barron called the meeting to order at approximately 3:00 PM.

2. **APPROVAL OF MINUTES**

a. April 19, 2022 – Ms. Mackey moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

In Favor: Malinowski and Mackey

The motion in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Anette Kirylo, Clerk to Council, stated Mr. Lorenzo Katio, an applicant for the Planning Commission, has requested to reschedule his interview.

Ms. Mackey moved, seconded by Mr. Malinowski, to adopt the agenda as amended.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

4. **INTERVIEWS** – Ms. Mackey moved, seconded by Ms. Barron, to go into Executive Session to conduct interviews.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

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The committee went into Executive Session at approximately 3:04 pm and came out at approximately 3:59 pm.

- a. Planning Commission – Three (3) Vacancies – Mr. Charles Durant, Mr. Chris Siercks, Mr. Bruce Greenberg and Mr. Bryan Brown interviewed for the Planning Commission.

Ms. Barron moved, seconded by Ms. Mackey, to come out of Executive Session.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

5. APPOINTMENTS

- a. Employee Grievance Committee – Two (2) Vacancies (MUST be a Richland County employee; 1 seat is an alternate) – Ms. Mackey moved, seconded by Ms. Barron, to forward to Council with a recommendation to appoint Ms. Kimberly Toney to the Employee Grievance Committee.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

Ms. Barron moved, seconded by Ms. Mackey, to forward to Council with a recommendation to appoint Mr. John Robert Dunn as an alternate on the Employee Grievance Committee.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

6. ITEMS FOR DISCUSSION/ACTION

- a. Renaming the Sewer Ad Hoc Committee to the Utilities Ad Hoc Committee – Mr. Malinowski noted he thought the committee made a request to get language regarding the responsibilities of the Utilities Ad Hoc Committee would be, but he did not see that reflected in the agenda packet.

Ms. Mackey stated she requested the current ordinance/description of the Sewer Ad Hoc Committee, so it could be updated/amended.

Ms. Barron noted the request was made at the April 5th meeting. The directives were not clear and we did not give a deadline to receive the information.

Ms. Kirylo stated Administration's response can be found on p. 35 of the agenda packet. The response is as follows: "Presently, the County Council rules do not contain a description of the Sewer Ad Hoc Committee. However, staff recommends having a single committee for water and sewer policy and planning to provide Richland County Utilities a clear path for presenting items to County Council for consideration."

Mr. Brown inquired, when establishing ad hoc committees, is staff responsible for defining the purpose of the committee.

Mr. Malinowski responded the Council Chair usually creates ad hoc committees and states what the committee's purpose.

Ms. Barron inquired if the committees are created by ordinance.

Mr. Malinowski responded not ad hoc committees. He inquired, of Mr. Livingston, if it is normally the Council Chair who makes a recommendation to create an ad hoc committee.

Mr. Livingston responded that is customarily how it has been handled.

Mr. Malinowski noted we need to have a description of the committee's responsibility. He inquired if the Chair would get in touch with the department head and create language.

Ms. Barron stated we could be opening up a can of worms because we would need to establish language for all of the ad hoc committees. She inquired if we are doing this for the Sewer Ad Hoc Committee for the sake of the name change, or are we doing this as a practice.

Mr. Livingston noted the ad hoc committees prior purpose is to address a specific matter, and are temporary or short-term. He believes there are too many ad hoc committees, which takes away from standing committees and Council engagement. We need to reduce the number of ad hoc committees or let them die when they have accomplished their mission.

Mr. Malinowski agreed with Mr. Livingston.

Mr. Patrick Wright, County Attorney, stated the purpose of an ad hoc committee is to be a short-term or temporary committee to deal with a specific issue. It is not supposed to be indefinite, which is why there are not descriptions.

Mr. Malinowski inquired if we can find out who created the Sewer Ad Hoc Committee, and what the purpose was at the time of creation. If the purpose has been served, we need to move on. He suggested putting the purpose of an ad hoc committee in Council Rules.

Mr. Wright noted his office did some preliminary research and there are a lot of committees that there is no information that exists.

Mr. Malinowski moved, seconded by Ms. Barron, to direct the Clerk to Council's Office to locate the minutes that detail the creation and purpose of the Sewer Ad Hoc Committee, and if the purpose has been accomplished. The information should be brought back to the May 17th committee meeting.

Ms. Mackey inquired if the Sewer Ad Hoc Committee is currently meeting.

Mr. Malinowski responded there have been very few meetings.

Ms. Mackey questioned whether the committee needs to be dissolved and the items sent to D&S and A&F Committees.

Mr. Malinowski suggested looking at the other ad hoc committees to determine if they need to be dissolved as well.

In Favor: Malinowski, Barron and Mackey

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The vote in favor was unanimous.

- b. I move that Council work with staff to conduct a comprehensive review of Council rules and recommend changes to streamline the rules to improve the functioning of Council business [NEWTON – March 19, 2019] – Mr. Malinowski stated he believes the committee needs to take one final look at the proposed revisions and send it on to Council. The odds are Council will also want to make additional changes.

Ms. Mackey noted the different colors in the document makes it confusing. She suggested utilizing only one color to make it easier for Council to understand. In addition, she noted she had additional changes for “Electronic Participation”. She suggested allowing electronic participation at all meetings, not just Special Called meetings.

Ms. Barron stated, when this was previously discussed, we were still under the emergency ordinance, so we were still utilizing Zoom. Today is a prime example where something out of her control prevented her from fully participating in the committee meeting. We did have a discussion about how to avoid abuse of participating virtually.

Mr. Wright stated executive session is addressed in the ordinance, and electronic participation is not allowed.

Ms. Mackey stated, when she made the motion, it was to address the fact that the meeting did not have to be a Special Called meeting. We had discussions about editing the language. There are many other municipalities throughout the country that have figured out ways to do this, and we have not. We do want Council members to be here in person, but if someone is ill and wants to participate in the meeting, they should have that option.

Ms. Barron inquired if Mr. Wright was referring to the emergency ordinance or a standing ordinance.

Mr. Wright responded it is a standing ordinance. If you are on the telephone, you cannot tell if anyone else is listening in on the confidential information discussed in executive session.

Mr. Malinowski noted utilizing executive session during the pandemic was extenuating circumstances. Once Council returned to in-person meetings, we reverted back to Council Rules and normal operations.

Ms. Barron moved to forward the existing Council Rules, with edits, to Council for review. Any input and/or changes by Council members should be forwarded to the Clerk’s Office by June 21st.

Ms. Mackey requested a friendly amendment to include the proposed language for virtual meetings.

Mr. Malinowski noted the committee did not vote on the virtual language. If we are going to start making additions, there are a few amendments he would like to see.

Ms. Mackey suggested keeping this in committee.

Ms. Barron inquired if Ms. Mackey could make her proposed changes at the Council meeting.

Mr. Malinowski responded that was what he was going to do with his proposed changes.

Ms. Barron stated we probably need to have a final draft of proposed changes prior to forwarding it to Council for review.

Audio Problems

- c. Board, Commission and Committee Descriptions – ***Audio Problems***
- d. Review of Boards, Commission and Committees Not Currently Active – Ms. Barron suggested making a recommendation to Council on which of these Boards, Commissions and Committees need to be removed from the ordinance.

Ms. Mackey inquired if there is anything that requires us to have these Boards, Commissions and Committees in place.

Mr. Wright stated the only committee there is a statute for is the Planning Commission.

Ms. Mackey stated, for clarification, if we were to amend the ordinance, we would need to have Three Readings and a Public Hearing.

Mr. Wright responded in the affirmative.

Mr. Malinowski stated, he does not think this was an ordinance, so if there purpose is over then Council could decide to dissolve them.

Mr. Wright noted the Boards, Commissions and Committees are in an ordinance. He does not think there is a statute that requires them.

Ms. Mackey requested Mr. Malinowski and Mr. Livingston’s historical knowledge on the Boards, Commissions and Committees.

The Economic Development Commission – The committee believes this commission is no longer needed since we have an Economic Development Office.

Richland County Youth Commission – Mr. Livingston stated the commission was in existence for a short while. We may be able to check the historical documents.

Ms. Barron noted, as a person who works with children regularly, anytime we can engage them, given our current climate, it is critically important. She inquired as to who oversaw the commission.

Mr. Malinowski noted in his 16 year tenure there has never been a meeting of the Richland County Youth Commission.

Mr. Wright stated, it appears, if Council appoints members to the Boards, Commissions, and Committees, they are active, but if they do not appoint members they become inactive.

Richland County Transportation Study Commission – The commission is no longer needed. It was established prior to the Transportation Penny referendum.

Appointment of members of county athletic commission – Mr. Malinowski noted the Recreation Commission handles these matters.

Duties of local emergency planning committee – Mr. Malinowski noted the Emergency Services Division would handles these matters.

Disabilities and special needs board – Mr. Malinowski noted he is not familiar with this board.

Ms. Mackey requested Mr. Wright to research Act 48 of 1991 regarding the “Appointment of members of county athletic commission”.

Mr. Malinowski moved, seconded by Ms. Mackey, to forward to Council with a recommendation to eliminate the following inactive boards, commissions and committees: The Economic Development Commission, Richland County Youth Commission, Richland County Transportation Study Commission, Local Emergency Planning Committee, Disabilities and Special Needs Board, Midlands Commission on Homelessness, Bond Review Committee, and Richland County Complete Streets Commission.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

- e. Boards, Commissions, and Committees Attendance Records – Ms. Kirylo noted she sent an email to Council regarding the creation of a form. She contacted IT about producing an online form for the boards, commissions and committees to complete. In order to move forward, she needs to know what information the committee would like to see on the form besides the name of the committee, the name of the members, the members’ terms and a reason for absences.

Mr. Malinowski stated if an absence is excused there needs to be an explanation given.

Ms. Mackey moved, seconded by Ms. Barron, to develop an online form to include the following information: name of board, commission or committee, the names of members, the members’ terms and an explanation for a members’ absence.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

7. ITEMS FOR INFORMATION

- a. Boards, Commission and Committees Advertisement Schedule – The next report of vacancies will be on the May 17th committee agenda.

Ms. Barron noted we did not get a great response to the last advertisement. She inquired if we are looking at doing something different to recruit applicants.

Ms. Kirylo responded PIO will advertise on a weekly basis. We will also send it to Community Development and the Chamber of Commerce for them to share with their contacts.

- b. Applications Currently on File – Mr. Livingston inquired why some applicant’s names are highlighted.

Ms. Kirylo responded those applicants have applied for more than one board, commission or committee.

8. **ADJOURNMENT** – Ms. Mackey moved, seconded by Ms. Barron, to adjourn.

In Favor: Malinowski, Barron and Mackey

The vote in favor was unanimous.

The meeting adjourned at approximately 4:59 PM.