



Richland County Council

REGULAR SESSION
March 6, 2018 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Greg Pearce, Seth Rose, Calvin “Chip” Jackson, Norman Jackson, Gwen Kennedy, Paul Livingston, Yvonne McBride, Dalhi Myers and Jim Manning

OTHERS PRESENT: Michelle Onley, Brandon Madden, Sandra Yudice, Larry Smith, Kim Williams-Roberts, Gerald Seals, Shane Kitchens, Beverly Harris, Tim Nielsen, Trenia Bowers, Dwight Hanna, Tracy Hegler, Stacey Hamm, Brad Farrar, John Thompson, Judy Carter, Wanda Kelly, Jeff Ruble, Chris Eversmann, Jennifer Wladischkin, and Ismail Ozbek

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Bill Malinowski
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Bill Malinowski
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: February 20, 2018** – Mr. N. Jackson moved, seconded by Ms. Kennedy, to approve the minutes as distributed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.
 - b. **Zoning Public Hearing: February 27, 2018** – Mr. Pearce moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.
5. **ADOPTION OF THE AGENDA** – Mr. Livingston moved, seconded by Mr. Pearce, to adopt the agenda as published.

Mr. Manning inquired if an item to be removed from the consent agenda needed to be taken up now or later.

Ms. Dickerson stated it could be taken up later.

Mr. Malinowski stated he was not sure the notes in the agenda regarding one of the consent items came forward properly. He stated he did not know if needed to be mentioned here or removed from consent.

Ms. Dickerson stated he should remove it from consent.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson acknowledged that former Councilwoman Bernice Scott and former Mayor Bob Coble were in the audience.

6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION**

a. Contractual Matter: PDT

7. **CITIZENS' INPUT: For Items on the Agenda Not Requiring a Public Hearing** – Mr. Malinowski inquired if an item has had a public hearing, can a person speak regarding that item.

Mr. Smith stated, if the item has had a public hearing, Council will have to waive their rules to allow someone to speak regarding that item.

Mr. Rose inquired if there was a place on the agenda to sign up to speak to an item on the agenda, outside of the public hearing.

Ms. Dickerson stated that is at the end of the agenda.

Mr. Malinowski stated the other citizens' input is for items not on the agenda.

Mr. Rose stated he thought there was 2 sign-up sheets. One for items not on the agenda and the other for items on the agenda.

Mr. Malinowski stated there are. One is for an item not on the agenda. The other one is for an item on the agenda not requiring a public hearing. We have had the public hearing on Item 13(a): "An Ordinance Authorizing a deed to 908 Group Holdings, LLC, for 1328-1400 Huger Street; also described as TMS # 09009-11-04 and 09009-11-05."

Ms. Dickerson requested Mr. Smith to clarify the matter.

Mr. Smith stated if there is an item on the agenda that requires a public hearing, and that public hearing has already taken place, the citizen cannot speak to that item. There is a second citizens' input at the end of the agenda that is for items not on the agenda.

Mr. C. Jackson moved, seconded by Mr. Rose, to waive the rules and allow the citizens to speak.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

Mr. Joseph Kopack spoke regarding Item 12(f): "Accepting a portion of Fountain Lake Road into the County Road Maintenance System".

Mr. Bart Walrath, Mr. Jim Calwell, Ms. Deborah Rowe, and Mr. Steven Hinson spoke regarding Item 13(a): "An Ordinance Authorizing a deed to 908 Group Holdings, LLC, for 1328-1400 Huger Street; also described as TMS # 09009-11-04 and 09009-11-05."

Ms. Denise Wilkinson spoke regarding Item 16: "Council Motion: Move to review the existing "cat" ordinance and remove the last sentence of the ordinance".

POINT OF PERSONAL PRIVILEGE – Mr. Pearce acknowledged the State of South Carolina's First Lady Peggy McMaster was in the audience.

8. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Workers on Watch Pilot Program – Mr. Seals stated this item concerns a portion of Richland Renaissance. It speaks to a methodology the County will be using to begin to add some additional effort to identify blight throughout the community.

Ms. Judy Carter presented an overview of the Richland County Workers on Watch program.

- Internal initiative to motivate County employees to become proactive to identify, report and address violations and/or matters which may be problematic
- Richland Renaissance + Revivification = Elimination of Blight through the WOW Program
- Our role as County Officials, Leaders and Employees is to pay attention, identify, take ownership and report
- Things that can reported: downed street signs, dead animals, litter, loose animals, debris on curbs, abandoned/unlicensed vehicles, advertising signs, potholes, and illegal dumping
- Report issues through mobile app: SEE CLICK FIX
- Currently Beta Testing
- Once pilot program is completed it will be opened up to all employees
- In approximately 4 months it will be available for citizens

Ms. Myers stated this is outstanding and she would be happy to be involved in the pilot program.

Ms. Dickerson stated she would also like to be involved in the pilot program.

Mr. Livingston stated he is interested in the process of making sure something is done once the issues have been identified.

- b. Transportation Program Update – Mr. Seals stated Council requested him to address some issues concerning transportation. He requested some time to formulate a recommendation. The recommendation is now prepared.

Dr. Thompson stated:

- The County is looking at exceeding the referendum amount by approximately \$194M.
- Six widening projects are in jeopardy of not having funding available
- Propose instituting a transition plan
- Program Management Agreement between Richland County and Richland PDT will expire on November 2, 2019.

- The transition plan will take 6 months to complete
- Program management and program development responsibilities will transfer from Richland PDT to Richland County
- The transition will begin on May 1, 2019
- Before May 1st two major steps required are: (1) transfer of restructuring and dirt road programs to the Public Works; and (2) Hire more staff members
- During the transition phase there will be meetings with Richland PDT and Richland County to establish the transition team, transition checklist, as well as, expectations for both sides
- September 2019 – identify the government furnished equipment and vehicles, as well as, intellectual property that must be transferred back to the County
- October 2019 – Opportunity for PIO staff to meet with the public engagement team to discuss any public relations issues; meet with Program Administrator to address any issues concerning outstanding invoices
- November 2019 – Deactivate passwords and user accounts for PDT; activate accounts for Richland County staff members
- Hardscrabble Widening Project, Broad River Neighborhood Project and Candlewood Improvement Project will be completed during the transition period
- Currently have \$35.2M for dirt road program; \$27.6M for resurfacing program. Transportation Penny dollars will no longer be used to fund these programs
- There will be a cost savings realized by bringing administration of the Transportation Penny program in-house
- Spoke with Charleston County on how their program was transitioned
- Approximately \$19M in projects were completed without Transportation Penny funding

Mr. Seals stated because of the cost overruns part of the recommendation would allow Council to have flexibility to address issues. It also the County to continue the dirt road program. In fact, it will accelerate its completion. The dollars programmed from the Transportation Penny can now be reprogrammed to deal with the cost overruns and balance out the budget.

Mr. N. Jackson moved, seconded by Mr. Livingston, to hold a workshop to discuss the recommendations in more detail.

Mr. C. Jackson thanked Mr. N. Jackson for making the motion for a workshop. He further stated he is not in favor of any plan that is an all or nothing plan. He requested Transportation staff to consider some alternatives to the all or nothing plan.

Ms. Dickerson stated if Council members have an item they would like to send to Council's monthly workshop to send those items it to the Clerk's Office for inclusion on the agenda.

Mr. Manning stated he knows there is a committee working on a motion he made regarding transparency. He moved, seconded by Mr. Rose, to hold the upcoming workshop in Chambers and have it livestreamed and archived on the County's website.

Mr. Manning inquired if this is going to be a separate work session. As he understood it, the work session we were looking at for the 3rd Tuesday was just about the Richland Renaissance.

Ms. Dickerson stated Council opened the work sessions up to have discussions on matters we would not have enough time to discuss during regular Council meetings.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous to hold a workshop to discuss the Transportation Department's recommendations.

Ms. Dickerson stated she will vote to hold the workshops in the 4th Floor Conference Room.

In Favor: Livingston, Rose, Pearce, Manning, C. Jackson, Myers and N. Jackson

Opposed: Malinowski, Dickerson, McBride and Kennedy

The vote was in favor of holding the work session in Chambers and livestreaming and archiving the meeting on the County's website.

Mr. Manning moved, seconded by Mr. Rose, to reconsider this item.

In Favor: Malinowski, Dickerson and Kennedy

Opposed: Livingston, Rose, Pearce, Manning, C. Jackson, Myers, N. Jackson and McBride

The motion for reconsideration failed.

- c. External Auditors' Contract Extension for FY2018 – Mr. Seals stated this item concerns the external auditors' contract. We have just completed the most recent audit and need to move forward to prepare for the next audit. The recommendation is to continue the services of Cherry Bekaert.

Mr. Pearce moved, seconded by Mr. Malinowski, to extend Cherry Bekaert's contract.

Mr. Pearce stated he was very impressed with the presentation made by Cherry Bekaert. It was more comprehensive than in the past. There were several items of corrective actions outlined in the audit. Will they be looking at those corrective measures in the upcoming audit?

Mr. Seals stated one of things that now takes place is Cherry Bekaert will report back to Council if the commitments by management have been taken care of.

Mr. Livingston made a substitute motion, seconded by Ms. Kennedy, to defer this item until the March 20th Council meeting.

In Favor: Kennedy, Manning, N. Jackson and Livingston

Opposed: Malinowski, C. Jackson, Myers, Pearce, Dickerson, Rose and McBride

The substitute motion failed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, Rose and McBride

Opposed: N. Jackson and Livingston

The vote was in favor of extending Cherry Bekaert's contract.

9. **REPORT OF THE CLERK OF COUNCIL**

- a. District 11 Richland Renaissance Town Hall, March 8, 6:00 p.m., Lower Richland Sheriff's Department Substation, 2615 Lower Richland Blvd. – Ms. Roberts reminded Council of the upcoming District 11 Richland Renaissance Town Hall meeting.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce thanked the Clerk's Office for their work on the Legislative Night Out.

10. **REPORT OF THE CHAIR** – Ms. Dickerson recognized March as "Heart Healthy Month". She is requesting the County participate in the American Heart Association's Midlands Heart Walk with a small contribution from Council.

Mr. Manning moved, seconded by Mr. Pearce, to participate in the American Heart Association's Midlands Heart Walk with a small contribution from Council.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride.

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

11. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and FN America, LLC, a company previously identified as Project Liberty, to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved, seconded by Mr. C. Jackson, to defer the public hearing on this item.

In Favor: Malinowski, Dickerson, McBride, Kennedy, Livingston, Pearce, C. Jackson, Myers, and N. Jackson

Opposed: Rose and Manning

The vote was in favor of deferring the public hearing.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Colite International, Ltd. To provide for payment of a fee-in-lieu of taxes; and other related matters (formerly Project Lite) – No one signed up to speak.

12. **APPROVAL OF CONSENT ITEMS**

- a. 17-042 MA
Avon Banks
RM-HD to OI (26.14 Acres)

Regular Session

March 6, 2018

5071 Percival Road
TMS# 28800-02-25 [SECOND READING]

- b. 17-046MA
David Gates
RU to NC (8.21 Acres)
1700 Dutch Fork Road
TMS# R02408-02-02 [SECOND READING]
- c. 17-047MA
Sharon Mann
RU to GC (3.2 Acres)
2250 Legrand Rd. & Pinnacle Point Drive
TMS # R17108-01-05 [SECOND READING]
- d. 18-001MA
Matt Mungo
RM-HD to RS-HD (10.39 Acres)
Bush Road
TMS # R20200-01-53 [SECOND READING]
- e. 18-002MA
Jesse Bray
RU to RS-E (40.67 Acres)
Koon Road
TMS # R03400-02-56 [SECOND READING]
- f. Proposal to improve the treatment and care of lost and abandoned animals in Richland County and Forest Acres via Councilman Manning
- g. Addition of Property to Pauper's cemetery (located at 779 Two Notch Rd.)
- h. Request to waive Section III of Wilson Farms' Declaration of Restrictive Covenants for lot 1
- i. Funding Request for Little Lake Katherine

In Favor: Malinowski, Dickerson, McBride, Livingston, Rose, Myers, and N. Jackson

The vote in favor was unanimous.

13. **THIRD READING ITEMS**

- a. An Ordinance Authorizing a deed to 908 Group Holdings, LLC, for 1328-1400 Huger Street; also described as TMS # 09009-11-04 and 09009-11-05 – Mr. Rose stated when we sell County property it is a good practice is to put them on the MLS. It is good practice to put it in a public setting, so that everyone knows a piece of government owned property is for sale. Because that was not done here, he cannot support the sale. However, for purposes of tonight, the entity that wishes to purchase this property is going before the City of Columbia on March 20th to have the property re-zoned for student housing.

Mr. Rose moved, seconded by Mr. Manning, to defer this item until the April 3rd Council meeting.

Mr. N. Jackson stated when you have a re-zoning that affects the community you have a sign and notice and people get input. When you have the sale of property that affects a community, you should have notification also, so they can have input.

In Favor: Malinowski, C. Jackson, Myers, Kennedy, Manning, N. Jackson, Livingston, Rose, and McBride

Opposed: Pearce and Dickerson

The vote was in favor.

Mr. Pearce stated the utilization of property is not determined by this body. It is totally the City of Columbia's responsibility to determine what goes on that property.

Ms. Dickerson stated that is why she cast her vote as no. The City can manage their business and the County needs to manage ours. Our business is to deal with this and let the City do what they want.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Colite International, Ltd. to provide for payment of a fee-in-lieu of taxes; and other related matters (formerly Project Lite) – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, Myers, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- c. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and FN America, LLC, a company previously identified as Project Liberty, to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved, seconded by Mr. C. Jackson, to defer this item.

In Favor: Malinowski, Dickerson, McBride, Kennedy, Livingston, Pearce, C. Jackson, Myers, and N. Jackson

Opposed: Rose and Manning

The vote was in favor of deferral.

14. **SECOND READING ITEM**

- a. An Ordinance Authorizing deed to the City of Columbia for certain sanitary sewer lines to serve the Hollywood Hills Sewer System improvements; Richland County TMS # 11807-08-21, 22, 39, 40 & 42 (portion) – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.

15. **FIRST READING ITEM**

- a. Authorizing the execution of the amended and restated master agreement governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, confirming the boundaries of the I-77 Corridor Regional Industrial Park; and other related matters – Mr. Livingston moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

16. **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. Accepting a portion of Fountain Lake Road into the County Road Maintenance System – Mr. Pearce stated the committee recommended approval of this item.

Mr. Malinowski stated this particular road was a private road for years and just recently came to the County to bring it up to County standards and to be placed on the County's list of roads. However, it was mentioned we need to get a process in place. Just because a road comes in and CTC has approved funds for it does not mean that is a part of our process. We need an order of where these roads should be placed for repair. There are several roads that have not been properly maintained or turned over to the County because they were not completed properly. The seed funds approved for this one could have easily been approved for another one that has been lagging and on the list longer. We have requested the Public Works Department to create a list and process, so that all the roads get done in a fair manner to the residents and taxpayers of Richland County.

Mr. Malinowski made a substitute motion, seconded by Ms. Myers, to defer this request until Public Works brings forth the process along with the list of roads.

Mr. N. Jackson stated there is a process. This road has been on the agenda for 10 years. Within the past 2 years, the City has gotten involved with the County to meet with the developer and accept the road. The CTC has approved the funding and staff recommended approval based upon the process that has been approved. He further stated he does not know what process Mr. Malinowski is referring to. All requests come into the Public Works Department and it works through staff and the Engineering Department. If the CTC is involved, we get the funding that has been approved and move forward. It is his recommendation the County move forward.

Mr. Pearce made a second substitute motion, seconded by Mr. Rose, to approve this item and then implement the list of roads and process provided by the Public Works Department.

Mr. Malinowski requested clarification on Mr. Pearce's second substitute motion. The intent of the motion is to move forward with accepting a portion of Fountain Lake Road into the County's Road Maintenance System and then implementing the process.

Mr. Pearce stated the motion takes into consideration what Mr. Malinowski said about roads. He wants to deal with that responsibly, but the fact is this road is ready to go. All of the money has been appropriated. It is going to cost the County a small amount of money to get the project done. It has been sitting around for a long time. To defer this and put it off he does not know if we would be able to come back and get the same situation. Why not approve this? Let it go through and then do the road prioritization.

Mr. Malinowski stated because there are roads out there that need attention, but we do not have any type of orderly list as to when they came about for needing attention. The fact of the matter is this had been a private road until very recently; therefore, he does not know how this could have been on anyone's list it was a private road.

Ms. Myers stated she is for fixing all the roads. There was also a road in A&F, which was approximately \$300,000. This road is \$310,000 for 250 sq. ft. of road. Her concern is not that we do not accept this road. We need to accept and fix the roads in the County so that all taxpayers ride on great roads, but we currently have hundreds of roads that have been on a priority list, for example in the dirt road paving project, that are not even being looked at. Her concern is one of fairness and getting a process that treats everybody the same no matter where their roads are. She is for accepting this road. She does not want to vote against it, which is why she agreed with deferring it and putting it in the process. She is concerned this is a small stretch of road and there are roads on the dirt road paving list that cost substantially less than the \$310,000 for this road.

Mr. N. Jackson stated the dirt road paving list is for dirt roads. There is a criteria for ranking of the dirt roads. All developments start out as private until the County accepts the private roads. After the roads are designed to County standards, then we accept the roads. The CTC has approved. The staff has approved it. It went through the normal process and we should move forward.

In Favor: C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Malinowski

The vote was in favor.

Mr. N. Jackson moved, seconded by Mr. Manning, to reconsider this item.

In Favor: Malinowski

Opposed: C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose, Kennedy and McBride

The motion for reconsideration failed.

- b. Petition to Close Old Percival Road – Mr. Malinowski stated on p. 47 of the agenda packet it references a "Petition for Road Closing and Abandonment" which he does not believe is included.

Mr. Pearce inquired as to what specifically Mr. Malinowski is requesting.

Mr. Malinowski stated for the sake of completeness Council should be provided documents when they are requested to vote on something. He does not know what the petition does or does not say.

Mr. Pearce moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Ms. Myers stated for clarification that the petition was included in the documents.

- c. Richland County Release and Abandonment of Water Line at Killian's Crossing – Mr. Malinowski stated at the committee meeting he inquired if the Utilities Director had a recommendation or input. He also inquired if the County paid any funds when the easement was originally obtained by the County. He did not receive a response on either inquiry.

Mr. Smith stated they were not able to find any information on whether the County paid anything for the easement in 1986.

Mr. Malinowski stated he wants to ensure this does not affect Richland County as we move forward with creating our water service area.

Mr. Khan stated Killian Road is out of Richland County's water service area. The City of Columbia has a robust system in that area.

Mr. Malinowski moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- d. Council Motion: HOA's operated by developers or management firms should be fined if due to their poor management, and not that of the homeowners, it causes a hardship on the homeowners or community. NOTE: There are improperly maintained detention ponds that have trees growing in them which causes flooding during a bad storm [N. JACKSON] – Mr. Pearce stated the committee recommended Council direct staff to develop an ordinance that addresses this issue, as it relates to increasing the accountability in whatever way they can do that, to hold developers responsible for those areas.

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve the committee's recommendation.

In Favor: Malinowski, C. Jackson, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- e. Council Motion: In future housing development or construction, houses built must be at a safe distance to prevent the transfer of being affected by fire. Fire retardant materials must be used or a safe distance must be developed separating the houses [N. JACKSON] – Mr. Pearce stated the committee recommended Council refer this item to the Land Development Code Rewrite.

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve the committee's recommendation.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- f. Council Motion: I move that for the reasons of transparency, integrity, accessibility, dignity, accountability and citizen respect that all County Council Work Sessions/Workshops be conducted in

the newly renovated, state-of-the-art Council Chambers and Livestreamed (to include being archived on the County website) – Ms. Myers expressed concern that this may be overkill and it might be better to address this on a case by case basis. She likes having the workshops in Chambers, so the public can participate in them remotely, but the expense of it may be overkill to do it for every workshop.

Ms. Dickerson stated the whole idea of the workshops was to keep them in a small setting. We did not want it to be like a Council meeting. A workshop would have a different perspective, which is why she did not support have a workshop in Chambers.

Mr. C. Jackson stated he made the amended motion at the committee meeting and for clarification not all of the workshops would be held in Chambers, but they would be streamed live and archived. It was mentioned we have capability because we demonstrated that when we went to Columbia Mall for the Renaissance. The amended motion was not that they had to be physically in Chambers, but wherever they were held that they be livestreamed and archived.

Ms. Dickerson stated she agreed with Mr. C. Jackson on that. She believes the workshops should be livestreamed and archived, but she does not believe they should be held in Chambers.

POINT OF CLARIFICATION – Mr. Pearce stated that was the motion of the committee.

Ms. McBride stated she supports the Chair on not holding the workshops in Chambers. She said the State legislature and the General Assembly hold workshops outside of their Chambers. The workshops are held outside of Chambers so there is better communication and people see each other face-to-face. It is called a workshop so you can roll up your sleeves and work.

Mr. N. Jackson stated sometimes there is a large turnout on certain matters. When we do we cannot hold the meetings in the conference room and the workshops will need to be held in Chambers.

Mr. Manning inquired if this matter was not discussed in the committee meeting and the motion amended. The amended motion is not reflected in the language of the agenda item.

Mr. Pearce stated he attempted to clarify that. He stated the committee recommended Council when possible to conduct County Council Work Sessions/Workshops in the newly renovated, state-of-the art Council Chambers and otherwise the work sessions/workshops be filmed and recorded remotely, livestreamed, and archived on the County's website.

Mr. Pearce moved, seconded by Ms. Myers, to approve the committee's recommendation.

Mr. Malinowski stated on p. 77 of the backup documentation it says, "Council may consider an additional multi-media staff member to ensure adequate coverage and production." However, we need to note how many of these meetings we have in a year. Based on that it may be possible to use a part-time person or pay a current staff member overtime rather than hire a new person.

Mr. Seals reminded Council that staff has requested their input for their needs for meetings. We are in the process of securing professional assistance that will look at Council's needs at the new location. This will include how to have meetings that are appropriately handled technologically in a less formal setting.

Ms. Dickerson stated her feedback would be that we are asking for room(s) that can accommodate small or large crowd.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

Opposed: Malinowski

The vote was in favor.

- g. Council Motion: Move to review the existing “cat” ordinance and remove the last sentence of the ordinance – Mr. Pearce stated the committee took up the issue of the “cat” ordinance and forwarded it to Council with no recommendation.

Mr. Pearce moved, seconded by Mr. N. Jackson, to amend the current community cat ordinance to remove the last sentence that gives the option to relocate a community cat.

Mr. Malinowski stated there is an ordinance change in front of us, yet there is not one word underlined, red-lined or anything. He does not know exactly what we want to change and we need to have that prior to the next reading.

Mr. Smith stated Mr. Pearce made a motion to remove that sentence. If the Council supports that motion, the next time this comes before Council it will have the appropriate strikeout of that sentence for Council to give First Reading to it.

Mr. Rose stated he supports the motion by Mr. Pearce. Basically, there is no option for relocation, so when the ordinance comments about relocating a cat what we are saying, because relocation is not an option, is this animal will be euthanized. He thanked everyone that took time out of there day to be a part of this process.

Ms. McBride thanked all of the people for their attendance at the meeting and their emails and calls because she thinks citizens’ input is very important. She truly believes the voices of the community should be heard. She believes these voices should be heard whether they live in a low-income area, a middle-income area or a high-income area. Therefore, as long as she has breath she will listen to the voices of all citizens and when necessary she will voice the opinion of those who cannot voice their own. She believes a person’s home is their castle and it is their right to live in their home being comfortable and unafraid of cats roaming their communities. She will always be fair in the decisions that she makes and she will make them in the best interest of all Richland County citizens. She stated she has done a lot of research because she wanted to be fair in looking at the data that is coming. There has been misinformation presented. She was very deliberate in the review of the cat diversion ordinance for Greenville County because she wanted to be sure she was doing something that was right. The ordinance has the same language as Richland County. It says, “unless the property owner/caretaker requests the cat not be returned to the location” then we can return it to the community. To make sure she was not biased, she had a staff member to call and speak to the Administrator in Greenville. The staff member was informed the ordinance was working very well. It is a process and each year it gets better. Why it is working better is because we are educating the people about the positive effect of returning the cats to the community. If you get the community buy-in it will work, but you cannot force an ordinance on a community. Take this opportunity to educate the citizens. During the 6 months the ordinance has been in place there has been a 22% decrease in the number of cats referred to the shelter. However, they cannot give any information on the number of cats returned to the community or the number of cats the community rejected. Pawmetto was returning cats that the County did not know about. She could not find any scientific data supporting the effectiveness of the cat diversion program. She did find reports with subjective data. If we take this ordinance, as Greenville has done, and give it a chance to work and then add a

real educational program so we can get the communities to see what you are saying. She wants the County to continue to move toward a no-kill cat community. We have to start somewhere and bring the other people on. We have to educate the other. Citizens deserve a right to say what should happen in their community. Through education we can make a difference. She requested the language remain as is and give it the opportunity to be successful. Give it the opportunity to save the lives of cats. She requested her colleagues support her.

Mr. Rose inquired where the County is in the process of becoming a no-kill community where no animal would be euthanized.

Ms. Haynes stated we are making some progress on it. Right now there has been a 23% decrease in the number of cats euthanized since the program began. We have picked up 1,869 cats from June 1, 2016 to June 30, 2017. However, since the program started we have picked up 1,440 cats with 1,100 of them being strays. The numbers have been decreasing since we started the program.

Mr. Rose stated he believes the County has given the ordinance a chance and there have been approximately 400 cats euthanized.

Ms. Dickerson stated she is an animal lover. One of the things mentioned was that 1,869 cats were picked up. She inquired if they identified where the cats were picked up.

Ms. Haynes responded in the affirmative.

Ms. Dickerson inquired if the cats were picked up on the 1700 block of Broad River Road and were brought in and neutered would those cats be taken back to that particular location.

Ms. Haynes stated if they were requested by the citizen.

Ms. Dickerson stated that is the part she does not understand.

Ms. Haynes stated the cats are taken back if it is requested by the citizen. If they are not requested to be brought back they are euthanized. She stated she had found out the cats left at the shelter to be euthanized were transferred to the Pawmetto Lifeline. Pawmetto Lifeline took the cats back to the address where they were picked up.

Ms. Kennedy stated she is not in favor of killing anything, but we cannot have the cats running around in these communities. There are residents in those communities that do not want them running around in their yards.

Ms. Haynes stated Animal Care picks up the cats. If they were wanted back, they are then spayed/neutered and taken back to that address.

Ms. Kennedy inquired how Animal Care knows the cats belong at the address where they are picked up from.

Ms. Haynes stated if the person says they want the cat back, Animal Care knows it is fine.

Ms. Kennedy inquired if no one says they want the cat back, what is done with the cat?

Ms. Haynes stated normally we get the request from someone, so we know if the person wants the cat back or not.

Ms. Kennedy stated, for example, Animal Care is picking up a cat from her yard, but that does not mean the cat belongs to her.

Ms. Haynes stated the way the ordinance is written now the resident has an opportunity to say they do not want the cat back and the cat should not go back. She stated she cannot promise that because the City of Columbia transferred the cats to Pawmetto Lifeline and Pawmetto Lifeline is releasing them back in the communities where they were picked up.

Ms. Kennedy stated that is going to cause a problem because if the cat does not belong in that yard it is not fair to the resident. The resident has rights too.

Ms. McBride stated she loves animals and she is doing everything she can to make this program successful. She also loves the citizens and she has got to respect their rights. This is America. This is democracy and sometimes we have to compromise. This is a compromise. We are moving toward a no-kill cat zone. We can do it working together. We can help educate. Greenville has done it with the same language that we have. She is concerned we have passed an ordinance that says the community must approve, but Pawmetto Lifeline is dropping cats off in violation of the ordinance. We need to be working together, not against each other. We need to be working for the benefit of all. Any research you look at, education is the key. In fact, there are some counties that did not use an ordinance. Those counties did it through education and they have been successful according to the subjective data on the Internet.

Mr. Malinowski stated he tried to get some information. In the answers that he got, it seemed the person or persons responding gave some general information, but not specific information to the question asked. Therefore, he received more specific and detailed information from Ms. McBride's comments. He thanked her for taking the time and effort to bring back that information.

Ms. Dickerson requested Mr. Pearce to restate his motion.

Mr. Pearce paraphrased his motion as follows: the County would pick up a feral cat, spayed/neuter it and return it to the neighborhood where it came from. He stated under the present ordinance the County picks up the cat and you say we are going to spay/neuter it, do you want it back and the person says no and they do not put the cat back. Then the cat goes to the shelter and could potentially be euthanized.

Ms. Dickerson inquired if the cat goes to the shelter and no one adopts the cat in a space of time, then the next step would be to euthanize the cat.

Ms. Haynes stated that is correct, but the community cat diversion program is referring to feral cats, not adoptable cats.

Ms. Kennedy stated for clarification the County does not contact the neighborhood or give them an opportunity to say anything. They are going to take all the cats picked up in the neighborhood back. She stated that is the same as her bringing all her dogs to your house and dropping them off because she picked them up in your yard.

Mr. Pearce stated if it was done appropriately you would educate the neighborhood as to how this program works. He believes what may be missing is explaining to the person, when the cats are picked up, this program will solve the problem in their neighborhood on a more permanent basis. If we pick up the cat and kill it, it is still going to leave cats breeding in the neighborhood and the

colony will continue. When they are returned they are non-breeding and the colony will naturally die off. The education piece may be missing.

Ms. Kennedy stated the County still has no consensus from the neighborhood that they want the cats back in the neighborhood, but we are going to take them back and drop them off in the neighborhood. The neighborhood has not rights. The people do not have any freedom in their yard regarding what they want and do not want.

Mr. Pearce stated what we are trying to do is improve the quality of the neighborhood by eliminating the cat problem in the neighborhood. This is a way to do it in a no-kill manner.

Ms. Kennedy inquired how that is eliminating a cat problem in a neighborhood when you are putting the cat back in the neighborhood.

Mr. Pearce stated because they cannot breed.

Mr. Livingston stated he is trying to understand the difference between something he was reading about in Greenville vs. what Ms. McBride is recommending, as well as, what Mr. Pearce is removing. In the Greenville County guidelines, it says, "The cats will be returned to the location or vicinity, unless the property owner/caretaker requests that the cat not be returned to the location." Is that the same as what Ms. McBride is recommending or is that different?

Mr. Pearce stated that is what is in the present ordinance.

Mr. Livingston stated so if the property owner requests that it not be returned to the location, it will not be returned? That is what is in our current ordinance and Mr. Pearce is requesting to be removed?

Ms. McBride stated she is requesting the language remain because Greenville has been successful with it.

Mr. Livingston stated that does not say you automatically take the cats back. It says if someone requests that you not take them back. For clarification, it could be the location or vicinity.

Mr. N. Jackson inquired if Council is discussing feral or pet cats.

Ms. Haynes stated Council is discussing feral cats.

Mr. N. Jackson stated for clarification that feral cats do not have owners; therefore, the County cannot ask the owner about returning the cat because there is no owner.

Ms. Haynes stated we pick the cats up from their property.

Mr. N. Jackson stated if the County did not pick them up they would still be there and they would be reproducing. If they are picked up and spayed/neutered and put back at least they will not reproduce. He inquired if the County returns them to the same place they were picked up.

Ms. Haynes responded in the affirmative.

Mr. N. Jackson stated he does not have a problem with that. It is a form of growth control. With these cats they roam, so they may not stay at one place.

Ms. McBride stated you might have a problem with it if you had a phobia of cats. You might have a problem with it if those cats were out in the community playing around children. The cats are defecating in the soil and the children could catch tapeworms. She was not speaking for herself, but for the hundreds of people out there that do not want the cats in their community. Now there is a possibility that we can educate these people.

Ms. McBride made a substitute motion, seconded by Mr. Malinowski, to retain the current ordinance language and add an educational component and work with the communities to see the benefits of it.

Mr. Livingston inquired about the percentage of persons requesting the cat not be returned to the neighborhood.

Ms. Haynes stated about 90%.

Mr. Malinowski stated one of the questions he asked was about the colony being reduced because of spay/neuter and returning it back into the community. He inquired about how long it would take before the colony is eliminated. The response he received was we are not trying to eliminate the colony because as we begin to eliminate one other cats will move back into that area and create another colony.

Ms. McBride requested clarification on Mr. Livingston question. She inquired if there was data supporting the fact that 90% of the residents request the cat not be returned. She stated she could not get numbers before.

Ms. Haynes stated she cannot run a report on who said they do not want it. When we get the complaint, the Ombudsman's Office asks if the citizen wants the cat returned. It eliminates time arguing with the citizens that do not want them back.

Ms. McBride stated she could not find data on the numbers of cats that were returned and the number where the property owner said they did not want the cats.

Ms. Haynes stated the number of cats returned from July 1, 2017 – February 26, 2018 was 448.

Ms. McBride stated Ms. Haynes could not give her the data on how many cats the property owner refused to accept.

Ms. Haynes stated she cannot run a report on it.

Ms. McBride informed Mr. Livingston the County does not have that data.

Mr. Rose stated one of the issues he has with the ordinance is that a property owner may believe if they do not accept the cat back the animal will be relocated, when in actuality the cat will be euthanized. He offered a friendly amendment to Mr. Pearce's motion to add an educational component, so the community will understand, if we give trap and release a chance it is going to alleviate the issue.

Mr. Pearce accepted the amendment.

Ms. Dickerson stated the problem she had in the discussion was the fact Pawmetto Lifeline pick up the cats from the City of Columbia and they decide to put the cats somewhere.

Ms. Haynes stated the City of Columbia transfers the cats to Pawmetto Lifeline, along with the addresses where they came from. It is her understanding, Pawmetto Lifeline took the cats back to the addresses or a few hundred feet from the address where they were picked up.

Mr. Pearce inquired about how many times that alleged happened.

Ms. Haynes stated it started happening in December 2017 and continues to present. She was provided information from the shelter that Pawmetto Lifeline has returned approximately 49 cats during that timeframe.

Ms. Dickerson stated Pawmetto Lifeline has taken upon themselves to distribute the cats back to the community.

Ms. Kennedy stated it is almost like the residents in the communities have no rights. They do not have a right to say they do not want a cat. She inquired why the citizens should be subjected to cat, or anything else, running around in their yards that they did not ask for.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to call for the question.

Ms. McBride restated her substitute motion is to leave the language, as is, the same language Greenville County has, and if the property owner/caretaker requests the cat not be returned to the location then the cat is not. In addition, to add an educational that will help the community to understand the trap, neuter and return law.

Mr. Malinowski withdrew the call for the question.

Mr. Manning stated he is confused about one thing with this discussion. The City of Columbia is the one that calls Pawmetto Lifeline. Did the City call them about City cats and City addresses?

Ms. Haynes stated she is not sure about that.

Mr. Manning stated we are not sure if the City called Pawmetto Lifeline about a City cat and Pawmetto Lifeline takes the cat back to the City, which seems to him should be about a City cat ordinance, not a Richland County ordinance.

Mr. Malinowski stated for clarification he thought Ms. Haynes had the addresses where the cats came from.

Ms. Haynes stated the City provided the Pawmetto Lifeline the addresses. The County has the addresses where the cats were picked up from and that information is provided to the City at intake.

Mr. Malinowski stated if we picked up the cats then they are probably in the County, right?

Ms. Haynes stated, if we picked them up, they are in the County.

Ms. Dickerson inquired if we know if the cats belong to the County or City once they are taken to the shelter.

Ms. Haynes stated the cats that are transferred to the City and returned to the community were County cats.

Mr. Malinowski moved, seconded by Mr. Pearce, to call for the question.

In Favor: Malinowski, Dickerson, McBride, Livingston, Rose, Pearce, Kennedy, C. Jackson, Myers and N. Jackson

The vote in favor of calling for question was unanimous.

In Favor: Malinowski, McBride and Kennedy

Opposed: Dickerson, Livingston, Rose, Pearce, Manning, C. Jackson, Myers and N. Jackson

The substitute motion failed.

In Favor: Dickerson, Livingston, Rose, Pearce, Manning, C. Jackson, Myers and N. Jackson

Opposed: Malinowski, McBride and Kennedy

The vote was in favor of amending the current community cat ordinance to remove the last sentence that gives the option to relocate a community cat and adding an educational component, so the community will understand, if we give trap and release a chance it is going to alleviate the issue.

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

Council Motion: Without prior notice, in June 2017 the City of Columbia raised the stormwater management fee for Hamilton Owens Airport by 74% creating a severe financial hardship on airport operations. This increase amounts to 27% of the airport's annual operating budget even though less than one percent of airport stormwater is managed by the City. Attempts to negotiate these rates have proven unsuccessful at the staff level. Recent studies have shown that Hamilton Owens Airport has a 14+ million dollar economic impact on the City of Columbia. This Motion requests that further payments of this unreasonable storm water management fee be withheld until such time as City officials provide a rate structure that is more tenable and consistent with the actual service being provided [PEARCE] – Mr. Malinowski stated on p. 85 of the backup documentation is says, “The committee recommended Council restrict the current fee payment to the rate amount as of June 30, 2017 and to direct the Administrator to discuss this at the City Manager level to see if we can get some movement.” It was his understanding there was also a quid pro quo in exchange for the lease of the 68 acre park across the street.

Ms. Myers stated this does not accurately reflect the motion that came out of the meeting. The committee's motion was alternating pieces. The first part was to immediately revert back to the payments, as they existed prior to the rate increase. In the alternative, if we were still leasing the park across the street that we offset it with charges for the park if they would not accept the stable payments.

Mr. Livingston stated it was part of the discussion that we ask the Administrator to take forward.

Ms. Dickerson requested that the motion be clarified.

Ms. Myers moved, seconded by Mr. Malinowski, to continue the payments as they existed in 2017, instruct the Administrator to meet with the City of Columbia to negotiate the payments back down, and in the alternative that we adjust our fee for the park to accommodate the higher costs.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- a. Approval of Contractor Change Order for Dawson Pond repair project – Mr. Livingston stated the committee’s recommended approval of this item.

Mr. Malinowski inquired if the company requested permission before they did the work.

Mr. Ozbek stated they did request permission.

Mr. Malinowski inquired about who gave the company permission to do the work.

Mr. Ozbek stated the County Engineering staff did.

Mr. Malinowski inquired if the company has been paid for the extra work.

Mr. Ozbek stated the company has not been paid.

Mr. Malinowski stated if staff gave them permission, yet now you are coming to Council for permission, doesn’t it seem there is something is wrong in the process.

Mr. Ozbek responded in the affirmative.

Ms. Dickerson inquired about what needs to be done.

Mr. Seals stated they are doing two things. One, we are humbly requesting for Council to fix our mess. Two, there is discussion that Council will not be privy to, that will deal with the mess.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

18. **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

19. **NOTIFICATION OF APPOINTMENTS**

- a. Business Service Center Appeals Board – 1 – Mr. Malinowski stated the committee recommended re-advertising for the vacancy.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. Lexington Richland Alcohol Drug Abuse Council – 2 – Mr. Malinowski stated the committee recommended re-appointing Mr. Gregory B. Cunningham and appointing Mr. Stephen M. Juskiewicz.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Malinowski stated it was brought to his attention that there are not 2 vacancies for LRADAC, but only 1.

Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson, and Livingston

The vote in favor was unanimous for reconsideration.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to re-appoint Mr. Gregory B. Cunningham.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous to re-appoint Mr. Gregory B. Cunningham.

20. **REPORT OF THE CIVIL RIGHTS MUSEUM AD HOC COMMITTEE**

- a. Renaissance Foundation Funding Request – Mr. Malinowski stated the committee recommended approval for the funds that were appropriated in the budget for the Renaissance Foundation Historic Columbia Project. The funding is contingent upon the request from the City and other funding for this particular project.

Ms. Dickerson stated she has been around for a long time on this project. On this particular project the County has done a 5-year approval. Personally speaking, she has not seen any progress with the project. She further stated she thought when she raised her hand for the funding for the Civil Rights Museum that we were looking at doing something for Richland County and letting the funds go to Richland County and not a private entity. She stated she cannot support the committee's recommendation for that reason.

Mr. Malinowski stated he concurs with Ms. Dickerson's assessment. He stated there is over \$5M of construction costs listed, but there is no itemization list. While we have been told there are private and corporate donations coming, but he has not seen it listed yet. There are \$2.5M in donations from tax credits, the City and County. There is a \$3M shortfall to fix the building. Like Ms. Dickerson, he thought when Council voted for this funding the County would find someplace and the bulk of the funding would go toward the museum, not to fix the building and still not have touched bringing the museum in. It seems there is more inference on the Cultural Arts Center in the information provided versus the Civil Rights Museum. Also in the information, when it says there is a \$3M shortfall, it states \$2.4M has already been raised, which would leave a balance of \$600,000. Therefore, he believes there are some questionable figures in the documentation.

Mr. Livingston stated the committee is not recommending the County give any funding to anybody tonight. Council voted to set aside the funding in the budget. The committee is requesting Council to ensure the funding is set aside. The funding is contingent upon the historic tax credits, the City, etc. and will come back to Council for the funding to be released.

Mr. Manning inquired as to who is on the committee.

Mr. Livingston stated the committee consists of himself, Mr. C. Jackson, Rose, Pearce and McBride.

Mr. C. Jackson stated he wanted to echo what Mr. Livingston said. The committee is looking for a commitment from Council, recognizing there is some tangible work, in terms of raising some dollars, which will be necessary from the Foundation. He stated in the committee meeting that one of the sure signs of progress and an indication of a real commitment would be if the Foundation could raise the pre-construction startup funding, as the County moves toward these larger sums. So when the Foundation finally goes to a donor requesting funding to help them with this effort, they can demonstrate their own commitment by being able to show they raised \$300,000. As Mr. Livingston said, what the committee is requesting is Council show a commitment to the organization with the understanding they will have to generate some dollars before Council will ever release any funds.

Mr. Malinowski inquired if any other options have been brought before us as far as building space and moving forward with the Civil Rights Museum. He stated it seems for this amount of money Council would want to explore all options.

Mr. Livingston stated over the years there have been several different options. The Council just never agreed to any of them.

Mr. Malinowski stated he is supporting the funding and moving forward with the museum. It is just a matter of how, where and when we do it.

Mr. Pearce stated he would like to reiterate what Mr. Livingston said. This goes back a good many years. We perceived the need for some sort of Civil Rights Museum to take advantage of our historic sites and our rich history in this area. One of the reasons we drifted toward this building was because there was a physical building that we would not have to buy and it had historic importance in that particular area. Granted it has taken awhile to get things straightened out. But as has already been mentioned by his colleagues, we are not approving anything right now. We are setting funding aside to be used at a later date. There are various components of this that he is questioning. The idea that Ms. Myers brought up about a historic trail, for example, has not been addressed yet. It is very early on in the process. To make some kind of substantive commitment that we are committed to this is very important.

Ms. Dickerson stated she is not disagreeing with that. She thinks the Civil Rights Museum, and all of the above-mentioned, merits the fact that we need to invest and make sure we have the type of museum that will be advantageous to all. She believes we have other buildings accessible to Richland County that we do not have to purchase in order to make this a Civil Rights Museum. She and Ms. Myers have gone back and forth with the trail. She thinks all of these things will be connected, but she does not see connecting them to the Renaissance Foundation. She sees them connecting something that is predicated to Richland County and has a Richland County seal on it.

Mr. N. Jackson inquired if this building is in the City.

Ms. Dickerson responded in the affirmative.

Mr. N. Jackson stated there are very few historic projects that have been supported in the unincorporated area. The Renaissance Foundation is a non-profit organization and it makes sense to support them because they can bring other funding to do this project instead of having to rely on City or County government to handle it. The County has done that with other projects and had non-

profits organizations to manage them. It takes the pressure off of the County and another entity does it. The Renaissance Foundation has been working diligently over the years to get the funding to do the project.

Mr. Malinowski requested a friendly amendment to direct the Administrator to search for property, up to and not to exceed the \$1.5M we have committed for the Civil Rights Museum. If this is the Richland County seal everybody wants on it then we can throw it under the Richland Renaissance Program, as well.

Mr. Livingston did not accept the friendly amendment.

Mr. Malinowski made a substitute motion, seconded by Ms. Dickerson, to direct the Administrator to search for property, up to and not exceeding \$1.5M, and to place the project under the Richland Renaissance Program.

Ms. McBride stated she wanted to go on record in support of Mr. Livingston's recommendation. She also stated this is her first year on this committee, but she attended the previous committee meetings. The majority of the Council members have set on this committee and they are fully aware of the commitment the committee and Renaissance Foundation has made. She thanked the members here in the audience for attending knowing the Council has been supportive of their efforts and that she plans to continue to support them. She further stated the funding was placed in the budget last year and Council voted on it.

Ms. Dickerson inquired if Council voted to set aside the funding for the Renaissance Foundation or for the Civil Rights Museum.

Ms. McBride stated she believes the funding was for the Civil Rights Museum.

Ms. Dickerson stated that is the difference with this funding. If we do this, it will mean that Richland County would have given this project \$2M.

Mr. Seals stated \$2.5M.

Ms. McBride inquired about where the funding was put in the budget.

Mr. Seals stated the funding was not given to the Foundation. It was designated for the purpose of establishing a Civil Rights Museum.

Ms. McBride stated she believes the intent was for the Foundation and was a part of the discussion.

Ms. Dickerson stated she begs to differ. She remembers voting for this, but she does not remember casting her vote to give \$1.5M to the Renaissance Foundation. She recalls putting the funds there, but she does not recall it being for that specific item.

Mr. Seals stated he could read it.

Ms. Dickerson requested Mr. Seals read it.

Mr. Seals stated, if you remember, we kept a listing of every action that Council took. Civil Rights and African-American Museum: Development of a Civil Rights and African-American Museum in the Southeast portion of the County to build upon the historical attributes of this area that will serve as

a long-term mechanism to generate tourism, related investments, Biennium I: FY2017-2018: \$2M – Hospitality Tax Fund Balance; Biennium II: FY2018-2019: \$2M – Hospitality Tax Fund Balance. The funding was not to the Foundation.

Mr. Livingston moved, seconded Mr. Pearce, to call for the question.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor of calling for the question was unanimous.

Mr. Pearce requested Mr. Malinowski restate the substitute motion.

Mr. Malinowski stated the motion was to use the funds set aside for the Civil Rights Museum and direct the Administrator to look for a suitable location in the Southeast portion of Richland County, as approved during the budget process, budget, and come back to Council with a recommendation.

In Favor: Malinowski and Dickerson

Opposed: C. Jackson, Myers, Pearce, Manning, N. Jackson, Livingston, Rose and McBride

The substitute motion failed.

Ms. Myers stated for the record the motion does not require the expenditure of any of the funding right now. It requires the Renaissance Foundation to acquire other funding and then come back to Council before the funding is released.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston, Rose, and McBride

Opposed: Malinowski and Dickerson

The vote was in favor of the committee's recommendation.

21. **REPORT OF THE CLERK'S AD HOC COMMITTEE** – Ms. Myers stated the Clerk's Ad Hoc Committee met and reviewed a final slate of applicants, as forwarded to them by the HR Department. The applicants were vetted through the new electronic system using the matrix outlined and then the HR Team physically. The committee plans to forward to full Council on March 15th a final slate of candidates to sit for interviews with all Council members who so desire for the position of Clerk to Council. We anticipate a slate of 6 candidates will be interviewed March 20 – 23. The interviews will be conducted from 1:00 – 5:00 PM. The committee expects Council will extend an offer to the successful candidate and begin work between April 1 and 15. The position will be full-time, exempt position. All members of Council are invited, and encouraged, to participate in the interviews. The interviews will take place in Chambers, but will be closed to the public as this is an HR matter. Specific questions, if Council members have any, will be entertained in Executive Session or may be emailed to the full committee.

Mr. Malinowski inquired if Ms. Myers stated the final slate of candidates was forwarded to her by HR. He thought the committee was selecting them.

Ms. Myers stated the position was advertised. HR has a system where it looks at what the job description is and as each candidate comes in it electronically selects those that are qualified. Then the HR Team went through and scored the candidates and forwarded to the committee those that reached a certain score. The

committee is evaluating the candidates who met all qualifications and will forward to Council members the final candidates.

Mr. Malinowski stated for clarification the committee did not evaluate all candidates that came in.

Ms. Myers stated the committee did not evaluate the candidates that did not meet the qualifications.

Mr. Malinowski stated the candidates were evaluated by an electronic system that we do not know if there has been error or not.

Ms. Myers stated she trusts the system because Mr. Hanna uses it regularly to hire. This is the Richland County system. We have not taken this position out of the normal County process, so we did not interview applicants whose responses were non-responsive or who did not meet the requirements.

Mr. Malinowski stated in the past the committee would actually do the labor intensive task of reviewing the applications themselves. His opinion is it was the committee's responsibility, not HR's position to get in it. He further stated Item 21(d) on the agenda is "Approval of Job Description". He inquired as to how Council can advertise for the position if we did not approve the job description.

Ms. Myers stated the whole Clerk's Ad Hoc Committee agenda was mistakenly included in the Council agenda. The committee was looking at the job description.

Mr. Malinowski inquired when the job description was approved.

Ms. Myers stated the job description is as in the ordinance. We have added language to make sure that we do not get into what Council told her they do not want to get into. The committee is approving the job description, not Council. The committee understood that was their job.

Mr. Malinowski stated he thought that was coming back to Council for input, as well.

Ms. Myers stated she is happy to email it to full Council.

Mr. Malinowski stated it was a little late. The position has already been advertised and has the applicants.

Ms. Myers stated for clarification there will nothing in it that was not advertised. What we are doing is making sure we do not get into the position we got into before where we were paying overtime for a position that should not incur overtime.

Mr. Manning inquired is the exempt/non-exempt went through Legal.

Ms. Myers stated the HR Department and the Legal Department provided input. The final input will be sent to outside counsel to ensure we do not make that mistake.

Mr. Manning stated he is concerned if we have not cleared it through Legal how we have advertised and told candidates what the position is they are applying for, but we are still waiting a Legal decision on what turned out to be the most major fiasco when Council did this last time.

Ms. Myers stated the exempt/non-exempt status was the question that had to do with particular things that were not included in the original description. Mr. Hanna and Mr. Smith have been helping us. Those things are all driven by how you word the description, not the content. She would like to discuss this in Executive Session. Some of it gets into granular detail.

Mr. Manning stated his only granular detail is we are waiting for a legal opinion whether we did right what we advertised for people to come into a position.

Ms. Myers stated we are not waiting for a legal opinion as to whether it is right or wrong. We are putting final finishing touches it. The concern is to make sure that we do not fall into that pit. That has been her concern from day 1. She and Mr. Hanna have been working on it from day 1.

Mr. Manning inquired as to why Council is spending tax money to get a legal opinion outside, if we have already made sure it is alright.

Ms. Myers stated what you typically rely on a legal opinion for is so that if anything goes wrong, Council could sue them and not rely on Mr. Smith. She stated she is comfortable with the job description.

Ms. Dickerson stated when we started working on this over a year ago there was an advertisement. When the committee first met, there was some change in the language from the job description and qualifications. It was re-advertised with those corrections. We did not eliminate the candidates that were there, but when we re-advertised we inserted a couple of changes to language and the job description. When the job description changed we kept all of the candidates that met those qualifications and then we turned it over to Mr. Hanna. The list that we had we went through and so many of those candidates did not meet the criteria. We could not close it because Mr. Hanna said the position was open until filled. Mr. Hanna prepared a list of all the applicants that met the qualifications. The committee was happy with that because that eliminated a lot of the ones that who were not qualified, per the job description.

Mr. N. Jackson stated the committee was requested to review the applications and make a recommendation of the final 5 or 6 candidates. That is the process we have used in the past. It has been 2 years since the process began, and he is glad we have reached a point where we can get the candidates to full Council and move forward. As for the job description, that was separate because what happened in the past. He is not sure when the job was advertised if it described it as salaried or other. Usually at the end of the process the successful candidate discusses the various compensation options. It is not necessarily relevant that we had to pass that part before we set the candidates.

Ms. McBride inquired if there was a cutoff score and how was it determined we were only going to interview 5 applicants.

Ms. Myers stated the committee voted on the number of applicants to be interviewed. The applicants were scored from 1-5. The applicants with a score of 4 and above were forwarded to the committee. There were 13 applicants that scored a 4 or above, which will be whittled down by the committee to a total of 6.

Mr. N. Jackson stated the committee will be presenting the final 6 applicants to full Council, which is why the committee has the binder with the applications.

Mr. Manning inquired as to what is being asked of the outside legal counsel with regard to this.

Ms. Myers stated we want external counsel to give us an opinion that ensures we are absolutely right we will not be charged for overtime with the way it is drafted. That does not change what we are requiring of a candidate because everything we have included in the job description and in the matrix for potential candidates will fall below that.

Ms. Dickerson stated the committee's report is for information only. Mr. Hanna was directed to provide binders to all of the Council members.

22. **REPORT OF THE BLUE RIBBON AD HOC COMMITTEE**

- a. Change Orders to Tetra Tech's Current Contract for Implementation of HMGP awards – Mr. Pearce stated the committee recommended approving 4 Tetra Tech project management task orders for grant management. There are no County funds involved and will expedite the County getting the HMGP funding.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. Additional HMGP Buy-Out Application – Mr. Pearce state the County was able to get additional funding through the Hurricane Irma event. The request is for approval to submit an additional pre-application for commercial buy-out.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- c. Single Family Home Replacement Program under CDBG-DR – Mr. Pearce stated the committee recommended Council approve submitting an RFP to the 5 General Contractors for bids to demolish the existing structures and replace them with 1200 sq. ft., 3 BR, 2 BA houses. Originally we were going to repair these houses, but they were found to be in such disrepair it was more economical and better for the homeowners to replace the houses.

Mr. Malinowski stated he wanted to be sure no one is left out because when he took the numbers on p. 244 it seemed like there were 3 homes missing from the total.

Ms. Hegler stated staff is only recommending replacing homes that become more economically feasible to replace than repair.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Livingston, to reconsider all of the Blue Ribbon Ad Hoc Committee items.

Opposed: In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion failed for reconsideration.

Mr. Pearce stated the County's staff has been recognized nationally for their work with the flood.

23. **OTHER ITEMS**

- a. FY18 – District 11 Hospitality Tax Allocations – Mr. Livingston moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.

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

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, and McBride

The motion failed for reconsideration.

- b. A Resolution to appoint and commission Jered Brien Nisky as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County {Emergency Services} – Mr. Manning moved, seconded by Mr. Pearce, to approve this item.

Mr. Livingston inquired if they will have guns.

Mr. Seals responded they will not have guns.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

24. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – Ms. Virginia Sanders and Ms. Bernice G. Scott spoke regarding the Pinewood Lake Park.

Ms. Andra Green-Castor spoke regarding the Aquatics Center at Garner's Ferry Adult Activity Center.

19. **EXECUTIVE SESSION**

In Favor: Malinowski, C. Jackson, Pearce, Myers, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous to go into Executive Session.

Council went into Executive Session at approximately 9:04 PM and came out at approximately 9:10 PM

- a. Contractual Matter: PDT – Mr. Livingston moved, seconded by Mr. Pearce, to direct the County Attorney to go forward as discussed in Executive Session.

In Favor: C. Jackson, Myers, Pearce, Dickerson, N. Jackson, Livingston, and Rose

Opposed: Malinowski and Manning

The vote was in favor.

27. **MOTION PERIOD**

- a. Request that Council approve a Resolution supporting Senate Bill 833 and House Bill 3896; Lot Cleanup Legislation. These bills would provide the same authority currently provided to municipalities and would allow the county to pass an Ordinance that the owner of any property in the county must keep their property clean of debris and other unsightly conditions constituting a nuisance. If the property owner fails to correct the conditions constituting the nuisance, the county would have the authority to enter the property, correct the conditions and collect the cost of the cleanup on the property tax bill. Farm land is exempt from the provisions of these bills. If passed by Council, a copy of the Resolution supporting the legislation should be sent to each member of the Richland County Legislative Delegation. [PEARCE] – Mr. Pearce stated people have been grousing about being unable to clean up lots. It is because the County does not have the authority under statute to do this. The bill is pending and has a good chance of passing. He is requesting a resolution to be sent to the Legislative Delegation supporting the change in the law.

Mr. Malinowski stated he agrees with Mr. Pearce that we need to do something about cleaning up a lot of areas; however, he is somewhat reluctant to pass a resolution and send it to them when we do not have the details of what they are going to put in there.

Mr. Pearce stated the law is listed in the motion.

Mr. Malinowski stated he read the motion and he has questions. There are no definitions for what they mean on some of the verbiage.

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt a resolution supporting Senate Bill 833 and House Bill 3896.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- b. Move that the Rules & Appointments Committee review the current County Council Rules and offer amendments for consideration by Council that would clarify exactly how County Council voting will occur with specific reference to how a non-vote (i.e., not a “yes”, “no” or “abstain” vote) from a member present at the meeting shall be counted or not counted. [PEARCE] – This item was referred to the Rules and Appointments Committee.
- c. Move that the Chair and Vice Chair review all of the Committees and Liaison assignments listed on the document distributed every January and purge from this list all of those items that are no longer active. (Example: Commission on Aging Ad Hoc Committee; Consolidation & Privatization Committee). [PEARCE] – Ms. Dickerson stated she and Mr. Malinowski have been working on this matter.

Mr. C. Jackson stated, in addition to what the Chair and Vice Chair is working on, there needs to be a formalized process where the external groups Council is members of be informed on a regularly basis.

Mr. Livingston requested the Chair and Vice Chair recommend to full Council prior to them being purged from the committee listing.

- d. Consider two big items to the Renaissance Plan, one in the Southeast and the other in the Northeast. A Basketball complex in the Southeast and a Baseball complex in the Northeast. (Revenue producing) NOTE: Some of the most popular basketball tournaments in Richland County the Chick-fil-a Classic turn away visitors. Richland School Districts 1 & 2 pays a tremendous amount of money annually for rental of the Coliseum for graduation services. The use of the basketball complex could be used for graduation services, bringing in much needed revenue to the County. It is difficult for Richland County to host sports tournaments because visitors have to drive and navigate to get to different parks not adequately equipped. [N. JACKSON] – This item was referred to the A&F Committee.
- e. To clarify the motion passed to move forward with the Renaissance Plan. Motion was to “move forward with the plan, to include the necessary purchase by the Administrator, as discussed in Executive Session.” NOTE: The motion did not give the Administrator permission to purchase additional property or make decisions without input and approval of full Council. In executive session the discussion included Vision, Draft and Public Input. It is paramount that this process is not ignored [N. JACKSON] – This item was referred to the A&F Committee.
- f. Develop an overlay for Garners Ferry Road and Sumter Highway Corridor eastward, for setbacks, signage, borders, shrubbery, and other appearances to keep the rural character [N. JACKSON] – This item was referred to the D&S Committee.
- g. I move that Richland County Council and Columbia City Council hold a roundtable discussion on things we can partner on, annexation issues, planning and other issues pending [N. JACKSON] – This item was referred to the Consolidation & Privatization Committee.
- h. Resolution honoring Captain Robert Ragland on his retirement and 25 years of exemplary service to the citizens of Richland County, in particular Lower Richland [N. JACKSON] – Mr. N. Jackson moved, seconded by Mr. Malinowski, to adopt a resolution honoring Captain Robert Ragland.

In Favor: Malinowski, Pearce, Kennedy, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

ADJOURN – The meeting adjourned at approximately 9:21 PM