



Richland County Council

SPECIAL CALLED MEETING
October 15, 2019 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Beverly Harris, Angela Weathersby, Stacey Hamm, Leonardo Brown, Jennifer Wladischkin, Clayton Voignier, Kim Williams-Roberts, James Hayes, Ashley Powell, John Thompson, Quinton Epps, Christine Keefer, Nancy Stone-Collum, Michael Niermeier, Janet Claggett, Brad Farrar, Geo Price, Michael Byrd, Judy Carter, Sandra Haynes, Larry Smith, Jeff Ruble David Bertolini, John Hopkins, Allison Steele, Eden Logan, Brittney Hoyle Terry, Cathy Rawls, Paul Brawley Tariq Hussain and Chris Eversmann

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The invocation was led by the Honorable Allison Terracio
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Allison Terracio
4. **PRESENTATION OF PROCLAMATIONS**
 - a. **Community Planning Month Proclamation** – Mr. Livingston presented Mr. Voignier with a proclamation in honor of Community Planning Month.
5. **PRESENTATION**
 - a. **Serve & Connect** – The presentation was deferred until the November 19th Council meeting.
 - b. **United States Census Bureau** – Ms. Doris Green gave an overview of the upcoming 2020 Census.
6. **APPROVAL OF MINUTES**
 - a. **Regular Session: October 1, 2019** – Ms. Dickerson moved, seconded by Ms. Myers, to approve the minutes as distributed.

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

Present but Not Voting: Newton

The vote in favor was unanimous.
7. **ADOPTION OF THE AGENDA** – Mr. Jackson stated that Item 18(a): “Greenway Project Funding Alignment” should be listed as a First Reading item.

Mr. Smith requested to add an item under the Report of the Attorney for Executive Session Items entitled “Electronic Monitoring and Home Detention”, which is a contractual matter.

Mr. Livingston stated Hospitality Tax Allocations for Districts 3 and 10 needs to be added under Other Items.

Mr. Walker moved, seconded by Ms. Dickerson, to adopt the agenda as amended.

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

Present but Not Voting: Kennedy

The vote in favor was unanimous.

8. **REPORT OF ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- a. Economic Development/Contractual
- b. Brown vs. Election Commission
- c. SC Dept. of Revenue vs. Richland County Update
- d. Richland County vs. Program Development Team Update
- e. Electronic Monitoring/Home Detention

Mr. Malinowski moved, seconded by Ms. Myers, to go into Executive Session to take up Items b, c and d.

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

The vote in favor was unanimous.

Council went into Executive Session at approximately 6:22 PM and came out at approximately 6:40 PM

Mr. Walker moved, seconded by Mr. Jackson to come out of Executive Session.

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

The vote in favor was unanimous.

- b. Brown vs. Election Commission – No action was taken.
- c. SC Dept. of Revenue vs. Richland County – No action was taken.
- d. Richland County vs. Program Development Team – No action was taken.

9. **CITIZENS’ INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No one spoke during Citizens’ Input.

10. **CITIZENS' INPUT**

- b. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time) – No one spoke during Citizens' Input.

11. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. FOIA Request for PDT Records – Mr. Brown stated they are looking at how to respond to the many requests that they have received related to the information, and trying to be transparent to the public. He stated he reached out to the PDT and asked if there were any documents, contained in the files, they deemed to include sensitive information. The PDT mentioned there was certain citizen information that was person and private, so the County should not do a general release of the documents. We are looking at options to get to the "meat" of the information quicker. There were suggestions made by various parties about how we could get people to look at the information, and parse it out into smaller bites, so the public can see the information.
- b. Signs in County's Right-of-Way – Mr. Brown stated they have received a couple requests related to signs being in the County's right-of-way that are not appropriate. They are working to find a way to leverage more staff than just the designated Code Enforcement Officers. The employees spend the majority of their time out picking up signs, but that is not their primary goal. They want to use more employees that are traveling the County roads, and while they are out be able to utilize that time to pick up signs that are not supposed to be in the County's right-of-way. Looking at the County's ordinance and process, they want to make sure that we do not haphazardly pick up signs in a way that is inconsistent with the ordinance.

Ms. Dickerson stated the signs tend to have telephone numbers on them. Rather than putting us in harm's way, could we just call the people?

Mr. Brown stated that sounds like an option we may be able to use.

Ms. Dickerson stated it is dangerous for staff, and Council members, to pick up these signs due to where they are located.

Ms. Kennedy stated she thinks, if we fine the people, they will stop putting the signs out.

Ms. Dickerson stated it is not just those signs. The County is inundated with signs from businesses that have left. She stated the businesses have 30 days to remove those signs when they leave. If you travel up and down these corridors, some of those businesses have signs that have been there for years. She has been trying to get those signs removed, and they are definitely outside of the ordinance.

12. **REPORT OF THE CLERK OF COUNCIL**

- a. Institute of Government Classes & County Council Coalition, October 23 – 24, Embassy Suites – Columbia, 200 Stonebridge Drive – Ms. Roberts reminded Council of the upcoming SCAC Institute of Government classes and County Council Coalition.
- b. Resilient Richland: One Year Later, October 25, 8:30 AM, United Way, 1818 Blanding Street – Ms. Roberts reminded Council of the upcoming Resilient Richland: One Year Later event at the United Way offices.

- c. 15th Annual Korean Festival, October 26, 11:00 AM – 6:00 PM, Korean Community Presbyterian Church, 1412 Richland Street – Ms. Roberts reminded Council of the upcoming Korean Festival. The festival will be held at the Korean Community Presbyterian Church.
- d. “A Night at the Symphony”, October 27, 5:00 PM, Harbison Theatre at Midlands Technical College, 7300 College Street, Irmo – Ms. Roberts reminded Council of the upcoming “A Night at the Symphony” at the Harbison Theatre at Midlands Technical College.
- e. CASA’s Superhero 5K Family Fun Day, November 2, 8:00 AM – 1:00 PM, Segra Park – Fireflies Stadium – Ms. Roberts reminded Council of the upcoming CASA Superhero 5K Family Fun Day event at Segra Park.

13. **REPORT OF THE CHAIR**

- a. Proposed Retreat Locations – Mr. Livingston stated it is getting close to time for the Council Retreat. He stated the proposed locations of Charleston County, Greenville County and York County were selected because some of the issues that we may be covering (i.e. Transportation Penny and blight) are issues those counties have experienced. He stated a decision needs to be made so we can identify the location and make reservations.

Mr. Malinowski stated many times, throughout the course of the year, Council members comment they would like to see the jobs go to Richland County residents. They would like to see the spending go to Richland County small businesses, so it seems odd that in picking our Retreat location, we do not have Richland County as an option. He stated we just presented a proclamation to Mr. Voignier that said, “for all residents to be meaningfully involved.” He does not know how residents can be meaningfully involved, if we make the Retreat the distances we do from the County. This is a planning session, which County Council attends, where we are making potential decisions on how we want to move forward during the course of the next year. He thinks citizens should have the opportunity to be present.

Mr. Malinowski moved, seconded by Mr. Walker, to add Richland County to the list of proposed Retreat locations.

Ms. Myers stated she recognizes the concern that was raised. However, the intention was to go and study best practices in places, so we can learn from other people and not simply sit in a room and talk, but listen to our peers who have done things well, which we are trying to do well. She does not disagree the citizens should have fair and full access. She recommended having an open session after the Retreat that allows citizens to come and comment. At some point, we have to look at how things are being done at other places, and employ some of those best practices.

Mr. Malinowski stated he understands what Ms. Myers is saying. However, in past retreats, we are there, and we bring the people in. They are not necessarily from the area where the Retreat is held. If somebody has a best practice, we can certainly bring them to the location we decide to hold the Retreat. We are not holding a retreat in one location merely to go after best practices from that location.

Ms. Myers stated, for clarification, the Retreat should also include site visits, so you can go and see what has been done.

Ms. Terracio stated she agrees with Mr. Malinowski that the Council Retreat should be held close to home, if not at home, so that we can have input from our citizens as we consider the year ahead.

She stated she does like the idea of sending a Council delegation to another place where we get to meet with some of our counterparts. Ideally, we should be doing that at our conference. She would support us visiting all of these places, and coming back and holding a debriefing.

Ms. Dickerson stated, during the time she has served on this Council, we have had these discussions many times. If we really want to have the community engaged and involved, we have to have something planned, so we can know what we are giving them. If it going to be a Retreat where we engage the community, that is one thing, but if it is a Retreat where we are trying to gather information on various items, that is something else. She stated we have had a couple retreats here in Columbia, and from past experience they do not work. Half of the people do not show up, and it has not been successful. She inquired how the proposed locations were chosen because full Council did not have any input.

Ms. Kennedy stated she wholeheartedly agreed with Ms. Dickerson.

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

Present but Not Voting: Kennedy

The vote in favor was unanimous.

Mr. Livingston inquired how soon we will need to decide on a location in order to make reservations.

Ms. Roberts stated there is no deadline, per se, but the sooner the better because hotel and conference spaces fill up very quickly. There were two (2) tentative dates proposed for the Retreat; January 16-17 or January 23-24, so it would be helpful if Council had a preference, as she goes forward with securing a location.

Mr. Livingston requested Ms. Roberts to look at the availability at the different locations prior to the November 5th Council meeting.

Ms. Roberts stated the locations on the agenda have availability. She also checked a few places locally in Richland County. Council Chambers would be available. Parklane Adult Activity Center was not available. If there are any other suggestions, please let her know.

Ms. Newton stated she thinks we need to discuss what the objectives are for the Retreat, and what the objectives are for public involvement. For example, there is a desire to have the public participate. Her understanding of the way these meetings are held, there is not a forum during the Retreat for citizens to comment, even though they would be able to watch. If we are talking about doing site visits, consulting our calendars would not be enough. We would want to have information about what we might see were we to visit a different county or a location in Richland County. She would suggest, when we come back, we come back prepared to have a discussion about what it is we are trying to accomplish.

Ms. McBride stated we all want constituent involvement, but what is the purpose of the Retreat. Is it for us to pull back and get knowledge for ourselves, and look at all of the things that are going on? Is there a portion of it where we need the input from the constituents? We need to look at the purpose, and then, based on the purpose, we can determine what is appropriate and when we need to meet to involve others. We have our need to retreat to be together. We have the need for

constituent input. We have the need for exemplary programs and site visits, so we need to determine those needs, and define our purpose.

Ms. Dickerson stated we need to find out what the agenda is. We have to outline a great agenda, so we know how to plan. If we want citizens' input, she does not think 2 days will do it because we seldom have time to do what we need to do. She thinks Council members are going to have to have input into what the agenda is going to be.

14. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for infrastructure credits to REI Automation, Inc. and REI Automation Land Company, LLC; and other related matters – No one signed up to speak.

15. **APPROVAL OF CONSENT ITEMS**

- a. 19-019MA, Sherri Latosha McCain, RS-MD to OI (1.25 Acres), 250 Rabon Road, TMS # R17116-01-06 [THIRD READING]
- b. 19-035MA, Tiffany Harrison, RU to LI (456.01 Acres), Blythewood Road, TMS # R15100-03-01 R15100-01-07, R12500-02-06 & R12600-03-03 (Portion) [THIRD READING]
- c. 19-036MA, Tiffany Harrison, RU to GC (27.54 Acres), Blythewood Road, TMS # R15100-01-04 [THIRD READING]

Ms. Dickerson moved, seconded by Ms. Newton, to approve the consent items.

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

The vote in favor was unanimous.

16. **THIRD READING ITEMS**

- a. 19-027MA, Phil Savage, RU to GC (8.23 Acres), Dutch Fork Road, TMS # R02501-03-22 (Portion) – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item until Mr. Savage has satisfied the County ordinance requirements, and staff informs the Clerk's Office to place the item back on the agenda.

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

The vote in favor was unanimous.

- b. 19-034MA, Nick Stomski, CC-3 to CC-4 (4.02 Acres), 700 Blue Ridge Terrace, TMS # R09409-01-02 & R09405-07-03 – Ms. Dickerson moved, seconded by Mr. Walker, to approve this item.

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

The vote in favor was unanimous.

- c. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for infrastructure credits to REI Automation, Inc. and REI Automation Land Company, LLC; and other related matters – Mr. Jackson moved, seconded by Ms. Dickerson, to approve this item.

Ms. Dickerson stated she requested Mr. Ruble to follow up with the constituents in this area to ensure those that had objections had their concerns were address.

Mr. Ruble stated he had followed up with the constituents.

Mr. Malinowski questioned where it talks about administrative fees and how much we can ask for. He wanted to ensure we have a system in place that makes sure we get the administrative fees we are owed for the work done. He stated he has seen too many other things go by the wayside that are not followed up on. His other concern is in Exhibit "B" where it talks about an infrastructure credit. It says, the infrastructure credit "shall be in the amount of 15%". He inquired as to the dollar they are getting. On the \$3M investment, we are allowing them to invest, it seems it would not take much and we are going to end up paying for the infrastructure through the credits.

Mr. Ruble stated he does not have the spreadsheet in front of him. This item ran through EDC, and the spreadsheet was looked at back then. He stated a 15% credit is not a large credit, everything being considered. The company is off Veteran Road, and design robotic machines. It is a very good, small company, which is growing rapidly. He thinks the committee felt like the 15% credit was a small token considering the amount of growth they are doing.

Mr. Malinowski inquired if there is an agreement in place.

Mr. Ruble responded not that he was aware.

Mr. Malinowski inquired if we are willing to do this for \$3M.

Mr. Ruble responded in the affirmative. He stated it is a tough thing to try to help small companies.

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

The vote in favor was unanimous.

17. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a Public Infrastructure Credit Agreement to provide for public infrastructure credits to Ballpark, LLC; and other related matters [FIRST READING] – Mr. Jackson stated the committee recommended approval of this item.

Mr. Malinowski inquired if we have a certification date yet.

Mr. Ruble responded that they did not have a certification date.

Mr. Malinowski inquired as to when we will get the certification date. According to Sec. 2.2 (b), “The Company shall certify its actual investment in the Public Infrastructure to the County by the Certification Date.”

Mr. Ruble stated the way we structure that is that the Company will be invest in public infrastructure, in the course of their construction process. After the construction is completed, then they certify they have invested it back to the County, and they are reimbursed. Therefore, the certification will likely not take place for 2 – 3 years. He stated the Company does not get their incentive until after that time.

Mr. Malinowski inquired if this is strictly about infrastructure.

Mr. Ruble responded in the affirmative. The incentive is capped at the amount of the public infrastructure.

Mr. Malinowski stated that means we are ultimately paying for the infrastructure.

Mr. Ruble stated the Company is paying taxes. We are allowing them to pay less tax, and in doing so, they are investing in public infrastructure. We are encouraging them to invest in the County.

Mr. Malinowski stated we may be giving them credits, but we are ultimately we are paying for the entire infrastructure.

Mr. Ruble stated we are providing an incentive, but we are tying it to public infrastructure. Critics, to a program like this, would say we are lignin the pockets of out-of-town developers. We are ensuring that is not occurring. We are making sure the incentives the Company is receiving are directly tied to them investing in our community.

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

Opposed: Malinowski

The vote was in favor.

18. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Greenway Project Funding Alignment – Mr. Jackson stated as a result of the decision by Council at the last meeting, we needed to correct this item, and present it as a First Reading item.

Ms. Terracio stated, in these realignments, we want to make sure we are building greenways that connect people with places. At the same time, she wanted to check on the expertise we have in-house regarding greenways. It is important these projects are specialty projects, and they are treated as such. She inquired about what steps have been taken to ensure that we are hiring, or consulting with, individuals with greenway expertise.

Mr. Brown stated, to his knowledge, we do not currently have people on staff that would say they are greenway experts.

Ms. Terracio stated there are individuals in the community that are intimately associated with these projects, so she would hope that we would be working with those individuals.

Mr. Niermeier stated we are not hiring directly for an expert. Mr. Jeff McNesby has some experience with greenway projects in Beaufort County. Obviously, many of our OETs need to acquire that type of capability, if they are going to be designing these things. Additionally, through our staff augmentation, which will be in place in the next few weeks, if we need to reach out and find a particular expertise for a project, we will have that ability.

Mr. Malinowski stated the briefing document states the PDT has evaluated the remaining projects and submitted a recommendation. He inquired if Richland County staff has independently evaluated each of them.

Mr. Niermeier responded in the affirmative, and they concur with the recommendation.

Ms. Myers inquired if there was any public meetings/input on the Dutchman Boulevard Connector.

Mr. Niermeier stated, if he recalls correctly, they tried to track down a HOA, with that segment of the greenway, and he does not believe they were able to do so.

Ms. Myers stated, in places where we do not have HOAs, we put up signs and people come. She inquired if we did that in this instance.

Mr. Beaty responded, since the time of the referendum, the area that was identified for a potential greenway has been fully developed. There has been an apartment complex and industrial park constructed on the property that was identified. For that reason, they have not recommended any public involvement, or any further design be studied, because there is physically no place to put the greenway.

Ms. Myers inquired, if we decided, without any public involvement, to move the money somewhere else because there are buildings there now, considering this is a referendum project.

Mr. Beaty stated he does not think anything has been decided. They have recommended not to move forward with, but there is still the potential to put up signs and notify the public that nothing is going to happen in the vicinity.

Ms. Myers stated these are all a package; therefore, she wants to be clear that we use the same process for making changes to each one. If the same process was not followed, there may be some concern there has not been fairness about it, once we make the decision. She inquired if the same process was followed for all of the ones that we are making changes to.

Mr. Niermeier stated he could not answer that directly. About 4 – 5 months ago, he spoke at the Eau Claire Building and this was a topic of conversation for Smith/Rocky Branch. At that time, they talked about the three (3) segments, and how two (2) of them is untenable.

Ms. Myers stated she is in favor of making the changes and getting the greenways underway. She is not in favor of making the changes without consistent processes.

Mr. Niermeier stated a lot of this predates him, so he does not know the background for many of these projects.

Ms. Terracio stated, as we look at these realignments, and we know that some of the sections are anticipated to not have enough funding to build them, as they were originally conceived. She

inquired, if we have looked, as a County, into leveraging other funding sources (i.e. State and Federal).

Mr. Niermeier stated one of the tasks of the PDT, throughout its contract, has been to seek outside sources of funding. As we continue on, we will explore other opportunities, in conjunction with our Grants Department.

Ms. Terracio inquired; if we go through the process of three (3) readings and a public hearing does that trigger any dollars spent, in terms of new design fees.

Mr. Brown responded, as Council decides these are projects they want to continue with, if there are funding concerns, staff will look at other alternatives. He thinks this is one of the questions that is yet to be determined, as to which projects will be funded that may be short of funds, and which sources of funding will be available.

Mr. Niermeier stated no money is being spent on this until a decision has been made. Once those decisions are made they will be able to move forward with designs, permitting or right-of-way acquisition.

Mr. Jackson stated that all of these are good questions. He is certain that Mr. Niermeier has noted them, and when this comes back for 2nd Reading, he will be prepared to respond specifically to them.

Mr. Smith wanted to ensure Council was aware this was an amendment to 039-12HR, which is the Penny Tax Ordinance.

In Favor: Terracio, Jackson, Myers, Kennedy and Livingston

Opposed: Malinowski and Walker

Abstain: Dickerson and McBride

Present but Not Voting: Newton

The vote was in favor.

19. **OTHER ITEMS**

- a. Change Orders for CDBG-DR Rehabilitation Projects – Ms. Myers moved, seconded by Ms. Newton, to approve this item.

Mr. Malinowski inquired if this work has already been done.

Mr. Voignier stated this work has not been done. This will authorize funding for us to do the work.

Mr. Malinowski stated, it seems to him, the change orders, for the most part, tend to deal with the same, which is the HVAC system being a safety issue and not functioning properly. It seems we may have a major oversight in the bid process and who is saying out what is needed. For somebody to successfully receive a bid, and then come back with a 66% and 74%, respectively, in change orders, is not acceptable. We need to ensure these things do not continue to happen, and more attention is given to what needs to be done on this particular projects. Additionally, on one it says we are going

to remove and replace a 50-gallon electric water heater, then two lines down it says repair piping on water heater. If you are removing and replacing it, why are you now repairing it. He stated he would like to see the hours worked, in regard to the labor costs.

Ms. Teasdell stated, when it speaks about the water heater on the project at 1800 Suber, it is to remove the water heater and replace it, but the piping under the water heater was bad, as well, so that has to be replaced.

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

Opposed: Malinowski

Present but Not Voting: Jackson

The vote was in favor.

- b. FY20 – District 7 Hospitality Tax Allocations – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

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

Present but Not Voting: Jackson

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Terracio, to reconsider this item.

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

Present but Not Voting: Jackson and Walker

The motion for reconsideration failed.

- c. FY20 – District 9 Hospitality Tax Allocations – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

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

Present but Not Voting: Jackson

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Terracio, to reconsider this item.

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

Present but Not Voting: Jackson and Walker

The motion for reconsideration failed.

- d. FY20 – District 3 Hospitality Tax Allocations – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

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

Present but Not Voting: Jackson

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Terracio, to reconsider this item.

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

Present but Not Voting: Jackson and Walker

The motion for reconsideration failed.

- e. FY20 – District 10 Hospitality Tax Allocations – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

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

Present but Not Voting: Jackson

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Terracio, to reconsider this item.

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

Present but Not Voting: Jackson and Walker

The motion for reconsideration failed.

20. **EXECUTIVE SESSION** – Mr. Malinowski moved, seconded by Ms. Kennedy, to go into Executive Session.

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

Present but Not Voting: Jackson and Livingston

The vote in favor was unanimous.

Council went into Executive Session at approximately 7:35 PM and came out at approximately 8:08 PM

Mr. Jackson moved, seconded by Ms. Dickerson, to come out of Executive Session.

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

Present but Not Voting: Terracio, Kennedy and McBride

The vote in favor was unanimous.

- a. Economic Development/Contractual – No action was taken.
- b. Electronic Monitoring and Home Detention – Ms. Myers moved, seconded by Ms. Terracio, that the County's current contract with Offender Management Services and the Addendum be extended for and additional year.

Mr. Malinowski stated he would like to know why, as we get near the end of contracts, all of a sudden it is hurry up and vote to give us what we need because we cannot have it lapse. He inquired as to who is responsible to know this contract will expire October 31st. It seems Council should have had this in front of them at the end of September to give those that have questions and opportunity to get their answers. He inquired if this is the only company that offers this service, and how many of those that are monitored remain within the boundaries. In addition, he inquired as to how many monitors the County is currently paying for. He stated he believes in due process, and you are innocent until proven guilty; however, want about the victims because there are many of these people, which have these monitors, are committing other crimes. He stated we need some statistical data before we move forward with another contract, to spend taxpayers' monies, that we do not have the answers. We are going to spend the money, for those that cannot afford it, and encourage them to possibly continue to commit crimes because it is not coming out of their pocket.

Ms. Myers stated, for the record, she does not believe that people who are out of jail, and are under ankle monitoring are, by definition, committing other crimes.

Mr. Malinowski stated he spoke with the Sheriff's Department, and they are the ones that told him that people out on ankle monitors actually do commit other crimes. In addition, he spoke with some individuals that had been directly affected by this company, as well as attorneys who have been engaged with this company. They described this company as individuals that have been rude and unprofessional, and we need to be careful in how we are spending taxpayer money to pay for something.

Ms. Myers amended her motion to include that the services be competitively procured in time for the service provider awarded the new contract to be in place before the expiration of the coming year.

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

Opposed: Malinowski and Walker

Present but Not Voting: Jackson, Kennedy and McBride

The vote was in favor.

21. **MOTION PERIOD** – There were no motions.
22. **ADJOURNMENT** – The meeting adjourned at approximately 8:14 PM.