



Richland County Council

REGULAR SESSION

December 3, 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, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio and Joe Walker

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Beverly Harris, Angela Weathersby, Leonardo Brown, Jennifer Wladischkin, Clayton Voignier, Kim Williams-Roberts, James Hayes, Ashley Powell, Quinton Epps, Michael Niermeier, Janet Claggett, Geo Price, Michael Byrd, Judy Carter, Sandra Haynes, Larry Smith, Brittney Hoyle Terry, Cathy Rawls, Tariq Hussain, Dwight Hanna, Ronaldo Myers, Dale Welch, Tyler Kirk, Pam Davis, Chris Eversmann, Stephen Staley, Robin Carter, Synithia Williams, Gary Watts and Brad Farrar

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 Bill Malinowski
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Bill Malinowski
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: November 19, 2019** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve the minutes as submitted.

Ms. Newton requested clarification on which committee the motion, which is 23(a) on p. 31 of the agenda packet.

Mr. Livingston stated the item will be referred to the D&S Committee.

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

Opposed: Malinowski

Present but Not Voting: Manning

The vote was in favor.
 - b. **Zoning Public Hearing: November 21, 2019** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve the minutes as submitted.

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

Present but Not Voting: Myers and Manning

The vote in favor was unanimous.

5. **ADOPTION OF THE AGENDA** – Ms. Kennedy moved, seconded by Ms. Newton, to adopt the agenda as published.

Mr. Smith requested to add two (2) items to the agenda under the Report of the Attorney for Executive Session; Contractual Matter: COMET Payments and Pending Litigation: Richland County vs. PDT. He also requested to defer action on Item 16(a): “Little Jackson Creek/Spring Valley HOA request to remove sediment” until after Executive Session.

Mr. Manning inquired if those items came in after the agenda was sent out.

Mr. Smith responded the items did not come in after the agenda was sent out.

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

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

Opposed: Manning

The vote was in favor.

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

- a. Richland County vs. SC Dept. of Revenue Update
- b. Contractual Matter: COMET Payments
- c. Pending Litigation: Richland County vs. PDT
- d. Little Jackson Creek/Spring Valley HOA request to remove sediment

7. **CITIZENS’ INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No one signed up to speak.

8. **CITIZENS’ INPUT**

- a. 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) – Mr. Matthew Graves spoke about the management of the Transportation Penny Program.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Plastic Bag Ordinance Update – Ms. Davis stated the Plastic Bag Ordinance Task Force is comprised of 18 employees representing 9 divisions. The task force is a response to the direction by Council of August 1, when Council gave 2nd Reading to the ordinance. Staff was instructed to conduct an education and feedback campaign and to bring back a plastic bag ban ordinance ready for 3rd

Reading in 1-year. The first step in the process is conduct surveys. Two surveys have been developed. One for residents, and one for the business community. The surveys were provided to Council in early November for review and feedback. The task force has identified many different stakeholder groups, and many different ways to reach out to them. The survey period will be for 3 ½ months; starting December 6 (Arbor Day) and ending on March 18, 2002 (World Recycling Day). The second step in this process is roundtables. The County will be hosting several roundtable meetings around the County, but they will also be reaching out to the stakeholders to inquire if they can come to their meetings. The roundtable period will be 3-months, which will be March 1 – May 30. The final step in the process is the ordinance preparation for 3rd Reading. The task force will be looking at the general consensus from the surveys, and the roundtables. They will use the information to revise the ordinance for 3rd Reading. The ordinance preparation period is 2 months, which will run from May 1 – June 30. The plan is to bring the ordinance back before Council in July.

Mr. Malinowski stated, for clarification, this is a done deal and we are having an ordinance created, to the exclusion of any input, at this point. He stated it could ultimately be decided that this ban is not wanted, and there is no need to go with those steps.

Ms. Davis stated we want to make sure that we do not limit the input to surveys. We want to have the roundtables, as well. If the overwhelming response is “no” we do not want it, then we would have to bring that to Council’s attention because that would be in conflict with Council’s direction to bring something for 3rd Reading.

10. **REPORT OF THE CLERK OF COUNCIL**

- a. Richland County Conservation Commission & Soil & Water District Holiday Drop-In, December 10, 4:30 – 6:00 PM, 3rd Floor Atrium – Ms. Roberts reminded Council of the upcoming Conservation Commission and Water & Soil District Holiday Drop-In.
- b. CentralSC Holiday Drop-In, December 12, 5:00 – 7:00 PM, CentralSC Atrium, 1201 Main Street, Suite 100 – Ms. Roberts reminded Council of the upcoming CentralSC Holiday Drop-In.
- c. Richland County’s OSBO Business Appreciation Mixer, December 12, 6:00 – 8:00 PM, Decker Center – Community Room, 2500 Decker Boulevard – Ms. Roberts reminded Council of the upcoming OSBO Business Appreciation Mixer.

Ms. Dickerson requested an explanation of this invitation.

Ms. Powell stated it is her understanding that it is a mixer to appreciate small businesses that interact with the OSBO Office, but she will follow-up with Ms. Keefer and provide a definitive explanation of the invitation.

- d. Richland County Magistrate’s Holiday Luncheon, December 13, 11:30 AM, Trinity Education Community and Conference Center, 2523 Richland Street – Ms. Roberts reminded Council of the upcoming Richland County Magistrates’ Holiday Luncheon.
- e. December Meeting Schedule: (a) December 3 – Regular Session; (b) December 10 – Special Called; (c) December 17 – Development & Services, Administration & Finance, and Zoning Public Hearing – Ms. Roberts reminded Council of the December meeting schedule.

11. **REPORT OF THE CHAIR**

- a. **Livestreaming Retreat** – Mr. Livingston stated, as you recall, at the last meeting we took action on the location of the Retreat, but part of the discussion, before we determine if we are going to livestream the Retreat, was the costs. Starting on p. 35, of the agenda, there information in relation to the fiscal impact of livestreaming or recording the Retreat. To livestream would be approximately \$10,384.00, and the total cost for recording would be approximately \$8,598.00.

Mr. Brown stated the hotel will not allow outside equipment for recording, so you would have to use their equipment if you would like to record or livestream.

Ms. Dickerson inquired if we livestreamed the Retreat last year.

Mr. Livingston responded that we recorded the Retreat last year.

Mr. Manning inquired if there are two (2) different costs.

Mr. Brown stated to record is \$8,598.26, which is reflected on p. 43 of the agenda packet, and to livestream is \$10,384.90, which is reflected on p. 37 of the agenda packet.

Mr. Manning inquired if we are adding those numbers up to be \$18,900, or is it a matter of an additional \$2,000 to see it, while we meet.

Mr. Brown was informed by IT that the \$10,384.90 includes livestreaming and recording of the Retreat, and to only record the Retreat would be approximately \$8,600.

Mr. Manning inquired if we are going to record it, at \$8,600, or are we going to add another \$2,000 to livestream.

Mr. Livingston stated he believes the intent is to record the Retreat, but the question had to do with livestreaming.

Mr. Manning stated, for clarification, the Retreat is going to be recorded.

Mr. Livingston stated he is not sure we have determined that.

Ms. McBride stated last year it cost approximately \$3,100 to record. This year it has gone up to over \$8,000. The number of views to date of last year's Retreat is 144, so we need to consider the fiscal impact.

Ms. Terracio moved, seconded by Mr. Manning, to record and livestream the Retreat.

Ms. Newton made a substitute motion, seconded by Ms. Dickerson, to record the Retreat.

Ms. Myers offered a friendly amendment to only record those portions that are appropriate for public dissemination.

Mr. Manning made a 2nd substitute motion, given this new information, that we hold the Retreat in Chambers and livestream it to the public.

Mr. Livingston ruled the 2nd substitute motion is not properly before us because we have already voted where to hold the Retreat.

Mr. Malinowski challenged the Chair's ruling, and requested the Parliamentarian to weigh in on whether the motion is properly before the body.

Mr. Smith stated, if he understands Mr. Manning's motion, it included the place where the session was to occur, and Council has already determined that would be in Charleston. Unless you are going to reconsider, or rescind, that action, the issue of where it is going to occur has been decided.

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

Opposed: Terracio, Malinowski, Manning and Walker

The vote was in favor.

12. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance Amending Ordinance 039-12HR, the Ordinance Authorizing the one percent (1%) Transportation Sales and Use Tax; so as to amend the projects list as it relates to greenways – Ms. Terracio moved to defer the public hearing, since we had short notice. She wants to speak to everybody that has put so much heart and soul in to getting this to the point it is today. She thanked those that showed up, and rearranged their schedules to be here. She wants to ensure that we have the maximum quantity of greenway, and that we maximize our expertise and funding for the greenways.

Mr. Livingston stated this is a public announced public hearing, and we cannot deny the people that wish to speak at this public hearing.

Mr. Malinowski stated that happens quite a bit in Zoning Public Hearing meetings.

Mr. Livingston stated we still give those people the option to speak, or not.

Mr. Malinowski stated you have to make it clear that they cannot come back and speak again.

Ms. Myers stated, for clarity, the rules for public hearings are, when you sign up to speak, you get to speak, on a particular issue, at a public hearing only once. If we have a 2nd hearing on the matter, you cannot speak on it again.

Mr. Manning stated, for clarification, we are letting these people know that this is still on the agenda today for 3rd Reading, but we are telling them they may not want to speak tonight because it may get deferred.

Mr. Livingston stated that was his point. They will make that decision for themselves.

Mr. Manning stated they do not know if we are going to vote on 3rd Reading tonight. How do they make a decision whether they want to speak, when we have 3rd Reading scheduled for later tonight?

Mr. Livingston stated, according to our rules, they can speak now, and if it is deferred Council will have to decide whether or not to waive the rules to allow them to speak again.

Ms. Dickerson inquired if we had a public hearing on 1st or 2nd Reading. She stated we have these people out here tonight, for a 3rd Reading item, and we do not know if it is going to be deferred or voted down. She stated the Chair will have to make that ruling.

Ms. Terracio inquired, if this item were to appear, at a later point, would citizens be given the chance to speak during citizens' input.

The response was that the citizens would not be allowed to speak.

Mr. Jackson stated this item came from the Transportation Ad Hoc Committee. It has been debated for more than a year. The question that arose, with this Council, was very simple. There were several greenway approved areas that no longer seemed to be relevant for greenways. The question the committee wanted to bring to the full Council was whether the funds designated for the greenways that now have obstructions, and can no longer have a greenway run there, could be used in other areas/places within the greenway budget. This Council said that the Transportation Ad Hoc Committee did not have the authority to move those funds around, based upon the way the referendum was passed. Then, Council said, you can come back and remove the restriction for the greenway budget by having 3 Readings and a Public Hearing. This was said several months ago, so we then made the motion to eliminate the restrictions and funding that impact greenways that can no longer be built. Once that has been voted on, then the discussion will come back for the appropriate use of the funds, and how they can be used. The issue tonight is to simply decide whether or not we want to remove the restrictions from greenways that cannot be built, and then come back to Council to address how to use those funds.

Ms. Carol Kososki, Mr. Robert Squirewell, Mr. Jim Thomas, Ms. LaBruce Alexander, Ms. Madilyn Fletcher, Ms. Emily Jones, Mr. Mark Huguley and Mr. Charles Weber spoke in favor of this item.

- b. An Ordinance Providing for the issuance and sale of Utility System Revenue Bonds of Richland County, South Carolina, and other matters relating thereto – No one signed up to speak.
- c. An Ordinance Providing for the issuance and sale of not exceeding \$35,000,000 Utility System Revenue Bonds, Series 2020, of Richland County, South Carolina, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters relating thereto – No one signed up to speak.
- d. 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 – No one signed up to speak.
- e. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Schneider Electric USA, Inc. to provide for payment of a fee-in-lieu of taxes; and other related matters – No one signed up to speak.
- f. 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 B-6 Benet Horger LLC; and other related matters – No one signed up to speak.

13. **APPROVAL OF CONSENT ITEMS**

- a. 19-041MA, Gerald K. James, RU to RC (5.6 Acres), 4008 Leesburg Road, TMS # R25000-01-04F & R25000-01-04A [SECOND READING] – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

- b. Conversion of Six Part-Time Deputy Coroner Positions to Full-Time Status – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

Ms. Newton requested that after an appropriate period, whether it is be year or 18 months that we get information back to confirm there were cost savings.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

- c. Amend the Hospitality Tax Council Allocation Process – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item.

Ms. Myers inquired about the source of funds for the Hospitality Tax, which we allocate.

Mr. Hayes stated the source of funding is the \$1.8M that Council votes on annually, and is then equally divided among the Council members. The source of the \$1.8M is the 2% from food and beverage purchases in Richland County.

Ms. Myers inquired if the funds are generated by all of Richland County.

Mr. Hayes stated the vast majority is generated in Richland County, but a portion of Eastover and Irmo also generates funding.

Ms. Myers stated, is it not all generated from areas of unincorporated Richland County, to include parts of Eastover and Irmo, and that it is not generated from other areas of the incorporated Richland County (i.e. Columbia, Blythewood, Arcadia Lakes and Forest Acre).

Mr. Hayes stated Ms. Hamm can speak more to that.

Ms. Myers stated, according to the briefing document, we do not collect the money from those areas. She stated she is asking a series of questions, to get to a point. She inquired as to how much we collected last year from unincorporated Richland County, and the portions of Eastover and Irmo that contribute.

Mr. Hayes stated we collected approximately \$8M.

Ms. Myers inquired, of the \$8M, how much was reinvested in those areas, which is the point of collecting the 2% tax from those areas.

Mr. Hayes stated he does not have that information in front of him. He stated they have the grantees broken down by tax districts, so he could provide that information.

Ms. Myers inquired if we get any of the 2% hospitality tax funds from the other incorporated municipalities that collect the tax.

Mr. Hayes stated that would be a question for Ms. Hamm.

Ms. Myers stated the City of Columbia and the Town of Blythewood are not writing us a check. The point of her questions is, the rules as we have now skewed them, and the funding that we gave out last year, it supposed to be a 75%/25% distribution because we are reinvesting in the places from which we get the money. We go out and gather taxes from particular places in Richland; we are supposed to reinvest it in those places. Typically, that is not what has happened. These new requirements are directed at grantees, but they are not directed at the County, and how we approve/disapprove potential grantees. Even though the rule is a 75/25 split, it does not work out that way. We should be building buildings with the money, but we are not. She proposed an amendment to the motion to more stringently define what we are doing by tracking where the money is going, and when we reach that limit Council be notified, so they can make a decision. Rather than just giving the money out because it is a tax, and it does not come from everywhere. She is cognizant of the fact that the reinvestment has not done what it is supposed to do.

Ms. Dickerson stated she believes her district and District 9 collected more funds than any other districts, and they got nothing out of it. She would be glad to look at this if the funds are going to be more equitably distributed to the particular areas that generate those funds.

Ms. Myers suggested the allocations be tracked by the Budget & Grants Office, and when we have hit the 25% mark, it be brought back to us for a decision. What we are doing with the money is not spurring the kind of investment and economic development that we should see.

Mr. Malinowski requested Mr. Hayes to determine when the 25% rule was put in place. In the briefing document it says, "25% will be allocated". It was his understanding the language was "up to 25%" may be allocated. It was not hard and fast; therefore, he does not want anyone to think we have to give 25%.

Mr. Manning stated his understanding was that the hospitality tax, per State law, was related to developing tourism, but he has heard twice that it was for economic development.

Mr. Hayes stated the Grant Guidelines says, "Funds will be distributed with a goal of 75% dedicated to organizations and projects that generate tourism in the unincorporated areas of Richland County, and in municipal areas where Hospitality Tax revenues are collected by the County."

Ms. Myers stated she used the term "economic development" because numbers 1, 2, 5 and 6 under SC Code of Laws Section 6-1-730 relate to:

- (1) Tourism-related buildings...
- (2) tourism related cultural, recreational, or historic facilities;
- (6) water and sewer infrastructure to serve tourism demands.

She stated all of those things drive economic development, so she used it as a catch-all.

Ms. McBride thanked Mr. Hayes for clarifying that the 75/25 split was a goal. She understands, and supports, that it is for unincorporated Richland County. She stated she frequents restaurants in unincorporated Richland County, and most of her constituents' frequent restaurants in unincorporated Richland County. We put a lot of money back into Richland County, even though we live in the incorporated area. She thinks it is all fair, in terms of how we disburse the funds, based on need, which is why we put a goal. She inquired if we are talking about all hospitality funds.

Mr. Hayes stated the Grant Guidelines speak specifically to the H-Tax Promotions Program, which are the groups that apply through the H-Tax Committee, or are funded through Council motions.

Ms. McBride stated we have County agencies that serve incorporated, and unincorporated, so everybody reaps the benefits. When we are making rules, we have to be careful to make sure that we are not missing people that are contributing also.

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

Opposed: Walker

Present but Not Voting: Manning

The vote was in favor.

- d. Intergovernmental Agreement – Town of Eastover – Magistrate Renewal – Mr. Malinowski stated on p. 94 of the agenda packet, the last line of #7 says, “Any such change in compensation shall be timely reported to the County by the Town.” He inquired if there was a reason why we cannot put a specific timeframe in there. He requested to change the language as follows: “Any such change in compensation shall be reported to the County by the Town within 30 days.”

Ms. Dickerson moved, seconded by Mr. Malinowski, to approve this item with Mr. Malinowski's friendly amendment.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

- e. Intergovernmental Agreement with the City of Columbia for Murray Point Water system – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item.

Ms. Myers stated, for clarification, the connection fee is \$70,000.

Mr. Hussain stated that is the target, but they are hoping to do it themselves, which will make it a lot less.

Ms. Myers inquired, if it is correct, that this is for 14 customers.

Mr. Hussain responded in the affirmative.

Ms. Myers stated the briefing document says that we are going to break even charging \$20 a month.

Mr. Hussain stated the \$20 a month is base, plus usage if they go over 1,000 gallons.

Ms. Myers stated, if it is costing \$70,000 to connect 14 customers, at \$20 a month it would take us 20 years to recoup the costs, which she is okay with that because they do not have water. Her point is, in other parts of the County, we have used a rate study to set the rates, and we are recouping 100% of the costs, even in places where we have gone in and raised rates. If we are doing that in other parts of the County, we should do the same thing everywhere. If we are subsidizes this, it does not trouble her because we have an emergency here. When we are looking at this issues, going forward, there does have to be equity in how we treat citizens using their money. She would like to see a rate study and rates set like they have been for other places across the County, on an enterprise basis.

Mr. Hussain stated there is a rate study included, but the rate study only covers the places where we generate water. In this case, we are getting it from the City of Columbia. The City of Columbia raised their rates on their bulk water in July, so they are not going to raise rates for another year.

Ms. Myers stated, for clarification, we are going to rebuild our well. We are doing this because our well went dry. At some point, we have to have the money there.

Ms. McBride inquired about what would happen if this is not approved.

Mr. Hussain stated the customers would be out of water. We would have to truck water in for them.

Ms. McBride stated, for clarification, the will not be out of water; another procedure would have to be put in place.

Mr. Hussain stated they have to dig another well. They have get an easement to build a new well, and then have it approved by DHEC.

Ms. Dickerson stated for of us that are paying significant amounts it appears they are getting a bargain. She would like to find a way for this to balance out.

Mr. Hussain stated most of these customers pay a base rate of \$20, and then pay additional fees for the water they use over 1,000 gallons.

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

Abstain: McBride

Present but Not Voting: Manning

The vote in favor was unanimous with Ms. McBride abstaining from the vote due to inequity, in terms of various communities.

14. **THIRD READING ITEM**

- a. An Ordinance Amending Ordinance 039-12HR, the Ordinance Authorizing the one percent (1%) Transportation Sales and Use Tax; so as to amend the projects list as it relates to greenways – Mr. Jackson moved, seconded by Mr. Manning, to approve this item.

Mr. Malinowski stated there were more projects in the referendum than are being done. He inquired about how many greenways projects were in the referendum.

Mr. Niermeier stated the 15 before you are the ones that are not under construction or completed. There were 17 greenways in the referendum. The Lincoln Tunnel has been completed, and the Three Rivers Greenway is nearing completion.

Ms. Newton stated she received information today, related to greenways, which she would like to see if it is possible to incorporate in this item. Specifically, regarding the Saluda Greenway. The project was originally in 2 phases. We have completed Phase I, but Phase II is not listed in this item, so she would look for an opportunity to add that to this list.

Mr. Livingston inquired if the current projects spend all the funds, or would there be funds remaining.

Mr. Niermeier stated there was approximately \$20M for the greenways. Currently there was \$7.9M associated with the Saluda River Project, otherwise known as Three Rivers Greenway. The money set for that was incorporated in Phase I. There will be some remaining at the end, but he does not have the information in front of him that shows how much could be left over to continue the extension up toward the Broad River.

Mr. Livingston would like to entertain a motion that any additional funding, in that program, go toward the Three Rivers Greenway – Phase 2.

Mr. Jackson stated he would accept that amendment.

Ms. Terracio requested that staff seek out any additional grants or work with other organizations to complete as much as possible of the Three Rivers Greenway – Phase 2.

Ms. McBride stated she thought the original motion took care of all that because it gave Council the ability to look at different programming, and she does not think it is necessary to add those other projects.

Ms. Newton stated she did not want us to make a vote that precludes them from doing it.

Mr. Malinowski stated, for clarification, Mr. Niermeier said there is approximately \$20M for the greenways projects. The projects that are already completed, and what is front of us does not exceed the \$20M.

Mr. Niermeier stated there is \$20,970,779 within the Greenway category. The Lincoln Tunnel costs \$1.47M, and they have expended \$7.4M on Three Rivers. There is approximately \$12M to complete the remaining greenways. The realignment that was put before you, we can do the viable greenways.

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

Opposed: Walker

The vote was in favor.

- b. An Ordinance providing for the issuance and sale of Utility System Revenue Bonds of Richland County, South Carolina, and other matters relating thereto – Ms. Myers moved, seconded by Ms. Newton, to approve this item.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. Newton, to reconsider this item.

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

Present but Not Voting: Manning

The motion for reconsideration failed.

- c. An Ordinance providing for the issuance and sale of not exceeding \$35,000,000 Utility System Revenue Bonds, Series 2020, of Richland County, South Carolina, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters relating thereto – Ms. Myers moved, seconded by Ms. Newton, to approve this item.

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

Present but Not Voting: Newton and Manning

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. Newton, to reconsider this item.

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

Present but Not Voting: Manning

The motion for reconsideration failed.

Ms. Myers thanked her colleagues for their support on this very important project underway.

- d. 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 – Mr. Jackson moved, seconded by Ms. Myers, to approve this item.

Ms. Dickerson stated she requested that someone give her some further information, and a meeting with staff, regarding this matter. She stated she does not understand the public infrastructure credits.

Ms. Dickerson made a substitute motion, seconded by Mr. Malinowski, to defer this item until the December 10th Council meeting.

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

Opposed: Walker and Livingston

Present but Not Voting: Manning

The vote was in favor.

Ms. Dickerson requested that the County Administrator assist with scheduling a meeting with staff for her, and any other Council members that wish to attend.

- e. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and Schneider Electric USA, Inc. to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Jackson moved, seconded by Ms. Myers, to approve this item.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

- f. 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 B-6 Benet Horger LLC; and other related matters – Mr. Jackson moved, seconded by Ms. Myers, to approve this item.

Mr. Malinowski made a substitute motion, seconded by Ms. Dickerson, to defer this item until the December 10th Council meeting.

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

Opposed: Walker and Livingston

Present but Not Voting: Manning

The vote was in favor.

15. **SECOND READING ITEMS**

- 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 [Project Kline]; and other related matters – Mr. Jackson moved, seconded by Mr. Walker, to approve this item.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

16. **REPORT OF DEVELOPMENT & SERVICES COMMITTEE**

- a. Little Jackson Creek/Spring Valley HOA request to remove sediment – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item until after Executive Session.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Mr. Jackson, to proceed as discussed in Executive Session.

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

Opposed: Malinowski and McBride

Abstain: Myers

Present but Not Voting: Manning

The vote was in favor with Ms. Myers abstaining from the vote, since she owns a house in the community.

- b. Resolution in Support of Dreamers by Congress – Ms. Kennedy stated the committee recommended approval of this item.

Mr. Malinowski stated, at the committee meeting, Ms. Myers requested the numbers narrowed down to Richland County, and he did not see any included in the agenda packet. In addition, he provided a question, and has not been provided with a response.

Mr. Brown stated, it was his understanding, that during the course of the discussion that Mr. Manning had requested various members communicate information, based on their individual experience. He did not take that to mean that Administration staff was to bring back the numbers.

Mr. Malinowski moved, seconded by Ms. Myers, to defer this to the December 10th Council meeting.

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

Opposed: Manning and McBride

The vote was in favor.

17. **OTHER ITEMS**

- a. Subdivision Abandoned Paved Road Relief Program – Mr. Manning moved, seconded by Ms. McBride, to defer this item until the December 10th Council meeting.

In Favor: Livingston and McBride

Opposed: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker and Dickerson

The motion for deferral to the December 10th Council meeting failed.

Ms. Newton moved, seconded by Ms. Myers, to defer this item until the February 11th Council meeting.

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

Opposed: Malinowski, Jackson, Manning and Walker

The vote was in favor.

- b. FY20 – District 4 Hospitality Tax Allocations – Mr. Manning moved, seconded by Ms. McBride, to approve this item.

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

Present but Not Voting: Manning and Walker

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. McBride, to reconsider this item.

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

Present but Not Voting: Manning and Walker

The motion for reconsideration failed.

18. **EXECUTIVE SESSION** – Ms. Newton moved, seconded by Ms. Myers, to go into Executive Session.

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

Opposed: Malinowski, Jackson, Manning and Walker

The vote was in favor.

Council went into Executive Session at approximately 7:52 PM and came out at approximately 9:15 PM

Ms. Kennedy moved, seconded by Ms. Myers, to come out of Executive Session.

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

Present but Not Voting: Manning

The vote in favor was unanimous.

- a. Richland County vs. SC Dept. of Revenue – Mr. Jackson moved, seconded by Ms. Dickerson, to instruct the appropriate staff to proceed with moving forward with the SCDOR negotiations, based upon the comments and discussion in Executive Session. In addition, to include up to the amount, as discussed, and to include all additional criteria and direction given to the County Administrator and Legal staff.

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

Opposed: Livingston

The vote was in favor.

19. **MOTION PERIOD** – There were no motions submitted.
20. **ADJOURNMENT** – The meeting adjourned at approximately 9:19 PM.