



Richland County Council  
Regular Session  
June 19, 2018 – 6:00 PM  
Council Chambers

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

OTHERS PRESENT: Michelle Onley, Beverly Harris, James Hayes, Kim Williams-Roberts, Cathy Rawls, Trenia Bowers, Michael Niermeier, Nathaniel Miller, John Thompson, Brandon Madden, Jennifer Wladischkin, Tracy Hegler, Sandra Yudice, Stacey Hamm, Ismail Ozbek, Laura Renwick, Eden Logan, Larry Smith, Dwight Hanna, Natasha Lemon, Magnolia Salas, Tim Nielsen, Jeff Ruble and Cheryl Goodwin

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: June 5, 2018** – Mr. Pearce moved, seconded by Mr. Rose, to approve the minutes as distributed.

Mr. Malinowski inquired if Mr. N. Jackson had received the information he requested from Mr. Hayes regarding how much was paid out of the insurance fund for Mr. Seals’ settlement.

Mr. N. Jackson stated he had not received the information.

Mr. Malinowski requested this be followed-up on.

Ms. Kennedy moved, seconded by Mr. N. Jackson, to reconsider the Reign Living Development. Ms. Kennedy voted on the prevailing side, and after receiving additional information on the tax revenues Richland School District 1 would receive over a 30-year period, which is \$30 million, she believes we should look at the student housing projects on a case by case basis.

Ms. Myers stated this is a project proposed in District 10. The residents, in that district, are in favor of it because the developer has agreed to bring specific benefits to the community that would otherwise not enjoy. Chief among them, to undertake, with our Planning Department, the development of a new park,

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at an investment of \$300,000.

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

Opposed: Malinowski, Pearce, Manning and Rose

The vote was in favor to reconsider the Project Reign Living Development item.

Mr. N. Jackson moved, seconded by Mr. C. Jackson, to add the Project Reign Living Development item to the agenda as Item 14(b).

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

Opposed: Malinowski, Pearce, Manning and Rose

The vote was in favor of adding the Project Reign Living Development item to the agenda as Item 14(b).

Mr. Livingston, moved, seconded by Mr. C. Jackson, to approve the minutes as amended.

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

The vote to approve the minutes was unanimous.

5. **ADOPTION OF THE AGENDA** – Mr. Livingston moved, seconded by Mr. Malinowski, to adopt the agenda as amended.

Mr. Manning stated Item 14(b) needs to be deferred to the July 10<sup>th</sup> Council meeting. He inquired if it could be done here, or does it need to be left on the agenda and taken up when we get to it on the agenda.

Ms. Dickerson requested Mr. Manning defer the item when they got to it on the agenda.

Mr. Livingston stated the ordinance for Item 12(a) is still on hold, and has not received 3<sup>rd</sup> Reading. He inquired if we wanted to move forward with the public hearing.

Mr. Smith stated the recommendation from bond counsel is that we defer the public hearing and keep the 2 together. To the extent, that we have gotten to the point where we have done substantial completion of the ordinance the public would know what is in the ordinance.

Mr. Livingston moved, seconded by Mr. Malinowski, to remove Item 12(a): “a. An Ordinance Amending and Supplementing Ordinance No. 03-12HR to add the requirement that procedures be established for: (i) entering into intergovernmental agreements with other political subdivisions for completion of infrastructure projects within those political subdivisions, (ii) securing required audits from organizations receiving funds from the transportation sales and use tax, (iii) approving future changes to the infrastructure projects being funded with the transportation sales and use tax, including cost and scope; and (iv) the annual budgeting process; ratifying prior actions including: (i) changes in the cost and scope of infrastructure projects, (ii) prioritization of said projects, and (iii) appropriation of funds for said projects; and providing for the appropriation and expenditure of the transportation sales and use tax for the remainder of fiscal year 2017-2018; and other matters related

thereto” from the agenda.

Mr. Malinowski stated he believed Mr. Manning had a similar question about removing 14(b), and he was told waiting until we get there. Why don't we add that one in also?

Mr. Livingston stated his reason was because we have outside attorneys on this item, and we will have to pay them.

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

Opposed: C. Jackson and Manning

The vote was in favor of removing Item 12(a).

Mr. Pearce moved, seconded by Ms. McBride, to adopt the agenda as amended.

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

Opposed: C. Jackson and Manning

The vote was in favor of adopting the agenda as amended.

6. **PRESENTATION OF PROCLAMATIONS**

- a. **Proclamation Honoring Cheryl Goodwin upon Her Retirement and Her Years of Service to Richland County** – Mr. N. Jackson presented Ms. Goodwin with a proclamation in honor of her retirement.
- b. **Proclamation establishing 13<sup>th</sup> Annual National Dump the Pump Day in Richland County, SC on June 21, 2018** – Mr. Livingston presented Mr. Andoh, COMET Executive Director, with a proclamation in honor of National Dump the Pump Day.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Contractual Matter: Huger Street Property
- b. Contractual Matter: Colonial Village Property
- c. Contractual Matter: Library Lease Agreement
- d. Coggins vs. Richland County
- e. Cedar Cove/Stoney Point Sewer Agreement Update
- f. County Administrator Search Firms
- g. Personnel Matter: Current Assistant County Administrator/Acting County Administrator
- h. Personnel Matter: Clerk to Council Contract

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

Opposed: C. Jackson, Myers, Manning and Rose

The vote was in favor of going into Executive Session.

*Council went into Executive Session at approximately 6:22 PM and came out at approximately 6:35 PM.*

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

The vote in favor was unanimous to come out of Executive Session.

Coggins vs. Richland County – This item was received as information.

Contractual Matter: Huger Street Property –Mr. Smith stated the purchaser of the Huger Street property has requested a 90-day extension on the closing for the property. It is his understanding, they are still working with the City of Columbia, and perhaps some members of the community, on some zoning issues related to the property. There is a provision in the agreement that for every 30 days of an extension they are granted, consideration of \$5,000/per 30 days under the provision of the agreement. If Council agrees to grant them a 90-day extension that would be \$15,000 for the extension.

Ms. Dickerson inquired if Council needs to take action on this item.

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve the extension.

Mr. Livingston inquired if this is a 90-day extension, or up to 90 days.

Mr. Rick Sanders, the attorney for the purchaser, stated it is 30 days per. They would do notices of an extension every 30 days, if they needed those 30 days. They would pay \$5,000 upon notice of those, and that is a non-refundable addition to the earnest money deposit.

Ms. Myers inquired if at the close of the 90 days closing would occur. She inquired if the purchaser is planning, at all, to come back and ask the contract voided based upon what the City does.

Mr. Sanders stated, during the inspection period, the contract gives them a right to terminate. That is also why they are paying \$5,000 non-refundable for those rights. He believes the contract will move to a closing period.

Ms. Myers inquired, under the terms of the contract, what are the conditions under which it can be terminated. She stated, what she is asking is, are we looking at 90 days from now not having a contract, at all, if something happens in the City that the potential purchaser does not like.

Mr. Pearce stated, it is his understanding, the City is taking this up, as we speak.

Mr. Smith stated under the agreement, if in fact there is a default on the part of the buyer, and it is not closed, then the County's sole remedy would be to retain all deposits that were paid by the buyer, as agreed upon, as liquidated damages. In this case, we would have the earnest money, in addition to, the amounts they paid for the extension of the contract.

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

Opposed: Rose

The vote was in favor.

Contractual Matter: Colonial Village Property – Mr. Smith stated this was an item that was discussed at the last Council meeting. Council decided not to go forward with the purchase of the Colonial Village property. Under the terms and conditions of that particular agreement, the County would forfeit its earnest money, which was \$20,000. The seller also claimed some other costs, as liquated damages, likes attorneys’ fees. We have asked them to produce copies of invoices to support their claims for liquated damages. At this point, the County would liable to them for the earnest money. They have agreed to forward the supporting documentation for the additional costs. We will be reviewing those invoices to determine whether or not they are appropriate, and we will report back to Council. He believes the amount is approximately \$32,000.

Ms. Dickerson stated we are looking at a total of \$52,000.

Mr. Smith stated right now we have \$20,000 worth of earnest money. They have claimed approximately \$32,000 additional fees, which they claim they have incurred additional costs on.

Contractual Matter: Library Lease Agreement – Mr. Smith stated the premises for the lease of this library is located 9019 Garners Ferry Road. It consists of 2600 sq. ft. The terms of the lease are for 5 years, and the base rent is \$2,600/monthly, plus taxes and insurance. It is his understanding, the purpose of this lease is for the library to move into that space for a period of time to provide library services for the Lower Richland area. He stated this is an action item. They are requesting approval of the lease. Legal has reviewed the lease, from a legal perspective, and did not find any concerns with it.

Mr. Livingston moved, seconded by Mr. N. Jackson, to approve this item.

Ms. Dickerson inquired if this is one of the libraries that was a part of the Richland Renaissance Project.

Mr. Smith stated he does not know the answer.

Dr. Yudice stated this was an element of the Lower Richland part of the Richland Renaissance.

Ms. Dickerson inquired if this was a one reading item.

Ms. Myers stated, for clarification, although there was a library feature in the Richland Renaissance, this is a temporary location for the library. This is not the same. This is the move for a temporary space because there is no space, and there has not been a space identified. Identifying a permanent space was a goal of Renaissance.

Ms. Dickerson stated, well if that’s the case, if something resurrects, we are going to have 2 libraries.

Ms. Myers stated this is short-term. The lease is for up to 5 years. There are termination provisions that allow for early termination.

Mr. N. Jackson stated the Renaissance Plan did not include a library. In the Renaissance Plan included a hospital, a swim center, and an administrative building. The library has been searching for a spot to build a library in Lower Richland. They were securing funds for construction over the years. They were trying use Lower Richland, but having people from the street entering the high school was problematic. Therefore, they decided to rent a storefront and have a library. It is for 5 years until they secure the funding to build a library.

Mr. Pearce requested someone enlighten him of the overall library plan for Lower Richland. He inquired if there is a library in Eastover.

Mr. N. Jackson stated there is a library in Eastover.

Ms. Myers stated that is a very far distance.

Mr. Pearce stated he is aware of that. So, this one is going to take care of the Hopkins area. He inquired about the Gadsden area. Is there a plan for that?

Ms. Myers stated there is no current plan for that, but she would hope, at some point, there would be a plan.

Mr. Pearce stated the only library past the one on Garners Ferry Road, in town, would be the one in Eastover.

Ms. McBride stated, without us approving this lease, there would be no library services there.

Ms. Myers stated, effectively, there are no library services in that area, other than the mobile library.

Ms. Dickerson stated this is a temporary lease, up to 5 years, and Mr. Smith has looked at the lease, and is comfortable with it being up to 5 years.

Mr. Smith stated they will make sure the provisions are such that, if there is a need for early termination, it can be done.

Mr. Manning stated Richland County District 8 does not have a library, but they fully support this.

Ms. Myers stated she does not want the public to think she is pushing for a library just so that it will be in our district. It is the proximity to library services that are lacking in those areas. If you could get to a library, even if it is in another district, within 5 – 10 minutes, that is reasonable. There is no library in some parts of this area for 20 – 25 minutes. To be paying into the library bond, and have to drive that long to get to a library is not the best service we can provide. Hopefully, at the end of this, we will all have reasonable access to a library.

Ms. Dickerson stated she does approve, and appreciates the idea of having a library. She is not speaking against it. She is just wanting to know the facts, and how we move forward.

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

The vote in favor was unanimous.

Cedar Cove/Stoney Point Sewer Agreement Update – Mr. Smith stated this is an update on the Cedar Cove/Stoney Point Sewer agreement. On June 8<sup>th</sup>, they received from Mr. Bob Dibble a letter which basically outlined the expectations of his clients, who are residents of Cedar Cove and Stoney Point. We responded to him on June 14<sup>th</sup>, outlining what the County's expectations were of the citizens, as it relates to this particular project. At this point, he thinks we are ready to start to take these expectations and place them in the form of an agreement, in draft. We will then bring the draft agreement back to Council for review before it is finalized. Once it finalized, we will bring it back for approval.

8. **CITIZENS' INPUT: For Items on the Agenda Not Requiring a Public Hearing:** Ms. Diane Wiley stated she was a victim of the storm. She has been out of her house for almost 3 years, and she has 2 ditches in her yard that need to be repaired.

Mr. Livingston stated what happened was, when the City annexed Belvedere, they annexed the homes in Belvedere, but there is a ditch in Ms. Wiley's backyard the City did not annex. Therefore, it is a County, but her property is in the City. He requested staff to find a resolution to this matter.

Mr. Pearce stated he has been plagued with doughnut holes, which he passed on to Mr. Rose in the last reapportionment. He stated any future negotiations with the City a discussion regarding doughnut holes needs to be on the agenda.

Ms. Carrie Moore spoke about the Richland Renaissance and Council member relations.

Ms. Brenda McGriff spoke about the Richland Renaissance.

Mr. Toney Forrester spoke about concerns with his neighbors and the Sheriff's Department.

9. **REPORT OF THE ASSISTANT COUNTY ADMINISTRATOR**

- a. SCDOT Letter RE: Carolina Crossroads Corridor – Dr. Yudice stated this letter is to inform SCDOT that the County will reallocate the Transportation Penny Tax funding, in amount of \$52.5 million, dedicated for this project for other transportation projects within the County.

Mr. Malinowski moved, seconded Mr. N. Jackson, to approve this item.

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

The vote in favor was unanimous.

- b. National Association of County Information Officers Awards: -- Dr. Yudice asked Council members to join her in congratulating the Public Information Office. The National Association of County Information Officers awarded the Public Information Office in 6 different categories.

1. Excellence in the Public Education Campaign category for the Richland Renaissance Project
2. Excellence in the Video Series category for "The Recap," the monthly video that airs on RCTV and YouTube
3. Excellence in the Logos category for "Engage Richland," which brands the County's various public events
4. Meritorious in the Logos category for the flood recovery effort "Returning Home"
5. Meritorious in the Public Education Campaign category for the flood recovery effort "Returning Home"
6. Excellence in the Email Newsletter to Citizens category for the Richland Weekly Review

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

- a. Budget Third Reading, June 21, 6:00 PM – Ms. Roberts reminded Council of the upcoming budget meeting on June 21<sup>st</sup> at 6:00 PM.

- b. Community Relations Council's 54<sup>th</sup> Anniversary Luncheon, June 27, 12:00 PM, Columbia Metropolitan Convention Center, 1101 Lincoln Street – Ms. Roberts reminded Council of the upcoming Community Relations Council Luncheon on June 27<sup>th</sup>.

Ms. Dickerson designated Mr. Livingston to speak at the luncheon on behalf of Council and herself.

11. **REPORT OF THE CHAIR**

- a. County Administrator Search Firms –Mr. Hanna stated Council should have received information on firms that are approved under the State contract. In addition, they attempted to provide some research, as it relates to their specific history (i.e. City Managers, County Administrators). They attempted to focus on if the firms had done work in South Carolina. The Procurement Office has been instrumental in helping to research this. It is his understanding, if County Council would like to use one of the firms on the State contract, an RFP would not be necessary. However, this is not a requirement, Council could choose to use or select firms that are not on the contract. In that case, it would be appropriate to do an RFP.

Ms. Dickerson inquired as to the role of Council, at this point. She stated most of Council has received the information, but she does not know whether they have a general consensus as to who we would like to select.

Mr. Hanna stated they were requested to provide the information, as an option for Council to consider.

Ms. Dickerson stated, at this point, Council accepts this as information. At the next Council meeting, we should be able to come to consensus on how to proceed.

Mr. N. Jackson inquired if they have a recommendation.

Mr. Hanna stated HR does not have a recommendation. They simply identified the firms that were on the State contract.

Ms. Wladischkin stated she does not have a recommendation either. She provided the information for the State contract because it may be more expeditious than issuing an RFP.

Mr. Pearce inquired if Ms. Wladischkin had an opportunity to look into whether the firms on the State contract had done any County-based work.

Ms. Wladischkin stated she believes the information was provided. There were some website screenshots, and then Mr. Hanna's group has checked references.

- b. Personnel Matter: Current Assistant County Administrator/Acting County Administrator – This item was taken up in Executive Session.
- c. Personnel Matter: Clerk to Council Contract – This item was taken up in Executive Session.



12. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance Amending and Supplementing Ordinance No. 03-12HR to add the requirement that procedures be established for: (i) entering into intergovernmental agreements with other political subdivisions for completion of infrastructure projects within those political subdivisions, (ii) securing required audits from organizations receiving funds from the transportation sales and use tax, (iii) approving future changes to the infrastructure projects being funded with the transportation sales and use tax, including cost and scope; and (iv) the annual budgeting process; ratifying prior actions including: (i) changes in the cost and scope of infrastructure projects, (ii) prioritization of said projects, and (iii) appropriation of funds for said projects; and providing for the appropriation and expenditure of the transportation sales and use tax for the remainder of fiscal year 217-2018; and other matters related thereto – This item was removed from the agenda.
- b. An Ordinance to levy and impose ad valorem property taxes for Richland County School Districts One and Two; to improve, simplify and make more efficient the systems and procedures among Richland County School Districts One and Two and Richland County Government to fulfill responsibilities under Act 280 of 1979; and to repeal Ordinance Sec. 2-537(2) and Amended Ordinance Sec. 2-535(H) – Mr. Manning moved, seconded by Mr. Malinowski, to defer this item until the July 10<sup>th</sup> Council meeting.

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

The vote in favor was unanimous.

13. **APPROVAL OF CONSENT ITEMS**

- a. 18-007MA, Phil Savage, RU to NC (3.95 Acres), 2241 Dutch Fork Road, TMS # R01507-02-01 [THIRD READING]
- b. 18-012MA, LM Drucker, OI to RS-LD (.71 Acres), 1344 Omarest Drive, TMS # R07405-06-05 [THIRD READING]
- c. 18-013MA, Derrick J. Harris, Sr., RU to LI (1.83 Acres), 7708 Fairfield Road, TMS # R12000-02-22 [THIRD READING]
- d. 18-014MA, Jermaine Johnson, RS-MD to MH (.26 Acre), 7901 Richard Street, TMS # R16212-12-01 [THIRD READING]
- e. 18-015MA, Charlotte & Randy Huggins, RU to GC (.59 Acres), Horrell Hill Road, TMS # R24700-09-02 [THIRD READING]

Mr. Manning moved, seconded by Mr. N. Jackson, to approve the consent items.

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

The vote in favor was unanimous.

**THIRD READING ITEMS**

14. a. An Ordinance to levy and impose ad valorem property taxes for Richland County School Districts One and Two; to improve, simplify and make more efficient the systems and procedures among Richland County School Districts One and Two and Richland County Government to fulfill responsibilities under Act 280 of 1979; and to repeal Ordinance Sec. 2-537(2) and Amended Ordinance Sec. 2-535(H) – Mr. Manning moved, seconded by Mr. Malinowski, to defer this item until the July 10<sup>th</sup> Council meeting.

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

The vote in favor was unanimous.

- b. 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 Reign Living LLC; and other related matters – Mr. Livingston moved, seconded by Ms. Kennedy, to approve this item.

Mr. Pearce stated he felt compelled to comment on this item because it represents a substantive change in policy, and direction this Council has taken. He thinks the public has a right to clearly know some of the information, and why he believes this represents a significant change in policy that he does not believe is in the best interest of the County. He inquired if we have an Economic Strategic Plan.

Mr. Ruble responded in the affirmative.

Mr. Pearce inquired if student housing subsidy appears in the strategic plan.

Mr. Ruble responded it does not.

Mr. Pearce inquired, under this particular proposal, how many years would this credit run.

Mr. Ruble stated the credit is for 10 years.

Mr. Pearce stated, for clarification, this is a special source revenue credit at (33%) of the taxes that would have been paid to Richland County. He inquired as to what the total would be.

Mr. Ruble stated the net payment to the County is \$717,000 annually. The credit is \$353,000 the first year, and changes over the next 10 years, as the market value changes.

Mr. Pearce inquired if it would be accurate to say they are getting a multi-million-dollar tax break over the next few years.

Mr. Ruble stated the 10-year amount is \$3.9 million.

Mr. Pearce stated so a \$300,000 contribution to a park is just a nominal contribution compared to the amount of revenue they are saving through taxes. Is that correct?

Mr. Ruble stated it is a portion of the \$3.9 million.

Mr. Pearce inquired if the company developing this is a local company.

Mr. Ruble stated they are based out of Florida.

Mr. Pearce stated we can assume most of the revenue from this will be going out of state, correct?

Mr. Ruble stated he guessed any profit would.

Mr. Pearce stated on most economic development projects there is a substantive capital investment. He believes this project probably meets that capital investment criteria.

Mr. Ruble stated it is in the \$30 - \$35 million range.

Mr. Pearce stated so it is contributing something over the long haul to the County. He inquired about how many jobs this project is creating.

Mr. Ruble stated none to speak of. There certainly will be some associated job, but that is not something they evaluate.

Mr. Pearce inquired if most of our economic development projects produce jobs, do they not.

Mr. Ruble stated they tend to aim that way.

Mr. Pearce requested Mr. Ruble cite for him any study that has been done, prior to this time, by either a private enterprise or the University of South Carolina, in which that study projects the need for additional student housing beds. He inquired if Mr. Ruble was personally aware of such study.

Mr. Ruble stated the company used some examples. They said there was an annual increase in student enrollment. That is how they based their numbers.

Mr. Pearce stated, as he understands it, the University has already developed a plan to develop the South Campus, which will produce a significant number of beds. Is that correct?

Mr. Ruble responded in the affirmative.

Mr. Pearce inquired if the University could change its policy and require freshman students to live on campus, in order to occupy all of that housing.

Mr. Ruble stated he believes they currently require freshman. They could change their policy and require other students to live on campus.

Mr. Pearce inquired, if it would be accurate to say, we have no idea about the future of student housing in Richland County. Whether it is needed or not.

Mr. Ruble stated we are relying on the private sector to determine that.

Mr. Pearce stated, On October 18, 2016, this Council did vote down a similar project located on the Bull Street campus. Is that correct?

Mr. Ruble responded in the affirmative.

Mr. Pearce stated, at that time, the minutes reflect there was quite strong language about the County's lack of commitment to proceed with any additional student housing, correct?

Mr. Ruble stated, if he recalls correctly, it was fairly controversial.

Mr. Pearce stated he does believe our attorney, Ray Jones, was in attendance, but he had a question for him regarding the fact that we were in litigation over this matter; therefore, he will direct his question to the County's Attorney. He stated the County turned down a project, and there is also a project under consideration right now by the City that is student housing. He inquired, if this project were approved, would there be any legal recourse for someone to come back on the County for denying a project, and then changing their position.

Mr. Smith stated there is certainly the potential that approving this project, and denying one that is similar, unless we had some reasonable justification or rationale basis. The potential is there that we could get involved in some litigation, as it relates to a policy decision the Council would have to make. Of course, if that happened, we would have to defend it.

Mr. Pearce stated, his point in all of this is, he does not understand why this project is so valuable for us to proceed with, at this time.

Mr. Livingston stated he wanted to speak to 2 of those issues. One, is the cost of doing business, and why it is beneficial to the County. Secondly, why he thinks it is of value to our quality of life in our community. When we first looked at the issue of student housing, it was clearly evident, in terms of the growth at the University of South Carolina, and some of our other institutions, there was a concern to try to benefit from that to increase and improve a knowledge basis economy in our community. He was willing to be the one to work with the Mayor to try to make that happen. You may have recently read an article in the newspaper about our community being one of the fastest growing, when it comes to millennials. We think we ought to prepare an opportunity for those individuals, and make sure they stay here, thrive here, and do well in our community. Oftentimes, people complain about why we are not doing as well as some areas as Greenville, Charleston, and so forth. We concluded that one of the advantages they had was they were maximizing, and taking advantage of the resources. We do not have an ocean like Charleston. We do not have I-85 between Charleston and Atlanta. We do have a wonderful number of great high end institutions in our community. We felt a need to try to take advantage of that. He thinks we have seen a tremendous benefit from that, as a result of student housing initiatives in our community. People are spending far more dollars. People are visiting our community. He thinks that is a tremendous benefit to our community to have this growing, vibrant community. Without student housing, that would not be the case. As far as it relates to cost and tax revenues, one of the reasons, in community, we decided to provide an incentive for student housing, is because of our significant high tax rate, when it comes to student housing. For example, when we give a 50% credit to someone who is developing student housing in community, that would still generate more revenue than an office of that same size because of having to pay by beds, in terms of student housing. He stated you are not really losing any money. You would not get anything if you did not have student housing. Also, when you look at the next 10 years, you are going to generate the whole revenue stream. For example, when you look at some of the \$40 million projects that we approved, which was a baseline at that time, and we gave them the 50% credit. In the first 10 years, you are getting just as much, and on average you start generating about \$2 million apiece on those projects. Now in the next 10 years, you are talking about \$5

million on each of those project. You are generating significant revenue on those projects. It is true, this Council, did discuss a moratorium. Now remember a moratorium is just simply saying we are going to delay something. We are not going to stop it. He does not recall this Council taking any action on that, but there was a discussion about that, and it was delayed. He has a tendency not to support a student housing project, within the City, because he does think we have enough. This project is very different. It is in a blighted area. It is going to help us clean up a community. If you look at the current tax revenue, on the piece of property we are talking about, it is like \$115,000. As soon as this project goes on the tax roll, we are talking about \$700,000. So, it is a tremendous benefit to our community. What we are talking about now is an old dilapidated warehouse. If we choose not to do this, even without a tax credit, this company could put it anywhere. If we do not do this, what he thinks is going to happen is, you are going to have a lot of individuals renting units and houses all over town, and then you really will get a lot of flak from citizens because now these individuals are renting units in people's neighborhoods. Now you are moving outside the City area, down to a structure in a blighted community. He seems this as a tremendous advantage to our community. He sees it as a tax revenue enhancing initiative. He also thinks we need to create these opportunities for our communities. One of the last things, when we started this the University of South Carolina was building dormitories, but remember when they do that, we generate \$0.00 tax revenue because their Foundation purchased that property. He sees this as a benefit to our community, particularly where this one is located.

Mr. N. Jackson stated we are talking about housing versus industry. With industry you have a fee-in-lieu. With housing you have a credit of 33%. His concern was not just about USC. You have Midlands Technical College, Allen University, Benedict College, etc., who can decide to do housing. That is the reason he was against the moratorium the first time because he has to consider these institutions may want to do housing, and they were left out. He has to support it because of the need, and those other institutions may have the opportunity to do housing, if they choose. Industry does a fee-in-lieu and gets a tax cut all the time. With housing the credit is similar. We are not losing anything. We are really gaining.

Mr. C. Jackson thanked Mr. Pearce for bringing up some legitimate questions and issues, as it relates to this specific project. He is familiar with the area, and he can tell you we may have deferred one in another area of Columbia, this particular area of Columbia is in desperate need of revitalization. He stated Mr. Rubles said there would be no jobs created, but there will be jobs created to build this facility. So, to just assume no positions will ever occur, as a result of this construction and development, is not an accurate statement. He is convinced once this facility is up and operating in that area, it will drive up the business, that are not there now to consider that area. There is a brewer, not far from there, that opened last year. And, he thinks there will be additional facilities coming, as a direct result of the population that will be brought to area. He knows, for a fact, the University of Florida requires only its freshmen to live on campus, and after that in Gainesville. So, it is not a foreign thing they are doing. He does not "sneeze" at a \$35 million investment. He thinks it is a decent investment. He thinks the first 10 years of the project is basically revenue neutral. After the 10 years, he sees it as a revenue gain, going forward. The actual facility, that is being considered, is an abandoned building. It is an eyesore, and has been for some time. He knows the community very well, and the members of the community are excited to be able to have something in their community they can look at and point to with pride. Granted getting a small contribution for a park is not a major concession, but for those persons in that community, who he is personally familiar with since a child, it is a big deal for them.

Mr. Malinowski stated, when Mr. Livingston was commenting about keeping our youth here in the Midlands area when they graduate, he took it to mean he was talking about those local youth that are

here now. He is not sure if they are already living here they will be living in this student housing. He stated, when the question was asked about could somebody, that we said no to before, bring a legal suit against us because now we are saying yes, Mr. Smith said, unless there is some reason. From what he is hearing, this is a blighted area. We could clean up a place. He inquired if that would be any reason for saying “yea” to one and “nay” to another, or are we opening the door that once we approve this then we pretty much have to say yes to all of them regardless of the area.

Mr. Smith stated he does not think the one size necessarily fits all. Council has the right to exercise your discretion in making these decisions. Now, if somebody brings a lawsuit, and suggests that the Council has, in some way, treated them unfairly, if the Council has some rationale basis for deviating from a particular position that you can articulate, he thinks that would go a long way in supporting that decision. Ultimately, however, if you were sued about that a court would have to make the decision, as to whether or not that enough of a deviation, or whether or not that was enough of a rational basis for you to make the decision you made.

Mr. Malinowski inquired about the approximate lifespan of such a facility would be. He is hearing that after 10 years, we are now on the plus side economically. What if in 10 years, the building is just another blight?

Mr. Ruble stated they ran the numbers of 30 years, but he does not know the useful life of a facility like this.

Ms. Myers inquired if there were indemnification provisions in this document.

Mr. Smith stated there were indemnification provisions in the previous documents that we had done. It is his understanding in talking with Ray Jones, this is a similar agreement. From the standpoint of the County being protected, there is an indemnification provision in this particular agreement, like the others.

Ms. Myers stated these are citizens, in her district, that she has been talking to for a long time about this project. She does agree with Mr. Pearce’s observation that \$300,000 is not all the money in the world, but when you live in Washington Park, where the one park that was in your area, has now been taken and your children play in street, or, Little Camden where there is not a park, or, in Taylors where you have to cross the railroad to get to the one facility, it is a huge deal. To the extent that the County, on its own, would not be making this kind of investment, in that area, nor would we be doing that kind of huge clean up. It is a big deal for them. She requested her colleagues to consider the investment, and the investment in the schools. There is also \$50 million in school tax revenue over the life of the project. It is not a throwaway of money down a black hole. She would agree that not all student housing projects are created equally, and that we should evaluate them all on their own merit. In this context, where we have gone a long way towards coming up with something that would provide an improvement in the community, and fulfill the need of cleaning up some of the blight.

Ms. McBride stated she really support it. She thinks it will be an economic boost for the County. With the \$59 million going to School District One schools, she does not see how we can think about overlooking that because our schools are in dire needs of resources. In terms of the blight area, she inquired how long it had been blighted.

Ms. Myers stated more than Mr. N. Jackson’s age.

Ms. McBride inquired about how much money we are receiving from the blighted area. She also stated the companies say they are going to employ residents from Richland County. Since she has been on Council, she cannot determine how many Richland County citizens are being employed by these companies, so she has concerns about that. She would like to see the County do something about that. In this case, we know the students will be in our County, and will be spending lots of money.

Mr. Manning stated when Mr. Pearce inquired about whether the Economic Development Strategic Plan included this, it sounds like we did not have the foresight to do it. From everything he is hearing, in hindsight we need to get busy reviewing and updating the strategic plan.

Mr. Pearce stated, for clarification, in his 20 years on Council he has demonstrated compassion and sensitivity for those areas of the County that needed attention. His votes, if you look back, have always been in favor, as much as possible, and he does not want his comment about the \$300,000 to be representative of my feelings that was not of value to that community. My point of making that was simply that he thought they could have done better. With the amount of money they are making off of this project, if they really wanted to make a difference they could have made a bigger difference. He has known that area for many years. Someone that is very close to him, who is probably as responsible as his mother for him being here, grew up in that area, and he has been going down there for most of 70 years. He certainly supportive of that aspect of that. His point, of bringing this up, is simply for us to get a perspective on where it is going, and where it needs to go. He will say the same thing he said in 2016, somebody needs to get together and figure out how far this is going to go. And, nobody seems to be willing to sit down to do that. Do we need 10,000 more beds? Do we need 5,000 more beds? What he does not want to see happen is this building next door, that we subsidize, that in 10 – 15 after it is fully depreciated, ends up all beat up with nobody knowing what to do with it, and it ends up with some rundown housing. The people of Waverly, when this came up, expressed those kinds of concerns. He said let's get a plan.

Ms. Dickerson prefaced her remarks by saying she plans to support to this, but she heard a lot about blight in certain areas. It cannot get anymore blighter than certain areas in the Northeast, Broad River Road, and those other corridors. Ms. Kennedy talks about her blighted area. We have a lot of blight. There were comments made about one of the ways we tried, and attempting to address some of this blight. If we are going to cherry picking how we do the blight, she is going to have a serious problem. This is another cherry picked problem where we could have addressed it through a plan that we had to work to try and make sure we looked at all of Richland County. Not just decided, well this area needs, and that area needs it. This is her big concern. She stated Mr. Livingston's remarks were very good. She wished we had had those remarks when we attempting to do a great plan, that she thought was really good because his remarks were awesome. She is going to make sure she gets a copy of those because they really spoke volumes to what she thinks we were trying to address in another plan we had. She commended Mr. Pearce for his comments because we are talking about finances.

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

Opposed: Pearce, Manning and Rose

The vote was in favor.

Ms. Myers moved, seconded Mr. Livingston, to reconsider this item.

In Favor: Malinowski and Pearce

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

The motion for reconsideration failed.

15. **SECOND READING ITEMS:**

- a. An Ordinance Authorizing the issuance and sale of not to exceed \$8,500,000 General Obligation Bonds, Series 2018A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the Assistant County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – Ms. Myers moved, seconded by Mr. Livingston, to approve this item.

Mr. Malinowski stated at the last meeting he made the inquiry, “Is this to do with the replacement of the Sheriff’s Department radios?” And, he was told yes. He inquired why we could not indicate that somewhere in the ordinance, so the public knows what this about. He stated it was still not here. If there is some rule why we cannot do, but he thinks we need to put it in there. It also says, “not to exceed \$8.5 million”. He was told this figure is actually a bit more than needed. He inquired if there was a reason why we cannot get the figure narrowed down more closely to what is actually needed, so we do not go that high in an issuance.

Dr. Yudice stated the language regarding the replacement of the Sheriff’s Department radios is included in Section 1(g) on p. 71. She stated the actual cost of the radios is \$7.3 million, but this includes other one-time capital expenditures for the Sheriff’s Department.

Mr. Malinowski inquired about what the other capital expenditures were.

Chief Cowan stated the one-time capital expenditures are aviation needs (i.e. rotor blades, engine overhauls, and communication equipment for the aircraft). This was a way to address the FY19 needs without dipping into the General Fund.

Mr. C. Jackson stated the challenge he has is that there be a conscience effort to itemize and delineate all of the items that are being asked for, and make sure the numbers are matching the request. And, that there always be some effort to find a way to do any kind of cost sharing, cost realignment, or cost adjustment to reduce the burden on the County and show the Sheriff’s Department is shouldering some of that load. This is one of those issues where any help by the Sheriff’s Department to reconfigure, reconstruct, reprioritize, or redirect dollars that they have at their disposal goes a long way. Right on the heels of this we are dealing with another \$6 million, or more, request for the 911 Center, and all of the things that are going to come with it, as well. When you put those 2 together, you are looking \$14.5 million. Public safety is probably the most important thing in our community. While at the same time, he thinks it should be important for everybody, and all the partners in that process.

Ms. Dickerson inquired if Chief Cowan could address Mr. C. Jackson’s concerns, and have that listed in the agenda packet for 3<sup>rd</sup> Reading.

Chief Cowan stated he would happy to provide the information.



Ms. McBride stated in the document it states, “delegating to the Assistant County Administrator certain authority”. She inquired if that was new language we are voting on.

Dr. Yudice stated she believes it is.

Ms. McBride inquired if there is a timeframe, in terms of the required signatures for this.

Dr. Yudice stated she believes the sale will be in either August or September. By that time, we will need signature authorization.

Ms. McBride stated the point she is trying to make is, if we have an Interim or an Administrator, would this particular ordinance nullify them being able to sign.

Mr. Smith stated he does not think if you go through with it, at this point, you may have to tweak the language to either have the language to be consistent with what you have at the point and time when the documents are signed. So, going through the 3 readings, at this point, he does not think it would be nullified if you had to adjust the language down the road. If it turns out it is Acting, Interim or permanent. It would just be something you would have to adjust to fit the narrative, at that time, but he does not think it would be significant enough to nullify the approval of the bond itself.

Ms. Dickerson inquired if that language could be put in now.

Mr. Malinowski inquired if it could be added in there now to more inclusive.

Mr. Smith stated what we can do, since we have got one more reading, is we can probably tweak the language so that it could cover any of the potential scenarios you may have, at that time.

Ms. McBride stated as she was reading the document, on p. 78, regarding the Richland County Attorney’s Office, she inquired if the wording “Approved as to Legal Form Only, No Opinion Rendered, as to content” is a general statement that is given on legal documents like this.

Mr. Smith stated that is usually the role of his office. They determine whether or not the document meets the requirement of a legal agreement. Obviously, in reviewing these documents, they very well may share, with whoever requests us to review it, if they have any concerns about the actual content of it. The stamp they use to approve the document is not necessarily all that they do when they are reviewing the document because they do make comments and suggest certain language be changed, when necessary.

Ms. McBride stated her concerns was when she signs off on anything, or vote to approve it, she wants to make sure it is legally correct. When she read that statement, she questioned whether she was getting a full consent of being legally correct.

Mr. Smith stated, if we put a stamp on the document, we are saying it is legally correct. It meets the qualifications of an agreement. All of the elements of a contract and/or an agreement.

Ms. Myers inquired as to who drafts these documents and how they come to the Legal Department’s office.

Mr. Smith stated the content for these documents are being done by our bond counsel. In most cases, it will either come from Ms. Heizer's or Mr. Jones' office. You have 2 different sets of eyes, so to speak, on the content of the document itself.

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

The vote in favor was unanimous.

- b. An Ordinance Authorizing the issuance and sale of a not to exceed \$2,000,000 Fire Protection Service General Obligation Bond, Series 2018B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bond; authorizing the Assistant County Administrator to determine certain matters relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto – Ms. Dickerson stated the same language regarding the Assistant County Administrator needs to be added to this item, as well.

Ms. Myers moved, seconded by Ms. McBride, to approve this item.

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

The vote in favor was unanimous.

## 16. 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 an Infrastructure Credit Agreement to provide for Infrastructure Credits to Lorick Place, LLC to assist in the development of a low-income housing project; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item. Prior to 2<sup>nd</sup> Reading they want to come back to specific details that was discussed the Economic Development Committee meeting.

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

The vote in favor was unanimous.

- b. A Resolution Authorizing a grant of certain funds to Project Feather and the Administration by the County of certain third-party grant funds – Mr. Livingston stated this is pass through funds. Richland County will receive the grant, and pass the grant onto Project Feather, under certain conditions. The committee's recommendation is approval.

Mr. Malinowski inquired where the grant is coming from.

Mr. Livingston stated it is a Commerce grant.

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

The vote in favor was unanimous.

17. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

18. **NOTIFICATION OF APPOINTMENTS** – Mr. Malinowski stated the Rules and Appointments Committee did not have a quorum. Therefore, these items will be taken up at the next committee meeting on July 10<sup>th</sup>.

- a. Accommodations Tax – Fiver(5) Vacancies (One applicant must have a background in the Cultural Industry; Three applicants must have a background in the Hospitality Industry; One is an at-large seat)
- b. Business Service Center Appeals Board – 1 (Applicant must be an attorney)
- c. Hospitality Tax – Three (3) Vacancies (At least two applicants must be from Restaurant Industry)

19. **REPORT OF THE BLUE RIBBON COMMITTEE** – Mr. Pearce stated the committee is moving into their final stages.

There is a comprehensive document included in the agenda packet. For the sake of the public he would like to share a couple things from the document. To date, Richland County has received, in Federal resources and volunteer services to repair homes, \$99,070,608. To date, using volunteer organizations, the Midlands Flood Recovery Group, has repaired 202 storm damaged or destroyed homes in Richland County, with the ultimate goal of repairing 244 damaged or destroyed homes. The other point he would like to make is the Community Development Block Grant Disaster Recovery is currently replacing 18 mobile home units, with the goal of repairing 218 storm damaged stick built homes, and replacing 75 additional homes.

- a. HMGP Property Acquisition – Mr. Pearce stated, if you recall, we have working towards acquiring 74 properties that are located in special flood hazard areas that were substantially damaged during the flood. This program is funded by 7 approved grant applications submitted to FEMA, with a match by HUD CDBG-DR. We are ready to start those purchases. The request is for Council to approve the purchase of the first 20 properties, who have completed all due diligence, and all the buyout process.

Mr. Malinowski stated in the backup information it says, “once the County acquires the properties, we own them in perpetuity, including all reoccurring costs of maintenance. Staff is developing a land management plan for these properties”. He inquired if we should not have had a plan before we acquired the properties.

Ms. Hegler stated they are doing that concurrently. The reason for that is we wanted to get money into the hands of the property owners, as quickly as possible. They have staff, in parallel, working on this land management plan. It will be ready to go, as soon as we start demolishing those structures. Their goal was to know what we were going to do with the property before we start the demolition, so we can make the best use of that contractor, at that time.

Mr. Pearce stated he would love to invite Mr. Malinowski on a tour. When these houses come down, it is not going to require a tremendous amount of expense for us to maintain those areas because of the topography of the land.

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

The vote in favor was unanimous.

- b. HMGP Property Acquisition Appraisal Appeal Review Process – Mr. Pearce stated FEMA requires we have an appeal process for property owners who wish to appeal their property value provided to them by a third-party appraiser. County staff researched and proposed an appeal process used in other jurisdictions. This appraisal review process was favorably reviewed by SCEMS and the County’s Legal Department. The appeal period has closed, and we have received 6 appeal request from property owners based on appraised values and third-party appraisers. Any appeal must first start with a 2<sup>nd</sup> appraisal acquired by the property owner. If the 2<sup>nd</sup> appraisal is within 10% of the County’s the proposed process recommends offering the property owner the 2<sup>nd</sup> amount. If the difference between both appraised values is over 10%, the 2 appraisals will be reviewed for consistency. If both appraisals considered all the same factors, and no anomalies were noted, the proposed process recommends offering the property owner the average of the two. The committee recommended approval of this proposed process.

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

The vote in favor was unanimous.

- c. CDBG-DR funds reallocation for Uniform Relocation Assistance (URA) – Mr. Pearce stated the Federal Government requires Uniform Relocation Assistance when receiving funds for disaster recovery. The amount originally allocated to pay for federally required relocation assistance is insufficient. Staff proposes utilizing unspent funds from CDBG-DR Small Rental Rehab Program, which is receiving little to no applications. In a prior meeting, the Blue Ribbon Committee and Council approved sunsetting the program in a few months if not successful. We can transfer these dollars to relocation assistance. It is consistent with prior action, and not detrimental to the overall recovery program. The committee requested Council to approve the reallocation of funds from the CDBG-DR Small Rental Rehab Program to the HMGP Buyout Program to cover these URA for HMGP buyouts.

Mr. Malinowski stated, for clarification, there is no danger that we will not have enough funds in the CDBG-DR.

Ms. Hegler stated they have struggled with the Small Rental Rehab Program from the beginning. We are not receiving a lot of interest in it.

Mr. Malinowski stated, for clarification, there is enough there to cover the URA shortage.

Ms. Hegler responded more than enough.

Mr. Pearce stated the rental rehab program was to assist people that were renting. Most of the people just bailed out.

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

The vote in favor was unanimous.

- d. Change Order Process Amendment [FIRST READING BY TITLE ONLY] – Mr. Pearce stated as we begin to rehab, repair, and rebuild hundreds of homes utilizing the CDBG-DR funds, we know we will encounter a number of site and structure conditions that may precipitate a change order to the original scope of work. Often these will need to be addressed immediately or risk further damage to the home under repair. The current change order policy is rather restrictive, in this regard. Staff proposed the following amendments for the flood related work only. County staff may approve change orders, especially those caused by unforeseen site conditions or emergency situations, for up to a 10% cost of the contract. Change orders between 10.1% - 24.9% of the contract require approval by County Administration. Change orders in excess of 25% of the contract require approval of County Council. The request is for County Council to approve First Reading by Title Only, allowing for the temporary amendments to Chapter 2-593, pertaining to the review and approval of change orders. The committee recommends approval.

Mr. Malinowski inquired if we are going to identify which staff members will review and approve the change orders.

Ms. Hegler responded in the affirmative.

Ms. McBride stated the landscaping at Ms. Spry's home was terrible, and after the recent rain it was all muddy. She inquired if any of the projects will be able to address the landscaping.

Ms. Hegler stated it would be a more expensive one though, which would require it to be taken to the Administrator or Council.

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

The vote in favor was unanimous.

- e. Change Order to Tetra Tech's Current Contract for Costs associated with CDBG-DR implementation – Mr. Pearce stated the Blue Ribbon Committee was briefed on the need to modify the contract with Tetra Tech to provide for reasonable expenses, not previously included in the estimate, for the proper execution of entire CDBG-DR Program. There will be no direct cost to the County, as it will be fully funded by the grant. The request is to approve Change Order #5 to Task Order #7 in the amount of \$96,495.

Mr. Malinowski inquired as to what some of the reasonable expenses that were not previously approved.

Ms. Hegler stated it would be expenses incurred by the personnel within Tetra Tech for performing this work.

Mr. Pearce stated if Mr. Malinowski would like a more detailed report the Blue Ribbon Committee would be happy to provide one.

Mr. Malinowski stated he wanted it for the public, as well as himself.

Ms. Myers stated we could probably provide those documents online, if that would help Mr.

Malinowski, and the citizens could see, as well. She stated Ms. Hegler has them.

In Favor: Malinowski, C. Jackson, Myers, Pearce, 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 items from the Blue Ribbon Committee.

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

The motion for reconsideration failed.

20. **OTHER ITEMS**

- a. FY18-District 1 Hospitality Tax Allocations –Mr. Malinowski moved, seconded by Ms. Myers, to approve this item.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

- b. A Resolution to appoint and commission Blane Bryant, Michael Grover, Ryan Hamner, Kathleen Hatchell, Robert Ridgell, Nicklus Wright and Olivia Wilson as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County – Mr. Malinowski moved, seconded by Mr. Manning, 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.

21. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – No one signed up to speak.

22. **EXECUTIVE SESSION** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Personnel Matter: Current Assistant Administrator/Acting County Administrator

b. Personnel Matter: Clerk to Council Contract

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

The vote in favor of going into Executive Session was unanimous.

*Council went into Executive Session at approximately 8:27 PM and came out at approximately 9:40 PM.*

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

The vote in favor of coming out of Executive Session was unanimous.

Personnel Matter: Current Assistant Administrator/Acting County Administrator – Mr. Rose moved, seconded by Mr. Malinowski, to authorize the 15% pay increase for Dr. Yudice. For such increase be retroactive to May 15<sup>th</sup> when she assumed an additional role and duties. Additionally, she will be allowed the use of a County vehicle. These shall stay in place during the pendency of the expanded role and duties.

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

Abstain: Manning

The vote in favor was unanimous with Mr. Manning abstaining from the vote.

Mr. Smith stated it did not appear to be clear what Council said the role of Dr. Yudice was going to be going forward.

Mr. Rose stated the will of the body, as he understood it, was for her current status to remain the same as Council vets aspects and how we want to proceed. For the time being, we wanted to say thank you for what she has been doing in her expanded and capacity. The increase and the vehicle use to exist, until such role shall change.

Personnel Matter: Clerk to Council Contract – Ms. Myers stated they spoke with Ms. Roberts in Executive Session, but did not take any action.

23. MOTION PERIOD

- a. Determine if there is any state/federal law that prohibits a county from creating an ordinance that will address the use of plastic bags by commercial entities. If not, create an ordinance that would prohibit the use of plastic bags for use in putting product purchases, with certain exceptions if deemed necessary. Example: many products already come prepackaged in plastic and could not come under these restrictions [MALINOWSKI and N. JACKSON] – This item was referred to the D&S Committee.

ADJOURN – The meeting adjourned at approximately 9:44 PM.