



Richland County Council

REGULAR SESSION
October 6, 2020 – 6:00 PM
Via Zoom Meeting

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio and Joe Walker

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Ashley Powell, Angela Weathersby, Leonardo Brown, John Thompson, Dale Welch, Kyle Holsclaw, Clayton Voignier, Jeff Ruble, Jennifer Wladischkin, Dwight Hanna, Michael Maloney, Stacey Hamm, Judy Carter, Brad Farrar, Bill Davis, Michelle Niermeier, Ronaldo Myers, Geo Price, Tamar Black, Michael Byrd, Quinton Epps, Mike King, Paul Brawley, Allen Brown, Randy Pruitt, Brittney Hoyle-Terry, Sandra Haynes, James Hayes and Larry Smith

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. **PRESENTATION OF PROCLAMATIONS**
 - a. A Proclamation Recognizing Spring Valley High School Named a “Top 20” National Magnet School of Excellence [MANNING and McBRIDE] – Ms. Onley read the proclamation into the record.
 - b. A Proclamation Recognizing Paris Asmond, Peyton Hightower, Madison Ross, and Olivia Taylor on their 4x400 Amateur Athletic Union Relay Race National Championship Win [MANNING and McBRIDE] – Ms. Onley read the proclamation into the record.
 - c. A Proclamation Recognizing Diane Sumpter on Receiving the Abe Venable Legacy Award for Lifetime Achievement by the US Minority Business Development Agency (MBDA) [MANNING] – Ms. Onley read the proclamation into the record.
5. **APPROVAL OF THE MINUTES**
 - a. Regular Session: September 15, 2020
 - b. Zoning Public Hearing: September 22, 2020
 - c. Special Called Meeting: September 24, 2020

Mr. Malinowski requested that the record reflect that he was not in attendance at the September 24, 2020 Special Called meeting due to him attending the memorial services for the former Clerk to Council, Michelle Cannon-Finch.

Ms. McBride moved, seconded by Ms. Dickerson, to approve the September 15, 2020 and September 22, 2020 minutes as distributed, and the September 24, 2020 minutes as corrected.

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

Not Present: Walker and Kennedy

The vote in favor was unanimous.

6. **ADOPTION OF THE AGENDA** – Ms. Newton moved, seconded by Mr. Malinowski, to add “A Resolution in Support of F-35 Joint Strike Fighter Basing at McEntire Joint National Guard Base” to the Motion Period.

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

Not Present: Walker and Kennedy

The vote in favor was unanimous.

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

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

Opposed: Manning

Not Present: Walker and Kennedy

The vote was in favor.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

a. Project Sunshine

Ms. McBride moved, seconded by Ms. Terraico, to go into Executive Session.

Mr. Malinowski inquired where this item appears on the agenda.

Mr. Livingston responded any action on this matter will be reported out when Council comes out of Executive Session.

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

Opposed: Malinowski

Not Present: Walker and Kennedy

The vote was in favor.

Council went into Executive Session at approximately 6:22 PM and came out at approximately 6:42 PM

Mr. Manning moved, seconded by Mr. Malinowski to come out of Executive Session.

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

Abstain: Walker – was

Not Present: Kennedy

The vote in favor was unanimous.

Ms. McBride moved, seconded by Mr. Walker, for the following action:

- a. First Reading by Title Only “Authorizing the Execution and Delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Project Sunshine to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; authorizing the administration of a grant; approving the transfer of certain real property; and other related matters
- b. First Reading by Title Only “For the Benefit of Project Sunshine, approving the transfer of certain real property located in Richland County, the granting of certain easements and other matters related thereto
- c. Approval of Resolution entitled “Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Sunshine, identifying the project; authorizing the exercise of certain land options; providing for approval of an access agreement and other matters related thereto”

Mr. Manning inquired if this matter had been discussed with the Economic Development Committee.

Mr. Livingston responded the Economic Development Committee recommended approval.

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

Opposed: Myers

The vote was in favor.

8. **CITIZENS' INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No comments were received.

9. **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.) – No comments were received.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Coronavirus Update – Mr. Brown gave an overview of the DHEC provided information, as it relates to Richland County, as of September 29th:
 - ∅ Cases resulting in death: 231 confirmed; 13 probable
 - ∅ Total # of Cases: 14,703 confirmed; 746 probable
 - ∅ Number of Tests: 126,242
 - ∅ Hospitalizations: 731 cases

- o Positivity Rate: 19.8%
- o September 15 – 29 Positivity Rate: 12.1%

Mr. Brown noted Council has participated in several mask giveaways, and there more scheduled in the next few weeks as follows:

District 1:

- o Friarsgate Park, on October 9th from 10:00am-11:30am
- o Ballentine Library, on October 23rd from 10:00am-11:30am

District 2:

- o St. Andrews Park, on October 16th from 11:30am-1:00pm

District 8

- o Decker Center, on November 6th from 10:00am-11:30am

District 9

- o North Springs Park, on October 16th from 10:00am-11:30am
- o Sandhills Library, on October 30th from 10:00am-11:30am

**Mr. Brown noted that Councilman Jackson had provided sites for District 9 mask giveaways before his untimely death.

Mr. Brown stated, as you recall, the State communicated to the counties that they were going to set up a portal by which counties could submit reimbursement requests, in order to receive CARES Act funding. Based on the US Treasury guidelines, the US Treasury's expectation was that counties with populations over 500,000 would receive a direct allocation. Therefore, Greenville County received a \$91M direct allocation. Based on that per capita formula, the expectation is that Richland County would receive between \$69M to \$71M, if the US Treasury guidelines were followed. We have submitted a reimbursement request for approximately \$1.7M. At the same time, we believe the significant difference between that amount of money, and the \$69M or \$71M that could be received, is enough to where Council may want to consider sending a letter to the Governor, and the Legislative Delegation, requesting them to allocate the distribution of funds directly to the County, so it can respond to COVID-19, as the US Treasury anticipated. Included in the agenda packet, is a letter Horry County submitted, as well as a draft letter for Council's consideration.

Ms. McBride stated she thought we had previously discussed this matter and took formal action.

Mr. Brown responded Council did take action. Early on, even before we got into submitting reimbursements, he came to Council and said the State wants us to request funding in this format. They gave us a document that said, "If you sign this agreement, you are agreeing to do this a certain way." Council gave Legal the ability to find out whether or not they could make changes to the agreement, which they did, but the changes did not affect how they are distributing the funding.

Ms. Dickerson moved, seconded by Mr. Malinowski, to authorize the Administrator to go forward with the draft letter to the Governor and Legislative Delegation.

Ms. Newton stated she wanted to ensure, in addition to making ourselves heard, that we are also availing ourselves of other resources, as well (i.e. SCAC).

Mr. Brown responded that he had spoken with Tim Winslow, SCAC. Mr. Winslow stated, once they got the guidelines from the State, he immediately contacted them, and attempted to work with them to accomplish what we are requesting. At the time, the State indicated they were treating it as guidelines, and, with any guidelines, they have the latitude to utilize them as they see fit.

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

Not Present: Kennedy

The vote in favor was unanimous.

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

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning and Newton

Not Present: Kennedy

The motion for reconsideration failed.

Mr. Brown stated the County is currently developing a scope of work for vendors who can provide cleaning/sanitation services for judicial offices.

- b. National Customer Service Week – Mr. Brown stated he sent out messages out to the employment body thanking them for their service, and the importance of customer service in the County.

11. **REPORT OF THE INTERIM CLERK OF COUNCIL**

- a. Potential Council Retreat Locations – Ms. Onley presented the potential 2021 Council Retreat locations (Convention Center, Township Auditorium and Columbia Museum of Art) to Council.

Mr. Walker moved, seconded by Mr. Malinowski, to hold the 2021 Council Retreat at the Township Auditorium on January 27-29, 2021.

Ms. Terracio inquired if we will have the ability to livestream and/or record the Retreat as we have in the past.

Ms. Onley responded in the affirmative.

Ms. McBride inquired if we will be meeting in the lower level of the Township.

Ms. Onley responded in the affirmative.

Ms. McBride stated the Township was not always conducive for meeting. She knows the parking is not as good at the Columbia Museum of Art, but the setup was more conducive for meetings.

Ms. Dickerson inquired as to why the Retreat could not be held in Council Chambers.

Ms. Onley responded due to social distancing requirements Chambers would not be an ideal location to hold the Retreat.

Ms. Newton inquired, aside from the date consideration, which facility would be the best choice for Council to have the ability to sit around and have a conversation?

Ms. Onley responded the Convention Center would give us the most space, but there would be an additional cost for catering and AV with them.

Ms. McBride inquired about the Columbia Museum of Art.

Ms. Onley responded we would have the ability to use own caterer and AV with them.

In Present: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker and Newton

Abstain: Manning

Not Present: Kennedy

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Mr. Walker, to reconsider this item.

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker and Newton

Abstain: Manning

The motion for reconsideration failed.

12. **REPORT OF THE CHAIR** – No report was given.

13. **APPROVAL OF CONSENT ITEMS**

- a. 20-019MA, W. P. Sligh, RU to NC (2.51 Acres), 1006 Guise Road, TMS # R01511-05-10 (Portion) [SECOND READING]
- b. 20-023MA, Bill Dixon, RU to RS-MD (99.6 Acres), S/E Rabon Road, TMS # R17112-01-01 (Portion) [SECOND READING]
- c. 20-024MA, Bill Dixon, RU to RM-MD (23.6 Acres), S/E Rabon Road, TMS # R17112-01-01 (Portion) and R17115-01-01 [SECOND READING]
- d. 20-025MA, Anil R. Parag, PDD to Amended PDD (1.076 Acres), 301 Rice Meadow Way, TMS # R20305-01 [SECOND READING]
- e. Sewer and Water Connection for Residents Living Within the Southeast Sewer and Water Expansion Zone
- f. Change Order for Division 4 of the Southeast Sewer and Water Expansion Project

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

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

Not Present: Kennedy

The vote was in favor.

14. **THIRD READING ITEMS**

- a. An Ordinance Authorizing the levying of ad valorem property taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2020, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2020, through June 30, 2021 – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

In Favor: Dickerson, McBride, Livingston, Terracio, Manning and Newton

Opposed: Malinowski and Walker

Not Present: Kennedy

The vote in favor was unanimous.

- b. An Ordinance authorizing deed to the City of Columbia for Clemson Road Widening 12" water line relocation; Richland County TMS #s 25700 and 25800 (portion) – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

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

Not Present: Kennedy

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. McBride, to reconsider Items 14(a) and (b).

In Favor: Malinowski and Walker

Opposed: Dickerson, McBride, Livingston, Terracio, Manning and Newton

Not Present: Kennedy

The motion for reconsideration failed.

15. **SECOND READING ITEMS**

- a. Authorizing the issuance of General Obligation Bonds in one or more series, tax-exempt or taxable, in an amount not to exceed \$30,000,000, for the purpose of acquiring, constructing, equipping, rehabilitating and improving various capital projects; authorizing the County Administrator to prescribe the details of the issuance and sale of the bonds and the form and details of the bonds; providing for the disposition of the proceeds of the bonds and the payment of the bonds; and other related – Ms. McBride moved, seconded by Mr. Manning, to approve this item.

In Favor: Dickerson, McBride, Livingston, Terracio, Manning and Newton

Opposed: Malinowski and Walker

Not Present: Kennedy

The vote in favor was unanimous.

- b. Authorizing the issuance of Fire Protection Service General Obligation Bonds in one or more series, tax-exempt or taxable, in an amount not to exceed \$8,000,000 for the purpose of acquiring and constructing fire stations and acquiring fire protection equipment; authorizing the County Administrator to prescribe the details of the issuance and sale of the bonds and the form and details of the bonds; providing for the disposition of the proceeds of the bonds and the payment of the bonds; and other related matters – Ms. McBride moved, seconded by Ms. Dickerson, to approve this item.

Mr. Malinowski stated Ballentine/White Rock and Springhill fire stations need to be added to the fire projects, which are listed on p. 139 of the agenda packet.

Ms. Terracio inquired if Chief Jenkins has been consulted on the fire projects.

Mr. Byrd responded these are projects/stations in the unincorporated area of the County that have been in the planning phase for several years. We have discussed station expansion with these stations, but we have not specifically talked with Chief Jenkins in the last several months.

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

Opposed: Walker

The vote was in favor

- c. An Ordinance Amending the Fiscal Year 2021 Victim Assistance Fund Annual Budget by \$153,456 to amend Richland County Sheriff's Budget in the VA Fund – Ms. McBride moved, seconded by Mr. Walker, to approve this item.

Mr. Malinowski stated, for clarification, Victim's Assistance is listed in the item and again in the next item [15(c)]. He inquired if that is correct.

Mr. Hayes responded the Victim's Assistance fund is partially supported by the General Fund; therefore, it has to be included in both items in order for us to transfer the funds out of the General Fund and to the Victim's Assistance Fund.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning and Newton

Opposed: Malinowski

The vote was in favor.

- d. An Ordinance Amending the Fiscal Year 2021 General Fund Annual Budget by \$1,092,456 to pay for the annual costs of body worn and in-car cameras in the Richland County Sheriff's Department General Fund Budget and to amend the Victim's Assistance Budget – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning and Newton

Opposed: Malinowski

The vote was in favor.

16. **REPORT OF THE ADMINISTRSTION AND FINANCE COMMITTEE**

- a. Richland School District One's Recommendation to Deny Richland County's Request for an Additional \$500,000 Payment for the Southeast Sewer and Water Expansion Project – Ms. Dickerson stated the committee recommended denial of the draft IGA. If the expenditure for closing the lagoon exceeds the surplus, the County will request payment.

Ms. Newton requested clarification on the committee's recommendation. The way she read the document, there was a recommendation to submit the IGA to Richland School District One stipulating that we were going to accept their funding, as well as the funding from DHEC, and if there were any additional charges we would invoice them.

Ms. Dickerson responded that is the correct recommendation.

Dr. Thompson stated, in essence, Richland School District One is denying the additional \$500,000 to the County. The County's position is to reject the school district's denial, and we are going to pursue the \$500,000. We will be waiving the tap fees and providing additional services to the school district; therefore, it behooves them to provide the \$500,000.

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

Opposed: Livingston and Manning

Not Present: Kennedy

The vote was in favor.

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

In Favor: Livingston

Opposed: Malinowski, Dickerson, McBride, Terracio, Walker, Manning, Myers and Newton

Not Present: Kennedy

The motion for reconsideration failed.

- b. Sewer Request for the Farm at McCord's Ferry Road – Ms. Dickerson stated the committee to direct staff to issue a sewer availability letter that permits the developer to connect the Farm at McCords Ferry Subdivision to the City of Columbia sewer collection subject to the following conditions: 1. The construction of the project is completed and fully permitted for operations before the completion of the Southeast Sewer and Water Expansion Project (SESWEP). 2. The developer shall install an 8" force main that can convey all the sewer flow from the development to the County's Garners Ferry pump station. 3. At the completion of the SESWEP, the developer shall disconnect from the City of Columbia and reconnect to the County's sewer system using the 8"

force main already installed. All cost associated with disconnection and reconnection shall be the responsibility of the developer.

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

Not Present: Kennedy

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Mr. Walker, to reconsider this item.

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

Not Present: Kennedy

The motion for reconsideration failed.

- c. Broad River Wastewater Treatment Facility (WWTF) Headwork and Emergency Storage (Lagoon) Upgrade – Ms. Dickerson stated the committee recommended to awarding the Broad River WWTF Headwork and emergency storage (Lagoon) upgrade to Republic Contracting Corporation.

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

Not Present: Kennedy

The vote in favor was unanimous.

Mr. Walker moved, seconded by Ms. Dickerson, to reconsider this item.

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

Not Present: Kennedy

The motion for reconsideration failed.

17. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. A Resolution approving the 2020 Assessment Roll for the Village at Sandhill Improvement District, Richland County, South Carolina – Mr. Livingston stated the committee recommended approval of this item.

Mr. Malinowski inquired why the Village at Sandhill, LLC and the Saluda Dam, LLC have not paid for several years.

Mr. Jones responded that he does not know why they were not paid timely, but the payments have been made or the properties would be subject to sale.

Mr. Malinowski inquired if the heading on Table E is then incorrect.

Mr. Jones responded, based upon the time which the report was prepared, it is not an incorrect heading.

Mr. Malinowski inquired why there are 12 properties that have no assessments.

Mr. Jones responded those properties prepaid their assessments, which they are allowed to do per statute.

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

Not Present: Kennedy

The vote in favor was unanimous.

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

I. **ITEMS FOR ACTION**

- a. Proposed CMRTA Board Member Qualifications – Mr. Malinowski stated the committee recommended to approve the qualifications and criteria the CMRTA would like the members wishing to service on the Board have in their background.

Mr. Manning inquired if this is something the CMRTA wants, or if this is something the committee will be doing for all board and commission appointments.

Mr. Malinowski responded this is strictly for CMRTA.

Ms. Dickerson stated a lot of times the Board does not get business taken care of because we have people who not understand what transportation actually entails.

Mr. Manning inquired if the Library's criteria/qualifications came before Council.

Mr. Malinowski responded he does not recall Council taking it up.

Mr. Manning inquired if the committee will still be interviewing the applicants to ascertain if they meet these qualifications.

Mr. Malinowski responded in the affirmative.

Ms. Dickerson stated it may be a good idea for Council to review the qualifications and suggest any recommended changes.

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

Not Present: Kennedy

The vote in favor was unanimous.

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

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

Not Present: Kennedy

The motion for reconsideration failed.

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

- a. Polo Rd. Widening Service Order – Mr. Manning stated the committee recommended approval of Service Order #11 to Cox & Dinkins for the design of Polo Road Widening, as described in the scope of work.

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

Opposed: Walker and Myers

Not Present: Kennedy

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

In Favor: Walker and Myers

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Manning and Newton

Not Present: Kennedy

The motion for reconsideration failed.

- b. I-26 Widening Mitigation Credit Sales – Mr. Manning stated the committee is approve the sale of 6.76 wetlands credits to Weyerhaeuser NR Company for the SCDOT I-26 Interchange Widening Project for \$125,974.40.

Ms. Myers noted the entirety of this mitigation bank is on Old Bluff Road, which is in a blighted portion of Richland County. There has not been any proposed improvements to Old Bluff Road, yet there is a multimillion dollar mitigation bank, with mitigation bank credit sales, to be used to improve other parts of Richland County. Therefore, she will be voting against this item.

In Favor: Malinowski, McBride, Livingston, Terracio and Manning

Oppose: Walker, Myers and Newton

Abstain: Dickerson

Not Present: Kennedy

The vote was in favor.

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

In Favor: Walker, Myers and Newton

Opposed: Malinowski, McBride, Livingston, Terracio and Manning

Abstain: Dickerson

Not Present: Kennedy

The motion for reconsideration failed.

- c. Petition for Annexation of Richland County property- Three Rivers Greenway/Saluda Riverwalk –
Mr. Manning stated the committee is for First Reading approval of the petition.

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

Opposed: Walker

Not Present: Kennedy

The vote was in favor.

- d. Transportation Department Organization – Mr. Manning stated the committee recommended approval to create the Transportation Department Finance Manager position. The funding has already been approved for the position. At the committee's October meeting, they will take up the organization chart.

Mr. Livingston inquired if this was staff's recommendation.

Mr. Manning responded in the affirmative.

Ms. Newton inquired if the current organizational chart does not represent where this new position will be, and we will be provided an updated organizational chart at the next committee meeting. In addition, where does the new position fit into the organizational chart?

Mr. Manning responded that the new organizational chart will be presented at the next committee meeting. The position will report to the Transportation Director.

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

Not Present: Kennedy

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Dickerson, to reconsider this item.

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

Not Present: Kennedy

The motion for reconsideration failed.

20. **OTHER ITEMS**

a. FY21 Budget Considerations:

1. School Resource Officers – Chief Cowan stated he provided Council with updated documentation, which gave additional information regarding this matter.

Ms. Newton noted on p. 346 of the agenda packet it mentions the reallocation for 150 employees not impacted by Phase I or II of the Total Rewards. She was under the impression the only part of Total Rewards that was approved was Phase I. She requested clarity on this.

Chief Cowan responded that was a previous document that was submitted. The Council packet does not have the most up to date documentation. The reallocation of funds were specifically recurring dollars the Sheriff utilized to put toward Phase I and II for personnel that would not have received anything the way the program was set up. He stated they were under the impression that the two phases were approved. The financing may not have been, but the phases themselves were approved. Either way there were 150 people within the department that did not receive anything under the Total Rewards Program, which is why the funds were reallocated.

Ms. Hamm responded Phase I was to bring the employees up the minimum and Phase II was the January raise where we started to move the employees toward the mid-point, but only part of the money was moved for Phase II.

Ms. Newton stated, for clarification, we did not approve funding for Phase II.

Ms. Hamm responded we only provided funding for approximately 25% of Phase II. We approve \$1.5M for the 6 months.

Ms. Newton inquired as to what portion of that would have been allocated for the Sheriff's Department.

Mr. Hayes responded a very small portion of the Sheriff's School Resource Officers were funded in Phase II. He would have to research the exact amount that pertains to the School Resource Officers.

Mr. Livingston inquired if the School Resource Officers received funding in Phase I.

Chief Cowan responded they reallocated funds, within their budget, to cover the SROs because there was not funding allocated to cover the SROs in Phase I or II.

Mr. Malinowski stated, it his understanding, not everyone was receiving a raise.

Ms. Hamm stated that not all employees qualified for a raise.

Chief Cowan stated, under the criteria approved by Council, everyone they reallocated funding for should have received something, and they did not. Therefore, they had to reallocate funds to do so.

Mr. Malinowski inquired as to why enough funds were not provided for the employees that were supposed to get raises.

Ms. Hamm responded the funding was in the Non-Departmental General Fund Budget.

Mr. Hayes responded for Phase I (August 2019) we budgeted \$1.8M, which were carried over from the COLA budget approved in January 2019. At that point, the allocation of who would receive a raise was turned over to Human Resources. With Phase II, Council approved \$1.5M, which annualized would be \$3M in FY21. The Budget Department managed the resources, but they did not determine what entities got the funding.

Mr. Hanna stated he could not speak to the number of SROs, but as he recalls there were several positions that needed to be "corrected". He noted they had already allocated the funding approved by Council when these positions were identified. Once they were identified, there was an agreement, by the Sheriff's Department, that they would use their approved funding.

Mr. Manning inquired if the issue is the approval of the SRO budget, or is the issue Total Rewards.

Mr. Hanna stated, it is his understanding, the Sheriff's Department's request is related to the budget. There have been some questions about Total Rewards.

Mr. Manning moved, seconded by Mr. Walker, to approve this item for 2nd Reading.

Mr. Malinowski noted there was language used in the updated documentation from Chief Cowan that indicated there were reductions in their budget for the last 3 years, the Sheriff's Department's budget had taken numerous cuts, and to bridge the gaps created by reduction in funding. He noted this language needs to be corrected, as the County never cut the Sheriff's Department budget. According to his research, over the last 5 years, the Sheriff's Department has received an increase in their budget every year, which equates to a \$4.8 increase.

Mr. Livingston inquired as to the dollar amount that is being requested.

Mr. Hayes responded it would be approximately \$921,000.

Mr. Brown stated this is one of those scenarios where you have two parties that are both right. The financial dollars that Chief Cowan is presenting is the financial impact. Mr. Hayes is presenting a fiscal impact. He is talking about the budget that was approved versus the budget that we will need to make the actual numbers match. If Council chooses to approve the Sheriff's request, they will need to approve \$921,000. Financially, you will be increasing the Sheriff's Department's dollars by \$727,000.

Chief Cowan noted that 75% of the cost for the SRO Program is billed to the school district.

In Favor: Malinowski, Dickerson, Livingston, Manning, Myers and Newton

Opposed: Terracio

Not Present: Kennedy

The vote was in favor.

2. Approval to fund Central Midlands COG at the FY21 contractual amount of \$194,977. The current amount approved for FY21 is \$189,298 – Ms. Newton moved, seconded by Mr. Walker, to approve this item.

Mr. Malinowski stated, for clarification, this is an amount we are obligated to pay because of State law.

Mr. Brown responded in the affirmative.

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

Not Present: Kennedy

Mr. Manning moved, seconded by Ms. Newton, to reconsider this item.

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

Not Present: Kennedy

The motion for reconsideration failed.

- b. Prisma Health's Request to Use Columbia Place Mall for COVID-19 Testing – Mr. Brown stated the County received a request for Prisma Health to utilize Columbia Place Mall for COVID-19 Testing. The request is being brought before Council because we have a County Building Use Policy which only addresses two (2) facilities: Decker Center and the parking lot. His recommendation would be to approve Prisma Health's request. Legal and Risk Management has reviewed an agreement and it has been submitted to Prisma Health.

Mr. Manning moved, seconded by Ms. McBride, to add to the County Building Use Policy the ability for the County Administrator to make decisions about the Columbia Place Mall and its parking lot.

Ms. McBride noted that she is excited about Prisma Health utilizing Columbia Place Mall. She feels it is an ideal location because people can drive, use public transportation or walk to this location.

Mr. Malinowski stated he does not know if we can act on Mr. Manning's motion because we do not have anything on the agenda about changing Richland County's use policy.

Mr. Manning withdrew his motion.

Mr. Malinowski request clarification on whether Risk Management supports the endeavor because p. 364 of the agenda contains the following statement: "Risk Management's general recommendation that unoccupied County properties not be made available for use by third parties."

Mr. Brown responded that Risk Management gave an assessment, which is including in the agenda packet. In his previous statement, he was referring to the document we sent to Prisma Health that was recommended by Legal. Prisma Health made minor changes to the document. Legal and Risk Management reviewed those changes and indicated they approved the revised document. He has

taken into consideration Risk Management's concerns; however, he believes we have the appropriate indemnification within the legal agreement, which would cover us.

Ms. McBride moved, seconded by Ms. Dickerson, to approve the Administrator's recommendation to allow Prisma Health to use Columbia Place Mall for COVID-19 testing.

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

Opposed: Malinowski

Not Present: Kennedy

The vote was in favor.

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

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

Not Present: Kennedy

The motion for reconsideration failed.

- c. FY20 – District 5 Hospitality Tax Allocations – Ms. Dickerson moved, seconded by Mr. Manning, to approve Items 20(c) and (d).

Mr. Walker stated, as always, he will be voting against this item because he feels the program needs to be revisited.

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

Opposed: Walker

Not Present: Kennedy

The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Myers, to reconsider Items 20(c) and (d).

In Favor: Walker

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

Not Present: Kennedy

The motion for reconsideration failed.

- d. FY20 – District 2 Hospitality Tax Allocations – This item was taken up with Item 20(c).

21. **EXECUTIVE SESSION** – No Executive Session items.

22. **MOTION PERIOD**

- a. I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program [TERRACIO] – This item was referred to A&F Committee.
- b. A Resolution in support of F-35 Joint Strike Fighter Basing at McEntire Joint National Guard Base [NEWTON] – Ms. Newton moved, seconded by Mr. Manning, to unanimously adopt the resolution and present it at the October 20th Council meeting.

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

Not Present: Kennedy

The vote in favor was unanimous.

- c. Move to remit the \$300,000 private donation (negotiated by Councilwoman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylors Community to Richland County Parks & Recreation under an IGA, to be designated as funding for the Taylors Community Park, promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully funded park [MYERS] – This item was referred to the A&F Committee.
- d. Move to engage a third-party design-build company to begin work on the \$2M SE Richland County multi-purpose facility, as approved by Council in 2018. The funds were earmarked and approved, but RC staff has not undertaken any planning or construction of the Council-approved project by the end of November 2020 [MYERS] – This item was referred to the A&F Committee.
- e. Move to engage a third-party consultant to undertake work on Richland Renaissance, which was approved 11-0 by this Council in early 2019. Staff has chosen to postpone this Council-approved project, which would alleviate serious facility constraints and result in savings over time, as the County would not spend money on short-term repairs, but on long-term needed facilities planning and construction [MYERS] – This item was referred to the Richland Renaissance Ad Hoc Committee.
- f. I move to amend the Public Nuisance Ordinance to define “Public Places/Establishments” to include restaurants, taverns, lodges, parking lots, and public places where children or students attend and/or normally congregate [DICKERSON] – This item was referred to the Rules & Appointments Committee.

23. **ADJOURNMENT** – The meeting adjourned at approximately 9:00 PM.