



Richland County Council

REGULAR SESSION

February 20, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Jamelle Ellis, Brandon Madden, Sandra Yudice, Larry Smith, Kim Williams-Roberts, Gerald Seals, Shane Kitchens, Beverly Harris, Tony Edwards, Tim Nielsen, Trenia Bowers, Dwight Hanna, Tracy Hegler, Stacey Hamm, Quinton Epps, Michael Niermeier, Brad Farrar, John Thompson, Laura Renwick, and Ismail Ozbek

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Jim Manning
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Jim Manning
4. **PRESENTATION OF PROCLAMATION: A Proclamation Honoring Becky Bailey for her service to the Richland County Conservation Commission** – Ms. Kennedy and Ms. Dickerson presented the proclamation to Ms. Bailey.
5. **APPROVAL OF MINUTES**
 - a. **Regular Session: February 6, 2018** – Ms. Myers moved, seconded by Mr. N. Jackson, to approve the minutes as distributed.

Mr. Malinowski stated it is his recollection motion (h): “Move that the Council set aside time as soon as possible either during a regularly scheduled meeting or work session to discuss issues related to the Fire Contract as outlined at the recent Council Retreat to provide the County Administrator with direction” listed on p. 28 of the agenda packet was withdrawn by Mr. Pearce. The Clerk’s Office will make the necessary correction to the minutes.

In addition, Mr. Malinowski moved to defer approval of the portion of the minutes regarding the following item: “Contractual Matter: Pinewood Lake Park: Property Acquisition” and reconsider it during Executive Session. Mr. Pearce seconded the motion.

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

Opposed: McBride and Rose

The vote was in favor.

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

The vote in favor was unanimous to approve the minutes as amended.

6. **ADOPTION OF THE AGENDA** – Mr. Malinowski stated “Legislative Night Out” needs to be added under the Report of the Clerk of Council.

Mr. Livingston inquired as to what action Mr. Malinowski wanted to take regarding the item that was reconsidered.

Mr. Malinowski stated he wanted to discuss the matter during Executive Session.

Mr. Smith stated the subject matter is already on the agenda under the Report of the County Attorney.

Mr. Smith requested that Item 9(c): “Contractual Matter/Legal Advice: PDT Audit” be removed from the agenda.

Mr. Seals requested that Item 7(c): “Presentation of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2017 be removed from the agenda.

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

Opposed: Manning

The vote was in favor to adopt the agenda as amended.

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

- a. Contractual Matter: City of Columbia
- b. Employee Grievance
- c. Contractual Matter: Pinewood Lake Update

8. **CITIZENS’ INPUT: For Items on the Agenda Not Requiring a Public Hearing** – No one signed up to speak.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Contractual Matter: City of Columbia – This item was taken up in Executive Session.
- b. Vehicle Assistance for Benedict College – Mr. Seals stated this is a request from Benedict College for Council to approve the redirection of five (5) County surplus vehicles for utilization by Benedict College’s police force.

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve Benedict College’s request of five (5) County surplus vehicles.

Mr. Malinowski inquired if Benedict College also made a similar request of the City of Columbia since they are often time requested to assist the City of Columbia Police Department with calls within the surrounding area.

Mr. Seals stated he does know the answer.

Mr. Malinowski inquired if the County needs to execute a hold harmless agreement or MOU prior to donating the vehicles to protect the County from them potentially coming back and stating the vehicle caused an accident.

Mr. Smith stated if Council agrees to donate the vehicle it can be done with an agreement with the appropriate stipulations and provisions to protect the County. As it relates to liability, once the vehicles become Benedict's property that will be their responsibility.

Ms. Kennedy stated for the record the letter stated "donation or sell".

Mr. N. Jackson stated the County can use the same procedure it did when a vehicle was donated to Allen University.

Ms. Myers inquired if the motion is for donation or sell.

Ms. Dickerson responded the motion is for donation.

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

The vote in favor was unanimous.

- c. Alvin S. Glenn Detention Center Drop-Off – This item was taken up in Executive Session.

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

- a. SCAC Mid-Year Conference, February 21, 10:00 AM – 1:00 PM, Embassy Suites – Ms. Roberts reminded Council of the upcoming SCAC Mid-Year Conference.
- b. SCAC Legislative Reception, February 21, 5:30 – 7:00 PM, Palmetto Club – Ms. Roberts reminded Council of the upcoming SCAC Legislative Reception.
- c. SCAC Institute of Government Classes, February 22, 10:00 AM – 1:00 PM; 2:00 – 5:00 PM, Embassy Suites – Ms. Roberts reminded Council of the upcoming SCAC Institute of Government classes.
- d. Legislative Night Out, February 28, 5:30 – 7:30 PM, Columbia Museum of Art – Ms. Roberts reminded Council of the upcoming Richland County "Legislative Night Out".

11. **REPORT OF THE CHAIR**

- a. Introduction of Chief Magistrate – Ms. Dickerson introduced Chief Magistrate Tomothy Edmond to Council.
- b. Courtroom Unveiling Honoring Judge Sims – Ms. Dickerson stated staff is working on scheduling the courtroom unveiling.
- c. Richland Reveal – Ms. Dickerson stated instead of doing a "A State of the County" we will be showcasing all of Richland County in the month of March.

- d. Meeting with City and Town Officials regarding Richland Renaissance – Ms. Dickerson stated she has requested Mr. Seals to assist with scheduling a meeting with officials with the towns, cities, and municipalities in Richland County to receive their input regarding the Richland Renaissance.
- e. Richland One Meeting Update – Ms. Dickerson stated the meeting went well. Several of the Council members, but there is not a lot to report back to Council regarding the meeting at this time.

Mr. C. Jackson requested additional information regarding this item.

Mr. Seals stated County Council made certain budget decisions. In this case, there was some discussion over the extension of sewer and the participation with Richland One. There were some discussion about the amounts of money or what level the district would like to participate at. The Council Chair participated in the last meeting. The results of the meeting was acknowledgement that there was a commitment by the district of \$2 million in the sewer extension project. The request during the meeting was to increase the amount by \$500,000. Thereby bringing the total amount to \$2.5 million. It is his understanding the district is considering the number and will correspond with Council shortly regarding its decision.

Ms. Dickerson stated she was invited to sit in on the meeting. She said she was hesitate because there were some legal matters that she was not sure she was at liberty to discuss at this particular setting. She meet with Mr. N. Jackson, Ms. Myers, Mr. Seals and School Board members.

Mr. C. Jackson stated he knew the level of costs involved in this project and he wondered (a) if there was a meeting of the minds, in terms of the dollar amounts; (b) if Mr. Seals or the County is satisfied that if that figure is one they are amenable to it will work from the County's perspective.

Mr. Seals stated there has been a follow-up correspondence from the District Chair and the response the County has made to that letter is that everything would be codified in an intergovernmental agreement. However, that is contingent on the district arriving at a conclusion on the \$2. 5 million. There has not been an indication the conclusion has been met.

Mr. N. Jackson stated it appears there were some misunderstandings by the School Board and this is more of a contractual matter.

Ms. Myers stated initially there were 2 schools covered. Currently there will be 3 schools. The discussion was can, not must, the district participate and if they can at what level. The school have to be taken care of and Council is not suggesting that it won't. She stated this is an ongoing discussion and it is a discussion that is contractual in nature.

Ms. McBride inquired if this will be something that comes back before Council.

Ms. Dickerson stated both parties will have to agree to an intergovernmental agreement.

Mr. Smith stated he e-mailed the correspondence to Council and explained that he would recommend since the letter itself was not binding that we propose an intergovernmental agreement with the School District I, so the terms and conditions agreed upon would be formal.

Mr. N. Jackson inquired if there was already an agreement for the \$2 million.

Mr. Smith stated he was not aware of a previous agreement. He was forwarded a letter with the amount of \$2.5 million proposed. He then suggested entering into an intergovernmental agreement since the letter was not binding.

Mr. N. Jackson stated in the discussion with the School Board they said they had agreed to \$2 million when the plan was passed.

Mr. Seals stated there was no agreement. In searching the archives of the School District, we have learned there was a draft of an agreement. The draft was never circulated to Legal or the Administrator.

- f. Midlands Heart Walk, March 24, Colonial Life Arena – Ms. Dickerson stated she was contacted by City Councilwoman Tameika Issac-Devine to ensure the County is addressing heart disease. She has requested Ms. Roberts and Ms. Onley to assist with working on a heart walk. In addition, she has requested Mr. Seals to assist with providing additional staff for the event.

Mr. Livingston suggested partnering with someone.

Ms. Dickerson stated the County will be looking for someone to assist with raising funds for the event.

- g. Protocol for reporting absences – Ms. Dickerson stated she is requesting that protocol to be followed when a Council members is not going to be present at the Council meeting by contacting the Clerk’s Office or someone know so it can be announced at the Council meeting.

Mr. Malinowski read into the record Council Rule 3.2: “**Attendance** – Each member shall be within the Council Chambers during its meetings unless excused or necessarily prevented. The Chair, if notified prior to the meeting, may excuse any member from attendance at meetings of the Council and its committees for any stated period upon reason shown, and such excused absence shall be noted in the minutes.”

Mr. Manning stated Mr. Malinowski was reading from the Council Rules and several meetings back Mr. Malinowski had indicated Council had not had a current version of the rules and he was going to work on getting the rules updated by Legal. He inquired if the version Mr. Malinowski read from was the updated rules.

Mr. Malinowski stated the Council Rules he read from are from November 2017 and there are other updates that need to be added by the Clerk’s Office.

12. APPROVAL OF CONSENT ITEMS

- a. 17-033 MA
Derrick J. Harris, Sr.
RU to LI (1.19 Acres)
7640 Fairfield Road
TMS# R12000-02-01 [THIRD READING]
- b. 17-041MA
Bruce Gleaton
GC to RS-E (2.99 Acres)

742 Sharpes Road
TMS# 14402-04-05 [THIRD READING]

- c. 17-043MA
Johnathon P. Holley
HI to GC (1.68 Acres)
9010 Farrow Road
TMS # 17211-01-08 [THIRD READING]
- d. 17-044MA
Sandy Moseley and Shaffin Valimohamed
RM-MD to NC (.27 Acres)
7004 Hilo Street
TMS # 19203-10-20 [THIRD READING]
- e. An Ordinance Authorizing deed to the City of Columbia for certain water lines to serve the Ballentine Branch Library Dutch Fork Road; Richland County TMS # 03303-01-06 & 02 (portion) [SECOND READING]

Mr. Malinowski moved, seconded by Mr. Pearce, 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.

13. **THIRD READING ITEMS**

- a. 17-036MA
Richland County
PDD to PDD (2 Acres)
1 Summit Parkway
TMS # R23000-03-07

Mr. C. Jackson moved, seconded by 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. 17-039MA
Troy Berry
RS-LD to NC (2 Acres)
1215 North Brickyard Road
TMS # 20100-05-01 & 02

Ms. Kennedy moved, seconded by 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.

- c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-181, Roads; Subsection (B), Design Standards for Public or Private Roads; Paragraph (4), Cul-de-Sacs; Subparagraph (C), Cul-de-Sac Design; so as to amend the requirement for a landscaped interior island

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

Mr. Malinowski thanked Ms. Hegler for providing the additional information.

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

The vote in favor was unanimous.

14. **SECOND READING ITEM**

- a. An Ordinance Amending and Supplementing Ordinance No. 039-12HR 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 – Mr. Seals stated based on the meeting earlier today it would be appropriate to defer this item until the items committed to be brought to Council within 10 days are provided.

Mr. N. Jackson moved, seconded by Ms. Myers, to defer this item.

Ms. Dickerson stated Mr. Livingston and Mr. Malinowski have questions.

Mr. N. Jackson withdrew his motion to allow discussion.

Mr. Livingston stated this is Second Reading and the changes can be made prior to Third Reading. He further stated he is concerned about the getting this completed in a timely manner.

Mr. Smith stated from a process perspective Council can move forward; however, at looking at the number of things that Council has to decide, some of which were discussed at the work session, and it was thought the better approach would be for Council to get the recommendation from the Administrator. Council still has to make some decisions on the matters the Administrator brings to Council and anything else that may not be addressed by his recommendation. Once staff receives guidance from Council the ordinance will have to be amended to reflect the recommendations.

Mr. Manning stated for clarification that Council could defer tonight, but if they don't they can still defer at Third Reading. In addition, if Council wishes to make changes at Third Reading they are able to do so through motions.

Mr. Smith also stated Council normally has the public hearing during the Second Reading. To the extent that the ordinance has been supplemented, Council may want to get whatever public input would go with the Second Reading of the ordinance. Legally and procedurally if Council wants to go forward with Second Reading, they can do so.

Mr. Malinowski stated Mr. Smith answered his question. Since this is a three reading and public hearing item, if we move forward it does not give the public much time to give Council input before they move forward.

Mr. N. Jackson inquired as to where the public hearing for this item is on the agenda or we have to vote on Second Reading without a public hearing.

Ms. Dickerson stated that is what Mr. Smith was telling Council.

Mr. N. Jackson stated he remembers when we had public hearing on Third Reading also.

Mr. Pearce stated if we have not had a public hearing and we pass Second Reading then we will have at a future meeting a public hearing and Third Reading. He inquired as to why the public would not have time to weigh in on it.

Mr. Malinowski stated what he understood was that we would have the public hearing at Third Reading, not prior.

Mr. Livingston stated that was not his motion. His motion had nothing to do with the public hearing. It simply referred to moving forward on Second Reading tonight.

Ms. Dickerson stated Mr. Livingston did not make the motion. It was simply a statement, right?

Mr. Livingston stated that was his intent.

Ms. Myers inquired if Mr. Smith and Mr. Malinowski are suggesting because of the timeframe to put the item out for public notice that it would be too short to get proper input.

Mr. Malinowski responded in the affirmative.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to defer.

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

Opposed: C. Jackson, Pearce, Kennedy, Manning, Livingston, and Rose

The motion for deferral failed.

Mr. Livingston moved, seconded by Mr. Pearce, to approve this item.

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

Opposed: Malinowski

The vote was in favor.

Mr. Livingston stated in the future if there is going to be a recommendation from the Administrator for deferral to try to advise Council prior to the Council meeting.

Mr. Seals acknowledged the request and apologized for not bringing it to Council's attention earlier in the meeting.

POINT OF ORDER – Mr. N. Jackson inquired if Items 14(b), (c), and (d) will require a public hearing.

Ms. Dickerson responded in the affirmative.

Mr. N. Jackson inquired if the public hearing is at this meeting.

The public hearing was not scheduled for tonight's meeting.

Mr. N. Jackson moved to defer these items since the public hearing was not scheduled.

Ms. Onley stated these items are economic development items and outside counsel advertises for those public hearings. The public hearing for economic development items are routinely done at Third Reading.

Mr. N. Jackson withdrew his motion.

Mr. Livingston reiterated the comments made by Ms. Onley regarding the public hearing for the economic development items.

- b. An Ordinance Authorizing an amendment to the fee agreement by and among Richland County, South Carolina, McEntire Produce Inc., R. C. McEntire Trucking, Inc., and McEntire Limited Partnership, dated May 25, 2006, to provide for an extension of the term thereof and an amendment to the fee agreement among Richland County, South Carolina, McEntire Produce, Inc., R. C. McEntire Trucking, Inc., and McEntire Limited Partnership, dated June 5, 2012, to provide for an extension of the term thereof, authorize an extension of the investment period thereof, and provide for the issuance of infrastructure credits thereunder – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

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

The vote in favor was unanimous.

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

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

The vote in favor was unanimous.

- d. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and a Company identified for the time being as Project

Liberty, to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

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

The vote in favor was unanimous.

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

16. **NOTIFICATION OF APPOINTMENTS**

- a. Employee Grievance Committee – 1 – Mr. Malinowski stated the committee recommended appointing Florence Chretien.

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

The vote in favor was unanimous.

- b. Township Auditorium Board – 1 – Mr. Malinowski stated the committee forwarded this item to Council without a recommendation.

Mr. Malinowski moved, seconded by Mr. Pearce, to appoint Mr. Carlos W. Gibbons, Jr.

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

The vote in favor was unanimous.

- c. Internal Audit Committee – 1 – Mr. Malinowski stated the committee recommended appointing Sarah Corbett.

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

The vote in favor was unanimous.

17. **OTHER ITEMS**

- a. FY18 – District 3 Hospitality Tax Allocations – Mr. Manning moved, seconded by Mr. Pearce, to approve this item.

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

The vote in favor was unanimous.

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

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

The motion for reconsideration failed.

18. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – Ms. Cindy Smith and Ms. Peggy Ondrea spoke regarding zoning violations at 1025 Ellett Road, Chapin.

Ms. Carol Goodson Eaddy spoke in favor of the Lower Richland Sewer Project.

Mr. Malinowski stated he was glad Ms. Smith came to speak to Council this evening. He has made numerous phone calls to the County trying to get this corrected without resolution. It appears we have an individual that is flaunting the County's ordinances and laws, but nothing is being done about it. He further stated maybe the ordinances need to be changed to get some teeth in them.

Mr. Rose requested Mr. Seals to assist the Chapin residents with this issue.

Ms. Myers thanked Ms. Eaddy for coming to speak in favor of sewer and promised it is on the way.

19. **EXECUTIVE SESSION**

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

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

Council went into Executive Session at approximately 7:05 PM and came out at approximately 7:42 PM

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

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

- a. **Employee Grievance** – Mr. Livingston moved, seconded by Mr. Pearce, to uphold the Administrator's recommendation.

Mr. Malinowski made a substitute motion, seconded by Mr. N. Jackson, to not uphold the Administrator's recommendation.

In Favor: Malinowski and N. Jackson

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

The substitute motion failed.

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

Opposed: Malinowski and N. Jackson

The vote was in favor of the motion to uphold the Administrator's recommendation.

- b. Contractual Matter: Pinewood Lake Update – Mr. Livingston moved, seconded by Mr. Malinowski, to instruct the Administrator to move forward with reimbursement from the contractor as discussed in Executive Session.

Mr. Seals requested that Council make it clear that all the County Administrator is to do is seek reimbursement of the \$126,000 and proceed no further.

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

Opposed: N. Jackson
The vote was in favor.

- c. Contractual Matter: City of Columbia – Ms. Dickerson moved, seconded by Mr. Rose, to defer this item to the March 6th Council meeting.

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

The vote in favor was unanimous.

27. **MOTION PERIOD**

- a. Direct Administrator Seals to research the Richland Renaissance to touch all parts of Richland County for economic and tourist development, especially in areas that are gateways to Richland County. Following his research provide Council an updated potential plan/recommendation by the March 20, 2018 Council meeting. [MALINOWSKI] – This item was referred to the County Administrator.
- b. I move to declare “bump stock” “bump fire stocks” “trigger crank” and “gat crank” trigger devices illegal in Richland County. NOTE: In 2010 the US Bureau of Alcohol, Tobacco, Firearms, and Explosives declared a “bump stock” is a firearm part and is not regulated as a firearm under the US Gun Control Act or the National Firearms Act. (a) Any device capable of being attached to a firearm for the purpose of increasing the firing rate or capabilities of the firearm using recoil, commonly known as “bump stocks” or “bump fire stocks”, are hereby declared unlawful and any person in actual or constructive possession of such a device is guilty of a misdemeanor punishable in magistrate court. (b) Any device capable of attaching to a firearm and which repeatedly activates the trigger of the weapon through the use of a lever or other part that is turned in a circular motion, commonly known as “trigger crank” or “gat crank”, are hereby declared unlawful and any person in actual or constructive possession of such a device is guilty of a misdemeanor punishable in magistrate court. (c) Violations as stated in Section (a) or (b) above are subject to the following exceptions: 1. Any member of the United States military or any legally sworn law enforcement personnel while engaged in the course of their duties or in training; 2. Any “bump stock” or “trigger crank” device which is possessed by a person who is not prohibited under State or Federal law from using, owning or possessing a firearm, and the device is completely disconnected from any firearm in a manner which would render the device inoperable and stored in a separate container from the firearm or weapon; 3. Any law enforcement officer or department which has seized a firearm, with “bump stock” or “trigger crank” attached, pursuant to a lawful seizure of a weapon, as contraband or evidence of a crime, inside Richland County; provided, however, any law enforcement agency taking possession of a “bump stock” attached to a firearm must notify the Sheriff’s Department

immediately to inform them of the existence of the device, the location where it was obtained, where the device will be stored and any other facts relevant to the use or possession by a person.
[MANNING] – This item was referred to the D&S Committee.

ADJOURN – The meeting adjourned at approximately 7:52 PM