

City of West Columbia, SC

Regular Council Meeting

August 5, 2014 at 6 p.m.

Members Present:

Joe Owens, Mayor
Casey Jordan Hallman, Mayor Pro-Tem
Eric L. Fowler
L. Dale Harley
Boyd J. Jones
Temus C. Miles, Jr.
Tommy Parler
Teddy Wingard
B.J. Unthank

Members Absent:

None

Others Present:

Jenny Cunningham, City Administrator
Myron Corley, Deputy City Administrator
Mardi Valentino, City Clerk/PIO
Rick Hodge, City Treasurer
Stuart Jones, Building Official
Sid Varn, Director of Planning & Engineering
Members of the Public and Press

Wyatt Coleman, Fire Chief
Ken Ebener, Municipal Judge
Brian Carter, Assistant City Administrator
Justin Black, Staff Accountant
Anna Huffman, IT Systems Administrator
Dennis Tyndall, Police Chief

Agenda Item I – Call to Order

Chairperson Unthank called the meeting to order at 6 p.m. and noted a quorum was present. *The State, Free Times, Lexington County Chronicle, Cayce-West Columbia News, The Columbia Star* and radio and television stations were notified of the meeting by e-mail on August 1, 2014.

Agenda Item II – Determination of Quorum

Chairperson Unthank noted a quorum was present to conduct business.

Agenda Item III – Invocation

Council Member Fowler gave the invocation followed by the Pledge of Allegiance.

Agenda Item IV – Pledge of Allegiance

All attendees at the meeting recited the Pledge of Allegiance before the flag of the United States of America.

Agenda Item V – Announcements/Communications by Mayor

Chairperson Unthank recognized Mayor Owens who stated that he would defer any announcements or communications until after the executive session.

Regular Council Meeting Minutes

August 5, 2014

Page Two

Agenda Item VI – Citizens' Requests for Appearance

- A. Chairperson Unthank recognized Mr. Ray Moseley with M& R Realty Company. He said he was speaking on behalf of Mr. Gregg Senn who owns the property at 2119 Sunset Boulevard, which is on the agenda for final reading consideration to change the zoning classification. Mr. Moseley said the majority of trees on the property under consideration are on highway right-of-way. He said if the property is developed the entrance would be on Sunset Boulevard and on the side of Klapman Road directly across from the Bank of America entrance. He explained that most traffic would exit to the light at the intersection with Klapman Road and Cougar Drive because there is not light at Hook Avenue and Sunset Boulevard. He asked council to rezone the residential portion of the property to commercial so the property could be developed.
- B. Chairperson Unthank recognized Mr. Clint McKoy who stated he lives at 2015 Klapman Road across from the property being considered for rezoning. He stated he and his wife have put almost \$300,000 into the house and property. He said the backside of the property at 2119 Sunset Boulevard currently is zoned residential to protect the neighborhood and the residents in the area do not want their property values to decrease due to commercial buildings on Klapman Road. He said he spoke to many of his neighbors about the rezoning and everyone he talked with signed a petition against the zoning change. He said the people who will benefit from the zoning change do not live in the neighborhood. He stated that if council rezones one piece of property on Klapman Road then all the other parcels will open up for rezoning to commercial use. Council Member Miles asked Mr. McKoy if he has put his house up for sale. Mr. McKoy responded that he had, but he was still interested in protecting the value of his home.

Chairperson Unthank asked if the property remained split-zoned could the residential portion still be developed. Mr. Brian Carter, Assistant City Administrator, responded that the C-2 (general commercial) uses could encroach 50 feet into the R-4 (low-density residential) portion of the property and the rest of the residential portion could be used for parking. Mr. Carter noted the property owner would have to go before the West Columbia Zoning Board of Appeals and obtain a special exception to do the encroachment.

- C. Chairperson Unthank recognized Mr. David Rish, who stated that he lives at 1504 Robin Crest Drive. Mr. Rish stated, "I am 70 years old and I have lived in the city for 68 of those years. I am aware of six mayors in those 68 years, some of which have been voted out of office, but none of them have ever been ambushed. It appears to me that is what is happening in this situation. We live in a democracy in which we vote for the authority figure that we want to represent us. We do not expect the existing governing body to override that vote. Regardless of your ability to do so, to flush 834 votes down the commode is wrong. The taking of authority by force is a nuclear option that has never been used in West Columbia and should never be used again. The upheaval y'all have created has adversely affected the well being of this city and has divided the people who live here. Instead of waiting for the next election to get your candidate elected you opted for a power grab. You have tried to justify your actions by initiating a partisan investigation with your hand-picked, non-bid, partisan investigator. The investigation is being done with one and only one objective in mind; this investigation is a witch hunt and a sham. It is directed at Joe Owens only to smear his name. I think we all know what your investigation is attempting to do and we resent your spending our money for nothing but to support your point of view.

Regular Council Meeting Minutes

August 5, 2014

Page Three

Agenda Item VI – Citizens' Requests for Appearance (continued)

Mr. Rish continued, "Charges against Joe Owens. He violated the Freedom of Information Act by not having a quorum of council members in attendance at a meeting with the chief of police. Yet it's my understanding that the charging council member did meet with the police chief for hours without any other council members present. Is this not a violation of that same Freedom of Information Act? Joe has been accused of using vulgar words in executive session. Joe has stated he did not use these words. Considering the efforts to discredit him and the fact that I have been with Joe in mixed company on many occasions over the last 25 years, I believe Joe. Never, never have I heard him use inappropriate language in mixed company. Yet the same person that was accusing him did use a letter with a bomb attached to it in front of not only mixed company, but in front of minor children. And that word means the same regardless of how you classify it. The substitution of a letter in a bomb means exactly the same thing that the word you accused Joe of saying and everybody knew it. So why didn't you just use the word? You, sir, may feel your statement was appropriate to say in front of a packed council meeting, but a number of us do not. Joe is accused of demeaning Mr. Unthank to which he has admitted to and apologized for."

Mr. Rish continued, "Charges against Matt Edwards: none. I repeat, none. In the absence of any charges we can only conclude he was fired solely for political reasons. To take away a man's livelihood and 15 years of honorable service solely for political reasons and with no remorse is wrong on so many levels. We hold you, the council, responsible for this firing."

Mr. Rish continued, "Misuse of city funds and property. You were presented with this memorandum at one of the previous meetings. It's broad and it's general. But then on a meeting on May the 6th there was an item that appeared to address that item or that meeting. When I asked what that agenda item was supposed to address I was told it concerned the purchase of lawn mowers with city funds and their transportation around the city in city vehicles by individuals who are not a part of the city maintenance department. I was further informed that the council has not initiated any special programs that justify this purchase or the transportation or use of these transportation vehicles. If this is truly the case I can see no legal justification for the purchase or the use of the city vehicles. It appears to be at least illegal or at least a breach of ethics. I have been told that the full council is aware of this situation. If that's true this makes y'all complicit. In light of this I am wondering why if council is so interested in reading out misdeeds, this possible unethical act [unintelligible] has not been addressed by council. Why are you willing to spend thousands of dollars to discredit Joe Owens and you have not requested a free State Ethics Commission investigation of the situation. I, as a citizen of West Columbia, am requesting council to address the situation with whoever the authorities are that you need to address it to."

Mr. Rish continued, "Fifteen percent water rate increase. I can afford it, but I still resent it. 70 percent of the residents who can't afford this increase will feel, I wonder how they will feel about it. Now that the power grab has been completed I guess the money grab has begun. What's next? Taxes? The only thing I can say about this increase is that Bill Banning (Lexington County Council Member) only wanted a 14 percent increase. He was voted out. Let the results of that election speak to you five. In closing, I am amazed at the things I've heard and seen in the last four months of attending council meetings. We try to do the right thing. In what civil society is firing a man with 15 years of honorable service for political reasons the right thing to do? I voted for the motion because there wasn't a no vote. To cast a no vote you just don't vote. You got a \$50,000 discount. Ms. Hoover did not get a \$50,000 discount. She bought the property at the agreed upon price."

Regular Council Meeting Minutes

August 5, 2014

Page Four

Agenda Item VI – Citizens’ Requests for Appearance (continued)

Mr. Rish continued, “And is this a joke? When a citizen requests information from a council member and he is told, ‘I will not be interrogated.’ Exactly how do the citizens of West Columbia get their information? When a public official refuses to answer a question there is no doubt in my mind that that official has something to hide and cannot be trusted. It may not be illegal to record and disseminate the recording of a meeting without a majority of the participants’ knowledge; however, it is unethical and sleazy. If city leaders would stoop to that low, it’s totally reprehensible and irresponsible. And the thing that bothers me probably more than anything else that I’ve heard is that the strong mayor form of government would give too much power to one person, making him a dictator. If that’s true, then the structure of our federal government makes the president a dictator because it is the same structure. The president and congress. That would make (Governor) Nikki Haley a dictator because it’s the same with the governor and the legislature. It’s the same structure used by 100 percent of corporations in America. President and board of directors. It is also the structure used by over 60 percent; let me repeat that, 60 percent of the cities in the state of South Carolina, including Charleston. How West Columbia ever selected the form of government called the council form of government astonishes me. To my knowledge, government by committee is only used in socialist and communist countries. It appears to me that the makeup of this council will change dramatically over the next four years. I can assure you that I will work to that end and I won’t be alone.”

Council Member Miles stated, “Mr. Chairman, I would ask, anybody can get up and tell whatever they want to. Any yelling and disturbance, I would get the person called down. If they do it again, I’d like to have them removed. This is no place for screaming and yelling.” Chairperson Unthank stated, “I would agree with that. So our officers here can handle that.”

- D. Chairperson Unthank recognized Mr. Jimmy Brooks who stated he lives at 3409 Henbet Drive in West Columbia. He said, “First thing, the question keeps getting raised, and I’ve seen it raised many times. Why, for a lack of a better word, a strong mayor form of government? I prefer to call it a CEO type form of government. Why a strong mayor form of government? Situation occurred over here, I guess around Ontario Drive. Mayor Owens probably knows the exact location. I don’t think either one of them are here tonight, the Demars family. On a corner there, there was no stop sign. As most of you know, that comes up behind Brookland Baptist Church near a pretty large apartment complex back there. And it gives people pretty much a free drag strip from where they turn on that road until they get to that apartment complex. Well, for some reason over there, I think we have maybe two or three council members that represent four houses for some reason. I can only imagine why. But, nobody wanted to get involved in it. And they were basically told nobody’s going to get involved. The family I’m speaking of has a couple of small children and people around them have small children. They called Mayor Owens up and what’s going up should go up today or tomorrow – a stop sign that will dramatically slow down people coming down that road. We leave it up to you guys, we’d still be waiting on that to happen. Matter of fact, they’re main council member told them he didn’t have time for them. So, I don’t know. When you ask why we need a stronger form of a mayor, we need that. We don’t need a “Boss Hogg” form of government. We need somebody in there that can run and can do things the way he wants to. And I agree, you know, what Mr. Rish said. I’ve been around with Joe a lot in the last couple of months. Been one-on-one with him in meetings with 10, 15, 20 people. I’ve never heard him say a strong word. I’ve had conversations with you on the phone. I’ve heard you cuss on the phone. Heard you point blank say words on the phone.”

Regular Council Meeting Minutes

August 5, 2014

Page Five

Agenda Item VI – Citizens' Requests for Appearance (continued)

Mr. Brooks continued, "To me, that's what we (unintelligible). If this is what we've got to base what we want our government to go on, basically Tem Miles and his four horsemen or whatever you want to call it. I'll take my chances and I'll take what this city has and I'll go with the mayor because I think that's a better representation of what we want. And you proved, point black, just proved it when the gentleman's up here talking about his home and it being for sale. What got me about that comment was, it's totally different from what I was going to say, what got me about that comment was, you forget not everybody is just interested in their personnel being. There are people who care about what goes on around them, what goes on in their community. And we've been in this community for a lot longer than you've been here and we're going to be here a lot longer than you're going to be here. And there are people that you sit there and you say, 'Well you're only interested in one thing. Your house is for sale.' Awesome, his house is for sale. Have you ever thought maybe his house is for sale because he doesn't want to sit there and look at a Walgreens or something going up in his back yard? Would you sell your house if a Walgreens was going up in your back yard? Probably so. I don't think many people in this room wouldn't put their house up for sale for that."

Mr. Brooks continued, "As far as a couple of things I did come up here to talk about. One of them, you know we've got an election coming up on September 30th and so far I got up here what, two months ago or a month and a half ago, somewhere in there. I haven't seen the minutes. And I asked that we keep it positive. Keep as positive as we possibly could. Well, I am shocked. I am disappointed and a lot of people in West Columbia are disappointed by the amount of negativity we're seeing coming from West Columbia United group. You know, you've attacked the mayor. You've attacked the mayor of another city. You've attacked citizens. You've attacked other things on your page. And I don't know who's posting it 'cause they're hiding behind the West Columbia United banner. I can imagine who it is because it's kind of gone dark the last few days and I think you may kind of understand why it's gone dark the last few days. I won't go into more detail than that, but we know. You know, it's kind of strange for me that we allow that to happen. Kind of strange to me that you would have a PR person running this for you that you wanted to be the PR person for West Columbia. And out of her own mouth she's not even getting paid to do the job. So what's in it for her? What's in it for her, Tem?"

Chairperson Unthank stated, "Mr. Brooks, if you would get to your point." Mr. Brooks responded, "I'm getting to my point." Chairperson Unthank stated, "You are starting to try and spread false rumor and you're making innuendos and accusations." Mr. Brooks asked, "How is it false rumor? What did I say that is false rumor?" Chairperson Unthank stated, "You know what, get to your point please." Mr. Brooks asked, "What did I say is false rumor? You made an accusation against me. What did I say that is false rumor?" Chairperson Unthank stated, "Well, you are making assumptions about the PR person." Mr. Brooks responded, "Isn't it a false rumor that you tried, that you had somebody fired from their job last week because they disagreed with you?" Chairperson Unthank stated, "I have no idea what you are talking about." Mr. Brooks responded, "Okay, I just wanted to see if that was true or not. So let's talk about this so-called procedural audit for a minute. I haven't had an opportunity to read it." Council Member Miles stated, "I would like to hear about that you just said about the employee being fired from their job." Chairperson Unthank stated, "I would like to hear about ..." Mr. Brooks stated, "No, I asked just you a question. I asked you a question." Chairperson Unthank stated, "You are making an allegation that somebody got fired." Mr. Brooks responded, "I asked you a question. I asked you a question. You answered it. I move on."

Regular Council Meeting Minutes

August 5, 2014

Page Six

Agenda Item VI – Citizens’ Requests for Appearance (continued)

Chairperson Unthank stated, “Your question assumes that someone has gotten fired. I would like to know who that person is.” Mr. Brooks responded, “I asked you, I asked you if that happened.” Chairperson Unthank asked City Administrator Jenny Cunningham, “Do you know of anyone who has gotten fired in the past week or anybody who could ...” Mr. Brooks responded, “Who said it was in the city, B.J. Okay, so let’s move on.” Chairperson Unthank stated, “Please get to your point.”

Mr. Brooks continued, “So let’s talk about the procedural audit for a minute. We now have Councilman Miles here saying he never even proposed it. Wasn’t his idea.” Council Member Miles responded, “No, I said I didn’t request it. I said I proposed it and council on majority vote, five to four, requested it. And then I went back and stipulated that by a six to three vote there was a subsequent request of council for additional completion of the audit.” Mr. Brooks responded, “But your words were you did not propose or request this the other day. That’s why I asked you a question.” Council Member Miles responded, “My words are on line. You can read them.” Mr. Brooks said, “Okay. Let’s talk about it for a minute. I have no idea what’s in it because unlike other people it has been shared with out there. I think it’s been shared with some people that are probably outside of you nine or ten or whatever it should be.” Chairperson Unthank stated, “There are nine of us including the mayor.” Mr. Brooks responded, “Well, thank you.” Chairperson Unthank stated, “I just wanted to make sure you had the count right.” Council Member Miles stated, “I know you’re not a big fan of facts.” Mr. Brooks responded, “Neither are you. What facts are you a big fan of?” Council Member Miles responded, “All of them.” Mr. Brooks said, “So the facts are this audit was conducted by an outside source. Now who was this outside source that came in? What was Mr. Miles’ relationship with the outside source?” Chairperson Unthank stated, “The outside source was Robert Bolchoz and Mr. Miles had met him maybe two times in his life as I recall. And Robert Bolchoz is a very highly respected, well-known attorney who does work within government agencies to do these types of audits and research and he is well known in the legal community. And I’ve met people who have paid him high compliments who know Mr. Bolchoz.” Mr. Brooks asked, “Do we not have somebody already on retainer for the city that could have done this?” Chairperson Unthank responded, “Well, to put somebody that is on retainer with the city in a position of having to do an internal audit we thought like ...” Mr. Brooks stated, “He wasn’t your puppet. That’s basically what you are saying. You couldn’t pull strings for the person.” Chairperson Unthank asked, “Are you accusing Robert Bolchoz of being our puppet?” Mr. Brooks responded, “I don’t think you could pull strings if you went to Nikki Setzler’s office.” Chairperson Unthank asked, “Are you accusing ...” Mr. Brooks responded, “No I’m not accusing, I’m asking you a question. You couldn’t pull strings for Nikki Setzler, but you could for this guy.” Chairperson Unthank stated, “So, you’re implicating Mr. Bolchoz ...” Mr. Brooks responded, “I’m not implicating anyone B.J. I’m asking you why you chose to use him versus using our in-house attorney. That’s what I’m asking you.” Chairperson Unthank stated, “We chose Robert Bolchoz because of his stellar reputation in this area of law.” Mayor Owens stated, “And because he is a friend of Tem Miles.” Mr. Brooks stated, “Absolutely.” Council Member Miles asked, “Do any of you have proof that Robert Bolchoz and I are friends beyond the two times that I’ve told you that I’ve met him? I mean the allegations that y’all put forth before is that we are both members of the local Citadel Club.” Mr. Brooks stated, “Which you are the president of.” Council Member Miles stated, “I am the president of and I went back and documented to y’all that the last time he paid membership I was still an employee of South Carolina Senate and I did not join that club or attend my first meeting until I left the South Carolina Senate and was working at the McKay Law Firm.”

Regular Council Meeting Minutes

August 5, 2014

Page Seven

Agenda Item VI – Citizens' Requests for Appearance (continued)

Mr. Brooks stated, "Which the law firm actually gave money to his campaign when he ran." Council Member Miles stated, "Before I was there. That's right. We've been through all this. We've hashed through all this. There is no connection. I met the man." Mr. Brooks responded, "There's very much a connection, Tem. There's very much a connection." Council Member Miles asked, "Please tell me what it is." Mr. Brooks responded, "I just told you what it is. Your law firm has given money to the guy." Council Member Miles stated, "Before I was part of that law firm." Mr. Brooks stated, "It doesn't matter. It doesn't matter." Mayor Owens stated, "Bolchoz is passing his card around. He give them to everyone. When he got to Tem, he smirked. He said he had him on speed dial. He didn't need a card." Council Member Miles stated, "Yeah, I didn't." Mr. Brooks stated, "So here's the thing. I will agree with you. You're probably not his best friend." Council Member Miles responded, "I have an attorney Rolodex with every attorney in the state of South Carolina contact information in it. If I want to call an attorney I pull it out of my desk drawer and I look it up." Mr. Brooks said, "Here's the thing, I'm not saying he is your best friend, but I think there is more to this relationship that we know of. And I think that there is more to it. I think he is somebody. He is somebody that you can pick up the phone and give a call to and him to do something." Chairperson Unthank asked, "If you have solid evidence or any proof of that please bring it before council. We need something solid other than just your hearsay. If you'll put it into writing and give it to us that gives us something to sink our teeth into. That would be great."

Mr. Brooks continued, "Here's a thing or two about the audit. Whatever's in it, like I say I haven't had a chance to read it, but I will caution council for two things. One, I don't think there's anybody out there that does not want to see it. Everybody wants to see what's in it. But I would caution council members on a couple of points, and this is coming from an attorney I contacted. Number one is the legal liability you have if you voted for it. You laugh all you want to." Chairperson Unthank stated, "Thank you for your concern for our well being. We appreciate that." Mr. Brooks responded, "I've never seen a more smug group of people. You five think you're untouchables. I'm telling you something right now. I will tell you something right now. We may win, we may lose on September 30th, but I can promise you we have an election coming up next year. There are people lining up right now to make sure this council changes then. I will personally make sure that is taken care of. I will personally give every dime I can give to whoever decides to run. And I promise you when it's done, we'll put all our energy win, lose or draw into next year. You guys are smug. You think you're above approach and that is not the kind of government we want." Chairperson Unthank asked, "Are there any other points you would like to make, Mr. Brooks?" Mr. Brooks responded, "The last point I'll say to you on this. Haven't read the report, but I would be willing to bet there is not a word about B.J. Unthank in there. There's not a word about Tem Miles in there. I'll bet it is another smear campaign against Mayor Owens and if I'm wrong about that, come tell me I'm wrong."

Chairperson Unthank asked, "Now Mr. Brooks, may I ask you a question? I'll take that as a no. I would like to say this, in order for any kind of report to be a smear that would require there to be things in it that are not true." Mayor Owens stated, "Well, there's a bunch of that, brother." Chairperson Unthank stated, "Well there may be an opportunity for you to prove that there are a bunch of untruths in it." Mayor Owens said, "Well you know that yourself. You're not that big a liar, are you? Did you read it?" Chairperson Unthank responded, "I most certainly did." Mayor Owens said, "If you (unintelligible) then you are a bigger liar than I thought you were. There ain't a word in there about Tem. There ain't a word about you. It's all me and Matt Edwards. Nobody else."

Regular Council Meeting Minutes

August 5, 2014

Page Eight

Agenda Item VI – Citizens’ Requests for Appearance (continued)

Council Member Miles stated, “Joe, I really appreciate you divulging the contents of a classified document.” Mayor Owens responded, “I’m sure you want it divulged.” Chairperson Unthank stated, “I think he’s just made it public.” Council Member Miles stated, “I think he’s just made it public.”

- E. Chairperson Unthank recognized Mr. Matt Edwards who said he wanted to drop his request to speak.
- F. Chairperson Unthank recognized Mr. Matt Lambries, who stated he lives at 117 Hook Avenue. Mr. Lambries said, “I’d like to first start off by thanking council for allowing me to speak tonight. I would also like to say thank you for recognizing the fact that there are some major issues that need to be addressed. For those of you that don’t know me, my name is Matt Lambries and I worked for the city of West Columbia Police Department from 2009 until the beginning of this year. My family has been in this city for more than 70 years and I am here today to ask council to provide the citizens of West Columbia with the findings of the Bolchoz Report and to tell you why it is I feel it is important for y’all to do so. I feel it is imperative that the Bolchoz Report be made public so that my fellow citizens and I are able to make a more informed decision as to what happened over the past few years and what has brought this current divide not only among the council, but the people. I feel pretty confident in saying this report will shed both negative and positive light on both sides. Many of my fellow citizens do not truly understand the type of behavior, conduct and abuse of power that was conducted on a daily basis behind closed doors. I only can afford people what I know, saw, within the Police Department. I do not expect anyone to take my accounts of the situation to be the only truth, but what I do expect is for everyone to take the information provided and form their own educated opinion, not the opinion of someone else. I feel it is important to give the employees and the people that were directly involved a voice without a fear of retaliation. We owe that to the men and women willing to give up everything to ensure the safety and the well being of a great community. Coming to work every day knowing that your career might just be threatened for doing your job is not a way to show appreciation. Council, please allow the citizens to hear what really went on and why this whole strong mayor thing is nothing more than a power struggle and an attempt to remove accountability and all checks and balances. We elected y’all to work together to lead the city in the right direction and we the people deserve answers as of why this is not being done. Once again thank you for your time.”

Agenda Item VII – Approval of Minutes for Previous Meetings

Chairperson Unthank stated that there were no minutes to be considered for approval.

Agenda Item VIII – Unfinished Business

- A. Chairperson Unthank entertained a motion for second reading consideration of the Planning Commission’s recommendation to approve a map amendment to change the zoning classification of 2119 Sunset Boulevard (TMS# 004666-07-003) from split-zoned C-2/ R-4 (general commercial/low-density residential) to C-2 (general commercial). Council Member Miles so moved and Council Member Harley seconded. Chairperson Unthank recognized Mayor Owens who stated that he felt compelled to vote against it not because he wasn’t a friend of Ray Moseley or Gene Brazzell of M & R Realty. He said when the big development was built on Hook Avenue it was rammed down the throats of the people without any ceremony whatsoever.

Regular Council Meeting Minutes

August 5, 2014

Page Nine

Agenda Item VIII – Unfinished Business (continued)

Mayor Owens said when the McKoys built their house on Klapman Road, they thought it would be protected to some degree. He said he had hoped the developer would show some kind of plan. If there were a plan from someone who wanted to develop the property and who could show the plan to the residents, then he would not be opposed to it. Chairperson Unthank asked if there were any other comments and received no response. He called for the vote. Mayor Pro-Tem Hallman and Council Members Fowler, Harley, Jones, Miles, Parler and Unthank voted in favor of the motion. Mayor Owens and Council Member Wingard voted in opposition. The motion passed seven votes to two votes.

Agenda Item IX – New Business

- A. Chairperson Unthank entertained a motion for consideration of an Intergovernmental Transit Agreement with the County of Lexington. Council Member Parler so moved and Mayor Pro-Tem Hallman seconded. Chairperson Unthank stated the agreement is for the city to help fund the bus program and Dial-a-Ride. He said funds of about \$24,000 had been approved in the budget. The motion passed unanimously.
- B. Chairperson Unthank said the next item was consideration to approve an automatic aid agreement with the County of Lexington for fire and emergency services. He recognized Fire Chief Wyatt Coleman who said that at a previous council meeting he and Battalion Chief Marquis Solomon presented proposals for an automatic aid agreement and a communications agreement with Lexington County Fire Service. He explained the agreements would be vital to the day-to-day operations of the West Columbia Fire Department while improving the level of service provided to the citizens. The communications agreement would allow the West Columbia Fire Department to gain access to state-of-the-art communications center with highly trained dispatchers possessing specialized training in fire dispatching. The automatic aid agreement would provide the West Columbia Fire Department with assistance from the Lexington County Fire Service for structure fires, hazardous materials and technical rescue incidents. The West Columbia Fire Department would reciprocate to the Lexington County Fire Service the same services based on the geographical location according to maps included in the agreement. The West Columbia Fire Department would not run EMS calls in the county's area. Chief Coleman said the response from Lexington County would be one ladder, one engine and one battalion chief, which would bring seven fire fighters from the county to assist with fire incidents. Additionally the agreements would have a positive impact on the fire department's upcoming ISO evaluation. The city's current ISO rating is a four, which can be maintained or improved by the signing of the agreements. He advised that a failure to sign the agreements could adversely affect the city's current ISO rating due to changes in the ISO fire rating schedule, which changed for the first time in ten years. The ISO fire rating would acknowledge all automatic aid agreements in the CAD dispatch system along a host of other components that the West Columbia Fire Department currently does not possess. He noted that, according to local insurance companies, improvement in the city's ISO rating could possibly save homeowners \$50 to \$120 per residence on their homeowner's insurance. A decrease in the city's ISO rating could potentially cause an increase in homeowner's insurance premiums. A recent fire on Meeting Street displayed the impact of having a working relationship with mutual aid departments. The city of Columbia deployed a total of seven engines, two ladder companies, three battalions and a rehab unit for a total of 54 personnel and Lexington County provided one engine, one ladder, and a battalion chief with eight personnel. This was in addition to seven West Columbia firefighters who arrived on the scene to extinguish the blaze. Three West Columbia firefighters were overcome by heat and exhaustion due to high temperatures.

Regular Council Meeting Minutes

August 5, 2014

Page Ten

Agenda Item IX – New Business

Chairperson Unthank recognized Council Member Parler who said he had spoken with Chief Coleman earlier that day about the agreements. He said there were several things in the agreements that concerned him. He said he did not feel that council has had the time to sit down with Chief Coleman to thoroughly discuss the impact of the agreements. He said he wanted to table the item until council had an opportunity to further discuss the issues that seemed to be sticking points. Council Member Parler made a motion to table the item and Mayor Pro-Tem Hallman seconded. Mayor Pro-Tem Hallman asked if council did not move forward with the agreements then would council still want to consider terminating the mutual aid agreement in place. Chairperson Unthank said that if council was not going to approve the new mutual aid agreement then Item C on the agenda, terminating the current agreement signed in 2006, should not be done. Chief Coleman said it would be better to approve both the fire service agreement and the communications agreement together. Chief Coleman said he would rather council table Agenda Items B, C, D and E so that council can review and discuss the agreements together. Council Member Miles made a motion to amend the main motion in order to table all four agenda items involving the mutual aid agreements and the communications agreements. Council Member Wingard seconded and the motion passed unanimously.

- F. Chairperson Unthank entertained a motion to approve travel requests for Council Member Boyd J., Jones to attend the National League of Cities Congress of Cities Conference and the Congressional City Conference as approved in the FY 2014-2015 budget. Council Member Fowler so moved and Council Member Parler seconded. Mayor Pro-Tem Hallman and Council Members Fowler, Harley, Jones, Miles, Parler and Unthank voted in favor of the motion. Mayor Owens and Council Member Wingard voted in opposition. The motion passed seven votes to two votes.
- G. Chairperson Unthank entertained a motion to appoint Mr. Justin R. Black as City Treasurer. Mayor Owens so moved and Council Member Fowler seconded. The motion passed unanimously.

Agenda Item X – Adjourn to Executive Session to Discuss a Legal Matter Concerning the Robert Bolchoz Memorandum to Council

Chairperson Unthank entertained a motion to adjourn to executive session. Council Member Parler so moved and Mayor Owens seconded. The motion passed unanimously. Council adjourned to executive session at 7 p.m.

Agenda Item XI – Reconvene to Regular Session

Chairperson Unthank entertained a motion to adjourn executive session and reconvene to regular session. Council Member Parler so moved and Council Member Miles seconded. The motion passed unanimously. Council reconvened to regular session at 7:50 p.m. Chairperson Unthank stated that no action was taken in executive session. Chairperson Unthank said council had discussed whether or not to make the Bolchoz Memorandum to Council available to the public. Chairperson Unthank recognized Council Member Miles who made a motion to formally make the Bolchoz Memorandum to Council public with the report being posted on the city's website. Council Member Harley seconded. Council Members Fowler, Harley, Jones, Miles, Parler and Unthank voted in favor of the motion. Mayor Pro-Tem Hallman and Council Member Wingard voted in opposition. Mayor Owens stated that he would abstain from voting because he was named in the report. The motion passed six votes to two votes with one abstention.

Regular Council Meeting Minutes

August 5, 2014

Page Eleven

Agenda Item XII – Adjournment

Chairperson Unthank entertained a motion to adjourn. Council Member Miles so moved and Council Member Harley seconded. The motion passed unanimously. Council adjourned at 7:53 p.m.

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk/Public Information Officer