



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

March 26, 2019 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Yvonne McBride and Dalhi Myers

OTHER COUNCIL MEMBERS: Allison Terracio and Paul Livingston

OTHERS PRESENT: Michelle Onley, Trena Bowers, Sandra Yudice, Kimberly Williams-Roberts, Larry Smith, Stacey Hamm, Edward Gomeau, Ashiya Myers, Ashley Powell, Jennifer Wladischkin, Valeria Davis, Jocelyn Jennings, Janet Claggett, Ismail Ozbek, Dale Welch, John Thompson, Clayton Voignier, Quinton Epps and Shahid Khan

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. **February 26, 2019** – Ms. Myers moved, seconded by Ms. McBride, to approve the minutes as distributed.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. McBride moved, seconded by Ms. Myers, to adopt the agenda as published.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
 - a. **Approval of Purchase: Fire Pumper Truck** – Ms. McBride moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to award the bid to Rosenbauer for the purchase of the demo fire pumper truck in the amount of \$431,150.

Ms. Myers inquired if this is a backup truck.

Mr. Byrd stated it is a frontline truck at the Capitol View Station, and the truck currently in the station would be moved to reserve status, if it is not needed at another station.

Ms. Myers inquired if we are close to getting the ISO Study back.

Mr. Byrd stated they are working diligently on that. Hopefully, we will have something back in another month.

Ms. Dickerson requested an update on this at the April committee meeting.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

- b. Richland Rebuilds (1228 Tolliver Street) – Required Change Order – Mr. Malinowski moved, seconded by Ms. Myers, to forward this to Council with a recommendation to award additional HOME funds to the contract in the amount not to exceed \$123,050 for construction of the unit.

Ms. Davis stated the original contract was for \$80,000 to construct a new home for this homeowner. The additional cost is for DHEC to have the asbestos properly mitigated, along with air quality controls, which increased the price to \$123,050. The increase was more than 10%; therefore, it had to come to Council for approval.

Mr. Malinowski inquired when this house is rebuilt who will be the owner of it (i.e. the County, Federal government, the current owner).

Ms. Davis stated it will be the current owner.

Mr. Malinowski stated they have allowed a home to go into a state of disrepair to the point they need assistance, so what is the guarantee this will not happen again.

Ms. Davis stated we will put a deferred forgivable loan to carry us through a 10-year period, and as long as the homeowner is maintaining, with the proper insurance, which will cover and protect the value of the home during the duration of the 10-year period. And, by the way, the homeowner is 94-years old.

Mr. Malinowski inquired if we would not be better off putting the homeowner in a rental unit, and using the funds for a younger person.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

- c. Affordable Housing Development Project – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to award HOME funds to SC Uplift Community Outreach in the amount not to exceed \$137,145 for the construction of an affordable housing unit.

Mr. Malinowski inquired if this project was located in unincorporated Richland County.

Ms. Davis responded that it is not. It is located in Bluff Estates in District 10.

Mr. Malinowski stated he thought our funds were to be utilized in unincorporated Richland County.

Ms. Davis stated we utilize in both the unincorporated and incorporated areas, but we primarily assist in the unincorporated area. This is a contract that we are putting together for SC Uplift for the construction of a single family dwelling and this is the location they supplied to us.

Mr. Malinowski noted for the record the figures on one page say \$137,140...

Ms. Davis stated she saw that and it will be corrected.

Ms. McBride inquired as to how the referrals come to the County.

Ms. Davis stated this is one of SC Uplift's Smart Homes. They are working with AARP, USC and Prisma Care. They get their referrals from any of these sources; however, because it is a County project, if someone lived in Bluff Estates or the surrounding area, and they wanted to be a renter of this property, they too would be an option.

Ms. McBride stated, for clarification, SC Uplift comes to the County to renovate these homes. She inquired if they purchase the home or does the County purchase the home.

Ms. Davis stated the County gives the funds to acquire and rebuild. This particular home, they came through our procurement process, vetted and provided HOME funds.

Ms. McBride stated, for clarification, and independent entity comes to the County with a home they want to purchase, so they can rent. They work with other entities to make them presentable and use high technology.

Ms. Davis stated they call it a Smart Home. Because it is for seniors, they are going to be working with Prisma and AARP to make it a Smart Home, so that if a senior became ill they are able to communicate with their doctors through an app that is on their TV. The first house they did with SC Uplift was on Judy Street, which was a major reconstruction. This project is a vacant property, so the County will give them the funds to acquire the land. They in turn will build the Smart House on the property.

Ms. McBride requested they go back and look at the landscaping on Judy Street.

Ms. Myers stated she noted in the briefing document, under the alternatives, it said, "Do not approve the request to award to SC Uplift Community Outreach. If the Council does not approve, the County must solicit proposals for affordable housing development and commit funds to a project by May 2019 or risk losing 15% of 2017 HOME funds." She inquired how much outstanding 2017, or 2018, HOME funding do we have that we are at risk of losing.

Ms. Davis stated there is a 2-year commitment rate. So, we have to commit the 2017 funds no later than September 30, 2019. The \$137,145 will take care of that commitment and clear them for 2017. The 2018 is approximately \$100,000. She stated they have to commit a minimum of 15% to non-profit, which they can increase, and historically do.

Mr. Malinowski inquired if the City also applies and receives these funds.

Ms. Davis responded in the affirmative.

Mr. Malinowski inquired if the City has given the County anything when we needed it.

Ms. McBride stated we obviously do not have a waiting list since we gave the funding to the City.

Ms. Davis stated this was properly vetted through the Procurement Department. We have a pre-designated Community Housing Development Organization (CHDO) list, and we requalify them annually when they submit their application. For example, SC Uplift, Community Action Provider, Santee Lynches CDC, etc.

In Favor: Myers, Dickerson and McBride

Opposed: Malinowski

The vote was in favor.

- d. Southeast Sewer Project Award – Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to award the project to Joel E. Woods for the expansion of Richland County’s existing sewer collection system.

Mr. Malinowski inquired as to when this will be put out for bid.

Ms. Wladischkin stated this was a RFP. They solicited for the qualifications and proposal at the same time.

Mr. Malinowski inquired where the figures they provided.

Mr. Khan stated the County has a prequalified list of consultants. When a project comes out, we invite them to bid. In response to this particular project, we only received one response.

Mr. Malinowski inquired if the response included a bid.

Mr. Khan responded in the affirmative. It has a technical and a financial.

Mr. Malinowski requested the total.

Mr. Khan stated it was approximately \$790,000. It is higher than the \$750,000 available.

Mr. Malinowski inquired if Mr. Khan plans to negotiate.

Mr. Khan stated the recommendation is to authorize us to negotiate and award the contract.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

- e. Restructuring Ordinance Phase II – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve staff’s recommendation for Phase II of the organizational restructuring of Richland County Government.

Ms. Myers requested Mr. Gomeau and Dr. Yudice to explain the highlights of why this is important for the administration of the County.

Dr. Yudice stated the major highlights of the restructuring is:

- Revisions to the County Administrator’s Office structure, with the reclassification of 1 County Administrator to a Deputy County Administrator, so that we do not have the same situation that we went through last year;
- The Deputy County Administrator will act as an Acting County Administrator, with the approval of a resolution by Council;
- Moving Fleet Management from Risk Management to the Department of Public Works. It is normally housed in other jurisdiction in Public Works;
- Moving the cybersecurity function from Information Technology to Risk Management. Right now there is a collaborative effort in Information Technology, but the

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recommendation is to create a function within Risk Management that will oversee the cybersecurity function for the entire County;

- Moving the GIS function from Information Technology to the Community Planning and Development, so there is more collaboration.

Ms. Myers stated the 2 pieces that she finds more helpful, and certainly most necessary for the County, is having a Deputy Administrator, so that we do not ever have the situation we had last year. And, the creation of the cybersecurity division. We are living in an age driven by cyberspace, so being able to protect the County from that standpoint is extremely good.

Mr. Malinowski inquired if any of these changes of divisions and creation of new positions call for the hiring of additional employees.

Dr. Yudice responded in the negative. The first one, is within budget. We have funding in the County Administrator's Office, and the other ones are just moving the functions into other departments.

Mr. Malinowski stated, if we are creating a Deputy County Administrator, and it states within the duties of that deputy position that they are to serve as the Acting Administrator, in the absence of a County Administrator, why do we add upon appointment of County Council by resolution.

Dr. Yudice stated that gives County Council the option to have that person to act or to hire someone else. Also, State law requires County Council to appoint a County Administrator.

Mr. Malinowski inquired why the cybersecurity function would not be under IT Department, so you do not have work being done by 2 different departments, for 2 different things.

Mr. Gomeau stated it will not be done by 2 different departments. It is a risk function everywhere, and Risk Management is responsible for looking at the protection of the whole County, where IT does not do that. We are going to utilize some of the IT personnel, but this is a whole separate function from IT. It is looking at the risk the County is exposed to, and it is a specialized area. We think it needs to be independent of IT, in terms of its relationship with the whole County.

Mr. Malinowski stated, in his review of the ordinance, it eliminated Building Inspections.

Dr. Yudice stated it is not an elimination. The language was condensed.

Mr. Malinowski inquired if we ever had the work session regarding the Business Service Center. If we did not have that, why would we approve changes in this ordinance.

Dr. Yudice stated the work session is scheduled for the 2nd Council meeting in April.

Mr. Malinowski stated he would like to defer the portion that relates to the Business Service Center because if we approve this, then we have to come back and change it anyway. He stated there are also no fee schedules included in the ordinance, so he would request that they be included before it goes to Council.

Mr. Malinowski made a friendly amendment to defer the portion related to the Business Service Center and include the fee schedules where indicated.

Ms. McBride stated, on p. 147, Sec. 2-88, the following language is struck through: "...three (3) positions of assistant". She inquired if those 3 positions were no longer needed.

Dr. Yudice stated the Assistant Administrators are outlined in Sec. 2-91. Currently, if 1 of the 3 is reclassified for a deputy, there will still be 2 Assistant Administrators.

Ms. McBride inquired if we are recommending to create the Assistant Administrator positions.

Dr. Yudice stated those are existing positions.

Ms. McBride stated, Sec. 2-89 says, "The deputy county administrator shall be paid an annual salary as approved by the county administrator" and "...approved by county council" was struck. She inquired if there was a reason for this language being struck. She is concerned about fiscal accountability.

Dr. Yudice stated that will be in line with the HR guidelines on establishing guidelines, and it is the prerogative of the County Administrator to establish the salary for the staff that reports to him/her directly.

Ms. McBride inquired if County Council have any authority, in terms of fiscal responsibility, in terms of looking at the salaries.

Mr. Smith stated Council has a responsibility to establish a budget, and the budget itself would fund the salaries that go along with that. When Dr. Yudice says that the County Administrator has the authority to establish the salaries, he is not sure that is correct. He has the authority to hire the individual, subject to the County's personnel policies and procedures. To the extent that the County's personnel policies and procedures, that Council has promulgated, establishes certain parameters, as it relates to salaries, then that is what you would have to operate within.

Ms. McBride inquired if it was not appropriate to include "and approve by county council." She inquired if that is within their legal rights.

Mr. Smith stated the Council promulgates the County's personnel policies and procedures. To the extent that it is your responsibility to do that, if you look on p. 190, under the duties of the county administrator, one of the things it says is to administer "the administration of personnel policies," but Council is the ones that promulgate those policies, and it is his function to carry them out. To the extent that Council creates certain personnel policies, and establish certain guidelines related to compensation, then it would his function, as the County Administrator, to carry those out.

Ms. McBride stated she is really concerned about the fiscal responsibility and the best practice in business services, in terms of how it is done, and when it is done. Particularly, given the situation that we are in now, that we will soon have a new Administrator within the next month or 2. This Administrator will come in, and many of the positions are already filled. She has the upmost respect for our Interim Administrator, but she thinks that an Administrator coming in should be able to build his or her own team. If we continue to fill these very important positions, that Administrator coming in would not have that authority, in addition to the precarious situation that the people that have just been appointed are put into. Furthermore, if we continue with making adjustments to the positions, it leaves little left, given that we only have a short window before we have a new Administrator to come in, for him or her to have any input. And, we might be going through these same things over again. She cautions us, as we move ahead to really think about what we are doing, and to look into the future, in terms of the person coming in. While she respects Mr. Gomeau's decision, she feels that we are going to hire an individual that has professional experience, and knowhow to build his or her own team, and to work in terms of developing the way he would like to see his administration conducted.

Mr. Malinowski inquired if the 2nd ordinance, beginning on p. 189, is a clean version of the ordinance.

Dr. Yudice responded in the affirmative.

Mr. Malinowski stated under Sec. 2-157(2) Engineering. it appears we have 2 different departments managing the same group because GIS was previously put under business services, but now we are saying with the exception of this one area, Public Works handles it.

Mr. Ozbek stated the GIS Public Works provides is a subset of the County GIS. They keep tabs on the infrastructure, stormwater, roads, etc. and is a part of their engineering process.

Mr. Gomeau stated, when Council hired him, he told them that he was not going to be a placeholder, that if he was hired he was going to make decisions as if he was here permanently. That is the way he does business. That is the professional way. The fact is, if they do not want him to do these things, then tell him and he will be gone. If they do not want him to make decisions that might affect someone that may show up in a month or 2, then they need to tell him. He has been doing this for 55 years, and he can pick people as good as anybody. His intent is to leave a structure in place here that will continue on, not like you had. There was no continuity anywhere. So, whoever was doing that was not doing a good job at that point. If they want him to just sit at the desk for a month, until somebody shows up, they have the wrong person. He is going to continue to make decisions. If they do not want him to make decisions, tell him tonight and we will separate this Friday. It is insulting to say that he would do things like that to beat someone walking in here. For all he knows, they could get in an automobile accident and get killed.

Ms. McBride stated her first statement was that she respects the work that Mr. Gomeau is doing, as an Administrator. But, if he was coming in, and someone else had been in his place, she would say the same thing. She has been in government and administration for 40 years herself. She has observed Administrators and turning over staff. If there are positions available, they do not usually fill those higher level positions. They leave them there for the new Administrator when they come in. In terms of our staff, she thinks we have excellent staff. Obviously, we do because he has chosen them to be in some of these positions. She does not think that our government was in total disarray because we had good staff operating Richland County. That same staff is here now, and they will be here when he is gone. They will be here when new people come in. She is sorry that Mr. Gomeau took it the wrong way because she did intend to say anything negative about him. In fact, she did not. She actually acknowledged the work he did. Her statement is not pertaining to him. It is pertaining to anyone that would have been in his position. If she was coming in as a new Administrator, she would like to build her own team. She stated we did not hire him to hold a place. Actually, she is one of the people that voted for him. Council hired him to come in and do the job that he is doing. She stated she will not take her statement that the new Administrator should build his or her own team.

Ms. Dickerson stated she had some concerns about this. Before she put it on the agenda, she spoke with the Chair to make sure that it would properly be before us. She respects Mr. Gomeau, and does not look for him to just sit there as a placeholder. Given where we are in she thinks this prematurely in front of us. She would like to see this recommendation be presented under the new Administrator.

Ms. Myers noted, in the time she has been here, we fired an Administrator for coming in and hiring a team. In large part that is the reason a lot of people were disgruntled with our last Administrator. To the extent that we went for 3 – 4 months with a staff influx because we had not deputized anybody to be a Deputy Administrator. Assuming the person coming in wanted to build a team, if she were coming in she would like to have some stability, while she got her feet

wet. She would like to have people around her that know the lay of the land, and keep the ship afloat while she was learning about the new organization. To the extent that the people that are being recommended have been with the County for a reasonable period of time, and have demonstrated their caliber, and their ability to do these jobs, she would suggest we move this forward, so that we do not put the County in stasis awaiting somebody that may never arrive. We would like to have a ship that can keep moving.

Ms. McBride stated, in terms of stability, we have already approved for 2 persons to be hired, so she does not think that is an issue. At the level we are now, we have stability in place, so it is not like this is going to make a significant difference.

Mr. Livingston stated he thinks what is before us has more to do with organizational structure than it is people. The people are in place. It is just a matter of whether or not this is the new structure we want. He thinks it is going to be a lot easier for a new Administrator to change the structure if he/she needs to.

In Favor: Malinowski and Myers

Opposed: McBride

Abstain: Dickerson

The vote was in favor.

- f. Internal Auditor – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve this item.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

5. **ITEMS FOR INFORMATION/DISCUSSION**

- a. I move that Council be informed in regard to the attached figure provided by Richland County Administrator on February 13, 2019 whether 1 or 2 Assistant County Administrator position vacancy(s) were advertised [MANNING] – Mr. Gomeau stated, when we decided to advertise for the Assistant County Administrator, the job was put through, and HR put the one that you see in the photo. Where he got that from was when he was going through old file looking for organization charts, he found this. It was his intent to use the organization chart that had 3 Assistant County Administrators, but somehow it got translated into one. It was never meant to be 1. It was meant to be 2, which was his error. He stated he did not see the ad, so he did not catch it in time. There were a number of applicants, so it did not affect the application process.
- b. I move that Richland County Council pass a resolution urging the South Carolina State Legislature to pass the Equal Rights Amendment, making it the final state required to ratify the Amendment [TERRACIO] – Ms. Terracio stated it has been almost a 100 years since the Equal Rights Amendment was proposed. There was a large campaign in the 70's to pass the Equal Rights Amendment, which guarantees equality of rights under the law shall not be denied or abridged by the United States, or by any State, on account of sex. So, it guarantees rights to everyone regardless of gender. We are in a year where there is more of a push in some of states to be the final State to ratify the amendment. The SC State House has a bill, with bi-partisan support, and support from both men and women. She anticipates that the SC State Senate should also have the companion bill filed shortly. Local support from cities and counties would

help give our legislature the support, or push, it might need to go ahead and vote favorably to be the final state to ratify the amendment and amend the Constitution of the United States.

Mr. Malinowski requested staff or Councilwoman Terracio to reduce this to writing, so we can see what we are talking and what we would like to do in moving forward.

Ms. Terracio stated, when she submitted this motion, she submitted a proposed resolution, which mirrors the Charleston City Council resolution.

Mr. Malinowski stated he does not know the background information on this item.

Ms. Terracio inquired, for clarification, that Mr. Malinowski would like a copy of the amendment to the Constitution.

Ms. Myers moved, seconded by Ms. McBride, to amend the agenda to move Item 6(a): "I move that Richland County Council pass a resolution urging the South Carolina State Legislature to pass the Equal Rights Amendment, making it the final state required to ratify the Amendment."

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the resolution.

In Favor: Malinowski, Myers, Joyce and McBride

The vote in favor was unanimous.

- c. Council needs to create an evaluation method for the employees they are responsible for, the Administrator, Clerk to Council, and Attorney. Once done, the evaluation process must take place [MALINOWSKI] – Ms. Myers stated the Chair has created a committee to address this matter.

7. **PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Develop incentives and tax credits for Green Economy. This promotes green collar jobs in environmentally focused industries in environmentally sensitive areas [N. JACKSON] – No action was taken.
- b. Explore developing municipal enterprises for economically distressed communities with conservation and other properties owned by Richland County [N. JACKSON] – No action was taken.
- c. I move that Richland County remove the salary history question on employment applications in an effort to ensure fair hiring practices. The mandated change should apply to employment applications in print and online and the salary history question should also be removed from verbal interviews and employment screenings [TERRACIO] – No action was taken.

8. **ADJOURNMENT** – The meeting adjourned at approximately 7:00 p.m.