



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

September 25, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Bill Malinowski, Dalhi Myers, Yvonne McBride, and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Jennifer Wladischkin, Trenia Bowers, Sandra Yudice, Kimberly Williams-Roberts, Larry Smith, Art Braswell, Melissa Watts, Stacey Hamm, John Thompson, Synithia Williams, Shahid Khan, Ismail Ozbek, Quinton Epps, James Hayes, Chris Eversmann, and Stephen Staley

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. July 24, 2018 – Ms. McBride moved, seconded by Mr. N. Jackson, to approve the minutes as submitted.

In Favor: Malinowski, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. N. Jackson moved, seconded by Ms. McBride, to adopt the agenda as published.

In Favor: Malinowski, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Assignment of Funds [EXECUTIVE SESSION] – Mr. Livingston inquired about the rationale for going into Executive Session and there was outside counsel involved.

Mr. Madden stated there was not outside legal counsel. He stated there are 2 items associated with this request. One deals with a potential contractual matter; the other deals with an existing litigation matter.

Mr. Livingston stated, if there are no objections, we will move that to the end of the meeting.

Mr. Malinowski inquired if these were time sensitive matters.

Mr. Madden responded the matters are time sensitive.

Ms. Myers moved, seconded by Mr. Malinowski, to go into Executive Session.

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

***The Committee went into Executive Session at approximately 6:03 PM
and came out at approximately 6:22 PM.***

Ms. McBride moved, seconded by Ms. Myers, to move forward with fund balance issues as discussed in Executive Session.

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

- b. The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017 – Ms. McBride moved, seconded by Ms. Myers, to defer this item until the October 23rd Committee meeting.

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

The vote in favor was unanimous.

- c. Upgrading the Murray Point Lane Water System (aka White Rock Water System) – Mr. Khan stated, in June 2018, you were advised there were some problems with the water system that we have. It is known as Murray Point Water System in District 1. It is a small, isolated water system that essentially serves a subdivision. The way we had been supplying water for that subdivision was a well system, a pneumatic tank, and the lines. The system was deeded to us in the mid to late '80s. We have been operating it ever since. Essentially what happened is, due to aquifer changes, the water table dropped down, and the existing well cannot keep up with the needs and we cannot go any deeper, at the same location. The options are how to resolve and continue providing service to the customers that we had been committed to. As an immediate solution to that, we took it up with the City of Columbia, which is the nearest water service provider. With their help, we ended up laying a temporary waterline. With the temporary waterline, we have interconnected Richland County's small system with the City of Columbia system, and have been supplying water ever since to them. However, when we were looking at permanent options, we reviewed 3 potential options.

Option 1: Installing a new well system, and continue to supply the water the same way;

Option 2: Bulk water buy arrangement with the City of Columbia; and

Option 3: Deed/Give away the water system to the City of Columbia.

Mr. Khan stated all 3 options have their pros and cons. He has listed some of those in the briefing document, but based on the available, best option, he recommended working with the City of Columbia and come up with a bulk buy arrangement to continue to supply the water to the subdivision for the foreseeable future.

Ms. Myers moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the alternative to connect and purchase bulk water from the City of Columbia.

Mr. Malinowski stated Mr. Khan indicated one option was to construct a new well, at the cost of \$60,000, in addition to O&M, which he believes is operation & maintenance. There were some other things added, as well. He inquired about the annual cost of all of the other things.

Mr. Khan stated it has varied from year to year, but the system, the way it is, we budget approximately \$20,000 - \$25,000 a year.

Mr. Malinowski stated, in the agreement with the City of Columbia, should it be selected, it was indicated it would be \$70,000. He inquired if the \$70,000 was going to be a long-term agreement, or are we going to get involved with them and next year it goes to \$170,000.

Mr. Khan stated the \$70,000 is the capital costs. Essentially, we would have to construct a line from our existing well to the nearest point where the City can bring the water to us, and set a bulk meter there. On top of that, there would be reduced operation and maintenance costs because we have given away the well. We have given away the pneumatic tank, so the costs should go down.

Ms. Dickerson inquired if Murray Point was completely built out.

Mr. Khan stated it is a small subdivision that is completely built out, with the exception of 1 – 2 lots. There is a total of about 20 homes.

Mr. N. Jackson stated his concern is as long as there is not a significant increase in the fee for the consumers of the water system. He knows sometimes the water rate is like 3 – 4 times more when dealing with the City.

Mr. Khan stated, so basically, we are recommending a nominal increase because we are buying water from somebody else, so there is a cost for water added on top of what we are spending already. In the briefing document, there is a recommended/requested rate schedule.

Mr. N. Jackson stated the City would have to agree to it, based on what they want to charge for their bulk rate.

Mr. Khan stated the City has a published bulk rate that they sell it, and that rate is higher than our rate, as of right now.

Mr. N. Jackson inquired if it is significantly higher.

Mr. Khan stated, for sake of record, he compared a few years of bills. There is not a huge difference, but there is a difference.

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

The vote in favor was unanimous.

- d. Requesting approval from County Council for the purchase of Aluminum Chlorohydrate (ACH) from Gulbrandsen Technologies Inc. for ongoing delivery to the Broad River Wastewater Treatment Facility – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the purchase of ACH from Gulbrandsen Technologies throughout the year.

Mr. Malinowski inquired if this particular purchase, if approved, is for one-year worth of chemicals.

Mr. Khan responded in the affirmative.

Mr. Malinowski inquired if there any reason we could not get more than one-year, so we can guarantee the price, if we are going to be using it.

Mr. Khan stated we can, and he will go back and review that. He stated the rate has been constant. We have been buying this for the last 5 years.

Mr. Malinowski stated he wanted to make sure that all of a sudden there is not a big jump in price.

Mr. Khan stated they will send them a request.

Mr. Malinowski stated we can get a contract with an option for 5 years, with 1 year renewals.

Ms. McBride inquired if Mr. Khan has seen the rates going up over a period of years.

Mr. Khan stated the rates have not gone up since 2011.

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

The vote in favor was unanimous.

- e. Devil's Ditch Project Funding Increase – Ms. Myers moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the additional funding for the County's share for the Devil's Ditch Maintenance Project at a cost of \$108,416.75.

Ms. Myers requested someone from staff to come explain when we got notice of the increase and how much the increase is.

Ms. Williams stated the project went out for bid through the City of Columbia in August 2018. She had originally come to Council in February for the total estimated project cost of \$406,073.80. That was the original, overall project cost, based off of the engineer's estimate. When the City put the project out for bid, the lowest bid that came in was \$516,263.00. The City of Columbia automatically puts in a 10% contingency when they get their bids, which increases our 67% of the overall costs.

Mr. Malinowski stated the overall costs increase on p. 28 shows an approximately \$162,000 increase. He stated he is wondering if there is any reason we cannot request this be rebid.

Ms. Williams stated, at the time when we brought it back in February, it was put out through the City of Columbia's Procurement Department, and that would be a request back to the City of Columbia. She stated she could make that request.

Mr. Malinowski stated we have kind of already shown our whole card here by saying we got the money, so he doubts somebody is going to want to negotiate. He would ask the City to either rebid or try to negotiate with these people to try to get it down closer to the original estimated costs.

Mr. Livingston stated this is the one on p. 28, with the bidders' amounts. Is that the one we are talking about now?

Ms. Williams stated that is correct.

Mr. Livingston stated the bid is significantly lower than the highest bid. He does not want to go rebid it and spend all the bid time and get a higher bid because the price is still out there. He stated Mr. Malinowski's concerns are not going to be resolved because you still have a price out there.

Mr. Malinowski stated that is true. We tipped our hand on this.

Mr. Livingston stated we might lose out by rebidding it, plus the cost of rebidding it.

Mr. Malinowski stated we are looking at a 40% increase from the original price.

Ms. Williams stated the original estimate.

Mr. Livingston stated looking at the other bids, and the highest one, is what scares him about rebidding it.

Ms. Williams noted the original amount was the engineer's estimate. One thing they have seen recently when putting projects out for bid is that contractors are coming back with a range of numbers slightly over the bid to some that are over a \$1 million, so there is a broad range we are seeing in bids. They are rarely coming in right at what the engineer's estimate has been recently.

Mr. Pearce stated they do not call this Devil's Ditch for nothing. This has been a massive problem. It used to be in his district. When it was redistricted out of his district it was one of the happiest days of his life. It is now in Mr. Rose's district. We have spent quite a bit of money over the years in the ditch trying to get it under control. With every delay on work, the ditch gets worse. The longer you prolong this, the more it is going to cost because with every rainstorm that ditch erodes, deteriorates. If we have a chance to resolve this it would be a wonderful thing for the neighbors over there, and whatever Council member is representing that area. He would encourage you, if we can get this done, to get it done.

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

The vote in favor was unanimous.

- f. Renewal of the contracts for solid waste curbside collection service in areas 5A, 5B and 7 – Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to direct staff to negotiate amendments to extend the contracts for Area 5A with CWS and Areas 5B and 7 with Johnson Garbage Service and to include adjustments to the contract based on the actual CPI and fuel surcharges and hauler performance. Further, if the renegotiations are consistent with the recently awarded contract for Area 2, that award of the renegotiated contracts are also authorized.

Ms. Myers stated she is consistently being told by constituents that solid waste is not being picked up routinely. She keeps being told the contract requires solid waste have a routine pick up day, and that you have call if there is something special outside of the normal times, but that is not happening. She wants to understand what the exact instructions are under this because that pickup should be uniform across the county. There ought not be areas where it is picked up, as of right, and other areas where it is not. She stated she wants to understand if all the contracts are uniform, or if they are not.

Mr. Braswell stated all of the contracts are uniform. If people have items to put out by the curb, that are not household garbage in your roll cart, they can call the Ombudsman's Office or the Solid Waste Office and schedule a collection with the hauler. They are limited on what they can take, but they have the same list of what they can take across the county.

Ms. Myers stated it is just not smooth in many parts of the county. This is a service that every taxpayer is paying for, through millage. It should be uniform everywhere, and if it cannot be uniform everywhere we need to hire people who can make sure it is uniform because it is not happening properly. When she goes to areas Wildwood she hears different things from them than she hears from areas Hopkins

Mr. Braswell stated if the residents will call in if the haulers are not following their contracts then we will take an action against them. They can be fined for not following the contract.

Ms. Myers stated can we remind them when we sign these contracts, and we renew them, that we fully expect that across the county the contracts are being followed in the same fashion. This is pretty important, in so far as people's livability.

Mr. Braswell stated they need to follow the contract and they will make sure they do.

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

The vote in favor was unanimous.

- g. County Council is requested to approve the award of the contract for the Fountain Lake Rd. Paving Project to Armstrong Contractors, LLC – Mr. N. Jackson moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the award of the contract for the Fountain Lake Rd. Paving Project to Armstrong Contractors, LLC in the amount of \$227,605.70.

In Favor: Myers, N. Jackson, Livingston and McBride

Opposed: Malinowski

The vote was in favor.

- h. County Council is requested to approve a Work Authorization (WA) for professional services with WK Dickson & Company, Inc. of Columbia, SC for design services for various airport site-civil project improvements at the Jim Hamilton-LB Owens Airport (CUB) – Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the request to authorize executing Work Authorization 1 for the professional services.

Mr. Malinowski inquired by us paying this money upfront will that reduce our chances of getting the reimbursement for it in the future.

Mr. Eversmann responded it will not. It has been that way for the past 2 years, and we have gotten the full 5% back from the State Aeronautics Commission, and have every reason to believe that will be the case again this year.

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

The vote in favor was unanimous.

- i. County Council is requested to approve a standing agreement between the Civil Air Patrol (CAP) Cadet Composite Squadron and Richland County/the Jim Hamilton-LB Owens Airport (CUB) – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the agreement.

Mr. Malinowski inquired as to what a FOD Walk is.

Mr. Eversmann stated it is Foreign Object Debris. It is junk on the pavement that should not be there and could be ingested into an aircraft engine.

Mr. Malinowski requested that it be written out in the future.

Ms. Myers stated for everyone that does not know what a wonderful gift we have in our area with the Civil Air Patrol. It is an amazing thing you can do for your kids. This is probably one of the best kept secrets in Richland County. She has a cousin who left high school with 48,000 flying hours and got all kinds of scholarships through this. For parents who have never heard of it, investigate it. It is run well. It's just amazing.

Ms. McBride requested Mr. Eversmann to come back and tell the Council more about the program.

Mr. Eversmann stated there has been some changeover in the leadership of the squadron, but it is a long established squadron. It is an award winning squadron and he knows they would love for an opportunity to tell you a little bit about what they do.

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

The vote in favor was unanimous.

- j. Hospitality Tax Funding for EdVenture – Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the amendment to the FY19 hospitality tax allocation to EdVenture in the amount of \$58,000 using the funding available in the current budget.

Ms. McBride inquired if this is existing money that they had last year, but did not expend.

Mr. Hayes stated, as you know, Council approved Hospitality Tax funding for approximately 80 groups, and EdVenture was one of them. He stated we often have to do amended grant agreements. When we were doing a grant agreement amendment for EdVenture, one of his staff members used an incorrect base amount, so it resulted in their budget being increased by \$58,000. EdVenture incurred those expenditures, so what we are asking is to amend their budget using some contingency funds, as a part of the rollover.

Ms. McBride stated, in other words, they are getting an additional \$58,000.

Mr. Hayes responded if Council opted to do so. He stated it was a mistake on the grant agreement. They got the grant agreement and spent the funds.

Ms. McBride stated it's not like the bank. If you spend their money they do not give it back to you.

Mr. N. Jackson stated we are just 3 months into the fiscal year and they have already spent the additional money.

Mr. Hayes stated this is FY18 funds. This was a grant agreement that was done in the Spring. It was sent to them, and per the rules of the grant agreement they incurred some expenditures, so they spent the money and they would like to be reimbursed for it.

Mr. N. Jackson stated they did not know there was a limit.

Mr. Hayes stated when we sent out an amended grant agreement, one of his staff members used the incorrect base amount, which resulted in their final amount being \$58,000 more than it should have been.

Mr. Malinowski inquired if EdVenture was given a dollar amount to begin with, prior to this recalculation.

Mr. Hayes stated they got their initial amount. Council often does ROAs. Every time there is a ROA is done, we have to amend the budget and send them out a new grant agreement. Some groups may get 4 or 5 grant agreements in a year.

Mr. Malinowski stated so if they have someone properly looking at their economic/financial statements they would have realized this was not really their money to have.

Mr. Hayes stated they received a new final grant agreement. When we calculated that final grant agreement, instead of using the prior amount from say their 4th agreement, we used an amount that incorrect.

Mr. Malinowski stated he is trying to find out if they would have known this. Because if all along his bank statement says \$100, and all of a sudden it says \$150 and I did not put anything else in there.

Mr. Hayes stated they simply went off the grant agreement like all grantees do. It was no fault of their own.

Mr. Malinowski inquired if anything has happened to this particular employee, in the way of disciplinary action.

Mr. Hayes stated we did a restructuring, so this particular person has no more day to day contact with granting.

Ms. Myers inquired if this money is coming from the Hospitality Tax contingency fund.

Mr. Hayes responded in the affirmative.

Ms. Myers inquired if it is causing any other Hospitality Tax allocations to be impacted.

Mr. Hayes responded it is not.

Ms. Myers inquired if we did not give EdVenture the money, that we wrongly told them they were entitled to, that they spent because of a letter we sent them, what else would we be spending this Hospitality Tax money on.

Mr. Hayes stated it would roll to fund balance.

Mr. Livingston inquired if we can make sure that when this comes up next year it is not included in the base, so we will know.

Mr. Hayes responded in the affirmative.

In Favor: Myers, Livingston and McBride

Opposed: Malinowski and N. Jackson

The vote was in favor.

- k. Request from the University of South Carolina's Center for Applied Innovation and Advanced Analytics to partner and implement (including funding) a project that would provide rural internet to those areas of unincorporated Richland County that do not have access to broadband – Mr. Madden stated this is an item that staff reviewed with some representatives with the University of South

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Carolina. The request is to allow staff to develop a partnership agreement, not actually entering into one, and bring it back to Council with the proper funding source for Council to review and provide direction on whether to proceed.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation for staff to develop a partnership agreement and bring it back to Council, with a proper funding source.

Mr. Malinowski stated the briefing document says that USC received a grant to do their initial study. He inquired if they are putting any funding into the building and implementation of this.

Mr. Madden stated that is some of the details that we would through with the actual agreement.

Mr. Malinowski stated there is a diagram on p. 57 of the agenda. It shows the transmitter, the receiving antenna on the home, and then a route. He inquired if these are items that the individuals will have to purchase themselves, or is this part of the package.

Mr. Madden stated in staff's initial discussions with USC nothing was necessarily being provided to homeowners. It was actually trying to provide the access.

Mr. Malinowski stated so out of the 75,000 that do not have it, we may only get 5,000 that want to spend the money and take advantage of it. He stated staff is going to put all of that in, and bring it back. For example, it says, "The next steps is to partner with the County team, if approved and a service provider, in addition to SCETV to: field verify each of the 11 areas; identify existing transmitter sources, such as water towers; ..."

Mr. Madden stated they wanted to obtain authorization to have those types of discussions, prior to moving forward.

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

The vote in favor was unanimous.

- I. Council Motion: Move forward with review of the SE & NE Sport Complex plans to promote tourism and support AAU and other sports in the county [N. JACKSON] – Mr. N. Jackson stated over the years we have discussed having a sports complexes in Northeast and Southeast Columbia. We have the land in Northeast Columbia, and we have identified some land in Southeast Columbia to do something with Hospitality Tax. We have done events or projects in the City of Columbia. The only project we have done in unincorporated area is Pinewood Lake Park. We did have plans for Northeast, which was cancelled. He thinks it is time for us to revisit having something in both areas that will bring tourists to the area. What was recommended in the past was baseball in one area, and a basketball for AAU and other programs. So many people visit the area each year. They have to go all over the County, and we do not have a central location. He is trying to get the discussion started again to get something going.

Mr. Malinowski stated the fact that all the information we have is at least 4 ½ years old on the feasibility studies, look what happened to the Penny Tax funds and how the costs escalated in just a few years. Prior to moving forward with anything, if we consider the project, that we obtain new specifics.

Mr. N. Jackson moved, seconded by Ms. McBride, to forward to Council with a recommendation to move forward with a study to do a sports complex in Northeast and Southeast Richland County.

In Favor: Malinowski, N. Jackson and McBride

Opposed: Livingston

The vote was in favor.

- m. Freedom of Information Act Policy Revision – Ms. Myers moved, seconded by Ms. McBride, to defer this item until the October 23rd committee meeting.

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

The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Council Motion: Funding the Senior programs should be distributed equally and fairly. It is not right for one organization to be receiving hundreds of thousands of dollars annually while other areas receive none. All areas pay taxes and all seniors should get the same and equal opportunity in receiving funding. I move that funding for seniors (Senior Activities) be distributed equally in all eleven districts [N. JACKSON] – No action was taken.
- b. Council Motion: The Lourie Center recently lost funding from United Way necessary to continue operating a program that transports seniors to medical appointments and essential shopping. They are requesting Council provide \$12K in additional funding so that this program can continue [PEARCE] – No action was taken.

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