

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### ADMINISTRATION & FINANCE COMMITTEE

November 24, 2015  
6:00 PM  
County Council Chambers

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building*

#### CALL TO ORDER

Mr. Pearce called the meeting to order at approximately 6:02 PM

#### APPROVAL OF MINUTES

**Regular Session: October 27, 2015** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve the minutes as amended. The vote in favor was unanimous.

#### ADOPTION OF AGENDA

Mr. McDonald requested the items under “Items Pending Analysis” be moved to action items.

Mr. Washington inquired if there was backup material for the items.

Mr. Madden stated staff’s review of the items was not completed in time to be included in the agenda packet. The backup material will be included in the Council agenda packet.

Ms. Dickerson moved, seconded by Mr. Livingston, to adopt the agenda as amended. The vote in favor was unanimous.

#### ITEMS FOR ACTION

**Council-Administrator Form of Government Training: Council Rule Amendment: Disciplinary Policy for Employees** – Mr. McDonald stated the Committee requested the current language in the policy about the chain of command, which states “Richland County encourages employees to know and utilize their respective chain of command.” It is staff’s understanding, Mr. Malinowski would like to strengthen the language of the policy.

Mr. Malinowski stated the following statement details his intent. “Additionally, as it pertains to the communication between employees and Council members the policy states the following: Any employee who is also a citizen of Richland County shall be allowed to communicate non-employment related inquiries or complaints to his/her County Council member without interference, restraint, coercion, discrimination, or



#### Council Members Present

Greg Pearce, Chair  
District Six

Joyce Dickerson  
District Two

Paul Livingston  
District Four

Kelvin E. Washington, Sr.  
District Ten

#### Others Present:

Bill Malinowski  
Norman Jackson  
Julie-Ann Dixon  
Damon Jeter  
Torrey Rush  
Tony McDonald  
Sparty Hammett  
Warren Harley  
Brandon Madden  
Michelle Onley  
Larry Smith  
Roxanne Ancheta  
Daniel Driggers  
Monique McDaniels  
Kim Roberts  
Geo Price  
Chad Fosnight  
Cheryl Patrick  
Janet Claggett  
Tracy Hegler

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reprisal from the employee's department head or supervisors, or having his/her employment jeopardized in any manner. For employment related issues, employees should follow their designated chain of command." It is a matter of Council members advising employees to follow the chain-of-command. If the employee is not satisfied with the outcome after following the chain-of-command, then speak with the County Council.

Ms. Dickerson does not feel that Council should close-minded or closed to any employee. Council should have enough integrity to know when it is something an employee should not be talking with a Council member about.

Mr. Washington is concerned with equal application of disciplinary action (i.e. signing of documents).

Mr. Washington moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to accept as information. The vote in favor was unanimous.

**Changes to Policy on Requiring Employees to Sign Documents** – Mr. McDonald stated the intent of the motion is to change the current policy to require employees who have received disciplinary action sign the documentation related to the action. The purpose for having the employee sign the documentation is: (1) to have proof the employee has seen the disciplinary action; and (2) to provide proof the supervisor has provided the documentation to the employee. There is a statement on the disciplinary action form the employee is required to sign, which states the signature on the form does not indicate the employee agree with the action. There is also a space to provide a rebuttal if the employee chooses.

Mr. Manning moved, seconded by Ms. Dickerson, to defer to the December committee to allow staff to provide the committee with a copy of the disciplinary action form. The vote in favor was unanimous.

**Council member Jackson's Motion Regarding Hourly Rates for Transportation Engineers and Part-time Interns** – Mr. Perry stated some of the confusion was when the contract was drawn up by the attorneys it included the 2.87 overhead multiplier in the rates. (i.e. the Program Manager would actually make \$81/hr. and not \$233/hr.)

The only time these rates would apply is if the County decided to give additional work to the Program Development Team. There is also language in the contract that states both sides have to mutually agree to a change in scope.

Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to accept as information.

Mr. Jackson stated the PDT contract provided to Council did not make it clear there was a 2.87 multiplier attached to the rates.

Mr. Jackson requested documentation of how much the part-time interns are being paid per hour.

Ms. Dickerson requested the document Mr. Jackson is referring to so she can compare it to the information in the committee packet.

Mr. Perry stated he is the contract manager for the PDT contract. The PDT submits a monthly invoice. The invoice is compared to the agreement to decide if it is a reasonable charge. The contract is not a costs plus contract. The contract is a \$6,020,000 a year lump sum contract.

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Mr. Washington inquired if the exhibit included in the agenda packet was attached to the contract the PDT signed.

Mr. Perry replied in the affirmative.

Mr. Washington inquired if there was an assumption this is what the employees would be paid. If so, does the County have to adhere to the numbers in the exhibit?

Mr. Smith stated he would have to review the contract and not just the exhibit.

Mr. Washington feels the numbers in the exhibit are exorbitant for overhead.

Mr. Washington made a substitute motion, seconded by Mr. Livingston, to defer this item until the December Committee meeting to allow Legal time to review the contract. The vote in favor was unanimous.

**Consulting and Representation Services – Disaster Recovery RFP** – Mr. Pearce stated the request from staff is not take this up tonight because the evaluations have not been completed. The request is to forward it to the December 8<sup>th</sup> Council meeting without a recommendation.

Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council without a recommendation to the December 8<sup>th</sup> Council meeting.

Mr. Washington inquired as to when the evaluations will be completed and the results forwarded to Council members.

Ms. Patrick stated she received 13 bids/proposals on November 16<sup>th</sup>. The bids were distributed to the evaluation team on November 17<sup>th</sup>. The scoring proposals are due to Ms. Patrick on December 2<sup>nd</sup>. At that time, she will enter the data into a spreadsheet. Once the data has been entered into the spreadsheet it will be provided to Council.

Mr. Washington inquired if the evaluation team were County employees.

Ms. Patrick stated the evaluation team is comprised of 3 County employees.

Mr. Washington inquired if the recommendation will be to select one consultant.

Ms. Patrick stated this RFP is all encompassing for disaster related recovery. The recommendation is typically for one firm. You would not want the firms to cross over each other when they are trying to do FEMA related reimbursements.

Mr. Jeter inquired if the firm is to only be responsible for the unincorporated portion of Richland County.

Mr. McDonald stated the City of Columbia is doing its own recovery efforts and they have hired a similar firm to the same thing for the City. The other municipalities (i.e. Town of Eastover, Blythewood, Arcadia Lakes, etc.) have been taken under the County's umbrella for recovery.

Mr. Jackson inquired if the County is incorporating anything from the Tennessee trip into the recovery plan.

Mr. Harley stated the Tennessee personnel encouraged the County to utilize multiple contractors with regard to debris removal.

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Ms. Dickerson stated Tennessee's form of government and the County's form of government are vastly different, which makes a difference when trying to coordinate projects.

Mr. Washington inquired if the scope for the consultant covered the social aspects discussed in Tennessee or is it just technical.

Ms. Patrick stated it is an all-encompassing disaster-related recovery services RFP.

Mr. Washington stated the technical aspects will take care of themselves, but the County is going to have to have a team out there to handle the social aspects.

Ms. Patrick stated the RFP is for long-term in case there is another disaster that occurs in Richland County.

Mr. Washington inquired if the RFP can be utilized to go back and choose a company to concentrate on a specific area.

Ms. Patrick stated the possibility can be researched, but she cannot say for certain that can be done. The debris removal plan will be the next matter to come forward.

The vote in favor was unanimous to forward this item to the December 8<sup>th</sup> Council meeting without a recommendation.

**Richland County Sheriff's Department Victims of Crime Act Special Solicitation Grant: Equipment Only: 20% match** – Mr. Pearce stated this item is a Victim's Assistance grant. There is a small match of \$14,480 required.

Mr. McDonald stated the \$14,480 would come from the grant match account in the budget.

Ms. Dove stated there are no positions attached to the grant. The grant is strictly for equipment.

Mr. Livingston inquired if there are any recurring costs.

Ms. Dove replied this is a one-time expenditure for equipment.

Ms. Dickerson moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the request to accept the Victims of Crime Act-Special Solicitation grant, if awarded, to fund equipment, training costs and supplies for the Richland County Sheriff's Department Victims Service Unit to further support citizens, specifically victims of crime. The total amount of grant funding applied for is \$72,400, which includes a 20% grant match of \$14,480. The vote in favor was unanimous.

**Decker Center Change Order #1** – Mr. Fosnight stated the request is to allow the use of contingency funds in the project. There was \$31 million approved for the project and due to construction bids coming in lower than anticipated there is a contingency fund set up in the project. There are a total of 9 change orders due to some unforeseen conditions related to the project.

In most cases there is a contingency set up in the construction contract. In the case of this project, there is a contingency set up for the project but not specifically for the construction contract.

Mr. Livingston requested a list of the change orders prior to this item coming to Council.

Mr. Fosnight stated the change orders are a part of the ROA that will be included in the Council agenda.

Mr. Washington requested an example of the change orders.

Mr. Fosnight stated there was unsuitable soil underneath one of the exterior staircases that was being built. All of the soil had to be excavated out and replace it.

Mr. Fosnight stated the total for the change orders is \$54,000.

Mr. Rush cautioned staff regarding change orders.

Mr. Fosnight stated some of the change orders were County initiated, but the majority are due to unforeseen conditions. As far as being cognizant of the change orders, there are a number of different levels of review before it is deemed necessary.

Mr. Jeter inquired about the amount of the contingency.

Mr. Fosnight stated it is 2% of the construction costs or approximately \$2 million.

Mr. Washington moved, seconded by Ms. Dickerson, to forward to Council with a recommendation for approval. The vote was in favor.

**Magistrates, Authorization of Negotiation of Purchase Contract for 144 O'Neil Ct. and 4913 North Main St properties** – Mr. Washington stated these are properties the county is looking to negotiate on for locating two of the magistrates that are currently either in rental space (Upper Township) or no location at all (Dentsville). The funding is available in the bond issuance.

Mr. Livingston inquired if the portion of O'Neil Ct. that flooded is the location being considered.

Mr. McDonald replied it was not.

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council without a recommendation. The vote in favor was unanimous.

## **ADJOURNMENT**

The meeting adjourned at approximately 6:53 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council