



Richland County Council
ADMINISTRATION AND FINANCE COMMITTEE
MINUTES
April 26, 2022 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, Yvonne McBride, Paul Livingston, Joe Walker (via Zoom) and Jessica Mackey (via Zoom)

OTHERS PRESENT: Overture Walker, Gretchen Barron, Derrek Pugh, Michelle Onley, Anette Kirylo, Leonardo Brown, Patrick Wright, Lori Thomas, John Thompson, Abhi Despande, Dale Welch, Randy Pruitt, Steven Gaither, Kyle Holsclaw, Justin Landy, Zachary Cavanaugh, Bill Davis, Michael Maloney, Stacey Hamm, Jennifer Wladischkin, Tamar Black, Aric Jensen, Dwight Hanna, Ashiya Myers, Jani Hussain, Angela Weathersby, Dante Roberts and Stephen Staley

1. **CALL TO ORDER** – Chairman Bill Malinowski called the meeting to order at approximately 6:00PM.

2. **APPROVAL OF MINUTES**

- a. Regular Session: March 22, 2022 – Ms. McBride moved, seconded by Mr. Livingston, to approve the minutes as distributed.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey

The vote in favor was unanimous.

3. **APPROVAL OF AGENDA** – Mr. Livingston moved, seconded by Ms. McBride, to adopt the agenda as published.

In Favor: Malinowski, McBride, Livingston, J. Walker, and Mackey

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Request the Business License Ordinance be reviewed and changed to address items that are allowed by state law but are not being done by Richland County and resulting in large amounts of money not being collected. I will provide additional information to Assistant Administrator Jensen for review and handling prior to it getting to a committee [MALINOWSKI – December 7, 2021]** – Mr. Malinowski noted this has been addressed by Council;

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therefore, he withdrew the motion.

- b. **Emergency Services – Fire Division – Purchase of Fire Pumper Truck** – Mr. Leonardo Brown, County Administrator, stated staff recommends the purchase of a pumper firetruck for the Lower Richland station. The source of funding will be Community Development Block Grant (CDBG) funds.

Ms. McBride moved, seconded by Mr. J. Walker, to forward to Council with a recommendation to approve the purchase of a fire truck pumper for the Lower Richland Station using Community Development Block Grant (CDBG) funds.

- c. **Department of Public Works – Engineering Division – Springwood Lakes Community Drainage Project** – Mr. Brown stated staff's recommendation includes the award of a contract to NOVA Engineering and Environmental, LLC for the Springwood Lakes Community Drainage Project. The consultant won the qualification based selection based on their understanding of the project and methods to provide the greatest outcome for the Springwood Lake Community. They were the only consultant to have charted a path not only to restore the roadways, but to also ultimately restore the normal operation of the wet basins. A Request for Proposals (RFP) was issued in December 2021. There were three submissions which were evaluated and ranked. NOVA Engineering and Environmental was the highest ranked offeror.

Ms. Mackey moved, seconded by Mr. Livingston, to forward to Council with a recommendation to award the contract for the Springwood Lakes Community Drainage Project to NOVA Engineering and Environmental, LLC.

Mr. Malinowski inquired as to who owns Springwood Lake.

Mr. Michael Maloney, Public Works Director, responded the basins are owned by the HOA, or members of the HOA, surrounding the lakes.

Mr. Malinowski inquired as to whose authority Creekwood Drive and Overpond Road are under.

Mr. Maloney responded the roads are SCDOT roads. He noted SCDOT is a part of the project and will be restoring the roads. The grant is restoring the hydrology.

Mr. Malinowski inquired if the DHEC grant is paying 100% of the costs.

Mr. Maloney responded it is a \$500,000 grant.

Mr. Livingston inquired if this is the grant that Ms. Barron worked on, and Council approved.

Ms. Barron responded in the affirmative.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey

The vote in favor was unanimous.

- d. **Upper Township Magistrate – Sheriff's Department Substation** – Mr. Brown stated Council approved the utilization of the property in question for a Magistrate's facility and Sheriff's Substation. There was bond funding approved to further the initiative. A Request for Qualifications was issued by the Procurement office on February 11, 2022. A pre-bid meeting and site visit were held at the Upper Township Magistrate office and interested contractors were provided with the opportunity to tour the space. There was one submittal received from Solid Structure. Procurement

reviewed the submittal, and an evaluation team provided their scoring. Solid Structure is responsive and responsible, and the recommendation is to award a contract for this project. They are a certified M/DBE by the State of South Carolina and South Carolina Department of Transportation.

Mr. Livingston moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the award of a contract to Solid Structure for the design/build of the Upper Township Sheriff's Substation.

Mr. Malinowski inquired about the cost to renovate the 4,830 sq. ft. for the magistrate's office.

Judge Tomothy Edmond, Summary Court Judge, stated he does not have the costs.

Ms. Jennifer Wladischkin, Procurement Manager, responded the magistrate's office was \$1.3M. The estimated budget for the Sheriff's Substation is \$1.3M.

Mr. Malinowski noted the portion of the building not being utilized by the magistrate's office has been upfitted with utility connections. Therefore, he inquired why it would cost the same amount to refurbish the portion for the Sheriff's Substation.

Ms. Wladischkin responded, based on the walk through, the plumbing and HVAC was not completely run through the facility.

Mr. Randy Pruitt, Operational Services Director, responded the utilities have been roughed in, but not connected.

Mr. Malinowski inquired as to who pays for the Midlands Fugitive/Gang Task Force lease.

Chief Harry Polis responded the Sheriff's Department is responsible for the lease payment. He stated he does not know the lease amount, but can provide the information to the committee.

Ms. McBride inquired if the Community Meeting room is a part of design.

Judge Edmond responded in the affirmative.

Ms. McBride inquired if furnishings will be provided.

Mr. Brown and Chief Edmond both responded in the affirmative.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey

The vote in favor was unanimous.

e. **Court Appointed Special Advocate (CASA) – Budget Adjustment to Increase Attorney Pay –**

Mr. Brown stated the request is for a budget adjustment to increase attorney pay for the Court Appointed Special Advocate (CASA). He noted budget adjustments normally occur via the budget process or through a budget amendment during the fiscal year.

Ms. McBride moved, seconded by Mr. Livingston, to forward to Council with a recommendation to increase the Court Appointed Special Advocate (CASA) budget in order to hire qualified attorneys and decrease turnover due to salary.

Ms. Mackey inquired if the attorneys have received a pay increase within the past 5 years. She further inquired if any consideration had been given for the other CASA employees? In addition, how are we sure the salary is the reason for not being able to fill the position.

Mr. Dante Roberts, CASA Executive Director, responded there were pay increases for most of the employees during the 2018 Total Rewards Study. He noted CASA works closely with the USC School of Law to recruit interns. Those interns interested in applying for CASA, as well as other attorneys interested in family law, are deterred by the salary. He stated they would like to give all of the employees pay increases, but this is a dire need for CASA. Currently there are 2 attorneys. One is the Legal Service Manager, and the other is due to go on maternity leave in June. In the last 6 months, there have been 2 applicants. One could start in October, if they pass the bar. The other applicant requested a starting salary of \$70,000.

Mr. Malinowski inquired if the ad contains a pay scale.

Mr. Roberts responded in the affirmative. The starting salary is listed as \$49,900.

Ms. Mackey inquired why there is a request to increase the pay of the Legal Service Manager.

Mr. Roberts responded they are requesting a salary increase for the 2 current attorneys for retention purposes. He noted CASA lost the last 4 attorneys due to the salary not being competitive. The average for other attorneys is approximately \$20,000 more than the current salary.

Mr. Malinowski noted these wages are well above the livable wage, according to the study presented at the budget work session.

Ms. McBride stated she knows how important CASA's responsibilities are in trying to help the children of Richland County. She noted these employees require unique skills; therefore, she understands the need for additional pay.

Mr. Malinowski stated the information provided does not include the amount of time spent on the cases. The only thing provided was a study from the university and the salary for the part-time CASA attorney in Charleston County. He inquired if all counties have CASA.

Mr. Brown responded all counties have CASA.

Mr. Malinowski inquired who pays for CASA's services in the other counties.

Mr. Patrick Wright, County Attorney, responded there is a Guardian ad Litem Program the State runs. The State pays for the program in other counties. Richland County's program existed before the State program. The State program was modeled after the Richland County program. He noted all attorneys go through 7 years of college and obtain a Juris Doctorate. When he worked in Family Court, 15 years ago, the salary was \$57,000.

Mr. Malinowski stated, in his understanding, Richland County is the only county that pays for CASA. He inquired if Richland County is required to have CASA in place.

Mr. Wright responded the County is required to have a Guardian ad Litem Program.

Mr. Malinowski inquired how we get the County's Guardian ad Litem Program under the State's

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program.

Mr. Wright responded the Legislature can change the statute to not exclude the County.

Ms. McBride stated, in the future, the County can lobby to have the State cover the costs of the Guardian ad Litem Program. At this time, CASA is in dire need of recruiting attorneys.

Mr. Malinowski inquired if CASA requested the pay increases during the current budget process.

Mr. Brown responded Administration did not receive a recommendation from CASA. He noted there have been some discussion about them potentially retaining personnel utilizing contracts. Administration would need to be provided the following information: the actual dollar amount being requested, if it is a set dollar amount or a range, and does it apply to all vacant attorney positions the department has.

Mr. Malinowski noted he does not know if the request includes benefits or just salary. Additionally, has other counties advertised for these positions and had success, and, if so, at what salary.

Ms. Mackey inquired if it was typical for CASA to not submit a budget.

Mr. Brown responded, he would not say it is typical, but that Administration did not receive a request from CASA.

Ms. Mackey inquired if there have been conversation with HR professionals or looking at recruitment measures to ensure we are doing all we can to reach applicants.

Mr. Malinowski made a substitute motion, seconded by Ms. Mackey, to defer this item until the May committee meeting to receive additional information.

Mr. Livingston made a 2nd substitute motion, seconded by Ms. McBride, to forward to Council without a recommendation and have the information provided prior the May 17th Council meeting.

Ms. McBride stated the way we are tearing this request apart she is sure we are going to vet all other requests in the same manner. It concerns her how we vet some issues more than others, and particularly those that concern high-risk needs of our children in underserved communities.

Mr. J. Walker stated, at the end of the day, as an employer in the private sector, he is taken aback that we are even contemplating recruiting attorneys to subpar/substandard salaries, and thus a substandard life, as it pertains to the investment they have made in their education. He stated, if we want to recruit the type of talent we want to Richland County, and certainly if we want to retain employees, we need to take a hard look at our compensation.

Ms. Mackey noted this work is important for the underserved communities, and we need to look at what we are paying. She wants to do this for all the employees, and not just these 3 attorneys. The CASA employees that are working with these kids are just as important as the attorneys. She also wants to ensure the department is doing their due diligence to recruit employees.

In Favor: McBride, Livingston, J. Walker and Mackey

Opposed: Malinowski

The vote was in favor of the 2nd substitute motion.

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f. **East Richland County Public Service District – Whitehouse Road 404 Hatchery and Genetic Management Plan (HMGP) Project** – Mr. Brown stated this request is coming via an outside entity. They are reaching out to Richland County because they believe we share a similar thought process concerning this area. In the agenda packet, it states, “The East Richland County Public Service District requests that approximately 1,200 feet of Whitehouse Road from Bluff Road to the entrance of the District’s Gill Creek WWTP be elevated to the FEMA 500-year base flood elevation and paved in order for the roadway to be passable during the next heavy rain event. The Gill’s Creek WWTP is already constructed above this elevation to be operable during flooding conditions.” The East Richland Public Service District is requesting a co-share of costs associated with the project.

Mr. Malinowski inquired if the East Richland Public Service District is a private entity.

Mr. Bill Davis, Utilities Director, responded East Richland Public Service District is a special purpose district that is under Richland County’s authority for management and administration.

Mr. Malinowski inquired who gets the profits.

Mr. Davis responded East Richland Public Service District.

Mr. Malinowski inquired if the profits are ever shared with the County.

Mr. Davis responded the County shares a millage with them.

Mr. Malinowski stated, for clarification, the County provides them a millage through taxes, and they keep everything they get from the project. He noted the backup documentation states they serve approximately 20% of Richland County’s population, but they want the County to pay 50% of the costs of the project. He does not think it is fair for the other 30% of the taxpayers to be paying. In addition, he noted the road will be elevated to the 500-year base flood elevation, and not the previous 100-year base flood elevation.

Mr. Davis noted staff recently participated in Climate Ready Columbia and the discussions of the climate change have significantly impacted flooding in our area.

Mr. Livingston stated, when he ready the backup documentation, he thought they were referring to 50% of Richland County’s share, not the entire project.

Mr. Maloney stated there is a grant funding this, and then there is the local share, which equates to approximately \$105,000.

Mr. Malinowski stated the 50% is approximately \$105,000 and 20% would be approximately \$42,000.

Mr. Malinowski moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve participation in the project to elevate and harden Whitehouse Road from Bluff Road (State Highway 48) to the entrance of the East Richland County Public Service District’s wastewater treatment plant (Gills Creek WWTP) at 1050 Whitehouse Road to eliminate the potential loss of sewer service to over 20,000 customers and 88,000 residents during flooding events. The County will be provide up to 20% of the local share.

Ms. McBride made a friendly amendment to have staff present the committee’s recommendation to the East Richland County Public Service District and bring it back to committee.

Mr. Livingston requested to know how many customers East Richland Public Service District has, and how it compares to the whole County.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey

The vote in favor was unanimous.

5. **ITEMS FOR INFORMATION**

- a. **Utilities Department – Willingness to Serve – Kennerly Road Tract** – No action required.
- b. **Utilities Department – Willingness to Serve – Kim Boufawaz** – No action required.
- c. **Utilities Department – Willingness to Serve – Mallard Subdivision** – No action required.

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

- a. **Evaluation of Offer: Tax Map Serial # R06400-01-01 & Tax Map Serial # R06500-01-01** – No action taken.

7. **ADJOURNMENT** – Ms. Mackey moved, seconded by Mr. Livingston, to adjourn.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous

The meeting adjourned at approximately 7:00PM.