



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

July 28, 2020 – 6:00 PM

Zoom Meeting

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

OTHERS PRESENT: Jim Manning, Paul Livingston, , Michelle Onley, Ashiya Myers, Angela Weathersby, Leonardo Brown, Ashley Powell, Dale Welch, Synithia Williams, Tariq Hussain, John Thompson, Michael Maloney, Clayton Voignier, Quinton Epps, Nancy Stone-Collum, Elizabeth McLean, Michael Niermeier, Geo Price, Stacey Hamm, Dwight Hanna and Jennifer Wladischkin

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. **Regular Session: June 23, 2020** – Ms. McBride moved, seconded by Mr. Walker, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.
 - b. **Special Called Meeting: June 30, 2020** – Ms. McBride moved, seconded by Ms. Myers, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson, McBride and Myers

Abstain: Walker [was not present at June 30th meeting].

The vote in favor was unanimous with Mr. Walker abstaining from the vote.
3. **ADOPTION OF AGENDA** – Ms. Dickerson stated she does not believe some items on the agenda are properly before the committee. She requested the Administrator to outline the items that are time-sensitive and need to be taken up at this meeting.

Mr. Brown suggested removing Items 4(b) “Richland County District One’s Recommendation to Deny Richland County’s Request for an Additional \$500,000 Payment for the Southeast Sewer and Water Expansion Project” and 4(c) “Pontiac Magistrate Rent Increase” from the agenda.

Ms. Myers stated she believes the item regarding the Southeast Richland Sewer connection is premature. There has not been any public outreach to the community, except the public outreach she did. Having looked at the sign-up list, she would say 99% of them are people that she solicited through her own efforts, and some people that should be on the list are not on the list.

Mr. Malinowski moved, seconded by Mr. Walker, to adopt the agenda as published.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Intergovernmental Agreement (IGA) between Richland County, Lexington County and Town of Irmo for Engineering Services and Infrastructure Maintenance – Mr. Malinowski moved, seconded by Ms. Myers, to refer this item to the D&S Committee.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- b. Richland School District One's Recommendation to Deny Richland County's Request for an Additional \$500,000 Payment for the Southeast Sewer and Water Expansion Project – Ms. Myers moved, seconded by Mr. Malinowski, to defer this item to the September A&F Committee meeting.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- c. Pontiac Magistrate Rent Increase – Mr. Malinowski moved, seconded by Mr. Walker, to table this item in committee.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- d. Sewer and Water Connection for Residents Living Within the Southeast Sewer and Water Expansion Zone – Ms. Myers moved, seconded by Mr. Malinowski, to defer this item to the September A&F Committee meeting.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- e. Change Order for Division 4 of the Southeast Sewer and Water Expansion Project – Mr. Malinowski moved, seconded by Ms. Myers, to defer this item until the September A&F Committee meeting.

In Favor: Malinowski, Dickerson, McBride and Myers

Opposed: Walker

The vote was in favor.

- f. Approval of the Award Sum from SC State Revolving Fund (SRF) towards the Southeast Sewer and Water Expansion Project – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to accept \$1, 000,000 of a South Carolina State Revolving Fund principal forgiveness loan awarded by the South Carolina Department of Health and

Environmental Control (DHEC) to Richland County Utilities for the construction of the new pump stations at Gadsden Elementary School, Hopkins Elementary School and Hopkins Middle School.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- g. Little Jackson Creek Up-Ditch Work Authorization Award – Ms. Myers moved, seconded by Mr. Malinowski, to approve for discussion.

Ms. Myers inquired if this request is related to the flood or is it public work.

Mr. Brown stated in the briefing document the Public Works Department identified Hazard Mitigation Grant 4241-DR, and the funding is in their budget.

Mr. Malinowski inquired if any part of this is on railroad property.

Dr. Thompson responded this is on the railroad right-of-way.

Mr. Malinowski stated, if it is on railroad property, he believes they would be more responsible for remedying the problem, and not the County.

Mr. Maloney stated it is not to take on any railroad work responsibility. It is to improve the ditch itself. We are dealing with a lot of erosion, so we need to go in and re-survey the permitting for the ditch work.

Mr. Malinowski noted the briefing document says the railroad has built a retaining wall within the upditch area, and Mr. Maloney has indicated the railroad has contributed to the problems that exist there. Therefore, why is the railroad not being held more responsible for rectifying the existing problems, with the ditch?

Mr. Maloney responded the railroad wall changes conditions on how we approach it, but the erosion that has occurred due to the public water going through the ditch.

Mr. Malinowski stated, under the "Assumptions", it states, "No real estate services related to private landowners... are included in the scope of services." He inquired if any will be needed.

Ms. Williams stated the assumption is that we will not have to go in and acquire land or pay for any new easements.

Mr. Malinowski noted under Assumption #2 it states, "This scope of services assumes that the Up Ditch will not be considered jurisdictional Waters of the United States (WOTUS)..." He inquired when we will know for sure.

Ms. Williams stated looking at the soils and the land type out there, it is our assumption that is not Waters of the United States, but because it does discharge into a downstream and wetlands, we have to go to the Army Corps of Engineering to get the jurisdictional determination.

Mr. Malinowski noted under Assumption #4 it states, "The CONSULTANT shall pay, on behalf of the OWNER, up to \$5,750.00 in fees required to obtain the Right of Entry Permit necessary to complete work within the portion of the project that is within the CSX Railroad right of way.", which means we have to pay them to get on their property to do work.

Ms. Williams stated it is the railroad right-of-way. There are different property owners that abut both sides of the upditch. Whenever you do work alongside a railroad, you have to get their permission to do work in the area. We approached CSX early on in the process to let them know what was going on, and the only solution they were able to offer was to put in some rock, which would not be a good long-term effect to reduce the erosion in the ditch; therefore, we pursued the grant. We do still have to apply for those permit fees, and this is the estimate the railroad gave us.

In Favor: Dickerson, McBride and Walker

Opposed: Malinowski and Myers

The vote was in favor.

- h. Home Detention/Electronic Monitoring Services – Ms. McBride moved, seconded by Ms. Myers, for discussion.

Ms. Myers stated, for clarification, staff has said we need to find a different source of funding if we are going to continue this program.

Ms. Dickerson responded in the affirmative.

Ms. Myers inquired about what alternatives other counties have used for this kind of program.

Ms. Wladischkin stated the program is supposed to be offender funded. In prior discussions with the Solicitor's Office and the Legal Department, it appears that other municipalities have methodologies by which inmates are brought back before the judge, if they are in violation of not paying for their monitoring, which the County has not done in the past.

Ms. McBride stated this is to assist indigent detainees who are not able to provide funding. If we do not fund the monitoring services, we will have more detainees at the Detention Center.

Ms. Myers stated, when this came up last year, she offered a motion to look for these services on a competitive basis. The concern was these services are extremely expensive, and we have become a captive audience to this contractor. She inquired if we tried to get these costs down. For detainees, they are paying the cost of being accused of something.

Mr. Myers stated there are a couple of options with home detention. The County can run the program themselves without a third-party, which could lower the costs. However, the County would have a big upcharge because they would have to rent or purchase the equipment from a company that does electronic monitoring. Most larger detention centers do home detention and they normally do it through a third-party, so they do not have to worry about putting manpower on it.

Ms. Myers inquired if the County is qualified to do their own home detention, and what it would look like.

Mr. Myers stated Greenville County does their own home detention section. They speak with the judges, make recommendations, and run the program. Charleston County does home detention, but they do it through a third-party.

Ms. Dickerson inquired as to what is more cost efficient.

Mr. Myers responded third-party is likely the most cost efficient. He has not done a cost analysis, but if we are going to run the program it would require 5 – 6 employees and the equipment to operate home detention.

Ms. Myers stated these same questions came up a year ago, and she is surprised we have not looked at the options. She inquired as to when the contract expires.

Mr. Myers responded the contract expires in October.

Ms. Myers suggested we bring the options before Council, so we can make a more informed decision on how to proceed.

Ms. Myers made a substitute motion, seconded by Mr. Malinowski, to hold this in committee and request staff to provide options for improving the service.

Mr. Malinowski inquired if the higher number is the better cost.

Ms. Wladischkin responded the lower number is the lower cost. There are several different charges, but for the basic monitoring OMS had the less expensive cost.

Mr. Malinowski stated it looks like we have a considerable lower cost with the new company, so he would like to see the difference when it comes back. He inquired if we have asked anyone that wears one of the devices how they feel about the services provided. He stated he has had discussions with individuals that had dealings with the group, and they are not very good.

Ms. Myers withdrew her substitute motion.

Mr. Walker requested to have the motion restated.

Ms. McBride stated the motion is to forward to Council a recommendation to continue the electronic monitoring program and approve the award of a contract for home detention services to Offender Management Services.

In Favor: Dickerson, McBride and Walker

Opposed: Malinowski and Myers

The vote was in favor.

- i. Request for Leasing Parking Lot Space for a Carnival – No motion was made on this item.
- j. Sewer Request for the Farm at McCord's Ferry Road – Mr. Walker moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to direct staff to issue a sewer availability letter that permits the developer to connect the Farm at McCords Ferry Subdivision to the City of Columbia sewer collection subject to the following conditions: 1. The construction of the project is completed and fully permitted for operations before the completion of the Southeast Sewer and Water Expansion Project (SESWEPE). 2. The developer shall install an 8" force main that can convey all the sewer flow from the development to the County's Garners Ferry pump station. 3. At the completion of the SESWEPE, the developer shall disconnect from the City of Columbia and reconnect to the County's sewer system using the 8" force main already installed. All cost associated with disconnection and reconnection shall be the responsibility of the developer.

Ms. Myers requested staff speak to the impacted areas, where this is in relation to the transfer areas, and if Ms. Newton has had any involvement in the discussion of this issue.

Dr. Thompson stated they had a conversation this morning with the landowner, as well as an engineer that is a part of this project at the Farm at McCord's Ferry Subdivision. This request is part of the delegated review program. The process has already been approved by Council; however, working with the County Administrator and Mr. Hussain, we decided to bring these matters to you. The issue is that staff members are approving these availability letters for sewer for the developers and landowners; however, they never get to Council's attention, and these decisions have fiscal impacts.

Mr. Hussain stated this is in the transfer area. They applied when this area was under the City. Staff recommends moving forward, and when our system is operational they will connect to the County's system.

Mr. Malinowski stated, in the agenda packet, there is a letter dated September 2019 from the City of Columbia, so it seems like it is not time-sensitive. He inquired if the monthly cost of \$13,504 will have to be paid to the City forever.

Dr. Thompson responded the County will only pay the City as long as they are treating this development's sewage. According to the agreement, the City will treat the sewage for 2 years.

Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item until the September A&F Committee meeting.

In Favor: Malinowski, Dickerson, McBride and Myers

Opposed: Walker

The vote was in favor.

- k. Utilities Delegated Review – Mr. Malinowski moved, seconded by Ms. McBride, to defer this item until the September A&F Committee meeting.

In Favor: Malinowski, Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

- l. Historic Property Designation at 1215 Shop Road – Mr. Walker moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve designation of 1215 Shop Road as a Historic Building.

Ms. Myers stated she would have liked staff to have spoken to her prior to this item coming forward, since it is in her district.

Mr. Malinowski requested staff to provide the dollar amount, in the 20 year period, the County would or would not receive, because of this.

In Favor: Malinowski, Dickerson, Walker and Myers

Opposed: McBride

The vote was in favor.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:55 PM.