



Richland County Council  
Administration and Finance Committee Meeting  
**MINUTES**  
December 15, 2022 – 6:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Bill Malinowski, Chair; Yvonne McBride, Paul Livingston, and Jesica Mackey

1. **CALL TO ORDER** – Chairman Bill Malinowski called the meeting to order at approximately 6:00 PM. He noted Councilman J. Walker could not attend tonight’s committee meeting due to a family matter.
  
2. **APPROVAL OF MINUTES**
  - a. November 17, 2022 – Mr. Livingston moved to approve the minutes as distributed, seconded by Ms. McBride.  
  
In Favor: Malinowski, McBride, Livingston, and Mackey  
  
Not Present: J. Walker  
  
The vote in favor was unanimous.
  
3. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Ms. Mackey.  
  
In Favor: Malinowski, McBride, Livingston, and Mackey  
  
Not Present: J.. Walker  
  
The vote in favor was unanimous.
  
4. **ITEMS FOR ACTION**
  - a. Conservation Commission – Mill Creek Bridge Replacement – Mr. Quinton Epps, Conservation Division Director, stated this bridge was damaged in the 2020 flood and is not passable by vehicle. The County has plans to utilize the property for a park. To do so, the bridge needs to be replaced.  
  
Mr. Malinowski inquired about the timeframe for the development of the park.  
  
Mr. Epps responded that, at this time, there is no timeframe. The park is outlined in the Lower Richland Tourism Plan, which the Planning Commission has recommended including in the Comprehensive Plan.

Mr. Malinowski inquired if there was an attempt to get FEMA or other government funds to replace or repair the bridge.

Mr. Epps replied this particular flood was not listed in the FEMA Disaster Grant Program. However, they are attempting to receive funds from other Federal sources.

Mr. Malinowski noted due to the expedited design phase; the Conservation Commission approved moving forward with the project at their October 17, 2022, meeting. He inquired why this item was missing from the October or November A&F agenda.

Mr. Epps responded it was likely a timing issue related to Administration's vetting timeline.

Mr. Malinowski inquired why there is a 20% contingency for this project.

Mr. Epps responded that the contingency is due to the construction price going up and down recently.

Mr. Malinowski stated his understanding was contingencies are for items not foreseen during the bid process.

Mr. Epps replied once we have the bid, it will change. Currently, we only have the engineer's estimate. He noted they would be willing to lower the contingency to 10%.

Mr. Malinowski inquired what the purpose of a contingency is.

Mr. Patrick Wright, County Attorney, responded recently the contingency had been the difference between the expected and the actual prices. Pre-COVID contingencies covered issues discovered while completing the work.

Ms. McBride inquired if the Special Reserve Funds are General Funds.

Mr. Brown replied the Special Reserve Funds are Conservation Commission funds.

Ms. McBride inquired if the Conservation Commission holds a certain percentage of the fund balance.

Mr. Brown noted the Conservation Commission is not required to hold a certain amount in its fund balance.

Mr. Livingston moved to forward to Council with a recommendation to approve a budget amendment to transfer \$700,000 from the Richland County Conservation Commission Special Reserve Fund Balance to the Conservation Division FY22-23 Operating Budget to replace a damaged bridge on the Mill Creek property, seconded by Ms. Mackey.

In Favor: Malinowski, McBride, Livingston, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- b. Department of Public Works – Road Maintenance Fund Revenue – Mr. Leonardo Brown, the County Administrator, noted Public Works provided a list of specific items in the committee agenda. This item is before the committee because there was a lawsuit concerning the use of the road maintenance fee. Over the past year, staff heeded Council's request not to utilize funds from there until this matter has been resolved. The staff has been unable to use the funds and, as a result, cannot do the needed work. At this point, it is becoming a hindrance to continuing the improvements needed in these areas. The request is to allow staff to utilize the funds, so the roads do not get worse as we await a final resolution of the road maintenance fund.

Mr. Livingston moved to forward this item to Council with a recommendation to approve the release of capital funding from previously approved Public Works budgets for road improvements (\$3,080,700) and capital purchases (\$845,000).

In Favor: Malinowski, McBride, Livingston, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- c. Animal Services – Intergovernmental Agreement – City of Forest Acres – Ms. McBride inquired if the IGAs for Items 4(a), (b), and (c) are consistent, so everyone is paying the same amount. She inquired if we were waiving any fees.

Mr. Brown responded that the IGAs are standard, and the staff does not recommend waiving any fees.

Ms. Mackey inquired if the County has agreements with other municipalities, or only the City of Forest Acres, the Town of Irmo, and the Town of Eastover.

Ms. Sandra Haynes, Animal Services Director, responded the County also has agreements with the Town of Blythewood and the Town of Arcadia Lakes.

Ms. Mackey inquired as to why the other municipalities were not included.

Ms. Haynes responded the intergovernmental agreements with Blythewood and Arcadia Lakes have not expired.

Mr. Malinowski stated he believes the provision requiring a six-month written notice to terminate the intergovernmental agreement is quite a lengthy amount of time. He inquired if the length of notice could be shortened.

Mr. Brown replied we could certainly consider that. As a governmental agency and the way we hold meetings, it is a good idea to give them enough time to deal with funding matters.

Mr. Livingston moved to forward Items 4(a), (b), and (c) to Council with a recommendation to approve the standard intergovernmental agreement with the City of Forest Acres, the Town of Irmo, and the Town of Eastover. The intergovernmental agreement will replace the previously entered agreement with the municipalities for animal care services, seconded by Ms. McBride.

In Favor: Malinowski, McBride, Livingston, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- d. Animal Services – Intergovernmental Agreement – Town of Irmo  
e. Animal Services – Intergovernmental Agreement – Town of Eastover

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

- a. Direct the County Administrator to create a new IGA regarding the Alvin S. Glenn Detention Center Inmate Per Diem rate. Richland County is operating on fees that were implemented effective July 1, 2018 and but did not go into effect until July 1, 2019 due to the 90-day notice requirement pursuant to the agreement. The agreement in effect at that time was to have the fee only increase \$10 per year until it reached 95% of the actual cost to the

County. We are currently losing thousands of dollars per year the way this is being handled.

Richland County should not have taxpayers pay for outside entities who placed individuals in the County Detention Center, as that is the responsibility of the placing entity. Every entity who places an individual in the Alvin S. Glenn Detention Center should have an IGA with Richland County that reflects the current rate they will be paying as well as the fact rates are subject to change upward or downward on an annual basis. Those IGA's should also be worded as an annual agreement with up to so many extension years and the 90-day notice needs to be either reduced or more closely followed by staff. [MALINOWSKI - May 3, 2022] - No action was taken.

- b. Any agency receiving funds from Richland County must provide an accounting for those funds prior to a request for funds in the next fiscal year budget. REASON: Accountability is a must for taxpayer dollars [MALINOWSKI - June 7, 2022] - No action was taken.

POINT OF PERSONAL PRIVILEGE - Ms. Mackey thanked Mr. Malinowski for serving as Administration and Finance Committee Chair.

- 6. **ADJOURNMENT** - Ms. Mackey moved to adjourn the meeting, seconded by Ms. McBride.

In Favor: Malinowski, McBride, Livingston, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

The meeting adjourned at approximately 6:21 PM.