

RICHLAND COUNTY
ADMINISTRATION & FINANCE
COMMITTEE AGENDA



Tuesday, JULY 27, 2021

6:00 PM

COUNCIL CHAMBERS

The Honorable Bill Malinowski, Chair

County Council District 1

The Honorable Yvonne McBride

County Council District 3

The Honorable Joe Walker

County Council District 6

The Honorable Overture Walker

County Council District 8

The Honorable Jesica Mackey

County Council District 9

RICHLAND COUNTY COUNCIL 2021



Bill Malinowski
District 1
2018-2022



Derrek Pugh
District 2
2020-2024



Yvonne McBride
District 3
2020-2024



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker III
District 6
2018-2022



Gretchen Barron
District 7
2020-2024



Overture Walker
District 8
2020-2024



Jessica Mackey
District 9
2020-2024



Cheryl English
District 10
2020-2024



Chakisse Newton
District 11
2018-2022





Richland County Administration & Finance Committee

July 27, 2021 - 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Bill Malinowski
2. **APPROVAL OF MINUTES** The Honorable Bill Malinowski
 - a. Regular Session: June 22, 2021 [PAGES 7-13]
3. **APPROVAL OF AGENDA** The Honorable Bill Malinowski
4. **ITEMS FOR ACTION**
 - a. Treasurer's Office - Federal Forestry Funds [PAGES 14-18]
 - b. Department of Public Works - Subdivision Resurfacing [PAGES 19-27]
 - c. Department of Public Works - Pavement Preservation [PAGES 28-38]
 - d. Department of Public Works - Asphalt Preservation [PAGES 39-47]
 - e. Emergency Services Department - Cardiac Monitors [PAGES 48-49]
 - f. Utilities Department - Approval to connect 2312 and 2314 Johnson Marina Road, Chapin, SC 29036 to the RCU sewer system at Point De Haven Road [PAGES 50-55]
 - g. Alvin S. Glenn Detention Center - Sprinkler Head Replacement [PAGES 56-58]
 - h. Alvin S. Glenn Detention Center - Electronic Monitoring [PAGES 59-60]
 - i. Negotiations for Contract to design Public Safety Complex [PAGES 61-63]
 - j. Public Safety Bond Resolution [PAGES 64-67]

- k. Request from Chief Magistrate - Bond Court Consolidation [PAGES 68-118]

5. ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

The Honorable Bill Malinowski

- a. I move that Richland County Council direct the County Administrator and his staff to conduct an equity and inclusive assessment of Richland County Administrative policies and services; and provide recommendations for a comprehensive approach to advancing equity for people of color, women and others who have been historically under-served, marginalized, and adversely affected by persistent inequality. By advancing equity across Richland County Government, we can create opportunities for the improvement of businesses, communities and individuals that have been historically under-served, which will benefit all of Richland County. Appropriate assessments will better equip Richland County to develop policies and programs that deliver resources and benefits equitably to all. [McBride]

****Staff continues its efforts to determine if a partnership with the City of Columbia is possible as well as to work with other local agencies. Recently, staff met with members of the Richland Library to gain further insight into their efforts. Staff will be coming forward with some initial recommendations in the near future.**

6. ADJOURN



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Administration and Finance Committee
June 22, 2021 –6:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, Yvonne McBride, Overture Walker, and Jesica Mackey

OTHERS PRESENT: Paul Livingston, Chakisse Newton, Allison Terracio, Gretchen Barron, Derrek Pugh, Cheryl English, Michelle Onley, Tamar Black, Leonardo Brown, Synthia Williams, Ashiya Myers, Dante Roberts, John Thompson, Elizabeth McLean, Geo Price, James Hayes, Jennifer Wladischkin, Lori Thomas, Michael Maloney, Ronaldo Myers, Randy Pruitt, Sandra Hayes, Sara Scheirer, Stacey Hamm, Stephen Staley, Bill Davis, Michael Byrd, Dale Welch, Sierra Flynn, Angela Weathersby, Jani Hussain, and Dwight Hanna.

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 6:04 PM.

2. **APPROVAL OF MINUTES**

- a. **Regular Session: May 25, 2021** – Mr. O. Walker moved, seconded by Ms. Mackey, to approve the minutes as published.

In Favor: Malinowski, O. Walker and Mackey

Not Present: McBride and J. Walker

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Brown stated there were not amendments to the agenda.

In Favor: Malinowski, McBride, O. Walker, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **EMS - Ambulance Purchase** – Mr. Brown stated this item was approved by Council, as a result of the general obligation bond funds. This is one of the specific items that was listed under the capital improvement projects.

Mr. O. Walker moved, seconded by Ms. McBride, to forward this item to Council with a recommendation to approve the negotiation and award to purchase ambulances.

In Favor: Malinowski, McBride, O. Walker, and Mackey

**Administration & Finance Committee
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Not Present: J. Walker

The vote in favor was unanimous.

- b. **EMS - Fire Tanker Purchase** – Mr. Brown stated we are able to utilize CBDG (Community Block Grant) funds to purchase a fire tanker. Staff recommends approval.

Mr. Malinowski inquired if the vehicle is going to Hopkins because we are utilizing CDBG funds. He noted there are other stations that also need equipment.

Mr. Byrd responded in the affirmative.

In Favor: Malinowski, McBride, O. Walker and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- c. **Department of Public Works - Stormwater NPDES Consultant** – Ms. Williams stated this item is for consulting services to assist with implementation of NPDES MS4 general permit. A solicitation was issued, and two proposals were submitted. Woolpert came out on top. The consultant will assist the County with water quality monitoring program, illicit discharge protection and elimination program, putting together an annual report, developing TMDL implementation plans, the storm drainage system assessment and any other stormwater program issues.

Mr. Malinowski requested to see the results of the two (2) proposals prior to this going to Council. He noted the document states the terms of service with the company ends in June 2021, but it will not get to Council until July 13th. He inquired how this will affect us.

Ms. Williams responded if it was approved, it will not affect us.

Mr. Malinowski noted there were a lot of acronyms used. There should be a description or appendix explanation. He inquired if wet weather monitoring is throughout the County or at specific sampling locations.

Ms. Williams responded there is wet weather monitoring locations throughout the County, and they are adding new locations, as well.

Mr. Malinowski inquired if there is any reason why we do not get new monitoring stations.

Ms. Williams responded some stations we want to historically monitor to keep with trends. They add new monitoring stations based off of permit requirements, or if they see a need for additional stations.

Mr. Malinowski inquired if Council and/or the public will have any input at the upcoming meeting.

Ms. Williams responded this are internal meetings to look at the current dashboard and system, and to come up with in-house and capital projects list.

Mr. Malinowski inquired if the facility inspections are at the same location every year.

**Administration & Finance Committee
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Ms. Williams responded they have to develop stormwater pollution prevention plans for County-owned facilities.

Mr. Malinowski inquired if the municipal facility inspections are for municipalities within Richland County.

Ms. Williams responded it is County-owned facilities.

Ms. Mackey moved, seconded by Mr. O. Walker, to forward to Council with a recommendation to award the contract for National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) consulting services to Woolpert.

In Favor: Malinowski, McBride, O. Walker, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

d. Department of Public Works - Compound Parking Lot Restoration – Mr. Brown stated this is for parking lot restoration at the Powell Road location.

Mr. Staley stated the facility has not had many improvements in 30 – 40 years. There are a lot of large fire trucks, ambulances and 18-wheelers that come through. Over time it has worn the pavement out. Part of this is to look at having a separate entrance from Powell Road into the First Vehicle Service area, as well as giving new pavement dimensions thickness to hand the large vehicles.

Mr. Malinowski requested to get the information regarding the bids prior to this item moving to Council.

Mr. Staley responded in the affirmative.

Mr. Malinowski noted the map did not show where the second entrance will be located.

Mr. Staley responded it is not shown on the map, but it would be at the far northern/northwestern property line.

Ms. McBride inquired if the work would be done by staff or would it all be contracted out.

Mr. Staley responded that is still being determined. He believes they would likely contract most of the construction out, and help the consultant with some surveying.

Mr. O. Walker moved, seconded by Ms. McBride, to forward to Council with a recommendation to award a contract for engineering services for the DPW Compound Parking Lot Restoration Project to Michael Baker International.

In Favor: Malinowski, McBride, O. Walker, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- e. **Alvin S. Glenn Detention Center - HVAC Maintenance** – Mr. Brown stated the contract amount is \$210,000, and the scope of service the funds apply to are listed in the packet. He noted this is for needed maintenance. Staff recommended approval.

Ms. Mackey moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the HVAC (Heating, Ventilation, and Air Conditioning systems) Maintenance Contract at the Detention Center, in the amount of \$210,216.00. The scope package includes all services and equipment to be covered in maintenance contract.

In Favor: Malinowski, McBride, O. Walker and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- f. **Community Planning & Development - CDBG/CV FY21 Action Plan Substantial Amendment** – Mr. Brown stated the 2021 Action Plan had to be amended to ensure the County did not lose the funding it has. The County needs to expend 80% of the funds by the end of fiscal year 2023.

Ms. Mackey inquired about an explanation for Row cv-1 allocations and cv-3 allocations.

Ms. Scherier responded two allotments were given, which is basically their round one of Coronavirus funding, and then their round three of funding.

Ms. Mackey inquired if there was not a round two funding.

Ms. Scherier responded the County was not awarded any round two funding.

Ms. McBride inquired if this was just Coronavirus funding.

Ms. Scherier responded in the affirmative, but since this is CDBG funding, it triggered a substantial amendment to the existing budget. When HUD injects money in the middle of a fiscal year they require us to amend the prior year's action plan.

Mr. O. Walker moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the substantial amendment to FY20-21 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG-CV) federal funds.

In Favor: Malinowski, McBride, O. Walker and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- g. **Community Planning & Development - 2021-2022 Annual Action Plan** – Mr. Brown noted the County is required to submit its Annual Action Plan to HUD at least 45 days before the start of its program year. This would make the submission deadline August 16, 2021. Staff is recommending the projects for the Community Development Block Grant (CDBG) Program and HOME Investment

**Administration & Finance Committee
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Partnership federal funds, associated with the 2021-2022 Annual Action Plan be approved.

Ms. Mackey inquired about the public hearing after Council's approval.

Ms. Scherier responded they would typically allow 30 days for public comment, and then a public hearing, in order to give the public a chance to comment on the plans for these funds. If we wait until after the July 20th Council meeting, we would not meet the August 16th submission date.

Ms. Mackey stated, for clarification, we are not having public hearing.

Ms. Scherier responded we have to have a public hearing, according to HUD requirements. Staff needs permission to start the public comment after the committee meeting, instead waiting until after the Council meeting.

Ms. Mackey stated, after the committee meeting, staff will begin the public comment period. Will the public comment period serve as the public hearing?

Ms. Scherier responded staff provides a 30-day window for citizens to submit their comments. At the conclusion on those 30 days, we hold a public hearing in the event someone has not previously submitted a comment.

Ms. Mackey inquired if the plan was to have the public hearing in-person or via Zoom.

Ms. Scherier responded it will be via Zoom.

Mr. Malinowski noted staff is requesting to be granted permission to allow for public comment after the committee meeting. He inquired, when has a committee ever had the power to usurp Council to approve anything?

Ms. McLean responded they would need Council approval to move forward.

Ms. McBride inquired if this was for a new grant.

Ms. Scherier responded it is for FY21-22, and if they do not start the process before the July 13th Council meeting they might lose out on all the funding.

Ms. McBride inquired about the amount of funding.

Ms. Scherier responded the total amount for CDBG is \$1,670,479 and for HOME it is \$744,108. She noted typically this would have been done earlier in the year, but she is new to the County and unfortunately this has come down to the wire.

Ms. McBride requested a full report be sent to Council regarding the expenditures and funding for all the different programs in Community Development.

Mr. Livingston stated his concern is meeting the deadline to receive the funds.

Mr. Brown noted staff would only have 4 days to provide a document to HUD if they have to wait until the July 13th Council meeting. This might not be enough time to compile the amount of information needed to be approved by HUD.

**Administration & Finance Committee
June 22, 2021**

Mr. Malinowski stated the Chair might need to call a Special Called meeting.

Mr. Livingston stated it was his intent to call a Special Called meeting, so the County would not lose out on the funds.

Mr. Malinowski inquired about Council's involvement in the public hearing.

Ms. Mackey responded there needs to be a public hearing, but it did not have to be held by Council.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the FY21-22 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.

In Favor: Malinowski, McBride, O. Walker, and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

- h. Community Planning & Development – Saint Bernard Project** – Mr. Brown noted this deals with our Owner-Occupied Rebuilds and Rehabilitation services. Staff is requesting a contract to be awarded related to this project.

Ms. McBride inquired if this was the entity that helped repair homes damaged by the flood.

Ms. Scherier responded that entity is Tetra Tech, which is different than this particular company.

Ms. McBride inquired about the differences between the two companies.

Ms. Scherier responded Tetra Tech was awarded the CDBG-DR contract, but these are done through regular CDBG funding. They are two different funding sources and have two different requirements.

Mr. Malinowski inquired what the company is doing for Richland County.

Ms. Scherier responded they are taking over the rebuild and rehabilitation services the County would typically take care of. Due to the pandemic, staffing, and a myriad of different reasons, the funds have yet to be expended, so it was decided to outsource to help the citizens in a timelier manner.

Mr. Malinowski inquired if there is a list of homes that will be rehabilitated.

Ms. Scherier responded she did not have a list.

Mr. Malinowski inquired when we would get a list.

Ms. Scherier responded she would get a list as soon as they get approval.

Mr. Malinowski noted they would pay over \$700,000, and then have them tell the County what they are going to do with the money.

Ms. Scherier responded the company will be responsible for identifying which homeowners will be funded. The County is responsible for complete oversight. The company will have to submit draw requests or expenses to the County.

Ms. McBride inquired if there a status report that is provided to the federal government. Initially, she thought there was a steering committee, with external participants, which gave oversight to this program.

Ms. Scherier responded not to her knowledge.

Mr. Brown noted HUD does virtual monitoring of the County's programs. One of the areas we have to address is timeliness of expenditure of funds, and to pay more attention to the CDBG funds. These are the areas we are actively trying to resolve.

Ms. Mackey moved, seconded by Mr. O. Walker, to forward to Council with a recommendation to approve the Professional Service Contract between Richland County Government and the St. Bernard Project, Inc. for owner-occupied Rebuild and Rehabilitation services.

In Favor: Malinowski, McBride, O. Walker and Mackey

Not Present: J. Walker

The vote in favor was unanimous.

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

- a. **Request from Chief Magistrate – Bond Court Consolidation** – No action taken.
- b. **I move that Richland County Council direct the County Administrator and his staff to conduct an equity and inclusive assessment of Richland County Administrative policies and services; and provide recommendations for a comprehensive approach to advancing equity for people of color, women and others who have been historically under- served, marginalized, and adversely affected by persistent inequality. By advancing equity across Richland County Government, we can create opportunities for the improvement of businesses, communities and individuals that have been historically under-served, which will benefit all of Richland County. Appropriate assessments will better equip Richland County to develop policies and programs that deliver resources and benefits equitably to all. [McBride]** – No action taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 7:00PM.

**Administration & Finance Committee
June 22, 2021**

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Agenda Briefing

Prepared by:	David A. Adams		Title:	Treasurer	
Department:	Treasurer's Department	Division:			
Date Prepared:	June 09, 2021	Meeting Date:	July 27, 2021		
Legal Review	Elizabeth McLean via email		Date:	July 01, 2021	
Budget Review	James Hayes via email		Date:	June 21, 2021	
Finance Review	Stacey Hamm via email		Date:	June 21, 2021	
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM			
Committee	Administration & Finance				
Subject:	Resolution to Distribute \$684,752.95 in Federal Forestry Funds				

RECOMMENDED ACTION:

1. Approve the Resolution allocating \$684,752.95, of which 50% (\$342,376.47) will be apportioned to public schools, and the remaining 50% (\$342,376.48) for the construction and/or improvement of public roads; or,
2. Approve the Resolution allocating \$684,752.95 using a proportion other than 50/50 for distribution between public schools and roads.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

A total of \$684,752.95 will be divided according to a ratio set forth by Council for the benefit of public schools and public roads. There are no costs to the County associated with this request.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The Richland County Treasurer has received checks from the Office of the State Treasurer for Federal Forestry Funds. Council is requested to approve a Resolution distributing these funds. Federal Forestry Funds are generated based on a portion of the net proceeds generated by the sale of forest products extracted from McEntire Air Force Base and other military installations located within Richland County. The total amount of forestry funds available at this time for allocation by Council is \$684,752.95. Note: these funds are not received annually.

Pursuant to Title 10, §2665(e)(2) of the United States Code of Laws, "the amount paid to a State pursuant to paragraph (1) shall be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the military installation or facility is situated."

Since the SC Legislature has not enacted, to date, any law prescribing how these funds are to be allocated, the specific amounts to be allocated for the benefit of public schools and public roads of Richland County are at the discretion of Richland County Council.

The last time that Richland County Council allocated federal forestry funds, which totaled \$32,766.26, was in February 2018. The Resolution allocated 50% to Richland School District One, Richland School District Two, and Richland / Lexington School District Five, to be apportioned according to the respective student population of each school district. The remaining 50% was allocated to the Road Maintenance Fund of the County, to be used for the construction and/or improvements of public roads within the County.

Prior to 2018, in 2017, 2014, 2012 and 2011, Council allocated the funds in the same manner (50% public schools; 50% public roads}.

If Council proceeds with the 50% allocation for the schools, the amounts per School District will be as follows:

School District	Number of Students	Allocation
Richland School District One	23,284 *	\$115,157.51
Richland School District Two	28,493*	\$140,920.07
Richland / Lexington School District Five	17,449**	\$ 86,298.89

Sources: *SC Annual School District Report Card Summary

**Richland / Lexington School District Five - District 5 students who live in Richland County

ADDITIONAL COMMENTS FOR CONSIDERATION:

Previous, related Council actions are provided below:

- **2011:** Council allocated 50% of the funds (\$2,640.89) to the schools, and 50% of the funds (\$2,640.89) to public roads.
- **2012:** Council allocated 50% of the funds (\$3,700) to the schools, and 50% of the funds (\$3,700) to public roads.
- **2014:** Council allocated 50% of the funds (\$3,845.20) to the schools, and 50% of the funds (\$3,845.20) to public roads.
- **2017:** Council allocated 50% of the funds (\$12,163.49) to the schools, and 50% (\$12,163.50) of the funds to public roads.
- **2018:** Council allocated 50% of the funds (\$16,383.13) to the schools and 50% (\$16,383.13) of the funds to public roads.

ATTACHMENTS:

1. Correspondence from Treasurer Adams
2. Resolution

COUNTY OF RICHLAND
OFFICE OF COUNTY TREASURER



DAVID A. ADAMS
COUNTY TREASURER

P.O. BOX 11947
Columbia, SC 29211
(803) 576-2275
TDD (803) 748-4999

9 June 2021

To: Richland County Council

From: David A. Adams, Richland County Treasurer 

RE: Distribution of Federal Forestry Funds

Please note that the Richland County Treasurer's Office has received checks for Federal Forestry Funds totaling \$684,752.95. These are not funds received annually.

According to Title 10, Section 2665 (E) the United States Code of Laws, these funds may only be used for County public roads and schools.

These funds were last allocated by resolution of Richland County Council in February 2018. Please see attached for reference.

Please contact me with any questions or clarifications.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

A RESOLUTION OF THE

RICHLAND COUNTY COUNCIL

A RESOLUTION TO ALLOCATE FEDERAL FORESTRY FUNDS

WHEREAS, the State of South Carolina receives forty percent (40%) of the net proceeds from the sale of forest products on land owned or leased by a military department; and

WHEREAS, the Office of the State Treasurer issues a check to Richland County representing a share of federal monies generated at McEntire Air Force Base and at other military installations located within the County; and

WHEREAS, the Richland County Treasurer currently has a total of \$684,752.95 in Military Forest Fund monies, which was received from the Office of the State Treasurer; and

WHEREAS, pursuant to 10 U.S.C. §2665(e)(2), "the amount paid to a State pursuant to paragraph (1) shall be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the military installation or facility is situated"; and

WHEREAS, the South Carolina Legislature has not enacted, to date, any law prescribing how these funds are to be allocated, so that allocation must be determined for the benefit of both the public schools and public roads of Richland County;

NOW, THEREFORE, BE IT RESOLVED that the Richland County Council does hereby allocate the Military Forest Funds of \$684,752.95 as follows:

50% (\$342,376.47) to Richland School District One, Richland School District Two, and Richland/Lexington School District Five, to be apportioned according to the respective student population of each school district; and

50% (\$342,376.48) to be transferred to the Road Maintenance Fund of Richland County, to be used for the construction and/or improvement of public roads within the County.

ADOPTED THIS the _____ day of _____, 2021.

By: Paul Livingston
Its: County Council Chair
Richland County Council

ATTEST:

Clerk to Council

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Jennifer Wladischkin	Title:	Procurement Manager
Department:	Finance	Division:	Procurement
Date Prepared:	July 07, 2021	Meeting Date:	July 27, 2021
Legal Review	Elizabeth McLean via email	Date:	July 12, 2021
Budget Review	James Hayes via email	Date:	July 12, 2021
Finance Review	Stacey Hamm via email	Date:	July 12, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Approval of award of Construction Services; Various Subdivisions Resurfacing		

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the award of a contract for construction services for the Various Subdivision Resurfacing Project to Palmetto Corp of Conway, South Carolina in the amount of \$1,512,467.30.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

This project will be paid for through a “C” Fund Grant from the County Transportation Committee (CTC) from 1200992030.532200/4811000.532200. The funds are encumbered on Purchase Requisition (PR) R2102283.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin; however, the project was included in the previous County Council approval of the FY-21 Comprehensive Transportation Improvement Plan (CTIP

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

This project is to provide Construction Services for the resurfacing Various Subdivision Roads throughout the County (See attached Location exhibit Maps). These roads were pre-approved by County Council when the CTIP was approved on December 15, 2020. The roads that are included are as follows:

Abney Hills – District 7	Bowhunter Dr
Abney Estates Dr	Bear Rock Dr
Valley Estates Dr	Duck Pt
Winding Brook Loop	Grouse Ct
Abney Wood Ct	Labrador Dr
Kingswood – District 2	Ranger Ln
Rolling Hills Dr	Coyote Ln
Rolling Hills Cir	Ascot – District 1
Hunters Pond – District 8	Steeple Ridge Rd
Hunters Pond Dr	Dunleith Way
Broad River Estates – District 2	Dunleith Ct
Ramsgate Drive	Cotting Ct
Hunters Run Phases 1 and 2 – District 2	Laurent Ct
Hunters Run Dr	

Request for Bids (RFB) RC-441-B-2021 was issued and there were five (5) responses. The Procurement Division staff reviewed the submittals and Palmetto Corp of Conway is duly licensed in South Carolina to perform this work. Palmetto Corp of Conway’s bid was below the Engineer’s Estimate. Comparison with other bids received indicated that the low bid is fair and reasonable. Palmetto Corp of Conway is the lowest responsive and responsible bidder and, therefore, they are recommended for the contract award.

ADDITIONAL COMMENTS FOR CONSIDERATION:

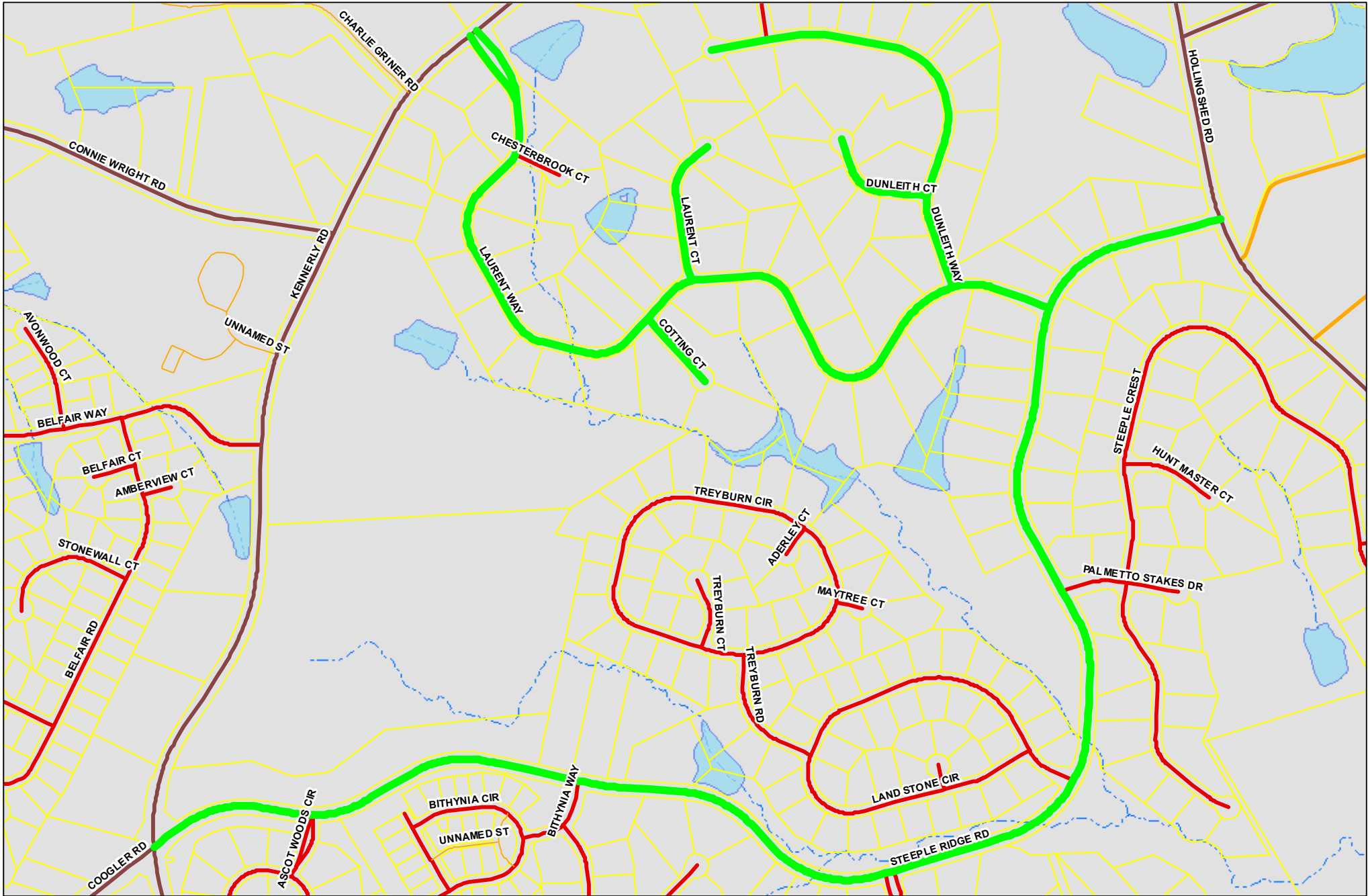
None.

ATTACHMENTS:

1. Bid Tabulation
2. Location Maps (6 pages)

RC-441-B-2021 Resurfacing Various Subdivisions
Due: 6/28/2021 @ 2:00PM

	C.R. Jackson, Inc.	Eurovia Atlantic Coast LLC d.b.a Blythe	Lynches River Contracting, Inc.	Palmetto Corp of Conway	Sloan Construction a division of Reeves Construction
Total Cost	\$1,728,670.90	\$1,827,245.80	\$1,593,841.10	\$1,512,467.30	\$1,562,263.14

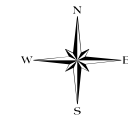


Legend

- █ Pavement Resurfacing 2021
- █ County Paved
- - - County Unpaved
- █ Private / Other
- - - Streams
- Parcels
- Roads**
- █ Other
- █ Interstate
- █ Propose
- █ None
- █ SCDOT

CTIP Pavement Resurfacing 2021

1 inch = 1500 feet



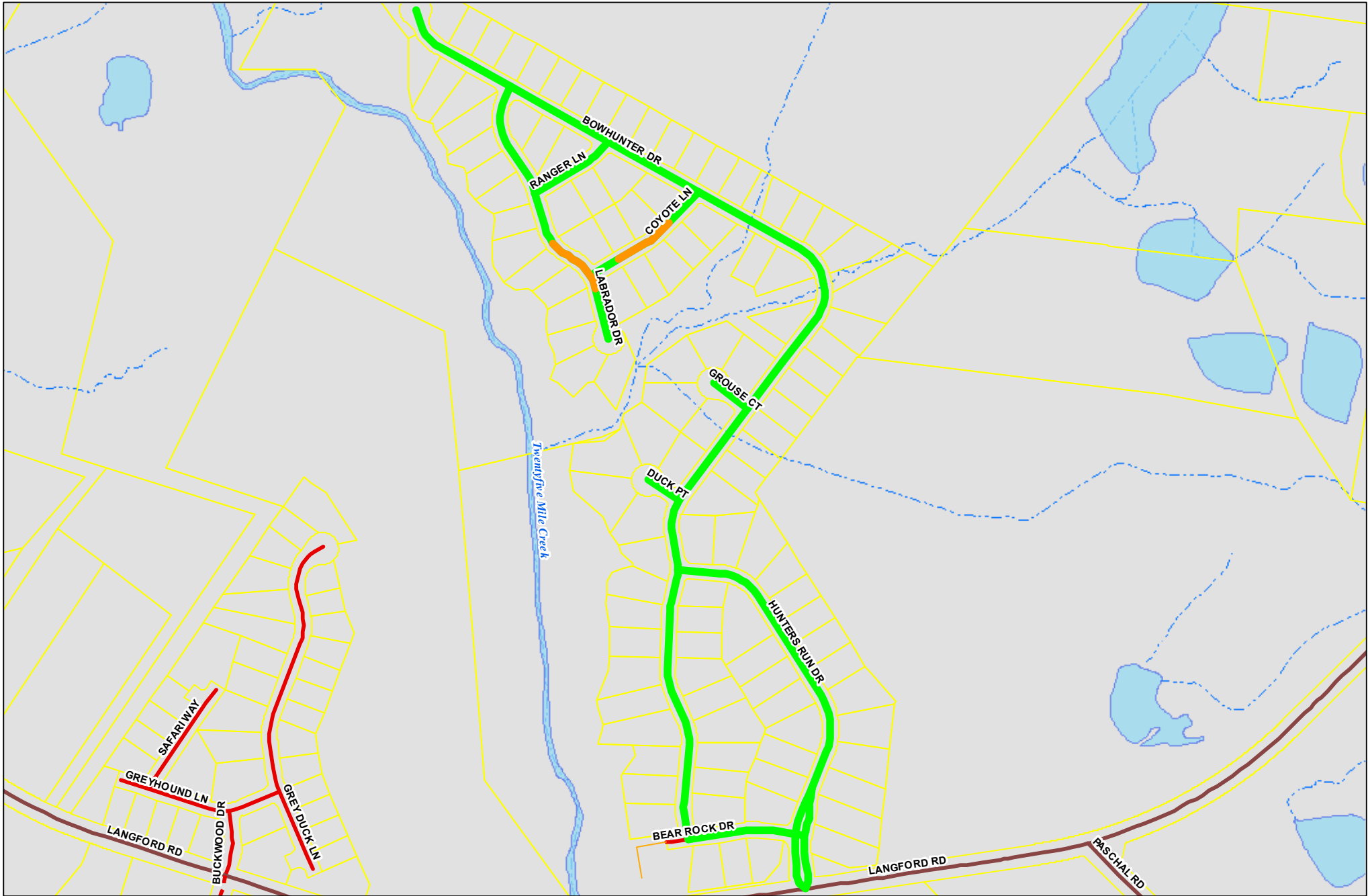
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Hunters Run Phase 1 & 2

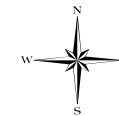


Legend

- | | | |
|-----------------------------|-----------------|------------|
| Extra Attention Resurfacing | Roads | SCDOT |
| Pavement Resurfacing 2021 | Other | Interstate |
| Streams | County Paved | Propose |
| Parcels | County Unpaved | None |
| | Private / Other | |

CTIP Pavement Resurfacing 2021

1 inch = 400 feet



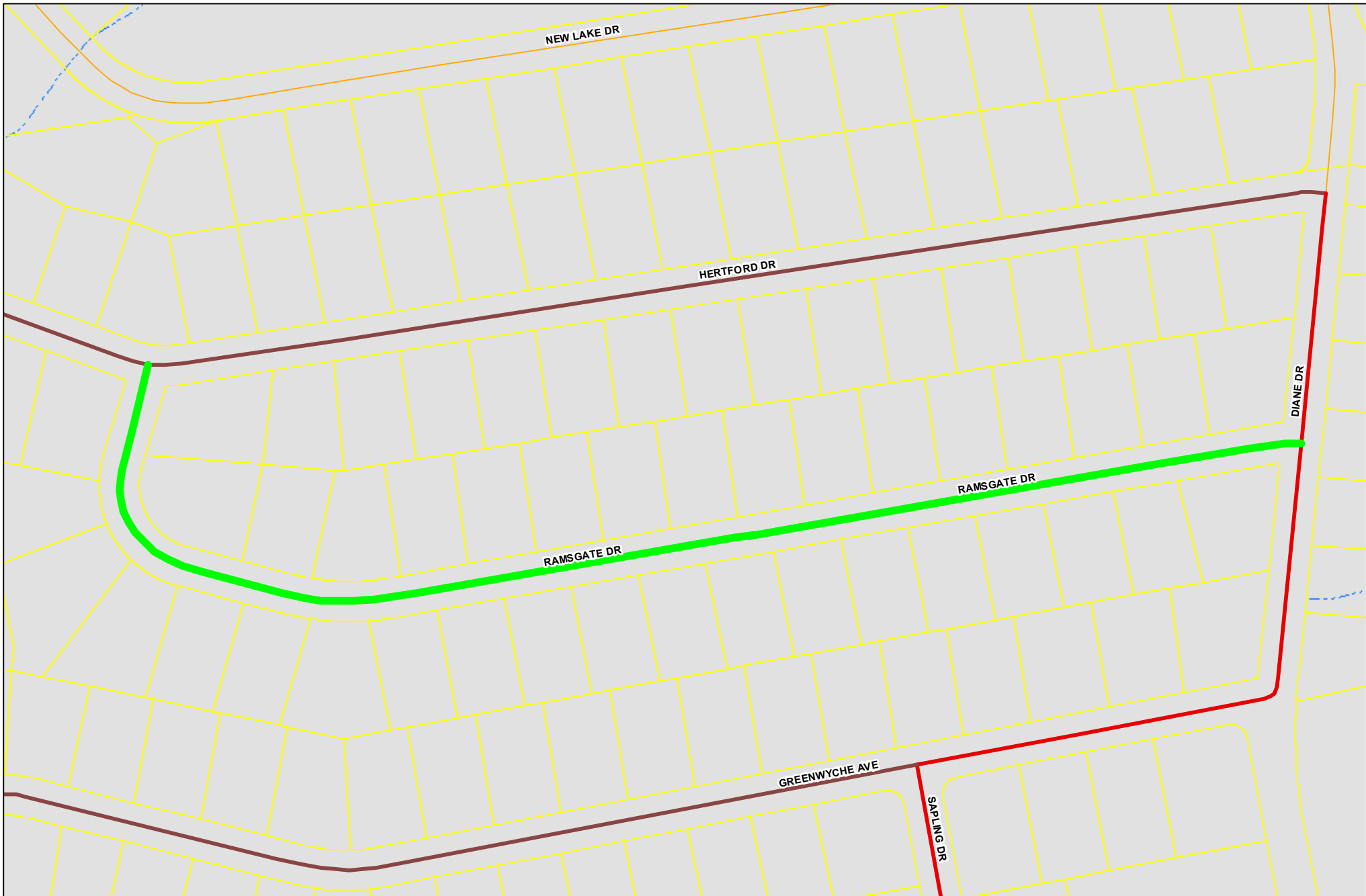
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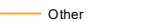


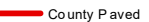

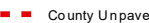


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Broad River Estates

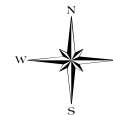


Legend

- | | | |
|--|---|--|
|  Pavement Resurfacing 2021 | Roads |  SCDOT |
|  Streams |  Other |  Interstate |
|  Parcels |  County Paved |  Proposed |
| |  County Unpaved |  None |
| |  Private / Other | |

CTIP Pavement Resurfacing 2021

1 inch = 100 feet



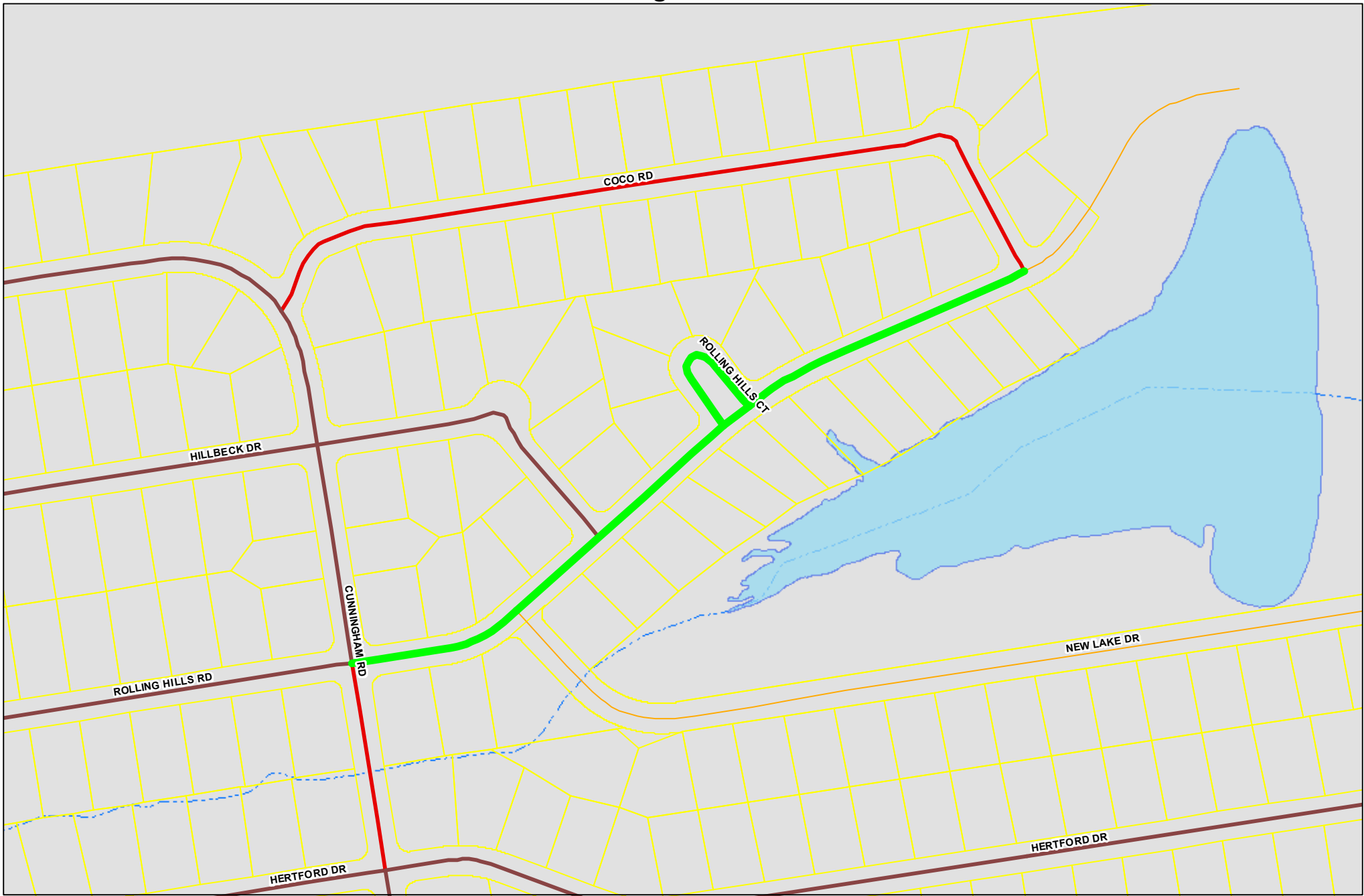
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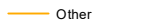


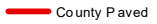

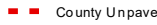


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Kingswood

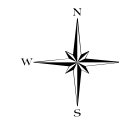


Legend

- | | | |
|--|---|--|
|  Pavement Resurfacing 2021 | Roads |  SCDOT |
|  Streams |  Other |  Interstate |
|  Parcels |  County Paved |  Propose d |
| |  County Unpaved |  None |
| |  Private / Other | |

CTIP Pavement Resurfacing 2021

1 inch = 111.8 feet



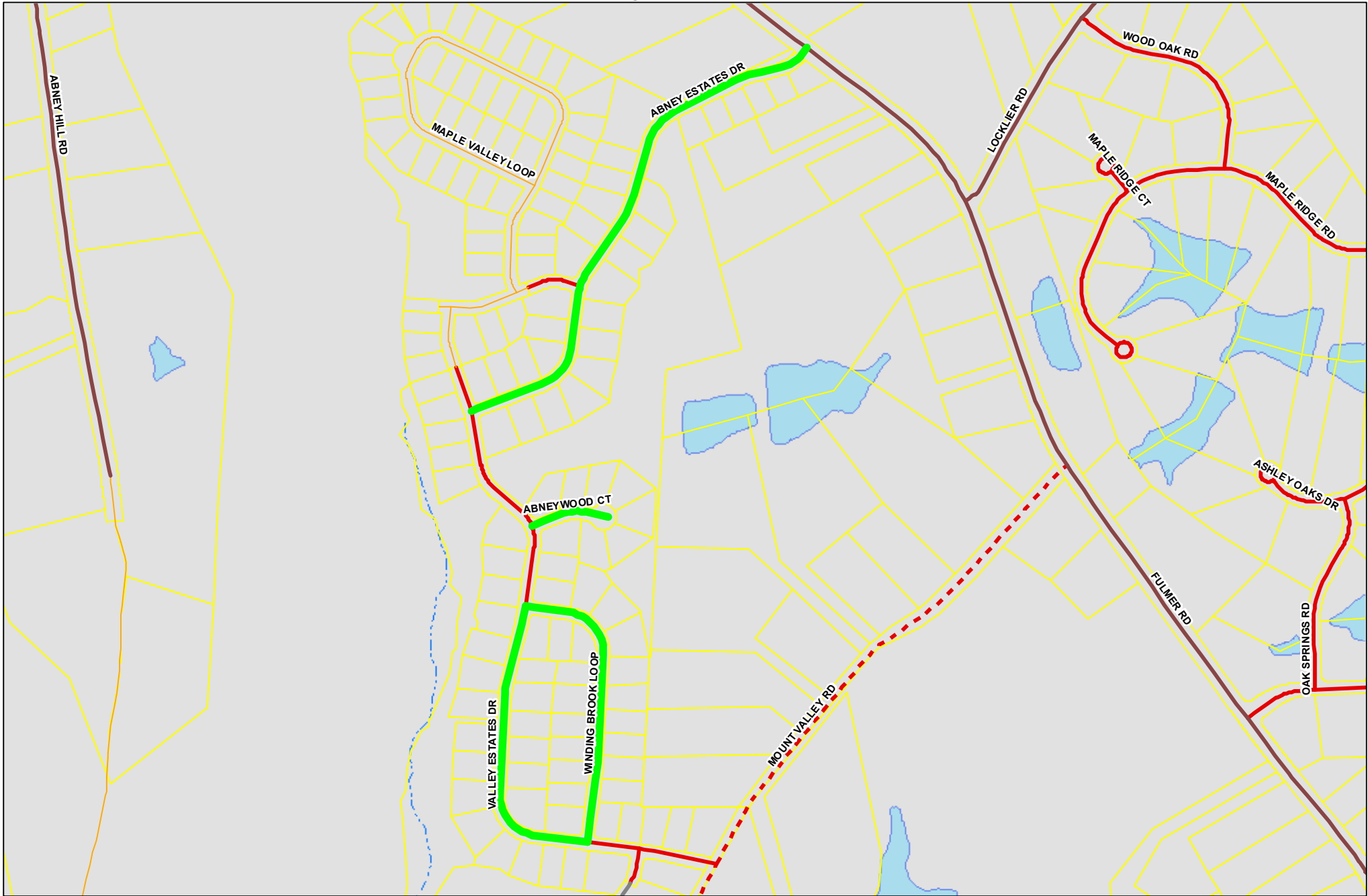
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Abney Hill Estates



Legend

- | | | |
|---------------------------|-----------------|------------|
| Pavement Resurfacing 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Propose |
| | County Unpaved | None |
| | Private / Other | |

CTIP Pavement Resurfacing 2021

1 inch = 1500 feet



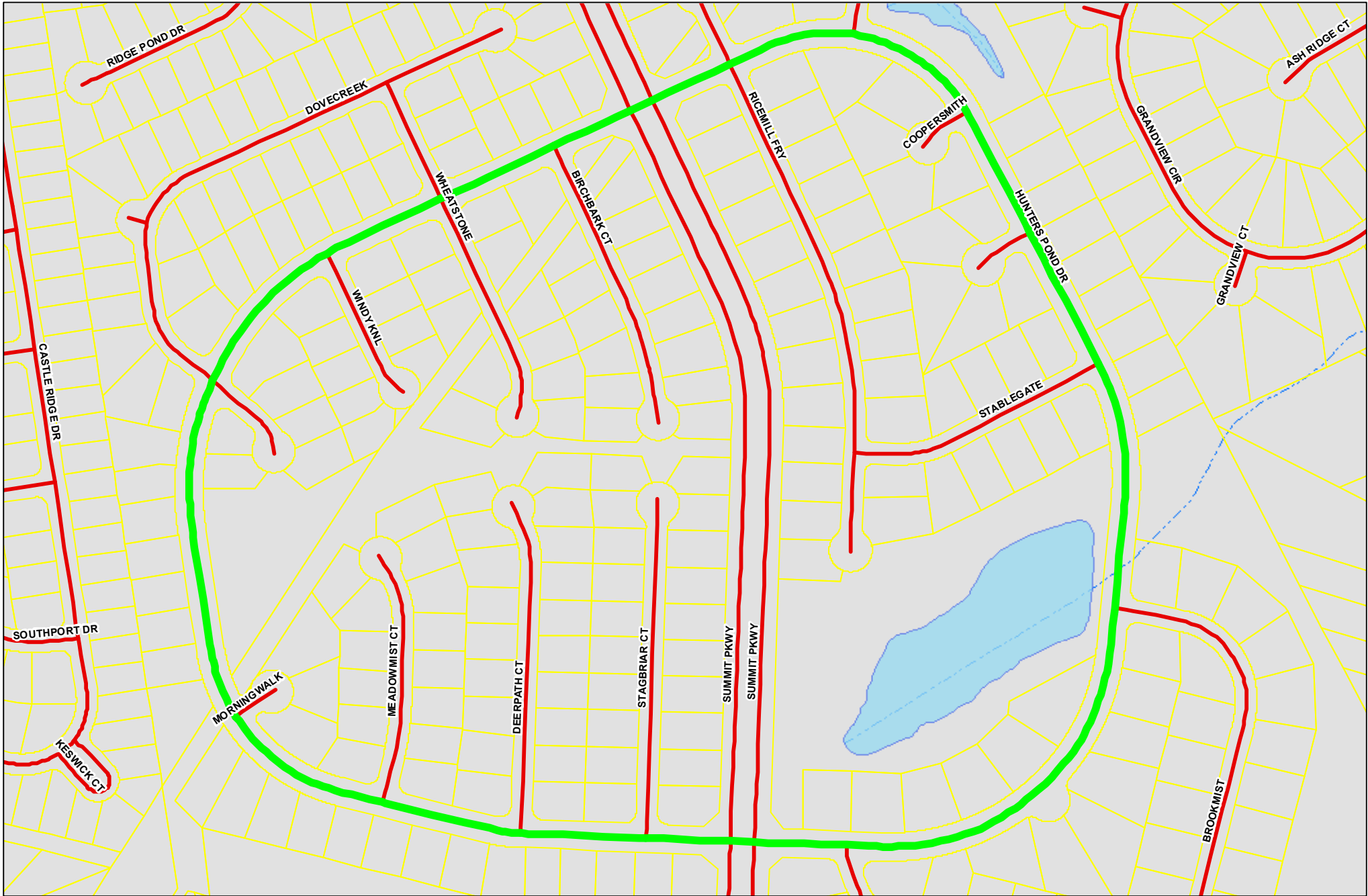
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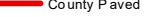
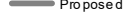
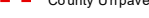


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Hunters Pond Drive

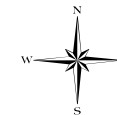


Legend

- | | | |
|--|---|--|
|  Pavement Resurfacing 2021 | Roads |  SCDOT |
|  Streams |  Other |  Interstate |
|  Parcels |  County Paved |  Propose |
| |  County Unpaved |  None |
| |  Private / Other | |

CTIP Pavement Resurfacing 2021

1 inch = 300 feet
27 of 118



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Agenda Briefing

Prepared by:	Jennifer Wladischkin	Title:	Procurement Manager
Department:	Finance	Division:	Procurement
Date Prepared:	July 07, 2021	Meeting Date:	July 27, 2021
Legal Review	Elizabeth McLean via email	Date:	July 12, 2021
Budget Review	James Hayes via email	Date:	July 12, 2021
Finance Review	Stacey Hamm via email	Date:	July 12, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Approval of award of Pavement Preservation Services using High Density Mineral Bond		

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the award of a contract for pavement preservation services utilizing High Density Mineral Bond technology on various County roads to Blount Construction Co, Inc. in the amount of \$255,921.79.

REQUEST FOR COUNCIL RECONSIDERATION: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

This project will be paid for through a “C” Fund Grant from the County Transportation Committee (CTC). The funds are located in 1200992030.532200/4811000.532200 and encumbered on Purchase Requisition (PR) R2102197.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of approval; however, the project was included in the previous County Council approval of the FY-21 Comprehensive Transportation Improvement Plan (CTIP).

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Pavement Preservation is a method in which roads with pavement condition indexes (PCI) of between 60 and 80 are reviewed for application of preservation material in order to extend the road’s useful life. This will save money by delaying the need for large, expensive road reconstruction projects (without sacrificing the maintenance quality of the road). By applying treatment to appropriate candidate roads at the right time, the useful life of the pavement can be extended for relatively little cost. See attached Pavement Project Life-Cycle Costs per Mile exhibit. For this project we are using a product known as High Density Mineral Bond “HA5” which is a thick material application that bonds to the asphalt and more specifically useful on roads with a PCI value of around 70. Both the DPW Roads and Drainage crews and the Engineering department worked together to select the roads that were good candidates for Pavement Preservation and have proper Council District distribution. HA5 will be applied to the below listed roads and DPW will monitor its condition over time:

For this project we are utilizing a High Density Mineral Bond (HA5) material application to the below listed roads:

District 2

Buckwood Dr

Greyhound Ln

Grey Duck Ln

Safari Way

District 3

Oakley Dr

Oakley Ct

Oakley Cir

Sunnydale Dr

Sunnydale Ct

Saxonbury Dr

Scarlet Ct

Catalina Ct

District 7

Ballbridle Ln

Cabinteely Ct

Glimerton Ct

Gorebridge Ct

Hillfoots Ct

Stillorgan Ct

View Dr

District 8

Cold Branch Dr

District 9

Wood Duck Rd

Holliday Rd

Village Farm Rd

Request for Bids (RFB) RC-432-B-2021 was issued and there was one (1) response. The Procurement Division Staff reviewed the submittal and Blount Construction Co is duly licensed in South Carolina to perform this work. Blount Construction Co bid was below the Engineer’s Estimate. Blount Construction Co is the lowest responsive and responsible bidder and, therefore, are recommended for award.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

1. Bid Tabulation
2. Location Map
3. Pavement Project Life Cycle Exhibit

RC-432-B-2021 Pavement Preservation

Deadline for Submissions: June 3rd 2021, 3:00 PM EDT

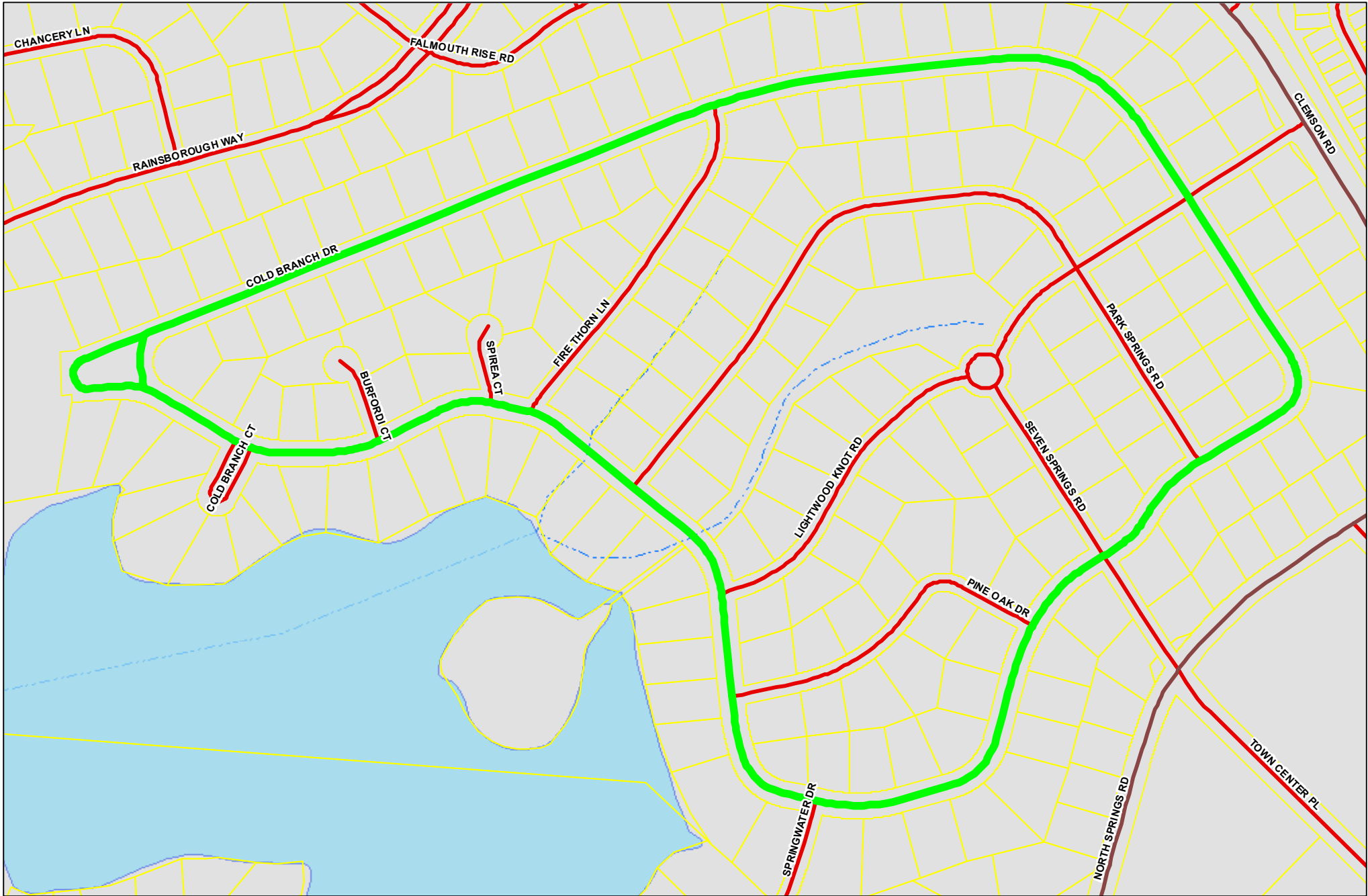
Blount Construction

Company Inc.

Pavement Preservation project **Total Cost**

\$255,921.79

Cold Branch Drive

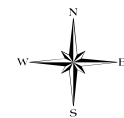


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| | County Unpaved | None |
| | Private / Other | |

HA5 Pavement Preservation 2021


1 inch = 350 feet



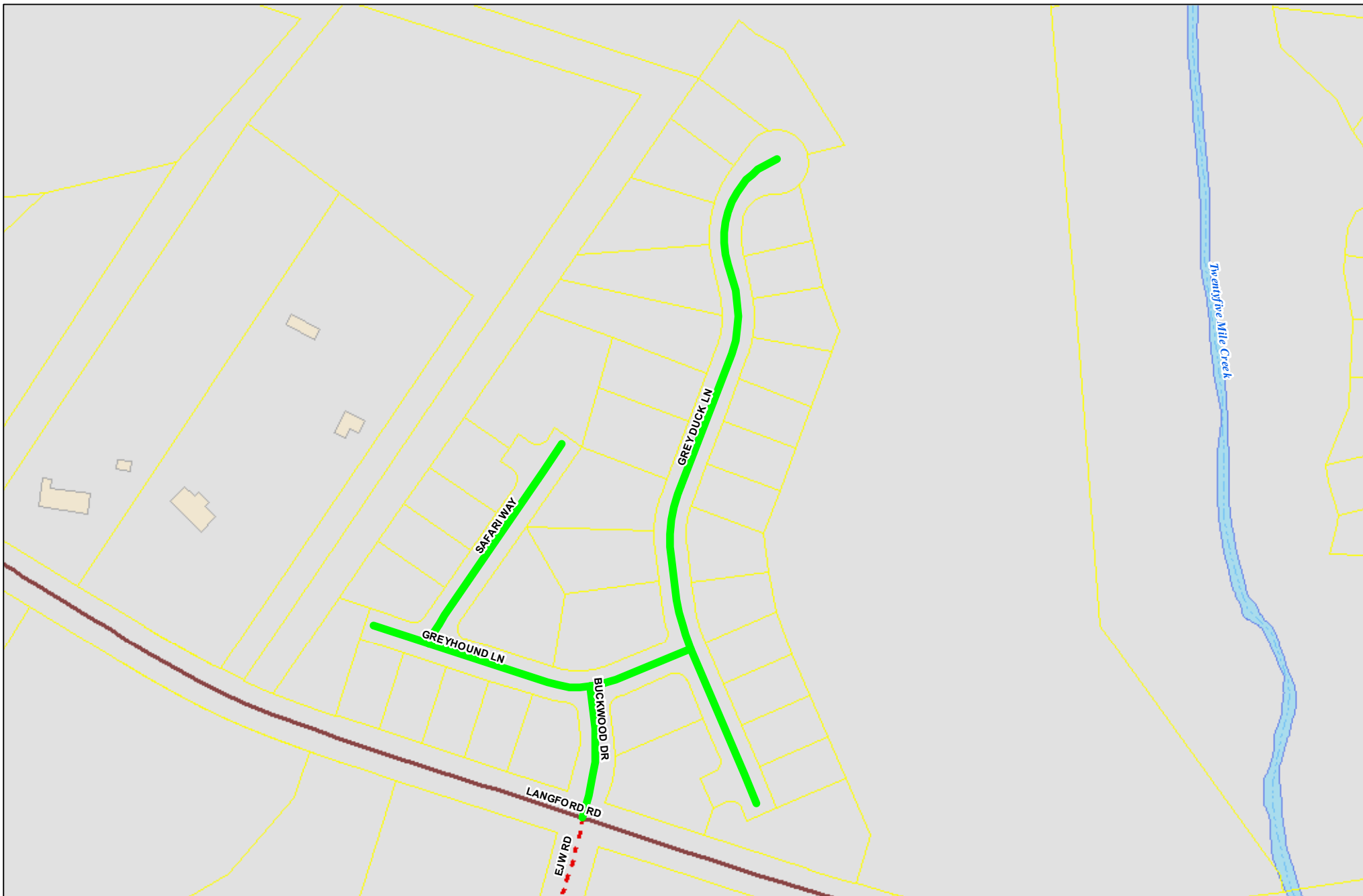
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Hunters Run Phase 3

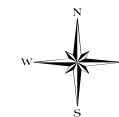


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Buildings | Other | Interstate |
| Streams | County Paved | Proposed |
| Parcels | County Unpaved | None |
| | Private / Other | |

HA5 Pavement Preservation 2021

1 inch = 200 feet



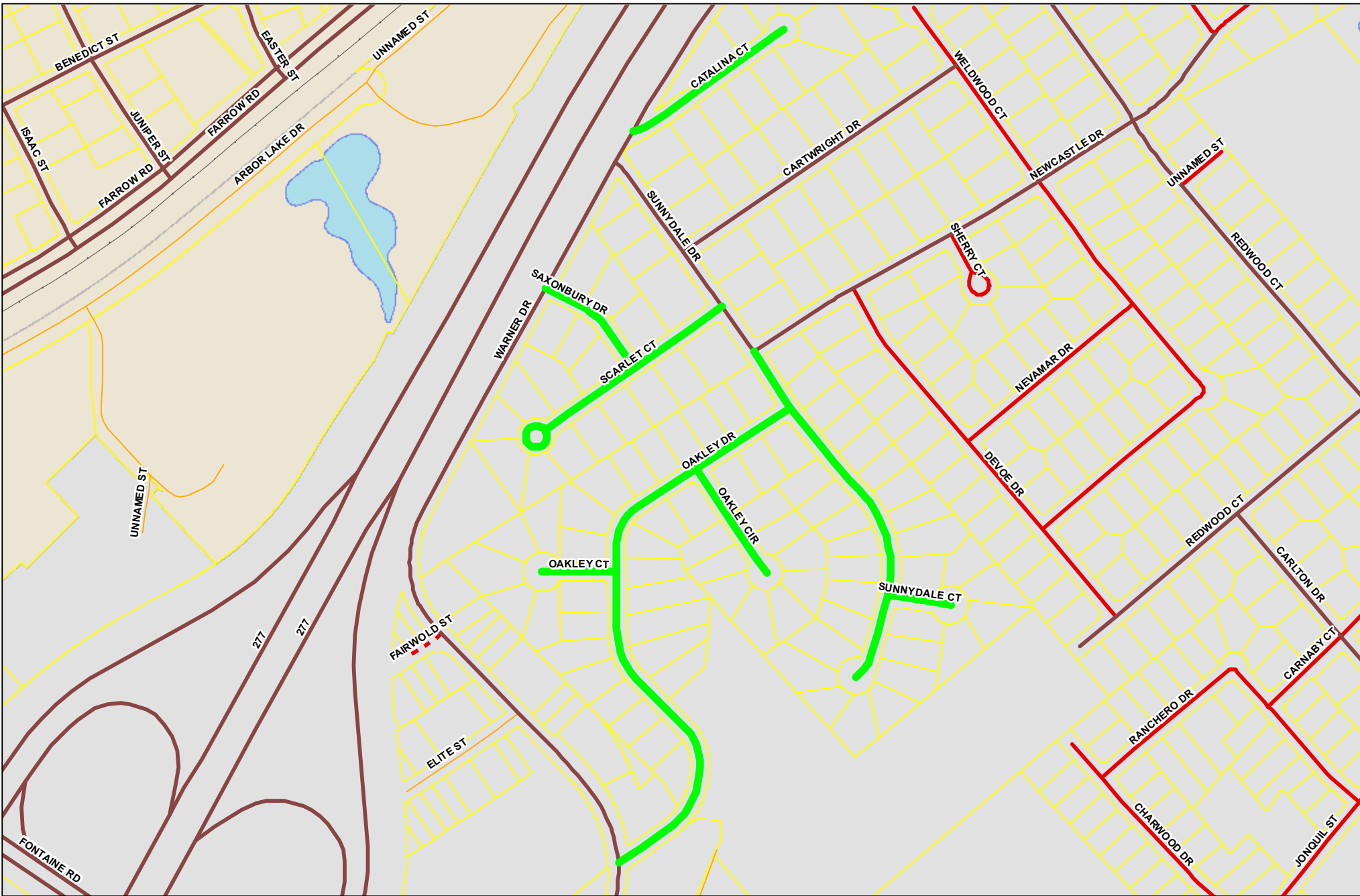
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Newcastle West

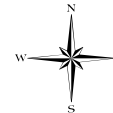


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| Columbia | County Unpaved | None |
| | Private / Other | |

HA5 Pavement Preservation 2021

1 inch = 350 feet



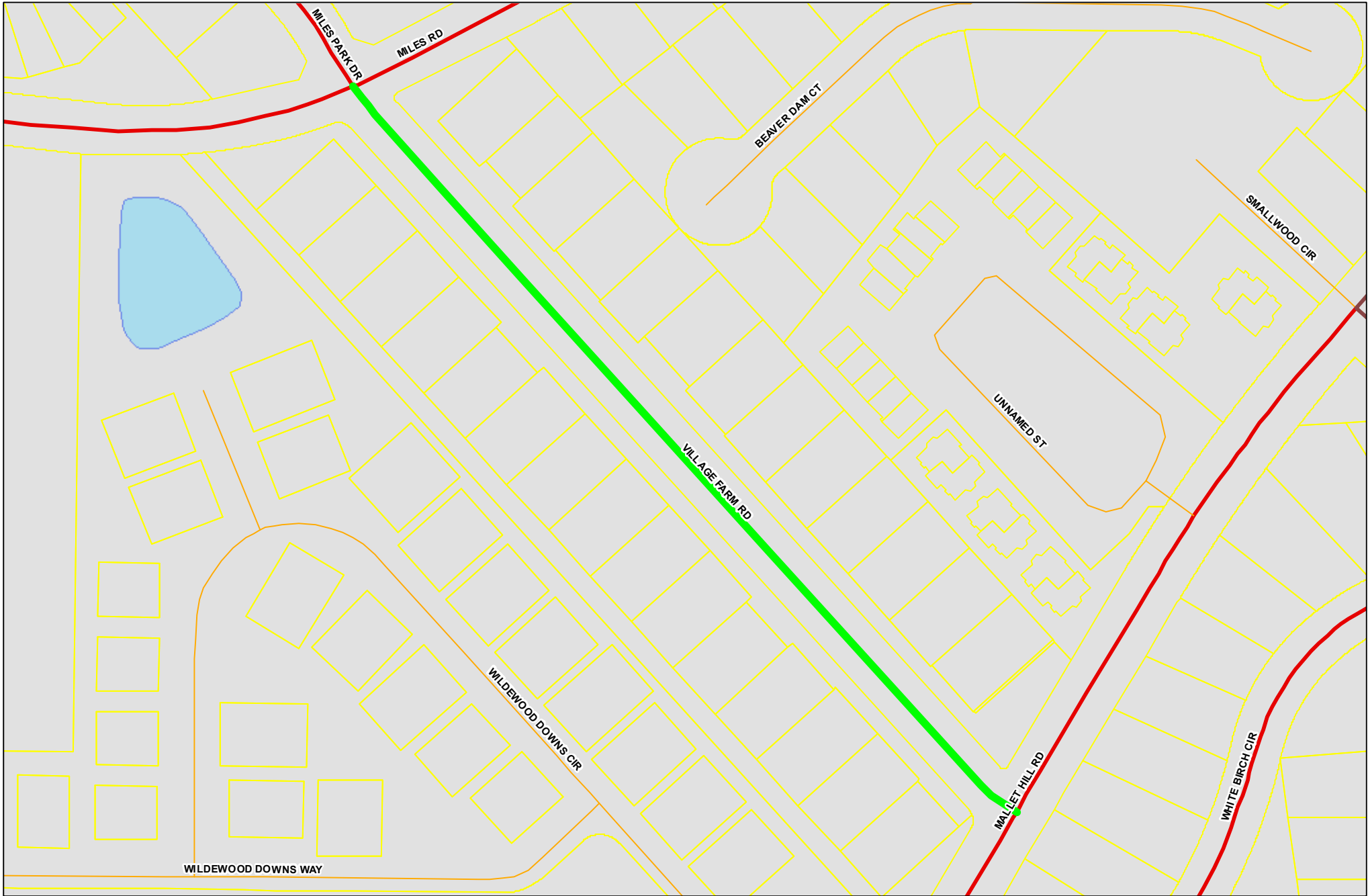
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Smallwood

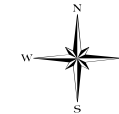


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| | County Unpaved | None |
| | Private / Other | |

HA5 Pavement Preservation 2021

1 inch = 125 feet



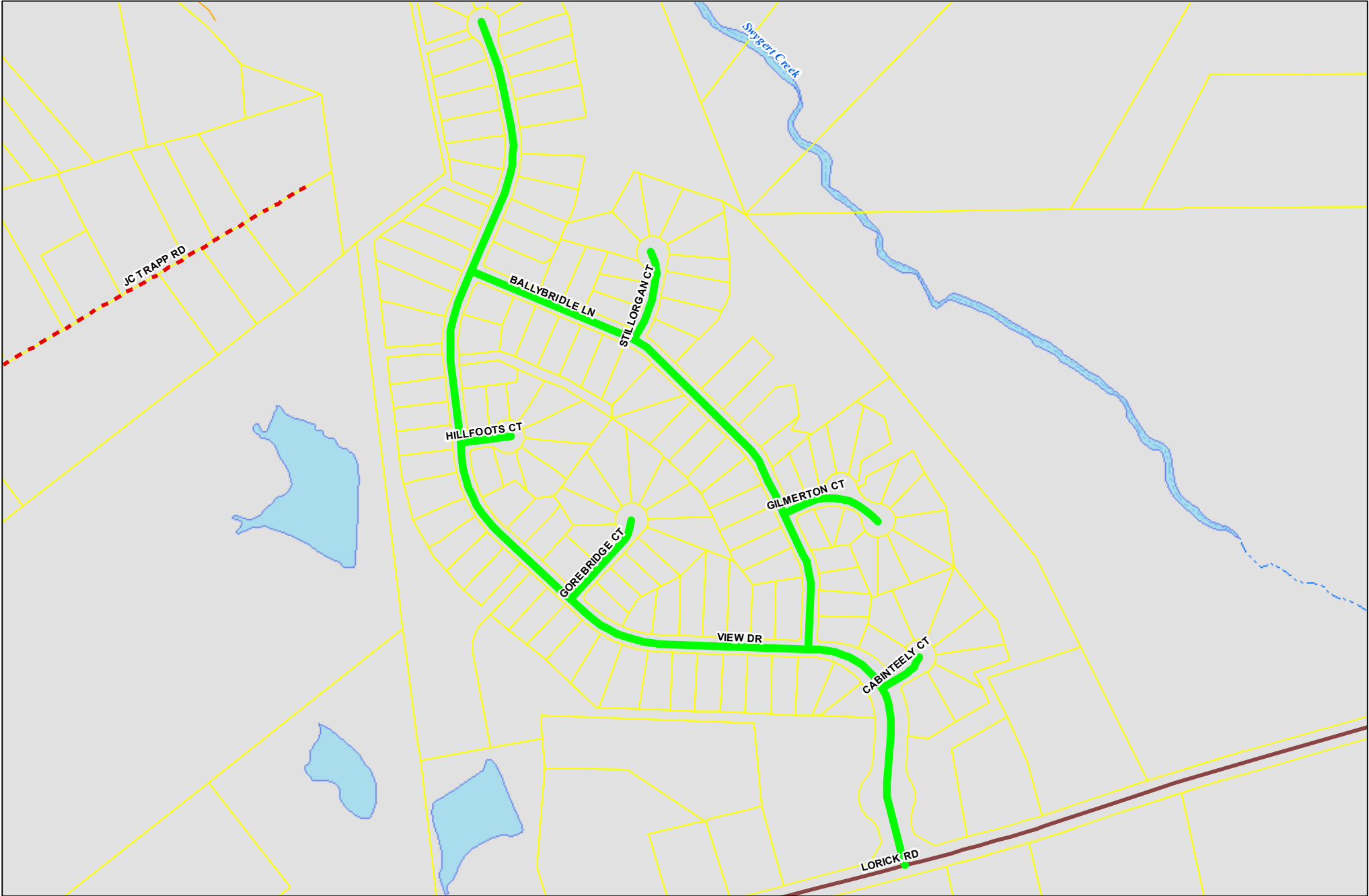
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The View

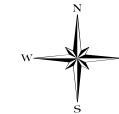


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| | County Unpaved | None |
| | Private / Other | |

HA5 Pavement Preservation 2021

1 inch = 390 feet



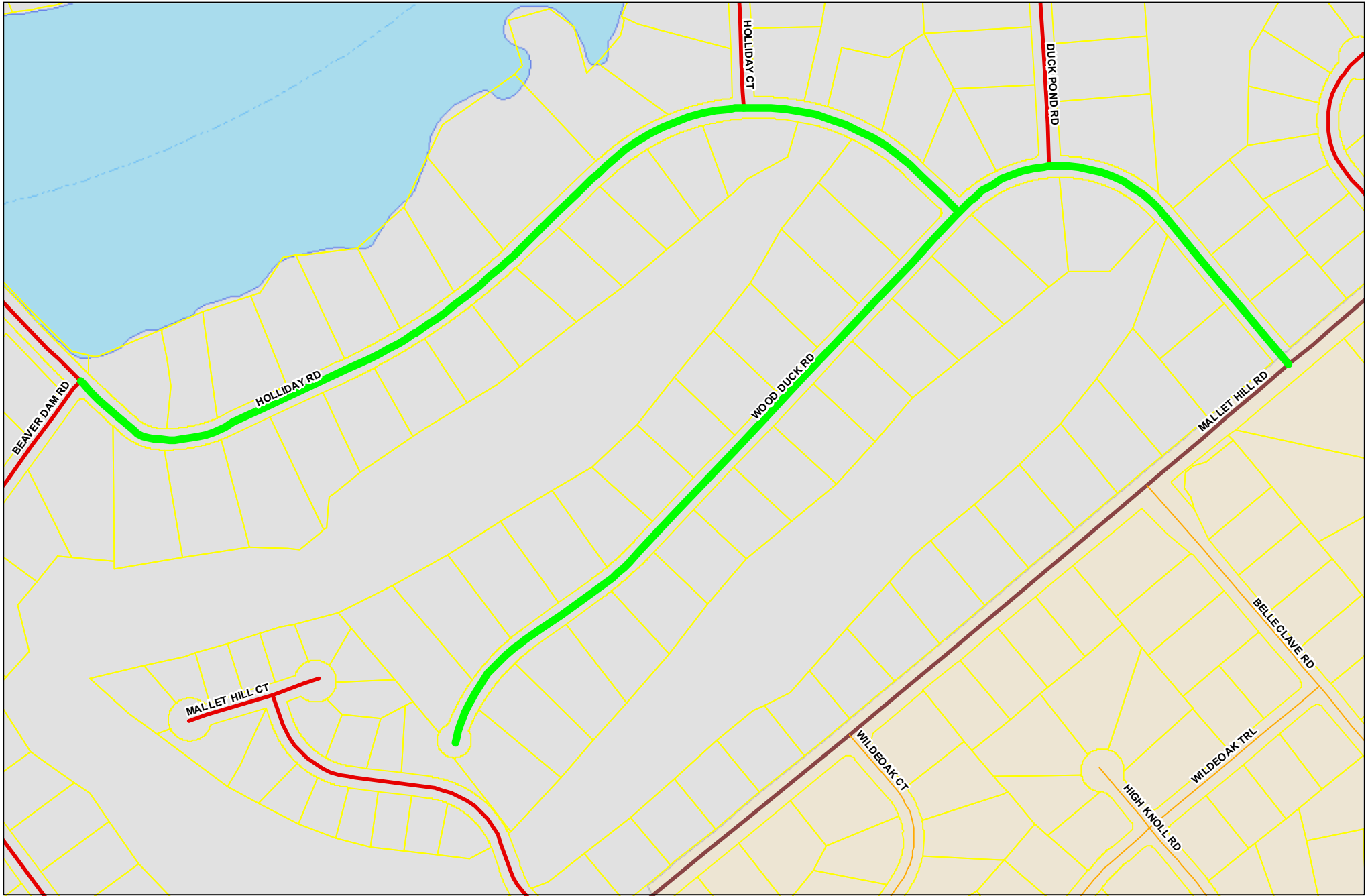
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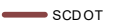





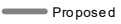
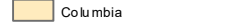

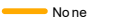

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Wildewood

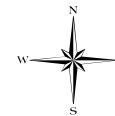


Legend

- | | | |
|---|---|--|
|  Pavement Preservation 2021 | Roads |  SCDOT |
|  Streams |  Other |  Interstate |
|  Parcels |  County Paved |  Proposed |
|  Columbia |  County Unpaved |  None |
| |  Private / Other | |

HA5 Pavement Preservation 2021

1 inch = 300 feet



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Pavement Project Life-Cycle Costs Per Lane-Mile

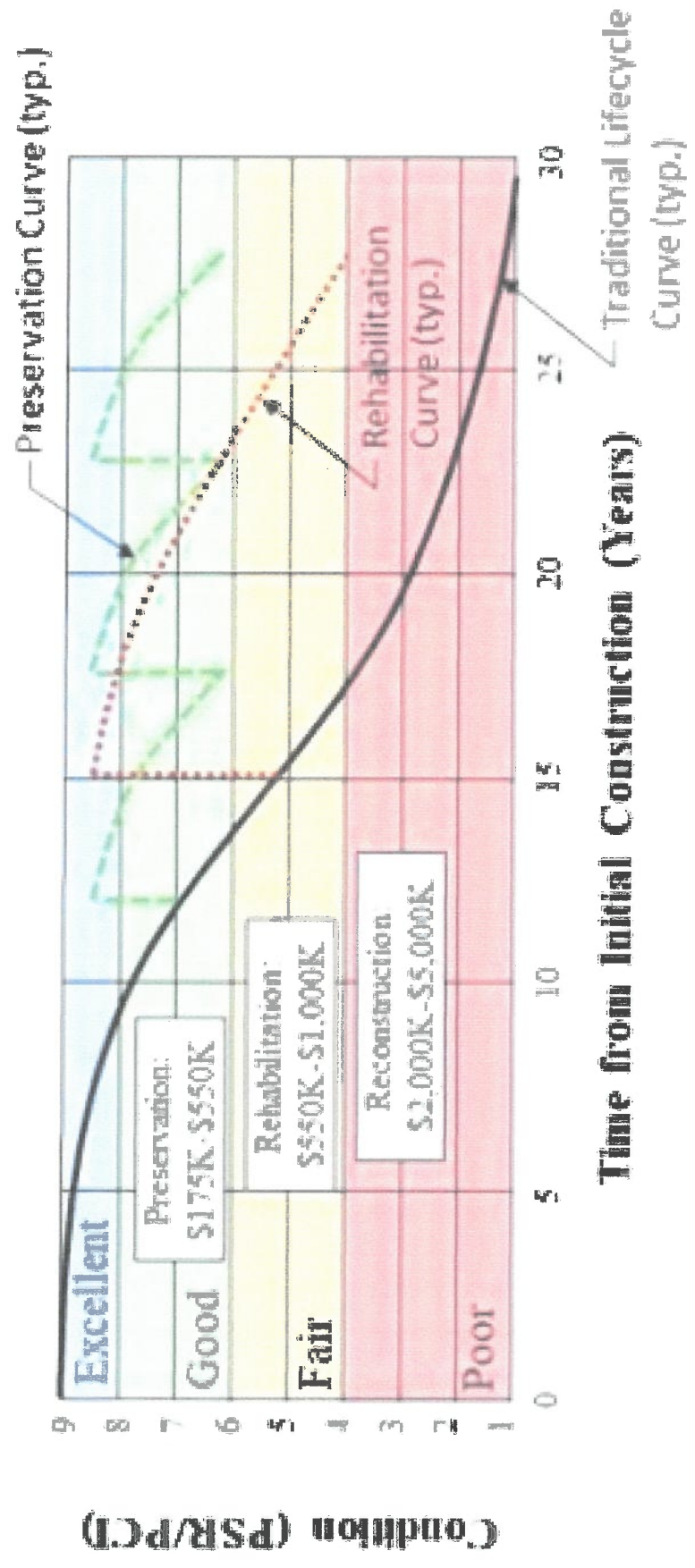


Figure 1-1 Illustration of General Costs and Appropriate Timing for Pavement Remediation (Lane-miles)

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Jennifer Wladischkin	Title:	Procurement Manager
Department:	Finance	Division:	Procurement
Date Prepared:	July 07, 2021	Meeting Date:	July 27, 2021
Legal Review	Elizabeth McLean via email	Date:	July 12, 2021
Budget Review	James Hayes via email	Date:	July 12, 2021
Finance Review	Stacey Hamm via email	Date:	July 12, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Approval of award of Pavement Preservation Services using "Pitch Black"		

STAFF'S RECOMMENDED ACTION:

Staff recommends approval of the award of a contract for pavement preservation services utilizing "Pitch Black" product on various paved County roads to Weaver Construction Services in the amount of \$293,135.65.

REQUEST FOR COUNCIL RECONSIDERATION: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

This project will be paid for through a "C" Fund Grant from the County Transportation Committee (CTC). The funds are located in 1200992030.532200/4811000.532200 and are encumbered on Purchase Requisition (PR) R2102194.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin; however, the project was included in the previous County Council approval of the FY-21 Comprehensive Transportation Improvement Plan (CTIP).

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Pavement Preservation is a method in which roads with pavement condition indexes (PCI) of between 60 and 80 are reviewed for application of preservation material in order to extend the road’s useful life. This will save money by delaying the need for large, expensive road reconstruction projects (without sacrificing the maintenance quality of the road). By applying treatment to appropriate candidate roads at the right time, the useful life of the pavement can be extended for relatively little cost. See attached Pavement Project Life-Cycle Costs per Mile exhibit. For this project we are using a product known as “Pitch Black” which is a thick seal coat material application more specifically useful on roads with a PCI value of around 70. Both the DPW Roads and Drainage crews and the Engineering department worked together to select the roads that were good candidates for Pavement Preservation and have proper Council District distribution. Pitch Black will be applied to the below listed roads and DPW will monitor its condition over time:

District 1

- Bamboo Grove Ct
- Baywood Ct
- Harbors Mist Dr
- Shores Edge Dr
- Water Pointe Ln
- Millplace Dr
- Millplace Lp
- Cabin Dr
- Milford Park Dr

District 6

- Dean Hall Ln
- Rosebank Dr
- Hampton Trace

District 10

- Abbott Rd
- Bluff Industrial Blvd

District 11

- Saddlebrook Ln

A Request for Bids (RFB) RC-431-B-2021 was issued, and there was one (1) response. The Procurement Division Staff reviewed the submittal and Weaver Construction Services is duly licensed in South Carolina to perform this work. Weaver Construction Services bid was below the Engineer’s Estimate. They are the lowest responsive and responsible bidder and, therefore, are recommended for award.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

1. Bid Tabulation
2. Location Map
3. Pavement Project Life Exhibit.

RC-431-B-2021 Asphalt Preservation Project
Due 5/28/2021 @ 2:00PM

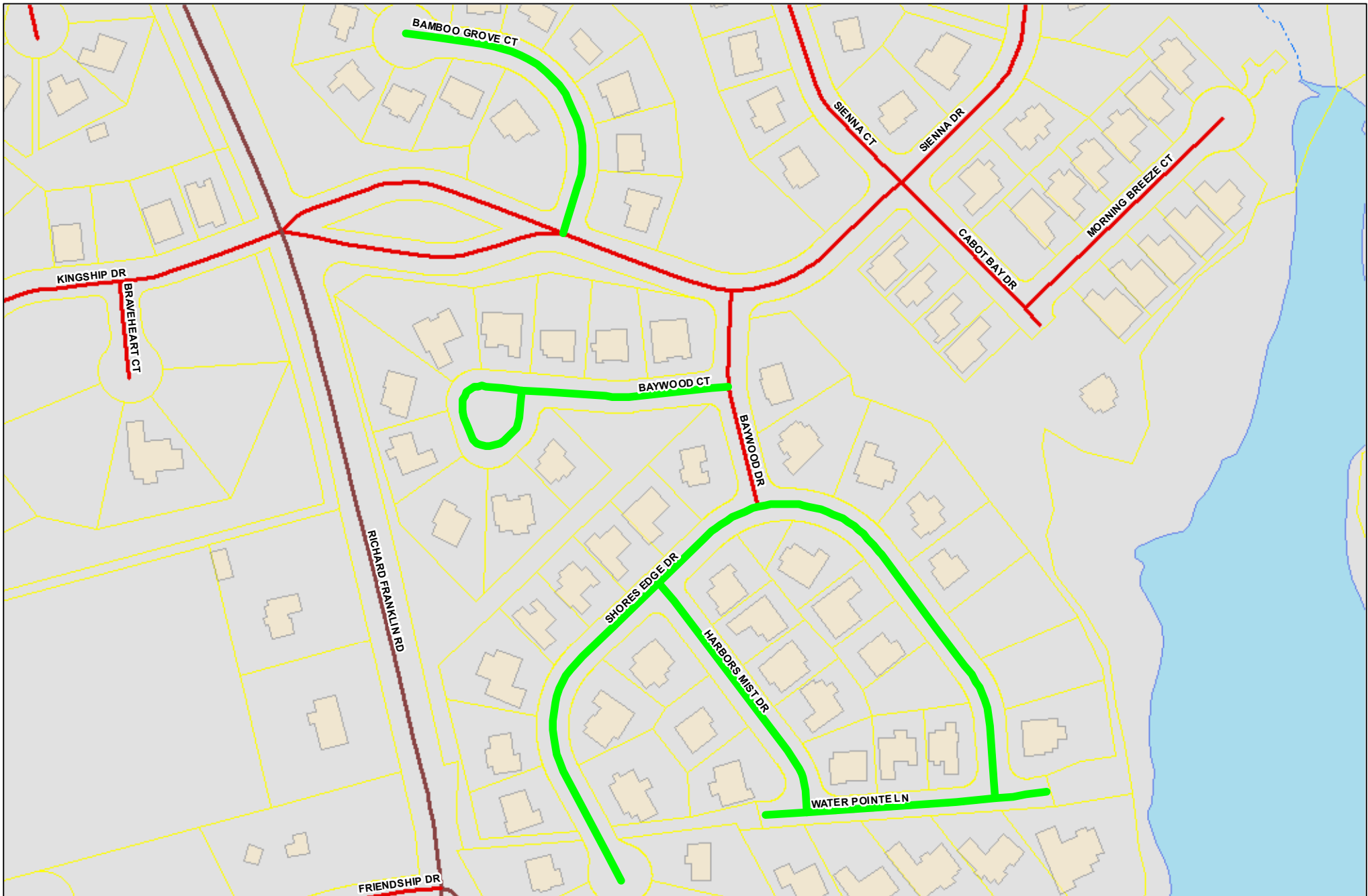
Pitch Black Premium Seal Coat Asphalt Preservation Treatment for
selected County Paved Roads

Total Cost

**WEAVER CONSTRUCTION
SERVICES, INC.**

\$293,135.65

Lakeside at Ballentine

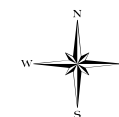


Legend

- █ Pavement Preservation 2021
- Streams
- Buildings
- Parcels
- Roads**
- Other
- County Paved
- - - County Unpaved
- Private / Other
- SCDOT
- Interstate
- Proposed
- None

Pitch Black Pavement Preservation 2021

1 inch = 200 feet



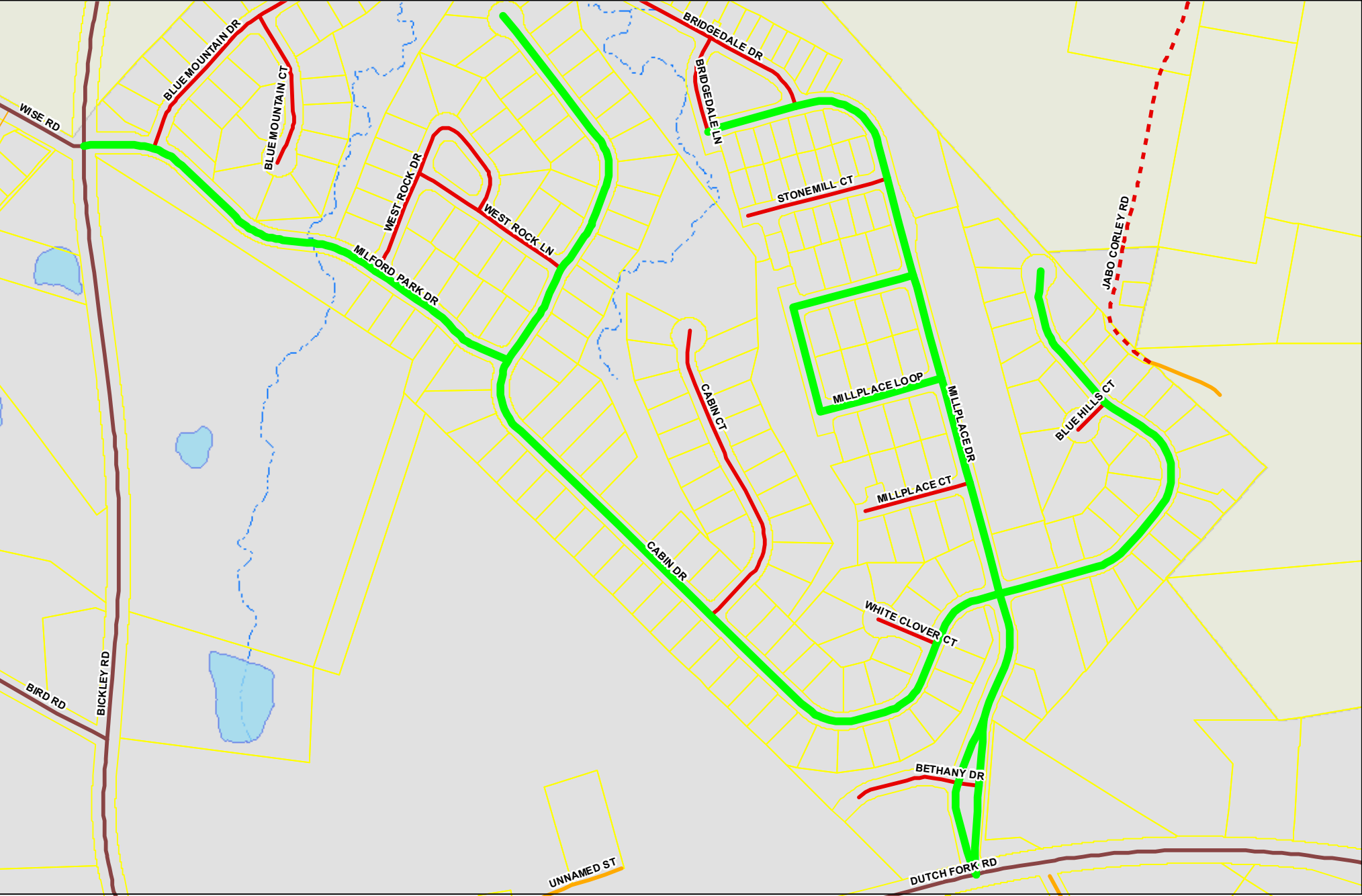
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Milford Park

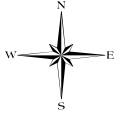


Legend

- █ Pavement Preservation 2021
- Streams
- Parcels
- Impo
- Roads**
- Other
- County Paved
- - - County Unpaved
- Private / Other
- SCDOT
- Interstate
- Proposed
- None

Pitch Black Pavement Preservation 2021


43 of 118 inch = 360 feet



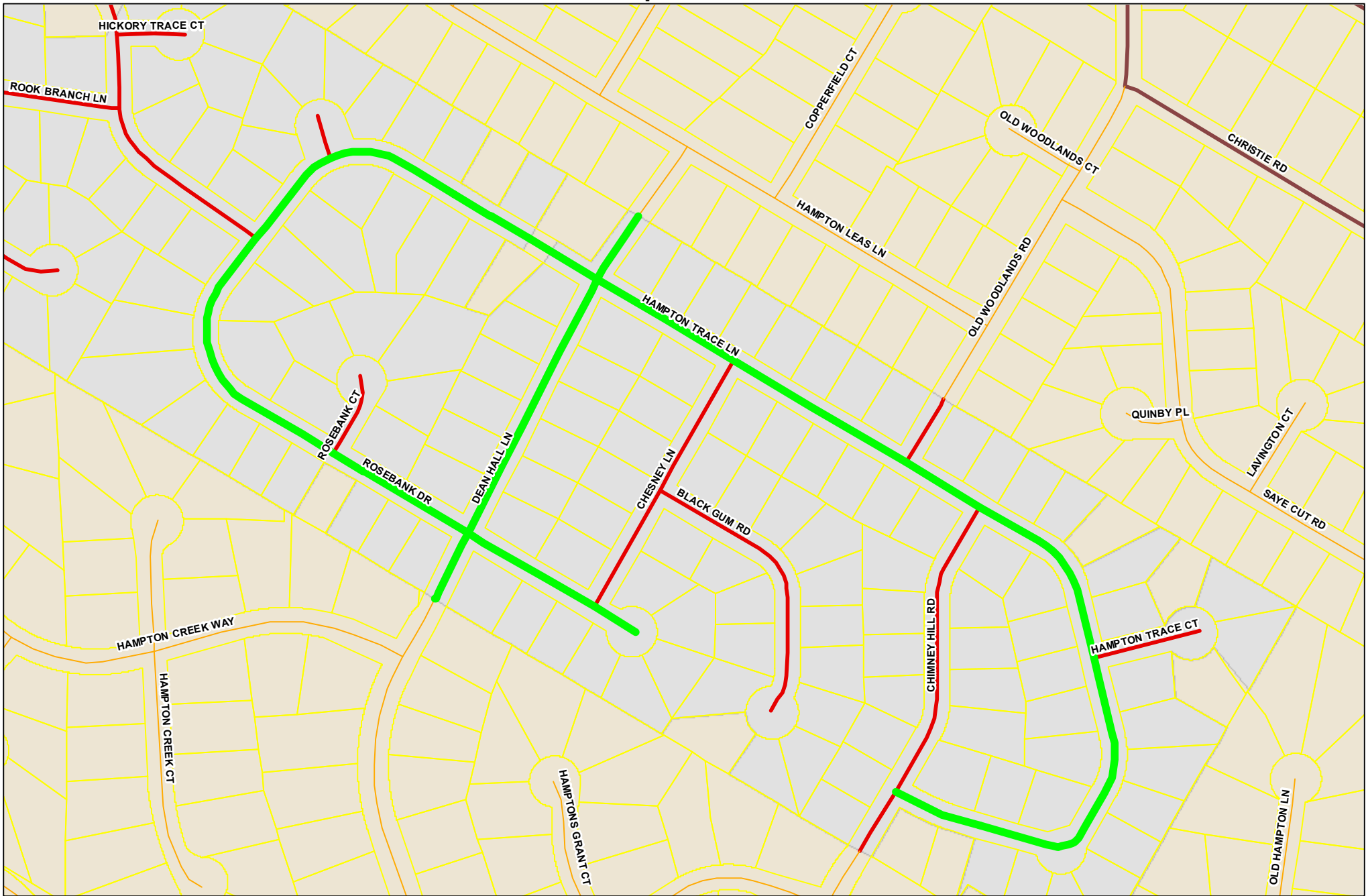
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Hampton Trace



Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| Columbia | County Unpaved | None |
| | Private / Other | |

Pitch Black Pavement Preservation 2021

1 inch = 250 feet
44 of 118



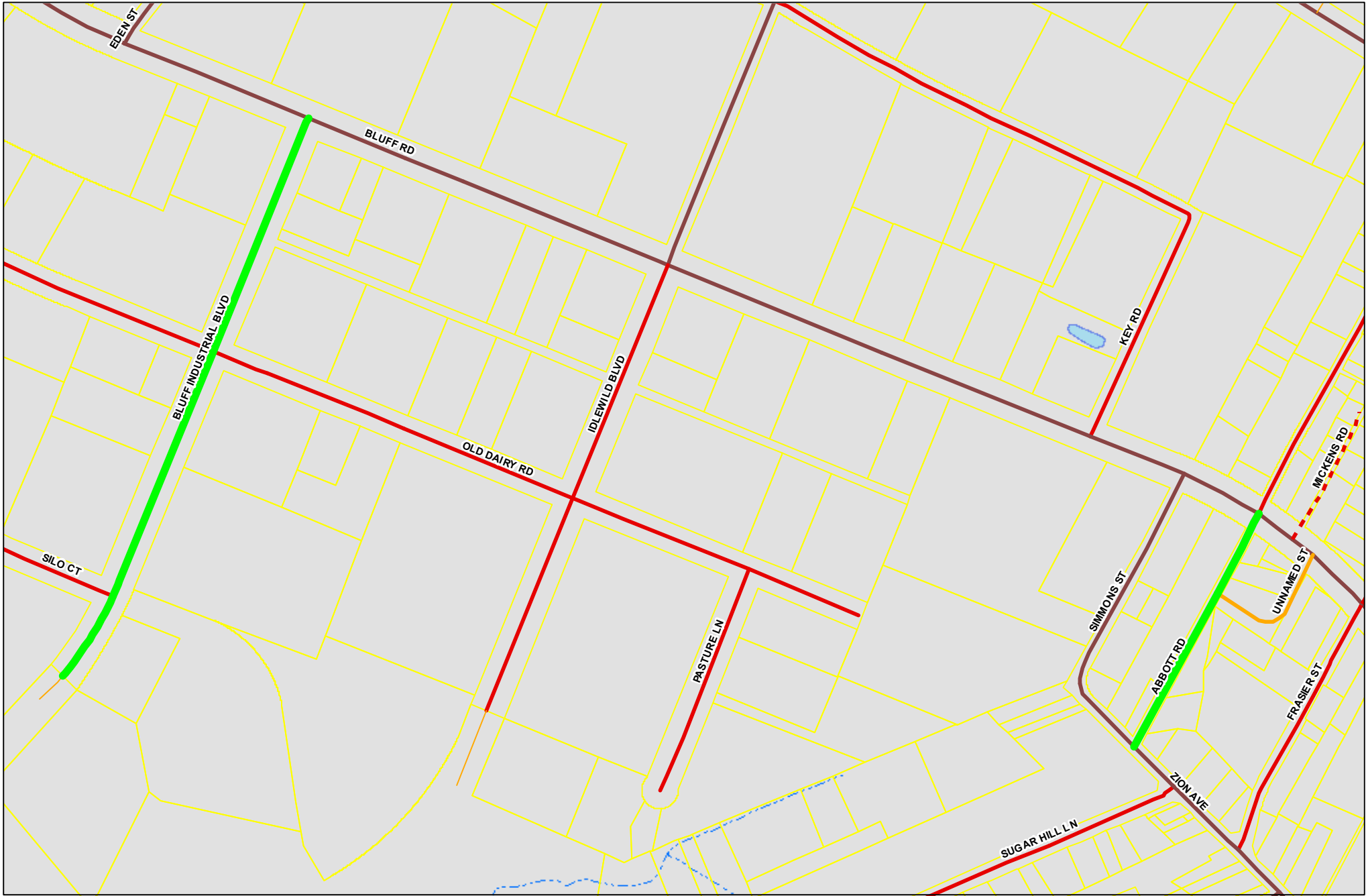
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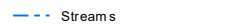
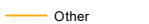


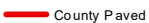

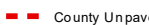


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Arthurtown

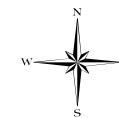


Legend

- | | | |
|---|---|--|
|  Pavement Preservation 2021 | Roads |  SCDOT |
|  Streams |  Other |  Interstate |
|  Parcels |  County Paved |  Proposed |
| |  County Unpaved |  None |
| |  Private / Other | |

Pitch Black Pavement Preservation 2021

1 inch = 365 feet
45 of 118



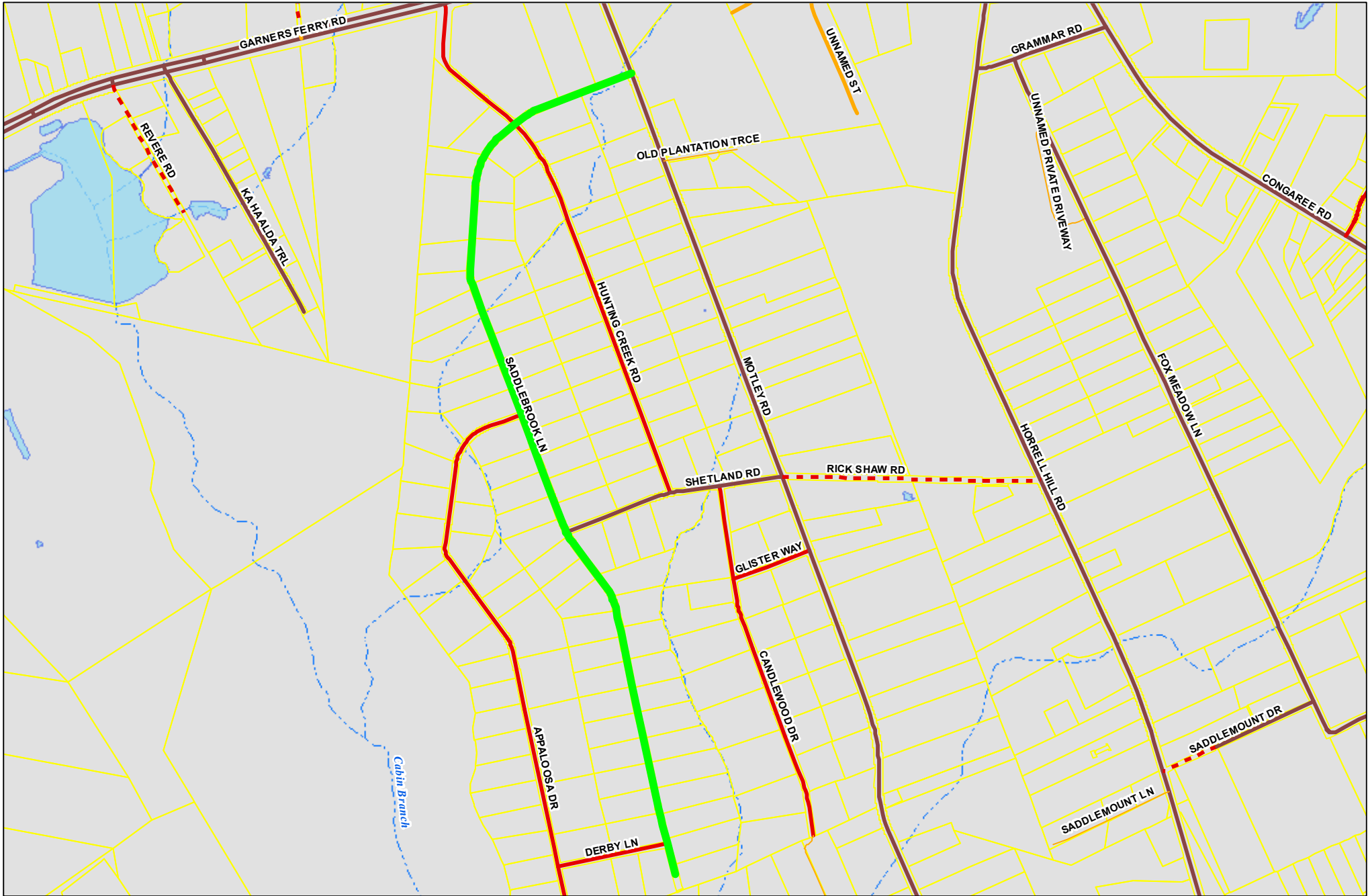
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Saddlebrook Lane

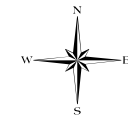


Legend

- | | | |
|----------------------------|-----------------|------------|
| Pavement Preservation 2021 | Roads | SCDOT |
| Streams | Other | Interstate |
| Parcels | County Paved | Proposed |
| | County Unpaved | None |
| | Private / Other | |

Pitch Black Pavement Preservation 2021


1 inch = 1,000 feet
46 of 118



DISCLAIMER: This is a product of the Richland County Public Works Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local governments agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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Pavement Project Life-Cycle Costs Per Lane-Mile

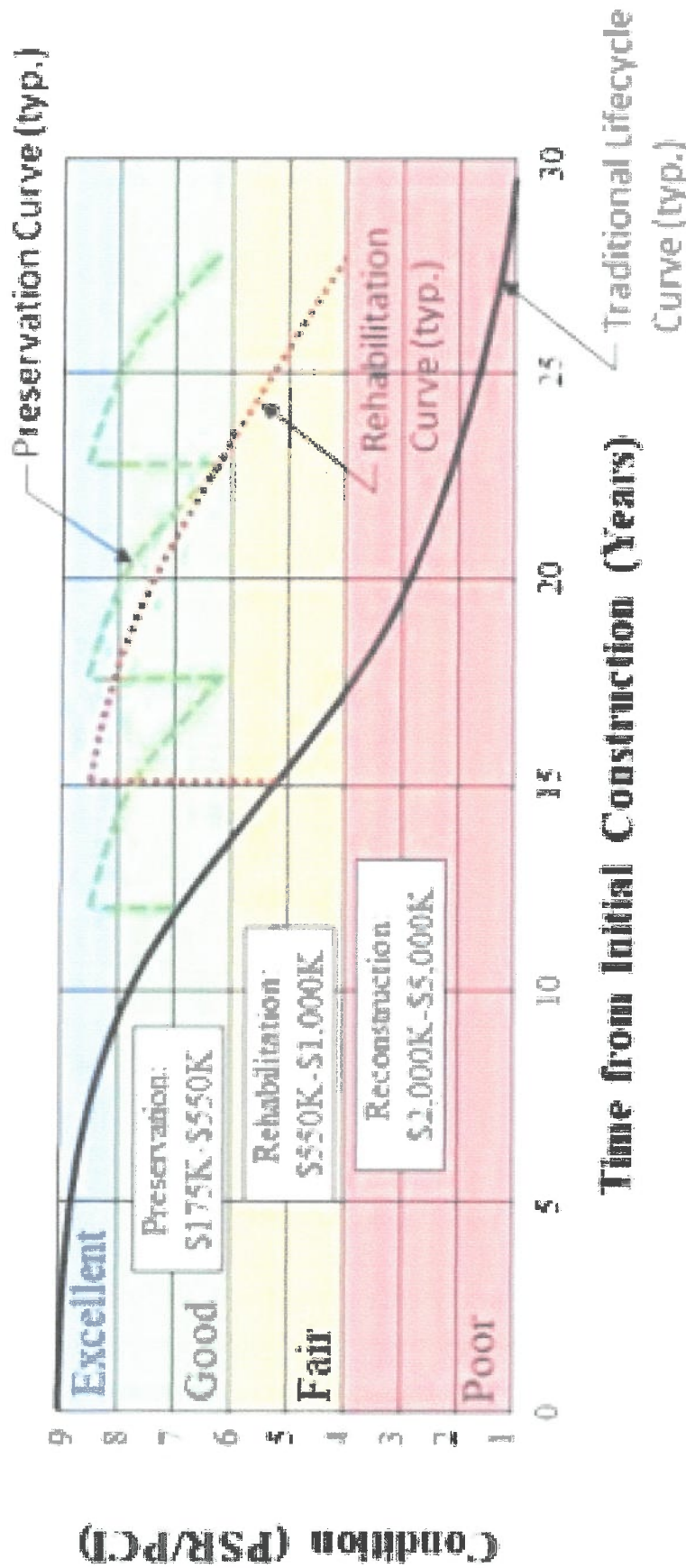


Figure 1-1 Illustration of General Costs and Appropriate Timing for Pavement Remediation (Lane-miles)

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Michael A. Byrd	Title:	Director
Department:	Emergency Services	Division:	EMS
Date Prepared:	July 12, 2021	Meeting Date:	July 27, 2021
Legal Review	Elizabeth McLean via email	Date:	July 12, 2021
Budget Review	James Hayes via email	Date:	July 12, 2021
Finance Review	Stacey Hamm via email	Date:	July 13, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Purchase of EKG Monitors		

STAFF’S RECOMMENDED ACTION:

Staff recommends approval to award the purchase of EKG monitors.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Council issued a General Obligation Bond with third reading occurring on October 20, 2020. The bond included funding for the purchase of EKG Monitors.

Funds are available in account: GL / JL Key: 1344995000 / 13442210 - 531200 and encumbered on requisition R2101966.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

This Council Briefing Document seeks to obtain approval to purchase 45 EKG Monitors and supporting equipment. Supporting equipment includes batteries, chargers, cases, cables, pediatric pads, blood pressure cuff interfaces, power cords, electrodes, etc. Each machine has a built-in 12 lead EKG monitor, defibrillator, noninvasive pacer, SpO2 sensors, EtCO2, telemetry and vital signs monitor. The EKG monitors are replacing machines that have reached the end of life. Parts are no longer available. The new machines will increase the effectiveness of EMS response, reduce down-time of existing monitors and reduce maintenance costs.

After the GO Bond was issued, the Procurement Department issued RFP #RC-416-P-2021, EMS Cardiac Monitors to purchase new EKG machines. There were three vendors that responded to the RFP. The proposals were evaluated based on meeting the scope of work, field evaluations, delivery schedule and price. EMS personnel along with the Richland County Procurement and Contracting Office have reviewed the proposals received. Each vendor provided machines for field testing. Field testing was conducted by Senior Paramedics to determine functionality, ease of use, weight, storage, printing, telemetry, downloading data and durability. The proposals were scored and ranked. The highest ranked Offeror is the LIFEPAK 15 sold by Stryker. The pricing includes an allowance for the trade-in of the old EKG monitors.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

Cost and vendor Information will be provided by Procurement under separate cover.



Agenda Briefing

Prepared by:	Bill Davis		Title:	Director	
Department:	Utilities	Division:			
Date Prepared:	April 12, 2021	Meeting Date:	July 27, 2021		
Legal Review	Elizabeth McLean via email		Date:	July 22, 2021	
Budget Review	James Hayes via email		Date:	July 14, 2021	
Finance Review	Stacey Hamm via email		Date:	July 13, 2021	
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM			
Committee	Administration & Finance				
Subject:	Request approval to connect 2312 and 2314 Johnson Marina Road, Chapin, SC 29036 to the RCU sewer system at Point De Haven Road. TMS # 01315-01-14 and 01315-01-17 / CAP B-2021011				

STAFF'S RECOMMENDED ACTION:

A Willingness to Serve Letter has been issued (see attached). Staff recommends that County Council approve the request to serve the proposed two single-family homes connection.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The proposed residential connections will be at no cost to the County. However, the owners of the properties will pay a total of \$8000 in sewer tap fees and a monthly sewer service fee (64.03*2= \$128.06) to the County. The homeowners are paying the cost to hook up.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

If this request is denied, RCU may have to respond to the South Carolina Department of Health and Environmental Control (SC DHEC), confirming that we refuse sewer service to the residential units, even though the sewer is available and accessible. In addition, the connections to the two homes provide an asset to the County and contribute positively to protecting the environment since the parcels mentioned above are located near Lake Murray.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

RCU submits information on all new developments to County Council for sewer service connections approval before proceeding with the Delegated Review Program (DRP) to keep the council informed. Once RCU receives approval from County Council to serve the homes, the owners can proceed with designing the system in accordance with the DRP.

The initial request was received on April 1, 2021, from HB Engineering Company, Inc. for sewer extension availability for the proposed development. The proposed connection, consisting of two single-family homes and the force main, is located at 2312 and 2314 Johnson Marina Road, Chapin, SC 29036, as shown in Figures 1, a and b. The two homes will generate an average daily flow of 600 gallons per day (GPD) of wastewater. RCU staff evaluated the request following our Capacity Assurance Program (CAP) and has determined that we currently have adequate capacity to accept this additional wastewater.

RCU will treat the sewer at the Broad River Wastewater Treatment Plant. If the County Council denies the request for sewer service connection to our sewer system, the owners will install individual septic tanks for each lot, which may cause an environmental issue in the future, and no additional sewer infrastructure or fees will be provided to the County.

The table below summarizes the project

Project Name	Project Address	TMS	Number of Units	Sewer/ Tap Revenue	Monthly Revenue for Sewer	Meets Zoning Requirements?	Notes
Johnson Marina force main extension	2312 and 2314 Johnson Marina Road	R01315-01-14 and R01315-01-17	2	\$8000	\$128.06	Yes See Figure 2	

Figure 1: Location of the Proposed force main extension: TMS # R01315-01-14 and R01315-01-17

A.



B.

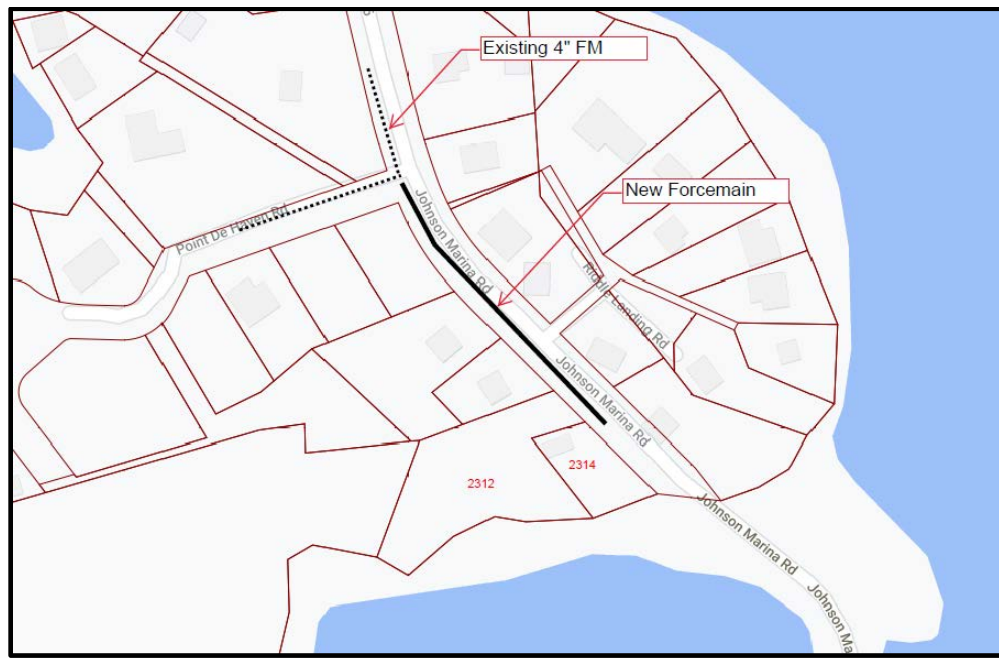
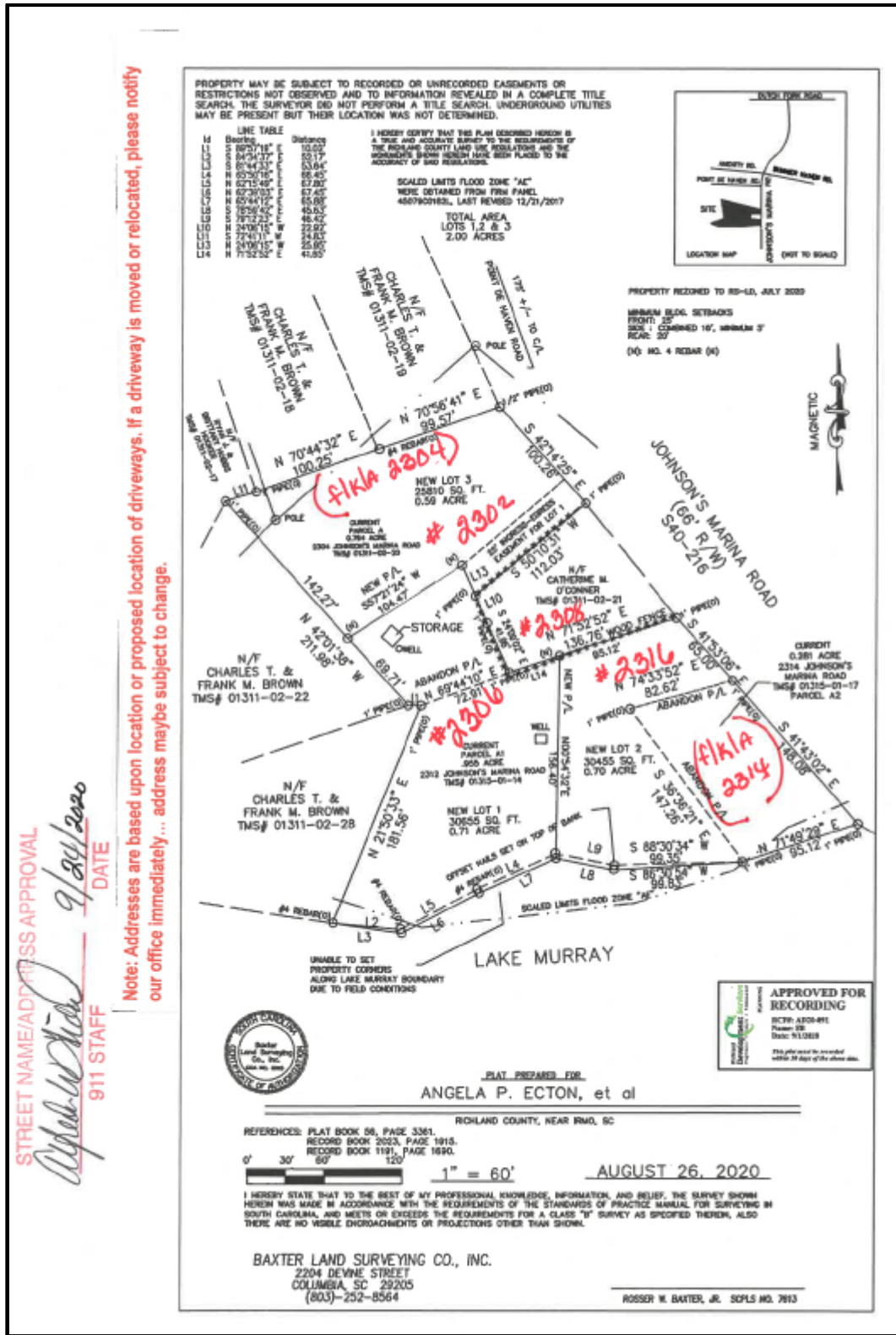


Figure 2: Zoning Information



Willingness to Serve Letter



April 8, 2021

Tom Britt
HB Engineering, Inc.
720 Old Cherokee Road
Lexington, SC 29072

John A. Ecton
Ecton Law Firm, PA

Re: Willingness to Serve Letter
Forcemain extention for 2312 & 2314 Johnson Marina Road
TMS # R01315-01-17

Dear Mr. Britt:

In response to your revised request on April 1, 2021, regarding sanitary sewer availability for the above-referenced parcel, Richland County Utilities (RCU) currently has the capacity to serve 2 REUs with average daily flow of (600 gpd) for the development. To connect to RCU sewer system, a forcemain pipeline extension is required to run from the parcel mentioned above (2314 Johnson Marina Road) to the intersection of Johnson Marina Road and Point De Haven Road, where it will connect to an existing forcemain. The new forcemain would run in the right-of-way of Johnson Marina Road. In addition, the lift stations on the private properties to be owned and maintained by the above-listed home owners, each home owner would have a new residential type lift station with a 2" PVC discharge line that will connect to the new forcemain described above. There will be check valves and shut-off valves located near the road right-of-way for each connection.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP B-2021011 and will be presented to the Administration and Finance (A&F) Committee for approval of our request to serve the future development. If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP). Also, the developer will meet RCU regulations and SCDHEC R61.61 standards.



The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-401-0042.

Sincerely,



William H. Davis, PE
Director of Utilities

Cc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer



**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Ronaldo D. Myers		Title:	Director
Department:	Alvin S. Glenn Detention Center	Division:		
Date Prepared:	June 16, 2021	Meeting Date:	July 27, 2021	
Legal Review	Elizabeth McLean via email		Date:	July 13, 2021
Budget Review	James Hayes via email		Date:	July 13, 2021
Finance Review	Stacey Hamm via email		Date:	July 13, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM		
Committee	Administration & Finance			
Subject:	Fire Suppression Sprinkler Head Replacement Upgrade			

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the Fire Suppression Sprinkler Head Replacement upgrade.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The funds were requested in biannual budget. Funds are available in 1344995000.530300/13442100.530300 and encumbered on requisition R2102149.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Presently, Alvin S. Glenn Detention Center (ASGDC) is not out of compliance; however, because the sprinkler heads are obsolete and cannot be purchased, all sprinkler heads have to be replaced in five detainee housing units in Phase 5.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Staff planned for the expenditure to replace the sprinkler head for Phase 5. Funds have been budgeted for this task.

In May 2021, Procurement conducted Solicitation # RC-429-B-2021, "Sprinkler Heads for ASGDC," which was publicly advertised. There was (1) respondent to the Request for Bid. Upon review, Crawford Sprinkler Co. of SC, Inc. was deemed the lowest, responsive, responsible bidder on this project.

ADDITIONAL COMMENTS FOR CONSIDERATION:

All work is to be completed in accordance with National Fire Protection Association (NFPA) NFPA 13 Standard for the Installation of Sprinkler Systems.

ATTACHMENTS:

1. Tab sheet

RC-429-B-2021 Sprinkler Heads for ASGDC
Due: 6/3/2021 @ 3:00PM

Crawford Sprinkler

Total Cost \$ 108,000.64

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Ronald D. Myers		Title:	Director	
Department:	Alvin S. Glenn Detention Center	Division:			
Date Prepared:	July 09, 2021	Meeting Date:	July 27, 2021		
Legal Review	Elizabeth McLean via email		Date:	July 21, 2021	
Budget Review	James Hayes via email		Date:	July 21, 2021	
Finance Review	Stacey Hamm via email		Date:	July 21, 2021	
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM			
Committee	Administration & Finance				
Subject:	Home Detention/Electronic Monitoring for Detainees				

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the Home Detention/Electronic Monitor (EM) with the highest ranked offeror for Home Detention/Electronic Monitoring services for the Alvin S. Glenn Detention Center (ASGDC).

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The program is designed to be paid for by the detainee. In cases where the detainee has been declared indigent, the Alvin S. Glenn Detention Center pays the County rate for monitoring. However, the cost of the program continues to increase due to the number of reduced and waived fees to the detainees. In addition to indigent expenses, if a detainee stops payment of fees and the fees cannot be collected, the County pays those fees as well. Currently, over 75% of the detainees on electronic monitoring is paid by Richland County. The current annual cost is approximately \$650,000.00.

The detention center has been using surplus funds due to vacancy recovery to absorb the rising costs of the program; however, there are concerns about the sustainability of this funding method. The electronic monitoring program has allowed the County to reduce the need to build additional housing units.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The Alvin S. Glenn Detention Center (ASGDC) is an essential part of the criminal justice system in Richland County. ASGDC serves as the intake center for unsentenced misdemeanor and/or felony detainees/inmates and as an incarceration facility for sentenced offenders. It provides facilities for the detention of both unsentenced detainees/inmates and sentenced inmates in a minimum, medium and maximum security environment. The County endorses an electronic home detention program, through its ordinance Chapter 1 Sec. 1-17 and pursuant to S.C. Code 1976, § 24-13-1530, in which such program may be used by the magistrates of Richland County as an alternative to incarceration for low risk, nonviolent adult and juvenile offenders, as selected by the court as an alternative to incarceration.

A Request for Proposal was issued on May 26, 2021, and there were five submittals. An evaluation team comprised of various stakeholders evaluated the submittals and Offender Management Services was the highest ranked Offeror. Staff recommends award of a contract to Offender Management Services, LLC in the amount of \$80,250 per month.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Confidential scoring will be provided under separate cover



Agenda Briefing

Prepared by:	Jennifer Wladischkin	Title:	Procurement Manager
Department:	Finance	Division:	Procurement
Date Prepared:	July 08, 2021	Meeting Date:	July 27, 2021
Legal Review	Elizabeth McLean via email	Date:	July 13, 2021
Budget Review	James Hayes via email	Date:	July 19, 2021
Finance Review	Stacey Hamm via email	Date:	July 14, 2021
Approved for consideration:	Assistant County Administrator	Lori J. Thomas, MBA, CGFO	
Committee	Administration & Finance		
Subject:	Design Services for the Consolidated Public Safety Complex		

STAFF’S RECOMMENDED ACTION:

Staff recommends approval to enter into negotiations with the top ranked firm. If the County cannot reach mutually agreeable terms with the top ranked offeror, negotiations will be terminated and will be resumed with the second highest ranked offer, and so on, until a fair and reasonable contract in the best interests of the County can be reached. Upon successful negotiations, a recommendation of award will be presented for Council approval.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Per Council motion, at time of contract presentation for Council approval, the County will proceed with issuance of General Obligation Bonds to fund this project. Staff will move forward at coming meetings with a General Obligation bond ordinance and Reimbursement Resolution for consideration to fund this project.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

“To direct staff to immediately move forward, as expeditiously as possible, with the 911 Center, as discussed in Executive Session.”

Council Member	Bill Malinowski, District 1
Meeting	Regular Session
Date	June 15, 2021

STRATEGIC & GENERATIVE DISCUSSION:

Currently, the County’s 9-1-1 Call Center is housed in an inadequate space in the City of Columbia's Fire/Rescue Headquarters located at 1800 Laurel Street, Columbia, SC. This facility is outdated and does not fully meet the requirements associated with the County and City of Columbia's population. Additionally, the technology currently used is outdated and needs to be upgraded to meet current standards.

The Richland County Crime Lab is currently located at the Richland County Sheriff's Headquarters located at 5623 Two Notch Rd., Columbia, South Carolina. This facility does not have enough space to perform the required services and the volume associated with the Richland County population. Additionally, the equipment is outdated and operating requirements for this equipment is insufficient. With new technologies emerging, future equipment will be needed, thereby requiring additional space. The current space also does not allow for certain needed services to be handled in-house, and must be subcontracted out, resulting in high costs and loss of control of operation.

The housing of the State Probation, Pardon & Parole agency is legislatively mandated under Section 24-21-270 of the South Carolina Code of Laws which states “The governing body of each county in which a probation agent serves shall provide, in or near the courthouse, suitable office space for such agent.”. The SC Department of Probation, Pardon, and Parole for Richland County is currently located in an approximately 21,000 square foot facility on 1221 Gregg St., Columbia, South Carolina. This facility is in substandard condition, and the staff have been temporarily relocated to various other locations. The current facility also has numerous environmental conditions such as poor air circulation, outdated building systems and required up-fits (roofing, windows, etc.) that exceed the value of the building.

At the March 3, 2020 Council meeting Council voted “To instruct the Administrator to move forward with the due diligence for the Burlington store to be used for the 911 Services and contract modification, as discussed in Executive Session.” The County issued a Request for Qualifications on December 11, 2020 for Architect/Engineering Firms to perform tasks related to the design of the “Consolidated Public Safety Complex” which includes the 911 Call Center, Crime Lab and offices of the State Department of Probation, Pardon & Parole. There were seven submittals received. An evaluation committee ranked the seven firms and a short list of the top three firms was developed. The short listed firms were invited to participate in an interview with the evaluation committee. The evaluation committee finalized scoring and the ranking of the short list was finalized.

Staff recommends entering into negotiations with the top ranked firm. If the County cannot reach mutually agreeable terms with the top ranked offeror negotiations will be terminated and will be

conducted with the second highest ranked offer, and so on, until a fair and reasonable contract in the best interests of the County can be reached. Upon successful negotiations, a recommendation of award will be presented for Council approval.

ADDITIONAL COMMENTS FOR CONSIDERATION:

ATTACHMENTS:

1. Evaluation will be provided by Procurement under separate cover.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Lori Thomas	Title:	Assistant County Administrator	
Department:	Administration	Division:		
Date Prepared:	July 12, 2021	Meeting Date:	July 27, 2021	
Legal Review	Elizabeth McLean via email	Date:	July 16, 2021	
Budget Review	James Hayes via email	Date:	July 22, 2021	
Finance Review	Stacey Hamm via email	Date:	July 21, 2021	
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM		
Committee	Administration & Finance			
Subject:	Reimbursement Resolution for Public Safety Complex Bonds			

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the Reimbursement Resolution for expenses not to exceed \$20,000,000 related to the issuance of General Obligation bonds to acquire, construct, renovate, improve and equip the Public Safety Complex at the former Burlington Building at Columbia Place Mall.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Please see Attachment – Resolution Regarding the Intent of Richland County, South Carolina to Reimburse Itself for Expenditures from the Proceeds of Tax-Exempt Obligations.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

It is the intent of staff, as per Council instructions, to issue General Obligation Bonds to fund the construction/renovation of the former Burlington Building at Columbia Place Mall to house a Public Safety Complex to include the E-911 Center, Forensics Lab and Probation, Pardon and Parole. It is also Council's desire to expedite this process as much as possible. To do this, while developing a final required budget, certain costs may arise that would be a part of this project and are eligible to be funded through the use of bond funds such as design costs and other related expenditures. For the County to be able to reimburse itself for unbudgeted costs related to this project that do arise prior to issuance, it is recommended that a reimbursement resolution be put into place.

Staff requests the approval of the Reimbursement Resolution for expenses not to exceed \$20,000,000 related to the issuance of General Obligation bonds to acquire, construct, renovate, improve and equip the Public Safety Complex at the former Burlington Building at Columbia Place mall. It is the intent of staff, as per Council instructions, to issue General Obligation Bonds to fund the construction/renovation of the building prior to fiscal year end 2022. A proposed bond ordinance is forthcoming at the September Administration and Finance Committee.

This measure will protect the County's General Fund balance while still allowing the project to move forward as quickly as possible.

ADDITIONAL COMMENTS FOR CONSIDERATION:

This type of document is regularly used in bond issuance to allow the most effective use of funds and is considered a best practice in such circumstances.

ATTACHMENTS:

1. A Resolution – Resolution Regarding The Intent Of Richland County, South Carolina To Reimburse Itself For Expenditures From The Proceeds Of Tax-Exempt Obligations

A STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

A RESOLUTION

RESOLUTION REGARDING THE INTENT OF RICHLAND COUNTY, SOUTH CAROLINA TO REIMBURSE ITSELF FOR EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have promulgated Section 1.150-2 of the Treasury Regulations (“Regulations”) which authorizes an issuer to reimburse itself for expenditures made with respect to projects prior to the issuance of tax-exempt obligations for the projects;

WHEREAS, in order to be eligible for reimbursement, the Regulations require that the governing body of the issuer declare an official intent to reimburse an expenditure prior to or not later than 60 days following the payment of the expenditure;

WHEREAS, the County Council of Richland County, South Carolina (“County”), has determined that it is in the best interest of the County to acquire, construct, renovate, improve and equip a Public Safety Complex (“Project”);

WHEREAS, the County expects that it will issue tax-exempt obligations (“Obligations”) and utilize the proceeds therefrom to finance all or a portion of the costs of the Project; and

WHEREAS, the County has incurred, or expects to incur, expenditures (“Expenditures”) in connection with the Project from funds currently available to the County prior to the execution and delivery of the Obligations and intends, and reasonably expects, to reimburse itself for the Expenditures from the proceeds of the sale of the Obligations.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA:

Section 1. Official Declaration of Intent. The County presently intends, and reasonably expects, to reimburse itself for Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to issue the Obligations to finance the costs of the Project and the maximum principal amount that the County expects to reimburse itself from the proceeds of the Obligations for the costs of the Projects is not exceeding \$20,000,000.

Section 2. Compliance with Regulations. This Resolution is a declaration of the County’s official intent under Regulation §1.150-2 to evidence the County’s intent to reimburse itself for Expenditures from the Obligations. The County understands that Expenditures which may be reimbursed are limited to Expenditures which are (a) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of “placed in service” under Regulation §1-150-2) under general federal income tax principles; or (b) certain *de minimis* or preliminary expenditures satisfying the requirements of Regulation §1.150-2(f).

Section 3. Effective Date. This Resolution is effective immediately on the date of its adoption.

AND IT IS SO RESOLVED this 20th day of July 2021.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)

ATTEST:

Clerk to County Council

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Tomothy Edmond		Title:	Chief Magistrate Judge
Department:	Magistrate Court	Division:		
Date Updated:	May 01, 2021	Meeting Date:	May 25, 2021	
Legal Review	Elizabeth McLean via email		Date:	April 14, 2021
Budget Review	James Hayes via email		Date:	April 19, 2021
Finance Review	Stacey Hamm via email		Date:	April 21, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM		
Committee	Administration and Finance			
Subject:	Bond Court Consolidation – City of Columbia and Richland County			

STAFF’S RECOMMENDED ACTION:

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

The Office of Budget and Grants Management and the Finance Department have inquired as to the mechanism whereby the County is reimbursed by the City of Columbia. These offices request any agreement relative to this matter with the City of Columbia explicitly detail payment/reimbursement information.

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The potential fiscal impact would consist of annual money paid to the County by the City in the amount of \$523,200.47. Due to the increased workload for the Magistrate’s Office, there will be an increase cost of \$410,000 in salaries and operating costs at bond court. Thus, there will be a net increase of \$113,200.47.

Approximate Costs to Run County Bond Court

The approximate cost to operate the County Bond Court is approximately **\$1,052,214.28** per year.

- Judge Salaries
 - 7 part-time judges
 - \$76,500 per year
 - 12 hour shifts
 - Part-time judges work solely at bond court
 - Part-time judges salary is calculated based on full-time judge salary
 - Full-time judges have to fill in at bond court
 - Total: **\$492,839.18** (Salary \$391,483.98 + FICA/Retirement \$101,355.20)
- Staff Salaries
 - 1 bond court manager
 - 1 bond court assistant manager
 - Total: **\$139,335.91** (Salary \$113,088.15 + FICA/Retirement \$26,247.76)
 - 9 bond court clerks
 - Bond court staff work solely at bond court and receive an additional \$4,000 stipend on top of their salary
 - Total: **\$399,637.19** (Salary \$324,354.51 + FICA/Retirement \$75,282.68)
- Operating Costs
 - Office Supplies
 - Books and Publications
 - Copy Machines
 - Travel
 - Telephone Services
 - Service Contracts
 - Repairs-Equipment
 - Employee Training
 - Total: **\$20,402.00**
- Total Personnel Cost: **\$1,052,214.28**

Approximate Costs to Run City Bond Court

To determine how much it costs the City to operate their bond court, we sent them a questionnaire. The approximate costs for the City are **\$387,640.85** per year.

- 1. Question:** How much does the City pay in personnel costs to operate bond court?
Answer: Annually, the City of Columbia pays \$336,731 in personnel cost to operate Bond Court. This amount includes a full time Bond Court Clerk, weekend Bond Court clerks, weekend Violations Clerk (who accept Bond Money on weekends), three (3) full time Police Officers (assigned to court) and a Judge (shared responsibility among full-time and part time Judges).
Notes: Of the eight full time police officers assigned to Municipal Court, three officers go to bond court sessions each a day on a rotating basis.
- 2. Question:** How many judges and how many staff members are employed to operate bond court for the City?
Answer: The City has four (4) full-time Judges and four (4) part-time Judges with 5 vacancies. The Judges rotate between Traffic Court, Criminal Court, Bond Court, Quality of Life Court, DV Court, Jury Trials and Preliminary Hearings. In addition, there is a full time bond court clerk, weekend bond court clerks (rotated among other court clerks), weekend violation clerks (shared among existing violation clerks) and a Judge being assigned each day to Bond Court.
- 3. Question:** How much does the City pay in operating costs to hold bond court?
Answer: The City has a desk top computer, lap top computer, annual maintenance agreement on our Recording System at bond court and miscellaneous supplies which is estimated at \$50,909.85 annually.

How Much Would the City Pay the County Annually?

Based on the annual costs that Richland County incurs to run the bond court, the potential cost to the City would be approximately **\$523,200.47** annually. This is a cost per defendant calculation (See calculations below).

Costs to operate County Bond Court

Judge Salary	\$492,839.18
Staff Salary	\$538,973.1
Operating Costs	\$20,402.00
Total	\$1,052,214.28

Current cost per defendant

Bond settings FY 18/19 (County only)	7,964 Defendants
County Bond Court Costs FY 18/19	\$1,052,214.28
Cost to set bond per defendant	\$132.12

Potential dollar figure city would pay annually to county

City bond settings FY 18/19	3,960 Defendants
Cost per defendant	\$132.12
Total	\$523,200.47

How Would County Bond Court Spend the New Money?

After running a pilot program for many months and setting the City's bonds, the costs to the County would include:

- I. We would need at least 4 new law clerks
- II. The vast majority of expenses would be salary payments. The personnel cost would potentially break down as follows:
 - a. 4 new law clerks ($\$45,000 \times 4$) = $\$180,000$
 - b. 10% pay increase for judges (increased liability risks plus additional work) = approx. $\$225,000$
 - i. 10% pay increase for full time judges ($\$11,400 \times 15$ judges) = $\$171,000$
 - ii. 10% pay increase for part time judges ($\$7,600 \times 7$ judges) = $\$53,200$
- III. Because Richland County already runs a large bond court, the additional costs of operating expenses (other than salaries/positions) would be marginal. However, there would be an annual approximate costs of $\$5,000$ in paper, supplies, and computer equipment.

Additional New Costs: $\$410,000$

Summary

The City has told us that it costs them approximately **$\$387,640.85$** to run their bond court. However, these costs were how much the City was paying before they were told by Court Administration that they were not in compliance with proper bond court operations. The City was not conducting the proper amount of bond court hearings per day.

To determine how much the City would have to pay the County to operate their bond court, we used a "per-defendant" cost. We determined approximately how much it costs to set one defendant's bond based on the judge's salaries, personnel salaries, and operating costs. This number came out to **$\$132.12$** per defendant. We took this cost per defendant and multiplied it times the approximate number of defendants that the City arrests each year (3,960 defendants). This came to **$\$523,200.47$** annually.

While it appears that the City would be paying more under this proposal, in reality they would actually be saving money. They would also be saving on the intangible costs that are incurred with running a bond court – these costs are outlined below.

The new costs to the County bond court estimate is approximately **$\$410,000$** . Because the City would pay **$\$523,200.47$** annually to the County, the difference between the costs would ensure that the County did not "see red" and avoid costs overruns or unforeseen expenses.

Non-Dollar Figure Costs (Intangibles)

The potential liability from setting bonds ranges from the political to the financial. Judges have to be extremely knowledgeable and prepared when setting bonds so as not to release an inmate who poses a potential risk of reoffending a violent crime, while at the same time complying with statutory requirements mandating that the majority of individuals receive bonds. Judges have to answer to Court Administration, circuit court judges, and the Chief Justice, if they fail to set proper bonds. This can result in disciplinary actions, suspension, and even removal from office.

Another liability in handling bond settings is making sure that a defendant is not being improperly held in Alvin S. Glenn. Court staff has to work hand in hand with detention staff to make sure that no magistrate or municipal defendant is staying beyond the 30-day maximum sentence. Other potential liability costs may include worker's compensation expenses, travel expenses, overtime, etc. The liability costs associated with running a bond court can far exceed the dollar figure of operation costs.

Finally, the consolidation of the two bond courts would allow for the City of Columbia Bond Court to come into compliance with the Supreme Court Order, RE: Bond Hearing Procedures in Summary Courts, September 19, 2007.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

REGULATORY COMPLIANCE:

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Chief Magistrate Edmond recommends implementing a consolidation plan of Columbia Bond Court and Richland County Bond Court. Over three years ago, Richland County converted into a 24-hour bond court, which allows for simplifying the bonding process for the public, reducing process time of inmates, and reduce the daily jail population. The Bond Court Consolidation plan will overhaul this arrangement and allow Richland County to handle the entire bond process from the City – from actually setting the bonds to handling posting the bonds. Richland County currently handles the bond process for several other municipalities in the entirety, including Forest Acres, Irmo, Cayce, and more.

The objective of this plan would be to combine the City and County bond courts into one bond court process.

As of March 2020, Richland County Magistrate Court has taken over setting bond for the City of Columbia in order to have a trial run of a consolidated bond court. In conjunction with Alvin S. Glenn, City of Columbia, and Richland County Magistrate Court, the consolidated bond is working as one unit. Therefore, the only key steps needed are a formal agreement between the City and County that would set out the parameters and costs for this service.

This proposal would affect the Richland County Bond Court. The Bond Court procedure is found under S.C. Code Title 17, Chapter 15.

This request will impact the strategic initiative of Richland County Bond Court. Our bond court has been operating as a 24/7 court for several years now. This consolidation would further develop the bond court.

Consolidation of bond courts will reduce costs to the County because the City would pay an annual sum of money to the County to include their defendants. The consolidation would also improve efficiency by having one bond court at the jail as opposed to two.

If bond court consolidation is denied, then Alvin S. Glenn will go back to two bond courts – the City and the County. This will reduce efficiency and increase the time defendants spend in jail before being released on bond.

ADDITIONAL COMMENTS FOR CONSIDERATION:

The current system of operating two separate and distinct bond courts inside of Alvin S. Glenn produces many inefficiencies. The City of Columbia is the only municipality that Richland County does not set bond for. While the City does have a large docket of cases per year compared to the next closest municipality (Forest Acres: 300-400), the County is able to seamlessly set these other municipalities bonds in an efficient and effective manner.

There are two main factors to consider when deciding whether to incorporate and consolidate the City bond court. First, if the City is willing to pay an annual premium to the County, then it would make fiscal sense to set all bonds that occur in Richland County. Based on the County's bond court current ability to set all other municipal bonds, as well as our ability to conduct a 24-7 bond court, the Magistrate system is equipped to expand our docket size.

Second, the consolidation of the two bond courts makes sense in respect to government efficiency and productivity. By having one central bond court, all parties will know who is in charge and where to direct complaints or questions. Victims will know that no matter which law enforcement agency arrested the defendant, their case will be heard by the County bond court. The elected Sheriff and appointed police chief will be able to speak directly to one judge, the Chief Magistrate, when discussing bond hearing issues.

Overall, consolidating the two bond courts will allow for a more efficient and productive bond court that will benefit many county agencies and will have a net positive fiscal impact, if the City pays the appropriate premium.

ATTACHMENTS:

1. Supreme Court Order
2. Correspondence from the City of Columbia

2007-09-19-01

The Supreme Court of South Carolina

RE: BOND HEARING PROCEDURES IN SUMMARY COURTS

ORDER

I find that recent events have necessitated my revisiting the previous Order of the Chief Justice dated November 28, 2000, concerning bond hearing procedures and detention facility issues arising in magistrate and municipal courts.

Accordingly, pursuant to Article V, § 4, of the South Carolina Constitution,

IT IS ORDERED that the Chief Magistrate in each county, in cooperation with, and with input from the other magistrates and municipal judges, shall arrange a schedule so that a magistrate or municipal judge will always be available, in person or on-call, to conduct bond proceedings. The Chief Magistrate shall also inform the municipal courts of the details of the County bond schedule, so as to ensure the availability of a magistrate to issue warrants and conduct bond proceedings for the municipal courts when the municipal judge is unavailable. After hours and weekends does not constitute unavailability in and of itself. The Chief Magistrate shall establish a procedure with all municipal courts within the County whereby they provide the Chief Magistrate with a monthly bond schedule indicating their availability for bond court. Nothing in this Order precludes counties and municipalities from entering into agreements whereby magistrates set bond on criminal charges arising from municipalities within their County.

Bond proceedings shall be conducted at least twice daily, once in the morning and once in the evening, at specific times which take into consideration all agencies involved. Should a Chief Magistrate desire to specify a schedule which deviates from the twice daily schedule, the revised schedule and the reason for the deviation must be submitted in writing to the Chief Justice for approval. Any deviations from the twice daily schedule approved prior to the issuance of this Order remain in effect. Nothing in this Order precludes a Chief Magistrate from regularly scheduling bond hearings more than twice daily. If, under extraordinary circumstances, the on-call magistrate or municipal judge is requested to conduct a bond hearing at a time other than the regularly scheduled time, hearings shall be held for the entire jail population eligible for release. The on-call magistrate or municipal judge shall immediately inform the Chief Magistrate that a special bond proceeding was conducted.

All persons incarcerated, booked, and charged with a bailable offense must have a bond hearing within twenty-four hours of their arrest as required by S.C. Code Ann. § 22-5-510, except for those individuals who are released on bond in lieu of recognizance pursuant to S.C. Code Ann. § 22-5-530. Any county or municipality utilizing the provisions of S. C. Code Ann. § 22-5-530 must comply with the Order of the Chief Justice dated December 11, 2003, which addresses procedures required by that statute. All persons incarcerated, booked, and charged with a non-bailable offense must have a first appearance before a magistrate or municipal judge within twenty-four hours of their arrest. Further, in all cases which fall under the purview of this Order, whether bailable or non-bailable, the bonding magistrate or municipal judge must ensure that the procedures set forth in S.C. Code Ann. §§ 16-3-1505 to -1830, regarding victims' rights, are fully observed.

All incarcerated individuals statutorily required to receive a bond hearing must receive an in-person bond hearing conducted by a duly appointed judicial officer prior to their release. Bond hearings shall not be conducted over the telephone and orders of release shall not be transmitted by facsimile from remote locations. The only exception to these requirements is in those counties where videoconferencing of bond hearings is approved by Order of the Supreme Court. All videoconferencing must strictly adhere to the requirements set forth in the Order of the Supreme Court dated May 2, 2006.

Further, any individual initially incarcerated without having been formally charged with the violation of a crime, who remains incarcerated for a maximum of twenty-four hours of delivery by law enforcement to the detention facility without having been formally charged with the violation of a crime, shall be

discharged from the detention facility by the magistrate or municipal judge conducting bond hearings. However, if law enforcement or a prosecutorial agency presents compelling written evidence to the bonding magistrate or municipal judge as to why an individual should not be released within twenty-four hours pursuant to this provision of this Order, the bonding magistrate or municipal judge, after considering the evidence, may delay discharge of the defendant for an additional period not to exceed twenty-four hours. Any written evidence presented and accepted by the bonding judge as compelling evidence to delay the release of an uncharged individual must be immediately forwarded to the Chief Magistrate of that county. The Chief Magistrate in each county is responsible for coordinating with the necessary local officials, which includes, but may not be limited to, the custodian of the detention facility, local law enforcement, and any affected prosecutorial agencies, to ensure that the required and proper accounting, notification, and release of individuals under this provision of this Order is fulfilled, regardless of whether the initial detention was initiated by municipal or county law enforcement.

Finally, bond proceedings shall be open to the public and press, and must be conducted in a facility or manner so as to facilitate any parties, including victims, who wish to attend. Allowance of cameras in the courtroom must comply with Rule 605, SCACR, which addresses media coverage in court proceedings. If facilities are not conducive to the allowance of general access, the location of bond hearings must be changed to allow such access. Alternatively, entities may consider videoconferencing of bond hearings to accommodate access of parties where facilities are prohibitive to access.

Any violation of the provisions of this Order shall be reported immediately to the Office of Court Administration. Any preferential treatment in bonding procedures is a violation of this Order and of the Canons and Rules of Judicial Conduct, Rules 501 and 502, SCACR, and shall be treated accordingly.

This Order revokes and replaces the previous Order of the Chief Justice dated November 28, 2000, regarding bond hearings. The provisions of this Order are effective immediately.

S/Jean Hoefler Toal
Jean Hoefler Toal
Chief Justice

September 19, 2007
Columbia, South Carolina



Teresa Wilson, City Manager
City of Columbia
1737 Main Street - PO Box 147
Columbia, SC 29217

APR 26 10:45

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ZIP 29201
011E12650243

The Honorable Tomothy C. Edmond
Chief Magistrate
Richland County Central Court
Upper Township District
7615-A Wilson Boulevard
Columbia, SC 29203

CAJ9SMP 29203





We Are Columbia

April 22, 2021

The Honorable Tomothy C. Edmond
Chief Magistrate
Richland County Central Court
Upper Township District
7615-A Wilson Boulevard
Columbia, SC 29203

Dear Chief Magistrate Edmond,

It is my understanding that Richland County Council has indicated an interest in consolidating the County and the City bond courts. Columbia City Council members have also indicated that they are interested in exploring a consolidation of the bond courts. This consolidation initiative has the potential to be a great benefit to both the courts and the public, resulting in cost savings and enhanced provision of court services.

Certainly, there will be some logistical issues to consider and plan for in implementing this change and we are looking forward to the opportunity to work with you in addressing these. Please contact my office as you schedule meetings about this initiative, and I will ensure that staff are available to represent the City in these discussions.

Sincerely,

Teresa Wilson
City Manager

cc: The Honorable Daniel M. Coble, Associate Chief Magistrate, Richland County Court
Mr. Leonardo Brown, Administrator, Richland County
Ms. Pamela Benjamin, Chief of Staff, City of Columbia

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing Addendum

Prepared by:	Ashiya A. Myers	Title:	Assistant to the County Administrator
Department:	Administration	Division:	
Date Prepared:	April 28, 2021	Meeting Date:	May 25, 2021
Approved for Consideration:	County Administrator		Leonardo Brown, MBA, CPM
Committee:	Administration & Finance		
Agenda Item:	4g. Request from Chief Magistrate – Bond Court Consolidation		

COUNCIL INQUIRY #1:

Committee Chairperson Malinowski requested the previously considered briefing documentation and associated minutes for the Bond Court Consolidation proposal.

Reply:

See attachment 1.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Chief Magistrate Edmond has provided correspondence from the City of Columbia.

ATTACHMENTS:

1. Compiled agenda briefings for the Bond Court Consolidation item



Agenda Briefing

To: Committee Chair Joyce Dickerson and Members of the Committee
Prepared by: Tomothy Edmond, Chief Magistrate
Department: Magistrate
Date Prepared: December 11, 2019 **Meeting Date:** February 25, 2020

Legal Review	Elizabeth McLean via email	Date:	March 18, 2020
Budget Review	James Hayes via email	Date:	January 28, 2020
Finance Review	Stacey Hamm via email	Date:	January 15, 2020
Approved for Council consideration:	County Administrator	Leonardo Brown, MBA, CPM	

Committee Administration & Finance
Subject: Bond Court Consolidation – City of Columbia and Richland County

Recommended Action:

Chief Magistrate Edmond recommends implementing a consolidation plan of Columbia Bond Court and Richland County Bond Court. Richland County and the City of Columbia currently operate two separate bond courts inside Alvin S. Glenn Detention Center. Over two years ago, Richland County converted into a 24-hour bond court, which allows for simplifying the bonding process for the public, reducing process time of inmates, and reduce the daily jail population. As of today, the City of Columbia is currently operating two bond court sessions, one in the morning and one in the late afternoon. The Bond Court Consolidation plan will overhaul this arrangement and allow Richland County to handle the entire bond process from the City – from actually setting the bonds to handling posting the bonds. Richland County currently handles the bond process for several other municipalities in the entirety, including Forest Acres, Irmo, Cayce, and more.

The objective of this plan would be to combine the City and County bond courts into one bond court process; to reduce the costs to the City, including tangible/fixed costs as well as intangible costs; to increase the efficiency of Alvin S. Glenn in regards to bond setting; and to benefit government entities involved in this process – the Sheriff’s Department, the Solicitor’s Office, the Magistrate Court, and Alvin S. Glenn staff.

Motion Requested:

I move to accept the Chief Magistrate’s recommendation to enter into an agreement with the City of Columbia to consolidate both bond courts, which would include a complete take over of their bond court and bond process, in which the City would pay an annual fee to the County.

Request for Council Reconsideration: Yes

Fiscal Impact:

The potential fiscal impact would consist of annual money paid to the County by the City, as well as potential increase in staff personell at bond court. The current costs to run the Richland County Bond Court, based on salaries alone, are:

- **Judge Salaries**
 - 7 part-time judges
 - \$76,500 per year
 - 12 hour shifts
 - Part-time judges work solely at bond court
 - Part-time judges salary is calculated based on full-time judge salary
 - Full-time judges have to fill in at bond court
- **Staff Salaries**
 - 1 bond court manager
 - 1 bond court assistant manager
 - 9 bond court clerks
 - Bond court staff work solely at bond court and receive an additional \$4,000 stipend on top of their salary
 - Average salary: \$39,000

The approximate costs for the City of Columbia to run their bond court:

- Judge salary
- Clerk salary
- Court officers salary
- Overtime payments to CPD officers waiting for bond court
- Holding over defendants
 - It costs the city \$71 a day to house an inmate. If a defendant is arrested after the city has already held bond court, then he will have to spend an extra night at ASG and wait for the next day's hearing. Even if the defendant makes bond, he will still have to have it paid at the city's court on Washington Street before they close that day. Otherwise, he will have to spend an additional night in ASG.
- Liability
 - Sanctions from Court Administration
 - Civil liability for holding defendants over 24 hours without bond setting

These dollar figure costs do not account for the non-dollar figure costs of operating a bond court, particularly liability:

Annually, Richland County Magistrate Court has to budget approximately \$480,000 to operate the bond court alone. This dollar figure consist of judges' salaries plus staff salaries. This operation dollar number does not include many more non-numerical figures, which make operating a bond court hazardous. The biggest cost in this area is liability.

The potential liability from setting bonds ranges from the political to the financial. Judges have to be extremely knowledgeable and prepared when setting bonds so as not to release an inmate who poses a

potential risk of reoffending a violent crime, while at the same time complying with statutory requirements mandating that the majority of individuals receive bonds. Judges have to answer to Court Administration, circuit court judges, and the Chief Justice, if they fail to set proper bonds. This can result in disciplinary actions, suspension, and even removal from office.

Another liability in handling bond settings is making sure that a defendant is not being improperly held in Alvin S. Glenn. Court staff has to work hand in hand with detention staff to make sure that no magistrate or municipal defendant is staying beyond the 30-day maximum sentence. Other potential liability costs may include worker’s compensation expenses, travel expenses, overtime, etc. The liability costs associated with running a bond court can far exceed the dollar figure of operation costs.

Finally, the consolidation of the two bond courts would allow for the City of Columbia Bond Court to come into compliance with the Supreme Court Order, RE: Bond Hearing Procedures in Summary Courts, September 19, 2007.

Based on the annual cost that Richland County incurs to run the bond court (based on salaries alone), the potential cost to the City would be approximately \$480,000 annually:

Costs to operate R.C. Bond Court

Judge Salary	\$535,500
Staff Salary	\$429,000
Total	\$964,500

Current cost per defendant

Bond settings FY 18/19 (county only)	R.C. Bond Court Costs FY 18/19	Cost to set bond per defendant
7,964	\$964,500	\$121.11

Potential dollar figure city would pay annually to county

City bond settings FY 18/19	Cost per defendant	Total
3,960	\$121.11	\$479,595.60

Additional Considerations:

Budget Director James Hayes indicated there are concerns about the fiscal impact being absorbed by the City as well as incurring additional costs by the County.

Motion of Origin:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

The current system of operating two separate and distinct bond courts inside of Alvin S. Glenn produces many inefficiencies and double costs. The City of Columbia is the only municipality that Richland County does not set bond for. While the City does have a large docket of cases per year compared to the next closest municipality (Forest Acres: 300-400), the County is able to seamlessly set these other municipalities bonds in an efficient and effective manner.

There are two main factors to consider when deciding whether to incorporate and consolidate the City bond court. First, if the City is willing to pay an annual premium to the County, then it would make fiscal sense to set all bonds that occur in Richland County. Based on the County’s bond court current ability to set all other municipal bonds, as well as our ability to conduct a 24-7 bond court, the Magistrate system is equipped to expand our docket size.

The defendants that are arrested by the City of Columbia would follow the same process as defendants arrested by the above listed agencies/municipalities.

Richland County bond court operates 24-hours a day and has multiple bond sessions throughout the day and night. Any defendant arrested for a crime that has a victim would have their bond set at 2PM that day (the cutoff for this time is approximately 12:30PM). The 2PM docket allows for law enforcement and victim services to have a set time in the day to inform victims of when the bond will be set. All other charges (e.g., drugs, public disorderly, etc.) are set shortly after arrest during one of the staggered bond sessions.

Richland County set approximately 8,000 bonds in the last fiscal year. The City of Columbia set approximately 4,000. The City sets all Columbia bonds, whether that is for municipal charges or General Sessions charges (excluding murder, CSC 1st, etc.):

18 / 19 FY City Bond Inmates Processed				
	PR Bonds	Surety Bonds	Total City Process	Total Book –INs at ASGDC
18-Jul	223	102	359	1063
18-Aug	290	85	398	1172
18-Sep	221	65	316	1042
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19-May	230	117	354	986
19-Jun	223	89	332	939
	2622	1085	3960	11924

The County would assume all bond settings at Alvin S. Glenn.

Second, the consolidation of the two bond courts makes sense in respect to government efficiency and productivity. The biggest impact will be felt by the Alvin S. Glenn Detention Center, the Solicitor’s Office, the Sheriff’s Department, the Columbia Police Department, and the Magistrate Court System. All elected and appointed officials of these listed departments support the consolidation. By having one central bond court, all parties will know who is in charge and where to direct complaints or questions. Victims will know that no matter which law enforcement agency arrested the defendant, their case will be heard by the County bond court. The elected Sheriff and appointed police chief will be able to speak directly to one judge, the Chief Magistrate, when discussing bond hearing issues. Alvin S. Glenn will have to dress out less inmates because all City inmates will be heard using the 24-7 bond court system, as opposed to the City’s current one, and sometimes two, hearings a day.

Overall, consolidating the two bond courts will allow for a more efficient and productive bond court that will benefit many county agencies and will have a net positive fiscal impact, if the City pays the appropriate premium.

The County Attorney's office recommended "that language be included in any agreement that the City must pay all costs associated with liabilities occurring on any City matter, including attorneys' fees and damages."

Attachments:

1. Operational Costs of Bond Court
2. Potential Cost for City of Columbia Annually
3. Non-Dollar Figure Costs (Liability)
4. Operational Functions
5. Supreme Court Order

Operational Costs of Bond Court

City of Columbia Bond Court Operation Costs

- Judge salary
- Clerk salary
- Court officers salary
- Overtime payments to CPD officers waiting for bond court
- Holding over defendants
 - It costs the city \$71 a day to house an inmate. If a defendant is arrested after the city has already held bond court, then he will have to spend an extra night at ASG and wait for the next day's hearing. Even if the defendant makes bond, he will still have to have it paid at the city's court on Washington Street before they close that day. Otherwise, he will have to spend an additional night in ASG.
- Liability
 - Sanctions from Court Administration
 - Civil liability for holding defendants over 24 hours without bond setting

Richland County Bond Court Operation Costs

- **Judge Salaries**
 - 7 part-time judges
 - \$76,500 per year
 - 12 hour shifts
 - Part-time judges work solely at bond court
 - Part-time judges salary is calculated based on full-time judge salary
 - Full-time judges have to fill in at bond court
- **Staff Salaries**
 - 1 bond court manager
 - 1 bond court assistant manager
 - 9 bond court clerks
 - Bond court staff work solely at bond court and receive an additional \$4,000 stipend on top of their salary
 - Average salary: \$39,000

Potential Cost for City of Columbia Annually

Costs to operate R.C. Bond Court

Judge Salary	\$535,500
Staff Salary	\$429,000
Total	\$964,500

Current cost per defendant

Bond settings FY 18/19 (county only)	R.C. Bond Court Costs FY 18/19	Cost to set bond per defendant
7,964	\$964,500	\$121.11

Potential dollar figure city would pay annually to county

City bond settings FY 18/19	Cost per defendant	Total
3,960	\$121.11	\$479,595.60

Non-Dollar Figure Costs (Liability)

Annually, Richland County Magistrate Court has to budget approximately \$480,000 to operate the bond court alone. This dollar figure consist of judges' salaries plus staff salaries. This operation dollar number does not include many more non-numerical figures, which make operating a bond court hazardous. The biggest cost in this area is liability.

The potential liability from setting bonds ranges from the political to the financial. Judges have to be extremely knowledgeable and prepared when setting bonds so as not to release an inmate who poses a potential risk of reoffending a violent crime, while at the same time complying with statutory requirements mandating that the majority of individuals receive bonds. Judges have to answer to Court Administration, circuit court judges, and the Chief Justice, if they fail to set proper bonds. This can result in disciplinary actions, suspension, and even removal from office.

Another liability in handling bond settings is making sure that a defendant is not being improperly held in Alvin S. Glenn. Court staff has to work hand in hand with detention staff to make sure that no magistrate or municipal defendant is staying beyond the 30-day maximum sentence. Other potential liability costs may include worker's compensation expenses, travel expenses, overtime, etc. The liability costs associated with running a bond court can far exceed the dollar figure of operation costs.

Finally, the consolidation of the two bond courts would allow for the City of Columbia Bond Court to come into compliance with the Supreme Court Order, RE: Bond Hearing Procedures in Summary Courts, September 19, 2007.

Operational Functions

Currently, defendants that we serve are those arrested by Law Enforcement agencies that serve in Richland County, but not limited to:

- Richland County Sheriff's Department
- Richland County Probation Pardon and Parole
- SC Highway Patrol
- SLED
- USC Police Department
- Benedict College Police Department
- Columbia College Police Department
- Allen Police Department
- Department of Natural Resources
- Capitol Police
- State Transport Police
- Forest Acres Police Department
- Irmo Police Department
- Cayce Police Department
- SC Attorney General

The defendants that are arrested by the City of Columbia would follow the same process as defendants arrested by the above listed agencies/municipalities.

Richland County bond court operates 24-hours a day and has multiple bond sessions throughout the day and night. Any defendant arrested for a crime that has a victim would have their bond set at 2PM that day (the cutoff for this time is approximately 12:30PM). The 2PM docket allows for law enforcement and victim services to have a set time in the day to inform victims of when the bond will be set. All other charges (e.g., drugs, public disorderly, etc.) are set shortly after arrest during one of the staggered bond sessions.

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2007-09-19-01

The Supreme Court of South Carolina

RE: BOND HEARING PROCEDURES IN SUMMARY COURTS

ORDER

I find that recent events have necessitated my revisiting the previous Order of the Chief Justice dated November 28, 2000, concerning bond hearing procedures and detention facility issues arising in magistrate and municipal courts.

Accordingly, pursuant to Article V, § 4, of the South Carolina Constitution,

IT IS ORDERED that the Chief Magistrate in each county, in cooperation with, and with input from the other magistrates and municipal judges, shall arrange a schedule so that a magistrate or municipal judge will always be available, in person or on-call, to conduct bond proceedings. The Chief Magistrate shall also inform the municipal courts of the details of the County bond schedule, so as to ensure the availability of a magistrate to issue warrants and conduct bond proceedings for the municipal courts when the municipal judge is unavailable. After hours and weekends does not constitute unavailability in and of itself. The Chief Magistrate shall establish a procedure with all municipal courts within the County whereby they provide the Chief Magistrate with a monthly bond schedule indicating their availability for bond court. Nothing in this Order precludes counties and municipalities from entering into agreements whereby magistrates set bond on criminal charges arising from municipalities within their County.

Bond proceedings shall be conducted at least twice daily, once in the morning and once in the evening, at specific times which take into consideration all agencies involved. Should a Chief Magistrate desire to specify a schedule which deviates from the twice daily schedule, the revised schedule and the reason for the deviation must be submitted in writing to the Chief Justice for approval. Any deviations from the twice daily schedule approved prior to the issuance of this Order remain in effect. Nothing in this Order precludes a Chief Magistrate from regularly scheduling bond hearings more than twice daily. If, under extraordinary circumstances, the on-call magistrate or municipal judge is requested to conduct a bond hearing at a time other than the regularly

scheduled time, hearings shall be held for the entire jail population eligible for release. The on-call magistrate or municipal judge shall immediately inform the Chief Magistrate that a special bond proceeding was conducted.

All persons incarcerated, booked, and charged with aailable offense must have a bond hearing within twenty-four hours of their arrest as required by S.C. Code Ann. § 22-5-510, except for those individuals who are released on bond in lieu of recognizance pursuant to S.C. Code Ann. § 22-5-530. Any county or municipality utilizing the provisions of S. C. Code Ann. § 22-5-530 must comply with the Order of the Chief Justice dated December 11, 2003, which addresses procedures required by that statute. All persons incarcerated, booked, and charged with a non-ailable offense must have a first appearance before a magistrate or municipal judge within twenty-four hours of their arrest. Further, in all cases which fall under the purview of this Order, whetherailable or non-ailable, the bonding magistrate or municipal judge must ensure that the procedures set forth in S.C. Code Ann. §§ 16-3-1505 to -1830, regarding victims' rights, are fully observed.

All incarcerated individuals statutorily required to receive a bond hearing must receive an in-person bond hearing conducted by a duly appointed judicial officer prior to their release. Bond hearings shall not be conducted over the telephone and orders of release shall not be transmitted by facsimile from remote locations. The only exception to these requirements is in those counties where videoconferencing of bond hearings is approved by Order of the Supreme Court. All videoconferencing must strictly adhere to the requirements set forth in the Order of the Supreme Court dated May 2, 2006.

Further, any individual initially incarcerated without having been formally charged with the violation of a crime, who remains incarcerated for a maximum of twenty-four hours of delivery by law enforcement to the detention facility without having been formally charged with the violation of a crime, shall be discharged from the detention facility by the magistrate or municipal judge conducting bond hearings. However, if law enforcement or a prosecutorial agency presents compelling written evidence to the bonding magistrate or municipal judge as to why an individual should not be released within twenty-four hours pursuant to this provision of this Order, the bonding magistrate or municipal judge, after considering the evidence, may delay discharge of the defendant for an additional period not to exceed twenty-four hours. Any written evidence presented and accepted by the bonding judge as compelling evidence to delay the release of an uncharged individual must be immediately forwarded to the Chief Magistrate of that county. The Chief Magistrate in each county is responsible for coordinating with the necessary local officials, which includes, but may not be limited to, the custodian of the detention facility, local

law enforcement, and any affected prosecutorial agencies, to ensure that the required and proper accounting, notification, and release of individuals under this provision of this Order is fulfilled, regardless of whether the initial detention was initiated by municipal or county law enforcement.

Finally, bond proceedings shall be open to the public and press, and must be conducted in a facility or manner so as to facilitate any parties, including victims, who wish to attend. Allowance of cameras in the courtroom must comply with Rule 605, SCACR, which addresses media coverage in court proceedings. If facilities are not conducive to the allowance of general access, the location of bond hearings must be changed to allow such access. Alternatively, entities may consider videoconferencing of bond hearings to accommodate access of parties where facilities are prohibitive to access.

Any violation of the provisions of this Order shall be reported immediately to the Office of Court Administration. Any preferential treatment in bonding procedures is a violation of this Order and of the Canons and Rules of Judicial Conduct, Rules 501 and 502, SCACR, and shall be treated accordingly.

This Order revokes and replaces the previous Order of the Chief Justice dated November 28, 2000, regarding bond hearings. The provisions of this Order are effective immediately.

S/Jean Hofer Toal
Jean Hofer Toal
Chief Justice

September 19, 2007
Columbia, South Carolina



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

April 28, 2020 – 3:30 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Michelle Onley, Larry Smith, Stacey Hamm, Jennifer Wladischkin, John Thompson, Clayton Voignier, Ashiya Myers, Angela Weathersby, Leonardo Brown, Chris Eversmann, Tariq Hussain, Dale Welch, Kimberly Williams-Roberts, Ashley Powell, Synithia Williams, Michael Maloney, David Bertolini, Brad Farrar, Brittney Hoyle-Terry, Quinton Epps, Dante Roberts and Michael Niermeier

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. **February 25, 2020** – Ms. McBride moved, seconded by Mr. Walker, to approve the minutes as distributed.

In Favor: Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

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

In Favor: Dickerson, McBride, Walker and Myers

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Bond Court Consolidation – City of Columbia and Richland County** – Ms. McBride moved, seconded by Mr. Walker, for discussion of this item.

Ms. Myers inquired who is recommending the consolidation, and what efficiencies will the County realize. When we consolidate, what savings can be quantified for the County?

Judge Coble stated we currently run the 24/7 bond court, and we handle all of Richland County Sheriff's Department bonds, as well as, other municipalities, including Forest Acres, Irmo, etc. The only municipality they do not currently handle is Columbia; therefore, we have to have 2 separate courtrooms, judges and paperwork that Alvin S. Glenn and Director Myers have to handle for each bond setting. By having the one procedure and process, it makes it much more efficient for Victim's Services, Solicitor's Office and the Public Defender's Office because there is one bond court being set by one agency, which would be Richland County Magistrates. As to the

quantifiable numbers, when it comes to monetary saving, the City of Columbia would pay, which is outlined in the briefing document. The City would be responsible for paying the judge and staff's salaries, as well as, other miscellaneous items to make it more efficient. The dollar figures he and Judge Edmond put together reflect what it currently cost to set an individual bond, and what it would cost the City of Columbia based on an estimated number of arrestees and defendants they set bond on per year. The cost per defendant would seem to be the most efficient, and easiest way, to see what the cost would be.

Ms. Myers stated she would love to see Director Myers and the Alvin S. Glenn Team have one process, rather than two, because the streamlining and making it consistent would help them, and make it more efficient at the Detention Center. Her questions go to the things we see now at the Detention Center, where the costs of maintaining a detainee, for Richland County, is greater than what we are reimbursed by municipalities. She is concerned that we quantify the numbers, and we do not just agree, based on back of the napkin analyses of what the actual cost is, but to have the Finance Department provide us an actual cost we can bank on, so the taxpayers are made whole. Also, she is concerned on the liability side. There are constitutional issues, with regard to how quickly people get access to a judge once they are brought in. These are detainees who have been not been adjudicated guilty of anything. She wants to be sure our Legal Department is recommending this, and has come forward to say this method is the one they would support.

Mr. Smith stated apparently the City of Columbia and County representatives meet with the Magistrates to discuss this issue. It is his understanding, there was an issue that came up regarding whether or not the Supreme Court had issued an edit to the City about their ability to hold bond hearings within the required time. At this point, we do not understand what was issued by the Supreme Court against the City. His concern is that if we consolidate without this issue being resolved that the County assumes that issue. He stated we did not get any clarity, from the City, about what it was that required the Supreme Court to intervene, as it relates to their bonds.

Ms. McBride stated she believes the idea is awesome, but she is also concerned about the liability issues and us having good cost projections.

Ms. McBride made a substitute motion, seconded by Ms. Myers, to defer this item until the May committee meeting.

Ms. Myers inquired if this item is time sensitive.

Ms. Dickerson responded she does not believe the item is time sensitive.

Judge Coble responded, due to the pandemic, bond court has been crunched; therefore, this needs to be addressed sooner rather than later.

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

The vote in favor was unanimous.

- b. Airport Property Use for a Promotional Event – Mr. Walker moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the use of landside airport property for the purpose of conducting a fundraising event for the 371st Infantry Regiment WWI Memorial Monument Association at the Jim Hamilton – LB Owens Airport.

Mr. Malinowski stated the briefing document notes the event was endorsed favorably by the Airport Commission at their July 2019 meeting. It was originally brought to A&F on February

Administration and Finance
April 28, 2020

-2-

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by: Daniel Coble, Associate Chief Magistrate

Department: Central Court

Date Prepared: May 11, 2020

Meeting Date: May 21, 2020

Legal Review	Elizabeth McLean via email	Date:	May 13, 2020
Budget Review	James Hayes via email	Date:	May 13, 2020
Finance Review	Stacey Hamm via email	Date:	May 13, 2020
Other Review:	Chief Magistrate Tomothy Edmond	Date:	May 13, 2020
Approved for Consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	

Committee Administration & Finance

Subject: Bond Court Consolidation – City of Columbia and Richland County

Recommended Action:

Chief Magistrate Edmond recommends implementing a consolidation plan of Columbia Bond Court and Richland County Bond Court. Richland County and the City of Columbia currently operate two separate bond courts inside Alvin S. Glenn Detention Center. Over two years ago, Richland County converted into a 24-hour bond court, which allows for simplifying the bonding process for the public, reducing process time of inmates, and reduce the daily jail population. As of today, the City of Columbia is currently operating two bond court sessions, one in the morning and one in the late afternoon. The Bond Court Consolidation plan will overhaul this arrangement and allow Richland County to handle the entire bond process from the City – from actually setting the bonds to handling posting the bonds. Richland County currently handles the bond process for several other municipalities in the entirety, including Forest Acres, Irmo, Cayce, and more.

The objective of this plan would be to combine the City and County bond courts into one bond court process; to reduce the costs to the City, including tangible/fixed costs as well as intangible costs; to increase the efficiency of Alvin S. Glenn in regards to bond setting; and to benefit government entities involved in this process – the Sheriff’s Department, the Solicitor’s Office, the Magistrate Court, and Alvin S. Glenn staff.

Motion Requested:

I move to accept the Chief Magistrate’s recommendation to enter into an agreement with the City of Columbia to consolidate both bond courts, which would include a complete takeover of their bond court and bond process, in which the City would pay an annual fee to the County.

Request for Council Reconsideration: Yes

Fiscal Impact:

Brief Overview

There are several cost factors that are considered and factored when determining what the City would pay annually to the County. Non-dollar figure costs (liability) are also considered.

- I. Non-Dollar Figure Costs (Liability)
- II. Current Magistrate Court Costs: **\$1,037,882.28**
- III. Current City of Columbia Costs: **\$342,640.85**
- IV. Actual Costs for Consolidation: **\$403,116.53**

Non-Dollar Figure Costs (Liability)

The potential liability from setting bonds ranges from the political to the financial. Judges have to be extremely knowledgeable and prepared when setting bonds so as not to release an inmate who poses a potential risk of reoffending a violent crime, while at the same time complying with statutory requirements mandating that the majority of individuals receive bonds. Judges have to answer to Court Administration, circuit court judges, and the Chief Justice, if they fail to set proper bonds. This can result in disciplinary actions, suspension, and even removal from office.

Another liability in handling bond settings is making sure that a defendant is not being improperly held in Alvin S. Glenn. Court staff has to work hand in hand with detention staff to make sure that no magistrate or municipal defendant is staying beyond the 30-day maximum sentence. Other potential liability costs may include worker’s compensation expenses, travel expenses, overtime, etc. The liability costs associated with running a bond court can far exceed the dollar figure of operation costs.

Current Magistrate Court Costs

The **current** costs to run the Richland County Bond Court, based on salaries and operating expenses:

<u>Expense</u>	<u>Description</u>			<u>Total</u>
Judges	7 Part-time judges	\$391,483.98 (Salary)	\$101,355.20 (FICA/retirement)	\$492,839.18
Staff	Bond Court Manager/ Bond Court Assistant Manager	\$113,088.15	\$26,247.76	\$139,335.91

Operating Expenses	9 Bond Court Clerks	\$324,354.51	\$75,282.68	\$399,637.19
	Supplies: Consumable office supplies such as paper, pencils, ribbons, print cartridges			\$1,500.00
	Copy Machine: Pollock			\$950.00
	Service Contract: Serving equipment			\$300.00
	Repairs-Equipment: Repairs			\$800.00
	Non-Capital Computers: Computers			\$2,500.00
				\$1,037,882.28

The cost to set bond per defendant:

Bond Settings FY 18/19	Bond Court Costs	Cost to set bond per defendant
7,964	\$1,037,882.28	\$130.32/defendant

Current City of Columbia Costs

The Court Administrator from the City of Columbia sent us these answers. The **current** costs for the City of Columbia to run their bond court:

1. **Question:** How much does the City pay in personnel costs to operate bond court?
Answer: Annually, the City of Columbia pays **\$336,731** in personnel cost to operate Bond Court. This amount includes a full time Bond Court Clerk, weekend Bond Court clerks, weekend Violations Clerk (who accept Bond Money on weekends), three (3) full time Police Officers (assigned to court) and a Judge (shared responsibility among full-time and part time Judges).
Notes: Of the eight full time police officers assigned to Municipal Court, three officers go to bond court sessions each a day on a rotating basis.

2. **Question:** How many judges and how many staff members are employed to operate bond court for the City?
Answer: The City has four (4) full-time Judges and four (4) part-time Judges with 5 vacancies. The Judges rotate between Traffic Court, Criminal Court, **Bond Court**, Quality of Life Court, DV Court, Jury Trials and Preliminary Hearings. In addition, there is a full time bond court clerk, weekend bond court clerks (rotated among other court clerks), weekend violation clerks (shared among existing violation clerks) and a Judge being assigned each day to Bond Court.

3. **Question:** How much does the City pay in operating costs to hold bond court?
Answer: The City has a desktop computer, laptop computer, annual maintenance agreement on our Recording System at bond court and miscellaneous supplies, which is estimated at **\$5,909.85** annually.

Actual Costs for Consolidation

After running a pilot program for over a month and setting the City's bonds, the costs to the County would include:

Need	Description		Total
Law Clerks	Law clerks are needed for both the night shift and day shift to handle the increased paperwork. The clerks are also needed to handle communications with the public and law enforcement. <i>It is currently costing Bond Court \$5,000 per month in overtime to keep up with increased City cases.</i>	\$44,404.13 X 4 new clerks	\$177,616.53
Judge's Pay	Each judge will see a dramatic increase in workload and number of cases. These cases will increase the amount of work that each judge puts in during their shift. Additionally, with almost a 50% increase in cases, judges are also increasing the non-dollar liability as discussed previously. <i>*Part-time judge's salaries are based on full-time salaries. Full-time judges also rotate in for bond court.</i>	10% Pay Increase <u>Part-time:</u> \$7,600 X 7 Judges = \$53,200 <u>Full-time:</u> \$11,400 X 15 Judges = \$171,000	\$224,200.00
Operating Expenses	Supplies: <i>Consumable office supplies such as paper, pencils, ribbons, print cartridges.</i> (half)		\$750.00
	Service Contract: <i>Serving equipment</i> (half)		\$150.00
	Repairs-Equipment: <i>Repairs</i> (half)		\$400.00
			\$403,116.53

Motion of Origin:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

Summary of Current and Future Operations

Richland County bond court operates 24-hours a day and has multiple bond sessions throughout the day and night. Any defendant arrested for a crime that has a victim would have their bond set at 2PM that day (the cutoff for this time is approximately 12:30PM). The 2PM docket allows for law enforcement and victim services to have a set time in the day to inform victims of when the bond will be set. All other charges (e.g., drugs, public disorderly, etc.) are set shortly after arrest during one of the staggered bond sessions.

Richland County set approximately 8,000 bonds in the last fiscal year. The City of Columbia set approximately 4,000. The City sets all Columbia bonds, whether that is for municipal charges or General Sessions charges (excluding murder, CSC 1st, etc.).

Under the consolidation, the County would assume all bond settings at Alvin S. Glenn. The defendants that are arrested by the City of Columbia would follow the same process as defendants arrested by the above listed agencies/municipalities.

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Overall, consolidating the two bond courts will allow for a more efficient and productive bond court that will benefit many county agencies and will have a net positive fiscal impact, if the City pays the appropriate premium.

Financial/Legal Commitment by the City

Magistrate Court and Chief Judge Edmond would not proceed with any formal consolidation of bond court without a formal financial commitment letter by the City, which would be agreed upon by all parties. Any agreement by the County and City for bond court consolidation would require a clause in the contract that the City is responsible for defending any and all claims, demands, and/or actions brought against the County or any Magistrate Judge arising from their actions of setting bonds. This language would mirror the language that we use in our Intergovernmental Agreements with other municipalities.

Supreme Court Compliance

Last year, the City met with Court Administration to discuss the issues that Court Administration had with how the City was conducting their bond court. The sole issue was that the City was only handling one bond court session per day, which is in direct violation of the Supreme Court Order, RE: Bond Hearing Procedures in Summary Courts, September 19, 2007. We have spoken with the City Court Administrator and he has confirmed that this was the sole issue they had with Court Administration, that there were no formal or written documents (aside from emails), and that the City has corrected this process by holding at least two bond settings per day (which is confirmed).

Attachments:

1. Supreme Court Order

The Supreme Court of South Carolina

RE: BOND HEARING PROCEDURES IN SUMMARY COURTS

ORDER

I find that recent events have necessitated my revisiting the previous Order of the Chief Justice dated November 28, 2000, concerning bond hearing procedures and detention facility issues arising in magistrate and municipal courts.

Accordingly, pursuant to Article V, § 4, of the South Carolina Constitution,

IT IS ORDERED that the Chief Magistrate in each county, in cooperation with, and with input from the other magistrates and municipal judges, shall arrange a schedule so that a magistrate or municipal judge will always be available, in person or on-call, to conduct bond proceedings. The Chief Magistrate shall also inform the municipal courts of the details of the County bond schedule, so as to ensure the availability of a magistrate to issue warrants and conduct bond proceedings for the municipal courts when the municipal judge is unavailable. After hours and weekends does not constitute unavailability in and of itself. The Chief Magistrate shall establish a procedure with all municipal courts within the County whereby they provide the Chief Magistrate with a monthly bond schedule indicating their availability for bond court. Nothing in this Order precludes counties and municipalities from entering into agreements whereby magistrates set bond on criminal charges arising from municipalities within their County.

Bond proceedings shall be conducted at least twice daily, once in the morning and once in the evening, at specific times which take into consideration all agencies involved. Should a Chief Magistrate desire to specify a schedule which deviates from the twice daily schedule, the revised schedule and the reason for the deviation must be submitted in writing to the Chief Justice for approval. Any deviations from the twice daily schedule approved prior to the issuance of this Order remain in effect. Nothing in this Order precludes a Chief Magistrate from regularly scheduling bond hearings more than twice daily. If, under extraordinary circumstances, the on-call magistrate or municipal judge is requested to conduct a bond hearing at a time other than the regularly scheduled time, hearings shall be held for the entire jail population eligible for release. The on-call magistrate or municipal judge shall immediately inform the Chief Magistrate that a special bond proceeding was conducted.

All persons incarcerated, booked, and charged with a bailable offense must have a bond hearing within twenty-four hours of their arrest as required by S.C. Code Ann. § 22-5-510, except for those individuals who are released on bond in lieu of recognizance pursuant to S.C. Code Ann. § 22-5-530. Any county or municipality utilizing the provisions of S. C. Code Ann. § 22-5-530 must comply with the Order of the Chief Justice dated December

11, 2003, which addresses procedures required by that statute. All persons incarcerated, booked, and charged with a non-bailable offense must have a first appearance before a magistrate or municipal judge within twenty-four hours of their arrest. Further, in all cases which fall under the purview of this Order, whether bailable or non-bailable, the bonding magistrate or municipal judge must ensure that the procedures set forth in S.C. Code Ann. §§ 16-3-1505 to -1830, regarding victims' rights, are fully observed.

All incarcerated individuals statutorily required to receive a bond hearing must receive an in-person bond hearing conducted by a duly appointed judicial officer prior to their release. Bond hearings shall not be conducted over the telephone and orders of release shall not be transmitted by facsimile from remote locations. The only exception to these requirements is in those counties where videoconferencing of bond hearings is approved by Order of the Supreme Court. All videoconferencing must strictly adhere to the requirements set forth in the Order of the Supreme Court dated May 2, 2006.

Further, any individual initially incarcerated without having been formally charged with the violation of a crime, who remains incarcerated for a maximum of twenty-four hours of delivery by law enforcement to the detention facility without having been formally charged with the violation of a crime, shall be discharged from the detention facility by the magistrate or municipal judge conducting bond hearings. However, if law enforcement or a prosecutorial agency presents compelling written evidence to the bonding magistrate or municipal judge as to why an individual should not be released within twenty-four hours pursuant to this provision of this Order, the bonding magistrate or municipal judge, after considering the evidence, may delay discharge of the defendant for an additional period not to exceed twenty-four hours. Any written evidence presented and accepted by the bonding judge as compelling evidence to delay the release of an uncharged individual must be immediately forwarded to the Chief Magistrate of that county. The Chief Magistrate in each county is responsible for coordinating with the necessary local officials, which includes, but may not be limited to, the custodian of the detention facility, local law enforcement, and any affected prosecutorial agencies, to ensure that the required and proper accounting, notification, and release of individuals under this provision of this Order is fulfilled, regardless of whether the initial detention was initiated by municipal or county law enforcement.

Finally, bond proceedings shall be open to the public and press, and must be conducted in a facility or manner so as to facilitate any parties, including victims, who wish to attend. Allowance of cameras in the courtroom must comply with Rule 605, SCACR, which addresses media coverage in court proceedings. If facilities are not conducive to the allowance of general access, the location of bond hearings must be changed to allow such access. Alternatively, entities may consider videoconferencing of bond hearings to accommodate access of parties where facilities are prohibitive to access.

Any violation of the provisions of this Order shall be reported immediately to the Office of Court Administration. Any preferential treatment in bonding procedures is a violation of this Order and of the Canons and Rules of Judicial Conduct, Rules 501 and 502, SCACR, and shall be treated accordingly.

This Order revokes and replaces the previous Order of the Chief Justice dated November 28, 2000, regarding bond hearings. The provisions of this Order are effective immediately.

S/Jean Hofer Toal
Jean Hofer Toal
Chief Justice

September 19, 2007
Columbia, South Carolina



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

May 21, 2020 – 2:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski and Dalhi Myers

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Angela Weathersby, Leonardo Brown, Chris Eversmann, Kimberly Williams-Roberts, Ashley Powell and Quinton Epps

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 2:00 PM.
2. **APPROVAL OF MINUTES**
 - a. April 28, 2020 – Ms. D. Myers moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Dickerson stated staff requested that Item 4(c): “Contract Amendment – Walden Pond Feasibility Study” be removed from the agenda.

Ms. D. Myers moved, seconded by Mr. Malinowski, to adopt the agenda as amended.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**
 - a. Bond Court Consolidation – City of Columbia and Richland County – Ms. D. Myers moved, seconded by Mr. Malinowski, for approval for the purpose of discussion.

Ms. D. Myers stated she believes the Legal Department had some questions because there were some legal issues the City of Columbia needed to resolve, and she requested clarification on those issues.

Ms. McLean responded that Brad was working on this item, but she has general knowledge about the issues. The issues we had were related to the agreement we would have to sign with the City, but she is not aware of any issues the City was having related to the Supreme Court Order.

Ms. D. Myers stated she does not think we have enough information on this item, and suggested the item be deferred.

Mr. Malinowski stated one of the items in bold print, under recommended action, is to reduce the cost of the City. It does not say anything about Richland County. The figures presented to us in this agenda packet are different than the ones provided in the previous committee agenda packet, which includes the salary figures, with FICA and retirement, of \$492,000 for seven part-time judges. Then later on in the briefing document it states the salary for seven part-time judges is \$53,000, so he would like clarification on which amount is correct. Also, as you go through the briefing document, it talks about the Sheriff's Department, the Solicitor, Magistrate, and the Detention Center are benefiting from the consolidation, but Richland County is getting no benefit. In the previous briefing document, there were additional considerations by Mr. Hayes, wherein he said, "There is concern about the fiscal impact being absorbed by the City, as well as incurring additional costs by the County." He inquired if there has been a change in the concern because it was not included in the updated briefing document.

Ms. D. Myers requested whoever is moving this item forward bring back information on what it costs us to host bond court, what the per head charge is, and what we pay our bond court judges, as opposed to the incremental increase. In terms of efficiencies, she does not doubt there are efficiencies to be realized. She just wants us to have a better idea of what we are recommending, in so far as helping Richland County. In tight budgetary times, we need more than just a recommendation because it is good for a municipality, or perceived to be good for the Detention Center.

Mr. Malinowski stated the updated briefing document says it is \$130.32 per defendant. The previous briefing document has a different amount.

Ms. D. Myers made a substitute motion, seconded by Mr. Malinowski, to defer this item until staff received the information requested by the committee.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- b. Harris Govern Master License and Services Agreement (MLSA) for new CAMA System – Mr. Malinowski inquired if this is the Assessor's equipment, which was spoken about previously.

Ms. Dickerson responded that is her understanding.

Ms. Powell stated this is the update to the CAMA System for the Assessor's Office.

Ms. D. Myers inquired if it was in a previous budget.

Ms. Powell responded that she briefed Council on this in a previous Executive Session.

Mr. Malinowski inquired if the support and maintenance cost is above and beyond the amounts we have previously approved.

Ms. Powell responded the total cost is \$1.5M for the replacement of the system. You may recall, in the previous Executive Sessions, she mentioned there was a request for additional funding to keep the current system moving until the time of implementation. That moved forward separate, and apart from what we are coming before the committee with today.

Mr. Malinowski stated, for clarification, is the support and maintenance for the new system or the old system.

Ms. Powell responded it is for the new system and is included in the total bottom line figure.

Administration and Finance

May 21, 2020

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Agenda Briefing Addendum

Prepared by:	Daniel Coble	Title:	Magistrate
Department:	Central Court	Division:	
Date Prepared:	July 13, 2021	Meeting Date:	May 25, 2021
Approved for Consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee:	Administration & Finance		
Agenda Item:	Item 4a: Request from Chief Magistrate – Bond Court Consolidation		

Chairman Malinowski,

Thank you for your written questions and I appreciate your time and attention to this matter. I would like to apologize for any inconsistency in the numbers or presentation of our Bond Court Consolidation plan. As way of background, when we first put together the numbers on staff and judge salaries, we used our own numbers. After discussing these numbers with Finance Department, they gave us more accurate numbers that reflected more details in the breakdown of salaries. I apologize if we accidentally used old numbers in our calculations. As I answer your questions below, I hope that we will make sure to have the most up to date and accurate numbers reflected.

Also, I want to address the discussion about how Bond Court Consolidation benefits the City of Columbia. We address this benefit to the City for the only purpose of negotiation. We describe this benefit so that County Council is aware of how much the City needs consolidation and how it benefits them. If there are any negotiations between the City and County about consolidation, County Council and County Administration will understand why the City needs this and why the County is asking for a certain amount of money in exchange. Our one and only fiduciary duty is to Richland County – any benefit to the City is welcome, but the purpose of this information is merely for negotiation purposes.

Please find the answers to your questions below. And please let me know if there are any other questions you might have that I did not answer.

Sincerely,

Daniel Coble

1. The fiduciary comments by the Office of Budget and Grants Management and the Finance Department have inquired as to the mechanism whereby the county is reimbursed by the City with explicit detail of payments/reimbursements. I have not seen that yet over the course of this being on several agendas and over a year long period.
 - a. Any mechanism for payments from the City to the County would be under the purview and authority of the relevant County Departments. Magistrate Court is not equipped to handle that mechanism – but we will work hand in hand with those Departments so that they have all the information they need (i.e., how much money we are requesting, which budget it should go to, breakdown of money, etc.).

2. Have any costs been calculated relating to salary or cost increases as time goes on? Will the city agree to pay those increased costs?
 - a. This was a key question that the City has raised and a concern for them. While we do not anticipate the costs rising beyond what we are asking for the City to pay annually, we would work with the County Legal Department to include a clause in the contract/agreement for a reevaluation of the contract every X years (the amount of time could be 1, 5, 10, etc. This would be part of any negotiations. We would also like to include a clause in the contract that allows for either party to walk away from consolidation, but give a certain amount of time for final dissolution.

3. You stated the city would provide \$523,200.47 to the county, yet another area showed the city would pay the county \$479,595.60, and due to the increased workload there will be an increase in cost of \$410,000, leaving a balance of \$113,200.47. a) Does this figure include all the necessary deductions from the salaries of FICA, Insurance and any other required amounts? b) What about when it's time to retire, will the city provide that funding? C) Will Richland County need more staff of any type to handle the increased work? You need to include all the departments who will support the additional employees coming from the city such as payroll, HR, and any other administrative functions.
 - a. I apologize for the inconsistency on the numbers. We would request the City pay **\$523,200.47** annually. We estimate that the increased cost to Richland County Bond Court would be approximately **\$410,000**. Yes, this leaves a balance of \$113,200.47 – which we consider a cushion because we are taking on their Bond Court which they receive many benefits for.
 - i. As to question (A) – I believe the answer is yes, and we have calculated the totally salary it would cost the County for any new Bond Court employee.
 - ii. As to question (B) – the answer would be no. These would be County employees with no connection to the City. If the County Finance Department believes that there are additional costs of retirement (which is not included in the salary estimate already), then we will work with them to figure out that number for negotiations.
 - iii. As to question (C) – Yes we will need new staff. We have outlined in our Briefing Document that we would request 4 new full-time clerks.
 - b. We are not bringing on any employees from the City of Columbia.

4. Where is the rough draft of an IGA with the city?
 - a. At this time we have not created an IGA with the City. We would work County Administration in this process so that every department has input.

5. It was stated there was a Supreme Court Order from 2007 indicating the city was in violation of the way they held bond hearings. Has that been resolved? If it has, Richland County needs to see the final disposition of that matter, if not, it must be resolved prior to any consideration of a merger/take over. I am guessing it was not resolved or that info would have already been provided to us.
 - a. The Supreme Court requires that all Bond Courts conduct at least 2 sessions per day. The City of Columbia was only conducting 1 session per day and Court Administration told them to increase it to 2 sessions. The City began conducting 2 sessions per day. Since the pandemic, we have been handling the City's Bond Court, and we conduct multiple sessions per day (*see below for more information about this*). Therefore, there is no issue with the Supreme Court Order of 2007. There are no legal issues that we would inherit from the City. We conduct our own bond according to our own policies and procedures and all of these are in compliance with the Supreme Court.

6. Judge Salaries. You provide the figure \$76,500 per year for 7 part time judges at 12 hour shifts. You do not provide a more specific breakdown as to the number of days each will work that makes them part time. You also state that full-time judges will have to fill in at bond court. a) Why? b) What is the cost of the full-time judges filling in? c) If you have 7 part time judges at \$76,500 per year, that equals \$535,500 for them, not the total of \$391,483.98 that you show in the write up. Taking the total amount you provided, \$492,839.18 and divided by 7 judges equals \$70,405.60 per year, so why the difference?
 - a. We run a 24 hour bond court, which means the day is divided into two 12 hour shifts. Part-time Bond Court Judges work 2 days a week, which equals 25 hours (in a pay period this is 4 days and 50 hours).
 - b. Full-time Judges fill in at all courts within the Richland County Magistrate System. Whether it is for another District, Central Court, or Bond Court. Full-time Judges will have to fill in at Bond Court for two reasons. First, Part-Time Judges are only allowed a certain amount of hours per pay period, otherwise they will receive overtime. If a Part-time Judge calls out and we are at risk of having to pay overtime, then the on-call Full-time Judge will fill in. Second, it is important that all of our Magistrate Judges work down in Bond Court so that they are familiar with the process and how to set bonds. This training prepares them for whenever they are on call and need to fill in. It does not cost extra for Full-time Judges to fill in because Full-time Judges are salaried. Part-time Judges are hourly.
 - c. The total salary we have for Part-time Judges is **\$492,839.18** because that is the number that Finance Department gave use. It could have been that we had a judge retire and the number was lower, but we wanted to use the numbers from Finance. We will check back with them to get the exact figure.

7. Staff salaries. You give 2 positions, manager and assistant manager, and a total, but I would like to see the salary for each of those positions. a) What is the salary for each bond court staff who will work solely at bond court? Why will they receive an additional \$4,000 on top of their salary? In one area you showed the staff average salaries to be \$39,000 but when you look at another area when divided out the average salary was \$44,404.13, explain the difference.
 - a. Bond Court Manager Salary: \$44,586.65
 - b. Bond Court Assistant Manager Salary: \$38,974.34
 - c. We first gave an average salary of \$39,000 for Bond Court Staff salary. After speaking with Finance, they gave us the more accurate number of \$44,404.13.
 - d. Bond Court employees receive an additional \$4,000 because of the different job requirements of regular court staff. This includes working 12 hour shifts as well as overnight shifts.

8. Operating Costs. I need a line item breakdown for each of the areas shown. What is the travel for? (They are working locally in bond court.) In one area of your report you show operating expenses totaling \$6,050 as compared to \$20,402 in another area. How old is the city equipment and will there be any needed maintenance/replacement costs for their equipment?
 - a. Office Supplies: 27,195
 - b. Books and Publications: 3,553
 - c. Copy Machines: 12, 500
 - d. Membership Dues: 0.00
 - e. Travel: 2,558
 - f. Telephone Service: 0.00
 - g. Service Contracts: 5,125
 - h. Repairs-Equipment: 929
 - i. Food: 700
 - j. Employee Training: (1,856)
 - k. Professional Services: 0
 - l. We are providing the most up to date numbers for a Operating Costs. We apologize for any discrepancies.
 - m. We will not be using any of the City's equipment. We already have all of the equipment needed to run both Bond Courts, so assuming that those costs doubled, then that would be an additional \$20,402. However, we do not believe that the costs would double, but would remain de minimis.
 - n. Travel covers traveling to Central Court, the bank, Department of Corrections, and other court locations

9. In the question of how much it costs the city to run their bond court it shows three full time police officers. Does the county incur such an expense now? Will the county be required to place three more police officers at the bond court? What is that expense, as it was not include in the previous amounts showing costs? Are the weekend people part time and were the expenses of those employees included in the overall expenses?
 - a. The City used 3 police officers for transportation and security of the judge. The City's Bond Court office was located outside of ASG, so they had to transport their files and equipment. However, we already have security provided by ASG and we do not have to transport any files or equipment because our Bond Court office is located across the hall from our Bond Court. The City included all of the costs of their employees for running their Bond Court.

10. You stated the city has 4 full-time judges, 4 part-time judges and 5 vacancies. What is the cost to pay all those judges? If they have 5 vacancies it indicates they may be needed in the future, will there be a need to hire all of those 5 or how many? What is the cost per judge? Was the cost of the 5 vacancies in the cost to run the city bond court?
 - a. The City runs a large municipal court in addition to their Bond Court. We do not have the numbers that they pay their judges to run their municipal court, we only have the relevant numbers about how much it costs to run their Bond Court.

11. Will the city employees be transitioned to the county or will the county have to hire more? If they will be transitioned to the county, what pay will they receive if different from the county? How will all this work?
 - a. City employees will not be transitioned.

12. In two different agendas you provided two sets of numbers. Judge salaries in one was \$535,500 and \$492,839.18 in another. Staff salaries in one was \$538,973.10 and \$429,000 in one place and \$399,637.19 in yet another place.
 - a. After receiving updated numbers from Finance Department, we included the numbers they provided. The most recent Bond Court Briefing Document contains the most up to date numbers. We apologize for any confusion. Please disregard prior Briefing Documents.

13. You state the current cost per defendant for the county is \$132.12 times 7,694 defendants, which equals \$1,052,203.60, not the \$1,052,214.28 figure you provide (and \$479,595.60 in another for the city). While this is a small amount, it makes me question what other amounts aren't correct or have only been guessed at? I am also not sure about what cost per defendant that is, since you are using the city cost and multiplying the county defendants and in another area you show the county cost at \$122.11 per defendant. You use the \$121.11 figure in one place that the city will pay the county and the \$132.12 in another. When you total the city and county defendants you actually come up with \$122.63 per defendant which means the county would be paying \$485,606.16 to handle the city defendants.
 - a. Again, after speaking at several Administration and Finance Committee meetings, we told the Council that we would always update and provide the most accurate numbers. The most recent Briefing Document reflects those numbers.
 - b. We only use the City cost of **\$387,640.85** to show how much the City is paying per year to run their Bond Court. We do not use that number to calculate how much per defendant is costs to set bonds. We use the total approximate cost of **\$1,052,214.28** divided by the average annual number of County defendants to get an average cost per defendant. That number is then multiplied by the average annual City defendants to get the approximate cost per year to handle City Bond Court.

14. Using your figures, the cost is \$523,200.47 per year, yet you state the new cost to the county is \$410,000 per year. (And the city said it cost them \$387,640.85). We were also given a figure for the current cost for the city to be \$342,640.85. There is also another figure stating the actual costs to consolidate would be \$403,116.53.
- a. In determining how much the City should pay for the County to run their bond court, we used the formula of cost per defendant, which comes out to **\$523,200.47**. We determined that the approximate costs to run the City Bond Court would be **\$410,000** per year. We believe the cost per defendant is the best formula for determining how much the City should pay per year.
15. You mentioned running a pilot program, has that already been done? If yes, did the city pay for additional costs the county incurred? How was it run, that is, using city and county employees?
- a. Yes, during April, 2020, Richland Bond Court began handling City Bond defendants. This started during the beginning of the COVID-19 pandemic as a way to make sure that all defendants at ASG were given a proper bond and not held longer than necessary. It also reduced the traffic of persons coming in and out of ASG. We have been able to run this consolidated Bond Court using the resources at hand. While it has required extra work for staff and judges, all employees have done an excellent job of accommodating the increased workload. As the COVID-19 pandemic begins to recede, we will look at ending the practice of handling the City bonds and begin to go back to pre-covid procedures.
16. You provided salary costs for new law clerks as a lump sum salary figure, does that figure include all the necessary additional fees the county must pay?
- a. Yes. This was the salary number provided by Finance Department.
17. I don't know why judges would get a 10% pay increase for increased liability risks plus additional work. If we keep the ones we have and take on those currently serving in the city where is the additional work. As to the increased liability, that, I thought, falls on the county's shoulders, not the judges.
- a. Every bond setting comes with liability – both to the County and to the Judges (*see the discussion on this in the Briefing Document under "Intangibles"*). We are not taking on any additional City judges, and we cannot unilaterally add Judges to the Magistrate System (State statutes allow for a certain amount of judges based on population). Judges may be held liable for mistakes made – this liability usually falls under Judicial Standards under the Supreme Court, which has the authority to suspend judges with or without pay and also the ability to remove judges from their position completely.
18. You stated Richland County currently handles bonding for several municipalities in entirety, including Forest Acres, Irmo, Cayce and more. Do they pay us for the service and at what cost? You did provide a lengthy list of those we serve, but do they pay us and at what rate?
- a. They do not pay us for this service, and they never have. We believe it is time that everyone pays their fair share, and we believe the most pragmatic way to get this process started is to have the biggest user (the City) to start the process. Once we have an agreement in writing, and a price, with the City, then we can use that same formula with the smaller municipalities and universities.

19. You stated as of March 2020 the Richland County Magistrate Court has taken over setting bond for the City of Columbia, who gave the authority to do that? Have we been paid and at what rate? Are those some of the figures you have included in the dollar amounts we have been given and please single them out for us.
 - a. When the COVID-19 pandemic struck, the entire court system began to shut down. However, we are required by the Chief Justice of the South Carolina Supreme Court to continue to conduct bond settings no matter what. Because the City's defendants were located in our jail and we have a much more efficient Bond Court process, we began to handle these cases so as to reduce the number of people coming in and out of court. As the pandemic begins to recede, we will reevaluate this process and hand the City defendants back to City Bond Court.

20. You stated the consolidation makes sense in respect to government efficiency and productivity, yet you also stated there is an increased liability risk and operating a bond court is hazardous, so how does Richland County benefit from this efficiency that causes more risk?
 - a. By having one Bond Court, we would be able to streamline the bond setting process for all defendants who enter ASG. The City's Bond Court process often took hours or days longer than the County's. This meant that defendants were spending extra time in ASG and costing the County more money (even if the City pays per day, an extra 8-12 hours could just prolong the costs and the City would not have to pay for an extra day.).

You then provided us a letter from City Manager Teresa Wilson wherein she stated it was her understanding that Richland County Council has indicated an interest in consolidating the County and the City bond courts. That letter was dated April 22, 2021, and Council didn't get this on a committee for review until April 27, 2021. Please explain how Ms. Wilson could have felt the Council was interested in a consolidation when it was not even presented to Council by the time she responded? Furthermore, this is an item you, Judge Edmond, brought to the Council, it was not the Council who indicated any interest.

On March 15, we were told by Court Administration that it would be beneficial to provide some type of letter from the City of Columbia that they were interested in Bond Court consolidation. On April 19, I sent the following email to City Administrator Teresa Wilson:

"Afternoon Teresa,

We are in the final step to send a proposal to County Council asking them to move forward with consolidating the bond courts (to at least begin the discussion). They have asked us to see if we can get some type of letter from the City just saying that the City is interested in bond court consolidation – no commitment, just interest. I think County Council just wants to confirm that it isn't simply Judge Edmond and Magistrate Court pushing this, but that the City is interested as well. Thank you."

She sent us the letter you now have expressing their interest.

The only benefit I see from this consolidation from a monetary perspective is to the City of Columbia. You stated yourself the city saves money. You also stated the city comes into compliance with a Supreme Court Order, and I question how that becomes the responsibility of Richland County to resolve. To the county, it is negative, and that is based on the statements you made relating to the increased liability risks, which now are eliminated for the city. The information provided also comments on how the Sheriff's Department, Solicitor, Magistrate, Public Defender, Victim Services and the Detention Center benefit from the consolidation, but nowhere does it state Richland County itself gets any benefit.

As stated earlier, the only reason for discussion of any benefit to the City is for negotiation purposes only. As also stated earlier, we believe that one Bond Court would be beneficial to Richland County and the Bond Court. We believe that a benefit to the Sheriff's Department, Solicitor, Magistrate, Public Defender, Victim Services and the Detention Center is a benefit to Richland County. However, because we do not want to speak for any other entity or department, we removed that discussion from the Briefing Document so that we would only speak on behalf of Magistrate Court.

I am not sure if the Richland County Legal Department has some concerns/questions relating to the Supreme Court stating the city was not in compliance regarding their bond court. Former Richland County Attorney said his concern was that if we consolidate without the Supreme Court issue being resolve the County assumes that issue. He stated we did not get any clarity from the City about what it was that required the Supreme Court to intervene as it relates to their bonds.

We explained this to the prior Legal Department and answered their concerns. As stated earlier, the issue was that the City was not conducting 2 sessions of Bond Court. That issue was resolved. Furthermore, under consolidation, we would be the only Bond Court and our process is in compliance with the Supreme Court.

Previous concerns by a former Council member that were brought up also need to be addressed. They are:

1. We need to quantify the numbers and have the Finance Department provide us an actual cost we can bank on so the taxpayers are made whole.
 - a. We believe that the numbers we provided are the most up to date from Finance Department; but we would be more than happy for them to correct any outdated numbers. We also believe that by using a cost per defendant formula, then we are ensuring that taxpayers are made whole. Furthermore, we believe the contract/IGA could include language that allows for either party to walk away from the consolidation as long as proper notice and time is given.
2. There was concern on the liability side.
 - a. As discussed in the Briefing Document, there is liability and costs with setting additional bonds. However, we believe the efficiency plus the dollar figure paid to the County would outweigh and supplant the liability risks.
3. There are constitutional issues with regard how quickly people get access to a judge once taken into detainee status.
 - a. Richland County is often cited as one of the best Bond Court and Magistrate Courts in the State. Our Bond Court process is 24/7 and we always have a Judge on duty in the jail. If a judge does not set a bond within 24 hours for a detainee, then that Judge must provide written documentation and appropriate reason to Chief Judge Edmond for his approval and consent.
4. We want to be sure our legal department is recommending this and has come forward to say this method is the one they would support.
 - a. We would agree with this and would be more than happy to answer any of their questions again.