



## Richland County Council

### ADMINISTRATION AND FINANCE COMMITTEE

September 24, 2019 – 6:00 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, Ashley Powell, Sandra Yudice, Art Braswell, Ismail Ozbek, Bill Peters, Angela Weathersby, Leonardo Brown, and Tyler Kirk

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
  - a. July 23, 2019 – Ms. McBride moved, seconded by Mr. Walker, to approve the minutes as submitted.  
  
In Favor: Malinowski, Myers, Walker, Dickerson and McBride  
  
The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. Myers moved, seconded by Mr. Walker, to adopt the agenda as published.  
  
In Favor: Malinowski, Myers, Walker, Dickerson and McBride  
  
The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
  - a. Airport Overnight Stays and Camping events – Ms. Myers moved, seconded by Mr. Malinowski, to approve for discussion.  
  
Ms. Myers stated Mr. Jackson pointed out that we are talking about 1<sup>st</sup> graders at an overnight event at the airport. She looked at the liability limits, and they are rather low. If there is some kind of catastrophic event at the airport, the \$1M and \$3M limits are a little low.  
  
Mr. Eversmann stated the liability limits that were recommended came from the Office of Risk Management. If the limits are deemed inadequate, they will certainly do what Council directs.  
  
Ms. Myers stated, if there were a catastrophic accident, you could easily exhaust that and the County would be subject to self-insurance.

Mr. Smith stated he agrees with Ms. Myers' concerns. He noted on pp. 17 – 18, of the agenda packet, that the Risk Manager suggested, in addition to the general liability policy, there should be a special events policy, which may address some of the concerns. He agrees that, if we were just looking at the general liability, without any additional coverage, that it may not be adequate.

Ms. Myers made a substitute motion, seconded by Mr. Malinowski, to hold this item in committee, to request Legal consult with Mr. Eversmann, and bring back a recommendation for limits on a special events policy.

Mr. Malinowski inquired if Legal reviewed the Hold Harmless Agreement.

Mr. Smith responded in the affirmative.

Mr. Malinowski noted Risk Management would like to have a Richland County representative on site during these hours – whether it be Eagle or a Richland County Employee familiar with the airport and their specific rules. He inquired if we can possibly give the Airport Management group the County's do's and don'ts.

Mr. Smith stated having someone from our FBO be the representative onsite for these special events came up in discussion. We would have to go back to their FBO contract to see if their contract contemplates them doing these kinds of things. The FBO is a Fixed Base Operator who normally provides services related to flying operations. We are now talking about events. He does not know if there is language, in the FBO agreement, which would contemplate these kinds of activities. If we are talking about having someone onsite, whether it be County staff or FBO, we need to be sure the FBO contract contemplates those are the kind of services they will provide under the agreement with the County.

Mr. Malinowski stated that could come back with what Ms. Myers is requesting.

Ms. McBride stated there was a possible fiscal impact, with the additional coverage. She offered a friendly amendment to include that in the friendly amendment.

Ms. Myers accepted the friendly amendment.

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

The vote in favor was unanimous.

- b. Intergovernmental Agreement (IGA) between Richland County, Lexington County and Town of Irmo for Engineering Services and Infrastructure Maintenance – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve staff's recommendation of the updated Intergovernmental Agreement (IGA) between Richland County, Lexington County and Town of Irmo for Engineering Services and Infrastructure Maintenance.

Mr. Malinowski stated, on p. 25 of the agenda, it refers to the fact that whichever county the majority of the roads lie in that is the county that will be responsible for developing, according to that county's standards. After that, it says any other maintenance, upkeep and regulations to be followed will be done by the county where the road actually lies. How do we know that Lexington County has the same NPDES and Stormwater requirements that we do? If all of a sudden a problem occurs, and we have more expenses in fixing it because it was not done according to Richland County standards. He would like to see that addressed. On p. 22, under fiscal impact, it says there are costs associated with staff's plan review time and maintenance of infrastructure. He did not see how we were going to be charged and recoup the cost, so that needs to be addressed. On p. 27, Section Six: Term, states, we enter into this for a five (5) year

term. He stated we enter many five (5) year terms, with one (1) year renewables. He would like to see that kind of language in the IGA. We do not know what happens one or two years from now. (i.e. costs, change in the way the roads are built, etc.).

Mr. Livingston stated the IGA says that either party can terminate with 90-days' notice.

Mr. Malinowski stated he saw that language, but that does not mean someone is going to notice it or do something. He also stated he does not know that we terminate an agreement just because there is change in the way business is being done. He thinks, it is a matter of getting together, at the end of the year, and discussing the changes that may have taken place within the last year.

Ms. McBride stated, at this point, it appears that we might be giving a blank check, and she is concerned about that. She does not know who is going to design and define the different roads. She inquired if we will be involved in it.

Ms. Myers stated this essentially renewing an agreement that has been in existence since 2007. She inquired if this is a time sensitive item.

Mr. Voignier stated from staff's perspective it is not time sensitive, but from the Town's perspective it is time sensitive.

Ms. Myers inquired if there are outstanding projects they are waiting on to be completed because of the agreement.

Mr. Voignier stated he is not aware of any, at this point.

Mr. Brown stated, on Monday, he received an email from the Lexington County Administrator, Joe Mergo, requesting that he look into this matter and give him a status update. Mr. Mergo was aware that this item was on the agenda this evening.

Mr. Malinowski stated, on p. 38, it states, "F. The Municipality, within a reasonable time after the execution of this agreement shall adopt...". He would like the agreement to include a specific time period (i.e. 30, 60, or 90 days).

Mr. Malinowski made a substitute motion, seconded by Mr. Walker, to hold this item in committee until we receive the answers to the questions expressed.

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

The vote in favor was unanimous.

- c. Legal Services Contract Extension for Richland County Conservation Commission (RCCC) – Mr. Malinowski moved, seconded by Mr. Walker, to forward to Council with a recommendation to approve the extension of the current agreement with Ken Driggers, LLC for a period of two (2) years through an addendum to provide Legal Services in the amount of \$30,000 each year for the Richland County Conservation Commission (RCCC).

Ms. Myers stated she found it interesting that we do not bid this contract out. The same party has had this contract for 30 years, and we have essentially trained them to do the work that we now call "expert" work.

Ms. Myers made a substitute motion, seconded by Mr. Malinowski, that we treat this contract like we treat every contract and bid it out.

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

The vote in favor was unanimous.

- d. Waverly Magistrate – Lease Renewal – Ms. McBride moved, seconded by Mr. Walker, to forward to Council with a recommendation to approve the lease extension/renewal for the property located at 2712 Middleburg Drive, Columbia, 29204 for use by the Waverly Magistrate.

Ms. Myers inquired if this is market rate rental.

Mr. Pruitt responded in the affirmative.

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

The vote in favor was unanimous.

- e. Award of Uniform Services Project – Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to accept staff's recommendation to approve the award of uniform services to Unifirst Corporation.

Mr. Malinowski requested a list of the departments we are providing uniforms for and why they are needed.

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

The vote in favor was unanimous.

- f. Fire Stations' Roof Replacement – Ms. McBride moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to accept staff's recommendation to award the Request for Bid # RC-207-B-2019- Three Fire Stations Roof Replacement to Frizzell Construction Co. Inc. dba of Summit BSR Roofing.

Mr. Malinowski stated, in reviewing the information, it appears they were bid as a package. He wondered why each site was not bid individually.

Ms. Wladischkin stated the idea was to send them out as a package in hopes of having some economies of scale, and achieving some cost savings.

Mr. Livingston stated the prices might have been different, if they had been bid individually. You cannot assume the prices would have been the same.

In Favor: Malinowski, Dickerson and McBride

Opposed: Walker

Abstain: Myers

The vote was in favor.

- g. Airport Construction Contract Award Recommendations – Ms. McBride moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the award of a construction contract in the amount of \$521,872.50 to Taylor Brothers Construction, Inc for Phase II work items of the project known as 'Various Airport Site-Civil Improvements' at the Jim Hamilton – LB Owens Airport."

In Favor: Malinowski, Walker, Dickerson and McBride

Abstain: Myers

The vote in favor was unanimous with Ms. Myers abstaining from the vote.

- h. Donation of old air packs (SCBA) TO Richland School District One's CATE Program – Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the donation of 20 air packs to Richland School District One to be used in the Career and Technical Education (CATE) program.

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

The vote in favor was unanimous.

- i. Approval of Award of Medical Supplies – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the award of medical supplies for EMS to Henry Schein, Quadmed, Nashville Medical, and Boundtree.

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

The vote in favor was unanimous.

- j. FY19-20 Public Service Projects – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve to award contracts to Girl Scouts of South Carolina – Mountains to Midlands, Inc. for \$35,000; Home Works of America, Inc. for \$48,000; Epworth Children's Home for \$30,000 and Central Midlands Regional Transit Authority for \$77,049 through the Community Development Block Grant (CDBG) funding for Public Service Projects for Fiscal Year 2019-2020

Mr. Malinowski stated, on p. 81, it says, "the funded service must be unique and sustainable at time of completion." He stated he does not know what is unique about some of the items. The only thing he sees that is unique is the Home Works of America. He stated building bus shelters, the Epworth Children's Home service to young adults and providing training materials and uniforms to the Girls Scout of South Carolina are not unique.

Mr. Voignier stated, his understanding is, these have been funded through public service projects in the past. The focus was on sustainability and not necessarily them being unique. These projects are sustainable and benefit LMI households. Because of that, the focus was on the programs being sustainable.

Mr. Malinowski stated the Epworth Children's Home serve various communities and counties. Are there any restrictions on these funds?

Mr. Voignier stated the funds are to be used in unincorporated Richland County. That was a part of the criteria.

Mr. Malinowski inquired how it is determined how much money is given out.

Mr. Voignier stated it based on availability of funding. A staff panel did the evaluations. The panel tried to divvy out as much as possible to spread the amount of funding, while also trying to provide some kind of impact to the ones they deemed met the criteria.

Mr. Malinowski inquired if there would be a list of requirements given to the groups detailing how the money is to be spent.

Mr. Voignier stated in their proposal they list how they are going to spend the money, and they submit monthly performance reports.

Ms. McBride stated, for clarification, these are federal funds.

Mr. Voignier responded in the affirmative.

Ms. McBride inquired if the grants are competitive.

Mr. Voignier stated this particular portion of funding is competitive. They allocated 15% to public service projects.

Ms. McBride inquired when the RFP was sent out.

Mr. Voignier stated it is done through the Zoom Grant application. The RFP was submitted in May/June timeframe.

Ms. McBride inquired about how many entities applied.

Mr. Voignier stated there were 9 applications.

Ms. McBride stated, for clarification, we send out an email blast to everybody that is on our mail out list.

Mr. Voignier responded in the affirmative. He also noted they do an information session and invite agencies to come in and learn more about the grants process.

Ms. McBride inquired if this is the first time these entities have been funded or is this a continuous of funding.

Mr. Voignier stated he believes 3 of them have been funded in the past, but he does not have the documentation in front of him tonight.

Ms. McBride inquired if these could be continuations or are they new grants, with new proposals.

Mr. Voignier stated they are technically new grants because they have to reapply every year. Some of them are the same programs that have been running in the past.

Ms. McBride stated she is concerned that we make sure that other entities have the opportunity to apply. Many do not have the experience, but have the need.

Ms. Myers inquired if the CDBG, from which these grants are being funded, are use or lose federal funds.

Mr. Voignier stated he does not know that we would lose them, but we would get questions from our HUD representative about why we are not using these funds the way they were approved in the action plan.

Ms. Dickerson inquired how the CMRTA qualified for grant funding.

Mr. Voignier stated the CMRTA will be constructing bus shelters.

In Favor: Myers, Dickerson and McBride

Opposed: Malinowski and Walker

The vote was in favor.

- k. Home of Hope/South Edisto Project – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the funding request from Homes of Hope, Inc. in the amount of \$350,000 as a one-time grant, which will be used for land acquisition for the South Edisto proposed project to develop 29 affordable rental units for low to moderate income families or individuals.

Ms. Myers stated, before Ms. Hegler left, the County committed to this. Her concern is that we committed, and other people went out and did things, based on our commitment. We committed our portion of it, and then the City committed their portion of it. The third-party entity went out and changed their position, and actually started work on our commitment to it. She is concerned that we honor our word with these funds.

Ms. Powell stated this item was deferred back to committee. Ms. Myers is correct that we did commit to use these funds, but past staff did not bring it to Council for approval the way it should have been done, so we are bringing it back for formal approval.

Mr. Jackson inquired about how many acres are being purchase and the price per acre.

Mr. Don Oglesby, Homes of Hope, stated a little over 3 acres are being purchased, and the price is \$408,000, or approximately \$130,000 per acre. They will be able to construct 29 units of homes.

Mr. Jackson inquired if that is comparable in that area.

Mr. Oglesby stated they have an appraisal to back that up.

Mr. Malinowski stated, for clarification, they are constructing 29 rental units.

Mr. Voignier responded in the affirmative.

Mr. Malinowski stated the total cost of the project is \$5.3M, which means we are paying \$182,750 per unit. It seems a bit much for the type of housing we are building. He inquired if that is the normal going rate for building LMI housing.

Mr. Oglesby stated their track record is to build market quality housing. Just because someone's income is low, does not mean they get inferior construction. He stated \$185,000 is the normal going rate. State Housing has a limit up to \$195,000.

Opposed: Malinowski

Present but Not Voting: Myers, Walker, Dickerson and McBride

The motion failed.

5. **ADJOURNMENT** – The meeting adjourned at approximately 6:42 PM.