



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

January 9, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Greg Pearce, Chair; Bill Malinowski, Paul Livingston, Jim Manning and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Tracy Hegler, Ismail Ozbek, Jamelle Ellis, Sandra Yudice, Dale Welch, Stacey Hamm, Gerald Seals, Brad Farrar, Jennifer Wladischkin, Art Braswell, Quinton Epps, Dwight Hanna, and Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Pearce called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. December 19, 2017 – Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

Mr. Malinowski stated on p. 8 of the agenda Ms. Hegler recommended "... Council approve the proposed agreement..." with the River Station subdivision road repair and paving. We discussed the fact that the agreement was \$11,000 less than the estimate received from the company. Ms. Hegler stated, "...contingent upon the full execution of the proposed agreement as stipulated by Council"; therefore, he wanted to ensure the \$11,000 was included in the repayment.

Mr. Malinowski made a substitute motion to defer the portion of the minutes that relates to the "Award of Rivers Station Subdivision Road Repair and Paving Project".

Ms. Hegler stated she believes the "as stipulated by Council" covers the additional \$11,000. In the minutes it appears Mr. Malinowski's motion to increase it to \$211,000 would address the matter and it is her intention to present the new agreement to Council in February.

In Favor: Pearce, N. Jackson, Malinowski, Livingston and Manning

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Malinowski moved, seconded by Mr. Livingston, to adopt the agenda as published.

In Favor: Pearce, N. Jackson, Malinowski, Livingston and Manning

The vote in favor was unanimous.

4. ITEMS FOR ACTION

- a. Negotiate Area Two Solid Waste Collection Contract Extension – Mr. Braswell stated the contract has expired, but they have a 3 month extension in place that will allow time to negotiate the contract. The goal is to negotiate the contract to save the County money by changing some of the conditions in the contract and addressing the CPI, which could save the County approximately \$500,000 over a 5-year period. We are also looking at putting penalty stipulations in the contract to make sure if there is bad service or missed pickups the company will be penalized. One of the big issues is the route management which was approved by Council last year. The route management system allows them to better track the performance of the haulers. The next step will be to include the installation of the system in the Waste Industries trucks. We would like to continue with the same hauler so they can compare how they were doing prior to the route management system versus how they are do with the new route management system.

Mr. Livingston stated all that is being requested at this time is the recommendation to negotiate.

Mr. Braswell stated that is correct. The contract will be brought back to Council.

Mr. Livingston inquired as to why they committed to the 4-year recommendation.

Mr. Braswell stated usually a hauler has a major investment in providing trucks in a service area, so they are basically four 1-year contracts.

Mr. Malinowski stated he does not know where service areas 2 and 4 are. He would also like to see what kind of negative feedback there may be for these areas, which would make a more complete package.

Mr. Braswell stated Service Area 2 is the northern part of the county between the Broad River and Town of Blythewood. He stated he could provide the additional requested information.

Mr. Malinowski moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve staff's recommendation to proceed with negotiations.

In Favor: Pearce, N. Jackson, Malinowski, Livingston and Manning

The vote in favor was unanimous.

- b. Council Motion: Any entity placing a person in the Alvin S. Glenn Detention Center will be responsible for paying the daily fee as determined by Richland County, as well as all medical costs incurred to include mental needs [MALINOWSKI and MYERS] – Mr. Pearce stated currently there is not a method for tracking that they are working on tracking. It was his understanding it was a bit premature to be taking this up.

Mr. Madden stated that is correct. The manner in which it is tracked now, staff would have to adjust if Council moves forward with the motion as proposed to itemize the way the expenses are tracked. Staff is currently working on this.

Mr. Pearce stated the motion is to request someone to pay for it and we do not have the data, correct?

Mr. Malinowski stated based on the way it is calculated, as explained to him by Mr. Madden, it is included in the overall line item budget divided out by the number of heads over a period of a year

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and we come up with a per diem rate of \$71.00. The fact that we are only charging \$45.00, which is 1/3 less than what we are paying, would should at least be charging the full amount and get the additional information later. Richland County should not be losing over 30% of costs at the Detention Center.

Mr. Pearce inquired if we currently have a MOU with the entities that send people, in terms of costs, which does have an adjustment clause in it.

Mr. Kitchens responded in the affirmative.

Mr. Pearce inquired if we would be talking about completely rewriting all of the MOUs to go to full per diem costs.

Mr. Seals responded in the affirmative.

Mr. Pearce stated for clarification that we do not currently have the data we need to support that.

Mr. Kitchens stated the data they do not have is directly related to medical expenses. At the moment he does have the data to redact medical expenses from the per diem rate in order to charge the entities just for medical expenses.

Mr. Malinowski stated according the agenda documentation it is going to take until 2019 before we recoup our costs.

Mr. Pearce stated he is not opposed to doing that, but he does not want to start negotiations on something without proper information. If you are going from \$45.00 to \$71.00, or higher, and he suspects if you start addressing medical costs it is going to go higher.

Mr. Malinowski stated we have the information that says we are paying \$71.00 a day, so we should get \$71.00 a day. The issue of the medical costs could come later, but for right now we should get the \$71.00 back from the entities.

Mr. Pearce inquired as to what Mr. Kitchen's recommendation is.

Mr. Seals stated the recommendation is charge the entities the \$71.00 and come back at the end of the fiscal year with the rest.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the Administrator's recommendation.

In Favor: N. Jackson, Malinowski, Livingston, and Manning

Opposed: Pearce

The vote was in favor.

- c. Approval of Change Orders – Mr. Manning moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve Change Order #'s 4 & 5 in the amount of \$161,722 so that the Decker Center project may be closed out.

In Favor: Pearce, N. Jackson, Malinowski, Livingston, and Manning

The vote in favor was unanimous.

- d. Ordinance Amending Related to the Procurement Review Panel – Mr. Manning inquired if this was coming to the A&F Committee from the Rules & Appointments Committee.

Mr. Madden stated this was a staff initiated request via the Legal Department.

Mr. Manning moved, seconded by Mr. Malinowski, to forward this item to the Rules & Appointments Committee for consideration.

Mr. Pearce inquired as to why we would want to forward this item to the Rules & Appointments Committee.

Mr. Manning stated the item had a lot to do with the appointment of members and the Council approving the members. Pretty much everything else we do around here when we are approving, and when he served on this committee there was discussion about trying to have the years of appointments line up and he did think the committee did realize there were some outliers. But it just seemed he was seeing things in here related to an appointment's process and about years of terms of services and those were things when he was on that committee were things that were within the purview of the committee. And when he is hearing that the committee has not looked at those 2 things specifically, that is the reason he made a motion to send it to a committee that I served on that weighed in on those matters to Council.

In Favor: Pearce, N. Jackson, Malinowski, Livingston and Manning

The vote in favor was unanimous.

- e. Resolution to Distribute \$32,766.27 in Federal Forestry Funds – Mr. Pearce stated this is something that is done every year. It follows a formula with part going to the school districts and part to the General Fund.

Mr. N. Jackson moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the resolution allocating \$32,766.26, of which 50% (\$16,383.13) will be apportioned to public schools, and the remaining 50% (\$16,383.13) for the construction and/or improvement of public roads.

Mr. Malinowski stated it seems over the years that when he has seen the budgets of the different groups, the school budgets fund balance keeps increasing. He is not so sure they need this small amount when they have fund balances of \$20, \$30 and \$35 million and we have roads in need of repair to get the kids to and from schools.

Mr. Malinowski made a substitute motion to allocate \$32,766.26 to construction and/or improvement of public roads. The motion died for lacks of a second.

In Favor: Pearce, N. Jackson, Livingston

Opposed: Malinowski

The vote was in favor.

- f. Statewide Court Case Management System: Software Support and Hosting Services Memorandum of Understanding for Counties Hosted by SCJD – Mr. Pearce stated this item was added to the agenda

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recently and he does not believe everyone has had opportunity to review the briefing documents and understand what the item pertains to.

Mr. Welch stated the South Carolina Judicial Department (SCJD) hosts their case management system onsite. Some of the larger counties, like Richland County, host their own case management system and communicate back with them.

Mr. Pearce requested Mr. Welch to explain what hosting the case management system means.

Mr. Welch stated the county keeps the software, the data and everything is kept onsite on our servers in our server room. The SCJD came out with e-filing. E-filing allows lawyers to send in a case through an e-file and then staff at the court would look at it and move it along. In the counties that host the system onsite, the e-file takes about 20-25 seconds of downtime whenever a lawyer opens a case, makes an action, etc. When it is hosted by the State, who has a multi-million dollar system dedicated to this alone, it takes about 2-4 seconds. The reason it became an issue here with our Clerk of Court, Ms. McBride, is that the attorneys working on cases in Lexington immediately saw their wait time drop when Lexington County became hosted by the State.

Mr. Pearce stated for clarification that people are not happy about 16 seconds difference.

Mr. Welch stated Greenville County is also being requested to consider being hosted as well. The only way we can decrease our wait time is to invest approximately \$300,000 in our current system or we can be hosted by the State. The cost to be hosted by the State would be an additional \$75,000 per year beginning July 2019.

Mr. Pearce inquired if there would be any financial impact to any current department currently using the system.

Mr. Madden responded in the affirmative.

Mr. Pearce inquired what the impact would be.

Mr. Madden stated the Sheriff Department provides funding to assist in the amount of \$45,000.

Mr. Pearce inquired if the Sheriff was budgeted for the \$45,000.

Mr. Madden responded in the negative.

Mr. Pearce stated for clarification that we would need \$45,000 if this were approved.

Mr. Seals stated you need the \$75,000 plus the \$45,000. The costs will immediately morph to approximately \$140,000 - \$150,000.

Mr. Pearce stated if we approve this are we prepared to accept those costs and can we factor those costs into our current financial program.

Mr. Seals stated Administration does not want to be in a position opposing the Clerk of Court; however, as you know, he has a tendency to say, "let's do things fiscally and look at the budget and know the numbers..."

Mr. Malinowski inquired if there were other departments besides the Sheriff's Department that will be impacted (i.e. Solicitor, Public Defender, Magistrates, etc.)

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Mr. Seals stated other entities are expressing some concerns because they feel that it is going to impact them and the full impact has not been assessed. The Sheriff's Department has gone a little further than most in calculating.

Mr. Malinowski stated Mr. Welch stated it would cost the County approximately \$300,000 to continue hosting the system. He believes we need to compare, if we are paying upward of \$75,000 per year, we are looking at 4 years or less before we have a breakeven point unless the technology is outdated in less than that time. He further inquired if the Legal Department is responsible for MOUs with the court system. If so, it needs to be held for the Legal Department to review.

Mr. Farrar stated the agreement has a number of parties: Master-in-Equity, Clerk of Court, etc. who can avail themselves of the Legal Department's services. This would have a financial impact to the County more than anything else. It is a policy decision. Do you want to do it in house or have the State do it? There are pros and cons for both. He stated he can personally say that e-filing has hit a number of hiccups, so there may be some concern going forward.

Mr. Pearce inquired if we will, by statute, have to implement this at some point and time.

Mr. Welch stated this is voluntary, but he cannot say they are not pushing the agenda. They would like to have all 46 counties hosted when it is all said and done.

Mr. N. Jackson moved, seconded by Mr. Livingston, to forward to Council without a recommendation.

In Favor: Pearce, N. Jackson, Livingston and Manning

Opposed: Malinowski

The vote was in favor.

5. **ITEMS PENDING ANALYSIS**

- a. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. JACKSON] – No action was taken.
- b. Council Motion: Without prior notice, in June 2017 the City of Columbia raised the storm water management fee for Hamilton Owens Airport by 74% creating a severe financial hardship on airport operations. This increase amounts to 27% of the airport's annual operating budget even though less than one percent of airport storm water is managed by the City. Attempts to negotiate these rates have proven unsuccessful at the staff level. Recent studies have shown that Hamilton Owens Airport has a 14+ million dollar economic impact on the City of Columbia. This motion requests that further payments of this unreasonable storm water management fee be withheld until such time as City officials provide a rate structure that is more tenable and consistent with the actual service being provided [PEARCE] – No action was taken.
- c. Funding Request for Little Lake Katherine – No action was taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:32 PM.

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