



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.

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Ms. D. Myers moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation to approve a Master License and Services Agreement (MLSA) and associated Work Orders for Licensed Software, Implementation, and Training and Maintenance with Harris Govern to develop a new Computer Aided Mass Appraisal (CAMA) System for an amount not to exceed \$1,480,250.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- c. Contract Amendment – Walden Pond Feasibility Study – This item was removed during the Adoption of the Agenda.
- d. Columbia Area Mental Health Lease Agreement Renewal – 2000 Hampton St. – Ms. D. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to renew the lease with Columbia Area Mental Health Center (a division of the South Carolina Department of Mental Health) for the use of approximately 8,871± sq. ft. for the Adult Clinic Services on the third floor of 2000 Hampton St.

Mr. Malinowski stated, on p. 147 of the agenda packet, it notes that 4 years ago we approved this particular entity to use County space, and it appears we now need that space to resolve significant space needs for County departments and for the County Health Occupational Wellness Center. It seems we should be taking care of our County taxpayers with taxpayer funds, and not necessarily taking care of a State agency we are not mandated to take care of.

Ms. D. Myers inquired if we have been speaking with the Columbia Area Mental Health team, and are they aware the lease is up for renewal and the County has space needs that may require them to have an alternative space sourced.

Ms. Hoyle-Terry responded, it is her understanding, Columbia Area Mental Health is aware the lease is ending. They actually brought this to Administration for renewal. She is not sure if they have other plans for space. At one point, they were discussing expanding some of their services in various facilities, but she is not privy to their long-range plans are.

Ms. D. Myers stated, for clarification, we have no idea what would happen to the services they are providing were we to end the lease. The people they are servicing, while it is a State agency, are Richland County residents.

Ms. Hoyle-Terry responded that is correct. Based on her understanding, they are currently under a month-to-month lease, so this would be renewing a long-term solution rather than leaving the lease as it is.

Ms. D. Myers offered a friendly amendment to the motion to continue the lease, as it is currently, until such time as staff brings us back a request to use the premises for other more pressing needs, or until the Columbia Area Mental Health comes to us and state they no longer have a month-to-month tenancy need.

Mr. Malinowski accepted the friendly amendment. He noted, in the discussion, the South Carolina Department of Mental Health requested to temporarily locate this particular function into a Richland County facility. He would like to know what efforts they have made to find a permanent location. One of the other items mentioned is, the County is responsible for the costs and provision of all utilities, maintenance, janitorial services, and pest control. He would like to know what the annual cost is for those services.

Ms. D. Myers inquired if Mr. Malinowski's goal would be for Columbia Area Mental Health to absorb the extra costs, or to have those costs publicly disclosed.

Mr. Malinowski responded he thinks the costs need to be disclosed, and it depends on the amount we are spending as to whether he would like to see them absorb the costs.

Ms. D. Myers suggested staff have a conversation with Columbia Area Mental Health about what portion of the costs they can absorb, so when this comes before Council the answers are available.

Ms. McLean stated this lease has not expired yet. It expires on September 30, 2020. Then it will run over to month-to-month.

Mr. Malinowski stated, for clarification, the initial lease was signed for 4 years (i.e. 4 one-year renewals).

Ms. McLean responded it was for 5 years total. It was a one-year lease with 4 one-year renewals.

Ms. D. Myers stated the amended motion has been mooted by the facts because, if the lease does not expire until September, she does not know that we have to take action to convert this into a month-to-month tenancy.

Ms. D. Myers made a substitute motion, seconded by Mr. Malinowski, to defer this item pending resolution of all issues.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- e. Federal Aviation Administration (FAA) CARES Grant Acceptance – Mr. Malinowski moved, seconded by Ms. D. Myers, to forward this item to Council with a recommendation to approve the acceptance of a grant from the FAA as part of the CARES Act in the amount of \$69,000, when offered, to be used for the purpose of augmenting potential revenue loss due to the impact of the COVID-19 Public Health Emergency at the Jim Hamilton – LB Owens Airport (CUB).

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- f. Pontiac Magistrate Rent Increase – Mr. Malinowski moved, seconded by Ms. D. Myers, to approve for discussion.

Mr. Malinowski stated, in the fiscal impact, the dollar amount the rent will be increasing is 40%. He inquired if that is an allowable rental increase in Richland County.

Ms. McLean responded she does not know of anything that would preclude this rental increase, in a commercial situation.

Mr. Malinowski stated he would like to make sure it is allowable before we move forward. He requested the date of the letter requesting the rent increase, and when the letter was received. While the judge recommends this, he does not know what the fiscal impact would be, and he would like to have that information provided.

Ms. Dickerson requested a copy of the letter requesting the rent increase, so the committee can review the document.

Ms. D. Myers stated she is not in favor of a 40% rent increase in this building. She would like staff to bring back other options, to include potentially relocating these matters to the Decker Center, since it is not outrageously far from this area. She stated this seems to be a dramatic increase. She does not know that we have any basis for it, and what other services will be provided in exchange for it.

Ms. D. Myers moved, seconded by Mr. Malinowski, to decline the offer of a 40% rent increase and to request staff bring back to the A&F Committee alternatives to the use of this facility for handling Pontiac Magistrate issues.

Mr. Malinowski stated he believes we need to know how many DUI and DUAC cases there are per month at this particular magistrate's office, and the average time it takes one of these cases to be handled. The Supreme Court Order states, "to set terms of criminal court when such terms are necessary for the disposition of cases within the jurisdiction of the magistrate court, and to assign cases to any magistrate of the county." Therefore, we can send these cases to other magistrate courts, if needed.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- g. Unsafe Structure – 1220 Tolliver Street – Mr. Malinowski moved, seconded by Ms. D. Myers, to approve for discussion.

Mr. Malinowski stated he cannot support this item, as it stands, without more detail. Part of the motion of origin said, "it would be \$300,000 to establish a community center and playground area on the site." He does not believe we are going to get a community center for \$300,000. We need financial figures as to what the costs of any, and all, of these items would be. He inquired if Ms. D. Myers was still in favor of removing the building and replacing it with these other items. According to the briefing document, the structure is not on any National Register of Historic Places or Statewide Historic Properties list.

Ms. D. Myers stated she thinks what staff is trying to do is to get the flexibility to move the project along. We will have to approve expenditures as they come up. She would like to allow them to move forward, and bring back expenditures for approval.

Mr. Malinowski stated he is in favor of staff bringing expenditures back, so we can determine what we can get with the \$300,000.

Ms. D. Myers stated since this is earmarked money, for this specific purpose, she would like to know what Mr. Malinowski's concern is.

Mr. Malinowski responded he is concerned that the earmarked money is \$300,000, but the wording of the motion calls for a community center and playground. We are not going to get any type of community center for \$300,000. The other concern would be that the County must take ownership of the property in order to use public funds to establish a community center and playground area on the site. It appears, if we approve this we are approving both items, but we only have \$300,000 to work with, which is why he would like to see figures. In addition, we are going to have to go through the recently approved rules relating to property acquisition by the County.

Ms. D. Myers stated this is a structure that staff needs to address quickly. If she is not mistaken, we started demolishing something, and the other half of it had historic connotations and significance for the community. We need to allow staff some flexibility on this. We may be debating that staff put the wrong wording down for what they are going to do, but she would not like for us to hold this in committee because of the nature of what is going on there on site, and that it needs work to be happening now.

Mr. Malinowski noted Ms. D. Myers is saying there are some historic aspects to it, but all we have gotten from staff speaks to safety issues. He inquired if we can get the Conservation Commission to weigh in on this, and potentially begin to handle it.

Ms. D. Myers noted, unless she is mistaken about the structure, this is the oldest known African-American church in that area. To the extent that the Conservation Commission has not been involved in it, she does not know what they can add. She does know that continuing to bulldoze it and not figuring out a way to preserve it would be a major problem.

Mr. Malinowski stated we recently approved how the County acquires property, and there is a format to go through. We need to go through the acquisition side if we are going to acquire this property. He is in support of saving a historic building, which is why he spoke about the Conservation Commission. He is thinking we can stop the demolition process by having the structure declared a historic building. Once we stop the process and move forward with the reconstruction that is where we can find out what the financial costs are.

Mr. Malinowski moved to recommend not to demolish the structure until we are able to determine what type of finances it will take to preserve it.

Ms. D. Myers requested a friendly amendment to not support the demolition of the structure, and request staff to bring us back information on costs to preserve and put in place something that is consistent with the community's needs.

Mr. Malinowski accepted the friendly amendment. He inquired if this structure is within the unincorporated area of Richland County.

Ms. D. Myers responded it is on the backside of Shop Road, and is located in a pocket of her district that is unincorporated and a pocket that is incorporated, so she is not sure.

Mr. Malinowski stated, if the structure is located in the incorporated portion of the County, we could possibly get some assistance from the City.

Ms. Powell stated the structure is located in the City of Columbia. Secondly, what staff is currently asking for is the ability to move forward to work with the property owner to abate the violations on the property.

Mr. Voignier stated we are not actively demolishing this structure. Currently, although they are on our unsafe structure list, there is no active demolish going on, due to the state of the property. There are some things that need to be done to the property to abate the violations.

Mr. Malinowski stated he did not realize the County would be allowed to go into the City, even if there were the potential of demolition, and demolish something within the City confines.

Ms. Powell responded she meant to say the structure was not located in the City of Columbia.

Ms. D. Myers made a substitute motion, seconded by Mr. Malinowski, to allow the staff to work with the building owners to prevent any demolition activity, and to bring it up to code. In

addition, to work with the Conservation Commission to ascertain any conservation issues and assistance that can be provided.

In Favor: Malinowski, Dickerson and Myers

The vote in favor was unanimous.

- h. Replacement Office Building – Stormwater Management Division – Mr. Malinowski stated he does not have an amended agenda, which included this item. Therefore, he would move to defer this item until he can review the information.

Ms. D. Myers inquired if the item was time-sensitive.

Mr. Eversmann responded the item was deferred to this meeting because the committee ran out of time at the previous meeting. The current structure that Stormwater Management Division is housed in is in extremely poor shape. If there are any questions, they could be addressed prior to the item being taken up by Council.

Mr. Malinowski inquired about when the amended agenda was sent out, and who sent it out.

Dr. Thompson responded the Clerk's Office sent out the amended agenda on Monday. To address Mr. Malinowski's question, the item is not time-sensitive, but as Mr. Eversmann mentioned, it was on the previous committee agenda. He stated the item was inadvertently overlooked when the agenda was prepared, but it was an item that should have been included on this agenda initially.

Mr. Malinowski inquired about how many pages the briefing document was.

Ms. A. Myers responded it is 12 pages. The briefing document is 2 pages, and the remainder is the price quote and the layout.

Mr. Malinowski moved, seconded by Ms. D. Myers, to defer this item until the next committee meeting to allow time for the committee to review the briefing documents.

Ms. Dickerson apologized that this item did not get addressed at the April committee meeting.

Ms. Dickerson made a substitute motion, seconded by Ms. D. Myers, to forward this item to Council without a recommendation.

Mr. Malinowski stated, although he does not have the Council Rules in front of him, he believes this item would not be properly before the committee, on this agenda, because, it is his recollection, that items to appear on a standing committee agenda must be printed and provided to members of the committee, and Council, on the Friday before the committee meeting. If the amended agenda was not sent out until Monday, this is a violation of our rules, and we should not be discussing this, at this point.

Ms. Dickerson responded we did not have it on this agenda, but we did have it on our previous agenda, and it did not get discussed.

Mr. Malinowski requested the Parliamentarian to weigh in on if this item is properly before the committee.

Ms. McLean stated the rules say, "Agendas must be delivered electronically to the County Administrator's Office no later than 5:00 PM on the date 2 weeks prior to the committee's

scheduled meeting date...Agendas, with backup information, shall be provided to all members of Council on, or before, the Friday prior to the committee meeting.” It looks like it was proper for the previous meeting, and improper for this meeting. Even though it was on a previous agenda, it was not noticed properly.

Mr. Malinowski moved to adjourn.

The motion died for lack of a second.

Ms. D. Myers stated, technically, Mr. Malinowski is correct. She is concerned that we are yielding to the technicality, and not making room for human error. The item was briefed to us before. If Mr. Malinowski feels this is a violation that puts us at a bad place, she is willing to go along with that, but she is requesting some human indulgence because it seems like this was just a human error.

Ms. Dickerson stated we are in some very difficult times, and she commends staff for doing a great job under these untimely circumstances. With that, since this was on the agenda for the previous meeting, time ran out, and we could not discuss it, she is going to stay with her motion.

Mr. Malinowski inquired, if something is not properly before us, people can just make a motion and move it along.

Ms. McLean responded it is not her call. The Chair is in charge of the meeting. There are ways you can protest it, but the Chair has the final say.

Mr. Malinowski inquired how you can protest it.

Ms. D. Myers moved, seconded by Ms. Dickerson, to waive the rules to allow this item to be taken up, as it should have been on this agenda but for a clerical error.

In Favor: Dickerson and Myers

Opposed: Malinowski

The vote was in favor to waive the rules.

In Favor: Dickerson and Myers

Opposed: Malinowski

The vote was in favor of forwarding this item to Council without a recommendation.

5. **ADJOURNMENT** – The meeting adjourned at approximately 3:05 PM.