



Administration and Finance Committee
May 25, 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, Allison Terracio, Cheryl English, Chakisse Newton, Derrek Pugh, Gretchen Barron, Michelle Onley, Angela Weathersby, Kyle Holsclaw, Tamar Black, Ashiya Myers, Lori Thomas, Leonardo Brown, Clayton Voignier, Mike Maloney, Michael Byrd, Ronaldo Myers, Bill Davis, Randy Pruitt, Stacey Hamm, Elizabeth McLean, Dale Welch, Stephen Staley, Geo Price, Lauren Hogan, James Hayes, Andrea Mathis, John Ansell, John Thompson, Quinton Epps, Jennifer Wladischkin, Sandra Haynes, Sierra Flynn, Dwight Hanna, and Dante Roberts

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 6:00 PM.

2. **APPROVAL OF MINUTES**

- a. **Regular Session: April 27, 2021** – Ms. McBride moved, seconded Ms. Mackey, to approve the minutes as distributed.

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

Not Present: J. Walker

The vote in favor was unanimous.

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

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

Not Present: J. Walker

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

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- a. **Request from Chief Magistrate – Bond Court Consolidation** – Mr. Malinowski noted this item started in this committee on February 25, 2020. Subsequently, the item was unanimously deferred 3 times, in order for questions by the committee to be addressed. The questions dealt with more specificity on the finances, inconsistencies on dollar amounts presented, and concerns with the legality of the Supreme Court ruling on the City of Columbia not being in compliance since 2007. The County Attorney, Mr. Smith, was concerned, if the County consolidated bond court without the issue being resolved, the County would assume the issue. Mr. Smith stated the County did not get any clarity from the City about what the Supreme Court was requiring the City to do, as it relates to bonds. Mr. Hayes also posed questions about the finances. The last deferral on this item was in May 2020, and the committee has not heard anything until it was placed on the April 2021

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committee agenda. The committee still has not been given the answers to the questions raised by Councilmembers.

Mr. Livingston noted we need to provide specific questions, so we can move forward on this item.

Mr. Malinowski responded the Legal Department needs to be notified as to what the State Supreme Court has asked the City to do to come into compliance, as it relates to bond court. Are the current employees going to become Richland County employees? There are a multitude of accounting discrepancies regarding the judge and staff's salaries. The briefing document stated, "The Bond Court staff, who works solely at the Bond Court, would receive an additional \$4,000 stipend." He would like to know why they get a stipend. There were questions about the average salary of the staff. He inquired about who is incurring travel expenses, when the work is being done locally. It was noted, on p. 17, there is not a line item breakdown of the operating expenses. Will Richland County need more staff if the bond courts are consolidated? If yes, that is going to increase the average costs shown on p. 19 of the agenda. The approximate cost to the County will be \$523,000/annually and the City will be paying more. It appears they took the number of detainees from the County and came up with an average cost per detainee. Then they took the number of City detainees and came up with an average cost per detainee, which is how they put forward what the new cost would be. When you divide the \$1.4M cost by the total number of detainees, the cost to Richland County is \$485,600, not \$410,000. The briefing documents refers to increase liability risks. Why would Richland County want to take on increase liability risks? The proposal appears to help the City save money, and help them get out of the situation they are in with the Supreme Court. There does not appear to be any benefits for the County. He offered to work with the Magistrate's Office regarding the discrepancies. He noted, on p. 27, there is a letter dated April 22nd from City Manager Teresa Wilson that begins, "It is my understanding Richland County Council has indicated an interest in consolidating the County and City's bond courts", but the item did not appear on the agenda until April 27th.

Mr. Livingston suggested passing these questions along, so the next time there could be answers.

Mr. Malinowski noted he would forward his questions to the Administrator.

Mr. Livingston requested any Council members with questions to forward their questions to Administration.

Ms. McBride stated there is not a full understanding of what needs to be done, and it is not fair to the new members on the committee, given the questions Mr. Malinowski raised. There needs to be a good explanation on the purpose of this, as well as the financial information. She believes we need more details to address this matter properly.

Mr. O. Walker stated he agrees with the concept of consolidating the County and the City's bond courts. His perspective is unique in that he is a practicing attorney, and has had the privilege of serving as a City judge. From a logistical standpoint and streamlining the court system in Richland County, this is a good idea and a great concept. He noted, if someone gets arrested in the County, they get a bond hearing within a couple hours, but if someone is arrested in the City, they have to wait until the next morning. The County has a 24-hour bond court, whereas the City holds bond court once a day. State law dictates bond court is to be held twice a day. The aim was, instead of the City holding bond court twice a day, to turn bond court over to the County. He noted the conversation of consolidating bond court has been ongoing for over a decade. He understands the committee still has questions that need to be answered, and perhaps deferral is the best thing, at this point.

Ms. Terracio inquired about how long it would take to get the questions answered.

Judge Coble responded they could have the answers within 24 hours.

Mr. Malinowski stated he would get his questions to the Administrator and Judge Edmond. He encouraged the other Councilmembers to do the same, so this can be resolved and forwarded on to Council.

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Ms. McBride requested an overview at the next Council meeting.

Mr. Malinowski moved, seconded by Mr. O. Walker, to defer this item until the next committee meeting.

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

Not Present: J. Walker

The vote in favor was unanimous.

- b. Operational Services – Award of Township Auditorium Boiler Project** – Mr. Brown noted, on p. 58, there is information concerning the Township’s boiler request. Staff is requesting the committee to forward a recommendation for approval to Council. He noted the current boiler is about 45 years old, and is past its life expectancy. The request is a part of the Capital Improvement Plan approved by Council. This is considered a high priority item.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the award for Bid #RC-423-B-2021 – Township Auditorium Boiler Replacement to C&C Boiler Sales & Service Inc.

Mr. Malinowski noted the contingency is quite high due to the age of the building and the boiler. He inquired if the bidder requested this type of contingency.

Mr. Brown responded the contingency is something staff includes.

Mr. Malinowski noted he has mentioned before that he would like contractual information and dollars figures held in abeyance instead of the amounts arbitrarily being seen by everyone.

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

Not Present: J. Walker

The vote in favor was unanimous.

- c. Operational Services – Township Auditorium Lighting Upfit** – Mr. Brown noted this item also falls within the Capital Improvement program presented to Council. This project is a retrofit of older lights to LED-quality lights. The County will experience cost efficiencies with the upfit.

Mr. Pruitt stated the current life expectancy of the current lighting is 100 hours, and also generates a tremendous amount of heat, which overworks the HVAC systems. With the conversion to LED lighting, the heat goes away. The current lights were also outlawed by Council in 2008. The County is trying to go green and try to transfer everything in the County, so it is more energy efficient. He noted the current bulbs are only manufactured in China. With the tariffs, and COVID, it is difficult to obtain these bulbs. Whereas it took 2-3 months, it now takes 6-7 months to receive the bulbs. In addition, the price has tripled and it is not cost effective to put the project off.

Mr. Malinowski inquired if the new bulbs will be coming from China.

Mr. Pruitt responded the new bulbs are US-made, low energy consumption bulbs.

Ms. Terracio inquired if these was a secondary market for the existing bulbs, and if we have a plan for them. She noted the current lights are vintage and there may be a market for them.

Mr. Pruitt responded staff planned to properly dispose of the bulbs since they were outlawed by Council.

Ms. Terracio requested that staff reach out to see if the bulbs could be repurposed.

Ms. McBride inquired if we are using the most modern and best available lights for the venue, and if anyone has been in communications with Mr. Holloman.

Mr. Holloman responded the lights inside the auditorium most likely cannot be reused. Those are 500-watt bulbs located inside the ceiling and outlawed. The new lights will be more energy efficient and cost effective.

Mr. Pruitt noted, for clarification, we are not replacing the fixtures. The fixtures will be retrofitted for the LED bulbs. The antique value would be with the fixtures and the bulbs together.

Ms. Mackey moved, seconded by Ms. McBride, to forward to Council with a recommendation to contract with Productions Unlimited in the amount of \$166,400 (plus a 10% Richland County controlled contingency of \$16,640) for a total amount of \$183,040.00. The contract would be for the company to retro-fit can lights (quantity 149) with LED lights in the auditorium area and tie them into the ION Control Desk EOS control system.

In Favor: Malinowski, McBride, and Mackey.

Mr. O. Walker was unable to vote due to technical difficulties.

Not Present: J. Walker

The vote in favor was unanimous.

- d. Financial Audit Services** – Mr. Brown noted this item is associated with the annual requirement to have the financials audited. The recommendation is to approve the contract for financial audit services.

Ms. Mackey moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the award of a contract to Mauldin & Jenkins for Financial Audit Services in the amount of \$116,000.

In Favor: Malinowski, McBride, and Mackey.

Mr. O. Walker was unable to vote due to technical difficulties.

Not Present: J. Walker

The vote in favor was unanimous.

- e. Department of Public Works –Award of 80,000 lb. Excavator** – Mr. Ansell stated they are requesting to purchase an 80,000 lb. excavator to replace an aging 80,000 excavator currently on the property. The age, hours, and condition of the machine is making it prohibitive to own. As the machine gets older, the parts are harder to find, which causes lengthy delays when repairs are needed. He noted this machine is relied on almost daily at the landfill.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the award of a bid to MAY/RHI National Equipment Dealers for an 80,000 lb. excavator.

In Favor: Malinowski, McBride and Mackey

Not Present: J. Walker

Mr. O. Walker was unable to vote due to technical difficulties.

The vote in favor was unanimous.

- f. **Department of Public Works – County Line Trail** – Mr. Brown noted this item deals with a FEMA Disaster relief grant.

Mr. Staley stated this project addresses a long, cut through road that has been closed since the 2015 flood. He noted it took a while for staff to be satisfied with the grant funding amount, but it is now approved. Public Works has a contractor on board and they are now ready to move forward.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the award of a construction contract to Republic Contracting Corporation for the repair and bridge replacement on County Line Trail.

In Favor: Malinowski, McBride, and Mackey.

Not Present: J. Walker

Mr. O. Walker was unable to vote to technical difficulties.

The vote in favor was unanimous.

- g. **Department of Public Works – Danbury Drainage Improvements** – Mr. Brown noted this item was funded by CDBG-DR dollars, and is specific to improvements and drainage.

Mr. Staley stated this is a HUD Grant that is going to help alleviate some flooding in the Danbury neighborhood off North Main Street.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the award of a contract for construction of the CDBG-DR Grant funded Danbury Drive Drainage Improvements to L-J, Inc.

Ms. McBride noted we have been working on this project for 4 years. The constituents are happy to see this project is moving forward.

Ms. Mackey stated she is pleased to see the bidder on the contract had 13.9% minority and disadvantaged business participation.

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

Not Present: J. Walker

The vote in favor was unanimous.

- h. **Conservation Commission – Award of Bridge & Dirt Road Improvement Project** – Mr. Brown stated this is a request of the Conservation Commission specific to a damaged bridge they are looking to have replaced.

Mr. Epps stated the bridge was damaged in early February 2020 by flooding. Originally they want to replace the bridge and provide some enhancements for the entrance road going to the bridge. However, after consulting with the vendor it was decided to remove the road enhancements.

Mr. Malinowski inquired, if there was flooding in February 2020, has a request been made to FEMA, or another agency, to secure funding to repair the damage caused by a natural disaster.

Mr. Epps responded a natural disaster was not authorized by the State for this particular flood, so no requests were made.

Mr. Malinowski inquired, if a flood actually occurred, or if it was due to heavy rain and flooding in the area we

want to replace the bridge.

Mr. Epps responded there was a flood surge on the property, with logs behind it, which lifted the bridge up and pushed it off its beams. He noted the wear and tear caused the bridge to release.

Mr. Malinowski inquired if this was a County-maintained road.

Mr. Epps responded in the affirmative.

Mr. Malinowski inquired why this is not being handled by Public Work since it is a County road.

Mr. Epps responded the property and bridge is managed by the Conservation Commission. The Transportation Penny Program, as well as Public Works, were consulted.

Mr. Malinowski inquired whose responsibility is it to repair roads and bridges in Richland County.

Mr. Brown responded a division of Public Works will be doing roads within Richland County that come under their purview. In this particular instance, Conservation Commission, is requesting to fix damaged property they manage through the funding they are provided through the mill they receive.

Mr. Malinowski noted he could understand them using the mill, but he believes the people responsible should do the repairs and bill the Conservation Commission for the work. He noted the committee was given a separate document that showed the schedule of fees. He inquired who created the schedule and the bridge and dirt improvements.

Ms. Wladischkin responded the schedule of fees was provided by the consultant, after negotiations to change the scope and remove the road enhancements.

Mr. Malinowski noted, of the 6 respondents to the RFQ, the highest ranked offeror was Carolina Transportation Engineers. He stated, for clarification, there were no prices determined because this is a RFQ.

Ms. Wladischkin responded in the affirmative.

Mr. Malinowski noted, if the second ranked offeror was \$50,000 less, the committee would never know.

Ms. Wladischkin responded in the affirmative.

Ms. McBride requested that the policies and practices be reviewed.

Mr. Malinowski moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the award of a contract to Carolina Transportation Engineers & Associates, PC, in the amount of \$250,000 and request the Administrator to determine the policy and make sure we are not in violation with this approval.

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. **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**

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inequality. By advancing equity across Richland County Government, we can create opportunities for the improvement of businesses, communities and individuals that have been historically underserved, 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] – Mr. Brown stated this item will remain in front of the committee until staff completes several steps associated with the motion. Currently, the County is working with the City of Columbia to see if the County can join in the City’s bid with the consultant conducting their Diversity and Equity Study. The County is trying to join with them, or use the same provider. Additionally, we have met with the Richland County Library who had communicated that they could support Ms. McBride’s motion, and give the County information they had put in place.

Ms. McBride noted the importance of moving this forward. She also noted some of her concerns about the County’s procurement process, and she wanted a study of this process done by an external contractor.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:54 PM.