



## Richland County Council

### ADMINISTRATION AND FINANCE COMMITTEE

June 30, 2020 – 3:00 PM

Zoom Meeting

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

OTHERS PRESENT: Chakisse Newton, Jim Manning, Paul Livingston, Allison Terracio, Michelle Onley, Ashiya Myers, Angela Weathersby, Leonardo Brown, Chris Eversmann, Ashley Powell, Art Braswell, Dale Welch, Synithia Williams, Tariq Hussain, Michael Byrd, Brad Farrar, Yolanda Davis, Stephen Staley, John Thompson, Michael Maloney, Sierra Flynn and Jennifer Wladischkin

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 3:06 PM.
2. **ADOPTION OF AGENDA** – Ms. McBride moved, seconded by Ms. Myers, to adopt the agenda as published.

Mr. Malinowski noted, for the record, the agenda coversheet and briefing documents should indicate this is a Special Called Administrative and Finance Committee meeting.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

3. **ITEMS FOR ACTION**

- a. **Sweetwater Drive Culvert Repair Project** – Dr. Thompson stated staff recommends award of a contract for culvert repair beneath Sweetwater Drive. The estimated cost is \$357,950. The department has the funds available for the repairs. The reason for the repair is because it is a County maintained road, and the 4 corrugated pipes under the road are deteriorating; therefore, we need to make the necessary repairs so we do not have a massive “blowout”. The lowest responsive bidder is Vortex Services.

Ms. Myers inquired if staff is recommending the road be repaired, rather than replaced.

Dr. Thompson responded it is a spray application.

Ms. Myers inquired about the life of the spray application versus replacing the pipe.

Ms. Williams stated by using the spray-in of the GeoKrete liner is the same as putting in concrete pipes, so we get the same lifecycle we would get from taking out the metal pipes and putting in concrete pipes. The benefit is not having to close the road and tear up the whole road because Sweetwater is one way in, one way out, so we will not inconvenience residents and still get the same lifecycle costs by doing this application of concrete through the inside.

Ms. Myers inquired about the cost to replace the pipes.

Ms. Williams responded they do not have the cost to replace the pipes. We would have to take into consideration the costs of tearing up the road, mobilizing and purchasing the large pipes. She could provide that information, if requested, prior to it moving forward.

Ms. Myers stated there must be some logic to tearing up the road and putting in new pipes, as opposed to this, and she wanted to make sure we were doing it all the same everywhere.

Ms. Williams stated they are trying this, and hope to do it more often, so we can respond to similar situations around the county.

Mr. Malinowski stated he would like to see the costs of replacing the pipe, prior to it being taken up by Council. He inquired if we have any warranty that this application will last 20 years.

Ms. Williams responded that is something they can get.

Mr. Malinowski responded he would also like to see the warranty, prior to this being taken up by Council.

Ms. McBride moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve awarding the contract for the culvert repair beneath Sweetwater Drive to Vortex Services.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- b. Melody Garden Stream/Ditch Stabilization Construction Contract – Dr. Thompson stated staff has funds in the budget for this project. It is to enhance Melody Garden Stream/Ditch Stabilization. The project involved 1,700 linear feet of stream that has experienced a significant amount of erosion and sedimentation. As part of this project, staff will go in with the contractor, to install vegetated soil lifts, conduct floodplain grading to increase bank stability, reduce erosion for homeowners and provide a small improvement in floodplain relief. The lowest responsive bidder was HammerHead Utilities in the amount of \$172,550.

Mr. Malinowski inquired about who owns the property.

Ms. Williams responded this is a ditch the County has maintenance over. We currently go out and do beaver trapping. When we noticed the significant erosion, we wanted to address that.

Mr. Malinowski inquired if there are any flood funds left from the Blue Ribbon Committee that could address this.

Ms. Williams responded, at the time this project came up, the 2015 flood funds had already been allocated, and we had already proceeded with paying for it with County budgeted funds.

Ms. Myers stated, for clarification, Ms. Williams did not identify who owned the property, but only that the County maintained it.

Ms. Williams stated the ditch is in a neighborhood. The property lines go up to the ditch area, and when we have easements on ditches we clean cutback. With an easement, the property owner still technically owns the property, but the County has the easement for maintenance.

Ms. Myers inquired how the County gets a maintenance easement (i.e. what is the public purpose?)

Ms. Williams responded this is an easement the County has had for years.

Ms. Myers stated she is not disagreeing with the project. She is asking, generally, if a private property owner can grant the County an easement to maintain their ditch, what is the public purpose, and what is the financial impact, because there are a lot of private property owners that would love to do that.

Ms. Williams stated this is a ditch in a stream.

Ms. McBride moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve awarding the contract for construction of the Melody Gardens Ditch/Stream Stabilization project to HammerHead Utilities.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- c. Replacement of Metal Storage Building at the Eastover Camp for the Department of Public Works, Roads and Drainage Division – Dr. Thompson stated the Public Works staff is requesting a new metal storage building at the Eastover Camp. The projected cost is \$198,688. The department has funds available in their budget. He stated, in 2012, a large snowstorm caused damage to the existing storage building. The storage building will be used to house and protect their equipment (dump trucks, backhoes, etc.), which is currently exposed to the elements.

Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the award of a contract to construct a new metal building at the Eastover Camp for the Department of Public Works, Roads and Drainage Division.

Mr. Malinowski inquired as to why we have waited to come forward and request a building to protect hundreds of thousands of dollars' worth of equipment.

Mr. Maloney responded he does not know why it was delayed, but it was budgeted for in the Biennium budget. He believes, at one time, there was an over scope that had significant improvements, which may have been brought forward, and deemed too expensive.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- d. Contract Award, RC-336-B-2020, Riverwalk and Stockland Drive Resurfacing – Dr. Thompson stated this is a request to resurface Riverwalk and Stockland Drive. The request came to us via the County Transportation Committee (CTC). The CTC received a request from citizens. The cost of the project is \$430,000, and the bid came in 38% lower than the Engineer's Estimate.

Mr. Malinowski moved, seconded by Ms. McBride, for discussion.

Mr. Malinowski stated, it is his understanding, Richland County did not make a request of the CTC, but rather citizens approached the CTC and made the request.

Dr. Thompson responded in the affirmative.

Mr. Malinowski inquired if Richland County had a ranking of roads for resurfacing.

Dr. Thompson responded, at this time, that is a part of the draft comprehensive road improvement and maintenance plan. This is something Mr. Maloney and his staff are currently working for the new fiscal year.

Mr. Malinowski stated, for clarification, we do not have any ranking right now, so we do not know if these roads would be #1 or #101.

Dr. Thompson responded that is correct.

Ms. Myers stated the briefing document indicates this road is not on any resurfacing project.

Mr. Malinowski stated that is his point. If citizens are allowed to directly approach the CTC with requests, and those requests are entertained and approved, without any County input, why are we going to create a ranking order? Why don't we just allow the citizens to go there? He inquired if the CTC is legally allowed to tell County some citizens requested this, and we are going to approve it. It seems there should be a criteria used by the CTC to determine if these roads need resurfacing by the County, to the exclusion to all others in the County. He would like to know the persons requesting this were. Who they made the request of. Who, and how, this was vetted because this is certainly taking the authority away from the County.

Ms. Dickerson stated she knew about it, but no one approached her and requested her to bring it to Council. She stated she has a problem with this road not being ranked.

Ms. Myers inquired if there were no Richland County companies that could build this.

Mr. Maloney responded this was put out for bid, so the recommendation is for the lowest responsive bidder.

Ms. Myers inquired who brought this matter to the County. Did it come directly from the CTC?

Mr. Maloney responded the attached letter from the CTC, dated January 10<sup>th</sup>, indicates the award, but it does not indicate who initiated the request.

Ms. Myers stated, given the desperate state many of our roads are in, and the desperate state that many of our citizens are in to have their roads resurfaced, she has some concern that some unidentified citizens can directly approach the CTC and tell us which roads are priority. She also noted, if we are going to lose the CTC funding, she is in favor of figuring out how to move forward with the funds on a road that is on our roads list, rather than giving up the funding. She stated this whole analysis, and the way it came before us causes her some concern. She would like to know if Mr. Brown approved this, and if there is a method he has approved to allow staff to bring these kinds of requests before Council.

Mr. Staley stated, when this matter came to the CTC, the Transportation Penny had already paved a section of this road. The road goes all the way through the subdivision and the citizens were upset about only a small portion of the road been paved, and not the whole road. We sent our Transportation Engineer out to take a look at it, and he determined that it did need to be resurfaced.

Ms. Myers stated, under that analysis, any citizen who is unhappy with the work the County completed, and did not complete, on his/her road should be entitled to go to the CTC and encumber \$500,000 worth of road work. She is troubled by how this came before us. She is troubled by this process because it seems blatantly unfair, given all the roads, and all the desperation out there. She stated she cannot support this project because she thinks it will

encourage others to do exactly what has been done here, and pretty soon we would have very little way of determining what roads were priorities.

Mr. Brown stated he has not established a process for approving items that have come from the CTC. He noted he was in a Transportation COG meeting, when he learned, as a part of the COG, they have process by which they make determinations, separate and apart from the County, and this can happen.

Ms. McBride stated we should go back the CTC and look at their process because she does not believe it is properly used, given we have limited or no input. She noted when people see CTC they think it is our committee, and that is sort of misleading.

Ms. Dickerson stated she would like to make a motion to either deny or defer this particular project until we have a better understanding, and it is vetted so that it falls in line with all of the other projects.

Ms. McBride inquired if we are in jeopardy of losing the funding.

Mr. Livingston stated this is bigger than just one road. This is a matter that we need to take up with the CTC and the Delegation. He cannot blame the staff. If someone came and said, "We have these funds" and staff knew the road could use the funding, he would accept the funding too.

Mr. Maloney stated the funds will go to the fund balance of the CTC, if not used. He stated they have the same problem with this, and they have an outstanding meeting with the Director of the CTC, regarding this. We will be addressing how we want these to go through the County, as far as the road rating system. This was one that had been submitted before he came to the County. When you get these funds, they are for a specific project the CTC approves, so you either take it or you do not take it. They brought this before you, as it is, primarily because one segment of it had been a part of the Penny Project.

Mr. Malinowski withdrew his original motion, and made a motion to direct staff to engage the CTC to determine, moving forward, and including this particular project, how they determine what funds should be provided to Richland County to have roads taken care of. In addition, if we can ask them to set aside this funding for what Richland County believes is the best use of it. Ms. Myers seconded the motion.

Mr. Livingston noted, if the intent was for us to control the funding, it would have been directed to Council, and not the Delegation and CTC. It needs to be determined if they can allow us to be engaged in the process somehow.

Mr. Malinowski would like staff to ask the CTC what criteria was used in making this decision, who the people were who brought this forward, and who it was presented to. If this was something the Delegation took to them.

In Favor: Malinowski, Dickerson and McBride

The vote in favor was unanimous.

- e. Airport Construction Contract Award Recommendations – Mr. Malinowski moved, seconded by Ms. McBride, to forward to Council with a recommendation to conditionally approve award of a construction contract in the amount of \$500,211 to AOS Specialty Contractors for Schedule III work items of the project known as "Various Airport Site-Civil Improvements" at the Jim Hamilton – LB Owens Airport. And that Richland County Council conditionally approve award of a professional services contract in an amount not to exceed \$131,010 to WK Dickson for

associated Construction Administration / Construction Observation (CA / CO) services. The condition for award is the issuance of an FAA Airport Improvement Program (AIP) Grant.”

Ms. Myers stated, for clarification, that all of this is going to be funded out of CARES Act funding.

Mr. Eversmann responded it is FAA Airport Improvement Program (AIP) funds, which we receive every year, but because of the CARES Act, instead of 90% Federal funding, it will be 100% Federal funding. Therefore, there will not be a need for a State or local match.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- f. Solid Waste – Host Community Agreement – Mr. Malinowski moved, seconded by McBride, to forward to Council with a recommendation to approve the option to extend the Host Agreement for Disposal of Municipal Solid Waste in a “Subtitle D” Landfill Facility until June 30, 2025 under the same terms and conditions outlined in Second Addendum of the Host Community Agreement.

Mr. Malinowski inquired if there is any language in the agreement that refers to the increase/decrease of fees based on the economic situation we are in.

Dr. Thompson responded not to his knowledge.

Mr. Maloney responded it uses the Consumer Price Index for any rate increases, so they are holding the same rate as last year for the waste going to the landfill. The rate for disposal will go up, based on the Consumer Price Index.

Mr. Malinowski inquired if it can also go down.

Mr. Maloney responded if the Consumer Price Index goes down, it will go down as well.

Mr. Malinowski inquired if there is any reason we do not make it a 5-year, renewable annually. If we do not make it renewable annually, we are letting them know they have it for 5 years, no matter the service that is provided.

Mr. Maloney responded, based on past experience, and the lengthy negotiations we have had with Waste Management, they have been saying the Consumer Price Index has been inadequate for their part, so the CPI is favorable to the County.

Mr. Malinowski inquire why we charge so little for waste coming from out of the County versus what is coming from in the County.

Mr. Maloney responded the other counties are also paying a similar amount, and even higher amounts, they are only paying us a host fee for the other county’s use of the facility.

Mr. Malinowski noted there is a typo in the “Third Addendum to Host Community Agreement for Disposal of Municipal Waste in a Richland County Landfill Facility”, the 5<sup>th</sup> paragraph should read: “Whereas, the County has determined that it is in the best interests of the County to provide for an additional option to extend the Agreement until June 30, 2025”, not 2030.

Ms. McBride inquired as to what happens if there are issues and we do not want to use this facility anymore.

Mr. Maloney responded there are not a lot of options. The setup for this pretty immense, with the environmental impacts that are involved.

Mr. Braswell responded the 2030 date Mr. Malinowski referenced earlier is correct. He stated it goes through 2025, and allows for an additional extension if the County decides to move forward and extend it again.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- g. Request for Sewer Availability Approval – Proposed Development on Koon Road Tract (Tax # R03400-02-56) – Mr. Malinowski moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve staff's recommendation to approve the issuance of a conditional sewer availability letter for the development.

Mr. Malinowski stated, on p. 52, it says, "As new developments are added to the County's sewer system, there will an increase in the general cost of operation, maintenance, and possibly a need for new personnel(s)." He inquired if these anticipated increases cover all of those expenses.

Mr. Hussain responded the rate increase will not apply to anyone. We already have the tap fee we collect from them, which will be used for the capacity of the plant increase. The monthly rate we charge the customer, is used for operation and maintenance. Anytime we have an increase, it will apply across the board.

Mr. Malinowski stated, his understanding of Mr. Hussain's response is, we have costs coming in and we are going to pass them on to the customer. We have developers that are creating the costs, and they should chip in their fair share. He noted, on p. 55, it states, "The PLC upgrade was also discussed and it was agreed that this will not be the responsibility of the developer as part of this project." He inquired as to the cost of a PLC upgrade, and whatever the cost, if it were not for the developer asking for it, the County nor the customer would be incurring it.

Mr. Hussain the PLC upgrade is done by another developer that is already in process and paying for that PLC. We could not charge this developer with that PLC because it had already been taken care of.

Mr. Malinowski stated, for clarification, Richland County will not bearing any charges for any of this now, or in the future.

Mr. Hussain responded in the affirmative.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

- h. Richland School District One's Recommendation to Deny Richland County's Request for an Additional \$500,000 Payment for the Southeast Sewer and Water Expansion Project – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation for denial.

Ms. Myers stated she read Dr. Thompson's briefing document, and it outlines costs to connect Richland One schools, but what are we connecting them to without a system.

Dr. Thompson responded the cost of \$2,794,000 is the cost to connect them to a system.

Ms. Myers inquired if these costs make any sense without the \$30M system that is being built.

Dr. Thompson responded, those that are using the system, the monthly charges will contribute to the maintenance of the entire system.

Ms. Myers stated this is like a tire for a car. Do you not have to have the car before you can put the tire on it? To the extent that they are being connected to a system, and she is sensitive to this because she has carried the water for this system to get these schools fixed. She personally finds it outrageous that after all the guff she has taken with not one School Board member standing up to help Richland County get this thing to the finish line, now they come back and say their only cost is \$2.7M, and you are profiting off us. The whole system is for the schools, and we have discussed this ad nauseam. No one from District One went to one meeting, of which she held 26, and took any bit of guff from the community, of which there is still a lot. Now they come back and say, "Ms. Myers is trying to help the County profit off of District One", when they are essentially getting a \$30M system put in place to fix its schools that have had this problem for more than 15 years. She is personally affronted that we are now dealing with this again, when we dealt with this when Ms. Dickerson was Chair. A meager contribution of \$2.5M to what is a Richland District One problem in a \$30M fix.

Ms. McBride stated she does not understand the request being made.

Dr. Thompson stated the bottom line is there are a series of events. The costs for the system is \$2.79M to build out the infrastructure for the three (3) schools. We received a letter on May 13, from the Richland One School Board, stating they do not need to offer the additional \$500,000 to Richland County for this project. On May 19, we received communication from DHEC that they will invest \$1M toward the development of the infrastructure at the three (3) schools. So looking at total commitment of \$2M from the schools and \$1M from DHEC, which leaves a surplus of \$205,000. We are asking if it costs more than \$205,000 to close out, and decommission, the three (3) lagoons, we will go back to Richland One schools for them to compensate the County.

Ms. McBride stated, for clarification, at this time, there is no cost to the County.

Dr. Thompson responded there is not, but there could likely be a cost, when we close out the lagoons.

Ms. Myers stated there is a cost to the County. With all due respect, the briefing document misses the point that unless we build the \$30M system you cannot connect the \$2.7M to it. So, we are building the \$30M to get to the \$2.5M. They should bear a portion. They are not even being asked to bear 2% of the costs of a system that is fundamentally being built for the schools. She does not know how the school system, with a straight face, can come back and say we are only costing \$2.7M, and the County is making money.

Mr. Malinowski stated the briefing document references and IGA, and if we are being asked to approve the IGA we should be able to review the document.

Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item to allow staff time to provide answers to all of the questions raised.

In Favor: Malinowski, Dickerson, McBride and Myers

The vote in favor was unanimous.

5. **ADJOURNMENT** – The meeting adjourned at approximately 4:03 PM.

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