



Richland County Council
Sewer Ad Hoc Committee
December 15, 2020 –3:00 PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, and Dalhi Myers

OTHERS PRESENT: Paul Livingston, Chakisse Newton, Michelle Onley, John Thompson, Leonardo Brown, Tamar Black, Angela Weathersby, Kyle Holsclaw, Ashiya Myers, Elizabeth McLean, Jessica Mancine, Stacey Hamm, Bill Davis, Lori Thomas, Sahad Khlqa, Brad Farrar and Tariq Hussain

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 3:00 PM.
2. **APPROVAL OF MINUTES** –
 - a. **December 8, 2020** – Ms. Myers moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

In Favor: Malinowski, Myers

The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. Myers moved, seconded by Mr. Malinowski, to adopt the agenda as published.

In Favor: Malinowski, Myers

The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
 - a. **Eastover Plant Upgrades – Southeast Sewer Project Flow Increase** – Mr. Davis stated the answers to the question raised at the previous meeting were addressed in Addendum 4(a). To complete Option I’s scope of work would take approximately 26 weeks. Option II would take approximately 42 weeks, with 16 weeks of extension on the Southeast Sewer connection, which would also incur a cost from the City of Columbia of approximately \$185,715.48. The staff’s recommendation is to proceed with Option I.

Ms. Myers moved, seconded by Mr. Malinowski, to approve staff’s recommendation.

In Favor: Malinowski, Myers

The vote in favor was unanimous.
 - b. **Sewer Service for Albene Park** – Mr. Davis stated they took a look back at the history, and what was presented. Albene Park was never part of Phase I.

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Ms. Myers stated Albene Park was not technically a part of Phase I. During the roll out of this project, when she was conducting meetings, the residents of Albene Park were told that if they signed up they could be included in Phase I. She noted it is the only subdivision in this area, which is where the sewer system is going. There are about 50 houses that have signed up. Many of them have compromised septic tanks and asked specifically in meetings if they could be included, and they were told they would be. The issue arose later, when Joel Woods said it was his opinion they were too far off the highway. It is a subdivision so there are going to be some houses that are further away than others. She did not know they would not be included until the construction was bypassing the houses and the residents notified her. She believes we made promise. There is an economic reason for including them. The 50 paying customers who are ready, willing and able to pay would help defray the cost of paying the bond back. She stated the only PR we had for this multi-million dollar system was through her. There were more than 500 people that signed up, but many of them were not on Phase I. She believes there are economic factors that ought to mitigate in favor of adding these people to the system because they are less than half a mile off the system. She requested staff and Mr. Malinowski to support adding these residents on to the system. She noted she thinks there is money in the bond that could go toward adding them on to the system in Phase I, which makes more sense than coming back and trying to add them later.

Mr. Davis noted the cost of the Albene Park project is \$1,482,000 and the engineering is approximately \$250,000, which equates to approximately \$1.75M.

Ms. Myers noted the cost for the Southeast Sewer and Water Project is approximately \$27M.

Mr. Malinowski inquired if there is \$1.75M available.

Dr. Thompson responded there is no additional available funds within the pot of money for the Southeast Sewer and Water Project.

Ms. Myers inquired about the other revenue that was available. She inquired if they are counting that for the upgrade for the Eastover System.

Dr. Thompson responded they have a total of \$33M in bond funding. For this project there is \$27M, Cedar Cove/Stoney Point is \$2.5M, the Consent Order corrective action plan is \$3.1M, and the upgrade and expansion of the solid treatment process is \$1.5M.

Ms. Myers stated the Consent Order is not a Richland County Consent Order. It is a District I Consent Order. This is the issue she has been raising since we started this project. We are now spending \$3.5M to come up with the plan for the Consent Order that is on District I, not Richland County. Now what was the overage in the project has been expended to account for a remediation plan for the Consent Orders that were on the School District.

Dr. Thompson stated for clarification the Consent Order is for the Broad River Treatment Plant. The bond funding it to facilitate 4 projects.

Ms. Myers inquired as to what happened to the contingency funding.

Dr. Thompson responded there is a contingency of \$1M.

Ms. Myers stated she thought we were under budget.

Dr. Thompson responded that they are not under budget. They are on target, at the moment.

Ms. Myers stated the route starts where Albene Park is. They have held meetings. We have met with them. She has met with them. If they were not going to be included, she thinks someone should have told them. And, someone should have told her that in the beginning because she would have moved to increase the bond funding amount to include them. It is not logical to bypass the only subdivision in the area, where there is 50

houses willing to pay. She inquired if they had run the numbers on what the revenue generated from the houses would be. She noted it does not make sense to drive past these houses.

Mr. Malinowski inquired as to who made the promises to who.

Dr. Thompson stated he is only aware that we were to construct the backbone of the system. In his conversations with the engineers and consultant, going into Albene Park is an extension of the backbone of the system.

Ms. Myers inquired if Dr. Thompson recalled the meetings where he, Joel Woods and herself were present and the residents were promised, if they signed up, and on the route, they would be included in Phase I. This is a new iteration.

Mr. Woods stated the map they presented at the public meetings did not show Albene Park. They made general statements that if they signed up by a certain date in December, and they were along the route, they would be included in the project. He believes there are two people in Albene Park that are along the route of Phase I, and are included in the project. Those that away from the main line depicted on the map are not included, but will be included in Phase II, if they signed up.

Ms. Myers disagreed with Mr. Woods' statement. She inquired if Mr. Woods was requested to walk the route with the residents.

Mr. Woods responded he was never requested to come out.

Dr. Thompson stated Mr. Woods produced the document of \$1.8M to do that work after Ms. Myers' held her virtual town hall meeting, when the information was requested.

Ms. Myers noted the town hall meeting was after about 15 meetings. At those earlier meetings, we talked about the mileage limitation, and whether or not somebody would be required to provide their own backhaul to connect to the system. Nobody in those meetings would have been competent enough to tell you where their house was along the route, and whether it was on the design of the backbone.

Mr. Malinowski stated he believes we are at the he said/she said point.

Mr. Brown stated this has come up a couple times, and he would like to get an opinion on who has the authority to bind the County. He keeps being put in these type situations where there are conversations among people, and they come back as duties for him to fulfill.

Ms. Myers responded she clearly knows she does not have the authority to bind the County. She also knows that she is a short-timer and it is very easy to write these people off. She took the Engineer on the project, and the ACA in charge of the project with her. She begged other people from the County to go as well because she is not an Engineer. Suggesting that someone went out willy-nilly to bind the County, when we took the people out that were designing the network. Joel Woods said, if they were on the route, to go ahead and sign up and they would be included in Phase I, and that is what these people did. It is a little rich to now to come back and say, "who has the authority to hold the meeting to bind the County." If we did not have an Administrator, the best we could do is take out the people who were in charge of the project, and that is what she did.

Ms. McLean stated no one can bind the County, except the Council, or someone that has been given the authority by Council. For example, if you gave the Administrator the authority to go to a function and bind the County, that may be possible.

Mr. Malinowski stated we are at the point where there is a Phase I, which was approved by Council. For clarification, Phase I did not include these additional homes. He inquired if the proper method to get these homes included would be for Ms. Myers to make a motion.

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Ms. McLean responded a motion would be the best course, if we are unclear if Council voted to include this in Phase I.

Mr. Davis stated the project would take time to design, and then let for a construction project.

Ms. Myers noted that no houses are included in the backbone design.

Ms. Myers moved, seconded by Mr. Malinowski, to include Albene Park in the Phase I construction of the Southeast Sewer Project to alleviate serious sewer issues.

In Favor: Malinowski, Myers

The vote in favor was unanimous.

c. **Council Motion: I move to direct the County Administrator to work with staff to develop a modified sewer plan that:**

- Corrects the disparity in sewer rates for the new Richland County sewer customers transferred from City of Columbia sewer service in January 2020; and
- Assesses and updates the County's long-term sewer strategy to ensure the sustained health of the system while also preserving fair, consistent rates for all sewer users.

This plan should be comprehensive in nature and include a timeline, benchmarks, and a methodology for tracking its success. It should also identify the parties responsible for completing proposed work as well as a robust constituent communication strategy. The plan should move to Council for review and action as soon as possible and no later than Council's March 17th meeting (or not more than four [4] weeks from the date of Council's February 18th meeting) [NEWTON]

5. **ADJOURNMENT** – The meeting adjourned at approximately 3:32 PM.