



Richland County  
Administration & Finance  
July 27, 2021 –6:00 PM  
Council Chambers  
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, Chakisse Newton, Derrek Pugh, Gretchen Barron, Cheryl English, Michelle Onley, Angela Weathersby, Tamar Black, Leonard Brown, Elizabeth McLean, Kyle Holsclaw, Dale Welch, Jennifer Wladischkin, Randy Pruitt, Sierra Flynn, Michael Byrd, Mike Maloney, Lori Thomas, John Thompson, Stacey Hamm, Ashiya Myers, Bill Davis, Ronaldo Myers, Dwight Hanna, Judge Edmond, James Hayes and Brian Crooks

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 5:03PM.

2. **APPROVAL OF MINUTES**

- a. **Regular Session: June 22, 2021** – Ms. McBride noted she was present at the June 22<sup>nd</sup> meeting, and requested the minutes be updated to reflect that.

Ms. Mackey moved, seconded by Mr. Malinowski, to approve the minutes as amended.

In Favor: Malinowski, McBride, Mackey

Not Present: J. Walker and O. Walker

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. McBride moved, seconded by Ms. Mackey, to approve the agenda as published.

In Favor: Malinowski, McBride, and Mackey

Not Present: J. Walker and O. Walker

The motion in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Treasurer's Office – Federal Forestry Funds** – Mr. Brown stated the Treasurer submitted a letter and historical information on what Council has previously handled the receipt of Federal Forestry funds, and requested Council use the information in making their decision with the current funds.

Ms. McBride inquired, if there is a funding percentage amount requirement, as it relates to the

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County and/or schools.

Mr. Malinowski responded there was not a requirement. He inquired if Council would like to give the bulk of the funds to road maintenance, since the status of the fee is unknown.

Ms. Mackey noted Council has not fully discussed potentially losing the maintenance fund fee, and she felt it was premature to allocate the funds to road maintenance. Historically, the funds were split with the schools. They might want to consider reducing the amount instead of completely cutting them off.

Mr. Malinowski inquired if this item was time sensitive.

Mr. Brown responded there was not an indication this matter had to be voted on immediately.

Ms. McBride stated, in spite of the road maintenance fee, we are in dire need of maintenance on the roads. She noted these funds are not received annually, and we adequately fund the school system without these funds.

Ms. McBride moved to allocate 100% of the funds to the road maintenance budget.

Ms. Mackey noted she would like to be provided additional information before making a decision.

Ms. McBride withdrew her motion.

Ms. McBride moved, seconded by Ms. Mackey, to defer this item until the next meeting.

In Favor: Malinowski, McBride, and Mackey

Not Present: J. Walker and O. Walker

The vote for deferral was unanimous.

- b. **Department of Public Works – Subdivision Resurfacing** – Mr. Maloney stated this item relates to a list approved on December 15<sup>th</sup> by Council for the County Transportation Improvement Program. (CTIP) funding. He noted they are at the procurement stage of awarding the contract, which was below the engineer’s estimate.

Ms. Mackey inquired about the company selected and their performance on previous projects for the County.

Ms. Wladischkin responded they do evaluate the contractors that submit the lowest bids, and look at their performance. The County does not have a program that would prohibit awarding to a contractor who did not perform, unless it rose to the level of a contract default or termination.

Ms. Mackey stated, for clarification, they could be awarding to a contractor, with the lowest bid, which had previously not performed well.

Ms. Wladischkin responded in the affirmative.

Ms. Mackey noted she had some concerns about contractors that did not complete work in the original contract timeframe, but are continuously picked for future projects.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve staff's recommendation to approve the award of a contract for construction to Palmetto Corp of Conway, South Carolina, in the amount of \$1,512,467.30.

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

Not Present: J. Walker

The vote in favor was unanimous.

- c. **Department of Public Works – Pavement Preservation** – Mr. Maloney stated this item is for pavement preservation services using high-density mineral bond. They chose roads that would be best suited for this type of material to keep the roads a high level for an overall longer life cycle.

Ms. McBride moved, seconded by Mr. O. Walker, to forward to Council with a recommendation to approve staff's recommendation to award a contract for pavement preservation services utilizing Density Mineral Bond technology to Blount Construction Co., Inc., in the amount of \$255,921.79.

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

Not Present: J. Walker

The motion in favor was unanimous.

- d. **Department of Public Works – Asphalt Preservation** – Mr. Malinowski inquired if the words pavement and asphalt are being used interchangeably.

Mr. Maloney responded in the affirmative. He noted they used the different words to discern them on the agenda.

Mr. O. Walker moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve staff's recommendation to award a contract for pavement preservation services utilizing "Pitch Black" product to Weaver Construction Services in the amount of \$293,135.65.

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

Not Present: J. Walker

The vote in favor was unanimous.

- e. **Emergency Services Department – Cardiac Monitors** – Mr. Brown noted staff recommends the award of a contract to LIFEPAK15, by Stryker, for the purchase of EKG machines, with GEO bonds.

Mr. O. Walker moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve staff's recommendation to purchase EKG machines from LIFEPAK15 by Stryker.

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

Not Present: J. Walker

The vote in favor was unanimous.

- f. **Utilities Department – Approval of Connect 2312 and 2314 Johnson Marina Road, Chapin, SC 29036 to RCU sewer system at Point De Haven Road** – Mr. Brown noted staff is requesting the approval of the willingness to serve for the single home connections.

Ms. McBride inquired if there is any reason this should not be approved.

Mr. Davis responded there is no reason not to approve.

Ms. McBride moved, seconded by Mr. O. Walker, to forward to Council with a recommendation to approve the request to serve the proposed two single-family homes connection.

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

Not Present: J. Walker

The vote in favor was unanimous.

- g. **Alvin S. Glenn Detention Center – Sprinkler Head Replacement** – Mr. Brown stated staff's recommendation is to replace the outdated and obsolete sprinkler heads.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the fire suppression sprinkler head replacement upgrade.

Mr. Malinowski inquired if the bid was below the engineer's estimate.

Ms. Wladischkin responded there was not an engineer's estimate. There was research done by the department to encumber the funds and the bid was below that amount.

Ms. Terracio inquired if all the sprinkler heads had to be replaced in 5 detainee housing units, and the status on the remaining ones.

Mr. Myers responded Phase V was the only phase left. The other sprinklers were done over the last 3 years.

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

Not Present: J. Walker

The vote in favor was unanimous.

- h. **Alvin S. Glenn Detention Center – Electronic Monitoring** – Mr. Brown stated staff recommended awarding the contract for electronic monitoring services to Offender Management in the amount of \$80,250 per month. He stated this program was originally designed to be paid for by the detainees; however, it now costs Richland County \$650,000 annually.

Mr. Malinowski noted this was previously before Council for approval.

Mr. O. Walker inquired about the criteria used to determine the ranking.

Ms. Wladischkin responded the scoring criteria is capability, relevant experience, recent/current project workloads, related experience on similar projects, location and costs.

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Mr. O. Walker inquired if there is a way to gauge the quality of service Offender Management provides.

Mr. Myers responded, as far as the Detention Center, they have been responsive and they have not had any issues.

Mr. O. Walker stated, as a practicing criminal defense attorney, he has heard different things about Offender Management. He was curious if those concerns have ever worked their way up to County Administration.

Ms. Mackey inquired if there was any discussion about handling the rising costs.

Mr. Brown responded individuals who meet the criteria to enter the program is not something decided by Council. He noted we have the monitoring resource rather than the detained resource.

Ms. Newton noted there were several parts to the monitoring, and we want to make sure we are providing for the indigent. From a policy perspective, we do not control when monitoring is required. She suggested having conversations with the Magistrate judges to understand the situations where electronic monitoring is required, so Council could make future funding plans.

Mr. O. Walker noted the decision to use electronic monitoring is made by the judge when someone appears for their bond.

Ms. McBride thanked the judges for using the electronic monitoring system. Often indigent detainees do not have the money for high power attorney, and they end up in jail. This is an alternative for those who are economically deprived.

Mr. Malinowski noted the briefing document states the electronic monitoring program has allowed the County to reduce the need to build additional housing units. He inquired, with the rising costs of the monitoring system, how long it would take until they are on the other side and it would be more economical to build additional units.

Mr. Myers responded each 56-bed housing unit costs \$5 - \$7M depending on the level of supervision needed.

Ms. McBride moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve staff's recommendation to award the contract, for electronic monitoring services, to Offender Management.

Mr. Malinowski stated, with the County paying 75% of the monitoring fee, the finances of the offender should be looked at to determine if they can afford to pay for the monitoring themselves. He noted he has also heard complaints about Offender Management Services, and how they treat the citizens making payments. He noted Offender Management Services received a 96.79 out of 100, and the 2<sup>nd</sup> ranked offeror received a 96. The cost proposal for Offender Management was is \$2,500 higher than the 2<sup>nd</sup> ranked offeror. He suggested choosing the 2<sup>nd</sup> ranked to see if they would provide better service to the clients.

Mr. Malinowski made a substitute motion to make an offer to the 2<sup>nd</sup> ranked offeror Sentinel Offender Services, LLC.

Ms. McBride inquired if this was within our policy.

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Ms. Wladischkin responded the award should go to the highest ranked offeror, unless we are unable to reach a negotiated contract.

Mr. Malinowski inquired if we could negotiate at the lesser amount.

Ms. Wladischkin responded in the affirmative.

Mr. Malinowski amended his substitute motion to negotiate with the highest ranked offeror, and request they met the price proposed by the 2<sup>nd</sup> ranked offeror.

Ms. McBride inquired if it was legal to go back and renegotiate with the 2<sup>nd</sup> bidder.

Ms. Wladischkin responded we should not be disclosing any of the information in open session, but we can negotiate the terms and costs of the contract with the highest ranked offeror as a part of the RFP process.

The substitute motion died for lack of a second.

Mr. O. Walker stated it made sense to continue the program from a fiscal standpoint. He noted the cost to the taxpayer to keep someone in jail is higher. The cost of the monitors is about \$300 a month versus the cost to house a detainee at the Detention Center is about \$50 - \$55 a day.

Ms. Mackey stated she had not heard any complaints, but she believes the user's customer service experience mattered, and should be a consideration when evaluating their performance. "Did they deliver on customer service?" "Did they meet in a timely fashion?" "Are they available to the users?" If that is not in the ranking, we are continuously giving taxpayer dollars to companies that are not doing what they should for the residents.

Mr. Malinowski noted someone should bring these concerns up during the negotiations, and possibly change how they do business to be more amendable and available for the clients.

In Favor: McBride, O. Walker, Mackey

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- i. **Negotiation for Contract to design Public Safety Complex** – Mr. Brown stated staff's recommendation is enter into negotiations with the top ranked firm. If an agreement cannot be reached, they will negotiate with the next highest ranked offeror. This will allow them to move forward with the design of the consolidated public safety complex.

Mr. Malinowski inquired about the seven submittals and why the briefing documents only showed three.

Ms. Wladischkin responded the others were shortlisted to just the top three offers.

Ms. Mackey moved, second by Mr. O. Walker, to forward to Council with a recommendation to approve staff's recommendation to enter into negotiations with the top ranked firm. If the County

cannot reach mutually agreeable terms with the top ranked offeror, negotiations will be terminated and will be resumed with the 2<sup>nd</sup> highest ranked offer. Upon successful negotiations, a recommendation of award will be presented to Council for approval.

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

Not Present: J. Walker

The vote in favor was unanimous

- j. **Public Safety Bond Resolution** – Mr. Brown stated staff’s recommendation is for approval of the reimbursement resolution for expenses, not to exceed \$20M, related to the issuance of general obligation bonds to acquire, construct, renovate, improve, and equip the public safety complex at the former Burlington building at Columbia Place Mall.

Ms. Mackey moved, second by Mr. O. Walker, to forward to Council with a recommendation to approve staff’s recommendation to approve the reimbursement resolution for expenses not to exceed \$20M related to the issuance of GO bonds to acquire, construct, renovate, improve and equip the Public Safety Complex at the former Burlington Building at Columbia Place Mall.

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

Not Present: J. Walker

The vote in favor was unanimous

- k. **Request from Chief Magistrate – Bond Court Consolidation** – Mr. Malinowski introduced new Chief Magistrate David Scott.

Judge Edmond stated there have been ongoing discussions regarding Bond Court Consolidation since December 2019. He noted the City of Columbia wanted to get an accurate number, so they could consider potentially consolidating bond courts. It was noted the County has been handling the City’s bond court during the pandemic.

Mr. Malinowski stated, for clarification, the County has been handling the City’s bond court for the last 16 months.

Judge Edmunds responded in the affirmative.

Mr. Malinowski inquired if the County will be reimbursed for the work they are currently doing.

Judge Edmond stated he was not able to answer that question, but they could certainly negotiate with the City of Columbia.

Mr. Mackey moved, seconded by Mr. O walker, to forward to Council with a recommendation to implement a consolidation plan of Columbia Bond Court and Richland County Bond Court. The Bond Court Consolidation plan will overhaul this arrangement and allow Richland County to handle the entire bond process from the City – from actually setting the bonds to handling posting the bonds. The County currently handles the bond process for several other municipalities, including Forest Acres, Irmo, Cayce, etc.

Ms. McBride moved, seconded by Mr. Malinowski, to defer this item.

In Favor: Malinowski, and McBride

Opposed: O. Walker and Mackey

Not Present: J. Walker

The motion for deferral failed.

In Favor: O. Walker and Mackey

Opposed: Malinowski and McBride

Not Present: J. Walker

The original motion for approval failed.

Mr. Malinowski inquired if the item would stay in committee since they were out of time.

Ms. McLean responded that it would go forward like any other item.

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 inequality. By advancing equity across Richland County Government, we can create opportunities for the improvement of businesses, communities and individuals that have been historically under-served, 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]** – No action was taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 7:01PM.