



Richland County Council
Transportation Ad Hoc Committee
November 19, 2020 –2:00 PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Jim Manning, Chair; Bill Malinowski, Yvonne McBride and Paul Livingston

OTHERS PRESENT: Allison Terracio, Allison Steele, Quinton Epps, Michelle Onley, Tamar Black, John Thompson, Leonardo Brown, Jennifer Wladischkin, Kathy Coleman, Jeff McNesby, Kimberly Toney, Angela Weathersby, Brad Farrar, Ali Eliadorani, Rasheed Muwwakki, Michael Niermeier, Mohammed Al-Tofan, Stacey Hamm, James Hayes, Michael Maloney, Nathaniel Miller and Ashley Powell

1. **CALL TO ORDER** – Mr. Manning called the meeting to order at approximately 2:00 PM. He noted, for the record, that Ms. Myers had informed him that she would be late for the meeting.
2. **APPROVAL OF MINUTES** –
 - a. September 22, 2020
 - b. October 20, 2020

Ms. McBride moved, seconded by Mr. Livingston, to approve items (a) and (b) as distributed.

In Favor: Malinowski, McBride, Livingston, and Manning,

Not Present: Myers

The vote in favor was unanimous.

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

In Favor: Malinowski, McBride, Livingston, Manning

Not present: Myers

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Decker \Woodfield NIP – Faraway Drive Sidewalk contract Award** – Ms. McBride

Transportation Ad Hoc Committee
November 19, 2020

moved, seconded by Mr. Livingston, to forward to Council with recommendation for approval.

Mr. Malinowski inquired if this particular project is within the funding allowed by the Penny Tax.

Mr. Niermeier responded Neighborhood Improvement has \$65M, and this is a part of the overall \$65M.

Mr. Malinowski inquired if we have other NIP projects coming forward, and will we have enough to complete those projects and not short-change them because we are paying for this project on the front end.

Mr. Niermeier responded, looking at the de-scoped plan from May, there were not any particular NIP projects that had to be de-scoped, so what has been before this committee and the Council since inception is within the amount allotted per the ordinance.

In Favor: Malinowski, McBride, Livingston, Manning

Not present: Myers

The vote in favor was unanimous.

- b. **Mitigation Credit Sales – Weyerhaeuser NR Company, I-26 Interchanged Widening II** – Mr. Manning noted that the sales notice said the sale must close prior to November 30th, but Mr. Epps has informed the buyer of our timeline because that is often an issue here. This is a second request for purchase of mitigation credit sales by this company, so if the name is familiar it is because they previously bought credits and are interested in purchasing additional credits in the amount of \$189,520.94.

Mr. Livingston moved, seconded by Mr. Malinowski, to forward this to Council with a recommendation for approval.

Mr. Malinowski inquired, if during the agreement portion, where we list the sale of credits, is there a legal reason why we put in there that the purchaser is going to purchase from the seller “0” amounts of specific items. He indicated he seems unnecessary unless there is a legal reason it is listed this way.

Mr. Epps responded the reason it is in there is that the form we use includes wetlands or streams, so if there is zero streams credits then they leave it in there. Basically, the form we use makes sure that all the information is presented in the same way each time.

Mr. Livingston inquired where the funds would go for this purchase.

Mr. Niermeier responded all the proceeds from this sale go into an account in the Penny program and the funds are held there.

Ms. McBride inquired, if this item was not approved, the County would lose \$189,000 plus dollars.

Mr. Manning answered in the affirmative. The company could buy these credits from

somebody else.

In Favor: Malinowski, McBride, Livingston, Manning

Not present: Myers

The vote in favor was unanimous.

- c. **FY21 Transportation BAN/BOND** – Mr. Manning noted, when Mr. Jackson chaired this committee, his preference was to provide data for both a BAN or a Bond. Based on guidance from Chairman Livingston, he requested staff to make a recommendation. Staff is recommending to forward to Council the preferred bonding option.

Mr. Livingston moved, seconded by Ms. McBride to accept the staff's recommendation, as indicated on pp. 3-4 of the document.

Mr. Malinowski inquired if there was a reason why the third option of pay-as-you-go was not included. This option was discussed prior to the first BAN being issued.

Mr. Manning responded that could be an option; but it was not staff's recommendation. That was a default and not related to BAN or bonding. It does appear, if we accept staff's recommendation to approve the bond option, we would be moving in that direction. This step will ultimately put Council in the position where we could do pay-as-you-go henceforth.

Mr. Malinowski noted, when this gets to the full council, if we are supposed to be presenting all the options, he would like to see pay-as-you-go option included, so we can have it explained to Council and the public that we maybe on our way to that option.

Ms. McBride inquired if the two staff recommended options were discussed previously.

Mr. Manning responded in the affirmative. At the time, Council voted for the possibility of bonds. Every time since then, there are always three options: bonds BAN, and pay-as-you-go.

Ms. McBride stated, as a committee, she thought we decided on the two options.

Mr. Manning responded, as the Chair, he does not object to adding the pay-as-you-option. The committee's recommendation to approve staff's recommendation will be what is presented to Council.

Ms. McBride agrees with Mr. Malinowski's recommendation. She also believes, at the Council meeting, they should be given an overview of this information again.

Mr. Jones stated, for clarity, over the years Council has made various decisions about whether to borrow or not borrow. The fact of the matter is, the funds have been borrowed, and a lot of the funds have been spent. When you think about options, in February 2021, the County will have an obligation to re-pay roughly \$128 million. When you think about the options we are considering, he breaks the analysis into two pieces. The first piece is, what do relative to the obligation in February. And, the second piece is, what do we do, in terms of

paying for projects going forward. The money that has been borrowed, and the money that needs to be paid back, is largely spent or it has been set aside for certain projects. In doing a borrowing now, we are not really funding projects on a go forward basis. We are effectively making a plan to deal with the debt that is outstanding. If you look at that bond option, it checks two boxes. It comes up with a way to repay the debt that is due in February. Then it also sets the county on a course going forward, and that course is to take care of projects on a pay-as-you-go basis. He wanted to make the distinction between what we are dealing with in February, and what things look like going forward. The bond option enables a repayment of the obligation in February, spread out over seven years, and then thereafter no additional borrowing to fund projects, only pay-as-you-go.

Mr. Malinowski stated, for clarification, if the bond option is chosen, in February Council will have the option to pay back the amount that is owed, over a seven year period.

Mr. Jones responded, we are talking about taking the amount outstanding and repaying it with a bond, which would lock in an interest rate today, because the amount must be repaid. In other words it is an obligation of the County. You could either pay cash, which is set forth in the briefing, which would cause issues in the program, or you can finance it. Your financing options are generally to either do a BAN, which is one year under State law, or you can do a bond and you can lock it in over seven years. For a lot of reasons, the recommendation from the staff and the County's professionals, is to borrow over that seven year period, given where interest rates are right now.

Mr. Malinowski requested, before this item goes to Council, to have the annual interest amount that would be paid back per year.

Mr. Cheatwood responded, the document in the packet shows the comparison of the long-term bond over the seven year period.

Mr. Malinowski responded he saw the attachment, but was befuddled by the attachment on scenarios one and two.

Mr. Manning noted, historically, when this gets to Council, no matter what was discussed in committee, we end up having to redo it all. So there is some sentiment of no need to do it here, and do it again there.

In favor: McBride, Livingston, Manning

Opposed: Malinowski

Not Present: Myers

The motion in favor passes.

5. **ADJOURNMENT** – The meeting adjourned at approximately 2:26 PM.