

**From:** Avant, David <David.Avant@admin.sc.gov>  
**To:** Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>  
Stenson, Kim <Kstenson@emd.sc.gov>  
**CC:** Baker, Josh <JoshBaker@gov.sc.gov>  
Pisarik, Holly <HollyPisarik@gov.sc.gov>  
Summers, Mason <Mason.Summers@admin.sc.gov>  
**Date:** 3/11/2016 2:02:24 PM  
**Subject:** RE: Post disaster parking damage at 3700 Landmark

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Just a couple of initial comments. The land owner is the entity with the potential claim against EMD. Therefore, we are drafting a release for him/her to sign releasing EMD and covenanting not to sue EMD. Also, since the landowner is the potential claimant here, I don't think I would condition payment to him/her on Richland County agreeing to use only PODs with approved MOUs.

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**From:** Schimsa, Rebecca  
**Sent:** Friday, March 11, 2016 1:31 PM  
**To:** Stenson, Kim; Avant, David  
**Cc:** Baker, Josh; Pisarik, Holly  
**Subject:** RE: Post disaster parking damage at 3700 Landmark

Looping in David for his input.

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**From:** Stenson, Kim [<mailto:Kstenson@emd.sc.gov>]  
**Sent:** Friday, March 11, 2016 11:35 AM  
**To:** Schimsa, Rebecca  
**Cc:** Baker, Josh  
**Subject:** FW: Post disaster parking damage at 3700 Landmark

Rebecca,

Please see below. Assuming your office supports this solution, the next steps would be:

- Obtain a copy of the estimate and/or invoice.
- Finalize and forward draft letter to Richland County that I forwarded to you earlier this week to include whether it should address a release or will be handled separately by David Avant. Also, we need to determine whether or not we should withhold payment pending a response from Richland County that they will only use PODs with approved MOUs.
- Ensure we can pay the property owner directly. We might be more comfortable providing the payment to Richland County
- Finalize how we will pay the \$17K. Josh, per our conversation yesterday, could we use the flood appropriation that you moved to us in Oct?

Regards,

Kim

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**From:** Mark Williams [<mailto:MWilliams@forestacres.net>]  
**Sent:** Friday, March 11, 2016 11:04 AM  
**To:** Stenson, Kim <Kstenson@emd.sc.gov>; Maynard, Danielle <dmaynard@emd.sc.gov>; Warren Harley <HarleyW@rcgov.us>; cmartellini@masc.sc  
**Cc:** Frank Brunson <incaresc@bellsouth.net>; Curt Rye <curtrye@sc.rr.com>; Ginger Dukes <gdukes1893@yahoo.com>; Roy Powell <beau4100@sc.rr.com>; Kirkman Finlay <KFinlay@chllc.net>; Beth Bernstein <Beth@bblawsc.com>; Gene Sealy <gsealy@forest-acres.org>  
**Subject:** Post disaster parking damage at 3700 Landmark

Good morning all:

I met again yesterday morning with Joe Edens and Rick Owens regarding their claim for damages to the parking lot at 3700 Landmark following water distribution after the October '15 flood. I am pleased to report that Edens has agreed to a settlement for damages as estimated by the claims adjuster for the city's liability insurer— the South Carolina Municipal Insurance and Risk Financing Fund (SCMIRF). According to the adjuster the damages total \$51,200 (12,400 sq. ft. of asphalt to be repaired @ \$4.00/sq. ft.).

Perhaps we can settle this claim without another meeting. A three way split would be \$17,066.66 apiece. The owners are prepared to execute a Release of All Claims in consideration of the payments. Payments may be made to the following address:

Edens Landmark Partners '87  
c/o NAI Avant  
PO Box 2267  
Columbia, SC 29202

John Criminger  
[jcriminger@naiavant.com](mailto:jcriminger@naiavant.com)

NAI Avant  
Direct +1 803 744 9818

Mark Williams  
City Administrator  
City of Forest Acres

5209 N Trenholm Rd.  
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