



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

March 27, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Bill Malinowski, Dalhi Myers, Yvonne McBride, and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Tracy Hegler, Ismail Ozbek, Brad Farrar, Jennifer Wladischkin, Larry Smith, Trenia Bowers, Tim Nielsen, Quinton Epps, Jamelle Ellis, and Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.

2. **APPROVAL OF MINUTES**
 - a. February 27, 2018 – Mr. N. Jackson moved, seconded by Ms. Myers, to approve the minutes as distributed.

In Favor: Malinowski, Myers, N. Jackson, and Livingston

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. N. Jackson moved, seconded by Ms. McBride, to move Item # 4(i): “To clarify the motion passed to move forward with the Renaissance Plan. Motion was to “move forward with the plan, to include the necessary purchase by the Administrator, as discussed in Executive Session.” NOTE: The motion did not give the Administrator permission to purchase additional property or make decisions without input and approval of full Council. In executive session the discussion included Vision, Draft and Public Input. It is paramount that this process is not ignored [N. Jackson]” to the first item for action on the agenda.

In Favor: Malinowski, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to adopt the agenda as amended.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**
 - a. To clarify the motion passed to move forward with the Renaissance Plan. Motion was to “move forward with the plan, to include the necessary purchase by the Administrator, as discussed in

Executive Session.” NOTE: The motion did not give the Administrator permission to purchase additional property or to make decisions without input and approval of full Council. In Executive Session the discussion included Vision, Draft and Public Input. It is paramount that this process in not ignored [N. JACKSON] – Mr. N. Jackson stated in recent discussions pertaining to the Renaissance Plan there is some confusion or misunderstanding of the motion that was passed. The Administrator to move forward with all purchase of properties, renovations and modifications to the Renaissance Plan. His motion was to specifically move forward with the plan to include the necessary purchase by the Administrator, as discussed in Executive Session. That was the properties that were discussed. No additional properties. He thinks anything moving forward with the plan would have been brought before Council and we would make a decision on what to purchase, what changes to do, and move forward. There is some misunderstanding and he wanted to clarify his motion, so Administration could understand and Council members could give their opinion so we can move forward smoothly without any misunderstanding.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to have a clarification of the motion that was passed that all new purchases or anything added to the Renaissance Plan must come before Council before moving forward.

Mr. Malinowski directed the committee’s attention to p. 101 of the agenda, about halfway down, after the 2nd substitute motion failed, and Mr. Rose requested Mr. N. Jackson to restate the substitute motion. It says, “Mr. N. Jackson stated the motion is move forward with the plan, to include the necessary purchase by the Administrator, as discussed in Executive Session.” He thinks the intent of Mr. N. Jackson’s motion was the word necessary purchase rather than any and all purchases. If that is the case, then he thinks that’s where Mr. N. Jackson’s motion is for clarification.

Mr. Livingston stated he is okay with the motion to move forward to get clarification, but the other language is assuming what it really meant. We just need to make sure we get it clarified because what it is saying here is the motion did not say and so forth. He is not sure what it did or did not say, but he is willing to move it forward, to at least get some clarification on it.

Mr. N. Jackson stated there is a misunderstanding with the Administrator and what the motion was. We had a lengthy discussion about it, so he just wants it clarified.

Mr. Malinowski made a substitute motion, seconded by Mr. N. Jackson, to move this forward to the Council in order to obtain clarification.

Ms. Myers inquired if it is necessary to have a motion on this rather than instructing the Administrator to refer to the motion. There is a motion in the notes. It is pretty clear. If the point is instructions were not clear, she does not understand why this would need to be forwarded to an agenda.

Mr. Livingston stated the reason he thinks it needs to be forwarded is so we make sure full Council agrees. Full Council might say I was clear on it I don’t need from the Administrator.

Ms. Myers stated, what she was saying was, if Mr. N. Jackson is referring us to p. 101, is that correct?

Mr. N. Jackson stated Mr. Malinowski on that.

Ms. Myers stated she is asking if Mr. N. Jackson is referring to his motion, as stated on p. 101.

Mr. N. Jackson responded in the affirmative.

Ms. Myers inquired if Mr. N. Jackson's motion is correctly stated there.

Mr. N. Jackson responded in the affirmative. The Administrator, as discussed at the Retreat, had a different understanding and that is why he wants to make it clear.

Ms. McBride stated she is still not sure about the clarity of the motion and what needs to be done.

Mr. N. Jackson stated we cannot discuss in detail what was in Executive Session. It is hard to say what was discussed in Executive Session, unless we go back in Executive Session. What was brought before us was the purchase of certain properties, in certain areas. There was some identification of some properties and places to be included in the Renaissance Plan; however, it was considered to be a vision or a draft. It was not final. That is what was discussed in Executive Session. At the Retreat, the Administrator said everything was final and that was not correct. That is why he made the motion to clarify, so we could have discussion to, at least, let the Administrator know exactly what Council's desires or intentions are, so we move smoothly without things happening and no one knows what really happened.

Ms. McBride inquired if we have this in writing because when we do the discussion we always leave out something. Could we put this in writing once we discuss this with the Administrator?

Mr. Livingston stated that is a great idea. Particularly when we are talking about addressing it before full Council.

Ms. McBride stated sometimes we do the discussion and then we still...we almost need to have it written up to provide to the Clerk.

Mr. N. Jackson stated he can forward his intent of the motion, so it will be in writing.

In Favor: Malinowski, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.

- b. Memorandum of Agreement with Hughes Lake Owners' Association for Storm Drainage Pipe Replacement – Ms. Myers moved, seconded by Ms. McBride, to forward to Council to approve the negotiation of a MOU.

Mr. Malinowski stated staff's recommendation is to authorize staff to negotiate and execute a MOU. He would like to see the document brought back to Council prior to execution.

Ms. Myers accepted the friendly amendment to bring the document back prior to execution.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- c. Award of Contract for Hunters Run, Phase I Roadway Repairs project – Ms. Myers moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the request to award the contract to Armstrong Construction for construction services described in detail in the project plans and specifications advertised.

Mr. Malinowski stated this item was considered at the February 27th meeting. During the meeting deliberations the committee voted to keep this item in committee and determine if there is a reason

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why it came before Council. If it should not have, then place Hunters Runs' roads on the list with the other roads and prioritize accordingly. As you go down through the findings it says, "the committee requested staff to develop a prioritized list of private and public roads that need repair." It also says, "Staff has developed an assessment of subdivision roads and is in the process of completing it." His question, therefore is, why are we moving forward with approval of a road when we do not know where it will stand on this prioritization list?

Ms. Myers stated the reason she recommended approval was because during the last Council meeting when she raised this issue, as prioritization of another road that was in the same status, we decided then to move forward because it was before us. And to allow it to be repaired while the staff was left to develop a prioritization list. When she read the briefing documents, her analysis was this one is in the same posture. If that one gets treatment. Then this should get treatment too. Therefore, she moved to approve it out of fairness. The County taxpayers, in all districts, ought to have the same treatment. Since we moved one forward, it was her desire to move this one forward, as well.

Mr. Malinowski stated with that thought process we could have a rush to get several others put in here before we finally get the prioritized list. It will be before us, so we keep approving them to the exclusion of the others that may be in more need of being approved.

Ms. Myers stated, for clarification, this one preceded the one we approved and that is why she thought it was unfair.

Mr. Malinowski stated on p. 16, it says, "...the Department of Public Works (DPW) engineering staff engaged the services of an engineering design firm to perform surveying, geotechnical engineering, and civil engineering design." He inquired as to who approved this since this road was not approved to be done. Also, go on and answer the next paragraph where it says, "An Invitation for Bid (IFB) was issued..." Again, who gave the authority for all of this issuing of things to be done when you did not know if Council was going to approve any of these actions?

Mr. Ozbek stated the companion document Administration prepared goes back to November 17, 2015. During that time, it states that the Council approved accepting the roads and drainage into its system. Administration issued a letter, which they copied Council on, stating the roads and drainage system would be repaired. Based on that, Public Works engaged engineering firm to do the preliminary design and come up with a cost estimate.

Mr. Malinowski stated so it is Administration's fault. He inquired where the funds are coming from.

Mr. Madden stated the funds are coming from Public Works Department's current budget.

Mr. N. Jackson stated he keeps hearing his colleague mention a prioritization list. He knows we have a ranking list, which is based on dirt roads. Usually when a subdivision is built and the County accepts the roads into its inventory, some of the roads are not done properly and there are requests from these communities to have the roads repaired or constructed properly. He does not think we have a list for that.

Mr. Ozbek stated we are in the process. Planning and Public Works is working together to review all of them.

Mr. N. Jackson stated there is some confusion with some of his colleagues. The only list we have is a ranking list with the dirt roads.

Mr. Ozbek stated the County does not currently have a ranking.

Mr. N. Jackson stated whatever comes before us now, until we have the list developed, or the policy or procedure for that list, the only we can go by... We cannot put everything on hold until we come up with that. He is not sure when that will happen. Anything that is discussed in Council, we should act on it. He would not like to keep the citizens waiting until we decide to develop a list.

Mr. Ozbek stated he and Tracy are working with staff. They are expecting to provide the list somewhere in early Summer because the cost estimates are going to take some time.

Mr. N. Jackson stated he would not like to keep these people waiting until September before we come up with a list and then decide to go by the list. Until then, we have to deal with whatever we have. Whatever comes before us, we discuss it and move forward.

Ms. Myers stated she was not collapsing this with the dirt road list. She thinks she specifically requested that we have a list, so that people would not keep coming and jumping out of turn. To have some sense with the public that there was a fair process and we were adequately accounting for the roads. Also, budgeting so that we would not fix 10 and then run out of money. When one is in a horrible state and one just needed a patch, but because they were the "screaming child" they got it first.

Ms. McBride stated she did not want to be punitive in not funding this, if it is needed, but also want to think in terms of those others that have contacted you and are on a list and have not received the work that is needed. She would hope we would have an opportunity before we receive the list, to review it, and look at the areas that are being repaired. She knows personally that she has submitted several. In order, to be fair she wants District 3 to get the resources they need also. She is skeptical about approving this and saying anything after this we will put on a priority list because District 3 may get left. And other people may get left out. She urges caution as we decide and prioritize the list staff is planning to do.

Mr. Livingston inquired as to when the list may be completed.

Mr. Ozbek stated sometime between May – July, depending on when they can perform all the cost estimates. It is quite an extensive list. These are incomplete, defaulted, and subdivision roads. Several of those roads already have active developers working on them. Planning Development Department are in the process of identifying those developers. There are a lot of activities going on to make the list. We do not want to take all of those privately, unfinished roads while there is an active and capable developer developing properties in the areas. The idea is to eliminate those and narrow down the list.

Mr. Malinowski inquired if Mr. Ozbek is aware if there are any other roads that he referred to on this extensive list that may pre-date this one.

Mr. Ozbek stated he could not answer that question.

Mr. Malinowski stated he would like that answer by the time this item gets to Council. If there are roads that pre-date this one, then those are the ones we should be looking at regardless of when this one came in.

Ms. McBride stated there is no process in place that actually tells how they are coming in.

Mr. Ozbek stated that is correct.

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Mr. Malinowski stated we have discussed these roads before. Certainly in reviewing minutes you can say well XYZ Development came in in August 2016 because the bond had expired and the roads were not done. He knows Hilton Village in the Northwest asked 5 years ago for roads to be done. He does not know if they have been done. He does not know what Ms. McBride has in her area. He thinks we need to find this out before we spend \$250,000 on one.

Ms. McBride stated she was just questioning the source of how they are coming through.

In Favor: Myers, N. Jackson, Livingston and McBride

Opposed: Malinowski

The vote was in favor.

- d. Restructuring Ordinance: Phase II – Ms. Myers stated this was on the Council agenda and she does not understand how it got back to us or why. She may need an understanding of that before she makes a motion.

Mr. Madden stated this item was held in committee from the February 27th Committee meeting. There was a request for a report from Councilman N. Jackson.

Mr. N. Jackson stated it did not say which ordinance or anything. It just said “Restructuring Ordinance: Phase II”.

Mr. Madden stated, if you recall, in Summer 2017, staff presented a Countywide restructuring ordinance that was approved by Council. During the approval process, the intent from staff was to bring back a 2nd part of that. There were 2 components/phases. Phase I was an overall restructuring. Phase II was to allow the departments an opportunity to go back and flesh out the details of that. Phase II, which is before you now, is the detail.

Mr. N. Jackson stated the reason he asked is because he made a motion to take it back to the original structure, so he was not sure if that was what was here. He inquired if this was different from the motion he made.

Mr. Madden responded in the affirmative.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the restructuring ordinance: Phase II.

Mr. Malinowski inquired if the Community and Government Services Director position is a new position being created or is it being given to someone already on board.

Mr. Madden stated this is for someone already on board.

Mr. Livingston stated his recommendation is to forward this without a recommendation because he believes this is an item that Council probably needs to have a discussion about before we move forward. Since we are talking about doing evaluations, some of these things may come up. He is not sure he is ready to approve the document.

Mr. N. Jackson moved, seconded by Mr. Livingston, to forward this to Council without a recommendation.

In Favor: Malinowski, Myers, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.

- e. Public Defender's Office: Budget Amendment Request – Mr. Livingston stated he was not clear because he did not remember getting a recommendation. He just got a letter from someone in his packet.

Mr. Madden stated what is before the committee is a request initiated by the Public Defender's Office. Ms. Fielding Pringle is in attendance and can speak to the request.

Mr. Malinowski stated what is before us is a letter. His recollection is we have a Council rule that items that are placed on committee or Council agendas must go through a Council member. We do not just start getting letters from elected officials or citizens to say I would like to have this discussed. Secondly, we have a rule that says all items placed on a committee agenda must be received by the Clerk two weeks prior to the committee with all backup material in place. This letter is dated March 21st. There is no way this was to the Clerk two weeks prior. He believes it is not properly before us and should be placed on the next agenda.

Ms. Myers stated, for clarification, the letter says they are not asking for anything. She thinks it was just a mistake for it be on the agenda. The first paragraph says, "It is my understanding that this issue is already on your March 27, 2018 meeting agenda and I do not need to submit a formal Request of Action at this time." She thinks this was a letter of notification and there is no action being requested.

Mr. Malinowski moved, seconded by Ms. Myers, to accept this as information until we get this officially placed on the agenda.

Mr. N. Jackson stated this is for additional security at the Public Defender's Office. He inquired if it is on the agenda somewhere else.

Mr. Madden stated the item is a request from the Public Defender's Office for a budget amendment. The proposal from the Public Defender's Office is the letter. He thinks the first sentence in the letter may cause some confusion, so he will defer to Ms. Pringle to answer any questions the committee may have about the letter.

Ms. Myers stated she does not think the committee has enough information to properly consider this item. Even if there were a budget amendment, the committee has no documents. They have nothing from staff to guide any deliberations and they would be discussing it for no reason.

Ms. Dickerson inquired about how it got on the agenda.

Mr. Madden stated the request came to him and he forwarded the entire agenda packet for distribution.

Ms. McBride stated she believes staff made a mistake in including it. If someone is here from the Public Defender's Office, would be appropriate to allow them explain it.

Mr. Livingston stated he has read the letter. He doesn't know if there is any explanation, other than the letter.

Ms. McBride stated she has been here before where they allowed people that were not on the program that had spoken to speak again.

Mr. Livingston requested Ms. McBride to tell him what she would like Ms. Pringle to speak to.

Ms. McBride stated she wanted to allow Ms. Pringle to speak to the request she had.

Mr. Malinowski stated, for clarification, we have nothing but the letter. We have no staff recommendations, background or input. We will likely get a regurgitation or synopsis of what it already here. He does not see the point in having someone talk.

Ms. McBride stated she is sure Ms. Pringle has some extra information she would like to provide, but it is left up to the Chair.

Mr. Livingston stated, in this particular case, this is not properly before us. It is not an action. No matter what she says, we are not going to take any action on this item and move forward with it.

In Favor: Malinowski, Myers, N. Jackson and Livingston

The vote in favor was unanimous.

Ms. Myers stated it would help to have the normal supporting documents staff generally provide with a budget amendment request.

- f. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. does not agree to the MOU or if Council still feels that there is taxation without representation. NOTE: This is a partial solution to the constant challenge for taxation and representation – Mr. N. Jackson stated several months ago Council sent a MOU with a list of concerns to the Recreation Commission for consideration. Eventually, they responded but they do not accept anything Council sent them. There is no follow-up on what actions we would take, based on that. What he is seeing throughout his area is that people have been told programs are cut because the budget was cut. He does not remember the County cutting any budget. We sent a MOU to the Recreation Commission and they ignored it or decided not to accept anything on the MOU. He brought this back to see what actions or what Council should do in reaction to the Recreation Commission not answering us or telling us no.

Ms. Myers inquired if Mr. Smith heard anything further from the Commission after the joint meeting.

Mr. Smith stated he had not. He thinks several Council members attended a meeting with the Recreation Commission where some of these issues were discussed. However, we have not heard anything formally from their attorney regarding their willingness to execute the MOU, which we forwarded to them months ago.

Ms. Myers stated at the last joint meeting the Recreation Commission was asked to answer some questions. She thanked Ms. Tara Dickerson for providing those answers. The Commission was to follow-up with either modifications or an acceptance of the MOU. She inquired if the Commission had discussed the MOU since the joint meeting.

Ms. T. Dickerson stated that is a Board decision and to her knowledge the Board has not discussed that since the joint meeting.

Ms. Myers stated she would have thought that if they had discussed MOU they would have made a recommendation and give some instruction. As far as Ms. T. Dickerson knows, no action has been taken on that.

Mr. Malinowski stated there is a letter that was sent from Ms. T. Dickerson on February 6th. It said it was regarding a follow-up from the January 22, 2018 Special Called Meeting. He stated the letter indicated the Garners Ferry Sports Complex – Phase I, that 40 acres was purchased for \$1.6 million. Yet, he has been given other information that says the property was either listed at or valued at approximately \$245,000. He inquired why 7 – 8 times as much was paid for the property.

Ms. T. Dickerson stated she has the appraisal from 2008 on the property. The individuals who were responsible for the purchase of the property are no longer with the agency. However, she was able to locate the appraisal. The appraisal was done by Marshall Dodds Co., Inc. The only information she can find that the property was valued at \$1,620,000. They paid \$1.6 million.

Mr. Livingston clarified the motion before the committee as follows: “I move that the County develop a separate Recreation Commission to manage the 8 additional mills if the Recreation Commission does not agree to the MOU.”

Mr. Malinowski apologized for skipping ahead.

Mr. Livingston stated legally he does not know whether we can do. We may have to take it up with the attorney. And at what point are we talking about doing that. The current budget. The next budget. It is not very clear to him.

Mr. N. Jackson stated his motion is just as it is. We sent the MOU to the Recreation Commission to consider, and we had a meeting with them also. This is Richland County Council who finances the entire Recreation Commission. If we sent a MOU to the Commission and they decide not to even entertain it. We had a meeting for them to move forward with it and they have not done anything. We sent the MOU for a specific purpose, for them to discuss it. To satisfy some of the concerns Council had because we are funding it. For them not to acknowledge or not to anything, he does not think is appropriate. They should respond, in some form or fashion, because you have people talking about taxation without representation right now. We have a Recreation Commission who is not responding to the MOU we sent to them. In that case, either we take some action or we continue to let it continue as it is. Where they do what they want. We just give them money and we have no say. Or, if we are only responsible for 5 of the 13 mills, let them handle their 5 mills and our 8 mills we have some clear definition how they spent our 8 mills. If they fail to respond to us. It is almost disrespectful for them. We got together. We had a discussion, drafted the MOU and sent it to them. We went and met with them. They are supposed to discuss it. Until till today, they have not done anything.

Ms. McBride stated she did not know why Ms. T. Dickerson was still having to stand because this is a County decision and the motion we are dealing with now. She inquired if we have the right to not provide them the full funding.

Mr. Smith stated the statute says up to 5 mills. The Council has the right to give them less than that, within Council’s discretion. To Mr. Livingston’s point, he wants to make sure Council knows there was a lawsuit filed maybe a year ago to clarify the issue of taxation without representation, which was left hanging from the Weaver decision years ago. It is his understanding that was done in the form of declaratory judgment action and was argued before the courts, but we have not gotten an Order from the judge yet regarding the position that we were taking that it is unconstitutional to allow someone else, other than those elected, to make these taxation decisions.

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Ms. McBride inquired if we would have to make this decision during budget time.

Mr. Livingston stated it depends on the maker of the motion.

Ms. McBride stated, for clarification, could you do it at any time or would it have to be done during budget time.

Mr. Livingston stated it is Mr. N. Jackson's motion and he does not want to speak to that.

Mr. Malinowski moved, seconded by Ms. Myers, that every effort be made by the Recreation Commission to provide this Council some response, in an effort to come to an agreement on the MOU that was initially sent to the Recreation Commission, by the April committee meeting. If no response is received at that point, this committee makes a decision what to do with the additional 8 mills Councilman N. Jackson is referring to and a recommendation for the full Council.

Mr. N. Jackson stated what he is seeing now is the Recreation Commission is charging more for programs and charging for some programs. There is a lot of charging that is going on that has never been done before. They are telling the community the budget was cut. He stated why he made the motion is because they are telling the community has been cut and the budget has not been cut yet. They are preparing that they will not listen to Council and decide to raise the money some other way. It seems like they are doing a good job.

Mr. N. Jackson made a substitute motion, seconded by Ms. McBride, to cut the budget.

Ms. Myers inquired if Mr. N. Jackson is suggesting a budget amendment to cut the 8 mills from this budget cycle.

Mr. N. Jackson stated, if they do not respond to Council immediately, the suggested is to do a budget amendment to cut the 8 mills from this budget cycle.

Ms. Myers inquired as to what Mr. N. Jackson means by immediately.

Mr. N. Jackson inquired as to when the Recreation Commission's next meeting is.

Ms. Dickerson stated she heard what her colleagues said about some people saying that the projects are being cut because we are cutting the money. The money is not there. She inquired if anyone can tell her who said what. She thinks this is when we get all tied up when no one identifies these people that make these comments. Did the Commission go out and tell the people they were going to cut projects and charge more for projects. Or is this just something that came up in the community.

Mr. Livingston said that was not germane to the motion.

Mr. N. Jackson stated, if it is not germane, Ms. Dickerson should not have been allowed to speak to it because he and Ms. Dickerson have concerns.

Mr. Livingston stated the motion is do you want to cut the mill or not.

Mr. N. Jackson stated he thinks this is part of the discussion. Why we should or should not. It is pertaining to that.

Mr. Livingston is going to allow Mr. N. Jackson to respond to Ms. Dickerson's question, but he is going to rule if it is not a part of the question.

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Mr. N. Jackson stated we all have constituents. We all have different teams and leagues in our districts. When they apply to get permission play sports or whatever at the Recreation Commission, they are told by the staff that there is no funding, they have to start paying or the fees have increased. The Recreation Commission does not provide us with a list of what fees have changed.

Mr. Malinowski stated, for clarification, that Mr. N. Jackson's motion is to immediately cut the 8 mills from them unless we get an immediate response to the MOU. He believes it was asked what is immediate and we still have not been provided that to add to the motion.

Mr. N. Jackson stated the Recreation Commission's meeting is on the 16th and Council meets on the 17th.

Ms. McBride inquired if Mr. N. Jackson meant to immediately cut the budget.

Mr. N. Jackson stated he meant to cut the budget if they did not respond.

Ms. McBride stated so the budget would be immediately cut, which is not what her interpretation was. She misunderstood.

Mr. Pearce stated if you accept that motion you will shut the Recreation Commission down. At this point in the fiscal year, he doubted there is 8 mills left. If you are prepared to shut the Recreation Commission down, support that motion. He thinks the more appropriate motion is the original motion to talk about using the leverage we have, with the millage we have, to get them to negotiate. We have a new budget year coming up. He just thinks this is a more reasonable approach at this point and time.

Ms. Myers stated, in harmony with what Mr. Pearce was saying, to the extent that we are where we are in the year, and those meetings are back to back, it is next to impossible to expect they would meet at 6:00 – 7:00 on Monday and get a response to us that any of us would read by 6:00 – 7:00 the following Tuesday. It might be a more logical response to say to this group that we are very concerned about this and we are looking at the 2nd half of the biennium, not the 1st half, and give a date certain by which we expect a response. We put them on notice that the 8 mills we give them... She hopes the public understands we are required to give them 5 mills. We give them 5 to 8. The additional 8 are essentially an extension of the budget from the taxpayers above what we are required to do. All we are saying is come back and tell us you will use the money.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to go into recess until after the Zoning Public Hearing.

*The committee recessed the meeting at approximately 7:00 PM
and reconvened at approximately 7:15 PM*

Mr. N. Jackson moved, seconded by Mr. Malinowski, to complete the current item and hold the remaining items until the April committee meeting.

The vote in favor was unanimous.

Mr. Livingston stated there are 2 motions on the floor. Mr. Malinowski's original motion and Mr. N. Jackson's substitute motion. The substitute motion is not funding the Recreation Commission if we do not have something by a certain date.

Mr. N. Jackson stated his motion was that if we did not hear back from the Recreation Commission immediately (i.e. April committee meeting). Council made a motion to the Recreation Commission about the 8 mills and the 5 mills. His motion was if we send them a MOU and they decided they are not going to respond to the MOU, at least, give them one more opportunity to respond to the MOU before taking any action. And that was what we had about the 8 mills and 5 mills. Holding the 8 mills and we give instructions on our 8 mills. His motion was to take the money from them, but we had a motion, like we did previously, where we would give instruction to our 8 mills. It is 13 mills. We are obligated to 5 and we give an additional 8 mills. If we have no control over anything then we should at least decide how our 8 mills are spent. That will address taxation without representation.

In Favor: N. Jackson

Opposed: Malinowski, Myers, and Livingston

The substitute motion failed.

Mr. Livingston stated that brings us back to Mr. Malinowski's motion. His motion did not stipulate not funding, but stipulated getting some information back by a certain time.

Mr. Malinowski stated the timeframe was by the next committee meeting, which gives them 30 days to respond.

Ms. Myers requested the following friendly amendment: any consideration of defunding would be for the 2nd half of the biennium.

Mr. Malinowski accepted the friendly amendment.

Mr. Livingston stated the motion is to get a response by the next committee meeting and any discussing of defunding would only speak to the 2nd half of the biennium.

In favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- g. Do not approve any additional projects from the remainder of the \$50 million Recreation Bond until an explanation is given from the Recreation Commission, why \$1,600,000 was paid for 40 acres of land worth \$255,000 NOTE: The intent was to purchase 40 acres and build a road at the cost of \$1,600,000. The documents might state to purchase and only but if an appraisal was done it would have shown that the land was worth \$255,000 [N. JACKSON] – This item was not taken up.
- h. Move that the agreement with Platinum Plus to operate to perpetuity be reconsidered and that they never reopen at that location. NOTE: It's next to a graveyard and a church which violates County Ordinance. It was never grandfathered making it noncompliance [N. JACKSON] – This item was not taken up.
- i. Consider two big items to the Renaissance Plan, one in the Southeast and the other in the Northeast. A basketball complex in the Southeast and a baseball complex in the Northeast. (Revenue producing) NOTE: Some of the most popular basketball tournaments in Richland County the Chick-fil-a Classic turn away visitors. Richland School Districts 1 & 2 pays a tremendous amount of money annually for rental of the Coliseum for graduation services. The use of the basketball complex could be used for graduation services, bringing in much needed revenue to the County. It is difficult for Richland

County to host sports tournaments because visitors have to drive and navigate to get to different parks not adequately equipped [N. JACKSON] – This item was not taken up.

5. **ADJOURNMENT** – The meeting adjourned at approximately 7:21 PM.