

**Richland County Recreation Commission
Regular Board Meeting Minutes
Monday, January 25, 2010
6:00 PM**

Commissioners in Attendance:

Delano Boulware, Chairman
J. Marie Green, Vice Chair
Charles Epps, Secretary
Wilbert Lewis, Commissioner
Barbara Mickens, Commissioner
George Martin, Commissioner

RCRC Staff in Attendance:

Brian Devost
Cornelia Watts
Curt Wilson
David Stringer
Janet Heuer
Taurus Lewis
James Brown, Sr.
Ronnie Kinnett
Cynthia Robinson
Tony Cooper
Tiyana White
Kenya Bryant
Steven Tindal
Comilla Sampson

Others in Attendance:

James Bridgett Jr., Consultant/Parliamentarian
Councilman Jim Manning, District 8
Mr. Kelly Smith, Executive Director South Carolina Association of Special Purpose
Districts

1. Call to Order:

Chairman Boulware called meeting to order at 6:02p.m.

2. Adoption of Agenda: (Action)

Motion to adopt the agenda made by Commissioner Lewis and second by Commissioner Mickens. Commissioner Epps moved to amend the agenda and add use of agency vehicles by staff; Chairman Boulware stated to add under Other

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Business. Motion approved unanimously by all members present: Boulware, Green, Epps, Lewis, Mickens and Martin.

3. Approval of Minutes: (Action)

Motion to approve minutes from December 21, 2009 meeting made by Commissioner Green and second by Commissioner Lewis. Motion approved unanimously by all members present: Boulware, Green, Epps, Lewis, Mickens and Martin.

4. Public Input: (Information)

No public input.

Chairman Boulware stated that he would like to take this opportunity to make some comments. He welcomed James Brown back to work, thanked RCRC staff members for their hard work, recognized Charles Eubanks for his positive article in the Midlands Alliance and support from Steven Tindal, Taurus Lewis and James Brown.

Chairman Boulware welcomed Councilman Jim Manning and thanked him for his hard work.

Chairman Boulware expressed his concern that in the Northeast area there is still a need for more free play in the gyms. Taurus Lewis, Director of Parks, responded by explaining free play schedules at the parks. He explained that approximately 22 hours per week is set aside for free play taking into consideration the different basketball leagues that use our parks. Taurus stated that after basketball season, Facility Operations will re-look at the free play issue. James Brown, Facility Operations, expressed his concerns regarding negative comments and the need for more positive feedback. Commissioners Green, Mickens, Epps and Boulware expressed their gratitude for the good work in the Parks Department.

5. Palmetto Table Tennis Club: (Action)

Brian Devost, Executive Director, presented information from last Board meeting by Mr. and Mrs. Mitchell from the Palmetto Table Tennis Club to host a sanction tournament at Polo Road Park gymnasium on May 22, 2010 between 9:00am and 6:00pm. Proceeds from the Table Tennis Tournament would benefit the Wounded Warrior's Project. The other item for the Board's consideration is the selling of T-shirts during that tournament. Brian stated that he has reviewed the request and believes that it is a worthy event. He also stated that the RCRC policy for Public Use of Facilities/Request for Waiver of Facility Fees (**Handout**) is not clear on how we collect fees for benefits or special events. Mr. Devost recommended that RCRC take control of fees collected at these types of events, across the board for all programs raising money for a special cause so that we are sure the proceeds are going to the groups that they say they are going to and also approve Mr. and Mrs. Mitchell's request with the stipulation fore mentioned. Mr. Devost stated

that this issue is not a question of trust/integrity, but rather to safeguard the agency against the in-appropriate use of donation by an outside group.

Mr. Joel Mitchell asked to speak. Chairman Boulware gave Mr. Joel Mitchell permission. Mr. Mitchell stated that he appreciated the concern for collection of the sanction fees and that a third party has been assigned to collect fees in accordance with the USATT. He advised that he has a package ready for presentation outlining how the fees are collected and distributed.

Commissioners agreed to receive as information and table Mr. Devost's recommendation until Mr. Mitchell and Mr. Devost have a chance to meet to discuss the proposal further.

6. 5 A Day & 50K Program Eastover: (Action)

Brian Devost, Executive Director, presented a request for waiver of facility fees from Dr. Jody Ellison to host a health program at Eastover Park on Tuesdays from 6:30 to 7:30pm for 24 weeks. The 5 A Day & 50K program would host approximately 90 participants with a focus on nutrition and fitness. Mr. Devost recommended that this program be granted a waiver because it supports our focus on wellness.

Commissioner Lewis questioned if there were any funds involved and Mr. Devost advised only grant funds which are already ear marked for the program.

Motion to grant request for waiver of facility fees for the 5 A Day & 50K Program in Eastover made by Commissioner Epps, second by Commissioner Mickens. Motion approved by: Boulware, Epps, Mickens, Lewis and Martin. Abstained: Commissioner Green.

7. Financial Report: (Information-Handout)

Curtis Wilson, Business Operations Department Director, reviewed cash flow report outlined in Board packet. Received funding for January which puts us ahead of what we received last year at this same time. Ending cash projections for June 30 is less than what we started the year with, so we will still keep an eye on spending and continue with cost saving measures in place to protect cash.

Bond Activity for December: \$10 million BAN was paid off after sale of \$10 million bond in late November. In early December sold \$27 million Bond which was deposited with the Richland County Treasurer and as we move into our Bond stages, we will request funds to be transferred for expenditures. Purchased property on Kelly Mill Road and a lot of the smaller projects are on line now ready to start such as fencing and playgrounds.

LinRick: Bad month in December, about 1,000 less players than December last year. Commissioner Lewis asked how does this December compare to last December and Mr. Wilson advised that LinRick is about \$30 ahead of last year.

Commissioner Epps expressed his concerns in the areas of cash flow, spending practices, staff training and fees. Mr. Wilson explained that with the bad economy, the 5% cut across the board for all millage agencies, cash flow is critical. Purchases over \$500 must be approved and we also still have the hiring freeze in place. Mr. Devost stated that we are focusing on direct cost and trying to control indirect cost. We are working on more in house training for staff. We have an all Staff training scheduled for next week at the AAC. We have a fees committee working on a schedule for all aspects of programs and rentals. We are keeping a close eye on all expenses.

8. Long Range Plan Mission Statement: (Action)

Brian Devost, Executive Director, presented recommendation from last Board meeting, which was tabled, for approval of new RCRC Mission Statement, "Dedicated to enriching lives and connecting communities through diverse recreational experiences."

Commissioner Green asked if Staff researched concern by Mr. Bridgett that the Mission Statement is protected by law. Mr. Devost stated that in his research he found that the Mission Statement is separate from the Charter which is protected by law and that Cynthia Robinson created the last Mission Statement.

Mr. Bridgett stated that the law specifies that the Board of Commissioners is responsible for the governance of the organization. The Mission Statement should be developed and approved by the Board. When long range planning is done, the Board is responsible for the Mission Statement, the vision and the goals. The staff can recommend and bring to the Board to approve. The Staff does not have the authority to determine the Mission Statement. Commissioner Lewis stated that it is his understanding that Staff is making a recommendation and bringing it before the Board for our official position of voting whether or not we support the Mission Statement or we don't and I am prepared to move forward with the motion at the appropriate time.

For clarification, Commissioner Green stated that if we vote on this and the vote is unanimous, then that means that the Board made the decision.

Motion to accept recommendation of administration of Mission Statement as presented made by Commissioner Lewis, second by Commissioner Green. Motion approved by: Boulware, Green, Lewis, Mickens and Martin; Opposed: Epps.

9. Ambassador Program: (Information)

Brian Devost, Executive Director, presented a review of Park Rangers transitioning to Ambassadors. The transition will bring the employees in house giving RCRC more

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control over training and save money. We are short on Park Rangers and we feel with the transition, we can better train and prepare our people to provide a safe and secure atmosphere but also a more caring and approachable atmosphere. We want our people to go out engage and work with the youth. There were concerns among Board members of not having a uniformed RCRC employee for visual presence and Mr. Devost explained that our Ambassadors will have jackets and hats but they are not law enforcement officers nor were the Park Rangers. The Ambassadors will focus on security, traffic control just as the Park Rangers did but they will also focus on quality control, rule interpretation and interaction with the kids, parents, league officials, crowd, etc. The Board received as information the review of the Ambassador Program.

10. Community Action Teams (CAT): (Information)

Kenya Bryant, Communications Supervisor, explained concept of the new Community Action Teams. Kenya distributed By-laws and guidelines handout to Board for information and review. The new Community Action Teams in the past were called Community Advisory Councils and we are trying to ramp up the Teams to open the lines of communication with the communities. The Town Hall meetings have been a place that the community has opened up and emphasized that they need a voice. We feel that because of budgetary restraints, these Teams will provide an avenue for fundraising, etc. to get things that they feel they need for their parks and provide an open line of communication with RCRC. Chairman Boulware asked how will Team members be recruited and Kenya stated volunteers (Town Hall participants), recommendations from Park Managers, website and newspaper, whatever it takes to get the word out. Commissioner Lewis commented that he was glad to see the emphasis put back into the community action teams. He also stated that the CAT Team name is used by the Richland County Sheriff's department and we may want to re-look at the name so that there would be no confusion with law enforcement. Kenya stated that the committee will go back to drawing board for the name.

Chairman Boulware called for a 5 minute recess.

Chairman Boulware called the meeting back to order and asked for a motion to move #13 Other Business to #11.

Motion to move #13 Other Business to #11 made by Commissioner Green, second by Commissioner Lewis. Motion approved unanimously by all members present: Boulware, Green, Lewis, Epps, Mickens and Martin.

11. Other Business:

A. House Bill 3797

Chairman Boulware asked Mr. Kelly Smith, Executive Director of South Carolina Association of Special Purpose Districts, to come forward to give an update on the constitutional law that is being proposed for the Special Purpose District.

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Mr. Smith explained that Special Purpose Districts are the third form of local government created by law outside of municipal boundaries to provide services that the city or the county could not provide. When they changed the forms of government, Special Purpose Districts was sort of left out and never came under the rule which means we're still constitutional and we're still a third form of local government. Our legislation provides a framework of how we govern ourselves. About four or five years ago there was a case from this Commission all the way to the Supreme Court to do away with this District, it was the appointment of the Commissioners. Some of you were appointed following that and prior to that the delegation made the appointments. There in lies some of our problem. We have a situation in South Carolina where everybody feels that the county should take over certain services and the state legislature should take over state services and not be involved in the small things within the County. I am not sure I agree with that because I come from a background of community development and believe you have to do the things that you all are doing. I believe if we had more recreation that we would not be having some of the gang problems. I got a call from Representative Jim Harrison last Thursday wanting to meet with me to discuss how he could make a piece of legislation, 3797 which basically provides that recreation districts can be done away with. He indicated that what he wanted to do was to make it apply to Richland County Recreation Commission and only Richland County Recreation Commission. We are not able to get into a long legal fight again due to Association resources, however we will work and provide an avenue for you to work to develop some language, if you choose to do so, to make it more reasonable. In the Greenville County Council take over of the Greenville Recreation District, legislation was developed and passed that it could only apply to recreation districts and not to those that provide both recreation and aging services. I am not sure if that is in your legislation and at this point you cannot amend legislation. One of the biggest problems and probably the focus of this legislation is the Bonded Indebtedness. Our main argument that we have used over the years is that when you start messing with Bond Indebtedness of any district, you are creating problems for the county and the state.

I called because H-3797 provides for doing away with this District and they are trying to narrow it down to Richland County District and that is possible. I had hoped that Richland County Recreation Commission had built some ladders to your delegation so that you would be able to discuss these things and be aware of them and basically avoid them. We encourage all our districts to have the councils and citizens to share and make recommendations to the Board, to be involved. You have an excellent staff that has done outstanding work by the awards that you have won and the recreation that you provide. I continue to find it of interest that you are under this type of pressure again, but what it does say is that the only people who can stop this is your delegation. This bill could possibly come out Thursday afternoon, be put on the floor, receive first and second reading in the House on Tuesday and Wednesday and go to the Senate by the next Thursday. It takes three readings, when it leaves the constitutional law subcommittee,

then it goes to the full house judiciary subcommittee and then to the house floor for two more readings and then to the Senate for the same process.

This would change the way this District acts and reacts. The probability is that it would be placed under County Council and anybody's job in the District would be up to whatever the Administrator for County Council chooses.

Commissioner Epps asked if the District was created by a referendum and Mr. Bridgett stated that the law required a referendum.

Mr. Smith explained what they generally do as a State Association is anytime you start playing around with a District that you have a vote of people receiving services from the District and that you have a procedure in place to take care of the Bonded Indebtedness so that you are not double funded. Bonded Indebtedness does not go away just because the County takes it over.

Commissioner Green asked Mr. Smith was it his recommendation to contact our representatives and ask them not to support this and Mr. Smith advised he encourages that and also get council members and members of the community to contact legislators.

Commissioner Epps expressed his concern for employee jobs and stated that he will be contacting his representatives and also suggested talking with our attorney.

Mr. Bridgett stated that the new proposal would require that once the legislature passed it, then the legislative delegation would have to pass a resolution adopting it and county council would have to pass a resolution adopting it.

The question was asked if one Senator can stop it and the answer was yes.

Mr. Smith advised that there will be a meeting tomorrow 10:30am at the Special Purpose District office in Irmo and the Executive Director and Board members are invited.

Mr. Bridgett recommended getting a copy of the Supreme Court's ruling from the last time this was attempted. The Supreme Court was very clear, it was a split decision, but the court ruling was that it was single county, the legislature cannot pass a law that only applies to one county. Mr. Bridgett stated that we need to look at all angle to oppose and that he knows when the District was set up, it required a referendum.

Mr. Smith stated that this legislation does not have language that requires a referendum. Mr. Bridgett stated that it calls for a resolution from the legislative delegation and a corresponding resolution from County Council. Mr. Smith stated that it does not say whether it would be a resolution out of the State House or Delegation.

Mr. Smith thanked the Board for the opportunity to speak and offered his assistance.

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B. Rosenwald School

Chairman Boulware asked Cynthia Robinson for an update on the New York Times article about the Rosenwald School.

Cynthia Robinson reported that the New York Times came and took lots of pictures and interviewed lots of people. The article was not in the New York Times here but The New York Times reporter sent the paper with the article and she will get copies. Cynthia stated that she thinks this will be a great exhibit to put in the school.

12. Executive Director Report:

Brian Devost, Executive Director, presented requests for waiver of facility fees as listed:

- The National Democratic Party request to use a number of facilities for precinct organization on Saturday, February 20, 2010 from 10:00 – 11:00a.m.
- Ms. Doris Robinson request use of Caughman Road Park for a meet and greet of a candidate running for governor, no date or time given.
- Providence Athletic Club, Mr. Jim Blevins, requesting a waiver or reduced fees of fields at Hopkins Park for baseball for home school students. There is a 20 game schedule for competition with other home schools and private schools. No dates, but he did say a few days during the week and Saturdays.
- Facility Enhancement request made by Bill Spillane from the Dentsville Youth Baseball and Softball League, requesting to build two press boxes and two scoreboards for fields one and three at North Springs Park. (Identical to press box built in 2005) The intent is to start construction immediately and finish by April 1, 2010 because they have been selected to host the Dixie Softball State Tournament. They have given a breakdown of the monies they would be spending and RCRC's portion would be in the vicinity of \$2,000 and their portion \$13,000.

Chairman Boulware questioned field usage at Hopkins Park and Taurus stated that fields are being used for practice and registration and there is already a home school group using the field and paying full price.

Commissioner Epps asked do we own things that are built on RCRC property and Ronnie advised yes.

Mr. Bridgett stated that we may need a policy or legal document stating that what is built on RCRC property is owned 100% by RCRC. Chairman Boulware asked Mr. Bridgett to look into the need for a legal document.

Chairman Boulware stated that the Board will vote on each request individually.

Motion to grant waiver of facility fees for the National Democratic Party made by Commissioner Green, second by Commissioner Mickens. Motion approved unanimously by all members present: Boulware, Green, Lewis, Mickens, Epps and Martin.

Motion to allow Ms. Doris Robinson use of Caughman Road Park for a meet and greet made by Commissioner Mickens, second by Commissioner Green. Motion approved unanimously by all members present: Boulware, Green, Lewis, Mickens, Epps and Martin.

Chairman Boulware requested that staff do a study of field usage, home school use and field availability at Hopkins Park and made a recommendation at next meeting for the request from the Providence Athletic Club.

Motion to allow Dentsville Youth Baseball League to build two press boxes and two scoreboards for fields one and three at North Springs Park with a caveat that we would have permission to build a legal document that RCRC own the rights 100% and to check the prototype made by Commissioner Epps, second by Commissioner Martin. Motion approved unanimously by all members present: Boulware, Epps, Martin, Green, Mickens and Lewis.

Commissioner Green asked what is the difference between the request from the Palmetto Table Tennis Club and the motions that were just approved. Mr. Devost stated that there is not much difference (with the exception of allocation of fees to charity). Commissioner Green stated that she hopes that we would in the future take prudence in making sure that we treat everybody the same in terms of their request.

Mr. Devost reported that we have settled the contract arrangement with the Morrision Group at Perrin Thomas. We gave notice that we will be taking over the parking of vehicles at the Perrin Thomas site and this will be handled by the Facility Operations Division.

13. Other Business: Vehicle Usage

Commissioner Epps expressed his concern of vehicle use, location of vehicles and mileage reimbursement.

Commissioner Mickens expressed concern for mileage reimbursement from destination to Shakespeare to pick up car and location of vehicles. Ms. Mickens stated that it would be easier if cars were at different sites so they would not have to come to Shakespeare the way it use to be. Ms. Mickens question the reason for the change.

Mr. Devost explained that we wanted to secure the cars in one area and reduce crime.

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Commissioner Lewis stated that as a Board and in order to stay in our role, my question is, are the decisions being made about the cars in compliance with the existing policies that we put in place.

Mr. Devost advised that currently there are no policies as to where the cars are to be located and no mileage policies. David Stringer, Human Resources, advised that there is a reimbursement policy but the previous Executive Director cut it out but it was not Board approved.

Commissioner Lewis stated to the Board that it is our responsibility to set the policies and the Executive Director carries those policies out, so if we have areas that need policy action, then it needs to be brought before the Board so that we can act on it. Then the Executive Director will have the authority to carry those policies out rather than us getting involved in decisions outside of our authority.

Mr. Bridgett advised to look at the policy already in existence and see if it needs updating.

Commissioner Mickens requested copies for the Board.

Commissioner Green asked if RCRC is off for Martin Luther King Day. Mr. Stringer, Human Resources, advised that we are off but the Parks are open and those employees get a day in lieu of MLK Day. Mr. Stringer stated that this is what it stated in the policy but we may want to re-look at this policy. Human Resources is in the process of updating policies to present to the Board.

Motion to go into Executive Session to discuss personnel and property matters made by Commissioner Epps, second by Commissioner Lewis. Motion approved unanimously by all members present: Boulware, Epps, Lewis, Green, Martin and Mickens.

14. Executive Session:

Motion to come out of Executive Session made by Commissioner Martin, second by Commissioner Green. Motion approved unanimously by all members present: Boulware, Martin, Green, Mickens, Lewis and Epps.

Chairman Boulware stated that there was no action taken in Executive Session.

Motion to accept recommendation of Staff to accept the bid for playground equipment from the Miracle Equipment Company (Churchich Recreation and Design) made by Commissioner Epps, second by Commissioner Green. Motion

approved unanimously by all members present: Boulware, Epps, Green, Martin, Mickens and Lewis.

Motion for Board to formally acknowledge the satisfaction of this Board with our Executive Director and his performance and that we have a Special Call Meeting on Wednesday, February 3, 2010 at 5:30pm to make decision regarding compensation made by Commissioner Lewis, second by Commissioner Mickens. Motion approved unanimously by all members present: Boulware, Lewis, Mickens, Green, Martin and Epps.

Motion to adjourn meeting made by Commissioner Epps, second by Commissioner Martin. Motion approved unanimously by all members present: Boulware, Epps, Martin, Green, Lewis and Martin.

15. Adjournment:

Meeting adjourned at approximately 9:55p.m.

Delano Boulware, Chairman

Minutes approved on this _____ day of _____, 2010