



Richland County Council

SPECIAL CALLED MEETING
March 31, 2020
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Calvin “Chip” Jackson, Gwen Kennedy, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio and Joe Walker

OTHERS PRESENT: Michelle Onley, Kim Williams-Roberts, Ashley Powell, James Hayes, Leonardo Brown and Brad Farrar

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

POINT OF PERSONAL PRIVILEGE - Mr. Livingston stated since the Coronavirus continues to impose unprecedented health, economic and personal challenges, we want the citizens to know that Council and staff are committed to the ongoing necessary work to support Richland County Council and to continue to provide essential services. We will continue to render public safety, garbage collections, public information, maintenance work, bond hearings, etc. We will continue to monitor circumstances to ensure that we are providing a safe and healthy environment for our County. Let us support each other as we continue to take steps to minimize the impact on the community. Now is our chance to show how much we care about each, and demonstrate by social distancing, washing our hands regularly, only leaving our homes when necessary, and creating a safe working environment for all. We are an exceptional community. We have persevered through man trying time in the past (i.e. tornadoes, floods). We will do all we can do to work together. Please understand this is the first attempt by Richland County to reach you via the Zoom connection. We understand and ask for your patience as we work through this. In addition, he thanked his colleagues for their efforts during these trying times.

2. **ADOPTION OF THE AGENDA** – Ms. Terracio moved, seconded by Ms. Myers, to adopt the agenda as published.

In Favor: Malinowski, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous.

Ms. Roberts stated Mr. Livingston suggested adding the following items to the agenda: Invocation by Councilman Jackson, Citizens’ Input, and Cancellation of Planning Commission Meeting. In addition, Item 4(c)(3) should be “Garbage Service Contract”.

Mr. Manning moved, seconded by Ms. Terracio, to reconsider the agenda to accept the changes outlined by Ms. Roberts.

In Favor: Livingston, Terracio, Kennedy, Jackson, Myers and Newton

Opposed: Malinowski, Walker and McBride

The vote was in favor of reconsidering the agenda.

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

In Favor: McBride, Livingston, Terracio, Kennedy, Jackson, Myers and Newton

Opposed: Malinowski and Walker

The vote was in favor of adopting the agenda as amended.

The invocation was presented by Mr. Jackson.

CITIZENS' INPUT: Rev. David Ragsdale, Ms. Doris Jackson, Mr. William Wilson, Ms. Lynn Bradley, Mr. Charles Calhoun, Ms. Mallory Calhoun, Ms. Carol Jackson, Ms. Stephanie Seiple, and Mr. James Douse spoke regarding shelter in place order.

- COVID-19 UPDATE** – Mr. Byrd stated they began the distribution the 2nd allotment of supplies from the Strategic National Stockpile today. They expect to receive the 3rd allotment within the next week. EOC remains at OPCON 2, with no status change. All the ESFs that were activated remain activated. EMS has reported an above average number of respiratory flu calls in the last 24 hours. A triage officer has been added to assist with handling potential virus cases. The triage officer will talk directly to the caller, or patient, to obtain additional information with the objective of streamlining the patient/paramedic contact. In some cases, a member of the County's Community Paramedic Program will be dispatched to the patient to provide additional options. While several EMS employees have cleared the isolation protocol, unfortunately, others have entered the protocol. There are currently 10 EMS employees in isolation that are pending test results. They are currently tracking 28 supply requests that have been passed on to the SC Emergency Management Division for processing. According to the County's daily update from DHEC, there are 13 new cases for a total of 148.

Mr. Brown stated he received a message from DHEC regarding related to "unknown" zips on their report stating those were instances where no zip codes was listed on the original document, and the regional epidemiologist have yet to determine the appropriate zip code; therefore, the hope is for the data to improve moving forward. In response to request by Council members for a public health expert to address Council, Dr. Elizabeth Smith, a professor at George Washington University in Washington, DC, was invited to tonight's meeting to give an overview of the coronavirus and answer any questions.

Dr. Smith stated COVID-19 is spread primarily from person-to-person, which is why staying away from people is the only tool we have in the toolkit to prevent the spread. Touching things that sick people have touched or coughed on is not the primary way the virus is spread. It is not spread in tiny particles in the air. The incubation time for the virus is 1 – 14 days. Approximately 97% of people will show symptoms within the first 11 days. Unlike other viruses, you can spread it in the days before you have symptoms. In general, people are spreading it for 2 – 3 weeks, when they become infected, which is the reason that if you have 1 case today, in 3 days you will have 2 -3 cases, and in 30 days you will have over 400 people infected from that one person. If you reduce interactions by 75%, that one person will have only infected 2.5 people.

Ms. Terracio stated, at 4 PM, the SC Governor stated that non-essential businesses would be closed statewide for the next 2 weeks. She stated we take for granted certain rates of infection. She requested Dr. Smith to detail how the virus behaves, and how we can address that. How people can behave, in terms of

social distancing. The rates of spread, rates of hospitalization and rates of ICU anticipated, in a certain population.

Dr. Smith stated what they are taught in Epidemiology 101 about infectious disease is, how fast a virus spread depends both on biology and behavior. The biology piece is about the virus, and how it is behaving, as well as the people in the population (older, younger, healthy or sick). In China, a big factor has been the population smokes a lot, so there have been lung complications. The big piece of behavior on this virus, because it is a person-to-person virus, is the number of people you are coming into contact with. The studies have said, if we do nothing 40 – 60% of the adult US population would become infected with COVID-19, and 80% of those cases would be mild to moderate, which means you would not need to be hospitalized. A moderate case of COVID-19 still means you have pneumonia for 2 – 3 weeks, which is pretty severe for most people. In Italy, among people that are over 80, about 20% have died. Overall in the US, we have seen about 1 – 2% of diagnosed cases have resulted in death. In cities where everyone stays home, they are seeing transmission disappearing.

Ms. Newton stated, as we look at the United States, and areas that are taking efforts to reduce the spread of COVID-19, is there a municipality or area that researchers are holding up as a gold standard, in terms of how they are reducing the spread.

Dr. Smith stated, she believes, you will see that Seattle responded pretty quickly. Although, we did not know until the outbreak in the nursing home that it has been quietly spreading because of the incubation period.

Ms. Newton stated, looking at the situation in SC, Ms. Terracio has shared with you that the governor has requested that non-essential businesses close. There is also an Executive Order asking people to work remotely, stay at home, when possible, as well as not congregating in groups larger than 3 persons. One of the neighboring municipalities, the City of Columbia, has taken more actions to encourage people to stay home, and closed more businesses than the State Order. She inquired what additional steps would help to decrease the spread of COVID.

Dr. Smith stated all of this is weighing risks and benefits. Every additional contact a person has is an additional risk, and ever death from COVID is something we do not want. We have this to balance against other interests like economic business, human rights and personal liberties. From her experience, the stronger stance governments take, the more likely people are to reduce and follow them guidelines. She believes Council's role is to go as far as they can to help enforce social distancing.

Ms. Newton stated one of the things she is struggling with is we are operating in a lot of uncertainty, and when you are trying to look to data, in a perfect world, you would have a standard. The health standard would say, if you do this, then this is what happens. Therefore, this is when you know you can ease back on the social distancing or more stringent restrictions. She inquired if there are any standards, where one could say you use these rules when infection level is here, and when it move to the next level you change them.

Dr. Smith stated, right now, people are trying to make models to predict this. Her opinion, because of the timeline of the virus, is that 4 weeks is the time to wait. So, once you put in the most stringent thing you are going to put in, you wait 4 weeks to see if you have done enough to bring the new cases down to zero. The good thing for SC is that you are in the early stages of this, so you still have the opportunity to make a change now that limits the number of people who become sick, and potentially die. Although, without a vaccine we will not return to full, normal life in the coming months.

Ms. McBride stated, she believes, Richland County has the highest number of cases in the State. She is not sure statistically how much they are increasing each day. She inquired if there is a model or projection the County can look at currently to determine how fast the virus may spread.

Dr. Smith responded schools approximately 2 weeks ago, which had some benefit to slowing the spread. Then, you have had some other reductions. She is guessing the spread has slowed down, but for those 148 cases, you can imagine that all of those people infected a handful of other people, and we will not know about those cases for another few weeks. Once you limit people's mobility, you have to wait a few weeks until we feel the benefits of it.

Ms. McBride stated the County needs to take a serious look at this because the numbers are not going down, but are going up.

Dr. Smith stated, even when you decide to take action, it is still going to grow for a while. The virus rapidly multiplies. The tricky thing politically is making a choice before it seems bad to prevent it from becoming really bad, one a case is found.

Mr. Manning stated, earlier Dr. Birx addressed the nation, and she stated that for this to be dealt with it needed to be done at the community level. He inquired if Dr. Smith agreed with that statement.

Dr. Smith stated for individual people it can be hard to make these choices, so the stronger the statement the better. The more uniformed the decision, the better. The difficult thing for you is there is nothing to prevent someone from New York, Louisiana, etc. to drive in and see their family. We tend to think of right now because transportation is easy, and the borders are not real borders.

Mr. Manning stated, at the end of last week, the Governor said it was not necessary to have a stay-at-home order because the citizens of South Carolina were following all the guidelines and doing a good job of that. Then, Monday morning, he did an Order because the SCDNR found there were a number of places on lakes and rivers where people were gathering, and had to be broken up. Therefore, he did restrict those people's constitutional rights by not allowing public access to lakes or rivers. At the press conference today, he said, "South Carolinians were doing quite good..."

Dr. Smith stated this is a good demonstration that people want to do the right thing, but it is hard for individual people to draw the line about what that means. She believes that everyone want to do the right thing to help this virus to go away, but when it comes to making an individual decision about your life, and whether you can go to the lake or take a walk, it is hard for people to weigh those decisions against what they are hearing. She is involved in a project (www.covid-101.org) where scientists and doctors answer questions about what is acceptable behavior. She tends to favor more formal and detailed statements from governing bodies because it helps people to do what we want them to do without stress.

Ms. Kennedy thanked the Sheriff's Department for policing the various areas. She stated it is not as quiet as you may think. You have a lot of people who think this time off is time for them to get together.

4. **REPORT OF THE CORONAVIRUS AD HOC COMMITTEE**

A. Relief Efforts

1. Economic (Businesses) – Mr. Livingston stated the committee recommended the Administrator move forward regarding small businesses, and to review the CARES Program, to identify small businesses that may not benefit from the Federal program, and, therefore, could potentially fall through the cracks, and to develop a criteria for those small businesses. He stated he was not sure if there was a dollar amount associated with the committee's recommendation.

Mr. Brown stated there was a particular dollar amount associated. We talked about a general amount. But, as Mr. Walker appropriately identified, some of the areas businesses would

benefit from the CARES Act. Staff was going to bring back a recommendation, to committee, regarding the criteria for small businesses, to determine a suitable amount.

Ms. Dickerson inquired if the list has been completed, or if it can be added to.

Mr. Livingston stated the list has not be compiled.

Mr. Malinowski stated, for clarification, we are going to be given a list of criteria, and then Council will develop a number the County could to afford in assistance.

Mr. Livingston responded in the affirmative.

Mr. Malinowski stated he has not received a hard copy of the agenda, and requested it was provided to him.

Ms. Myers inquired if we can put a timeline on the motion, in order to get the parameters and provide help to the businesses that need it.

Mr. Brown estimated they should be able to get the information to Council by the end of the week. He stated we are trying to streamline our application and criteria to match some of the community partners.

Mr. Livingston stated, if that is the case, the Coronavirus Ad Hoc Committee may need to meet prior to the next Council meeting.

Ms. McBride stated she thought the committee recommended \$500,000.

Mr. Brown stated originally we did discuss the \$500,000. During the conversation, we were notified of some information that we did not have at our disposal, at that time. Mr. Walker made a motion for us to go back and review the CARES Act and come back with criteria and administration for that type of program. The \$500,000 was discussed, but was modified based on the information shared by Mr. Walker.

Ms. McBride stated, her understanding, was that we set aside \$500,000 and, then, to move forward to set criteria. We recommended an appropriation so that full Council could vote on it, but we did ask Mr. Brown to develop some criteria.

Mr. Livingston stated we did have a discussion about the original amount of \$500,000, but we did not state an amount.

Ms. Myers stated her recollection was consistent with Ms. McBride, but she was willing to yield to the minutes.

Ms. Roberts stated, after listening to the recording several times, the final motion that was stated did not have a dollar amount. The bulk of the discussion did center around \$500,000, but the final motion did not have a dollar amount attached to it.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous.

Special Called Meeting

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2. Public Safety – Mr. Livingston stated the committee recommended approval of the Phase I allocation of \$500,000 for procurement, as well as, simultaneously approve the projected amount of Phase II, which will allow EMS to procurement all necessary PPEs, and to encourage the Administrator to all sources for reimbursement

Mr. Brown stated the information in the briefing document is a combination of personal protective equipment needed, projected overtime, and other disinfecting and cleaning materials needed by these agencies. Staff requested Council to initially appropriate funding from the \$1.9M on hand for disaster recovery to immediately allow PPEs to be purchased, as soon as it is available, so we would not miss out on purchase order opportunities. Additionally, we recognize there is going to be other budgetary measures we are going to have to take to make sure we deal with projected overtime costs. The committee approved the overall process of acquiring PPEs, as needed, and paying for projected overtime cost, as needed. The initial \$500,000 allocated will allow for the immediate purchase of the PPEs for the related First Responder departments.

Mr. Malinowski and Ms. Dickerson expressed difficulty with accessing the backup documentation related to the meeting.

Mr. Brown stated the projected PPE cost was \$1.7M, projected overtime cost was \$850,000, and the cleaning materials is approximately \$79,000. These numbers are not static. There may be additional requests from the various departments that come in. He stated they are not asking for the full amount, and they may not need all of the funding. These initial steps, in Phase I, will allow us to begin to address the needs of our First Responders.

Mr. Livingston apologized to his colleagues, but with things moving quickly, things were not necessarily laid out or provided, in the usual manner.

Mr. Walker stated, it has been brought to his attention, that since the committee met the agencies for whom we approved these additional expenditures have, in some cases, already begun to incur the expenses and expenditures as they try to adapt to protocol, as they operate in this new operating environment. If amenable, he would suggest authorizing the Administrator to pay what may be retro costs going back to the start of the COVID-19 epidemic.

Mr. Manning inquired about who is on the Zoom meeting website from the Clerk's Office.

Ms. Roberts stated herself, Ms. Onley and an IT employee, who is onsite monitoring and giving assistance, are utilizing the "Clerk's Office" login(s).

Mr. Manning inquired at to what date we will be using as "the start of the epidemic" (i.e. when the 1st case was reported, etc.). The amount we have allocated, particularly for overtime...everything keeps moving. He inquired if we were thinking the overtime would go through the 15 days of us washing our hands. Then, there was some talk out of Washington that we would all be in church on Easter, but that was aspirational. He inquired if the people we have allocated this money to know this is until forever, or is it based on one of the aspirational dates that have come and gone. He reiterated he was not clear as to the start, and the sense of how long this allocated money for overtime is for.

Mr. Brown stated he believes the first declaration, related to COVID-19, was on January 20, 2020.

Ms. Myers inquired if we can take up the motion before us with the caveat that at the next Coronavirus Ad Hoc Committee meeting we take up the issue of incurred overtime expenditures.

Mr. Walker stated he thought it would be appropriate to associate these additional, and abnormal expenses, with any operations occurring under a State of Emergency.

Ms. Terracio inquired if this allocation represent any CDBG funds, or is that addressed in another item.

Mr. Brown stated the funds are from the disaster recovery funds, and separate from CDBG funds.

Mr. Jackson inquired, if this is a one-time allocation, and is there any projection as to how long, if things continue as they have been occurring, the allocation would hold out.

Mr. Livingston stated that is why we talked about a Phase II.

Mr. Brown stated one of the things discussed was that this is an initial attempt to address immediate needs. We recognize this may continue longer than we can account for, right now. Phase II would have the committee, and Council, look at other ways we would need to provide funding, separate and apart from the initial funds we have identified. Staff does not have a specific timeline that shows how long these funds will last, but do recognize that we do not currently have enough funds, with the initial allotment, to cover everything now and into the future.

Mr. Jackson inquired if that is being stated in the allocation to the agencies that is a part of the anticipated action, and the possibility of when that would be considered. Unfortunately, we do not have a blank check, and if people know what was going to happen, and when, they may be a little more judicious in their expenditure of funds.

Mr. Malinowski inquired, if there are going to be some requirements set forth to the agencies incurring this overtime, and will the agencies be given a particular amount for their overtime.

Ms. Newton inquired, for clarification, if Mr. Malinowski was asking if there were going to be standards we were going to use so these agencies could get funds, or was he asking a different question.

Mr. Malinowski stated he is requesting that standards be given to the agencies, that may need overtime, so any overtime given to them falls under those standards. And, we may want to consider a specific amount of overtime for each agency.

Ms. Dickerson stated, from past experience, we have seen overtime being abused; therefore, she concurs there should be some stipulations on how it is done.

Mr. Livingston restated the committee's recommendation and agreed to incorporate overtime standards for the agencies.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson and Newton

Opposed: Manning

The vote was in favor.

Mr. Manning moved, seconded by Ms. Terracio, to reconsider this item.

In Favor: Malinowski

Opposed: Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson and Newton

The motion for reconsideration failed.

3. Food Services – Mr. Livingston stated the committee recommended approving an allocation of \$500,000 for this area. The funding will be broken out to allocated \$250,000 for Senior Resources, and \$250,000 for Low/Moderate Income Program. Staff will present recommendations on entities to provide the food services (i.e. United Way).

Ms. Myers stated she thought we would allow for community-based and religious organizations to request through a process that staff would set up, so the resources would be closer to the people.

Ms. McBride stated she believes the recommendation falls under “Other Assistive Initiatives”.

Mr. Brown stated the general allocation allowed for all persons, who could provide these services, and was not restricted to one group or another.

Ms. Myers wanted to be clear we were not setting up a set of circumstances where the United Way, or some other agency, would be the clearinghouse. She thought this was to be structured more like the Allen-Benedict Court team.

Mr. Livingston responded that is why he said staff is to present recommendations on those entities.

Ms. Myers inquired as to how staff is to make a recommendation on the entities until there is a set of guidelines for the entities to apply.

Mr. Livingston responded staff has to do the guidelines first.

Ms. Myers stated, for clarification, staff will present some guidelines so that entities interested in providing these services would know.

Mr. Malinowski inquired if the guidelines are in place, or are we giving the money away and putting the guidelines in place later.

Mr. Livingston responded the guidelines will be in place before they are given the money.

Mr. Malinowski requested Mr. Livingston to restate who is currently getting the money.

Mr. Livingston stated \$250,000 will be used for Senior Resources, and the remaining \$250,000 will be used for other agencies.

Mr. Manning inquired if there is going to be an application process. He is unclear as to who is going to figure out, based on what is submitted, which entities receive the remaining \$250,000.

Mr. Livingston responded, it is his understanding, there would be an application process.

Mr. Hayes stated what was set up last year, when Council approved the disbursement for the Allen-Benedict Court situation, was a modification of our discretionary grant agreement. He stated it be an offshoot of the established discretionary grant guidelines. There will be an application and vetting process tailored toward community-based services.

Mr. Manning inquired if the applications will go to the Discretionary Grant Committee for vetting.

Mr. Hayes responded that is not his understanding. It will be using the same parameters, but it will not be vetted by the Discretionary Grand Committee. We will use a similar process, in terms of scoring as the discretionary grants.

Mr. Manning stated, for clarification, the recommendations will go back to the ad hoc committee for approval.

Mr. Hayes responded in the affirmative.

Mr. Jackson stated he has a lot of confidence and faith in the work of the ad hoc committee, and he believes they are going to make sure the process is simple, and simplified, particularly for those small businesses that are going to be adversely affected.

Ms. McBride reiterated it is going to be a user-friendly process and not like the discretionary grant process. She stated we have made allocations for each of these areas, as Mr. Jackson said, in our economic development/business area, these are small businesses and we cannot afford to wait for allocations.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

4. Other Assistive Initiatives (Rent, Utilities, etc.) – Mr. Brown stated this item came up as a general item at the ad hoc committee meeting. He believes that Ms. Newton was attempting to address other areas of concern that citizens may have. For example, rent assistance. This particular item did not have a specific recommendation, but staff noted we have \$250,000 in unallocated funds that could potentially be utilized in that area.

Mr. Livingston inquired if this is something we could take back to the ad hoc committee.

Mr. Walker stated, if we are going to take it back to committee, it probably would be appropriate to take it back with some type of guidance for staff to provide a list of vetted Third-Party administrators, who are staffed to provide the type of essential services outlined in other assistive initiatives, to distribute the funding.

Ms. Terracio inquired if there is a Coronavirus Ad Hoc Committee currently scheduled.

Mr. Livingston responded there is not a meeting currently scheduled, but it is his intention to hold a meeting prior to the next Council meeting.

Ms. McBride stated she does not know why we have to take this back to the committee, when it is already on the agenda, and the need for it was discussed at the ad hoc committee meeting. If we keep going back and forth in meeting, it is wasting a lot of time. These people are in need of services now.

Ms. Newton stated she believes there was direction on this. If you recall, there was an attempt to combine the motion to allocate these funds with Senior Resources, and then we separated them to keep it clean. She understood the request would be to allocate those funds for other essential services that happen anytime a "disaster" happens. Staff was going to come back with criteria and standards that would allow us to vet how we allocated those funds.

Mr. Malinowski inquired, if there was not a recommendation, then how did this item get on the agenda.

Mr. Livingston responded because it was an item discussed at the ad hoc committee meeting.

Ms. Newton moved, seconded by Ms. McBride, to allocate \$250,000 for other essential services needed to respond to COVID-19, and direct staff to develop standards and guidelines for the disbursement of those funds.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

Opposed: Malinowski

Mr. Jackson stated he is sure with all of these motions the necessity of moving things along quickly trumps some of the traditional protocol that we put into place (i.e. developing guidelines, vetting by the committee, etc.). He is operating on the assumption that his vote means the committee understands all those things we normally do will get done.

The vote was in favor.

Ms. Dickerson moved, seconded by Ms. McBride, to reconsider this item.

In Favor: Malinowski

Opposed: Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The motion for reconsideration failed.

Mr. Manning inquired if we have any timeframes for the motions Council is passing. He stated there is not clarity on who is going to say "yes" to the various entities. He is concerned about not hearing a timeframe for when there would be a determination for whoever is going to provide food services.

Mr. Livingston responded we did not set a specific timeframe, but he believes Administration understands it is immediate.

Ms. Myers requested staff to provide the committee the backup information needed by the next ad hoc committee meeting, and move forward, with a recommendation, at next week's Council meeting.

Ms. Newton stated she wants to be sure, with all of the guidelines we are talking about having created, we are realistic in terms of how much work needs to be done, and what standards need to be created. She wants to move expeditiously, but realistically, from a materials perspective.

Ms. Myers noted that some of this staff has already provided in the briefing documents.

Ms. McBride reiterated that a lot of work has already been done, and we are not just pulling numbers out of the top of their heads, and no research has gone into to developing these programs.

B. Legal Guidance

1. Stay-At-Home Ordinance – Mr. Farrar stated the Governor McMaster did an additional Executive Order relative to certain businesses, as far as close contact (i.e. athletic businesses, entertainment, etc.) He stated we discussed this matter in committee, but he is going to focus on the legal issues. The first issue is whether anybody can do a stay-at-home/social distancing order. If you get past that threshold, at what level can such an order be issued? The Attorney General has issued an opinion about the fact that the Governor has those powers, and the local authorities do not, under his reading. The question becomes can a County, or local government, pass an ordinance directing someone to stay at home, or keep social distancing. Procedurally, and technically, you have the authority to pass ordinances related to health, keeping order, convenience, and welfare in the County. That being said, those things have to not be inconsistent with the constitution or law of the State. If you passed an ordinance, which you could do, it would be presumed to be valid until someone challenged it. For example, a local government could pass that ordinance saying that no one in the County could have a firearm, and that would be the law of the County until someone challenged it. Then, it comes to a practical issue. Would anyone challenge it? If you put in place a short-term type of measure for 15 days, you have some practical outs. First, can you find a lawyer whose office is open, so you can go talk to him? Secondly, are you going to find a courtroom that is open? Therefore, someone might be willing to not challenge it for short-term, but the longer such an order were in place, the greater the chance of a challenge. He also noted, the Attorney General has come out on the record to say he has no intention to sue any local government that takes a measure that is intended, in good faith, to save lives. What he did not say, is somebody else might challenge it. There are two categories: the person that challenges something just because and those that are financially impacted by being told they are not an essential service.

Mr. Manning inquired if the Governor has the ability to do a stay-at-home Executive Order.

Mr. Farrar responded he does not know that anybody has challenged those. This is an interesting time to be alive because what you are seeing is the intersection of security and liberty. For example, people want to be secure, so they are willing to have their liberty constrained a little bit more than usual. In answer to Mr. Manning's question, he believes the Governor can pass such a measure. The more restrictive it is the greater chance it would be challenged. He stated, if you tell somebody they have to stay 6 ft. away from a person, he is not aware of any legal basis to tell someone they cannot get close to a human being other than a restraining order. We are talking about uncharted territory, which would be an immediate case

heard by the Supreme Court. Bottom line, he believes the Governor does in the short-term. Long-term it would likely be challenged.

Mr. Manning stated, for clarification, 30 governors in the country have already done this, and to the best of Mr. Farrar's knowledge, the Governor of South Carolina would have the ability to do such a thing.

Mr. Farrar responded in the affirmative. The governor would not be encountering the types of constitutional challenges that a local government would. The constitution is riddled with places that talk about only the General Assembly being able to do certain things. This raises the question, if the General Assembly has authority over the Governor. The Attorney General has opined that the Governor has emergency powers.

Ms. Terracio stated she cannot help but think about consistency in geographic region when we are thinking about these kinds of things. If we have the City of Columbia, it is not a circle, so she thinks about the fact this virus does not have boundaries, and people often live across the street from unincorporated Richland County, but may not even realize it until they look at their recycling bin. With what the Governor has offered, what kind of gaps are there that might be filled in with local measures.

Mr. Farrar stated Dr. Smith mentioned earlier the policy implications involved, and why this is such a tough issue. The legal issues are nested within the public health concern. In addition, to the County, the municipalities are woven in and out, Lexington County bumps up against Richland County. He is purely analyzing the constitutional and statutory authority of the government to do certain things, but from a public health perspective, Dr. Smith spoke about the uniformity. If the Council's intent was to encourage people and give information, you could do that with a resolution. If the intent is to say we are going to pass an ordinance that has consequences, which are typically misdemeanor criminal consequences, then you have to go to your public safety personnel to find out if it is enforceable. You have to listen to the public health providers, and say, yeah, I understand there are legal concerns, but what is the best recommendation from a health standpoint. He does not know that we have a public health recommendation for a stay-at-home order.

Ms. Terracio inquired about exposure, or liability, if a lawsuit were to be brought forward.

Mr. Farrar stated, one of the things that could happen, if a business owner says they lost income because of an action the government took, they might challenge the legality of the ordinance, as well as, bring a claim regarding the loss revenue. The counter to that is, well nobody is going to your business anyway because they are obeying the recommendation. There is all kinds of claims that people could make. You have to make a nexus to "I lost money because of the government action" and then there would government defenses. You could say, we have a right to pass whatever.

Ms. Newton stated we have a situation in South Carolina where we are supposed to be obeying social distancing. Where we have businesses that are closed. By and large, we have people that are abiding by these regulations, but she has concerns about reports she is receiving from constituents wherein there are large gatherings. She inquired about the tools that we have in our power to reduce gatherings and help people abide by the recommendations that are going to keep us safe.

Mr. Manning inquired if it would be in the ability of a County Council, in South Carolina, to pass a resolution calling for the Governor to do a stay-at-home directive.

Mr. Farrar responded you can ask anything you want of the Governor. You can pass a resolution listing all the things already being done by the County. The only issue you get into, when you get to the ordinance stage, is the enforcement of it.

Mr. Manning stated he sent out a draft resolution to members of Council, the County Attorney, and the County Administrator, which he could like to move to approve, at this time. He requested the Clerk to read the draft resolution into the record.

The motion died for a lack of a second.

Mr. Walker moved, seconded by Mr. Malinowski, to issue a proclamation endorsing the policies, as put out by the Governor, we applaud the actions of our constituents, and that we strongly encourage the continued adherence to the policies put out by the CDC.

Ms. McBride inquired if anyone has the information the Governor gave today, and how those rulings differ from the ordinance passed by Greenville, Charleston and the City of Columbia.

Mr. Farrar stated the ordinances have potential criminal consequences. Whereas, a resolution/proclamation is an expression of Council, in a written form.

Ms. McBride clarified her question was how the Governor's orders differed from those in the City of Columbia ordinance.

Mr. Farrar responded at the Governor's briefing there were three (3) categories: Entertainment, Athletic and Close Contact, which he deemed non-essential. It was not an across the board encouragement like Mr. Walker mentioned.

Ms. Myers stated it seemed like the Governor's actions today targeted business activity. What we are discussing targets personal activity (i.e. can I leave my home), rather than is the business open. The City of Columbia's actions targeted personal activity. She is torn on this one. She was one of the people saying, "Do you really want to be in the business of telling people to stay at home, when they are already staying at home?", but she would agree with what was said earlier about people not staying home. She understood what Mr. Farrar said, but the Supreme Court has looked at the issues of personal freedom, and if there is a health and safety articulable need there is more flexibility in what laws are passed. In this context, we are talking about life and death. She cannot imagine the Supreme Court's strict scrutiny standards would not give way to protecting people from dying. What we need to look at is, if we want to go as far as what the City of Columbia has done. She would say, given our geography, the County has some concerns they do not have, but looking at some middle ground, she likes what Mr. Walker has suggested.

Ms. McBride stated we said we would look at it from a law enforcement perspective, a legal perspective and a public health perspective. From the public health perspective, Richland County has the highest number of cases. Social distancing is the most important thing to help to minimize the spread of the virus. She is concerned, from a public health perspective, in terms of saving lives. She believes if we can save even one life, then it is worth having to go to court. She would invite her colleagues to take a serious look at the public health perspective, for 2 weeks, to see if we are able to minimize the spread of the virus. She is concerned about not working in

union with the City of Columbia in trying to keep this virus from spreading. She thinks we are going to have to make a hard decision, and think about how much we value our lives.

Mr. Livingston stated he is concerned about the lives we are losing in Richland County. He is also concerned about some kind of consistency within our County, and the City. He wants to try to be prepared for what might get worse later. He is going to move forward with a motion to request the Legal Department to draft a stay-at-home ordinance for discussion at the next Council meeting.

Mr. Livingston made a substitute motion, seconded by Ms. McBride, to direct Legal to draft a stay-at-home ordinance for consideration at the April 7th Council meeting.

Ms. Myers stated, if it is as urgent as we say it is, what is the timing we are looking at?

Mr. Livingston stated there is not an ordinance before us to vote on is why he made the substitute motion.

Ms. Myers stated every day makes a huge difference, so if this matters to people there ought to be a way for us to figure a way to handle more efficiently.

Mr. Malinowski stated, since we have already been told what the State law says counties can and cannot do, if we decide to go against State law, be in violation of what the State law says, and pass a stay-at-home ordinance, is the Sheriff's Department allowed to enforce ordinances that are against the law.

Mr. Farrar stated Council has the right to pass an ordinance. The ordinance is going to be presumed valid unless, or until, it is challenged. If it is challenged, there is significant grounds on which to do that, based on constitutional law. If you lost the challenge, it is not the end of the world, but you would likely have to pay some attorney's fees and claims.

Chief Cowan stated they do not want to criminalize the situation, and they do not want to go against what is already working in Richland County. The question is whether or not you are asking us to go around and make arrests on a stay-at-home ordinance, and that is not operationally smart on their end.

Ms. Kennedy stated we are talking about an ordinance, and we do not even know if the Sheriff has the manpower to do it. We are going by something the City has done. We need to be looking at all angles of this before we decide to put something in law that cannot be fully enforced.

Ms. Newton stated we are talking about different things all at once. There are health, legal and enforcement issues we are trying to solve for. From her perspective, we are using the word "ordinance" but there is not actually an ordinance before us. So, as we look at the remedies we are going to choose, we do not know what is actually on the table yet because it has not yet been drafted. We will have opportunities to shape anything we wanted to do from a County perspective. She thinks it is crucial to look at all of the levers that are at our disposal, so we can encourage the citizens to stay home.

Mr. Jackson stated the issue for him is to make sure we do everything in power to help the citizens feel we are proactively trying to improve their health and safety, as the health officials get their arms around this pandemic. To debate whether or not it is lawful and enforceable is

secondary to us trying to figure out a way we can let our citizens know we take this very seriously. He has confidence in the business owners in the area that would be able to monitor and ensure the distancing going on in their establishment would happen. He is experiencing that now, as he has to go out on occasions to certain businesses. The bottom line, to him, is that we do not get into politicizing this process, when the critical issue is making sure the citizens are aware, and we make that process as simple and quickly. He is not opposed to taking the resolutions proposed by Mr. Walker and Mr. Manning, and tweaking them. He wants to make sure people are aware that we take the process of trying to establish further social distancing and ensure people are not out unnecessarily seriously.

Ms. Myers stated there is no definitive ruling that it is against State law. There is an AG opinion, and he has clearly said that is his opinion. He could be wrong in court too. She noted there is a long history of Supreme Court cases, where lives are at stake, which they recognize you have to take extraordinary measures. She further noted, while Sheriff Lott has said this is not what he would like from a law enforcement, he has said unequivocally, he was enforce ordinances, as passed by Council. She does not want it said that the Sheriff is not going to enforce validly passed ordinance, which are presumed legal because we passed it.

Mr. Livingston withdrew his substitute motion.

Ms. Dickerson requested this to be forwarded in the most expeditiously way to prevent anymore loss of life.

Mr. Livingston moved, seconded by Ms. Dickerson, to bring all three options to Council for consideration.

Mr. Walker stated he would entertain any amendments to the motion he originally made that would make it more acceptable to the body. He is willing to acknowledge the reality that we as a municipal body cannot effect the proximal affection that needs to occur here. We cannot control a big enough geographic area to put our arms around this pandemic in a meaningful way, which is why he deferred back to the State and National level governments. One of the things he has not heard is, if there is a recommendation from Legal. Does Legal have an affirmative recommendation for Council, considering what we are currently facing?

Mr. Farrar stated you can have someone who expresses a concern for public health, and also a concern for fundamental rights. Just because a person expresses a concern for fundamental rights does not mean they are indifferent to public health. He believes there is no question that Council could pass an ordinance. It would be presumed valid. Eventually, if it was challenged, we would lose that case, based upon State law and the constitution provisions. The constitutional provisions he has cited have to do with the General Assembly's authority to suspend laws, which local governments cannot do; to declare martial law; to affect life, liberty, property interest. From a purely legal side, he would not recommend it. From a public health side, it is a completely separate discussion Council has to have.

Mr. Walker restated his motion was to put forward a proclamation endorsing the policies and parameters put forward by the Governor, acknowledging the effort and applauding our constituents that are adhering to the guidance provided thus far, and encouraging, and further endorsing, the implementation of all guidelines, as recommended by the CDC.

Mr. Livingston restated his substitute motion was to look at Mr. Manning's resolution, Mr. Walker's proclamation, and direct staff to draft an ordinance for Council's review.

Mr. Jackson made a second substitute motion, seconded by Mr. Manning, to take the two (2) documents already developed, merge them into one document that reflects the views and thoughts of those documents, and present it back to Council.

Ms. Myers, Ms. Dickerson, Ms. Newton and Mr. Malinowski stated they have not seen any documents.

Mr. Walker stated, for clarification, while he understands the spirit of the Mr. Jackson's motion, he wants to be clear there is no document associated with the motion he made.

Mr. Jackson withdrew his second substitute motion.

Mr. Malinowski stated, for clarification, Mr. Livingston withdrew his motion.

Mr. Livingston stated he did withdraw his substitute motion, but made a new motion for Council to review Mr. Manning's proposed resolution, Mr. Walker's proposed proclamation, and the draft ordinance to decide which one they wish to proceed with.

In Favor: Dickerson, McBride, Livingston, Terracio, Kennedy, Manning, Myers and Newton

Opposed: Malinowski, Walker and Jackson

The vote was in favor of the substitute motion.

2. Hospitality Tax – Mr. Farrar stated the Hospitality Tax is a mixture of State law and County ordinance. State law allows is a permissive situation. The governing body, by ordinance impose a hospitality tax, not to exceed 2%, on prepared meals and beverages. Interestingly, State law does not say who pays that tax. It just says it may be imposed. You have to go to the County ordinance to see who actually pays it. The County ordinance says, "Payment of the hospitality tax shall be the liability of the customer of services." This means, the business collects the tax, and remit it. They are sort of a pass through. If you suspend the tax, it is not going to be a direct benefit to the business because they do not pay the tax. So, what can we do for the hospitality tax, since it is permissive? You do not have to have the tax, so you could eliminate it. You could suspend the tax, and not impose it for a certain period of time. What you cannot do is allow the business to retain the tax for their own operating purposes. The tax itself has specific tourism-related purposes. The other option was to extend the time for the remittance of the tax, which is kind of murky area. If you do not collect the tax, there is nothing to remit, but if you collect the tax and extend the time to remit it, it does not really help the business. It only delays when they have to send the money in because they cannot keep the money.

Mr. Jackson stated, for clarification, if no customers are coming into a business and buying anything because the business is now closed, so no taxes are being collected, what are we actually discussing, if there are no funds or revenues coming in because we are at a voluntary/mandatory stay-at-home?

Mr. Farrar stated that would be an easy process because they would not have to remit anything.

Mr. Jackson inquired if this is a retroactive collection. For instance, is the taxes being remitted from a previous quarter, or is it current.

Mr. Farrar stated it is a monthly remittance.

Mr. Jackson stated, for clarification, the last one we collected was for the end of February.

Mr. Farrar stated we are closing out March now, so February would have likely been the last month collected.

Mr. Malinowski inquired if the only tax we are discussing is hospitality tax, or is there another tax we are discussing.

Mr. Farrar stated there is accommodations tax, and other taxes, but hospitality tax is the only one on the table.

Mr. Malinowski stated, for clarification that is not going to help businesses no matter what we do with it.

Mr. Farrar stated it theoretically could help a business. For example, if he goes to a business and purchase a coke for a dollar. There is a 2% tax on that, so the actual total price is \$1.02. If we suspended the tax, the business owner could say, "well my customer is used to paying \$1.02", so they could charge the same amount, and keep the \$.02, but cutting the tax will not reduce their tax liability because they do not have a hospitality tax liability. They have a remittance role. He could envision a scenario where it might have a marginal impact on their ability to keep their prices steady. Again, it is not a tax they pay, it is a tax they collect.

Mr. Livingston stated the committee recommended extending the remittance of the H-Tax until June 20th.

Mr. Malinowski inquired how extending the remittance help anyone, since it is more or less a pass through.

Mr. Farrar stated he does not know the intent, but because a lot of these businesses are closed, it might be a relief not to have to do the paperwork to send it in right now.

Mr. Jackson inquired, if by extending the remittance to June, the intent is to have all of the preceding months due in June also.

Mr. Livingston responded he does not know about the payment of those taxes, but he thinks June is the time when the payment occurs. He inquired if Mr. Walker knows when those taxes are paid.

Mr. Walker stated the H-Tax remittance occurs on the 20th day of the month following the month of collection by the business entity. Therefore, as Mr. Farrar articulated, the taxes collected by the business in February would be remitted March 20th. What the committee's intent, and spirit, was to create a scenario for the next 60 days, whereby businesses were afforded whatever immediate cash flow relief the County had at its disposal. The only real lever we have to pull is the suspension of the H-Tax remittance. Then, we wanted to come back to the whole of committee with a more long-term solution, which justified the non-remittance and/or brought back from Legal another scenario whereby we could create more substantial financial relief. We were looking for the fastest lever to pull to provide some immediate cash flow softening to our small businesses. Understanding those that have already closed, this is not of any real magnitude to them. What this may do is help that business that is currently limping

along, to continue to limp along until more substantial aid is available. In other words, this is a bridge mechanism.

Mr. Jackson stated he is very comfortable making sure that we do not simply kick the ball down the field. If we come back in June, and decide, based upon the time we have had, there is an even better solution than imposing it all at once, he is in favor of that.

Ms. Myers stated, for the record, Mr. Walker did not put this suggestion forward, as he made clear in the committee that he might stand to benefit from it. It came from her and other committee members. He acknowledged the potential conflict and abstained from the vote in committee, and only spoke here because he was directly asked.

Mr. Manning stated, for clarification, if we do this bridge, and he has a business limping along, which he is not able to sustain, but he has not been remitting the 2% he has been collecting. If he closes and he does not have the money to remit, is there a penalty that would hit him, as the business owner.

Mr. Farrar stated you have to be very clear about what you can use the H-Tax money for, and it cannot be used for operating expenses of the business. The H-Tax money has to be remitted to the governing body for tourism-related purposes. If the intent is to provide some relief, if you suspended the tax that would possibly give an opportunity for the business owner to collect more on their actual sales, and not have to remit a tax, because they did not collect a tax. It would also help the customers, but there may not be as many since the businesses are shut down. He does not want to give the impression that you can do something with a H-Tax that would buy a business time to use money for a purpose other than tourism-related purposes, at the governmental level.

Mr. Walker noted, as we contemplate this being a bridge mechanism, he wholeheartedly endorse and understand what Legal is telling us. From an operator, from a cash flow perspective, any pennies and cents that can be left in the operator's hands in the next 60 – 90 days will be critical to allow marginal, or borderline, businesses to remain open, and to keep their employees on their payroll. As we have already seen through the passage of Phase I of the CARE Act, it may just what they need to keep their employees paid until the Federal funds flow through and get into their hands, which allows us to maintain tenancy, and occupancy in Richland County that otherwise would have gone dark, shuttered, and created a larger unemployment issue than we are already going to face.

Mr. Manning restated his question, as follows: "If he has a business and he is limping along. If he collects, but he does not remit the 2%. In 6 weeks from now, he is no longer limping, and he goes under. Whatever Federal would be helpful later, if he was still limping, would not be available because he went under. Does it say what happens to him, when he collected, and did not remit the money that he collected because he could not cash flow and keep going?"

Mr. Farrar stated the County ordinance, Section 23-73, talks about violation and penalties. There is a 5% penalty, per month, and it is also a misdemeanor if you do not remit the funds. How a person runs his or her business is not really the County's concern, so long as they pay the H-Tax.

Ms. Newton stated, when we initially discussed this, in one of our meetings, the original motion was to suspend the collection of H-Tax. She feels, at that time, we were told suspending the H-Tax was not an option. At this point, we are being told that it would be an option not to impose

the tax. For clarification, she inquired if we do have an option not to require the tax for a certain period of time.

Mr. Farrar stated there are a lot of terms here and they get interchanged sometimes. There is suspension, collection and remittance. Suspension means it is not a tax. Remittance simply means you collect it and send it in. What he saw from the March 20th discussion, it was to suspend the tax, and allow the businesses to keep that to assist them in their losses. You cannot use the H-Tax for your operations. When you talk about suspending the tax that would be not imposing it for a certain period, which you could do. You could eliminate the tax, suspend it for a period, or delay remittance, but that does not do anything for anybody unless you are going to use that money in the way you cannot do.

Mr. Manning inquired as to how Richland County can procedurally suspend the Hospitality Tax.

Mr. Farrar said you could do it by First by Title Only. Basically, you go into the Hospitality Tax Ordinance and note how long you want to suspend the tax. It would have to be done by ordinance because the tax was imposed by ordinance.

Mr. Manning stated, for clarification, which would entail Three Readings and a Public Hearing.

Mr. Farrar responded in the affirmative.

Mr. Livingston stated the goal was to try to help the business. He does not understand how suspending the tax will help the business.

Ms. Myers stated, she believes, the issue is how we resolve the back office end of it. She thinks the questions on the table are to ensure that we are not doing more harm than good on the backend. If we are suspending the remittance that is giving them the breathing room that Mr. Walker has stated is valuable. While we are doing this, we need to work out the homework that allows us to put in place what we are trying to do, and make sure we have covered all the bases. At a later date, we can ratify an action that we have taken that will make sure that we do not harm the businesses.

Ms. McBride inquired about the financial implications for the County, if we suspend the Hospitality Tax.

Mr. Hayes stated because Hospitality Tax is the one County fund that supports the General Fund, if you suspend it, or eliminate it, it will have an impact on the General Fund. The second aspect is, we would be able to sustain some stuff going into FY21 because there is a fund balance, but long-term it would have an impact on the General Fund.

Ms. McBride stated she is not sure if there is another way to assist the small businesses, rather than impacting the General Fund. She does not have enough financial information to make a decision.

Ms. Myers stated this is a fund that is going to be down anyway. What we are doing is extending a lifeline to these businesses.

Ms. Dickerson inquired if we are talking about a 60 – 90 day extension.

Mr. Brown responded in the affirmative.

Ms. Dickerson stated she is getting a lot of calls from businesses who are struggling. Whatever we can do to assist them, then she would fully support that.

Ms. McBride noted that she fully supports the small businesses, but she did not understand the timeframe. She wanted to ensure that we are helping them, but not harming the County, if there was another way to do it.

Ms. Newton called for the question, seconded by Ms. Terracio.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous to call for the question.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Kennedy, Jackson, Myers and Newton

Abstain: Walker

The vote in favor was unanimous, with Mr. Walker abstaining for reasons of direct financial involvement with the matter.

C. Updates

1. Health Cooperatives – Mr. Livingston stated he received a letter from Dr. Stuart Hamilton, which was forwarded to Council members. The health cooperatives deal with primary care for about 47% of Richland County citizens that are uninsured or underinsured. Dr. Hamilton is having some difficulty as a result of the coronavirus, and having to layoff individuals. He has requested some support from the County. The request is for the indigent care funds the County receives from PRISMA Health. Those funds are traditionally budgeted for something else; therefore, Mr. Hayes was asked to provide a recommendation regarding their availability.

Mr. Hayes responded we normally budget approximately \$890,000 in the Medical Indigent Fund, and those funds receive from the SC Dept. of Health and Human Services for the Healthy Connections Medicaid Program. Over the last few years, the County has had approximately \$100,000 left over in the fund, and the County has disbursed their funding for this year; therefore, there are currently resources available in the fund.

Mr. Livingston stated the question is whether we want to provide the \$100,000 to the Health Cooperative.

Ms. Myers inquired as to the current balance in the fund.

Mr. Hayes stated there is approximately \$134,000 remaining in the fund.

Ms. Myers stated, for clarification, year over year there has been \$100,000 left.

Mr. Hayes stated he averaged the numbers from 2017 – 2020.

Ms. Myers inquired if the funding is cumulative.

Mr. Hayes stated the remaining funds would have go back to the fund balance. They do not remain in the fund.

Ms. Dickerson inquired if that would interfere with any of the other funds.

Mr. Livingston responded the reason he looked at these funds is because these funds are designated for indigent care, and that is what the Health Cooperative does.

Ms. McBride inquired if this is a facility, or a group of health providers.

Mr. Livingston responded it is several facilities.

Ms. McBride requested additional information.

Mr. Livingston stated the Health Cooperative is an entity that provides primary care services to the underinsured and uninsured individuals in our community.

Ms. Dickerson stated there is another facility on Gervais Street.

Mr. Livingston responded that is one of their facilities.

Ms. Dickerson stated there are three (3) locations, and she wanted to verify that they all come under the same umbrella.

Mr. Livingston stated we are talking about the Richland County citizens they serve.

Ms. Dickerson inquired if any other facilities have requested funds from this fund.

Mr. Livingston responded that he is not aware of any other requests.

Mr. Livingston moved, seconded by Ms. McBride, to provide \$100,000 to the Health Cooperatives.

Mr. Malinowski stated Richland County is doing quite a bit in the way of reaching into funds, even in funds that we may not have at this time. Other individuals throughout the County, and throughout the United States, are offering assistance to alleviate financial problems people are having. He inquired if anyone has asked them if they could contribute something out of what they are providing instead of coming forward and requesting more money.

Mr. Livingston responded that he did not understand the question.

Mr. Malinowski stated, for clarification, can they provide the services at a lesser or a gratis cost.

Mr. Livingston stated they submitted a letter regarding the number of layoffs they had, and what they were trying to do to mitigate costs.

Ms. Newton inquired about what normally happens if there is a surplus in this budget line.

Mr. Hayes stated the funds go back to the General Fund Fund Balance.

Ms. Newton made a substitute motion, Ms. Dickerson, to refer this item to committee for additional information.

Mr. Livingston withdrew his motion, and joined Ms. Newton's motion.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Kennedy, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

Ms. Myers requested staff to let the committee know if this expenditure would be reimbursable from the Federal government.

2. United Way Collaboration – Mr. Brown stated he has been in conversations with Sara Fawcett, United Way's President. She wanted the County to know that whatever way they could help partner with the County, whether through collaboration, administration, etc. Their intent it to help our community spread dollars as far as they could.
3. Garbage Service Contract – Mr. Brown stated there were some community concerns that came out of the initial conversations we had about potential changes about yard waste collections. The bottom line, the information has been updated. Service schedules are running as normal, and citizens have been informed of that through media releases, the County's website and the Ombudsman's Office. We have received positive feedback from those changes.
4. State & Federal Legislative Assistance – Mr. Brown stated Council members expressed concern, or feedback on opportunities for us to utilize resources on hand, to address services that were acceptable to counties for funding. We have reached out to our current provider and we are awaiting feedback from that provider on whether they can assist the County in finding sources of funds, and helping to allocate those funds in areas of recovery. Procurement is also looking at other options, as well.
5. Planning Commission Postponement – Mr. Livingston stated he received a letter from the Chair of the Planning Commission requesting the March 30th Planning Commission meeting be postponed. He also spoke with Mr. Geo Price, and he agreed there was nothing significant enough to be concerned about; therefore, the meeting could be postponed.

Mr. Walker moved, seconded by Ms. Dickerson, to postpone the March Planning Commission meeting.

Mr. Manning inquired if the Planning Commission plans to explore holding online meetings.

Ms. Newton stated public input is critical when it comes to zoning meetings. She does not know the best way for us to have citizens participate, but she wanted to emphasize the importance of these zoning matters.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous.

POINT OF ORDER: Mr. Walker requested the record to reflect there was a vote taken on sending funds to Health Cooperatives, and he was not available during that vote.

5. **ADJOURNMENT** – Ms. Dickerson moved, seconded by Ms. Kennedy, to adjourn the meeting.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 9:33 PM