

**GREENVILLE COUNTY COUNCIL
COMMITTEE OF THE WHOLE
MINUTES
December 6, 2011
5:06 p.m.
County Square - Conference Room D**

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at County Square and posted on the County's web page for all media and concerned citizens to access and review.

COMMITTEE MEMBERS PRESENT:

CHAIRMAN BUTCH KIRVEN	LIZ SEMAN
VICE CHAIRMAN BOB TAYLOR	JIM BURNS
JOE DILL	DAN RAWLS
LOTTIE GIBSON	XANTHENE NORRIS
WILLIS MEADOWS	SID CATES
JOE BALDWIN	FRED PAYNE

COMMITTEE MEMBERS ABSENT:

NONE

STAFF PRESENT:

JOE KERNELL, County Administrator
JOHN HANSLEY, Deputy County Administrator
MARK TOLLISON, County Attorney
THERESA KIZER, Clerk to Council
REGINA MCCASKILL, Deputy Clerk to Council
PAULA GUCKER, Assistant County Administrator, Public Works
JEFF WILE, Assistant County Attorney
BOB MIHALIC, Governmental Relations Officer

OTHERS PRESENT:

DAVID BERESKIN, CEO, Greenville Water System
DEBRA SOFIELD, Chair, Greenville Water System Board
PHILLIP KILGORE, Vice Chairman, Greenville Water System Board

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Councilor Lottie Gibson

Item (3)

APPROVAL OF MINUTES

ACTION: Councilor Gibson moved to approve the minutes of the Regular Committee of the Whole meeting of November 15, 2011.

Motion carried.

Item (4)

GREENVILLE WATER SYSTEM PRESENTATION

David Bereskin, CEO of the Greenville Water System, introduced two of his staff members Jennifer DeWitt and Murry Dodd and two Water System Board Members, Chairperson Debra Sofield and Vice Chairman Phillip Kilgore.

Ms. Debra Sofield made a presentation to Council members on the many projects the Greenville Water System has completed or were in the process of completing during the 2011 calendar year. The total dollar amount for this year's projects was \$6.2 million. Roughly \$15 million was spent throughout the Greenville area over the past 5 years.

Mr. Phillip Kilgore presented a map illustrating points that showed Greenville had the smallest river basin in South Carolina. He stated the water system was working hard to get DHEC to re-issue a permit to allow the Greenville Water System to continue their inter-basin transfer of water from the Savannah River Basin at the current levels. He stated the Water System had filed for a renewal of the 1985 permit, but was denied based on a technicality.

Councilor Taylor asked what the technicality was based upon.

Mr. Kilgore stated he felt the opposition was based on permit level due to the newly enacted Service Water Withdrawal Bill. Prior to the bill, everyone in the business of using water was supposed to have their permitted amounts ratified for future usage. Based on a technical reading of the statute, DHEC informed the Water System they had to wait for a certain period in order to re-apply for the permit. He stated he saw no reason why they should not be allowed to apply at the present. He stated DHEC wanted to be able to dictate to the Greenville Water System how much water would be withdrawn from their own water basins as well as from Lake Keowee. Mr. Kilgore felt the Greenville Water Systems' withdrawals should be grandfathered in like the other water systems around the state.

Councilor Payne asked if a resolution would be helpful.

Mr. Kilgore stated passing a resolution from County Council would be very helpful.

Councilor Baldwin asked if Greenville was headed in the same direction that Atlanta went in regards to water.

Mr. Bereskin stated conservation was the key in maintaining the current levels.

Mr. Kilgore stated the water system was in much better shape than Atlanta due to advance planning to avoid future issues.

ACTION: Councilor Dill made a motion to request the County Attorney to draft a resolution for Council to consider in support of the Greenville Water System and their permitting issues with DHEC.

Motion carried.

Councilor Norris asked what process was used to go from quarterly to monthly billing.

Mr. Bereskin stated the current bill was composed of water and sewer usage and sometimes trash. On an annual basis, the water system collected approximately \$1 million in late fees from customers.

After checking their records, the water system realized the vast majority of customers whose water was being turned off were repeats. He stated it was determined that a smaller monthly bill would be easier for the customers to pay. They felt it would be more convenient for the customer to be able to budget monthly for a smaller amount (1/3 the quarterly bill) and keep them from falling in arrears.

Item (5)

EXECUTIVE SESSION (legal and personnel matters)

ACTION: Councilor Taylor made a motion to go into Executive Session for discussion of negotiations incident to proposed contractual agreements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim; and for discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee regulated by the County Council, or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

Motion carried and the Committee of the Whole entered into Executive Session at 5:34 p.m.

RECONVENE

Councilor Taylor reported Greenville County Committee of the Whole out of Executive Session stating no action was taken during that session. The meeting reconvened at 6:11 p.m.

LAWSUITS

ACTION: Councilor Burns moved to authorize the County Attorney to settle the following lawsuits according to the terms discussed in Executive Session:

Case Number 2007-CP-23-0378

Case Number 2007-CP-23-0379

Case Number 2010-CP-23-1610

Motion carried.

Item (7)

ADJOURNMENT

ACTION: Without objection the Committee of the Whole meeting adjourned at 6:12 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council