

**GREENVILLE COUNTY COUNCIL
COMMITTEE OF THE WHOLE
MINUTES
June 5, 2012
5:08 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
VICE CHAIRMAN BOB TAYLOR
DAN RAWLS
LOTTIE GIBSON
WILLIS MEADOWS
XANTHENE NORRIS

JOE DILL
JIM BURNS
JOE BALDWIN
FRED PAYNE
SID CATES
LIZ SEMAN

COMMITTEE MEMBERS ABSENT:

NONE

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to Council
REGINA MCCASKILL, Deputy Clerk to Council
BOB MIHALIC, Governmental Relations Officer
SHANNON HERMAN, Assistant to the County Administrator
KIMBERLY WUNDER, Assistant County Attorney
JEFF WILE, Assistant County Attorney

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Councilor Bob Taylor

Item (3)

APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the Regular Committee of the Whole meetings of May 1, 2012 and May 15, 2012.

Motion carried unanimously.

Item (4)

EXECUTIVE SESSION

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.

Motion to go into Executive Session carried at 5:12 p.m.

Reconvene

Mr. Tollison reported Greenville County Committee of the Whole out of Executive Session stating no action was taken during that session. The regular Committee of the Whole meeting reconvened at 5:33 p.m.

Item (5)

BOARDS AND COMMISSION POLICY AMENDMENT

Chairman Kirven stated the proposed amendment was as follows: "Section XVIII: Waiver or Extension of Deadlines; Newly Created Boards, Temporary and Interim Boards. Any timeline set forth in this Policy may be waived or extended by a two-thirds (2/3) vote of County Council. By two-thirds (2/3) vote of County Council, any and all requirements of this Policy may be waived or modified in order to nominate or appoint members to fill newly created boards, or temporary and/or interim boards."

ACTION: Councilor Burns moved for approval of the amendment.

Motion carried unanimously.

Item (6)

LOCAL DISABILITIES AND SPECIAL NEEDS INTERIM BOARD OF DIRECTORS - NOMINATIONS

Chairman Kirven stated after the work of the ad hoc committee, public hearings and other matters, it was determined significant changes had to be made with the local DSN Board. County Council approved an ordinance for the restructuring of the local DSN Board. The purpose of the interim board was to form a small group of distinguished citizens with unique skill sets and qualifications needed to set up the governance, transparency and financial reporting for the permanent board. County Council will begin taking applications from non-affiliated citizens for the permanent board. The permanent board will work with staff, set long term goals/objectives, set policies and all other matters relating thereto.

Councilor Meadows stated in order to approve the interim board, the Emergency Ordinance previously passed and the Governance Structure ordinance on the County Council agenda for this evening would have to be amended.

Chairman Kirven stated the amendment to the policy being considered would meet the requirements to nominate an interim board.

Mr. Tollison stated the policy adopted would allow for certain timeframes as general routines were conducted. He stated as written the ordinances empowered the interim board to act as a board under state law and County Ordinance 2378. Additional charges for the interim board could be given under a motion.

Councilor Baldwin stated he would like to see a time limit set for the interim board.

Chairman Kirven stated he was thankful the State Department of DSN was operating the agency at the moment; however, local involvement was needed to work with the state officials. He acknowledged action was needed now.

Councilor Meadows stated at a previous meeting, Dr. Buscemi affirmed a board was not necessary for the organization to operate. He stated he saw no need to rush into an interim board. He stated the County Council having very little discussion and input on such issues was similar to the issues the former DSN board had.

Chairman Kirven stated it was his understanding Dr. Buscemi was speaking about the permanent board, not the interim board.

Councilor Taylor stated the budget of the board was approximately \$20 million. He wondered if the board, which would be ultimately appointed, would have the depth of business experience necessary to create a business entity capable of handling such responsibility.

Mr. Kernell stated the nominations for the interim board of directors were Judy Gilstrap, Pearlie Harris, Bob Ariail, Alex McNair and Jay Rogers.

Councilor Gibson asked how long would the interim board be in existence and stated she had a problem with coming to a meeting with decisions already made. She stated something this important being presented without time to research was irritating.

Chairman Kirven stated the interim board would serve until permanent board members were selected.

Councilor Rawls asked who elected the Executive Director.

Chairman Kirven stated the current Executive Director was selected by the state. The permanent board in conjunction with the state would select from qualified Executive Directors.

ACTION: Councilor Cates moved to nominate the five individuals and assume responsibilities immediately to assure everyone County Council was on top of things.

Councilor Dill stated he could not believe, at a recent rally, a candidate accused County Council of making decisions behind closed doors. He confirmed the only time County

Council was behind closed doors was during an executive session. However, since the arousal of the DSN Board issues, he felt the process had not been fair. He stated there were other people not considered in the five nominations presented.

Councilor Burns stated there was a need to have a timeline for the interim board to abide by. He suggested having the application period for the regular DSN Board begin in July. He stated the skill sets brought by the five nominees was a great selection from the community.

Councilor Baldwin suggested inputting a timeline for recommendations.

Councilor Norris stated the five nominees were great people.

ACTION: Councilor Norris called the question.

Motion to call the question was denied by a vote of six in favor (Cates, Burns, Kirven, Norris, Seman, Payne) and six in opposition (Dill, Baldwin, Meadows, Taylor, Gibson, Rawls).

AMENDMENT: Councilor Meadows moved to amend Councilor Cates motion to allow additional nominees and voting to be held during the next meeting.

Councilor Dill stated the list of the five nominees had no representation from the medical community.

Chairman Kirven stated medical issues were being overseen by the State DSN.

Motion to amend was denied by a vote of three in favor (Dill, Meadows, Rawls) and nine in opposition (Baldwin, Cates, Burns, Taylor, Norris, Seman, Gibson, Payne, Kirven).

Motion as presented by Councilor Cates was approved by a vote of nine in favor (Baldwin, Cates, Burns, Taylor, Norris, Seman, Gibson, Payne, Kirven) and three opposed (Dill, Meadows, Rawls).

Item (7)

ADJOURNMENT

ACTION: Councilor Taylor moved to adjourn the meeting.

Without objection the Committee of the Whole meeting was adjourned at 6:07 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council