

**GREENVILLE COUNTY COUNCIL
COMMITTEE OF THE WHOLE
MINUTES
March 5, 2013
4:38 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 BOB TAYLOR
VICE CHAIRMAN WILLIS MEADOWS
JOE DILL
XANTHENE NORRIS
SID CATES

LIZ SEMAN
JIM BURNS
JOE BALDWIN
BUTCH KIRVEN
FRED PAYNE

COMMITTEE MEMBERS ABSENT:

LOTTIE GIBSON
DAN RAWLS

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to Council
SALINA PRUITT, Administrative Assistant
BOB MIHALIC, Governmental Relations Officer
DEAN CAMPBELL, Assistant County Attorney
PAULA GUCKER, Assistant County Administrator, Public Works

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Bob Taylor

COMMENT

Chairman Taylor stated Councilor Gibson was having difficulties and asked Councilor Cates to give the invocation in her absence.

INVOCATION

Councilor Sid Cates

Item (3)

APPROVAL OF MINUTES

ACTION: Councilor Meadows moved to approve the minutes of the Regular Committee of the Whole meeting of February 19, 2013.

Motion carried by all Council Members present.

Item (4)

BOARD AND COMMISSION INTERVIEWS

(a) Alcohol and Drug Abuse Commission

The following individuals appeared before the Committee of the Whole and gave their personal presentations.

- 1. John Braeunig**
- 2. David Fields**
- 3. Ernest Hamilton**
- 4. Steve Short**

ACTION: Councilor Dill made a motion to send all five candidates (John Braeunig, David Fields, Ernest Hamilton, Steve Short and William Housley) forward to County Council.

Motion carried by all Council Members present.

(b) Human Relations Commission

- 1. Sharon Bryant**
- 2. Roberta Evans**

ACTION: Councilor Norris moved to moved send both candidates (Sharon Bryant and Roberta Evans) forward to County Council.

Motion carried by all Council Members present.

Item (5)

BOARD AND COMMISSION MEMBERS / RECUSAL PROVISION

ACTION: Councilor Seman moved to approve an amendment to Section 2-83 of the Greenville County Code to prohibit county board and commission members from participation in matters of economic interest; to provide for written disclosure, recusal, and reporting of conflicts; and removal of members for violations.

Councilor Dill questioned why a change was necessary after approximately seventeen years.

Councilor Burns stated approximately one year ago an individual was ineligible for a board because her employment created a conflict of interest. He stated highly qualified people were unable to volunteer for boards and commissions because of their employment/business. The proposed amendment would allow individuals to serve on a board/commission regardless of their employment/business; they would only need to recuse themselves for specific items.

Councilor Kirven stated Best Practices was an industry standard that would serve County Council well. He asked Councilor Seman to share additional information from Best Practices on other non-profits.

Councilor Seman stated South Carolina Association of Non-Profit Organizations had books on guiding principles. She stated she would share a copy with County Council and the boards and commissions.

Councilor Cates commented it was his understanding an individual would not have to resign because of an affiliation.

Councilor Seman stated a former County Council Member recused himself many times when an item was in deliberation that conflicted with his employment. She stated not having the same recusal process in place for boards and commissions was limiting the recruitment of the best qualified members. She stated the proposed also gave County Council the final say if an issue arose in relation to a conflict of interest.

Councilor Cates asked was a contract null and void if an individual signed a contract and within thirty days, there was a conflict issue.

Mr. Tollison stated it was possible to void a contract if there was a disclosure issue.

Councilor Norris stated citizens attempting to volunteer for boards and commissions should be allowed the same privilege as County Council Members in relation to conflict of interest.

Councilor Payne stated he felt County Council needed to enforce the current ordinance rather than amending it.

Councilor Dill stated the proposed amendment was similar to a prior ordinance and it did not work. He stated he was told County Council had the weakest policy in relation to conflict of interest. He stated he thought the policy was strong although it was not enforced. He stated County Council needed to enforce the current ordinance. He recommended County Council Members vote against the proposed.

Councilor Seman asked if the proposed amendment was in line with the current State Ethics Laws.

Mr. Tollison stated the proposed amendment was in line with the current State Ethics Act.

Councilor Seman stated she respected Councilor Dill's opinion. She stated County Council should hope individuals apply for positions because they have the best interest of the community at heart.

Councilor Meadows stated if the State changed the law, would County Council need to amend their's to adhere to the new changes.

Mr. Tollison stated if the South Carolina General Assembly amended the State Ethics Act, he would recommend non-enforcement or repeal of the ordinance made by County Council.

Chairman Taylor asked would the proposed amendment override an individual from serving on the Disabilities and Special Needs Board if a family member was receiving services from the agency.

Mr. Tollison stated the proposed amendment would change in regards to specific services that would not be allowed.

Councilor Seman called the question.

Motion to call the question carried by all Council Members present.

Motion to amend the Section 2-83 of the Greenville County Code carried by a vote of seven in favor (Kirven, Burns, Norris, Payne, Taylor, Seman, Baldwin), two in opposition (Dill, Meadows) and three absent (Gibson, Rawls, Cates).

ACTION: Councilor Seman moved to adjourn the meeting.

Motion carried and the meeting was adjourned at 5:21 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council