

**GREENVILLE COUNTY COUNCIL
SPECIAL CALLED COMMITTEE OF THE WHOLE
MINUTES
October 28, 2013
6:04 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
JIM BURNS
JOE DILL
XANTHENE NORRIS
LOTTIE GIBSON

SID CATES
DAN RAWLS
BUTCH KIRVEN
JOE BALDWIN
FRED PAYNE
LIZ SEMAN

COMMITTEE MEMBERS ABSENT:

NONE

STAFF PRESENT:

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

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Councilor Fred Payne

Item (3) Transportation Facilities Corporation / Capital Sales Tax Method for Road Improvements

Chairman Taylor stated the possibility of a penny sales tax was discussed over the past months. He stated County Council would determine if there would be a Capital Sales Tax Referendum, a Transportation Facilities Referendum or no referendum. Chairman Taylor stated the information on the radio and newspaper was not always accurate. He stated the purpose of the Special Called Meeting was to examine the two possibilities (Capital Sales Tax Referendum and Transportation Facilities Referendum), go through the procedure of forming a committee and possible projects. After the initial process was completed, County Council would determine how to proceed. If County Council voted to explore one of the possibilities the proposed resolution for that option would be up for a vote. He stated if passed, the resolution would be amended during the regular County Council meeting on Tuesday, November 5, 2013.

Councilor Kirven stated there have been many complaints about the condition of Greenville County roads and the two proposed options were possibilities to rectify the issues. He stated if a decision was made to place an item on a referendum, citizens would make the final decision. Councilor Kirven stated the purpose of the meeting was to move into an exploratory phase to engage as many citizens as possible into the process to receive their input. After months of citizen input, County Council would determine how to proceed.

ACTION: Councilor Kirven moved to approve the consideration of one of the two proposed options.

Councilor Meadows stated voting on the proposed resolution was voting on having a referendum. He stated the process of starting a Capital Project would start with a Resolution. He stated in his opinion, he did not want anyone to be fooled into thinking it was an exploratory phase. He stated if County Council voted to proceed with one of the options, it was essentially a vote that there would be a referendum. Councilor Meadows stated County Council would have the ability to vote to stop the process at any point. He stated the Transportation Facilities Referendum would allow for an administrator, which would be County Council or another formed authority.

Councilor Baldwin stated it was important to know which projects would be considered during the process.

Councilor Meadows stated if the referendum passed it would be the largest tax increase Greenville County ever had. He stated if passed, a family of two with the median salary of \$33,000 would be charged approximately \$300 per year for sales tax. He further stated citizens in his district, Councilor Gibson's and Councilor Norris' districts would be hit the hardest by the tax increase. He suggested County Council vote not to have a sales tax increase.

Councilor Baldwin felt the amount was too high. He stated the increase would only apply to sale-taxable items. He stated the increase would not apply to rent or mortgage, food, utilities, insurance, car payments or gas. He felt the average taxable spending for the average median household would be \$5,000 - \$10,000, not \$33,000.

Councilor Meadows stated the amount was still higher than the average \$40 tax imposed by the Greenville County School District

Councilor Payne stated he received many calls from citizens about road issues. He then called for the question.

Without objection, the question was called.

Motion to consider the resolutions carried by a roll call vote of seven in favor (Seman, Kirven, Payne, Baldwin, Burns, Taylor, Norris) and five in opposition (Gibson, Rawls, Dill, Meadows, Cates).

Councilor Kirven stated either one of the resolutions had the ability to work, however he favored the Capital Sales Tax Resolution.

ACTION: Councilor Kirven moved to approve the Capital Sales Tax Resolution.

Chairman Taylor reiterated both resolutions would need amendments.

Councilor Burns questioned if there was a hybrid model to implement the best of both proposed items to create a list using a large citizens committee to define the proposed projects. He thought a six-member committee would not be sufficient. He wanted to ensure the final projects were the ones of most importance to the public.

Chairman Taylor stated under the Capital Sales Tax method, County Council would not be able to alter the committee list. He stated County Council would be able to restrict the committee to specific project types.

Councilor Burns stated he did not agree with restricting the committee during the public input process.

Councilor Payne concurred with Councilor Burns in having a hybrid method. He suggested appointing two individuals from each district and if allowed one from each municipality.

Councilor Cates stated he was in favor of the Transportation Facilities method.

Councilor Kirven withdrew his motion.

ACTION: Councilor Payne moved to approve the Transportation Facilities resolution.

Councilor Dill asked when a decision to exempt a committee would be determined.

Chairman Taylor stated during the County Council meeting on Tuesday, November 5, 2013 discussion would be held in relation to a committee and their duties.

AMENDMENT: Councilor Dill moved to amend the Transportation Facilities Resolution by removing the third "Whereas" paragraph: *(the South Carolina General Assembly enacted the Transportation Facilities Sales Tax, S.C. Code Ann. § 4-37-10 et seq. (hereinafter referred to as the "Act")) authorizing County Council to call for a referendum of the registered voters of the County on the question of imposing up to a one percent (1%) sales and use tax to fund transportation facilities in the County;*

Mr. Tollison stated the South Carolina General Assembly passed the bill to allow County government to call for a referendum of the registered voters to impose up to a one

percent sales tax.

Councilor Dill stated it was assumed by some that passing the Transportation Facilities Resolution with the aforementioned verbiage gave the impression it would start a process that would eventually move to a referendum.

Councilor Cates stated if passed, would County Council have the ability to reduce the sales tax amount at a later date.

Chairman Taylor County Council had the ability to impose the less than one percent sales tax.

Councilor Meadows asked if the committee would determine the amount of the projects or would they have to work with the amount allocated.

Mr. Tollison stated the \$65 million per year was based on the current draft of one percent sales tax generation. He stated at any point County Council decided to decrease the amount of the sales tax, they would be able to adjust the list accordingly.

Councilor Kirven stated the resolution was the guidepost however the final document to implement the method would be an ordinance. As currently listed, County Council would be able to decrease the list, but not increase the one percent.

Mr. Tollison stated the decision to move forward was dependent on the project list report and if County Council supported the list, it would move to a referendum.

AMENDMENT: Councilor Dill moved to further amend the resolution by removing “pursuant to S.C. Code Section 4-37-10” in the resolution title and any reference of one percent in the whole body of the resolution.

Councilor Seman called for the question.

Motion to call the question carried with Councilor Baldwin in opposition.

Motion to remove: *(the South Carolina General Assembly enacted the Transportation Facilities Sales Tax, S.C. Code Ann. § 4-37-10 et seq. (hereinafter referred to as the “Act”) authorizing County Council to call for a referendum of the registered voters of the County on the question of imposing up to a one percent (1%) sales and use tax to fund transportation facilities in the County;)* from the third of the proposed Transportation Facilities Resolution and to remove the code reference in the title and any reference of one percent in the resolution was denied by a roll call vote of five in favor (Rawls, Dill, Baldwin, Meadows, Cates) and seven in opposition (Seman, Gibson, Kirven, Payne, Burns, Taylor, Norris).

(The motion on the floor was the Transportation Facilities Resolution as presented).

Councilor Gibson called for the question.

Motion carried.

Motion to approve the resolution as presented carried by a roll call vote of eight in favor (Payne, Baldwin, Burns, Taylor, Norris, Gibson, Seman, Kirven) and four in opposition (Rawls, Cates, Dill, Meadows).

