

**GREENVILLE COUNTY COUNCIL
COMMITTEE OF THE WHOLE
MINUTES
MAY 6, 2014
4:00 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 arrived at 4:05 p.m.
XANTHENE NORRIS
LOTTIE GIBSON

FRED PAYNE
LIZ SEMAN
BUTCH KIRVEN
JOE BALDWIN
SID CATES

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 Office
SANDRA YUDICE, Assistant to the County Administrator
SHANNON HERMAN, Assistant to the County Administrator
KIM WUNDER, Assistant County Attorney
LANCE ESTEP, Director, Planning and Code Compliance
HESHA GAMBRELL, County Engineer

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Councilor Fred Payne

Item (3)

APPROVAL OF MINUTES

ACTION: Councilor Meadows moved to approve the minutes of the Committee of the Whole meeting of April 1, 2014.

Motion carried unanimously by all County Council Members present.

Item (4)

BOARDS AND COMMISSIONS NOMINATIONS

(a) Committee on Finance

1. Arena District Commission (3 vacancies)

ACTION: On behalf of the Finance Committee, Councilor Meadows moved to close nominations, elect by acclamation and send forward to County Council the names of Michael Cashman, Paul Kearns and James Smith to fill the three vacancies on the Arena District Commission.

Motion carried unanimously by all County Council Members present.

2. Greenville Area Development Corporation (3 vacancies)

ACTION: On behalf of the Finance Committee, Councilor Meadows moved to close nominations, elect by acclamation and forward to full Council the names of Catherine Heigel, David Kelley and Debbie Nelson to fill the three vacancies on the Greenville Area Development Corporation Board.

Motion carried unanimously by all County Council Members present.

(b) Planning and Development Committee

1. Construction Board of Appeals (4 vacancies)

ACTION: On behalf of the Planning and Development Committee, Councilor Gibson moved to close nominations, elect by acclamation and forward to full Council the names of Joe Black, Michael Coleman and Tony Gilreath to fill three of the four vacancies on the Construction Board of Appeals.

Motion carried unanimously by all County Council Members present.

2. Zoning Appeals Board (2 vacancies)

ACTION: On behalf of the Planning and Development Committee, Councilor Gibson moved to close nominations, elect by acclamation and forward to full Council the names of Tom Kriese and Bernard Newton to fill the two vacancies on the Zoning Appeals Board..

ACTION: Councilor Meadows nominated Kenneth Gibson and Nathan Earl to be consolidated for the two vacancies on the Zoning Appeals Board.

Motion to forward the names of Tom Kriese, Bernard Newton, Kenneth Gibson and Nathan Earl to full County Council for a ballot vote carried unanimously by all County Council Members present.

(c) Committee on Public Works and Infrastructure

1. Greenlink (GTA) (1 vacancy)

ACTION: On behalf of the Public Works and Infrastructure Committee, Councilor Payne moved to close nominations, elect by acclamation and forward to full Council the name of Samuel Zimmerman to fill the one vacancy on the Greenlink (GTA) Board.

Motion carried unanimously.

2. SC Technology and Aviation Center Board (1 vacancy)

ACTION: On behalf of the Public Works and Infrastructure Committee, Councilor Payne moved to close nominations, elect by acclamation and forward to full Council the name of Steven West to fill the one vacancy on the SC Technology and Aviation Center Board.

Motion carried unanimously.

Item (5) SPECIAL TAX DISTRICT NOMINATION

Chairman Taylor gave the gavel to Vice Chairman Meadows.

(a) Ashwicke Tax District Commission (2 vacancies)

ACTION: Chairman Taylor moved to close nominations, elect by acclamation and forward to full Council the names of Jan Munafo and Mike Munafo to fill the two vacancies on the Ashwicke Tax District Commission to full County Council.

Motion carried unanimously.

Vice Chairman Taylor returned the gavel to Chairman Taylor.

(b) Autumn Hills Tax District (1 vacancy)

ACTION: Councilor Dill moved to close nominations, elect by acclamation and forward to full Council the name of Barbara Dennis to fill the one vacancy on the Autumn Hills Tax District Board.

Motion carried unanimously.

(c) Boiling Springs Fire District (1 vacancy)

ACTION: Councilor Burns moved to close nominations, elect by acclamation and forward to full Council the name of William Flack to fill the one vacancy on

the Boiling Springs Fire District Board.

Motion carried unanimously.

(d) Buxton Tax District (1 vacancy)

ACTION: Councilor Meadows moved to close nominations, elect by acclamation and forward the name of David Spear to full Council to fill the one vacancy on the Buxton Tax District Board.

Motion carried unanimously.

(e) Chanticleer Community Commission (3 vacancies)

ACTION: Councilor Liz Seman moved to close nominations, elect by acclamation and forward the names of Wiley Crittenden and Vernon Merchant III to fill two of the three vacancies on the Chanticleer Community Commission.

Motion carried unanimously.

(f) Devenger Tax District (3 vacancies)

ACTION: Councilor Burns moved to close nominations, elect by acclamation and forward to full Council the names of Emmett Henson, Randy Price and Siobhan Tortora to fill the three vacancies on the Devenger Tax District Board.

Motion carried unanimously.

(g) Freetown Community Special Tax District (1 vacancy)

ACTION: Councilor Norris moved to close nominations, elect by acclamation and forward to full Council the name of James Cramer to fill the one vacancy on the Freetown Community Special Tax District Board.

Motion carried unanimously.

(h) Linkside Special Tax District (3 vacancies)

ACTION: Councilor Cates moved to close nominations, elect by acclamation and forward to full Council the names of Les Burns, Dale Hawkins and George Pike to fill the three vacancies on the Linkside Special Tax District Board.

Motion carried unanimously.

Item (6) TRANSPORTATION PROJECTS FUNDING REFERENDUM ORDINANCE

ACTION: Councilor Kirven moved to approve the proposed ordinance allowing the citizens of Greenville County to vote in a General Election Referendum on whether or not to

raise funds through a dedicated sales tax for a limited period of time and to be applied exclusively to road and related public infrastructure projects as outlined in the ordinance and in the report of the Citizen Roads Advisory Commission.

Councilor Kirven stated the issue affected everyone in Greenville County. The ordinance gave the citizens the opportunity to solve the issues locally or to wait on the State. He stated Greenville County had the ability to do the work in-house and the County had shown good stewardship of taxpayers money. He requested Mr. Kernell be given the opportunity to outline to County Council how the large scale road improvement plan would be carried out, if it was approved by Greenville County voters.

County Administrator Joe Kernell stated the first thing to do would be to set up the internal structure to oversee the projects and to insure the projects were completed in a timely manner and at the most efficient cost. The budget would equate to about one-third of the current annual County budget; which as all County budgets, he was very confident would be handled in a good manner. He stated he had undertaken road projects issues during a previous county administrator position in his past, therefore this endeavor was not new to him. During his previous project undertaking, specific individuals were placed in key roles to oversee the budget and projects. He stated although the engineering and construction would be contracted out, the County would monitor the projects to ensure everything was done efficiently and in a timely manner. Although some of the roads were state roads, SCDOT would not be paid a Management Fee from Greenville County; Greenville County would be the local government authority. He further stated he did not foresee Greenville County paying municipalities any fees as well. County roads would be handled by Greenville County's Roads and Bridges Department. Identifying the budget, estimating revenue and prioritizing projects were the most important components of the mission. He stated some projects would rely on other projects completion first.

Chairman Taylor asked for clarification on verbiage on Page 2, Paragraph 1, first sentence.

Mr. Tollison stated it was part of the findings section just to build in a legislative history of the ordinance. He stated in previous discussions of the two methods, this particular method had a transportation authority component as an alternative, which County Council was not using.

Chairman Taylor asked after the eight year cutoff, how long would the County have to spend the monies collected for that year.

Mr. Tollison stated either the tax would be levied for eight years or until the total amount was collected; whichever came first.

Mr. Kernell stated collection of monies would cease at the eight year cutoff, however the remaining funds would continue to go towards projects; the money was dedicated.

Chairman Taylor stated the SCDOT report indicated a dollar amount for each of four categories with the total being \$673 million. He stated when that amount of money was collected, the collection process would cease. He stated this would ensure only the amount of money the voters voted for would be collected.

Councilor Meadows stated the SCDOT report was based on Greenville County collecting \$84 million per year; however the Budget and Control Board reported no

more than \$75 million would be collected. He stated prioritizing the list was important.

Chairman Taylor stated it was possible the ballot items would be constructed so voters would have four votes; voting yes or no on each category, but an amendment to the proposed ordinance would have to happen.

Councilor Gibson stated she wanted to make certain that more than one company would be given an opportunity to do some of the work.

Mr. Kernell stated due to the scope of the project, a lot of bids would go out.

Councilor Meadows stated he was concerned with the management of the program due to other counties having issues with their programs. He stated Florence County collected the money and gave it to SCDOT to complete the projects, which were not completely finished at the deadline. He stated Richland County started a Road Program last fall and have been threatened with a lawsuit. He stated he was concerned with the project being a burden on staff. He felt a Project Manager would be a good option. Mr. Meadows stated a Project Manager could do the right-of-way surveys, environmental studies, and preliminary engineering. He felt Greenville County did not have the expertise needed in-house.

Councilor Cates asked if Councilor Meadows was suggesting Greenville County did not have the needed expertise to do the engineering in-house.

Councilor Meadows stated he felt there was no in-house expertise to handle a project of this magnitude. A Project Manager would do the preliminary engineering, have other consultants to fine tune the projects and then send out competitive sealed bids. He felt it would be a substantial cost to hire an engineering firm, and asked if that cost would be added to the \$673 million. Mr. Meadows stated in 2006, Mr. Kernell had stated it would cost more to do the projects in-house.

Mr. Kernell stated the earlier project dealt with resurfacing and some improvements. He stated it was a modified program. Mr. Kernell stated there was in-house expertise however it was not the capacity needed for this particular project and that it would be more costly to contract a program management company versus hiring internally. He stated the department would not be a part of Public Works, rather a separate department within the County. He stated sequencing was the biggest concern.

Councilor Cates asked what would prevent the State from holding funds from Greenville County through the Pennies for Progress Program.

Mr. Kernell stated it was his understanding everything was done by a formula. He stated the funds would flow. He stated if the proposed ordinance passed through referendum, it would open up additional matching funds through the Federal Government.

Councilor Burns stated the proposed program was totally different than anything the County had ever done before. He stated because of the magnitude of the project it was going to take a lot of coordination. It was a big concern to provide value to citizens. A program of this magnitude would catch the attention of every engineering firm in the United States, which would ensure a competitive situation

Councilor Meadows suggested asking the State of South Carolina to manage the program with terms and perhaps give the municipalities the same option.

Councilor Dill stated federal highways were a concern to him. He asked for clarification on whether or not the State would continue getting the federal funds for federal roads, or would the monies begin to come to the County. He stated the State received monies from the Federal Government for Greenville County however they had not repaired the federal roads in the County.

Mr. Kernell stated there were no federal highways on the project list and the State would continue to collect federal funds for federal roads.

Councilor Dill stated because of the amount of potential money, the issue was quite complicated. He then inquired if the list had been altered since its presentation on April 1st, specifically the Pedestrian Amenities.

Mr. Kernell stated Pedestrians Amenities were included on the project list. He stated the first project list was in district order and the current list was in priority order.

Councilor Dill asked what percentage of money would go to each category.

Mr. Kernell stated it would take a lot of time and planning to try to balance the list and get as much done as possible with the amount of funding collected. There would be constant re-evaluation throughout the entire process. He stated categories would be given percentages.

Councilor Dill stated inserting verbiage into the proposed ordinance to eliminate public perception that the County did not know what they were doing was very important, and because of the current issue in District 26, some of those constituents felt left out.

Councilor Payne stated because of the current situation, representation in District 26 was currently the responsibility of all County Council Members. He felt former Councilman Rawls would have been in favor of the road program. Councilor Payne stated the Citizen Roads Advisory Committee performed a great task. He stated there was trusted leadership and staff within the County and they should be given a chance to handle the project.

Councilor Taylor stated the earliest meeting for the new District 26 representative to participate in would be in July. He stated if there were seven or eight votes in favor of the proposed ordinance during the second reading, the vote made by the new District 26 representative would not change the outcome.

Councilor Baldwin stated because of the controversy surrounding the proposed ordinance, he would hate to see it pass by a six to five vote. He stated it was his understanding August 15th was the deadline for final approval and he would like the new member representing District 26 to be on board before the final vote was taken. Councilor Baldwin stated he was in favor of the proposed ordinance.

Mr. Tollison clarified the finished ordinance would need to be submitted to the Election Office by August 15th.

Councilor Gibson stated if the new representative was not a part of the discussion process, it should not matter.

Councilor Seman commended the committee for their work. She stated she was excited for what this would do for the community. She stated this was an opportunity to allow

the citizens to have a voice.

Councilor Kirven stated there was a long way to go before final action.

Councilor Kirven called for the question.

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

Motion to approve the ordinance and forward to County Council carried by a roll call vote of eight in favor (Burns, Taylor, Norris, Seman, Gibson, Kirven, Payne, Baldwin) and three in opposition (Meadows, Cates, Dill).

Item (7)

ADJOURNMENT

ACTION: Councilor Burns moved to adjourn the meeting at 5:05 p.m.

Motion to adjourn carried unanimously.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council