



GREENVILLE COUNTY COUNCIL MINUTES

COMMITTEE OF THE WHOLE

FEBRUARY 7, 2017

4:35 P.M.

COUNTY SQUARE – CONFERENCE ROOM D

COUNCIL MEMBERS

MR. BUTCH KIRVEN, CHAIRMAN
MR. WILLIS MEADOWS, VICE CHAIRMAN
MRS. XANTHENE NORRIS, CHAIRMAN PRO TEM
MR. JOE DILL
MR. MIKE BARNES
MR. SID CATES
MR. RICK ROBERTS **ABSENT**
MR. BOB TAYLOR
MRS. LIZ SEMAN
MR. ENNIS FANT, SR.
MR. LYNN BALLARD
MR. FRED PAYNE

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the County Square and made available to the newspapers, radio stations, television stations and concerned Citizens.

STAFF PRESENT

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
John Hansley, Deputy County Administrator
Theresa Kizer, Clerk to Council
Regina McCaskill, Deputy Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
Eric Vinson, Director, Planning and Code Enforcement
Shannon Herman, Assistant to the County Administrator
Bob Mihalic, Governmental Relations Officer
Gene Smith, Executive Director, Parks, Recreation and Tourism

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Councilor Mike Barnes

Item (3) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the January 24, 2017, Regular Committee of the Whole meeting.

Motion carried unanimously by Council Members present.

Item (4) EXECUTIVE SESSION (personnel matter)

ACTION: Vice-Chairman Meadows moved to go into Executive Session 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.

Motion carried unanimously and the Committee of the Whole entered into Executive Session at 4:36 p.m.

RECONVENE

Mr. Tollison reported Greenville County Committee of the Whole out of Executive Session stating no action was taken during the session.

The meeting reconvened at 4:57 p.m.

Item (5) LAKE CONESTEE PRESENTATION / RESOLUTION

Dave Hargett, Founder and Executive Director
Conestee Foundation / Lake Conestee Nature Park

Lake Conestee Dam: A Compelling Case for Action

Statement of Need:

- The 125-year old Lake Conestee Dam is steadily disintegrating
- Conestee Lake is filled with millions of tons of contaminated sediments
- The dam is a waste containment structure
- Failure of the dam would threaten Greenwood's water supply
- Risk of failure endangers downstream mill structures and Conestee Road

What has the Conestee Foundation Done to Sustain the Dam?

- Acquired Lake Conestee and the dam in 2000
- Dam failed in 2000 – Conestee Foundation fixed in it 2001
- Partnership with DHEC, Corps, NRCS, EPA Engineering assessments in 2008 & 2012
- Major repairs in 2001 & 2011
- Annual maintenance and inspections
- Spent > \$350K on assessments, repairs, maintenance, safety & emergency planning
- In compliance with regulatory requirements

What Do We Know about Lake Conestee Dam?

- Deterioration of stone masonry
- The dam is structurally unstable and far below current design standards
- Classified as a Significant Hazard due to risk of contaminant release
- Unpermitted release of toxic substances
- Recent inspections by DHEC and private dam engineers confirm Poor Condition
- Dam holds back millions of pounds of heavy metals, organic toxins, pesticides & PCBs
- Without action, failure is certain

Immediate Consequences of Lake Conestee Dam Failure

- Potential damage / closure of Conestee Road
- Damage to Conestee Mill structures
- Impacts to Conestee community and SCTAC
- Release of millions of tons of toxic sediment
- Impacts to local commerce
- Impacts more complex than colonial Pipeline failure in 1996
- Impacts to Lake Conestee Nature Park
- Impacts to recreation at Cedar Falls, Boyd Mill Pond & Lake Greenwood

Longer Term Consequences of Lake Conestee Dam Failure

- Lake Conestee & Reedy River downstream could be reclassified as Federal Superfund Site
- Economic stigmatization of immediate area and miles of Reedy River corridor downstream
- Impacts to hundreds of individual properties
- Extensive litigation
- Fish, wildlife and ongoing ecological damages
- Sediment loading to Boyd Mill Pond and Lake Greenwood
- Ongoing cloud over Greenwood Water Supply
- Cost of emergency actions and remediation

Lake Conestee Dam – Why a State Issue?

- We know the imminent threat and consequences
- Opportunity to prevent catastrophe
- Identify “Final Design Solution”
- Position for action with a plan for potential Federal infrastructure assistance
- Position to leverage responsible parties to pay for construction and long-term care
- Cost of corrective action after failure vastly greater than pre-emptive action

Our Proposal / Our Request

- Collaboration with SCDHEC to perform a rigorous, independent and objective engineering study
- “Final Pre-Design Study for the Rehabilitation and / or Replacement of the Lake Conestee Dam”
- Evaluate all viable alternatives
- The solution that will perform for 100+ years
- The plan for construction and long-term care
- Appropriation request of \$185K for study, as proviso to DHEC budget
- Accountable to DHEC – study completion in 2017
- No State obligations for construction costs

ACTION: Councilor Dill moved to approve a resolution supporting General Assembly approval of a proviso to the FY2017-2018 State budget providing grant funding to the Conestee Foundation for studies to improve the Lake Conestee dam.

Councilor Payne asked if the study would be completed by a third party.

Dave Hargett stated the study would be completed by specialists.

Councilor Payne stated the Lake Conestee Dam was a wonderful site. He asked if other groups downstream were part of the solution.

Dave Hargett stated they had absolute support from other groups for a good, thoughtful and compatible redevelopment of the site. He added the Conestee Foundation had received very positive responses from various groups. Mr. Hargett stated funds were available through SCDHEC, as well.

Councilor Fant asked if there had been any discussion with future developers of the property adjacent to the dam to insure access to the dam.

Dave Hargett stated the Foundation was currently working with the developers to insure access.

Motion carried unanimously.

**Item (6) HOSPITALITY TAX / SUPPLEMENTAL APPROPRIATION –
SOUTH CAROLINA CHILDREN’S THEATRE AND THE GREENVILLE CENTER FOR CREATIVE ARTS**

ACTION: Vice-Chairman Meadows moved to allocate \$50,000.00 per year for five years to both the South Carolina Children’s Theatre and to the Greenville Center for Creative Arts.

ACTION: Councilor Taylor moved to divide the question.

Motion to divide the question carried unanimously.

South Carolina Children’s Theatre

Councilor Seman stated information presented previously indicated \$100,000 per year for five years to the Children’s Theatre and \$50,000 per year for five years to the Greenville Center for Creative Arts.

Chairman Kirven stated the figures represented Council’s discussions in December of 2016. He added after the item was presented on the floor of Council, it was referred back to the Committee of Whole with no numbers designated.

Councilor Cates asked if the numbers represented the original requests from the Children’s Theatre and the Center for Creative Arts.

Chairman Kirven stated the figures were not the amounts originally requested. The Children’s Theatre had originally requested \$1.5 M.

Councilor Seman asked if the County had the capacity to allocate the \$100,000 for five years to the Children’s Theatre and \$50,000 for five years to the Center for Creative Arts.

Joe Kernell stated the figures were preliminary numbers only and the County would be more comfortable with \$50,000 over a five year period for each.

ACTION: Vice-Chairman Meadows moved to allocate \$50,000 per year for five years, for a total of \$250,000, to the South Carolina Children’s Theatre.

Councilor Seman asked if the County’s situation changed in terms of funding could either of the two entities request additional funding.

Chairman Kirven stated they could ask for additional funding, if the County’s situation changed.

Motion carried unanimously.

Greenville Center for Creative Arts

ACTION: Vice-Chairman Meadows moved to allocate \$50,000 per year for five years, for a total of \$250,000, to the Greenville Center for Creative Arts.

ACTION: Councilor Dill moved to amend the motion to use the funds for Capital Expenditures.

Motion to amend carried unanimously.

Motion as amended carried unanimously.

Item (7) **ADJOURNMENT**

ACTION: Vice-Chairman Meadows moved to adjourn.

Motion carried unanimously and the meeting was adjourned at 5:32 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council