



GREENVILLE COUNTY COUNCIL

Minutes
Special Called Council Meeting
June 29, 2021
4:17 p.m.

County Square - Council Chambers

Council Members

Mr. Willis Meadows, *Chairman, District 19*
Mr. Dan Tripp, *Vice-Chairman, District 28*
Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*
Mr. Joe Dill, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mrs. Liz Seman, *District 24*
Mr. Ennis Fant, Sr., *District 25*
Mr. Lynn Ballard, *District 26*
Mr. Butch Kirven, *District 27*

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

Council Members Absent

None

Staff Present

Joe Kernell, *County Administrator*
Mark Tollison, *County Attorney*
John Hansley, *Deputy County Administrator*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Pam Gilliam, *Administrative Assistant*
Bob Mihalic, *Governmental Affairs Officer*

Paula Gucker, *Assistant County Administrator, Public Works*
Shannon Herman, *Assistant County Administrator*
Nicole Wood, *Assistant County Administrator*
Meredith Papapieris, *CARES Program Director*
Debbie Adkins, *Director, Real Property Services*
Kevin Hunter, *Director, Tax Collector's Office*

Others Present

Sheriff Hobart Lewis, *Greenville County Sheriff's Office*

Call to Order

Chairman Willis Meadows

Invocation – introduced by Councilor Xanthene Norris

Councilor Xanthene Norris

Item (3) Ordinances – Third Reading

a. County of Greenville / FY2022 Budget

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance to adopt the County of Greenville FY2022 Budget.

Amendment 1 – Greenville Convention Center

Action: On behalf of Councilwoman Seman and himself, Councilor Harrison moved to appropriate \$400,000 in each the FY2022 budget and FY2023 budget for the Greenville Convention Center. As part of the motion, Council directed the administrator to work with the City of Greenville and other stakeholders to put together and execute a plan to utilize these funds over the course of the two-year budget cycle. Additionally, as part of the motion, Council directed the administrator to coordinate and propose a viable long-term solution for the Greenville Convention Center prior to FY2024.

Motion was denied by a roll call vote of five (Dill, Harrison, Seman, Kirven and Tripp) in favor and seven (Barnes, Meadows, Shaw, Tzouvelekas, Norris, Fant and Ballard) in opposition.

Amendment 2 – Affordable Housing

Action: Councilor Seman moved to appropriate from available sources an additional five million dollars each year of the FY2022-23 budget for affordable housing in Greenville County. As part of the motion, Council directed the County Administrator to work with Greenville County Redevelopment Authority, the Greenville Housing Fund, and other interested parties to put together and execute a plan to spend those funds over the course of the two-year budget cycle. An annual report must be submitted to Council showing disbursements and progress on the program.

Motion carried by a unanimous roll call vote.

Amendment 3 – Elected Officials Salaries

Action: Councilor Tzouvelekas moved that the Fiscal Year 2021-2022 budget Section 12 read as follows:

SECTION 12: ELECTED OFFICIAL SALARIES.

Beginning the first full pay period of fiscal year 2022, the salaries paid by Greenville County to the Greenville County Clerk of Court, Greenville County Treasurer, Greenville County Auditor, Greenville County Register of Deeds, and Greenville County Coroner shall be in parity with one another based on the higher of the salaries currently paid by the County to these elected officials. Any salary change required by this parity calculation shall be phased in at a rate not exceeding a 3.5% salary increase for each subsequent fiscal year before cost of living adjustments. The cost of living adjustment recommended for the fiscal year for all employees will be applied to the new adjusted salaries each fiscal year. Further, the County Administrator is directed to use any excess of actual revenues over projected budgeted revenues for fiscal 2022 to increase the 2.5% average cost of living adjustment provided in the budget for all county employees in an amount not exceeding an additional 1%.

Action :

Councilor Ballard moved to amend Councilor Tzouvelekas' amendment by adding the following:

The County Administrator is directed to have the Human Resources Director obtain salary data for the elected officials of Auditor, Clerk of Court, Coroner, Recorder of Deeds and Treasurer in the five largest counties in South Carolina, to include current salary, salary range, starting salary and any other data that may be pertinent. When the data is obtained, the report will be presented to County Council, which will take whatever action as deemed appropriate in regards to salary readjustments.

Vice-Chairman Tripp requested a list of salaries for the elected officials; he was trying to understand the need to provide parity.

Mr. Kernell stated there were two (2) tiers for the elected officials; three (3) if the Sheriff was included. The tiers were based on a percentage of the Sheriff's salary. The first tier, at 77.5% of the Sheriff's salary, included the Clerk of Court, County Auditor and County Treasurer. The Coroner and the Register of Deeds were included in the second tier and those salaries were based on 70% of the Sheriff's salary. Mr. Kernell stated the current salary for the Clerk of Court, Auditor and Treasurer was \$137,893.20. The Coroner and the Register of Deeds each earned \$124,548.69. Mr. Kernell stated the state supplemented the salaries of those elected officials. The supplements varied from \$1,575 up to \$21,457, Greenville County paid the difference between the supplements and the salary percentages.

Vice-Chairman Tripp stated he was trying to understand the impetus for Mr. Tzouvelekas' motion. He asked Mr. Tzouvelekas to explain why parity was needed for the elected officials.

Chairman Meadows stated the current salary base for elected officials was approved by Council in 2005.

Mr. Kernell stated the current percentages were simply a method to standardize the elected officials' salaries. Prior to 2005, the elected officials received sporadic increases, based on whether Council wanted to consider an increase or not. The current method was an attempt to standardize salary increase for the elected officials. The formula used was somewhat arbitrary based on the Sheriff's salary. Mr. Kernell stated some of the elected officials had questioned the difference in the percentages used; from the County's standpoint, he was unable to answer those questions. There was not much "rhyme or reason" put into the process when it was adopted. One could question the discrepancy when comparing the Coroner's workload and type of work with some of the more "clerical or office positions." When comparing the size of the operations, the employees and types of positions in the Register of Deeds Office and the Auditor's Office were basically the same; it was hard to justify the difference in salary.

Vice-Chairman Tripp asked Mr. Kernell if he was in favor of the proposed amendment.

Mr. Kernell stated he did not have a problem with the proposed amendment. The question for Council was at what level should the individuals be compensated.

Chairman Meadows stated it appeared that Councilor Ballard's amendment would answer that question.

Councilor Seman stated she may disagree on the parity. It was her opinion that the jobs were different. There may be groups of jobs that were similar; she could understand why those salary ranges could be the same. Across most companies, there were salary bands and descriptions. She would be in favor of a more robust look at the issue, taking into account the nature of the jobs. Ms. Seman stated she was curious as to why Council, as elected officials, would set other elected officials salaries; she asked how the matter was settled prior to 2005. Ms. Seman stated perhaps the issue should be settled by a referendum, letting the citizens of Greenville County make the decision.

Councilor Kirven stated he had reviewed the minutes from the Council meeting in 2005 in which the current method was put in place. He agreed with Mr. Kernell that the current system had worked well for the last 15 years; however, it may be necessary to look at the system again. He appreciated Mr. Tzouvelekas' amendment as well as the additional amendment offered by Mr. Ballard. Mr. Kirven suggested a new ordinance in order to get authority behind it and provide transparency, going forward.

Chairman Meadows suggested the formation of a committee to work on the issue and report back to full Council for possible action, if necessary. He stated any motions passed during the current meeting could be changed in the future; nothing was "set in stone."

Vice-Chairman Tripp requested Mr. Ballard review his proposed amendment.

Councilor Ballard stated a salary study was recently done; the elected officials' salaries were not included in the study. He chose the five (5) largest counties as it would be more equitable; it would not be fair to make comparisons with the smaller counties. Other factors, such as the number of employees, was pertinent information that was needed in order to look at the issue on an "apples to apples" comparison.

Vice-Chairman Tripp asked if Mr. Ballard's amendment was a "strike and insert" or an "addition to" the language on the table.

Councilor Seman stated it should be a "strike and insert" amendment, as it would not make sense otherwise.

Chairman Meadows stated it was meant to be a "strike and insert" amendment.

Councilor Ballard confirmed Chairman Meadows' statement.

Councilor Seman stated she was concerned if both amendments were passed and the salaries were adjusted to achieve parity. If the information from the other counties revealed that Greenville County was much higher, she asked if the salaries would be adjusted down. She would rather take no action until the study was completed.

Councilor Fant stated he agreed with Ms. Seman. It was currently unknown what the salaries were in the other counties. He would not want to give someone a raise and discover that it was higher than it should be; the salaries could not be reduced. Mr. Fant suggested waiting on the results of the study and make adjustments as needed.

Mr. Kernell stated he would gather the needed information and report back to Council, prior to the next regularly scheduled Council meeting. He was also under the impression that the salaries could not be raised and then reduced during the elected officials' terms. He would provide the information as the next regularly scheduled Council meeting.

Councilor Seman stated Council could agree to take no action until the results of the study were made available.

Councilor Dill suggested both amendments be withdrawn. The current method had never been fair; there was a lot of politics going on when it was put in place. He asked if the current method was driven by an ordinance.

Mr. Kernell stated it was an amendment at second reading that was approved by Council in June of 2005.

Councilor Tzouvelekas withdrew his motion.

Amendment 4 – User/Administrative Fees

Action: Councilor Barnes moved to add the following:

On page 17, Section 10, add at the end of the paragraph:

The County Administrator shall report any changes in user fees and administrative fees monthly to County Council.

Motion carried unanimously.

Amendment 5 – GADC Surplus Funds

Action: Councilor Shaw moved to add the following:

On page 18 add section 12.a. GADC Surplus Funds:

The \$2.5 million shown as special revenue transferring from GADC in the fiscal year 2022 general fund budget is contingent on approval by the GADC Board of such transfer.

Chairman Meadows stated as he was on the GADC board, he had been asked to bring the issue to Council's attention. Greenville County allotted \$1 million per year to GADC; they had built up a surplus of funds totaling more than \$3 million. If GADC needed additional funds, they would simply have to request those funds from Council. It would be a bit presumptuous to take the funds back without the board's approval.

Vice-Chairman Tripp stated the proposed amendment could possibly put the County in somewhat of a supplicant position to a board that was controlled by the Administrator and County Council. He asked if Council wanted to set a precedent that required approval from the Auditor in order to ask GADC to return surplus funds to the County.

Chairman Meadows stated he had the same concerns and had consulted with Mark Tollison.

Mr. Tollison stated GADC's bylaws indicated that Council was involved in changes that must be ratified by board. Recently, Council approved a motion to make the County Auditor an ex officio member of the GADC board which increased the number of board members. Mr. Tollison stated he would be glad to research the issue and get back with Council.

Vice-Chairman Tripp asked if GADC was consulted on a yearly basis to discuss funding.

Mr. Kernell stated staff consulted with GADC on a yearly basis regarding funding; the County generally met the board's requests. GADC had done a good job managing the allocations from Greenville County; they were allotted approximately \$1.7 - \$1.8 million per year. GADC had accumulated the surplus funds over the years. They had approached the County when additional funds were needed for special projects. Mr. Kernell stated it made no sense for GADC to maintain a large fund balance when the funds could be used to help the County's fund balance. The amount allocated on a yearly basis by the County to GADC could be reduced; GADC could spend down the fund balance. The proposed amendment was an easier approach and also a way to track historical data, going forward.

Vice-Chairman Tripp asked what would happen if the board voted "no."

Mr. Kernell stated he would more than likely ask Council to hold the yearly allocation.

Vice-Chairman Tripp asked how the situation was different from another board, such as the Human Relations Commission, building up surplus funds.

Mr. Kernell stated monies were not transferred to the Human Relations Commission; monies were allocated to them and they had to stay within their budget. GADC was a separate 501(c)(3) organization; funds were transferred to them on a regular basis.

Vice-Chairman Tripp asked if GADC was aware of the proposed amendment.

Mr. Kernell stated the board was aware of the proposed.

Councilor Seman asked if a conflict of interest existed with some Council Members also board members for GADC.

Mr. Tollison stated the Council Members who also served on the GADC board did so by virtue of the office. At that point, he would have to say that no conflict of interest existed; he would research the issue and report back to Council, if necessary.

Councilor Ballard asked where the money would be sent, if Council approved the amendment.

Mr. Kernell stated it would be put back into the Fund Balance for General Funds.

Councilor Dill stated when GADC was established, there was never an intention that they would build up surplus funds. The funds were to be used to bring companies to Greenville County. He supported the amendment. If the GADC board did not agree to the provisions of the amendment, the County could stop the yearly allocations.

Action: Councilor Fant called for the question.

Without objection, the motion to call for the question carried unanimously.

Motion as presented carried unanimously.

Amendment 6 – Infrastructure Bank

Action: Vice-Chairman Tripp moved to amend the Fiscal Year 2021-2022 budget *Section 9: Infrastructure Bank* by adding the following sentence:

The County Administrator is directed to determine and set a single allocation percentage to be used to calculate the County allocated portion of all FILOT fees from bills issued for the 2021 tax year and following years in lieu of the previously established 1996 allocation ratio.

Mr. Tripp stated in 1996, County Council established a tax allocation process for fees from FILOT contracts. Under the allocation process, the portion of fee revenue currently allocated to the County used a ratio based upon the county portion of 1996 millage that existed in each of approximately 130 tax districts in the County at that time. That method of allocation was instituted to ensure the county portion of FILOT revenue was maintained for purposes of infrastructure bond issuance. Maintenance of the programming required to calculate the County allocation for each of the approximately 250 FILOT tax bills was complicated and cumbersome, especially as tax districts were added, combined and modified. Additionally, the complexity was amplified in calculating new GAAP reporting requirements applicable to all tax authorities in Greenville County. The proposed amendment would replace the 1996 ratio calculation with a set percentage for County allocation which satisfied the bond requirements. Prior research by the Auditor, with bond attorneys, indicated that a percentage that was no less than the largest 1996 ratio could be used in lieu of the by district calculation.

Mr. Kernell stated the process would be smoother, once the initial calculations were completed. Going forward, it would be more streamlined.

Motion carried unanimously.

Amendment 7 – Historic and Natural Resources Trust

Action: Vice-Chairman Tripp moved to appropriate, from available sources, one million dollars each year of the FY2022-23 budget for the Greenville County Historic and Natural Resources Trust. As part of this appropriation, Greenville County Council would set up the following guidelines:

- *Each purchase or acquisition of real property with a cost exceeding \$200,000 must be approved by County Council.*
- *Each purchase that required County Council approval must be submitted to the Greenville County Council Finance Committee for approval and must receive a public hearing and three (3) readings.*

- *The approval process shall be set up in a similar manner to the FILOT process so that landowners may receive anonymity during the approval process. The Greenville County Finance Committee may go into Executive Session to discuss the particulars of each land sale in order to receive legal advice from the County Attorney.*
- *An annual report that disclose among other things, committee activities, expenses, land acquisition, etc and must be presented to County Council by January 15th of each year.*

Vice-Chairman Tripp stated he had been “all over the map” in regards to the Historic and Natural Resources Trust. He had been in support of the trust from the start; however, he “did an about face” later on in the process. He had concerns about a possible agenda behind the trust that he was not comfortable with. However, after talking to members of the commission and its leadership, as well as seeing the growing trends in Greenville County, he had decided it was important to “keep the green in Greenville.” Mr. Tripp stated he set the bar at \$200,000 for the approval process to avoid getting “tied up in knots” over small transactions; the \$200,000 was only the cost to Greenville County, not the cost of an entire project.

Councilor Kirven commended Mr. Tripp for the motion. The trust was one of many tools available as Greenville County continued to grow. It was important to ensure the County’s uniqueness in order to set it apart from competing counties. The commitment was only for two (2) years; the funding could be eliminated, if Council chose to do so. He encouraged his colleagues to support the amendment.

Councilor Seman stated the board included representation from all Council districts. The community was in favor of the trust and it aligned with the Comprehensive Plan. It also aligned with the desire to “grow responsibly.” Ms. Seman encouraged Council’s support of the item.

Councilor Dill stated there were still sections of Greenville County that needed to be preserved. People were moving to the County because of the places that had already been preserved; there were other places that needed to be preserved. The amount indicated in the proposed amendment was less that he wanted; however, it was great if Council could compromise and agree on an amount. The amount could be reevaluated as often as necessary. Mr. Dill also encouraged his colleagues to support the item.

Motion was denied by a roll call vote of six (Dill, Harrison, Seman, Ballard, Kirven and Tripp) in favor and six (Barnes, Meadows, Shaw, Tzouvelakas, Norris and Fant) in opposition.

Amendment 8 – Auditor Office Expansion

Amendment 8 was withdrawn by Councilor Shaw.

Amendment 9 – Collections Study Committee

Amendment 9 was withdrawn by Councilor Shaw.

Amendment 10 – Non-County Governed Fees Collection

Amendment 10 was withdrawn by Councilor Shaw.

Chairman Meadows stated the FY 2022 budget ordinance was on the floor, as amended.

Without objection, the County of Greenville / FY 2022 Budget was adopted, as amended.

Item (4) Ordinances – Second Reading

a. Transfer of County-Owned Property / 48 Ridgeway Drive

Chairman Meadows stated the next item was as follows:

An ordinance to authorize the transfer of county owned property located at 48 Ridgeway Drive, the former Woodfield Community Center site, to the Greenville County Redevelopment Authority, and to authorize the execution of a quitclaim deed related thereto.

Councilor Seman asked if it would be possible to direct GCRA to include some open space for recreation use to enhance the area.

Mr. Kernell stated John Castile had promised to discuss development of the site with staff as well as with the residents of the neighborhood. Affordable houses were planned for the property and open space for a “play field.”

Councilor Dill asked if “ball fields” were planned for the site.

Mr. Kernell stated a “play field” was planned; he could not commit to saying that there would be “ball fields” built. GCRA would not do anything without consulting with County staff. Mr. Kernell stated he would get something in writing prior to third reading of the item.

Motion carried by a vote of ten (Barnes, Meadows, Shaw, Harrison, Tzouvelekas, Norris, Seman, Ballard, Kirven and Tripp) in favor and two (Dill and Fant) in opposition.

Item (5) Adjournment

Action: Councilor Fant moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:11 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council