

Greenville County Capital Projects Sales Tax Commission Minutes
May 13, 2024 at 5:30 p.m.
Council Chambers at 301 University Ridge Greenville, SC 29601

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online, at 301 University Ridge, Greenville, SC 29601 and made available to the newspapers, radio stations, television stations and concerned citizens.

Members Present: R. Lattimore, Chair; T. Epting, Vice Chair; L. Stevens; K. Smith; H. Howard; G. Sprague

Members Absent: None.

Councilors Present: None.

Staff Present: K. Wunder; H. Gamble; T. Coker; K. Brockington; N. Miglionico

1. Call to Order

The meeting was called to order at 5:30 p.m.

2. Invocation

Ms. Stevens provided the invocation.

3. Approval of Minutes – April 23, 2024

Approval of Minutes – April 30, 2024 Open House #1

Approval of Minutes – May 2, 2024 Open House #2

Approval of Minutes – May 6, 2024 Open House #3

Approval of Minutes – May 9, 2024 Open House #4

Motion: by Ms. Stevens, seconded by Ms. Sprague, to amend the minutes of the April 30, 2024 Open House #1, May 2, 2024 Open House #2, May 6, 2024 Open House #3, and May 9, 2024 Open House #4, to include the number of attendees and to attach the citizen comments. The motion carried unanimously by voice vote.

Motion: by Mr. Smith, seconded by Mr. Howard, to approve the minutes of the April 23, 2024 Commission meeting as presented, April 30, 2024 Open House #1, May 2, 2024 Open House #2, May 6, 2024 Open House #3, and May 9, 2024 Open House #4, as amended. The motion carried unanimously by voice vote.

4. Overview of Capital Projects Sales Tax Open Houses

Hesha Gamble, Assistant County Administrator for Engineering and Public Works, provided an overview of the Open Houses. Ms. Gamble stated that many of the comments were supportive, and citizens opposed left more informed. Ms. Gamble stated project suggestions were vetted with the appropriate agencies, and some are now recommended additions to the project list.

Discussion: None.

5. Recommended Additions and Updates to Project List

Ms. Gamble detailed the revised project list. Ms. Gamble explained three additional projects: resurfacing Glassy Rd from SC HWY 414 to SC HWY 11, Turner Road entrance improvements (Fork Shoals Elementary), and Pennington Road entrance improvements (Blue Ridge High School). Ms. Gamble stated the additions increased the cost estimate by approximately six million dollars. Ms. Gamble explained the project categories had been revised by moving five roadway safety projects into

the intersection improvement category, combining congestion relief with roadway safety and road-related drainage with bridges and stormwater.

Discussion: Chairman Lattimore asked Ms. Gamble to explain the four tiered categories. Ms. Gamble explained each tier had multiple categories, including road resurfacing, intersection improvements, safety and congestion relief projects, bridge and road-related drainage projects, and two general categories for pavement preservation and road safety improvements. Ms. Gamble stated that almost 43% of the funds would be used on road resurfacing, and over 25% would be used on safety and congestion relief projects. Chairman Lattimore stated staff did a tremendous job breaking down the roads into a project list.

Ms. Sprague asked how the projects were chosen and prioritized. Ms. Gamble explained that road resurfacing projects were chosen using pavement condition measurements, with each agency selecting and submitting poor-rated roads. SCDOT submitted roads in poor condition that would never otherwise be paved based on their selection process (Act 114 criteria). Bridge and stormwater projects were prioritized based on being “shovel ready” and selected based on previous stormwater concerns, watershed studies, and previously identified structural deficiencies. Intersection, safety, and congestion relief projects were selected and prioritized based on crash data, level of service rating, road safety audits, known traffic delays, and areas of congestion. Ms. Gamble stated each agency had their own priorities. SCDOT vetted projects proposed on state roads to ensure they met their requirements.

Mr. Epting asked for clarification on the project type “various” and why the dollar amounts were the same throughout the different tiers. Ms. Gamble stated they are not project-specific but placeholder amounts. Mr. Coker clarified that the placeholder amounts are projects but smaller, more tactical projects such as guardrails, rumble strips, tree trimming, etc. Ms. Gamble stated the number was identical in each tier because the same type of projects would be required at each phase along the way.

Ms. Sprague asked what amount of funds are allocated to state roads. Ms. Gamble explained that 7% of the projects are on state roads, but the mileage is a bit higher because they are longer roads. Ms. Gamble stated that a large majority of the repaving and projects are on local roads owned by the municipalities and Greenville County.

Mr. Epting asked if any funds would be used on federal roads. Ms. Gamble stated no.

Mr. Howard asked how much of the project list included state roads. Ms. Gamble stated 7% of the overall roads being repaved or 31% of the total repaving mileage.

6. Presentation Regarding Ballot Question, Terms and Conditions

Tee Coker, Assistant County Administrator for Community Planning and Development, presented the draft ballot question. Mr. Coker explained that the draft ballot question was crafted in accordance with state law and contained six purposes with a limited list of associated and recognizable road projects.

Kim Wunder, Assistant County Attorney, presented draft terms, conditions, and restrictions. Ms. Wunder outlined staff recommendation to adopt project priority and work in some flexibility to deal with unforeseen circumstances and provide a logical flow of projects. Ms. Wunder provided recommended terms and conditions stating that all revenues must be deposited into a separate account of Greenville County and not comingled with any other funds. Revenues may be spent on

procurement, project management, land acquisition, design, engineering, construction and improvements for the projects and cost of issuing bonds (if approved).

Discussion: Ms. Stevens asked why the projects listed on the tiered lists did not add up to 1,401 to account for the number of proposed repaved roads. Ms. Gamble stated the projects listed in the tiered document were not repaving projects. Ms. Gamble explained that the paving list was a separate document; paving is only a line item on the tiered project list.

Ms. Stevens stated she thought the ballot question needed to contain every project, to tie the County to the specific projects, providing no room for deviation. Ms. Wunder explained that the Capital Projects Sales Tax Commission adopts the project list, which becomes the ballot question that binds Greenville County to the project list. Ms. Wunder stated that state law was clear: the ballot question must follow a formula, but the law allows you to craft the ballot to meet the needs you are trying to fulfill. Ms. Wunder explained that the volume of projects created a challenge for the Commission to reflect 2,000 discrete projects on a ballot that would not lose the voters' attention. Ms. Wunder stated staff recommended that the Commission use six discrete purposes and list a selection of recognizable roads. Ms. Wunder stated there was no requirement to list every project.

Ms. Sprague clarified that there would be a document containing every project. Ms. Gamble stated yes, the project list would be an exhibit as a part of the ordinance that County Council would adopt. Ms. Gamble stated the Commission would send a resolution to County Council that would contain the entire project list and County Council would adopt an ordinance that included the entire project list which binds the County to the full list. Ms. Gamble explained that adding the entire list to the ballot question would result in citizens scrolling through too much information at the polling booth. Ms. Gamble stated the ballot question needed to be a representation of the total list that Greenville County would be bound to.

Ms. Stevens clarified that the voters would have access to the total project list on the website, but when they arrive at the poll locations, they would see a summary of projects under the main purpose language. Ms. Gamble stated yes. Ms. Stevens asked for the mileage of the 1,401 roads. Ms. Gamble stated 547 miles of resurfacing. Ms. Wunder stated that the repaving list was currently on the website.

Mr. Epting asked if the exhibit on the resolution would include every project. Ms. Wunder stated yes, that it would include the tiered list and the repaving projects. Mr. Epting asked if the resolution would have the force of law. Ms. Wunder stated yes, that once the Commission adopted it, it would become permanent.

Chairman Lattimore asked when the resolution became law. Ms. Wunder explained the resolution would be forwarded to the County Council, and they would adopt an ordinance.

Mr. Howard asked if this is the format other Counties have used. Ms. Gamble stated yes. Mr. Howard asked if any other counties referred to the complete project list in their ballot question. Ms. Wunder explained that state law required the ballot to identify purposes, not projects. Purposes can be projects, but with the total volume of projects Greenville County was proposing, it is better to identify the purposes.

Mr. Smith asked if the ballot question should refer to the resolution containing the total project list. Ms. Wunder stated that the resolution tied together the ballot and project list but advised against referring to the project list in the ballot because it would leave the voters feeling as though they don't

have all of the information. Mr. Smith pointed out that they do not receive all of the information on the ballot. Mr. Coker explained that at the voting booth, there would be no way for voters to read the entire project list.

Chairman Lattimore asked if they should list the number of projects if they can't show them all. Ms. Wunder advised that they list the number of projects because it further tied Greenville County's hands.

Mr. Smith believed they needed to list something that referenced all of the projects.

Chairman Lattimore believed the wording should reflect that the abbreviated list represented the total project list.

Mr. Howard suggested adding 1,401 projects "as listed in the resolution."

Mr. Epting asked when the project list becomes the force of law. Ms. Wunder stated once County Council decided to put the question on the ballot.

Ms. Sprague explained the ordinance adopted by County Council puts everything into law and then it is funded by the vote. Ms. Wunder stated correct, it is put into law by County Council but only becomes enacted by the voters.

Ms. Stevens asked how many pages the whole project and repaving list were. Mr. Coker stated the repaving list alone was 37 pages long. Ms. Stevens suggested providing every polling location with a copy of the complete project and repaving list. Ms. Wunder stated she needed to look into the laws regarding what materials could be provided at polling locations.

Ms. Gamble explained that any potential campaign would inform the public before voting day.

Mr. Coker stated that the proposed draft ballot was a common strategy used by other counties.

Mr. Coker continued the presentation.

Mr. Epting asked how the projects listed on the ballot were chosen. Mr. Coker stated it was a sampling.

Chairman Lattimore asked if listing the total dollar amount was required by law. Ms. Wunder stated yes. Chairman Lattimore asked if there was an anticipated need to increase staff and how much funding was anticipated for administrative costs. Ms. Gamble stated those needs were still being looked into, but there would have to be staff to manage the projects and financial reporting.

Ms. Sprague clarified that any funds spent on staff would only be for the associated projects. Ms. Gamble stated that by law, the funds spent could only be for the associated projects.

Chairman Lattimore asked if the ballot question would address the fact that the 1% tax excluded medicine, food, and gasoline. Ms. Wunder stated she believed that would not be allowed because the ballot needed to be written neutrally.

Ms. Stevens asked if there was a list of projects for pavement preservation and road safety improvements. Ms. Gamble stated not currently. Ms. Gamble explained the projects span over eight

years, and if approved, those projects would need to be selected based on recently repaired roads. The project staff would develop those lists each time a contract was created. Ms. Gamble explained the road safety improvements tend to come up over time.

Ms. Sprague stated the last two purposes are the only purposes without a road list because they are often small projects. Ms. Gamble stated correct.

Mr. Smith asked if it was possible to list the number of improvements. Ms. Gamble stated yes.

Ms. Wunder presented draft terms, conditions, and restrictions.

Ms. Sprague clarified that any changes to the project funding priority would be brought to County Council and have an opportunity for public comment. Ms. Wunder stated correct, a case would have to be made for the change.

Mr. Epting asked if the proposed flexibility options had been done in other counties. Ms. Wunder stated yes, but what the staff was proposing was much more restrictive than what was seen in other counties. Mr. Epting asked if the pre-construction work funding amount should be limited. Ms. Wunder stated it was a great recommendation and could be looked into.

Ms. Sprague stated that if a project's pre-construction cost was exorbitant, it may be a reason to delay the project.

Ms. Sprague asked if bond issuance was required to be on the ballot. Ms. Wunder stated yes.

Ms. Stevens asked if the bond issuance was included in the ballot question or a separate question. Ms. Wunder stated a separate question.

Mr. Howard stated that bonding gives you leverage to complete a lot more and believed it was worth County Council's consideration.

Chairman Lattimore stated that the Commission should recommend using bonds to County Council to enable work to get started.

Mr. Smith stated it was a good idea to use bonds and liked that it was a separate ballot question.

Ms. Stevens asked when Greenville County would receive its first tax payment. Ms. Gamble stated September 2025. Ms. Stevens said she liked having the bonds on the ballot as a separate question.

Chairman Lattimore stated that prices increase over time; therefore, the sooner funding is received, the more money would be saved.

Mr. Howard stated he was in favor of using bonds.

Mr. Epting pointed out that the Commission needed to discuss the proposal's tax collection time frame.

Ms. Sprague stated she agreed with eight years of collection and using bond.

Chairman Lattimore recommended collecting the tax for eight years.

Mr. Smith agreed with eight years.

Ms. Stevens agreed with eight years and stated it should be definitive on the ballot.

Mr. Howard agreed with eight years and agreed it should be definitive on the ballot.

Ms. Wunder explained that state law required the language to word the question as “for not more than” the decided time.

Mr. Epting agreed with eight years.

Mr. Smith asked what would happen with the money if the County collected more money than needed for the projects. Ms. Wunder stated that the tax would end at the end date, and any excess money after all projects and purposes have been completed would allow County Council to adopt an ordinance allocating the excess funds for a project that qualified for capital project revenues. Mr. Smith asked if it would still be limited to roads, bridges, and infrastructure. Ms. Wunder stated she could not imagine why County Council would not abide by the same project guardrails.

Ms. Sprague stated she worked in transportation in Greenville County for four decades and saw many projects on the list that have been needed for many years, but no government entity has funding for them. Ms. Sprague stated she is grateful, proud, and impressed with the effort of County Council, municipalities, and staff. Ms. Sprague explained that the list included projects all across the County and avoided further deterioration of roads and bridges, resulting in higher costs for repair. The projects prevent long lines at intersections where one or two turn lanes would make all the difference and avoid property damage, injuries, and fatality. Ms. Sprague thanked everyone involved, including the media and the citizens, for providing input. Ms. Sprague stated she looked forward to finalizing the project list and ballot question.

Chairman Lattimore thanked the Commissioners, staff, media, and citizens for their time and effort.

7. Adjourn

Chairman Lattimore asked for a motion to adjourn. Ms. Stevens made the motion. Mr. Smith seconded, and the motion passed. The meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Nicole Miglionico

Nicole Miglionico
Recording Secretary