

RESOLUTION NO. _____

A RESOLUTION OF GREENVILLE COUNTY, SOUTH CAROLINA EXPRESSING SUPPORT FOR THE GREATER GREENVILLE SANITATION DISTRICT AND CONCERN OVER LEGISLATION PROPOSED IN THE SOUTH CAROLINA GENERAL ASSEMBLY WHICH WOULD, IF ENACTED, PURPORT TO DISSOLVE THE DISTRICT OR OTHERWISE MODIFY ITS POWERS IN A MANNER THAT WOULD HAVE A NEGATIVE IMPACT ON THE DISTRICT'S FINANCES AND ABILITY TO OPERATE EFFICIENTLY, AND WHICH WOULD HAVE A DISPROPORTIONATE NEGATIVE IMPACT ON THE MOST FINANCIALLY DISTRESSED AREAS OF THE DISTRICT AND THE RESIDENTS AND BUSINESSES THEREIN, AND WHICH WILL RESULT IN THE TERMINATION OF EXISTING WASTE COLLECTION SERVICES TO RESIDENTS AND BUSINESSES IN AREAS OUTSIDE THE DISTRICT, AND WHICH MAY RESULT IN TERMINATION OF EXISTING WASTE COLLECTION SERVICES TO THOUSANDS OF RESIDENTS AND BUSINESSES INSIDE THE DISTRICT; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Greenville County, South Carolina (“Greenville County”), a body politic and corporate, and a political subdivision of the State of South Carolina, acting by and through the Greenville County Council (the “County Council”), is charged with the protection of the health, welfare, safety, and wellbeing of all Greenville County residents; and

WHEREAS, The Greater Greenville Sanitation District (the “District”) is a special purpose district established and existing pursuant to the provisions of Act No. 1543 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1968, as amended by subsequent acts of the General Assembly (the “Enabling Legislation”) and located wholly within Greenville County; and

WHEREAS, the District was established for the purpose of, without limitation, the provision of solid waste collection and disposal services, and was granted a number of specifically enumerated powers set forth in the Enabling Legislation, including, without limitation, the powers to levy millage on taxable property and charge service fees (subject to the approval of such millage and fees by Greenville County Council as set forth therein) within the District, and to enter into contracts for the provision of garbage collection and disposal services with residents and businesses located outside the boundaries of the District, subject to certain limitations set forth therein; and

WHEREAS, the District is approximately 68 square miles in size, has an estimated population of approximately 133,000 residents and serves approximately 60,000 residents and businesses in total, most of which are located in the District’s boundaries; and

WHEREAS, the District provides service to residents, businesses, and local governments such as the City of Travelers Rest, Greenville County, and Greenville County School District in order to maximize and fully utilize its equipment, assets, and personnel to bring in additional revenue and thus absorb costs of operation and reduce or offset entirely any need to increase millage levied or sanitation fees charged within the District; and

WHEREAS, in the District, residents receive both trash collection, bulk waste collection, and yard waste collection services from the District, and outside the District residents receive trash collection services only; and

WHEREAS, two bills are currently under consideration in the General Assembly with respect to the District:

(i) House Bill 4002 (“H. 4002”) which, were it to become law, would purport to require the dissolution of the District without regard for or compliance with the general procedures and requirements of South Carolina law for dissolution of a special purpose district as set forth in Section 4-11-290 or Section 6-11-2010, *et seq.*, Code of Laws of South Carolina 1976, as amended, which are intended to protect members of the public and allow for dissolution of special purpose districts only in extreme cases in which (a) the special purpose district has ceased to operate and has no budgeted funds, or (b) a petition in favor of dissolution is signed by at least 40% of the qualified electors in the special purpose district and a majority of the qualified electors in such special purpose district vote to dissolve the district in a duly called and held referendum; and

(ii) House Bill 4003 (“H. 4003”) which, were it to become law, among other limitations and restrictions, would purport to (a) limit the District to provision of services within the District’s boundaries, (b) limit the District’s services to single-family residential customers, (c) require the District to cease levying millage on taxable property within the District, and instead to charge a fee for service only, (d) preclude the District from issuing general obligation bonds, and (e) preclude the District from operating a waste transfer station; and

WHEREAS, County Council finds that the likely results of enactment of H. 4002 would include (i) increased cost for trash collection services to the District’s current customers, who would be forced to negotiate service with independent waste haulers or haul their own waste to a landfill or convenience center, (ii) loss of services to the residents of the District, who would likely be unable to obtain yard and bulk waste removal services from private waste haulers at a reasonable cost, (iii) uncollected trash, yard waste and debris and bulk waste on the streets both inside and outside of the District resulting from residents, property owners and/or landlords who do not contract with a private waste hauler for service or who do, but at some point fail to pay the fees charged for service, (iv) reduced revenue to Greenville County through the redirection of waste away from Greenville County’s Twin Chimneys Landfill, and (v) the termination of the District’s approximately 114 full time employees; and

WHEREAS, County Council finds that the likely results of enactment of H. 4003 would include (i) the requirement that the sanitation fees currently charged by the District be significantly increased to offset the loss of revenue from loss of the ability to levy of millage, from loss of the ability to contract with residents, businesses and local governments outside the boundaries of the District, and from loss of the ability to service multi-family and commercial properties and customers within the District, (ii) a significant shift of the burden of the cost of operations of the District from the owners of property with relatively high assessed values to low-income sanitation fee payers, (iii) potential loss or reduction of service, (iv) probable inefficient use of District assets

and resources, which would no longer be fully utilized due to the restrictions imposed on the District by H. 4003, (v) possible loss of some services by customers within the District due to a need to reduce costs as a result of reduced revenues, (vi) possible termination of some portion of the District's employees to reduce costs as a result of reduced revenues; and

WHEREAS, H. 4002 and H. 4003 were initially proposed for enactment by the General Assembly without prior discussion with the members of County Council, County administration staff, members of the Greater Greenville Sanitation Commission or District administration staff; and

WHEREAS, Greenville County, acting by and through its County Council, desires to express its support for the continued existence and operation of the District consistent with its current powers under its Enabling Act, and to express concern and alarm over an consideration by the South Carolina General Assembly, and in particular, by members of the South Carolina House and Senate comprising the Greenville Legislative Delegation, of H. 4002 and H. 4003;

NOW, THEREFORE, it is hereby resolved by County Council, in meeting duly assembled, that:

1. Greenville County, acting by and through its County Council, hereby expresses its support for the continued existence, and current powers and operations of the District, and expresses its deep concern about any legislation that would attempt to dissolve or otherwise significantly alter or limit the powers and abilities of the District.
2. Greenville County calls for each member of the Greenville Legislative Delegation to vote against H. 4002 and H. 4003, the enactment of which could be disastrous for the residents and business owners within the District and for Greenville County at large. To the extent any member of the Greenville Legislative Delegation is inclined to vote in favor of H. 4002 or H. 4003, Greenville County calls for such legislator not to do so before undertaking and completing the significant planning, investigation and discussion with members of County Council, other members of the Greenville Legislative Delegation, community members (in particular residents and business owners owning property in the District and customers of the District located outside of the District) and stakeholders that such legislation demands.
3. Greenville County, acting by and through its County Council, hereby directs the Greenville County Administrator to send a copy of this Resolution to the members of the Greenville Legislative Delegation, the members of the South Carolina General Assembly, each county in South Carolina and the Governor of South Carolina.
4. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.
5. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which are hereby deemed severable.
6. This resolution shall take effect and be in force immediately upon adoption.

[signature page follows]

Adopted by the County Council Greenville County, South Carolina, this 18th day of March, 2025.

Greenville County, South Carolina

By: _____
Chairman of County Council
Greenville County, South Carolina

By: _____
County Administrator
Greenville County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Greenville County, South Carolina