GREENVILLE COUNTY COUNCIL

Minutes
Committee of the Whole Meeting
June 16, 2026
4:00 p.m.

Committee Meeting Room
301 University Ridge
Greenville, South Carolina

Council Members
Benton Blount, *Chairman, District 19*
Rick Bradley, *Vice-Chairman, District 26*
Liz Seman, *Chairwoman Pro Tem, District 24*
Joey Russo, *District 17*
Kelly Long, *District 18*
Stephen Shaw, *District 20*
Curt McGahhey, *District 21*
Frank Farmer, *District 22*
Alan Mitchell, *District 23*
Ennis Fant, Sr., *District 25*
Garey Collins, *District 27*
Dan Tripp, *District 28*

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

Council Members Absent

None

Council Members Remote Participation

None

Staff Present

Joe Kernell, *County Administrator*
Ted Lambrecht, *Deputy County Administrator*
Jason Martin, *Assistant County Administrator*
Chris Antley, *County Attorney*
Andrew Price, *Assistant County Attorney*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Bob Mihalic, *Governmental Affairs Officer*
Terrence Galloway, *Information Systems*
Ronald Hollister, *Assistant County Administrator*
Hesha Gamble, *Assistant County Administrator*
Steve Moss, *Human Resources Director*
Lyndsey Sloane, *Director of Grants and Special Projects*

Others Present

Sheriff Hobart Lewis

Call to Order Chairman Blount

Invocation Councilor Farmer

Item (3) ***Approval of Minutes***

a. June 2, 2026 – Regular Committee Meeting

Action: Councilor Farmer moved to approve the minutes of the June 2, 2026, Regular Committee meeting.

Motion carried.

Item (4) ***Agricultural Task Force Interviews and Appointments***

Action: Chairwoman Pro Tem Seman moved to appoint by acclamation **Judy Langley** and **Ashley Trantham** to the Greenville County Agricultural Task Force.

Motion carried.

Item (5) ***Transportation Sales and Use Tax Ordinance Action:***

Action: Councilor McGahhey moved to allow amendments at third reading.

Councilor Tripp asked whether it was technically correct to make the motion during the Committee of the Whole meeting.

Mr. Antley stated that while the motion could be made during the Committee of the Whole meeting, another motion to allow for amendments at third reading would need to be proposed at the Council meeting.

Councilor McGahhey withdrew his motion.

Councilor McGahhey stated he planned to introduce several amendments to the proposed ordinance, as shown in the redlined version in the Council packet.

Action: Councilor McGahhey moved to amend Section 2.4(i) to read as follows:

> *Local paving, resurfacing, congestion management, intersection improvements, transportation-related drainage projects, bike/pedestrian facilities, and rural road safety projects. ~~Transit~~ Transportation projects shall be no more than $1,350,000,000 of the total amount collected.*

Councilor McGahhey stated the purpose of the proposed amendment was to ensure the proper language was used to avoid the ordinance being challenged in court. He stated they would not want to “get all the way across the finish line” and have it thrown out because the wrong verbiage was used.

Chairwoman Pro Tem Seman asked if Section 2.4(i) was the only place the word “transit” should be replaced with “transportation.”

Councilor McGahhey stated it was the only place staff had found; he had reviewed the document as well and could locate no other instances.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 2.4(i) to add the following sentence as follows:

Municipalities, as defined by S.866, 126th General Assembly, and codified at Section 5-41-110(4) of the Code of Laws of South Carolina 1976, as amended, located wholly or partially in Greenville County that have not imposed any tax pursuant to S.866, 126th General Assembly, as codified in Section 5-41-110, et seq. of the Code of Laws of South Carolina 1976, as amended, shall receive a pro rata share of the total net taxable sales tax collected within the municipality, after a twenty percent reduction and the prorated share of 2.4(ii) and 2.4(iii). The twenty percent reduction will be applied to place the municipality in a same or similar position as would enacting a tax pursuant to S.866. 126th General Assembly, and codified at Section 5-41-150(12)(B) and (3). Municipal pro rata allocations will be calculated using the South Carolina Department of Revenue's actual sales tax collections within the municipalities. Sales and Use Tax revenues distributed to a municipality under this subsection may be used by the municipality only for the projects and purposes authorized by Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended, and described in this Ordinance, and for no other purpose. A municipality's share is subject to the same restrictions on the use and expenditure of Sales and Use Tax revenues that apply to the County under the Act and this Ordinance and may be expended only for highways, roads, streets, bridges, transportation-related projects and facilities, drainage facilities related thereto, mass transit systems, or greenbelts as approved by the qualified electors in the referendum. As a condition of receiving any distribution under this subsection, each municipality shall agree in writing to these restrictions, shall account for its expenditure of the funds, and shall provide to County Council an independent annual audit of its use of the funds in the form required by Section 3.2(c). If the South Carolina Department of Revenue, an independent audit, or a court of competent jurisdiction determines that a municipality has expended any portion of its share for a purpose not authorized by the Act or this Ordinance, the municipality shall promptly repay that amount to the County for reallocation in accordance with this Ordinance, and County Council may withhold or offset the amount against future distributions to the municipality. Any portion of a municipality's share that remains unexpended upon termination of the Sales and Use Tax shall be returned to the County and applied in accordance with Section 2.7.

Mr. Antley stated the 20% would apply if the municipalities enacted their own transportation tax at the same time as the County, which could conceivably happen in November. He stated the purpose of Mr. McGahhey's motion was to further explain the 20% reduction; there was no reference to it elsewhere in the proposed ordinance. If a member of the public or Council wanted to research the issue, a review of the ordinance would make it clear that it mirrored the state code statute. He asked Mr. Price to comment.

Mr. Price stated Act S866 was recently passed by the State, allowing municipalities in a County, without a sales and use tax, to enact their own by putting it on the ballot. If the Transportation Tax was approved at the County level, 100% of the revenue could be used as the County wished, pursuant to the ordinance and the referendum. He stated the municipalities would have to return at least 20% of the revenue against the ad valorem taxes it had already collected. The most a municipality could utilize was 80%. Mr. Price stated it was a complicated legal structure set forth in state law, and Mr. McGahhey's amendment was an attempt to make the language reflect current state law.

Chairwoman Pro Tem Seman asked whether there were any consequences for those municipalities that chose not to put it on the ballot. Ms. Seman asked if the language would be considered null and void if the Transportation Tax was no longer an issue.

Mr. Antley stated the proposed language would be triggered by a municipality's decision to put the issue on the ballot or not. It was possible some would, and others might not; it was impossible to predict which ones would. He stated they had a plan for that scenario, and it would be surplusage if none of the municipalities opted to proceed.

Councilor Tripp asked whether the proposed amendment would preclude the County from providing funds to the municipalities.

Mr. Antley stated it would not. He stated an additional amendment would be proposed to allocate shares to the municipalities on a pro rata basis, regardless of whether they had a Transportation Tax in place. He stated if the proposed tax was approved and collected, the County would be responsible for it, and municipal spending would be restricted.

Councilor Tripp stated the County would not be allowed to give the municipalities unrestricted funds from the revenue collected.

Mr. Antley stated the revenue given to the municipalities had to be restricted as outlined in the Transportation Tax ordinance. He stated the upcoming amendment he referenced earlier would address that issue and include language to minimize the risk of the funds being spent in a way that would prompt the South Carolina Department of Revenue to question the expenditures.

Councilor Tripp asked how the projected $1.5 billion in net proceeds was calculated, if the tax was approved by the voters.

Mr. Price stated that figure was based on projections from the South Carolina Department of Revenue. He stated it was unknown exactly how much the County would receive, but the projections placed a dollar amount within that range. He stated it was not a “hard number” and the ordinance did not guarantee a specific amount would be collected.

Councilor Tripp stated he appreciated the legal interpretation; however, it sounded like “political speak,” and he would like to dig into that number a little more in-depth. Mr. Tripp asked about the base number and how it would be adjusted each year for inflation. He asked about the “low range” and the “high range” and stated he felt it was unwise for Council to benchmark a spending package at $1.5 billion if that was the top end. Mr. Tripp also inquired about the mechanics of calculating that number.

Chairwoman Pro Tem Seman asked how the figure for the Capital Sales Projects Tax was calculated.

Councilor Tripp stated the figure for the Capital Sales Projects Tax was $1.1 billion, which was why he was questioning the current projection.

Mr. Price stated, in terms of policy, a Transportation Tax was capped either by a time period or a dollar amount. In drafting the ordinance, they considered other counties that had either successfully implemented a similar transportation ordinance or were contemplating one. General drafting wisdom indicated if the period was extended, it was important to capture the full expected collection amount. An eight-year period was chosen, as requested by Council, with the belief that collections would stop before reaching the dollar cap. The numbers were mainly based on data from the South Carolina Department of Revenue, with follow-up needed for additional values and calculations.

Councilor Tripp stated the tax may bring in only $1 billion if the economy faltered. He asked why the amount of $1.5 billion was referenced in the ordinance.

Mr. Price stated the statute required designating a number; it could not be left “open-ended.” If the economy tanked and nothing was collected, that number would not be realized.

Councilor Tripp stated one reason he was questioning the figures was that greenbelts and transit were pegged to a specific amount rather than a percentage of the total revenue collected. He asked whether that was disingenuous to the parties involved.

Mr. Price stated the language should indicate “up to,” carrying forward the theme of a percentage of the amount collected. The proposed ordinance predominantly looked back, and the amount that the South Carolina Department of Revenue says was collected was the amount that had to be used. The same philosophy was applied to the requirement that “no more than 5% of the tax collected at a maximum,” which set a maximum similar to the overall number indicated in the ordinance.

Councilor Fant stated the Capital Projects Sales Tax restricted the time period to eight years. He questioned using the same eight-year period and $1.5 billion, given that $2 billion was the projected overall cost to repair the roads. Mr. Fant suggested a term that would generate sufficient revenue to repair the roads, rather than one too short to fully address the problem. He stated there was no time limit for the Transportation Tax.

Councilor McGahhey stated there had to be a cap on the amount of money collected. Once the $1.5 billion was collected, the County could no longer impose the tax. He stated he would be amenable to a shorter time frame to demonstrate to the citizens of Greenville County that the money would be used as intended. If, after the eight years, the public saw improvements, they may be in favor of an additional eight years. Mr. McGahhey stated he would not want to put a longer time period in place because things may not go well, but the tax would still be in place, which was what happened with the state gas tax. His thought was to give Council, a governing body, the opportunity to fix the roads.

Chairman Blount asked whether there was any data regarding how long it took other counties to implement the sales tax and get it fully operational after adoption. He stated he knew it would initially take a lot of work, which was the reason the bond was also under discussion.

Ms. Gamble stated preparation was the key, and quite a bit of it was completed in 2024 in anticipation of the Capital Projects Sales Tax. Unfortunately, many of those projects remained unfinished; some might be considered “shovel-ready” and could be implemented quickly. She stated resurfacing projects should be considered first. If the proposed referendum was approved in November, packages could be ready to go when the paving season starts in March.

Chairman Blount stated he felt the main reason for the eight-year timeframe was to prove to the citizens that the tax was doing what it was supposed to do. If approved, it would be Greenville County’s first time implementing a transportation tax. Other counties, such as York County, already had a transportation tax in place, and whenever the penny tax came up, citizens overwhelmingly voted for it because it did what it was supposed to do. Mr. Blount stated once the citizens of Greenville County saw it was working, they would want to see it continue.

Mr. Kernell stated the County would not begin collecting the tax until June of the year after it passed, which would allow a significant amount of time to ramp things up.

Councilor Collins stated Greenville County was one of only three counties in the state without a transportation tax; yet, for every $.26 given to Columbia for the gas tax, it received only $.04 back. He questioned why the three counties that contributed the most only received $.04 in return. He did not want to send the voters the message that approving the proposed tax would provide enough funding to blacktop every road. The projects on the Capital Projects Sales Tax list would be completed first, with inflated costs. He had spoken to state senators and state representatives; it was not about money. If the plan was such a good idea, he wanted to know the whereabouts of the $.26 per gallon gas tax and whether the County funded municipal roads.

Mr. Kernell stated the County shared $700,000 in Road Maintenance Fees, which were divided among the municipalities. The amount for each city was based on the number of vehicles registered within the municipal boundaries.

Councilor Collins asked whether the County would stop making those payments to a municipality that adopted its own transportation tax program.

Chairwoman Pro Tem Seman stated the $700,000 was the budget piece and was separate from the tax.

Councilor Fant inquired whether the County's Transportation Tax would be collected in a municipality that enacted its own 2% sales tax.

Chairman Blount stated, in his opinion, if a municipality moved forward with its own penny tax, it should be excluded from any discussion regarding the County's penny tax.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 2.4(ii) and (iii) as follows:

> *(ii) For financing the costs of mass transit systems operated by Greenville County or jointly operated by the County and other governmental entities. The amount of maximum total funds to be collected which shall be expended for these projects and purposes shall be no more than ~~five percent (5%)~~ one-half percent (.05%) of the tax collected with a maximum of ~~$75,000,000~~ $7,500,000.*
>
> *(iii) For financing the costs of greenbelts. The amount of the maximum total funds to be collected, which shall be expended for these projects and purposes, shall be no more than ~~five percent (5%)~~ nine and one-half percent (9.5%) of the tax collected, with a maximum of ~~$75,000,000~~ $142,500,000.*

Chairman Blount stated the time period would be eight years, and the amounts indicated were the total sum each individual entity would receive.

Councilor Tripp stated, coming into the meeting, it was his understanding Mr. McGahhey planned to propose 90/5/5 (90% for roads, 5% for transit, and 5% for greenbelts); however, prior to that, he was under the impression that everyone had agreed to 80/10/10. Mr. Tripp asked for an explanation regarding the transformation of those numbers.

Councilor McGahhey stated he was unaware of the 80/10/10 recommendation. He stated he was originally "all for roads"; however, he had been advised by several people in the community there needed to be funding for transportation and greenbelts for the Transportation Tax to pass. Mr. McGahhey stated he was looking at the whole picture; if giving up some funding to accommodate transit and greenbelts would help get it passed, he was willing to do so. He stated when he was given the draft of the proposed ordinance, those numbers were already in place.

Chairwoman Pro Tem Seman stated she was “in favor of including everything in the package.” Council members continuously heard from their constituents that they wanted to curtail sprawl. Fixing the roads could help with congestion and safety by preserving more land. Ms. Seman stated transportation was one of the community's needs. The hospitality industry was also part of the growing community and would become even more so in the future. She stated a holistic approach was the best way to address the challenges the County faced.

Councilor Fant stated, according to the proposed ordinance, a total of $7.5 million over the eight-year period would be allocated to Greenville Transit, resulting in $937,000 annually. He stated the current amount allocated to transit was $3.5 million. Mr. Fant inquired whether the $937,000 was the total amount transit would receive each year or if it was in addition to the $3.5 million.

Councilor McGahhey stated he was but one of twelve Council Members. It was up to Council to determine how the proposed funding would be allocated.

Chairman Blount stated a sales tax was questionable to many people, who did not see it as a tradeoff; it was viewed as a way to collect more money from the public. He proposed removing transit from the County’s budget. Citizens in the southern and northern parts of the County did not want to pay for transit because the service was unavailable in many parts of those areas. However, it was apparent the lower amount cited by Dr. Fant would not meet the current allocation amount.

Councilor Fant stated if citizens in the southern and northern parts of Greenville County did not want to pay for transit, visitors to the County should pay for it. He stated it was only fair to take the same amount of funding out of the operating budget and have the Transportation Tax pay for it. Mr. Fant stated he did not agree with giving transit a third of its current allocations.

Chairwoman Pro Tem Seman recommended discussing the Transportation Tax in “one bucket” and the budget in another. If it passed, any monies generated by the Transportation Tax would not be collected until June of the following year. Ms. Seman stated they needed to focus on what could be accomplished with the penny tax and address the budget later.

Councilor Tripp asked Mr. Kernell to confirm current allocations for Greenville Transit and the Historic and Natural Resources Trust.

Mr. Kernell stated $3.5 million was currently allocated for Greenville Transit, and they were projecting a little more than $1 million for the trust.

Councilor Tripp asked whether any grant matches would be lost if transit or greenbelts were funded through the “penny versus the budget.” He asked if there was any downside to trading off revenue sources.

Mr. Kernell stated he was unaware of any restrictions on grant matches for the trust. He was not sure about Greenlink; however, he doubted there would be an issue. It would be a matter of shifting from ad valorem tax revenues to sales tax revenues.

Councilor Tripp asked Mr. Antley whether it was legal to amend the proposed ordinance to state that funding from the Transportation Tax would be split 80/10/10, and the line items for transit and greenbelts would be eliminated.

Mr. Antley stated eliminating the line items for transit and greenbelts would require a separate amendment to the budget.

Chairman Blount asked Mr. Antley whether Council could indicate the goal of eliminating those line items in a resolution to be approved prior to third reading of the budget.

Mr. Antley stated Council could approve a non-binding resolution to that effect; however, he felt it would have to be addressed.

Chairwoman Pro Tem Seman asked if there would be an issue of binding future Councils.

Mr. Kernell stated binding future Councils would be an issue. By the time the County started collecting the tax, Council would either be working on the next year's budget or already have it approved. When staff started preparing the FY2028 budget, they would know whether the sales tax was approved. It was a moot point, as they would know whether they wanted to replace one of those funding sources with the sales tax.

Councilor Tripp stated if the amendment was approved, .05% would be allocated to Greenlink and 9.5% to the trust; those percentages could not be changed after the fact. He suggested revising those figures and committing to removing those line items from the budget. There were many people across the County who did not want to pay for Greenlink, and others who did not want to pay for greenbelts. Approximately 30% of the proposed revenue would be paid by visitors to Greenville County.

Councilor Fant stated he was not recommending changes to the current year's budget. His intent was for it to be effective with the FY2028 budget and onward.

Chairman Blount stated they could not bind future Councils. They could only hope future Councils would entertain the proposal.

Councilor Tripp asked if they passed a resolution or something to address the issue, future Councils could take a budgetary vote to change it. He stated if that were the case, they were not binding future Councils.

Mr. Kernell stated Council could pass a resolution indicating its intention; however, the next budget would be voted on by ordinance, and the resolution may or may not be honored.

Chairwoman Pro Tem Seman stated the resolution would be non-binding.

Councilor Tripp stated it would provide legislative intent, and he would request a roll call to see how all Council Members voted.

Chairwoman Pro Tem Seman stated she did not disagree with Mr. Tripp but emphasized caution to avoid doing anything inappropriate. She expressed support for the 80/10/10 split and removing those line items from the budget.

Chairman Blount stated it would acknowledge for the public that was the route Council hoped to take. It would be a determining factor for some voters if they knew those items would no longer appear in the County's budget. Mr. Blount stated that discussion should take place outside the current conversation.

Councilor Farmer stated it appeared they all agreed with the 80/10/10. He had been flooded with calls in favor of that split; some of the calls and their sources were very surprising. As a reference, the 80/10/10 was still far more conservative and infrastructure-heavy than comparable counties such as Charleston and Horry. Currently, Charleston was at 65% for roads. He stated he had no idea where the remaining 35% was being used, but it was definitely not being used for roads.

Councilor McGahhey stated if the 80/10/10 was approved, Greenlink would receive a projected total of $18.7 million, or $5 million per year; a sixfold increase was never the intent of the ordinance. He stated the funding should remain at $3 or $4 million, with the line items eliminated from the budget.

Councilor Tripp stated the proposed amendment would allocate a projected $18.7 million to greenbelts.

Councilor McGahhey stated those funds would be used to preserve land that would never be developed, and he stood behind that number. Changing the proposed amendment to 2% and eliminating the line item would give Greenlink $30 million over eight years, which was more than they were currently receiving. He stated Council could approve 5%-7% for greenbelts, which would reduce total funding to the low $100 million range.

Councilor Russo stated the way the percentages were skewed would give greenbelts considerably more funding than they were currently receiving. He stated the "writing was on the wall" to remove Greenlink from the County's general budget, and he was concerned that the last penny tax narrowly failed, even though it listed very specific roads. In reviewing the proposed ballot question, he felt there would be challenges with the large funding numbers next to greenbelts and transit. Mr. Russo stated that if a penny sales tax could not pass with specific roads attached, he was unsure how it would pass with the funding numbers for greenbelts and transit. If the goal was to pass the penny tax, the vast majority of the money would need to go to roads.

Councilor Tripp stated when he was Chairman, he "bullheadedly" decided that all of the funding should go to roads, and that decision did not help the situation. He stated a very diverse group of people would be voting in the November election. He was not suggesting to "give the farm away" to transit or greenbelts, and both were doing good work. He asked whether 80/10/10 was the right number; perhaps it should be 85/5/10, with 5% to Greenlink and 10% to greenbelts. Mr. Tripp stated there may be a greater need for capital for the greenbelts, as land prices had increased. If the intent was to "wipe the budget clean," Council may want to work on the numbers a bit more.

Action: Councilor Tripp moved to amend Councilor McGahhey's amendment to reflect the 80/10/10 recommendation.

Councilor McGahhey reminded his colleagues if they voted to approve the 80/10/10 recommendation, Greenlink would be funded at more than $18 million per year.

Action: Chairwoman Pro Tem Seman called for the question.

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

Point of Order: Councilor McGahhey asked whether Council should place a cap on revenue distributed to transit and greenbelts, similar to the cap on the total amount collected.

Mr. Kernell stated there would be a cap on the total amount the County could collect; transit and greenbelts would receive the percentages of that amount as approved by Council. He obtained the actual numbers from the state regarding the projected amount collected over the eight years, which was approximately $1.1 billion. The numbers were declining based on the state's estimated collections, which included a 4% growth factor. Both transit and greenbelts would receive significantly less than originally predicted.

Councilor Tripp's motion to amend the amendment was denied by a roll call vote of five (Farmer, Mitchell, Seman, Fant, Tripp) in favor and seven (Russo, Long, Blount, Shaw, McGahhey, Bradley, Collins) in opposition.

Councilor Fant stated he would like to find common ground and suggested $6 million for Greenlink and $10 million for greenbelts, with the remaining funding allocated annually for roads. Both transit and greenbelts would receive considerably more funding than they currently received.

Councilor McGahhey stated he would be willing to amend his amendment to reflect 3% for Greenlink, 7% for greenbelts, and the remaining 90% for roads, based on the $1.1 billion figure.

Councilor Tripp suggested Council vote on the original language of the ordinance, which reflected a 90/5/5 split.

Councilor McGahhey stated if Council approved the 5% funding for Greenlink, the result would be $9.3 million per year, which would be voted down at the ballot box.

Action: Councilor McGahhey moved to amend his amendment to reflect 3% for Greenlink, 7% for greenbelts, and the remaining 90% for roads.

Councilor Bradley inquired about the projected dollar amounts for Greenlink if Mr. McGahhey's amendment were to be approved.

Councilor McGahhey stated it would be $4.12 million per year, which was 33% more than they were currently receiving.

Councilor McGahhey's motion to amend carried by a roll call vote of ten (Russo, Long, Blount, McGahhey, Farmer, Mitchell, Seman, Fant, Bradley, Tripp) in favor and two (Shaw, Collins) in opposition.

Action: Councilor McGahhey moved to amend Section 3.2 (a) as follows:

> *~~Any outside agencies, political subdivisions or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator (or his/her designee) shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.~~ Any outside agencies, political subdivisions, or organizations designated to receive funding from*

the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator, or his or her designee, shall compile all funding requests, anticipated Sales and Use Tax revenues, project information, financial data, reports, estimates, and any other information necessary for the preparation of a proposed budget recommendation for the Sales and Use Tax and shall provide such information to the Roads, Infrastructure and Public Works Committee by the first regularly scheduled meeting in March. The Roads, Infrastructure and Public Works Committee shall review such information and shall prepare a recommended budget for expenditures of Sales and Use Tax revenues. The Roads, Infrastructure and Public Works Committee shall submit its recommended Sales and Use Tax budget to the County Council Committee of the Whole no later than the first regularly scheduled meeting in May of the fiscal year immediately preceding the fiscal year for which the budget is proposed. At the time of submitting the recommended Sales and Use Tax budget, the Roads, Infrastructure and Public Works Committee shall submit to the County Council Committee of the Whole a statement describing the important features of the recommended budget. Upon receipt of the recommended Sales and Use Tax budget from the County Council Committee of the Whole, the County Administrator shall include the recommendation in the proposed County budget presented to County Council.

Councilor McGahhey stated Mr. Kernell performed his job in accordance with state law; however, when the budget was proposed, the Council proceeded to "fight over it." He stated that should not happen. Mr. McGahhey stated his amendment gave the Roads, Infrastructure and Public Works Committee responsibility for reviewing the information, developing a list of recommended projects, and preparing a budget for the disbursement of revenue. Once the Committee completed its work, the results would be presented to the Committee of the Whole. He stated Council would vote on the recommendations and advise Mr. Kernell of the outcome. Mr. McGahhey stated his amendment, if approved, would give Council responsibility and control over the issue, not the Administrator.

Councilor Tripp stated a significant amount of time was spent talking with various road entities when preparing for the Capital Projects Sales Tax referendum. Following those discussions, a list of priorities was created. Mr. Tripp stated it was a "golden list" and no one could complain about it because there was consensus. The list was made available to the public, helping to secure buy-in from the municipalities. He stated that was a problem with the current attempt. Mr. Tripp inquired about the safeguards in place to prevent the RIPW committee members from including a large number of roads from their respective districts. Mr. Tripp stated with the previous attempt, the list of roads was published and a public body was established to be accountable for making decisions and reporting to Council. Mr. Tripp stated his biggest concern about the proposed amendment was the lack of transparency. He asked how those concerns could be reconciled.

Councilor Long stated she agreed with Mr. Tripp in terms of how it was structured, but also agreed with Mr. McGahhey. She suggested using some of the structure and debating the rest of it. Ms. Long stated it was very relevant and she was of the opinion they could take the best of both, work it out, and remain transparent in the process.

Chairwoman Pro Tem Seman asked Mr. Antley if the proposed amendment would be allowed.

Mr. Antley stated he had concerns about the proposed amendment and the Council-Administrator form of government, specifically regarding state law and the Administrator's responsibilities versus Council's role. He stated he had not been able to sufficiently research the issue in order to answer Ms. Seman's question. Mr. Antley stated the County Attorney's Office could offer no assurance the proposed amendment would comply with state law.

Chairwoman Pro Tem Seman stated she understood both Ms. Long's and Mr. Tripp's viewpoints. Council could certainly work out the details; however, it was paramount they follow state law to ensure they were not getting into trouble by attempting to be more transparent and open.

Chairman Blount stated he did not want to jump ahead to potential future amendments, but it may be helpful to hold the amendment in question in order to give the County Attorney's Office more time to research the issue.

Councilor McGahhey stated, under state law, it was his understanding that developing the list of projects and using the tax as it saw fit rested with the Council, not the County Administrator. The list would not be developed by a "bunch of bureaucrats" and then passed by Council. He stated Council Members were paid to make the hard decisions. With the proposed amendment, Council would specify which projects would be included on the list and how the revenue would be used. He stated he had another amendment he intended to make to establish a Transparency Committee, composed of citizens who would serve as "watchdogs" to ensure each district was treated fairly in the process. Mr. McGahhey stated his proposed amendments included safeguards to prevent bureaucrats from making decisions without Council having a chance to weigh in.

Councilor Tripp stated the fact the list could be changed "willy nilly" did not sit well with him. In his opinion, the current Council had been swayed by the "angry voice of a vocal minority" in the community. It scared him to think they could be "whipped by the winds of a small minority of voters" if they did not like the proposed list of projects.

Councilor Shaw stated that legally, he did not like either one but preferred Mr. Tripp's from the previous effort. He asked if it would be difficult to toggle between the two.

Mr. Price stated some counties included representative works that were built into the ordinance. It was not usually an exhaustive list. Those counties may include some Hallmark or Keystone Projects, rather than the exhaustive-list approach presented in the last ballot.

Councilor Fant stated he understood Mr. Tripp's position and felt an independent group should select the roads. Staff should already have a list from the last time indicating which roads should be done. He stated it would be a bit uncomfortable for Council to pick the roads.

Councilor Tripp stated if Mr. McGahhey's proposed structure was approved, he would like to see Ms. Gamble and her department provide the list of proposed projects to the RIPW Committee. He agreed there needed to be safeguards to ensure Council was doing its job, not picking roads. It was always good to have a little flexibility, but the County had a really deep bench of professionals to assist with the process, and he wanted to make sure they were being utilized.

Councilor McGahhey stated it was his intent for staff to provide the list of projects to the RIPW Committee. He read the following:

> *The County Administrator, or his or her designee, shall compile all funding requests, anticipated sales and use tax revenues, project information, financial data, reports, estimates, and any other information necessary for the preparation of a proposed budget recommendation for the Sales and Use Tax and shall provide such information to the Roads, Infrastructure, and Public Works Committee by the first regularly scheduled meeting in March.*

Chairman Blount asked, given the proposed structure, whether the concerns about it going beyond the scope of government had been alleviated.

Mr. Antley stated the concerns were not alleviated from a budget-process standpoint. He had been researching other aspects of County Government, but had no answer for Mr. Blount. There was a bigger question than the one being discussed; he did not have case law and was not ready to articulate it.

Councilor McGahhey stated, in an effort to get the ordinance "correct and perfect," he was willing to withdraw the amendment or request to hold it.

Chairman Blount asked whether that was possible, as no motion had been approved to allow amendments at third reading.

Mr. Antley stated if Council approved amendments at third reading, Mr. McGahhey's proposal should be presented as a written amendment.

Councilor McGahhey withdrew his amendment.

Action: Councilor McGahhey moved to amend Section 3.2 (b) as follows:

County Council shall adopt annually and prior to the beginning of fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget ordinances. ~~The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council.~~ The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax from one project or purpose approved under Section 2.4 of this Ordinance to another project or purpose approved under Section 2.4 of this Ordinance, when such transfers are approved by County Council; provided, however, that no Sales and Use Tax revenue may be transferred to, or expended for, any purpose other than the projects and purposes approved by the qualified electors in the referendum and stated in this Ordinance, consistent with Section 4-37-30(A)(15) of the Code of Laws of South Carolina 1976, as amended. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

Councilor McGahhey stated the amendment stipulated the revenue could only be used for roads and infrastructure.

Councilor Shaw stated the use of the phrase "projects and purposes" gave the impression that projects had been identified and the voters had approved them.

Mr. Price stated Section 1.3 of the proposed ordinance listed the three enumerated uses of the funds: roads, mass transit, and greenbelts. Those uses were collectively defined as projects within the context of the ordinance.

Councilor McGahhey requested a roll call vote.

Motion to amend carried by a roll call vote of eleven (Russo, Long, Blount, Shaw, McGahhey, Farmer, Mitchell, Seman, Fant, Bradley, Tripp) in favor and one (Collins) in opposition.

Action: Councilor McGahhey moved to amend Section 4.4 as follows:

> *The Transportation Transparency Committee governance must be in accordance with State law. The Transportation Transparency Committee may elect officers and approve procedures for governing the Transportation Transparency Committee. Meetings of the Transportation Transparency Committee shall be open to the public and held in compliance with the South Carolina Freedom of Information Act. The Transportation Transparency Committee shall meet quarterly, at a minimum, and may meet more frequently if necessary, to receive updates ~~on~~ from the County Administrator and his or her staff regarding the appropriations and expenditures of Sales and Use Tax revenues and the progress of related projects. The Transportation Transparency Committee shall provide ~~regular updates to the County Council~~ quarterly updates to the County Council regarding the appropriations and expenditures of Sales and Use Tax revenues and the progress of related projects. Nothing in this ordinance shall prohibit any member of County Council, in accordance with applicable state law, from requesting and receiving updates from the County Administrator or his or her staff or the Transportation Transparency Committee regarding the appropriations and expenditures of Sales and Use Tax revenues or the progress of related projects, as such Council member may request or as circumstances may require. The Transportation Transparency Committee shall dissolve after all Sales and Use Tax revenues are expended and a final report is submitted to the County Council.*

Chairman Blount inquired whether it would be in Council's best interest to require at least one of the seats to be a citizen with accounting or finance experience.

Councilor Tripp stated he wanted to know how the Transportation Transparency Committee was modeled and whether there are other comparable committees.

Mr. Price stated it was pulled from Council's original intent for the Capital Project Sales Tax.

Councilor Tripp stated Section 4.1 indicated the committee would consist of six members. He stated an odd number of members was generally recommended to avoid tie votes, and that was one of the issues the Council encountered with its 12 members. He suggested expanding the number to seven, with one member having some financial experience, such as a CPA.

Chairwoman Pro Tem Seman stated she agreed with having an odd number of members and inquired whether there would be any value in having the Auditor serve as an ex officio member.

Councilor Tripp asked whether the Auditor should be a voting member to ensure an odd number of committee members.

Councilor McGahhey stated there would be nothing for the committee members to vote on. Their role would be to monitor how the funds were spent.

Chairman Blount stated it would be similar to the Agricultural Task Force that Council recently approved. If there were any "red flags," the committee would discuss it and possibly send it back to Council.

Councilor McGahhey stated each committee member would have a voice. If a member noticed an irregularity, they would bring it to the attention of the others. He stated they would be there "looking from the outside looking in."

Councilor Tripp stated they should be given some type of tasks to perform, such as preparing the quarterly reports for Council. He stated they should also elect members.

Councilor McGahhey stated the proposed ordinance assigned certain tasks to the committee and would be structured in accordance with state law.

Mr. Antley stated if the committee members were tasked with preparing quarterly reports, a vote would be required to approve them.

Action: Councilor McGahhey moved to amend his amendment to reflect the Transportation Transparency Committee would consist of seven members rather than six, and the County Auditor would be an ex officio voting member.

Councilor Mitchell stated the proposed ordinance indicated "at least six members." He asked Mr. McGahhey if the intent was to have six members with the County Auditor as an ex officio voting member, bringing the total to seven.

Councilor McGahhey confirmed that it was his intent.

Councilor Tripp suggested removing the phrase "at least" and indicating seven members.

Councilor McGahhey stated he agreed with Mr. Tripp's suggestion.

Chairman Blount asked whether it was appropriate to appoint the County Auditor to a new committee without informing him in advance.

Mr. Antley stated the County Auditor could be added; however, Section 4.2 would have to be amended as it excluded elected officials from serving on the committee.

Action: Councilor McGahhey restated his motion in order to add the following sections to his amendment currently on the floor:

Section 4.1:

The County Council hereby authorizes the establishment of a transparency oversight committee (the "Transportation Transparency Committee") comprised of ~~at least six~~ seven members, including the Greenville County Auditor as the seventh ex officio voting member, to be appointed by County Council.

Section 4.2:

Members of the Transportation Transparency Committee shall be County residents who are neither elected or appointed officials, except the County Auditor who will be the seventh ex officio voting member, or employees of any government nor officials or employees from any agency or organization that either oversees or benefits from the proceeds of the Sales and Use Tax.

Motion to amend carried.

Councilor McGahhey requested Mr. Antley explain the proposed amendments to the Ballot Question.

Mr. Antley stated the Ballot Questions had to reflect the ordinance's context. Any discrepancy could be "utterly fatal," even if it passed. The first proposed amendment would remove the reference to mass transit systems from Project (1), as it was actually part of Project (2); mass transit could not be treated in two different ways. Currently, funding for mass transit was included in the $1,350,000,000 allocated for roads. Mr. Antley stated the amendments to the percentages that were approved earlier for roads, transit, and greenbelts would have to be accurately reflected in the question.

Councilor McGahhey stated the percentages approved were 90% for roads, 7% for greenbelts, and 3% for transit.

Mr. Antley stated Question 1 did not accurately reflect those percentages; the ballot had to mirror the ordinance precisely. He recommended a general amendment to move that the Ballot Question reflect the change in Project (1) and the numbers be consistent with the changes that were approved internally in the ordinance.

Action: Councilor McGahhey moved to amend Question 1 to reflect the changes approved internally in the ordinance.

Action: Councilor Fant moved to amend Mr. McGahhey's motion to break the figures down into yearly amounts rather than the total amount to avoid upsetting the public when they read the ballot question.

Chairwoman Pro Tem Seman stated it was up to Council to provide good educational resources for the public.

Councilor Tripp stated it may be beneficial to use $1.1 billion rather than $1.5 billion and have the numbers reflect that amount. There could be some "good years" when revenue could reach $1.5 billion; however, he suggested using $1.1 billion as the cap.

Mr. Antley stated the maximum amount collected was indicated as "up to"; the actual amount could be less than the projections.

Councilor McGahhey stated it was an estimate, regardless of how it was phrased. He asked Mr. Price whether they could indicate the full amount anticipated to be collected and, in parentheses, the projected yearly amounts on the ballot question.

Mr. Price stated he would need to research the specific language of the ballot question. He stated that, in crafting the ordinance, they attempted to model it after other ordinances that had withstood legal challenges and passed in other jurisdictions. Mr. Price stated the further they strayed from those ordinances, the less confident he was in giving a recommendation; however, he was happy to look into how the ballot question could be formulated.

Mr. Antley stated he had read the case law earlier in the day and the more moving parts a ballot question had, the more confusing it could be for the public. He stated that even though they were trying to do something good by supplying more information, the County would be opening itself up to a situation in which the referendum was adopted by a majority of voters, and someone challenged it, saying the ballot question failed because it was problematic.

Chairwoman Pro Tem Seman stated Council had a goal to be transparent and should be excited about the projected amount of money to be raised. She stated the voters were smart and would "read eight years," whether Council opted to use the annual amount or the total amount on the ballot question. Ms. Seman stated the question should be as simple as possible. Council had to work to educate the public; once the referendum passed, they had to get to work on completing the projects.

Councilor Fant suggested Council vote on his amendment. He stated there should not be a problem with changing the amounts.

Mr. Antley stated his department would need to research the issue, as “messing around” with the ballot question concerned him. The proposed ordinance was modeled on other successful ordinances.

Councilor Tripp stated his “crack legal team” had indicated the total amount projected to be collected had to be reflected on the ballot question.

Chairman Blount stated the figures would remain at the total amount to be collected until the County’s Legal Department had time to research the issue and report back to Council.

Councilor McGahhey stated his amendment was to use the $1.1 billion figure, with 3% for Project (2) and 7% for Project (3).

Councilor Tripp asked whether it was necessary to amend earlier parts of the ordinance.

Chairwoman Pro Tem Seman stated it was necessary to make those amendments in the entire document.

Councilor McGahhey inquired whether he could make a “blanket amendment”, changing the $1.5 billion figure to $1.1 billion wherever it appeared in the document.

Mr. Antley stated they had to handle the other parts of the ballot question motion that was currently on the floor: replace or remove the language in Project (1), link it to Project (2), and true-up the numbers.

Councilor Collins stated if his colleagues were confident the referendum would pass, they should put the numbers out there, let the people see what they were voting on, and give them the straight bill.

Councilor Fant stated he agreed with Mr. Collins. The moment there was a significant division within the body, the entire effort would be in peril. He wanted to ensure as many Council Members as possible were “on the same page” about the issue.

Councilor Fant withdrew his motion.

Action: Councilor McGahhey reiterated his motion to amend as follows:

GREENVILLE COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Greenville County for not more than eight (8) years, or until a total of ~~$1,500,000,000~~ $1,100,000,000 in resulting revenue has been collected, whichever occurs first. The sales tax proceeds will be used to fund the following projects:

Project (1) *For financing the costs of highways, roads, streets, bridges, and other transportation- related projects facilities, and drainage facilities related thereto. ~~and mass transit systems operated by Greenville County or jointly operated by the County and other governmental entities.~~ $990,000,000.*

Project (2) *For financing the costs of mass transit systems operated by Greenville County or jointly operated by the County and other governmental entities. $33,000,000.*

Project (3) *For financing the costs of greenbelts. $77,000,000.*

Motion to amend carried.

Chairwoman Pro Tem Seman asked what would happen if only Question 1 passed.

Councilor McGahhey stated if that were to happen, Question 1 would be a moot point.

Action: Councilor McGahhey moved to amend the entire document to change the figure $1.5 billion to $1.1 billion wherever it appeared and change the percentage figures to reflect the $1.1 billion.

Motion to amend carried.

Motion: Councilor Mitchell moved to amend Section 1.3 as follows:

1.3 The County Council finds that a one percent sales and use tax should be levied and imposed within Greenville County, for the following projects and purpose:

(i) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects and facilities, and drainage facilities related thereto.

(ii) For financing the costs of mass transit systems operated by Greenville County or jointly operated by the County and other governmental entities.

(a) For the purposes of this Ordinance, mass transit is to include but not be limited to the operation and expansion of the mass transit system as defined by Greenville Transit Authority's Transit Development Plan including improved frequency and enhanced routes.

(iii) For the financing the costs of greenbelts.

(a) For the purposes of this Ordinance, greenbelts are to include but not be limited to acquiring land and conservation easements for the following: expanding public parks and green spaces, lands for active sports fields, securing water access points, expanding trails and greenways, protecting lands critical to wildlife, floodwater management, working farms and forests, natural resource management, historic preservation and protecting drinking water sources and water quality in rivers, lakes, wetlands, and other water bodies.

Chairwoman Pro Tem Seman asked whether it was allowable under the statute to expand the definitions.

Mr. Price stated, based on preliminary research and given the time the Legal Department had to review the amendments, the way the terms were defined in the ordinance had not been specifically addressed by the Transportation Tax ordinance or state statute. He had not found anything to contradict the motion; however, he had found nothing to support it, either. Mr. Price stated he would continue to research the issue, pending third reading of the ordinance.

Councilor Shaw asked whether that meant it had not been to court and had not been determined.

Mr. Price stated it had not been to court, had not been put into the statute, and was not in any of the legal authorities used to draft the ordinance.

Councilor Shaw inquired about the litigation climate regarding the Transportation Tax.

Mr. Price stated a more expansive view would require a “deeper dive.” He stated most defeats at the ballot box were due to factors specific to the jurisdictions where the proposed tax was put forth. Mr. Price stated some jurisdictions had encountered challenges due to the projects listed on the ballot, the proposed use of the funds, and what the electorate had the palate for at the time.

Councilor McGahhey inquired about the County’s recourse if the tax passed and was later challenged. He asked whether the program would have to be shut down until the language was removed. He asked whether the ordinance would be deemed invalid if a group sued the County for the language in question.

Mr. Antley stated if the tax passed and was challenged in court, there was “no going back.” If the ordinance was determined to be wrong, it was just wrong and could not be changed. He stated he had concerns about the proposed amendment and would like additional time to research the issue.

Councilor Collins stated he had been unable to find any research regarding the proposed definitions and felt including them was “a little too much.”

Councilor Tripp stated the language appeared to mirror state law regarding what was allowable under the sales tax; it was not as if the County was “inventing anything.”

Chairman Blount stated, in reading the law, a lot of the language in Mr. Mitchell’s amendment was covered.

Councilor Collins stated that it appeared to give a “tilted slant” by including the language in the proposed amendment. There was nothing in the statute about defining why and what for.

Councilor Tripp stated the proposed language was not to be included on the ballot question; it would be included in the ordinance to place requirements on the County regarding how the money could be spent.

Councilor Shaw asked Mr. Mitchell if the proposed definitions were given to him by a non-profit or someone representing a non-profit.

Councilor Mitchell answered in the negative and stated his intent was simply to make it very clear.

Councilor Shaw stated he felt it was a “little bit beyond making it clear” and more “adding to the purpose.”

Councilor Tripp stated it was not new material; state law defined what the County could do with the Transportation Tax revenue.

Councilor Shaw asked why the language was not already included.

Councilor Tripp stated the language limited what Council could do with the funds. The spending had to fit within certain limits and purposes laid out in state law; the language echoed those limits and purposes.

Chairman Blount stated, in his opinion, omitting the language would give the impression that Council did not want the public to really know how the money was being spent.

Councilor Mitchell's motion to amend carried.

Councilor Shaw stated he would like to make a motion. He thanked Mr. McGahhey for his willingness to address the issue of the roads; however, Greenville County was not at the "point of no return" regarding its roads. Mr. Shaw stated the proposed sales tax deserved more public input and conversation with Council. There would be four or possibly five new Council Members seated in January. Mr. Shaw stated uncontrolled growth was a crisis in Greenville County, and the roads were not causing that growth. He stated Council was not smarter than the public nor the voters. Mr. Shaw asked for time to allow public stakeholders and Council to participate in the solution.

Action: Councilor Shaw moved to hold the item until the next term begins in January of 2027.

Councilor Tripp asked Mr. Shaw if he was proposing Council "just lay down" and not do its job for six months.

Councilor Shaw stated Council absolutely needed to continue addressing the issue of the roads. They had already done so with considerably more spending in the budget for County roads. HE stated the "state guys" needed to address the state roads.

Councilor Russo stated not one person had ever told him the County roads were great and suggested letting the voters decide.

Action: Chairwoman Pro Tem Seman called for the question.

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

Motion to hold was denied.

Action: Chairwoman Pro Tem Seman moved to approve the ordinance as amended.

Motion carried by a roll call vote of ten (Russo, Long, Blount, McGahhey, Farmer, Mitchell, Seman, Fant, Bradley, Tripp) in favor and two (Shaw, Collins) in opposition.

Item (6) ***Executive Session***

Action: Chairwoman Pro Tem Seman moved to go into Executive Session for the discussion of negotiations incident to proposed contractual arrangements and for the receipt of legal advice where the legal advice was related to matters covered by the attorney-client privilege, in regards to the County Administrator search firm contract.

Motion carried and the Committee of the Whole entered into Executive Session at 5:52 p.m.

Reconvened

The meeting reconvened at 6:11 p.m.

Mr. Antley reported the Committee of the Whole went into Executive Session to discuss negotiations incident to proposed contractual arrangements and for the receipt of legal advice where the legal advice was related to matters covered by the attorney-client privilege, in regards to the County Administrator search firm contract.

Mr. Antley stated no action was taken during the Executive Session.

Item (7) ***Adjournment***

Action: There being no further business, Councilor Long moved to adjourn.

Motion carried and the meeting was adjourned at 6:12 p.m.

Respectfully submitted:

____

Regina McCaskill
Clerk to Council