GREENVILLE COUNTY COUNCIL

Minutes
Regular Meeting
July 21, 2026
6:00 p.m.

Council Chambers
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

Joey Russo, *District 17*

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*
Jackson Scott, *Assistant County Attorney*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Julie Wallace, *Administrative Assistant, Clerk to Council*
Bob Mihalic, *Governmental Affairs Officer*
Terrence Galloway, *Information Systems*
Hesha Gamble, *Assistant County Administrator*
Ronald Hollister, *Assistant County Administrator*

Others Present

None

Call to Order — Chairman Blount

Invocation — Councilor Mitchell

Pledge of Allegiance

Item (4) ***Approval of Minutes***

a. June 16, 2026 – Regular County Council Meeting

Action: Chairwoman Pro Tem Seman moved to approve the minutes of the June 16, 2026, Regular County Council Meeting.

Motion carried.

Item (5) ***Proclamations and Recognitions***

a. A Legacy of Flourishing / 10th Anniversary

Councilor Mitchell presented a proclamation to Éleos Ministry in honor of ten years of faithful service, enduring impact, and visionary leadership, and for providing a stable foundation of support, resources, and relationships in the Nicholtown community.

b. Americans with Disabilities Act / 36th Anniversary

Chairman Blount presented a proclamation in honor of the 36th anniversary of the establishment of the Americans with Disabilities Act. Mr. Blount stated the Act ensured the rights of citizens with disabilities by prohibiting discrimination in education, employment, government services, places of public accommodation, commercial facilities, and other vital areas of society. He stated it was recognized as the landmark legislation providing equal treatment to Americans with disabilities.

Item (6) ***Appearances – Current Agenda Items***

The following individuals appeared before Council to speak on the noted topics:

- **Diane Vreeland -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*
- **Frank Tamburello** - *appeared regarding Item 12.b. Wireless Communication Facilities Ordinance*
- **John Slipke -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*
- **Douglas Allen -** *appeared regarding Item 12.b. Wireless Communication Facilities Ordinance*
- **Paul Gorski -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*
- **Angie Fisher -** *appeared regarding Item 12.b. Wireless Communication Facilities Ordinance*
- **Susana Saravia -** *appeared regarding Item 12.b. Wireless Communication Facilities Ordinance*
- **Judy Langley -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*
- **Audrey Pasin -** *appeared regarding Item 12.a.x. CZ-2026-040, Zoning Text Amendment*
- **Michael Voaden -** *appeared regarding Item 9.a. South Greenville Area Fire District / General Obligation Bond - Request for Public Hearing*

- **Kyle Long -** *appeared regarding Item 9.a. South Greenville Area Fire District / General Obligation Bond - Request for Public Hearing*
- **William Forsythe -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*
- **Margaret McGinty -** *appeared regarding Item 10.b. Transportation Penny Sales & Use Tax & Referendum*

An additional four individuals signed up to address Council, but time ran out. Chairman Blount stated they would be given time during the Public Comments portion of the meeting.

Item (7) ***Public Hearings***

a. Greater Greenville Sanitation District Annexation – 641 Altamont Road

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include a parcel located at 641 Altamont Road.

There being no speakers, Councilor McGahhey declared the public hearing closed.

b. Greater Greenville Sanitation District Annexation – 1080 Altamont Road

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include a parcel located at 1080 Altamont Road.

There being no speakers, Councilor McGahhey declared the public hearing closed.

c. Greater Greenville Sanitation District Annexation – 1000 North Parker Road

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include a parcel located at 1000 North Parker Road.

There being no speakers, Councilor McGahhey declared the public hearing closed.

d. Greater Greenville Sanitation District Annexation – Willimon Estates Subdivision

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the Willimon Estates Subdivision.

There being no speakers, Councilor McGahhey declared the public hearing closed.

e. Land Development Regulations Amendment / Open Space Residential Development

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the Greenville County Land Development Regulations to add a new provision for open space residential development in Greenville County.

Vice-Chairman Bradley stated due to the amount of public interest in the ordinance, County Council would hold a second (courtesy) public hearing for the LDR Amendment at the Regular County Council meeting on Tuesday, August 18, 2026, at which time the ordinance was to be considered for second reading. Individuals would have the opportunity to speak prior to Council's vote on the matter. As with all Council public hearings, anyone wishing to speak must sign in at the kiosk outside Council Chambers between 5:15 and 5:45 p.m. on the evening of the meeting.

There being no speakers, Vice-Chairman Bradley declared the public hearing closed.

f. Simpsonville Fire Service Area / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for an increase to the operating millage rate levied by the Simpsonville Fire Service Area.

There being no speakers, Councilor Collins declared the public hearing closed.

g. Simpsonville Fire Service Area / General Obligation Bond Issuance

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the issuance and sale of not exceeding $1,200,000 Greenville County General Obligation Bonds (Simpsonville Fire Service Area Project), in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

There being no speakers, Councilor Collins declared the public hearing closed.

Item (8) ***Consent Agenda***

a. Commission Animal Control Officer – Nathan Colon
b. Community Project Application / Clear Spring Fire and Rescue - Hose Replacement

Action: Chairwoman Pro Tem Seman moved approval of the Consent Agenda items.

Motion carried.

Item (9) ***Resolutions***

a. South Greenville Area Fire District / General Obligation Bond – Request for Public Hearing

Action: Councilor Collins moved for adoption a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding $1,000,000 of General Obligation Bonds of South Greenville Area Fire District, South Carolina, and to provide for the publication of the notice of such hearing.

Motion carried.

b. Urban County Status / Municipality Cooperative Agreements

Action: Councilor Collins moved for adoption a resolution to approve the cooperative agreement between Greenville County and the municipalities of Fountain Inn, Greer, Mauldin, Simpsonville, and Travelers Rest to obtain Urban County Status with the United States Department of Housing and Urban Development, and appoint the Greenville County Redevelopment Authority (GCRA) as its agent for the purpose of administering any grant funds received as a result of the agreement.

Motion carried.

c. Abandoned Building Tax Credit / Certain Properties on S. Washington Avenue

Action: Councilor Collins moved for adoption a resolution to provide certification as provided by the South Carolina Abandoned Buildings Revitalization Act (S.C. Code Section 12-67-100 et seq.) for the building site at 753, 755, 757, and 759 S. Washington Avenue, Greenville, South Carolina (Greenville County Tax Map No. 0224000101201).

Motion carried.

d. Greater Greenville Sanitation District Annexation – 641 Altamont Road

Action: Councilor McGahhey moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the 641 Altamont Road parcel.

Motion carried.

e. Greater Greenville Sanitation District Annexation – 1080 Altamont Road

Action: Councilor McGahhey moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the 1080 Altamont Road parcel.

Motion carried.

f. Greater Greenville Sanitation District Annexation – 1000 North Parker Road

Action: Councilor McGahhey moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the 1000 North Parker Road parcel.

Motion carried.

g. Greater Greenville Sanitation District Annexation – Willimon Estates Subdivision

Action: Councilor McGahhey moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the Willimon Estates Subdivision.

Motion carried.

Item (10) ***Ordinances – Third Reading***

a. Zoning Ordinances

i. CZ-2026-027, Property of Harry Reynolds of Harvest Field LLC, located at 107 Prospect Street, requesting rezoning from R-7.5 to S-1.

Action: Vice-Chairman Bradley moved adoption of the ordinance at third reading.

Motion carried.

b. Transportation Penny Sales and Use Tax and Referendum

Action: Councilor McGahhey moved for adoption at third reading an ordinance to levy and impose a one percent sales and use tax subject to a referendum, with Greenville County, pursuant to Section 4-37-30 of the Code of Laws of South Carolina, 1976, as amended; to define the specific purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of general obligation bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Board of Elections and Voter Registration of Greenville County; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto.

Action: Councilor McGahhey moved to amend Section 1.2 of the ordinance as follows:

Pursuant to the terms of Section 4-37-10 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of highways, roads, streets, bridges, and other transportation related projects either alone or in partnership with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, et seq. of the Code of Laws of South Carolina 1976 as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one or more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects, inter alia, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time,~~;~~ provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects as provided in this Ordinance.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 1.3 (i) and (ii) of the ordinance as follows:

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 purposes:

(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.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 1.3 (iii) of the ordinance as follows:

(ii) For the purposes of this Ordinance, to the extent permitted by the Act, 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.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 1.4 of the ordinance as follows:

County Council finds that the imposition of a sales and use tax in Greenville County for the projects and purposes defined in this Ordinance for a limited time not to exceed 8 years to collect a limited amount of money will serve a public purpose, provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects as provided in this Ordinance to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in Greenville County, and promote public health and safety in the event of fire, emergency, panic, and other dangers, and prepare Greenville County to meet the present and future needs of Greenville County and its citizens.

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 2.4 (i) of the ordinance as follows:

The Sales and Use Tax shall be expended for the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:

(i) *For financing the costs of highways, roads, streets, bridges, and other transportation- related projects facilities, and drainage facilities related thereto, which may include, but not limited to:*

Local paving, resurfacing, congestion management, intersection improvements, transportation-related drainage projects, bike/pedestrian facilities, and rural road safety projects. Transportation projects shall be no more than $990,000,000 of the total amount collected.

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 be allocated ~~receive~~ a pro rata share of the total net taxable sales allocated within the municipality subject to submission to the County and the County approval of projects qualifying under section 3.2 of this Ordinance and subject to two reductions:

(a). *First, the net taxable sales collected within the municipality will be reduced by the municipality's prorated contributory share of the collected funds allocated to 2.4(ii) and 2.4(iii) for the county and municipalities as greenbelts and mass transit serve all residents of Greenville County.*

(b). *Second, after the prorated contributory share reduction in 2.4(i)(a), a twenty percent reduction will be applied to place the municipality in a similar position to enacting a tax pursuant to S.866, 126th General Assembly, and codified at S.C. Code Ann. Section 5-41-120(B) and (C)(3) requiring no less than twenty percent of the revenues collected by the municipality to provide a credit against a taxpayer's ad valorem tax liability.*

~~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 5-41-120(2)(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 that 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.~~

The amount of the maximum total funds to be collected which shall be expended for these projects and purposes shall be no more than $990,000,000.

Councilor Tripp requested clarification of the proposed amendment.

Councilor McGahhey stated the passage of SC 866 changed how the County would allocate revenue in the event the municipalities imposed their own tax. He stated it was important for the County to ensure that the mechanism for allocating funds to the municipalities was correct.

Councilor Tripp inquired about the proposed language and the net effect if the City of Greenville were to pass its own penny tax.

Councilor McGahhey stated the City of Greenville would receive a tax credit, and Greenville County would keep more of the proposed revenue.

Councilor Tripp asked whether the City would be able to receive its share from the County, less 20%.

Mr. Antley answered in the negative. He stated the Department of Revenue would collect the tax and submit it to the County quarterly. The County would allocate the funds pro rata to the municipalities. If a municipality spent the money for reasons outside the statute's allowable purposes, the County would be left "holding that bag," not the municipality. He stated the municipalities would submit road projects and Council would vote on them. The municipalities would have a "pot of money" for projects, administered and overseen by the County. Mr. Antley stated the County had to use the revenue for transportation purposes and tax relief. The General Assembly put in direct terms that municipalities had to return 20% of their taxes. If one of the municipalities passed a penny tax, 20% of the proceeds had to be given back to its taxpayers.

Councilor Tripp stated a number of municipalities were looking to put the penny tax on the ballot. He inquired how the revenue would be allocated for a municipality with a penny tax, as opposed to one without.

Mr. Antley stated they would all be treated equally as per the version of the ordinance that passed at second reading. The money would be allocated on a pro rata share. In the current iteration, the funds would be allocated to the cities, but the county would administer the money internally. He stated it was up to Council to determine how to handle the specific situation Mr. Tripp has presented.

Councilor Tripp asked whether the language complied with state law.

Mr. Antley stated it was believed they were in compliance with state law.

Chairwoman Pro Tem Seman stated she felt the proposed amendment was a good safeguard. The funds would not be sent directly to the municipalities, and there would be greater engagement to ensure it was used as intended.

Councilor Tripp asked if Council had veto power over the projects submitted by the cities.

Mr. Antley stated Council would vote on the projects as it was ultimately a “county tax.”

Councilor Tripp asked if Council would scrutinize the proposed road projects submitted by the cities.

Mr. Antley stated that was never the intent. Council’s responsibility was to ensure the funding was properly spent.

Councilor Shaw asked Mr. Antley to explain the phrase “greenbelts and mass transit serve all” residents of Greenville County. He asked where the language came from and whether it was “something we’re making up here, inventing” or taken from a statute.

Mr. Antley stated it was an explanatory phrase. He would have to review all the statutes used; however, he did not think it was included in any state statute.

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

Action: Councilor McGahhey moved to amend Section 2.9 of the ordinance as follows:

The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina 1976, as amended. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, are exempt from the tax imposed by this Ordinance. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are *exempt from the tax imposed by this Ordinance. The gross proceeds of the sale of unprepared food that lawfully may be purchased with United States Department of Agriculture food coupons pursuant to S.C. Code Ann. § 12-36-2120(75) are exempt from the tax imposed by this Ordinance. Consistent with S.C. Code Ann. § 12-36-2120(15)(a)-(f) and (28)(a)-(f), the fuels, prescription medications, medicine, and prosthetic devices as defined in South Carolina State law are exempt from the tax imposed by this Ordinance. The tax imposed by this Ordinance also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended.*

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

Action: Councilor McGahhey moved to amend Section 3.1 of the ordinance as follows:

The revenues of the Sales and Use Tax collected under this Ordinance must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administrating the tax, not to exceed one percent of such revenues (Section 4-37-30(A)(15) of the Code of Laws of South Carolina 1976, as amended), the State Treasurer shall distribute the revenues quarterly to the Greenville County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or county code errors must be corrected prospectively.

Motion to amend carried.

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

(a) ~~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 be allocated funding to be administered by the County from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator and section 2.4 of this Ordinance. 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 project list for incorporation into the County budget. The project list shall be submitted to County Council's consideration 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. This procedure shall not be construed to interfere with the rights, duties, and responsibilities between County Council and the County Administrator under South Carolina State Law budget provisions.

Councilor Shaw requested an explanation of the proposed amendment.

Councilor McGahhey stated the information needed to compile the project list would not be collected solely by staff and put out to the public. The projects would be approved by Council, not just staff and bureaucrats.

Councilor Shaw asked whether that process would take place before the referendum was placed on the ballot. With the Capital Projects Sales Tax, staff developed the list of projects for the voters to see prior to voting on the referendum; if passed, the projects would have been approved by a board created by Council. He stated with the proposed amendment, the voters would not know what they were voting on.

Councilor McGahhey stated the list of projects could be changed, as needed.

Chairman Blount inquired whether a list of possible projects would be compiled and ready to present to the voters prior to the election.

Councilor Shaw stated he wanted to make it clear to the voters they would be voting for a tax and have no idea which roads were to be fixed.

Chairwoman Pro Tem Seman stated she agreed with Mr. Shaw regarding the list of projects included in the Capital Projects Sales Tax. She hoped Greenville County would take a page from its municipal partners and release a list of road projects it hoped to fund with the penny tax. Ms. Seman stated a lot of work had been done on those projects, and with the collective wisdom of the body, perhaps they could “get that rolling pretty quickly” if things moved forward. She hoped the intent was to be as transparent as possible by releasing the proposed projects and allowing some leeway if other funds became available. If that were to happen, they could allocate the revenue elsewhere. Ms. Seman asked about the preparation of the project list for incorporation into the County’s budget. She asked whether the monies would be kept separate and if it would be listed in the budget.

Mr. Kernell stated any funding coming into the County needed to be included in the budget; therefore, the revenue generated would be part of the budget process. He stated the proposed amendment indicated staff would prepare the report and submit it to Council. They would try to get it to Council at a different time, as it would be a dedicated funding source. Mr. Kernell stated they would want to start before Summer 2027, as that was when construction typically began.

Councilor Tripp asked what would happen if Council denied a project submitted by one of the municipalities. He stated it did not appear as if they were thinking through “the good things and the bad things” that could happen. Mr. Tripp stated he assumed when the projects were presented to Council, there would not be a single vote on all of them.

Chairman Blount asked if there was a “backstop language suggestion” for a sentence that could be included to ensure it was legal.

Councilor McGahhey stated the budget would have to be passed eventually; Council could not just say "no" forever in perpetuity.

Councilor Tripp stated the current Council was "rife with political divisions." A city mayor liked by Council could get what they wanted; a mayor not liked by all Council Members could, in theory, see their projects denied. He inquired what would happen to that city's allocated funding and whether Council should have oversight to push back and deny a project, citing the project's failure to comply with state statutes. Mr. Tripp suggested some safeguards to ensure things were done right.

Chairman Blount stated Council would be aware of each municipality's share. He asked whether the language could be changed to indicate that as long as they were receiving their share, Council could not prevent them from doing what their plans called for.

Chairwoman Pro Tem Seman suggested adding a line stating Council would review the projects, but it was perfunctory as long as a project met the language of the law.

Mr. Kernell stated Council may want to consider something to the effect that projects shall be approved if they comply with state law.

Councilor Tripp asked whether the State could submit a funding request to the County for a secondary road.

Mr. Kernell stated it would be up to County Council whether to allocate County funds for that purpose.

Action: Chairwoman Pro Tem Seman moved to amend Mr. McGahhey's amendment to include language stating projects shall be approved by County Council as long as they comply with State law.

Motion to amend Councilor McGahhey's amendment carried.

Action: The amendment to Section 3.2(a) as amended was approved

Councilor McGahhey stated the next proposed amendment to Section 3.2 (b) had already been approved at second reading and should be disregarded.

Action: Councilor McGahhey moved to amend Section 4.2 of the ordinance as follows:

> *The County Auditor shall serve as an ex-officio member of the Transportation Transparency Committee. The remaining m~~M~~embers of the Transportation Transparency Committee shall be County residents who are neither elected nor appointed officials 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. ~~The County Auditor shall serve as an ex-officio member of the Transportation Transparency Committee.~~*

Councilor Shaw asked if the term "Transparency Committee" was a statutory name or made up by Council.

Mr. Antley stated the term was not a statutory name. It was introduced by a Council Member.

Councilor Shaw asked Mr. Tripp if the proposed Transparency Committee was similar to the committee associated with the Capital Projects Sales Tax.

Councilor Tripp stated it was generally the same; however, the previous committee required an audit of the funds.

Councilor McGahhey stated that the committee associated with the Capital Projects Sales Tax decided which roads would be included on the project list.

Councilor Tripp stated that was incorrect. The list was decided by the voters, and the committee administered it.

Councilor McGahhey stated the proposed Transparency Committee would be comprised of citizens, along with the County Auditor. The committee would determine how the funds would be spent and would safeguard taxpayers' money.

Councilor Shaw asked whether Mr. Case had been asked about serving on the committee. In going through the budget process, Mr. Case had expressed difficulty in his current workload, including keeping staff and competing with the private market for employees.

Action: Chairwoman Pro Tem Seman called for the question.

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

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

Action: Councilor McGahhey moved to amend Section 4.3 of the ordinance as follows:

> *With the exception of the County Auditor, who serves as an ex-officio member of the Transportation Transparency Committee, the m~~M~~embers of the Transportation Transparency Committee shall serve terms of four (4) years and until their successors are appointed and qualify; provided, however, that of the initial members, three (3) members shall serve initial terms of two (2) years as determined by County Council.*

Motion to amend carried.

Action: Councilor McGahhey moved to amend Section 5.2 (Ballot - Question 1) of the ordinance as follows:

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

Project (3) For financing the costs of greenbelts. To the extent permitted by the Act, 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. $77,000,000.

Councilor Collins stated the statute did not grant discretion to define transit that way, and doing so was a "misogynistic way of seducing the question" and misleading. He stated it gave a specific identity: transportation, roads, and greenspace. Mr. Collins stated the ballot question should contain only the minimal information required by the statute and not attempt to sway a particular bloc of voters. He stated the dollar amount should be put on the ballot.

Councilor McGahhey stated the dollar amount would change each year based on the amount of taxes collected; including an amount would be meaningless.

Councilor Collins stated he was referring to the percentage. He stated one of his colleagues previously read a definition "for like four minutes long," explaining in detail what greenspace was. Mr. Collins stated if a voter required that much of a definition, they probably should not vote on the ballot initiative.

Mr. Antley stated there was a basis in existing case law for including the definition. If the voters approved the penny tax, it could still be invalidated if someone challenged it. He stated one of the biggest issues was ensuring the ballot question transparently reflected the ordinance, as the voters would not have the ordinance at the ballot box. Other counties have had their penny taxes invalidated because they did not include enough information on the ballot. Mr. Antley stated it simply provided the exact definition and aligned it with existing South Carolina Supreme Court and Court of Appeals case law.

Councilor Collins stated he appreciated Mr. Antley's explanation; however, he had concerns about the length of the ballot question. He stated for a definition of mass transit, he could "go on impromptu for almost an hour."

Mr. Antley stated his job was not to determine what definition Council wanted to use. His role was to ensure the product they produced would withstand an attack. He stated it was up to Council to decide what to do with the question.

Action: Councilor Shaw moved to amend Mr. McGahhey's amendment by adding that the definition of mass transit include a robust and bona fide rideshare program, on an equal par with Greenlink, and would be equally supported by Council.

Action: Chairwoman Pro Tem Seman called for the question.

Chairman Blount stated Councilor Shaw had stated his amendment. He was not sure how to add a rideshare program and questioned whom the funding would be sent to.

Point of Order Councilor Tripp stated he consulted Artificial Intelligence and asked whether rideshare was considered mass transit. According to *Gemini*, traditional ride-sharing services like *Uber* and *Lyft* were generally classified as private on-demand transportation rather than public mass transit. Mr. Tripp stated, given that information, he would argue that Mr. Shaw's amendment was not germane to the definition of mass transit.

Councilor Shaw stated Council was a legislative body and anything it did was considered valid until denied by the courts. He stated if his colleagues did not want to include rideshare, it was fine. His intent was to put it out there to make it really transformative.

Point of Order Councilor Farmer asked Mr. Shaw if the intent of his amendment was to subsidize *Uber* and *Lyft*.

Councilor Shaw stated Council Members had unofficially discussed looking to the future by making rideshare a viable option. It worked, and the County could collect taxes from the providers. Mr. Shaw stated the language was not perfect, but he requested his colleagues take a chance on making it work. He requested a roll call on the vote.

Councilor Tripp asked whether the state definition of mass transit included private rideshare programs.

Mr. Antley stated mass transit was not defined under state law and he had no guidance on the matter due to the relatively recent implementation of such programs; he preferred not to hazard a guess. He stated the proposed definition read as follows: "mass transit is to include, but not be limited to." The point was what the courts determined mass transit to be, in terms of definition; the proposed definition imposed no restrictions and extended to the "outer limit" allowed by state law. Mr. Antley stated there was no robust case law for interpreting mass transit. If a case arose and a county independently asserted that it had allocated revenue to a rideshare initiative, and it was subsequently determined that such allocation did not meet the criteria, the associated risk was the lack of guidance on the matter.

Chairman Blount stated the South Carolina Code of Laws defined mass transit as "any ground surface vehicle such as a bus, rail, high-speed rail, or van used to convey human passengers. This service must be provided on a regular and continual basis to either the general public or selected groups."

Councilor Shaw stated many rideshare providers had vans. He stated Council could create its own rideshare agency. Mr. Shaw stated the bus system (Greenlink) probably began with private citizens transporting people from place to place. At some point, the city created the bus system. He stated a number of Council Members had discussed the issue, and he suggested providing funding for it.

Chairman Blount stated his concern was if the amendment was approved and later discovered to violate state law, it could ruin the actual agenda.

Councilor Shaw stated he did not understand how adding it would affect the ballot. He stated Mr. Antley had indicated the issue would be at the trial and appellate court levels, not at the ballot level.

Chairwoman Pro Tem Seman reiterated that she had called for the question approximately 10 minutes earlier.

Councilor Tripp asked if the Chairman was overruling his Point of Order. If so, he suggested they move to a roll call vote.

Chairman Blount stated he did not want to be accused of using AI to overrule and subsequently overruled Mr. Tripp's Point of Order.

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

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

Councilor McGahhey withdrew the next proposed amendment included in the agenda packet that would require at least 20% of the revenue collected pursuant to the ordinance be used to provide a credit against taxpayers' ad valorem tax liability. He stated it was not legal according to the referendum language under state law.

Action: Vice-Chairman Bradley moved to amend the Transportation Sales and Use Tax Referendum Ordinance to increase the percentage of the sales and use tax collected and expended for mass transit systems operated by Greenville County or jointly operated by the County and other governmental entities, from three percent (3%) to five percent (5%). This amendment shall be applied to the Ordinance as a whole to update the allocated numbers proportionally for internal consistency as needed.

Councilor Tripp asked Mr. Bradley whether the proposed amendment would change the percentages to 88% for roads, 7% for greenbelts, and 5% for mass transit, resulting in a 2% decrease in funding for roads.

Vice-Chairman Bradley answered in the affirmative.

Councilor Tripp urged his colleagues to vote against the proposed amendment.

Councilor McGahhey stated that, under the current 3% projection, Greenlink would receive a significant increase in funding compared to the amount it currently received from the County.

Action: Councilor Mitchell moved to amend Mr. Bradley's amendment, increasing the projected amount to Greenlink from 5% to 7%. He stated there was a lot of misinformation circulating about how the penny tax would impact Greenlink. An additional million dollars would not ensure they could make real improvements. He stated he would like to see Greenlink make real advances, thinking outside the box and doing creative things.

Councilor Tripp stated, in conversations with people involved in mass transit and other interest groups, there was an assumption that if the percentage was raised, the item could be removed from the tax rolls. He asked what would happen if the County chose not to do that. He likened it to "creating a kingdom," which made him nervous.

Action: Councilor Collins moved to line-item the 1% tax, transportation, and greenspace, each as a separate line item, and define transportation. He stated if those proposed amendments were not possible, he would move to allocate all revenue to transportation.

Chairman Blount asked Mr. Antley if Mr. Collins could make those amendments.

Mr. Antley stated under Mason's, a motion to amend could be made as well as an amendment to the amendment; however, tertiary amendments were not allowed. Currently, Mr. Bradley's motion to amend was on the floor as well as Mr. Mitchell's amendment to amend.

Councilor Collins withdrew his amendments.

Councilor Fant stated he knew certain segments of the community were extremely hostile toward public transportation and very vocal in their opposition. He asked whether there was a way to fund public transportation without making the taxpayers responsible. Mr. Fant stated it could possibly ease some of the hostility. If funding for public transportation did not come out of property taxes, was not part of the general fund, and was funded by people who did not live in Greenville County, it might reduce some of the hostility.

Councilor Tripp requested clarification regarding Mr. Mitchell's amendment.

Chairwoman Pro Tem Seman stated the amendment would change the proposed breakdown to 86% for roads, 7% for mass transit, and 7% for greenbelts.

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

Point of Information Councilor Collins inquired as to when he would be able to make his amendments.

Chairman Blount stated there had already been two amendments to the amendment. He stated Mr. Collins did not submit his amendments in advance of the meeting, as required by Mason's at third reading. He stated that amendments to an amendment could be made only twice.

Point of Information Councilor McGahhey stated the first amendment to the amendment had been settled, and any additional amendments should not be considered tertiary.

Mr. Antley stated the time to make motions to amend had already passed; it was when Mr. Mitchell made his motion to amend.

Vice-Chairman Bradley's motion to amend was denied by a roll call vote of six (Blount, Farmer, Mitchell, Seman, Fant, Bradley) in favor, five (Long, Shaw, McGahhey, Collins, Tripp) in opposition, one (Russo) absent.

Action: Chairwoman Pro Tem Seman moved to approve the Transportation Penny Sales and Use Tax and Referendum ordinance as amended.

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

Item (11) ***Ordinances - Second Reading***

a. Simpsonville Fire Service Area / Millage Request

Action: Councilor Collins moved for approval at second reading an ordinance to provide for an increase to the operating millage rate levied by the Simpsonville Fire Service Area.

Motion carried.

b. Simpsonville Fire Service Area / General Obligation Bond Issuance

Action: Councilor Collins moved for approval at second reading an ordinance to provide for the issuance and sale of not exceeding $1,200,000 Greenville County, South Carolina, General Obligation Bonds (Simpsonville Fire Service Area Project), in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

Motion carried.

Item (12) ***Ordinances - First Reading***

a. Zoning Ordinances

Vice-Chairman Bradley presented for first reading Zoning Dockets **CZ-2026-031** through **CZ-2026-040.**

Chairman Blount referred the items to the Planning and Development Committee.

b. Wireless Communication Facilities Ordinance

Councilor McGahhey presented for first reading an ordinance to provide regulations of wireless communications facilities, including cell towers, in the unincorporated areas of Greenville County.

Chairman Blount stated the item would remain on the floor.

c. South Greenville Area Fire District / General Obligation Bond

Councilor Collins presented for first reading an ordinance finding that South Greenville Area Fire District, South Carolina, may issue not exceeding $1,000,000 of General Obligation Bonds in one or more series; to authorize the Board of Fire Control of the South Greenville Area Fire District, South Carolina, to issue such bonds and to provide for the publication of notice of the said finding and authorization.

Chairman Blount stated the item would remain on the floor.

d. Anderson - Greenville County / Multi-County Industrial Business Park Agreement Amendment - Project Signature Foods

Councilor Collins presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

Chairman Blount stated the item would remain on the floor.

Item (13) ***Committee Reports***

a. Committee of the Whole

No report.

b. Committee on Finance

Chairman Blount stated the items on the last Committee on Finance agenda had been addressed during the evening's meeting.

c. Committee on Communications and Governmental Affairs

Councilor Farmer reported the Appalachian Council of Governments made a presentation at the last Committee on Communications and Governmental Affairs. He stated that agency represented a number of Upstate counties, working together to build "synergy." Mr. Farmer stated the meeting recording was available on YouTube.

d. Committee on Planning and Development

No report.

e. Roads, Infrastructure and Public Works Committee

No report.

f. Committee on Public Safety and Human Services

Councilor Collins stated he had received approximately 40 emails regarding Flock Cameras. He stated he had forwarded some of those emails to Sheriff Lewis and he agreed to review the situation. Mr. Collins stated he had a ride-along scheduled with the Coroner the following week.

g. Oversight Ad Hoc Committee

Councilor Long reported PFM Group out of Charlotte, NC, had been hired to complete the performance evaluations; they were expected to start the process the end of July or the first of August.

h. Short-Term Rentals Ad Hoc Committee

Chairwoman Pro Tem Seman stated the next meeting of the Short-Term Rentals Ad Hoc Committee would be held in August. She thanked the committee members for taking time to meet with citizens and citizen groups to gather additional input.

Item (14) ***Public Comments***

- **Harrison Musselwhite -** appeared regarding Item 9.a. South Greenville Area Fire District / General Obligation Bond - Request for Public Hearing
- **Kyle Rowan -** appeared regarding Item 12.a.v. CZ-2026-035
- **Brenda Buchik -** appeared regarding Item 12.a.v. CZ-2026-035
- **Robert Steves -** appeared regarding Item 12.a.v. CZ-2026-035
- **Michael Roth -** appeared regarding Item 16.a. Tigner Woods

Item (15) ***Administrator's Report***

Mr. Kernell stated the County just ended its fiscal year on June 30. In response to comments from some of the evening's speakers, the County underwent a financial audit every year, as required by state law to receive state funding. A yearly audit was also required to receive federal grants, and the County's bond ordinances also required one. The annual audit was part of the County's business, just like those of a school district or a municipality. Mr. Kernell stated the audit would be underway shortly and completed by independent auditors. Once it was completed, a financial report would be presented publicly at a Finance Committee meeting; the statements were also published on the County's website. Currently, there were financial statements dating back 10-15 years on the website. Mr. Kernell stated the audit should be completed by October or November.

Item (16) ***Requests and Motions by Council Members***

a. Motion to Request the Planning Commission to Reconsider Tigner Woods

Action: Councilor Fant moved to request the Planning Commission reconsider their decision regarding the Tigner Woods development.

Mr. Fant stated he would like to provide an explanation regarding the request. In 2019 and 2020, the EPA threatened to sue Greenville County over nitrate levels in the lower parts of the County and discharges into creeks, rivers, and streams; the County faced a $500 million fine. The potential lawsuit led to the consolidation of the area's sewer providers.

Samples from the rising water tables in Southern Greenville County showed human DNA in some well water. Those findings led to the idea of restricting septic tank subdivisions in the southern part of Greenville County. Currently, there was a 1.5-acre requirement for subdivisions with septic systems in the unzoned areas and a 100-foot riparian buffer requirement.

Councilor Fant stated Mr. Antley informed him that the Planning Commission bylaws did not allow reconsiderations when a mistake was made and that Council had to request one. He stated he hoped those bylaws could be changed so that, in the event of a mistake, the Planning Commission could correct it without Council involvement. Mr. Fant stated several of the Planning Commissioners contacted him after the decision was made. He gave staff credit for indicating there had to be a reason to deny.

Councilor Fant stated the applicant had initially indicated sewer; however, when it was presented to the Planning Commission, it was changed to septic. The proposed subdivision was to be built in an area where the water table was high, and nitrate levels were elevated. It was noted that ReWa had stated the sewer was either inaccessible or not approved.

Councilor Fant stated he had received numerous complaints about the issue and tried to explain that Council did not approve the subdivisions. He attended the Planning Commission meeting in June. Staff had advised the commission that they could deny the request because the sewer had not been approved; however, the commission approved it.

Chairwoman Pro Tem Seman asked whether staff approved the request.

Councilor Fant stated the application was submitted as sewer; staff and the Planning Commission approved the request.

Councilor Tripp asked whether the lots were 1.5 acres each.

Councilor Fant stated the lots were not 1.5 acres because the parcel was zoned R-S.

Councilor Tripp referenced a recent newspaper article about the County being sued because Council was telling the Planning Commission to do its job. He stated if the developer followed the law, the law needed to be changed. Mr. Tripp stated he was concerned they were being a “bit rogue.”

Chairman Blount asked why the request was not referred back to staff when the request was changed to septic.

Councilor Fant stated he could not answer Mr. Blount’s question.

Chairwoman Pro Tem Seman stated she was not currently in favor of the motion to request, but was open to hearing more information. She inquired if the item could be held.

Councilor Tripp asked whether the developer had vested rights in the property; if so, he wanted to know how much. He stated the 30th day was the following day.

Mr. Antley stated he could not answer Mr. Tripp's question as he had not researched the issue.

Councilor Fant confirmed the next day was the 30th day.

Councilor Tripp asked if the application violated state law or County ordinance.

Mr. Antley stated he had not reviewed the developer's application.

Councilor McGahhey suggested asking staff when the application was changed from sewer to septic. He stated if it was changed without anyone's knowledge, it could be considered a factual change to the facts originally voted on, allowing Council to request the Planning Commission reconsider its vote. Mr. McGahhey stated he was not in favor of the motion; however, he was open to obtaining additional information.

Chairman Blount asked if holding the item would put "anything in peril" regarding the timeline for the request.

Chairwoman Pro Tem Seman asked a staff member in the audience if they had any context regarding how the application was changed. She was advised the application did not change; it was submitted as septic.

Councilor Fant stated the application was originally submitted as sewer.

Chairman Blount invited the developer, Michael Roth, to address Council.

Michael Roth stated during the subdivision advisory process, a "flow request" was sent to ReWa and Metro. Those entities determined whether sewer was feasible and available and if the request for septic was approved. Mr. Roth stated ReWa and Metro's position was that sewer was feasible and available; septic was not approved. He stated the developer's position was that sewer was not available or accessible under state law, which ruled in the matter, and was moving forward with a septic subdivision. He stated in staff's recommendation for approval, as part of general recommendations for any subdivision, approval must be obtained from ReWa, Metro, or SCDES because that agency governed septic permits.

Jonelle Phillips, Vice-Chairperson of the Planning Commission, addressed Council. She stated she did not disagree with Dr. Fant on the sewer issue and she had many concerns. There had been similar situations with other subdivisions where ReWa and Metro indicated that a developer had to do the sewer, but the developer decided they did not want to do it and chose septic. Ms. Phillips stated ReWa and Metro were part of the Subdivision Advisory Committee and that she believed their involvement gave them the authority. She spoke with the County Attorney's office and was told even though Metro's boundaries were expanded through the consolidation, it did not necessarily mean Metro made the decision. If a developer did not want to use sewer, they could talk with SCDES, and SCDES was only concerned with whether a parcel perked. Ms. Phillips stated the applicant planned to use septic from the beginning, which was a concern. The Planning Commission had no way to challenge it based on its regulations. She stated it did not appear any false information had been given.

John Holland, Chairman of the Planning Commission, stated ReWa and Metro had indicated sewer was available and feasible; however, there was no definition for those terms. The developer had indicated sewer was not feasible for them. He stated they were "stuck" because the Planning Commission did not create the LDR's; the County did.

Chairman Blount stated he was glad they took time to gather additional information. His goal had been to make sure "the applicant wasn't pulling a bait and switch."

Chairwoman Pro Tem Seman stated they were in a very precarious position, with Ms. Phillips and Mr. Holland addressing Council on the off chance the item was sent back to the Planning Commission. She felt Council had enough information to make a decision.

Councilor McGahhey inquired why the County had a policy if the sewer providers said the sewer was available and the applicant could refuse. He asked whether there was a way to preserve and extend the 30-day limit.

Mr. Antley stated that discussion was better suited for an Executive Session, allowing his staff time to put some information together.

Councilor Tripp stated sewer may be available and feasible to Metro and ReWa, but the economics of the situation were a different issue. Sewer may be available half a mile down the road and would cost the developer $500,000-$1,000,000 to tap into. He stated that was the problem. Mr. Tripp stated it did not appear to be a "willy-nilly" decision on the developer's part, but more of a "kingdom building exercise" by Metro and ReWa. He stated that was what needed to be addressed and he did not know if it could be done after the fact.

Mr. Antley stated if Council wanted legal advice on the issue, it would be in the County's best interest to obtain it with the attorney-client privilege intact, and the only way to do so was through an executive session.

Councilor Blount asked whether the County would be negatively affected if the item was held.

Mr. Antley stated he could not answer Mr. Blount's question. He had not reviewed the issue sufficiently to guide Council one way or the other. He stated there was no case law directly addressing it.

Councilor Mitchell asked Mr. Antley if there was time for that within the 30-day limit.

Mr. Antley stated they were assuming there was a 30-day limit that was somehow sacrosanct or not. He stated it could be a "bone of contention in litigation," and he reiterated it should be discussed in an executive session. Otherwise, they were losing attorney-client privilege.

Action: Councilor Tripp moved to refer the item to the Committee of the Whole.

Motion carried.

Item (17) ***Adjournment***

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

The motion carried and the meeting was adjourned at 8:53 p.m.

Respectfully submitted:

____

Regina McCaskill
Clerk to Council