

No. \_\_\_\_\_

**A RESOLUTION**

**TO INITIATE THE DEVELOPMENT OF A PROJECT LIST AND REFERENDUM BALLOT PURSUANT TO S.C. CODE SECTION 4-37-10 ET SEQ. “OPTIONAL METHODS FOR FINANCING TRANSPORTATION FACILITIES”; TO ESTABLISH A GREENVILLE CITIZEN ROADS ADVISORY COMMISSION; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.**

**WHEREAS**, as the population of South Carolina and Greenville County (“County”) has grown so has the volume of vehicle miles driven on roads in the County, leading to increased traffic, deteriorating road surfaces and over-saturated highway capacities,

**WHEREAS**, the costs of maintaining and building roads have exceeded the annual federal and state appropriations over a number of years and citizens have expressed a desire to explore options to provide additional funding for the improvement of road infrastructure serving Greenville County;

**WHEREAS**, the South Carolina General Assembly enacted the Transportation Facilities Sales Tax, S.C. Code Ann. § 4-37-10 *et seq.* (hereinafter referred to as the “Act”) authorizing County Council to call for a referendum of the registered voters of the County on the question of imposing up to a one percent (1%) sales and use tax to fund transportation facilities in the County;

**WHEREAS**, the Act can be used to fund transportation projects including the improvement of the road systems in the County for an amount of time as established by County Council and it is estimated that a one percent (1%) sales and use tax in County would generated approximately \$65 million per year,

**WHEREAS**, the purpose of the commission is to put forward a project list to the governing body of the county for use in the development of an ordinance that sets forth the transportation projects to be funded by the tax and the time limit for the imposition of the sales tax; and

**WHEREAS**, County Council desires to create a “Greenville Citizen Roads Advisory Commission” to consider proposals for road improvements and related projects within the County, to receive citizen input, and to put forward its recommendation on projects to be funded by a voter-approved one percent (1%) sales and use tax in Greenville County.

**NOW, THEREFORE, BE IT RESOLVED** that:

**Section 1. Creation of the Greenville Citizen Roads Advisory Commission.**

There is hereby created a Greenville Citizen Roads Advisory Commission (hereinafter referred to as the “Commission”) consisting of \_\_\_\_\_ (#) members, all of whom must be residents of Greenville County, South Carolina.

**Section 2. Appointment and Organization of Commission Members.** The \_\_\_\_\_ (#) members of the Commission shall be appointed according to procedure set forth as follows:

- A. Within forty-five days (45) after the adoption of the Resolution: 1) County Council shall appoint \_\_\_\_\_ (#) members; and 2) the remaining \_\_\_\_ (#) members will come from the municipalities within the County, who must be residents of the municipality they are representing. The municipal representative will be appointed by County Council upon the recommendation of the municipal governing body. Should any municipality fail to recommend a representative to the Commission with the forty-five day period, County Council will proceed to fill the vacancy with a qualifying member. Any other vacancy occurring during the Commission's existence shall be filled in the same manner of the original appointment. Elected officials are ineligible to serve as Commissioners.
- B. The Commission at its organizational meeting shall elect one of its members to serve as Chairman, and another to serve as Vice-Chairman. Meetings of the Commission shall be public. County Administration will provide resources and assistance to the Commission in its efforts pursuant to this Resolution.

**Section 3. Duties and Responsibilities of the Commission.** The Commission shall have the following duties and responsibilities:

- A. The Commission created by this Resolution shall consider proposals for road improvement and related projects within the incorporated and unincorporated area of Greenville County. The selected projects must fall within the scope of the following allowable projects: highways, roads, streets, bridges and related facilities. Additionally, the project list should be developed to approximate the estimated revenue from corresponding to an eight (8) year sales and use tax imposition.
- B. The Commission shall receive citizen and community input, pursuant to a process to be established by the Commission, regarding potential road improvement and related projects to be funded by a one percent (1%) sales and use tax.
- C. By April 1, 2014, the Commission shall adopt and transmit a project list to Greenville County Council. Should the Commission require additional time to complete and transmit its list, County Council, upon request of the Commission, may grant up to a thirty day extension.
- D. Once the Commission has adopted and transmitted its project recommendations to County Council, the Commission will be considered to be dissolved, unless County Council adopts a new resolution extending the Commission existence and/or amending its duties. Should for any reason, the Commission fail to make a timely project list transmission by April 1, 2014, County Council reserves the right to proceed to formulate a list for final consideration and adoption by ordinance.

**Section 4. Action by County Council.** Upon completion of a project list, County Council may vote to impose the tax authorized by this section, subject to voter approval in a referendum, by enacting an ordinance pursuant to provisions of S.C. Code Ann. Section 4-37-30 (Supp. 2012). The ordinance will include the project or projects and a description of the project or projects for which the proceeds of the tax are to be used, which under State law may include projects located within or without, or both within and without, the boundaries of the county imposing the tax. The ordinance will also include:

- A. The maximum time, stated in calendar years or calendar quarters, or a combination of them, or the length of payment for each project whichever is shorter in length, for which the tax may be imposed;
- B. The estimated capital cost of the project or projects to be funded in whole or in part from proceeds of the tax and the principal amount of bonds, if any, to be supported by the tax; and
- C. The anticipated year the tax will end.

**DONE IN REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

GREENVILLE COUNTY COUNCIL

\_\_\_\_\_  
Bob Taylor, Chairman  
Greenville County Council

ATTEST:

\_\_\_\_\_  
Theresa B. Kizer  
Clerk to Council

\_\_\_\_\_  
Joseph M. Kernell  
County Administrator