



GREENVILLE COUNTY COUNCIL

Minutes

Special Called Meeting

March 13, 2019

12:03 p.m.

County Square – Conference Room D

Council Members

Mr. Butch Kirven, Chairman
Mr. Willis Meadows, Vice Chairman
Mrs. Xanthene Norris, Chairman Pro Tem
Mr. Joe Dill
Mr. Mike Barnes
Mr. Sid Cates
Mr. Rick Roberts
Mr. Bob Taylor
Mrs. Liz Seman
Mr. Ennis Fant, Sr.
Mr. Lynn Ballard
Mr. Dan Tripp

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the County Square and made available to the newspapers, radio stations, television stations and concerned Citizens.

Council Members Absent

None

Staff Present

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Bob Mihalic, Governmental Relations Officer

Others Present

None

Call to Order

Chairman Kirven

Invocation

Councilor Dill

Item (3) Executive Session

Action: Vice-Chairman Meadows moved to go into Executive Session for discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee regulated by the County Council, or the appointment of a person to a public body. (Personnel Matter)

Motion carried unanimously and the Special Called Meeting entered Executive Session at 12:05 p.m.

Reconvene

County Attorney Mark Tollison reported the Special Called Meeting out of Executive Session stating no action was taken during that session. The Special Called Meeting reconvened at 1:30 p.m.

Item (4) County Administrator Contract

Action: Councilor Joe Dill moved to approve the new contract for the County Administrator as reviewed and discussed in Executive Session for a three (3) year term with an annual base salary of \$280,624, and to authorize the Chairman of County Council to execute the contract on behalf of Council.

Action: Councilor Taylor called for the question.

Vice-Chairman Meadows stated it was a bit premature to call for the question.

Motion to call for the question was denied by a roll call vote of six (Dill, Barnes, Cates, Taylor, Kirven and Tripp) in favor and six (Meadows, Roberts, Norris, Seman, Fant and Ballard) in opposition.

Vice-Chairman Meadows stated the topic being discussed was not the fault of the Administrator. Mr. Meadows stated the terms of the contract were negotiated years ago and Mr. Kernell accepted the terms. He added it was not Mr. Kernell's fault that Council Members had not seen the terms of the contract nor was it Mr. Kernell's fault that Council had not completed a job evaluation. Mr. Meadows stated Council had not done their job and he did not want it to be in the press, or anywhere else, that Joe Kernell was the reason Council was meeting.

Action: Vice-Chairman Meadows moved to amend Councilor Dill's motion by stating Mr. Kernell's contract would continue for the rest of the year or until a new contract was negotiated and approved; Mr. Kernell would retain his current salary and benefits until such time the new contract was approved by Council.

Councilor Roberts stated the public did not expect Council to be handed a contract today and then vote on it. He stated the Administrator's contract was probably the most important function of Council as a body. He added in his opinion, the Administrator's current salary was "way out of line." Mr. Roberts stated he agreed with Mr. Meadows' proposed amendment and suggested hiring an outside consultant to determine what Mr. Kernell's job was worth. He stated the County had retained an outside consultant firm to evaluate positions in the EMS department and he felt the same should be done with the Administrator's job.

Councilor Dill inquired if Mr. Robert's suggestion regarding an outside firm to evaluate the Administrator's job was an amendment to Mr. Meadows' motion.

Councilor Roberts stated it was just a suggestion.

Vice-Chairman Meadows clarified his motion to state Mr. Kernell's salary and benefits would continue until the end of 2019 or until a new contract could be negotiated and approved by Council. He added that although this would allow seven (7) months to accomplish the task, he did not feel it should take that long. Mr. Meadows stated Council had not been given an opportunity to study the proposed contract; there may be items to be added, revised or deleted. He stressed the importance of Council working together.

Chairman Kirven stated he agreed with Mr. Meadows that certainty needed to come out of the meeting as opposed to more uncertainty; however, the idea that Council would be able to agree on the Administrator's contract anytime soon was questionable.

Councilor Fant stated his agreement with Vice-Chairman Meadows. He added he was big on fiduciary responsibility to taxpayers and it was Council's responsibility to put forth a contract and negotiate it with the Administrator. Mr. Fant stated he totally supported Joe Kernell and the job he was doing. It was not Mr. Kernell's fault that he was in this position; it was Council's fault. Mr. Fant stated it was important that Council leave the meeting unified; it was impossible to be productive in the area of economic development with a divided Council. He stated Council had to show harmony and an ability to work together in the spirit of cooperation, particularly in regards to the Administrator.

Councilor Dill stated it was wrong to try and backstab Mr. Kernell by dismissing the proposed contract. It was also wrong to suggest the County hire a consultant to study the Administrator's position at a cost of \$50,000 to \$75,000 and then be told that one of the best administrators in this part of the country was not worthy of the terms of the contract. He stated Mr. Kernell had maintained the county's AAA bond rating for years and had done an excellent job helping to bring businesses to Greenville County. Mr. Dill cited achievements such as the Matrix Business Park, with a profit of \$3 million and the County retaining 40% ownership of the park as well as the University Ridge Project, which stood in jeopardy due to the issues regarding Mr. Kernell's contract. He stated Council did not need to leave the meeting with some members appearing to be obstructionists and others looking to move ahead.

Vice-Chairman Meadows stated no one had backstabbed Mr. Kernell.

Councilor Dill inquired would anything change if a contingent contract was approved for an Administrator who deserved a full contract. If the contract presented was approved, it would be reviewed in a year and could be changed, if necessary.

Vice-Chairman Meadows stated the contract could be approved within the year with all Council Members in agreement with the terms.

Councilor Tripp stated he felt it was unfair to the Administrator to have him negotiate a contract between himself and a divided Council. He added there were no surprises in the proposed contract. Mr. Tripp stated it was a huge risk to Greenville County to leave management with a shadow over its head and to bring uncertainty to the county. Greenville County was one of approximately 20 - 30 counties out of 3000 with AAA bond rating; part of the rating structure came from the county's management team. Mr. Tripp stated it was "stupid" to leave Joe Kernell "hanging." While he did not like everything Mr. Kernell did, he realized he had a lot on his plate. It was a mistake for Council to get hung up on little details that have accrued to Council's benefit, not to Mr. Kernell's benefit. Mr. Tripp suggested Council pass the proposed contract.

Councilor Fant asked if Council could agree to come back and negotiate a finalized contract with Mr. Kernell within 90 days; he added this would take the uncertainty and open-endedness out of the issue. Mr. Fant stated Council could then leave the meeting unified, at least for the day.

Chairman Kirven stated it was time to vote on Mr. Meadows' amendment.

Action: Councilor Ballard called for the question.

Vice-Chairman Meadows accepted the 90-day clause as a friendly amendment to his motion.

Without objection, the motion to call for the question was approved.

Motion to amend was denied by a roll call vote of six (Meadows, Roberts, Norris, Seman, Fant and Ballard) in favor and six (Dill, Barnes, Cates, Taylor, Kirven and Tripp) in opposition.

Motion as presented carried by roll vote of seven (Dill, Barnes, Cates, Taylor, Seman, Kirven and Tripp) in favor and five (Meadows, Roberts, Norris, Fant and Ballard) in opposition.

Item (5) **Adjournment**

ACTION: Vice-Chairman Meadows moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 1:49 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council