



**GREENVILLE COUNTY COUNCIL**  
Committee of the Whole  
Minutes

Special Called Meeting  
June 12, 2020  
3:30 p.m.

County offices closed for public meetings  
Meeting conducted by remote participation

**Council Members present by remote participation**

Mr. Butch Kirven, Chairman, District 27  
Mr. Willis Meadows, Vice Chairman, District 19  
Mrs. Xanthene Norris, Chairman Pro Tem, District 23  
Mr. Joe Dill, District 17  
Mr. Mike Barnes, District 18  
Mr. Sid Cates, District 20  
Mr. Rick Roberts, District 21  
Mr. Bob Taylor, District 22  
Mrs. Liz Seman, District 24  
Mr. Ennis Fant, Sr., District 25  
Mr. Lynn Ballard, District 26  
Mr. Dan Tripp, District 28

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

**Council Members Absent**

None

**Staff Present by remote participation**

**Joe Kernell**, *County Administrator*  
**Mark Tollison**, *County Attorney*  
**John Hansley**, *Deputy County Administrator*  
**Regina McCaskill**, *Clerk to Council*  
**Jessica Stone**, *Deputy Clerk to Council*  
**Shannon Herman**, *Assistant County Administrator*  
**Nicole Wood**, *Assistant County Administrator*

**Others Present**

None

**Call to Order**

**Invocation**

Councilor Sid Cates

**Item (3)****Consideration of the Greenville County CARES Act Plan**

Chairman Kirven stated in April, the U.S. Treasury Department published a list of counties and other local governments that were eligible to receive a direct allocation of money in response to the COVID-19 pandemic. Greenville County received \$91.4 million out of the \$150 billion Coronavirus Relief Fund. This was unsolicited money; Greenville County received funds due to the fact that its population exceeded 500,000. According to the U.S. Treasury Department, the CARES Act would provide fast and direct economic assistance for American workers and families, for small businesses and to preserve jobs for American industries. It was important to note that the money did not belong to Greenville County and was not part of the County's budget. It was federal money but the County was accountable for it; the federal guidelines regarding disbursement of the money included the following provisions:

- Funds were limited to reimbursements for actual expenses related to COVID-19 after March 1, 2020
- The funds were to be used to restart the local economy by assisting small businesses, including non-profits, that were interrupted by COVID-19
- Funds may not be used for capital expenditures
- Funds may not be used to replace lost revenue
- The goals broadly expressed from the outset included a desire to spread the available money as widely and as fairly as possible throughout Greenville County.
- To provide easy and open access to grant applications
- To ensure that minority-owned businesses had access to the funds
- To keep within the federal guidelines and to maintain a reserve for future contingencies

Mr. Kirven introduced Joe Kernell, County Administrator, to present the County's proposed plan to disburse monies from the Coronavirus Relief Fund.

Mr. Kernell stated there were very important guidelines associated with disbursement of the funds; they were to only be used to cover incurred costs that were directly related to the COVID-19 pandemic. The CARES Act provided for any expenditures not accounted for in the most recently approved budget, as of March 27, 2020; it also provided for any expenditures incurred in the period beginning March 1, 2020 through September 30, 2020.

There were a number of unknowns associated with the funds when they were received; the guidelines were released much later and were actually still being released. Staff had been modifying the plan and putting ideas together. They reached out to a number of entities across Greenville County to assist in formulating recommendations for disbursement of the funds. United Way distributed a survey to some of its affiliate non-profit organizations; some "hard numbers" came back regarding what expenses had been incurred and were anticipated due to COVID-19.

The County, along with the Chamber of Commerce, the City of Greenville and GADC, were part of a task force created to determine where the funds could be most beneficial in the community; Councilor Seman was a member of the task force. Staff reached out to the local municipalities, the fire districts and the Special Purpose Districts to identify expenses they had incurred. Agency partners, such as the Arena District, Greenlink and the Phoenix Center, were also contacted to determine their potential needs. Mr. Kernell stated Greenville County Redevelopment Authority was a big discussion point as it was the County's affordable housing "arm"; a number of HUD funds flow through the County to GCRA. John Castile was very helpful during discussions with GCRA.

Once all the information had been compiled, staff developed recommendations which met the intent of the funds. The recommendations spanned the entire County and reached as many individuals and businesses as possible in order to recover from the pandemic.

Based on the information gathered, it was determined that small businesses were the “backbone” of the local economy. Staff concluded it was beneficial to assist small businesses with either reopening or continuation of services. Mr. Kernell stated the County’s plan recommended that funding from the CARES Act be used to cover expenses incurred due to the pandemic. Examples of covered expenses included PPE (personal protective equipment), costs for changes in business practices due to the pandemic and inventory replenishment. There were more than 13,000 small businesses in Greenville County, which accounted for 85% of all establishments; the plan recommended directing some of the funds to those businesses.

The *Small Business Relaunch Program* was designed to boost the county’s recovery efforts by helping small businesses rebound from the crisis while being a lifesaver for them. The program would not establish new businesses; it would take existing businesses and get them up and operating again, if possible.

The program would be instituted in two phases. The first phase would be for businesses that did not receive funds from the CARES Act Paycheck Protection Program (PPP), Economic Injury Disaster Loan (EIDL) or benefitted from the SBA Debt Relief Program; the second phase would begin approximately 14 days after the launch of the program and would be open for all small businesses to participate in. Some of the businesses that did receive funds from those sources had to use the money for items such as payroll; funds from the *Small Business Relaunch Program* could not be used for payroll.

The process to disburse the funds was designed to be very streamlined. Businesses may apply online; the application would also be processed online. This method would get money into the hands of business owners quickly in order to facilitate the recovery process. Funding would total \$75 million; \$70 million for small business relaunch efforts. Businesses with 1-5 employees (tier 1) could apply for grants up to \$5000 and businesses with 6-50 employees (tier 2) could apply for grants from \$5000 - \$10,000. The funds could be used for costs associated with the virus but not for revenue replacement.

Mr. Kernell also discussed implementation of the *Minority Small Business Relaunch Program* with funds totaling \$5 million to be used for businesses that were at least 51% owned by one or more minority individuals. The qualifications were the same as for the *Small Business Relaunch Program*. Minority business owners would be able to apply for both programs but could only receive funds from one. Staff had determined there were adequate funds available to assist all the small businesses in Greenville County, if they all chose to participate. County staff had been in touch with various financial organizations to assist with processing the applications in order to find them quickly. Mr. Kernell stated nothing was currently in place but would be in the very near future. The financial institutions had expressed interest in assisting.

Examples of small businesses ineligible to receive funds included adult entertainment establishments, banks, savings and loan or credit unions, e-commerce only companies, liquor/wine stores, vaping stores, tobacco stores and franchised businesses not locally owned and independently operated.

After receiving the funds, each business was required to submit a “close out report” itemizing what the funds were used for; this would ensure proper documentation in case the county was audited at a later date. Greenville County was responsible for the money; therefore, appropriate documentation was necessary. Staff hoped to keep the process streamlined so as not to cause hardship for any business or entity. If a non-profit - 501(C)(3) - had expenses associated with the pandemic that had affected its business, they could also apply for the grant funds.

Mr. Kernell stated staff recommended a \$1.5 million allocation to the *County Government Fund* to reimburse the County for unbudgeted expenditures directly related to the Coronavirus epidemic. There

were costs associated with telecommuting, PPE, online payment fees, etc. The local municipalities had also been contacted regarding any costs they had incurred to date as well as any anticipated expenditures going forward. A total of \$1 million had been set aside in the *Municipal Government Fund* for the six (6) cities located in the County.

The *Special Purpose District Fund* was set up to reimburse the County's Special Purpose Districts for any unbudgeted expenditures directly related to the pandemic. Mr. Kernell stated there were over 35 fire districts in Greenville County; they had incurred some expenditures associated with PPE, medical testing and telehealth. A total of \$500,000 had been allocated for the fund.

A total of \$2 million had been set aside for the *County Related Agency Fund* to reimburse those agencies for costs directly related to the Coronavirus pandemic. This included agencies such as the Arena District, Greenville Transit Authority and the Phoenix Center. County Council appointed members to their governing boards; the County had some financial interest in those institutions and wanted to keep them as healthy as possible. The Arena District had identified a plan to reopen, which would be somewhat challenging and would require funding from the County.

Funding for housing, rent assistance and child care would enhance the Greenville County Redevelopment Authority's community housing and utility relief in the unincorporated areas as well as the six surrounding municipalities within the County; funding totaled \$3.5 million. GCRA had been utilizing some alternate funding sources; the amount funded would supplement those sources. Child care was a very important aspect in getting people back to work. If a business reopened, it would be very difficult for a parent to return to work if daycares were not open. Greenville County was currently experiencing the exact issue with some of its employees.

Agencies dealing with public health and community health would be able to apply for funds if they had experienced unforeseen expenses due to COVID 19, such as expanded meal delivery, patient care and testing, convalescent care, homeless care, food, mental health and drug/alcohol treatment. During crisis, those agencies normally experienced increased spending; a total of \$4 million had been allocated.

A contingency fund of \$3,854,042 had been set aside for unanticipated expenses that may occur; the money could also be used to supplement any of the other funds, if necessary.

Councilor Norris stated she had received a call from Mary Duckett inquiring about accessing funds; she represented the southern portion of the City of Greenville. She was interested in funds for housing.

Mr. Kernell stated assistance for housing would be available through GCRA, which had funds available through Greenville County and HUD.

Councilor Ballard stated he had heard that approximately half of the funds designated for rental assistance were to be used for child care.

Mr. Kernell stated funds for child care were included with housing and rental assistance.

Councilor Seman asked if any additional funds had been added for child care.

Mr. Kernell stated no additional money had been added or deducted from any of the funds; the proposed plan was "somewhat fluid" as it was unknown how many applicants there would be for any of the "pots" of money. Staff had a general idea the anticipated number of applicants for some of the "pots" but there was nothing solid as of yet. The homeless population and its needs was a big component of the plan; however, the County had received funding from HUD for the homeless. Mr. Kernell suggested remaining flexible in order to move funds, if needed.

Councilor Norris inquired about funding for New Washington Heights.

Mr. Kernell stated funding was not available for neighborhoods or citizen groups.

Councilor Norris asked about funding for Parks and Recreation.

Mr. Kernell stated the funds available through the CARES Act could not replace any monies already budgeted.

Councilor Ballard inquired about money available for rent and utility assistance; the information provided indicated \$3000 for each per household. He stated that seemed a large amount of money.

Mr. Kernell stated the funds were actually capped at \$3000 total per household for both. If an applicant was approved for \$2500 rental assistance they could only receive the balance of \$500 for utilities.

Councilor Seman stated she appreciated the thought around being flexible regarding the “buckets” of money; modifications could be made to the plan, if needed. From a legal perspective, she inquired about the necessity of an ordinance. In other areas of the country, ordinances had been used for the funding. She asked how Council could give permission to move monies to different pots.

Mr. Kernell stated he had been informed that an ordinance was not necessary. He suggested if Council approved the plan and it became necessary to adjust it, he could report back to Council with a proposal.

Councilor Seman stated there were a couple of places in the plan that referred to reports; she inquired to whom the reports would be submitted. Ms. Seman also inquired about the possibility of a small business not reporting back to the County after the funds had been dispersed.

Mr. Kernell stated a business had to sign an agreement in order to receive funds. If a business failed to report back on how the funds were used, they would be required to pay the money back. He stated the reports would be submitted to his office as the County was required to retain all paperwork in case of an audit.

Councilor Seman inquired about an applicant applying for assistance through their own bank or with one of the designated banking partners. She asked who the banking partners were and would applicants receive preference if they applied through one of the banking partners as opposed to their personal bank.

Mr. Kernell stated there would be preference for an applicant to use one of the designated banking partners instead of their own personal bank. An applicant could make an application with any of the banking institutions that had agreed to participate. The County also planned to work with *Community Works* to process applications; *Community Works* had quite a bit of experience working with minorities, especially in the area of the *Paycheck Protection Program (PPP)*.

Councilor Seman stated it appeared somewhat controversial to indicate an applicant could use one of the banking partners or their own bank.

Mr. Kernell stated an applicant could use their own bank only if the bank had agreed to participate. Some banks had chosen not to participate; therefore, they would not accept applications. The County had plans to accept online applications which could either be processed in-house or distributed to the banking partners.

Councilor Seman stated there were a number of different dates indicated throughout the document for expenses, etc. She inquired if the different dates were intentional or would they be uniform when the document was completed.

Mr. Kernell stated would review the dates to ensure they were correct.

Councilor Seman stated one of the qualifiers for minority-owned businesses indicated an applicant must not have received PPP or EDIL funds; this was not listed as a qualifier for small businesses.

Mr. Kernell stated that was no longer a qualifier; the qualifications for small businesses and minority-owned businesses were the same. Minority businesses could apply for both but were only eligible to receive money from one of the funds.

Councilor Seman inquired about expenses related to COVID 19, did staff anticipate having to make adjustments to the budget to accommodate those expenses on an ongoing basis.

Mr. Kernell stated it was highly possible the County would have to budget for those types of expenses on an ongoing basis. The budget cycle was due in 2021.

Councilor Seman inquired about County departments submitting receipts for reimbursement and if there would there be a separate application.

Mr. Kernell stated most of the departments had already submitted receipts; they did not have sufficient funds in their budgets to cover the unanticipated expenses associated with COVID 19. There was already an internal approval process established.

Councilor Seman inquired about how the municipalities would be reimbursed for expenses. She asked if a formal application would be required; who would review the requests and if the municipalities would have to submit reports regarding expenditures and reimbursements. Ms. Seman also asked if there was a "maximum amount" the municipalities could receive.

Mr. Kernell stated there was \$1 million allocated for the *Municipal Government Fund*. No maximum amounts had been established; staff had reached out to each municipality and had a good idea how much they had incurred. The situation could certainly change and the municipalities could incur additional costs. Each municipality would be required to sign an agreement for reimbursement; if it was determined after payout that some of the reimbursed expenses were ineligible, the municipality would have to pay the money back. Receipts and other pertinent information would be required.

Councilor Seman inquired about maximum amounts for the Special Purpose Districts.

Mr. Kernell stated there were no maximum amounts established for the Special Purpose Districts. Equitable allocations may become necessary if the six municipalities submitted receipt totaling more than the actual amount in the fund; the same would be true for the Special Purpose Districts.

Councilor Seman inquired about the review process for the *County Related Agency Fund*.

Mr. Kernell stated the review process would be conducted by the Administrator's office.

Councilor Seman inquired about which agencies would be eligible to apply for assistance from the *County Related Agency Fund*.

Mr. Kernell stated the Library, Greenville Transit Authority, ACOG and the Phoenix Center were all examples of County related agencies. Some had shut down due to the pandemic and did not experience extra expenditures; others had stayed open. GTA had lost quite a bit of revenue; however, those losses were not reimbursable.

Councilor Seman requested clarification regarding the following statement in regards to the Housing / Rent Assistance / Child Care Fund:

*“GCRA will utilize established agreements with agencies selected for programmatic elements via proposals and provide training for administration and reporting requirements for all relief funding.”*

Mr. Kernell stated GCRA would partner with other agencies, such as Human Relations, that were already providing those types of assistance.

Councilor Seman inquired which board would approve GCRA’s plan for funding distribution prior to allocation.

Mr. Kernell stated the GCRA board would be responsible for approving those allocations.

Councilor Seman asked if an individual had to be an established client of GCRA in order to receive assistance from them.

Mr. Kernell stated an individual did not have to be an established client; GCRA served everyone.

Councilor Seman inquired about the \$1.9 million that GCRA had received for the homeless population.

Mr. Kernell stated GCRA had previously received \$800,000 for the homeless and recently received another \$1.9 million. John Castile had indicated that GCRA would use those monies prior to accessing any additional funds the County had received. There were concerns those monies may not all be utilized due to restrictions placed on disbursement.

Councilor Seman requested clarification regarding the following statement in regards to the Public Health / Community Health Fund:

*“All receipt requests must be COVID-19 related to be eligible and not covered by any other Federal or State Grant program.”*

Mr. Kernell stated a non-profit could apply for funds; however, the requests had to be related to COVID 19 and not covered by other grant programs. The non-profit may receive Federal or State Grant money for other expenses that were not COVID 19 related.

Councilor Seman stated in terms of the *Contingency Fund*, County Council would determine how those monies would be spent in consultation with staff. She had concerns about the rising number of COVID 19 cases and exhausting all of the funds, given the possibility of a second wave.

Mr. Kernell stated that was certainly a big challenge; the money had to be spent by a certain time. Some of the funds could be held back, but only for so long. If the money was not spent, it had to be turned back in to the Federal Government. At any given time, Council could modify the plan or hold back money, if they felt it was necessary. Timing was difficult because of hard deadlines.

Councilor Seman asked how it would be determined the amounts non-profits would receive.

Mr. Kernell stated needs of each non-profit would be assessed and only those expenses directly related to COVID 19 would be reimbursed. It would be a fair process; however, the information would come in at different times. It would be best if all the non-profits could submit their information at the same time.

Councilor Seman stated if access to the funds was “first come, first serve”, the money could be depleted before some entities had completed the application process.

Mr. Kernell stated everything would be looked at from a fiscal aspect. Payouts may be “phased” to “stretch” the money as far as possible. The County wanted to touch as many operations as possible.

Councilor Roberts thanked Mr. Kernell and his staff for their hard work putting the plan together. He noted the use of very ambiguous language. He researched other counties throughout the country; he could not find any instance where such a large amount of money was put in place without an ordinance. Also, other counties had put the money in “the hands of the elected officials” for disbursement. If the County approved a .01 sales tax increase, which would bring in approximately the same amount of money, an ordinance would be necessary. Mr. Roberts asked how the process could be put in place without an ordinance and if staff had discussed the proposed plan with other local and state leaders. He also requested information regarding the County’s proposed plan for allocating the money compared to other counties throughout the country.

Mr. Kernell stated County staff had been on a number of conference calls with the White House and the Treasury Department; staff was updated as the plan progressed. There had been a number of conversations with other counties across the country; many of the other counties were interested in how Greenville County was handling the money. There were only approximately 100 counties across the country that had received direct funding. He stated the State of South Carolina had received direct funding; he had spoken to several state officials early on. They were “basically in the same boat” as Greenville County trying to determine which direction to take. Governor McMaster had made recommendations for disbursement of state funds, which were somewhat different from the direction Greenville County had chosen.

Councilor Roberts asked which counties staff had spoken to and how those counties had chosen to disburse the funds. He also asked which state and federal officials had been contacted.

Mr. Kernell stated the officials he had spoken to did not know how the funds would be allocated.

Councilor Roberts asked which counties were contacted.

Mr. Kernell stated contact had been made with officials in Jefferson County, Alabama and a county in California. Officials in those counties had inquired about Greenville County’s plan to disburse the funds. Each county had different operations; some were more involved in different aspects of Social Services and others were less involved. Each entity had different plans and different ideas for disbursement. Mr. Kernell reminded Council that the plan presented was “just a proposal”; Council may have different recommendations.

Councilor Roberts stated he appreciated the fact that staff had presented a proposal which would open up conversation and lead to a final plan of action. He asked Mr. Kernell to clarify “minority group” and “socially disadvantaged” in regards to the plan. A minority group included individuals from a large number of races and ethnic groups.

Mr. Kernell stated the terms were obtained from the federal guidelines the County had received; the terms referred to minority businesses.

Councilor Roberts stated the plan needed to be clear about the term “minority”; it was not just for the black community. There were other minority-owned businesses in Greenville County whose owners were Japanese, Chinese, Filipino, etc. Mr. Roberts stated he was glad to include all minorities in the plan; but, the County had to be honest about what was being proposed for passage. The plan should not appear to assist only a certain minority group; there were numerous businesses in the County owned by minorities other than blacks. Language mattered. Mr. Roberts stated the agenda did not have any information attached to it; he was told the proposed plan had “typos.” He could not recall a meeting where there was a document to be discussed that was not attached to the agenda.

Chairman Kirven stated the document in advance, similar to a Council packet, was sent for the next meeting.



Councilor Roberts stated that under normal circumstances, the public was able to review documents as they were attached to the agenda. In this case, citizens watching the meeting had no idea what Council was discussing. Council members had received the information only two or three days prior to the meeting; some members were unable to log on to the Zoom meeting that was held previously regarding the CARES Act money. There had been no public input regarding the issue; he had spoken with numerous people who had indicated they wanted their opinion heard by Council. He was aware that different organizations and non-profits had been contacted. The document had only been “put out there” two days ago and the public had no opportunity to review it. Mr. Roberts inquired about transparency. He acknowledged there had been meetings of “six and six”; that meant a public meeting was not required as there was no quorum. He felt it sent a bad message. He was aware the County wanted to “get this money moving forward.” Other counties in the same position had initially approved disbursement of a certain percentage of the money and then followed the “right process” moving forward. The problems he cited were no public hearing, vague language, document not included with the agenda and the definitions in the document were not pertinent. Council had the right to know how much money was being sent to the various entities; the money was given to “fill the holes” of the County’s needs. Mr. Roberts stated he was not directing his concerns to Joe Kernell as he was working under the guidelines the County had been given. He was more concerned about following proper procedures.

Vice-Chairman Meadows stated he disagreed with Councilor Roberts. He had been aware of the money for some time and had asked questions about it. The whole purpose of the money was to try and get businesses back running and get out of the “economic slump.” He was very happy that approximately 80% of the money was to be spent on small businesses. It would also benefit the charities and non-profits in the long run; when people had more money they were more likely to contribute.

**Action:** Vice-Chairman Meadows moved to approve the Greenville County CARES Act Program along with internet access to a list of all the businesses and organizations receiving funds and the amounts granted. Organizations receiving funds would be required to submit a report indicating how the money was disbursed.

Councilor Dill stated he had reviewed the document and also talked to a number of people in the community. He felt the proposed plan would work and he was ready to vote.

**Action:** Councilor Dill called for the question.

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

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

**Item (4) Adjournment**

**Action:** Vice-Chairman Meadows moved to adjourn.

Motion to adjourn carried unanimously and the meeting was adjourned at 4:39 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council