



## GREENVILLE COUNTY COUNCIL

Minutes

Committee of the Whole Meeting

March 5, 2024

4:46 p.m.

Council Chambers  
301 University Ridge  
Greenville, South Carolina

### Council Members

**Mr. Dan Tripp**, *Chairman, District 28*

**Mrs. Liz Seman**, *Vice-, District 24*

**Mr. Butch Kirven**, *Chairman Pro Tem, District 27*

**Mr. Joey Russo**, *District 17*

**Mr. Mike Barnes**, *District 18*

**Mr. Benton Blount**, *District 19*

**Mr. Stephen Shaw**, *District 20*

**Mr. Chris Harrison**, *District 21*

**Mr. Stan Tzouvelekas**, *District 22*

**Mr. Alan Mitchell**, *District 23*

**Mr. Ennis Fant, Sr.**, *District 25*

**Mr. Rick Bradley**, *District 26*

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

### Council Members Absent

None

### Council Members Remote Participation

**Steve Shaw**, District 20

### Staff Present

**Joe Kernell**, County Administrator

**Mark Tollison**, County Attorney

**Chris Antley**, Assistant County Attorney

**Regina McCaskill**, Clerk to Council

**Pam Gilliam**, Administrative Assistant Clerk to Council

**Terrance Galloway**, Information Systems

**Bob Mihalic**, Governmental Affairs Officer

**Nicole Wood**, Assistant County Administrator

**Hesha Gamble**, Assistant County Administrator

**Tee Coker**, Assistant County Administrator

### Others Present

None

### Call to Order

Chairman Dan Tripp

### Invocation

Councilor Benton Blount

**Item (3)      Approval of Minutes**

**a.      February 20, 2024 – Regular Committee Meeting**

**Action:**      Vice-Chairwoman Seman moved to approve the minutes of the February 20, 2024, Regular Committee Meeting.

Motion carried unanimously.

**Item (4)      Sheriff's Advisory Board / Appointments**

- **Deborah Manning**      (D. 19)
- **William Blair**      (D. 20)

**Action:**      Councilor Barnes moved to appoint Deborah Manning (D.19) and William Blair (D.20) to the Greenville County Sheriff's Advisory Board.

Motion carried unanimously.

**Item (5)      Greenville County Citizen's Academy / Appointment**

- Joseph Butler Bostick      (D. 23)

**Action:**      Councilor Mitchell moved to appoint Joseph Butler Bostick (D.23) to the Greenville County Citizen's Academy

Motion carried unanimously.

**Item (6)      Creation of the Capital Projects Sales Tax Advisory Commission**

Chairman Tripp turned the gavel over to Vice-Chairwoman Seman.

Councilor Tripp stated he would like to provide an overview of the proposed resolution. In an attempt to be open and honest about the road situation in Greenville County, staff had been asked to compile a list of County roads in need of repair. They had met with the municipalities to obtain their priority lists of roads, as well as SCDOT. The result was a comprehensive list of roads, in some level of priority order, developed by decision-makers across the County. He stated they were struggling with the "price tag" to fix those roads; to pave just the poor and fair roads would cost approximately \$2 billion. Greenville County was one of the few counties in South Carolina that had not put a dedicated pot of money towards improving the condition and capacity of its roads. Mr. Tripp stated his proposed resolution was an attempt to go to the next step in the process. As discussed during the previous evening's Special Called Committee of the Whole meeting, there were two methods the County could use to implement a penny tax that would be used for the roads; the Transportation Sales Tax and the Capital Projects Sales Tax. Mr. Tripp stated his resolution would take the County down the Capital Projects Sales Tax route. He had chosen that method as it would provide fiscal guardrails for County Council when addressing road projects in the County. If approved, the resolution would set up a Commission to develop a list of road projects. He stated neither Council nor the County Administrator could "monkey" with the list. It would be up to the citizens of Greenville County to decide if they wanted to spend an extra penny on roads. Mr. Tripp stated he wanted to put a funding mechanism in place that strictly and narrowly focused on roads.

Councilor Tripp stated Council was being asked to vote on the resolution that would create the Commission. Other entities normally have their Commissioners already chosen when they pass the resolution; the names of the Commissioners are contained within the language of the resolution. Mr. Tripp stated in order to create an open and transparent process, the resolution modeled the selection of Commissioners after the County's Board and Commission Policy. He stated Council would want to hear from all the applicants after the filing deadline closed. He suggested meeting the applicants during either a Special Called Committee of the Whole meeting or a Regular Committee of the Whole meeting. Council would then decide which applicants were the three most qualified individuals for the Commission.

If the resolution was approved, Councilor Tripp stated the deadline for filing would be March 14. The applications would be included in the Council packet and could be reviewed prior to the meeting scheduled for March 19, at such time a vote would be taken for the three commissioners. Once they were selected, the municipalities would have approximately two weeks to choose their Commissioners. Under the language of the resolution, the Commission would have its first meeting on April 8 and choose officers. They would have until May 31 to make recommendations to Council regarding the list of road improvements, funding and the ballot language. Mr. Tripp stated Council would chose to either approve or deny the Commission's recommendations. If the Commission submitted its report and it contained "some crazy proposal", Council had the authority to send it back. He stated Council may be satisfied with the report and vote to put it on the ballot. Ultimately, it was the citizens of Greenville County deciding whether to approve the additional sales tax or not. Mr. Tripp stated the duties and the responsibilities of the Commission were spelled out in the proposed resolution

**Action:** Councilor Tripp moved to adopt a resolution creating a commission pursuant to the Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as amended; providing for the appointment, composition, duties, and responsibilities of such commission; and providing for other matters related thereto.

Councilor Bradley asked if gasoline, water or electricity could be taxed under the Capital Projects Sales Tax.

Councilor Tripp stated those items would not be subject to that tax. There may be an attempt by opponents of the proposed to tie it back to the gas tax. He stated what Colombia had done with the gas tax was in "their infinite wisdom, their decision"; Greenville County had no control over that. If Greenville County chose the Capital Project Sales Tax route, there would be a list of projects, and, those were the projects that would be completed. He stated there could be no amendments to that list.

Councilor Bradley stated in regards to the Commission, the Commissioner from the City of Greenville would be appointed by the City Council, but, would not be a member of City Council.

Councilor Tripp confirmed Mr. Bradley's statement. He stated the calculation used to determine the first Commissioner was made based on population. The City of Greenville had the largest municipal population; they were given the authority to choose the first Commissioner, who in turn, would choose the other two.

Vice-Chairwoman Seman stated that formula used was outlined in state law.

Councilor Tripp complemented County staff for all their hard work on the issue. He stated he had been in meetings with some of the local Mayors and City Administrators; they appreciated the opportunity to give input. That input would help in trying to build some consensus around which roads were the most important in terms of needing to be fixed.

Councilor Russo inquired about Council's option to send the report back to the Commission.

Councilor Tripp stated Council had to either accept or reject the Commissions' Final Report. As far as the process for sending it back for possible changes, prior to submission of the Final Report, he deferred to Mr. Tollison.

Mr. Tollison stated Council would not have the capacity to amend the Commission's report; however, they would have the capacity to send it back and make recommendations, if time allowed. Mr. Tollison stated he did not know how other jurisdictions had handled the situation in the past, but the Legal Department would be glad to research that issue and report back to Council. He stated he was not aware of anything in the statute that would limit that action, as long as the Commission was still constituted.

Councilor Tripp stated Mayor White had made a commitment to find a Commissioner that was a consensus builder. Mr. Tripp stated he felt Council would have a good working relationship with the Commission.

Councilor Harrison stated the Commission would not be "starting from scratch." Staff had continued to prioritize the road problems, even though the funding had not been available to fix them. While the Commission would have a big job, there had been a lot of work done by County staff over the years. He commended staff for all their hard work.

Councilor Blount inquired about the reasoning behind the City of Greenville's Commissioner being given the authority to solely choose the other two municipality seats.

Ms. Wunder stated it was mandated by State law.

Chairman Pro Tem Kirven stated Ms. Wunder had provided a wonderful explanation of the process, going a little bit deeper into the state law and population proportionality. Mr. Kirven stated he felt the intent was to have representation proportional to the population of the municipalities.

Councilor Mitchell stated it was his understanding the Commissioners would be volunteers and not paid.

Vice-Chairwoman Seman confirmed Mr. Mitchell's statement.

Councilor Mitchell asked if there were any other options available that would fund road projects.

Vice-Chairwoman Seman stated only the two options Council had discussed were available to fund road projects; however, the County could raise the Road Maintenance Fee to an exorbitant amount.

Councilor Mitchell stated he wanted to make sure the County would not be adding work to the Administrative Staff; the Commissioners would report directly to Council.

Vice-Chairwoman Seman answered in the affirmative.

Councilor Bradley asked how many votes were needed to pass the Commission's Final Report.

Ms. Wunder stated it would take seven (7) votes to pass the Commission's Final Report and the Referendum ordinance.

Councilor Blount asked if Council would be given the opportunity to vote on the two options, or, if approval of the item in question was also approval of the Capital Projects Sales Tax option.

Vice-Chairwoman Seman stated the motion on the floor was to approve the Capital Projects Sales Tax option.

Councilor Shaw stated he had heard the idea of the options, but, Council was not exploring the legal option to offset ad valorem taxes. In other words, a penny tax and the homeowners would get an offset of their ad valorem taxes. Mr. Shaw stated that option was not being explored.

Ms. Wunder stated the Legal Department was asked to look at the options available under state law that would generate a local source of revenue for roads and bridges. A reduction in property taxes would not create a source of revenue; it would actually take away from the County's revenue.

Councilor Shaw stated it was a substitution, a matter of the volume of money that the County could extract from its taxpayers. He stated it was an option.

Councilor Tripp stated if the goal was to reduce property taxes, Council could explore that issue. However, the topic at hand was the condition of the roads in Greenville County. Congestion and capacity were problems all across the County. Mr. Tripp stated, under State law, there were only two sales tax methodologies that could be used to fix the roads; the Transportation Sales Tax option and the Capital Projects Sales Tax option. He advised Mr. Shaw that he would be glad to consider something to reduce property taxes, as he would rather pay sales tax than property taxes.

Councilor Shaw stated reduction of property taxes was one of the eight taxing methods; however, it appeared Council was not in favor of that method as it would not achieve the extraction amount that certain Council Members were hoping to get out of the Capital Projects Sales Tax option.

Vice-Chairwoman Seman stated reduction of property taxes was not a revenue generating option for Greenville County, as it related to funding for roads.

Councilor Shaw stated, from what he had read, the Capital Projects Sales Tax allowed the building of libraries, government buildings and parks. He stated there was nothing limiting the Commission's focus to roads. The Commission's report could include new bus facilities and other similar things.

Vice-Chairwoman Seman stated Council's conversation in regards to the issue had definitely been focused on roads. If the Commission came back with something other than roads, Council could vote it down.

Councilor Tripp stated he felt the legislative intent of a working majority of Council was that it be a very narrow roads package. Mr. Tripp stated he would discourage the approval of items that would divert from the problem at hand, which was the roads. Council had the ability to lobby the Commission if they started to get off track. He wanted the purpose to be very exclusive to solving the roads problem in Greenville County, before it got too big for to solve.

Councilor Shaw inquired as to why the Capital Projects Sales Tax option was better than the Transportation Sales Tax option; it appeared that the transportation option focused on transportation.

Councilor Tripp stated one of the main differences was the fact that the Capital Projects Sales Tax option gave an independent body the ability to put the list of projects together. Council could not change or amend that list. Mr. Tripp states some people would rather approve the Transportation Sales Tax because it was easier for Council to do what it wanted to do. He stated he did not want it to be easier; he wanted a very narrow focus on the roads.

Vice-Chairwoman Seman stated Council had been very clear about not taxing groceries; that was the reason for the focus on the Capital Projects Sales Tax option.

Councilor Shaw inquired if the Capital Projects Sales Tax option taxed groceries.

Vice-Chairwoman Seman stated it did not.

Councilor Shaw asked what the Capital Projects Sales Tax option taxed.

Vice-Chairwoman Seman reminded Mr. Shaw he had attended every meeting Council had conducted involving discussion of the two options. He had also attended the workshop held the previously evening when the two options were covered extensively. Ms. Seman recognized Councilor Bradley.

Councilor Bradley asked if Council could dictate to the Commission that the only projects that would be accepted were those involving roads and bridges.

Councilor Tripp stated he did not feel it would be necessary to dictate that to the Commission. A consensus had been built with all the municipalities to fix the roads. Ultimately, Council held the "veto pen."

Chairman Pro Tem Kirven asked if it would be within Council's prerogative, at the outset, to come up with some sort of general scope for the Commission. That scope would provide parameters that the Commission could work within and make recommendations.

Councilor Tripp stated he did not see why that could not be done.

Councilor Tzouvelekas suggested, in order to be transparent, the names of the Commissioners should be announced before Council voted on the item in question. Mr. Tzouvelekas stated that ordinance should state that the funds collected could only be used for roads; no government, housing or busing purposes.

Vice-Chairwoman Seman stated there were no names. The intent was to give citizens the opportunity to apply; Council would vote on those applicants. Ms. Seman stated no action in regards to the Commission could be taken until the resolution was approved.

Councilor Tzouvelekas asked if Council had spoken to anyone about who would be appointed to the Commission.

Vice-Chairwoman Seman answered in the negative.

Councilor Tzouvelekas stated he still felt Council should narrow the scope to include only roads.

Councilor Tripp stated the worst thing to do would be to presuppose who the Commissioners were going to be. That would give others no chance to vet those individuals, and, would not be an open and public process.

Councilor Tzouvelekas suggested selecting the Commissioners and “roll that into the whole package.”

Councilor Tripp stated State law did not allow the Capital Project Sales Tax to be used for affordable housing or other similar projects.

Motion as presented was approved by a roll call vote of nine (Russo, Barnes, Harrison, Mitchell, Seman, Fant, Bradley, Kirven and Tripp) in favor and three (Blount, Shaw and Tzouvelekas) in opposition.

Vice-Chairwoman Seman returned the gavel to Chairman Tripp.

***Item (7)      Executive Session***

**Action:** Vice-Chairwoman Seman moved to go into Executive Session for discussion of the employment of the County Administrator.

Motion carried unanimously and the Committee of the Whole entered Executive Session at 5:16 p.m.

***Reconvened***

County Attorney Mark Tollison reported the Committee of the Whole went into Executive Session on a personnel matter for the discussion of the employment of the County Administrator; no action was taken. The regular Committee of the Whole meeting reconvened at 5:33 p.m.

***Item (8)      County Administrator Employment Contract Extension Amendment***

**Action:** Vice-Chairwoman Seman moved that the Chairman be authorized to execute an amendment to Joseph Kernell’s contract with the Greenville County, the terms of which were reviewed and discussed with County Council during executive session, which provides for, among other things, an extension to his contract through December 31, 2024, and a reflection of his current salary.

Motion carried unanimously.

**Item (9)**      **Adjournment**

**Action:**      Vice-Chairwoman Seman moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:34 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council