

**GREENVILLE COUNTY COUNCIL
REGULAR MEETING
May 15, 2012
6:23 p.m.
County Square – Council Chambers**

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 and television stations and concerned citizens.

COUNCIL MEMBERS PRESENT:

CHAIRMAN BUTCH KIRVEN
VICE CHAIRMAN BOB TAYLOR
SID CATES
JOE BALDWIN

FRED PAYNE
XANTHENE NORRIS
JOE DILL
JIM BURNS

LOTTIE GIBSON
LIZ SEMAN
WILLIS MEADOWS
DAN RAWLS

COUNCIL MEMBERS ABSENT:

NONE

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to County Council
REGINA MCCASKILL, Deputy Clerk to County Council
STEPHANIE BROWN, Coordinator, Human Resources
PAULA GUCKER, Assistant County Administrator, Public Works
WAYNE MULLENS, Coordinator, Human Resources
KEITH DRUMMOND, Director, Code Enforcement
JEFF WILE, Assistant County Attorney
KIMBERLY WUNDER, Assistant County Attorney

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Sandy McCormick, Assistant Pastor
Heritage Bible Church

PLEDGE OF ALLEGIANCE

RECOGNITION

Chairman Kirven recognized Boy Scout Troup 9 sponsored by Buncombe Street United Methodist Church.

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Norris moved to approve the minutes of the May 1, 2012 regular County Council meeting.

Councilor Burns asked were the April 17, 2012 minutes, with the additions made available online.

Ms. Kizer stated the additional information requested by Councilor Burns had been added and could be accessed on –line on the County’s Web Page under County Council and Minutes.

Motion carried unanimously.

Item (5)

PUBLIC HEARINGS

(a) Roy Metal Finishing Company Inc., JPCR LLC / FILOT Agreement

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Greenville County, South Carolina and Roy Metal Finishing Company, Inc. and JPCR, LLC, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

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

(b) Hospitality Tax Project and Expenditure List / Amendment to Exhibit A

A public hearing was held for the purpose of receiving public comments regarding an ordinance to amend Exhibit A established as an addendum to Ordinance No. 4079, as last amended by Ordinance No. 4459, so as to appropriate additional operating funds for tourist related projects.

- Lib Tickle, 5325 Geer Hwy – appeared in opposition
- Jim Hargett, 359 Reedy Fork Road – appeared in opposition
- John Bynum , 407 Morris Street – appeared in opposition

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

Item (6)

APPEARANCES

There were no speakers.

Item (7)

CONSENT AGENDA

- (a) Initiate Process to Amend the Greenville County Comprehensive Plan by Adding the Coordination Element**
- (b) 2012 Justice Assistance Grant Program**
- (c) FY 2012 National Institute of Justice DNA Backlog Reduction Program**
- (d) South Carolina Foundation (EMS / GHS) Grant**
- (e) 2011 Homeland Security Grant**
- (f) Law Enforcement Terrorism Prevention Program**
- (g) ASPCA ID ME Pet Grant**

ACTION: Councilor Dill moved to approve the Consent Agenda items.

Motion carried unanimously.

Item (8)

RESOLUTIONS

(a) Project Coast / Inducement Agreement

ACTION: Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an Inducement

Agreement by and between Greenville County, South Carolina and a company known to the County as Project Coast; whereby, under certain conditions, Greenville County will provide an Infrastructure Credit to Project Coast.

Motion carried unanimously.

Item (9)

ORDINANCES – THIRD READING

(a) Roy Metal Finishing Company Inc., & JPCR LLC / FILOT Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Greenville County, South Carolina and Roy Metal Finishing Company, Inc. and JPCR, LLC, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

Motion carried unanimously.

(b) Hospitality Tax Project and Expenditure List / Amendment to Exhibit A

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to amend Exhibit A established as an addendum to Ordinance No. 4079, as last amended by Ordinance No. 4459, so as to appropriate additional operating funds for tourist related projects.

Councilor Taylor clarified the proposed amendment did not involve a tax increase; it was an allocation of tax monies already collected.

Councilor Dill asked for clarification on whether or not the funds were spent.

Mr. Kernell stated the proposed amendment was for the Peace Center. He stated the other funds were already committed and spent. A large portion of funds for the two projects through Dream Big Greenville were already spent.

Councilor Taylor stated some of the monies came from the pro cycling event that would only be in Greenville one year instead of three years as originally projected.

Motion as presented carried unanimously.

Item (10)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

- 1. CZ-2012-11,** Property of Joel Vause located on Flamingo Drive at Alco Street and Cuttino Circle, requesting rezoning from R-20 to R-15. The Planning Commission and Committee recommended approval.

ACTION: Councilor Payne moved approval of the ordinance at second reading.

Motion carried unanimously.

- 2. CZ-2012-12**, Property of Konstantinos Sialmas located at 201 Eastbourne Road at Whitehaven Drive, requesting rezoning from R-10 to R-S. The Planning Commission and Committee recommended approval.

ACTION: Councilor Payne moved approval of the ordinance at second reading.

Motion carried unanimously.

- 3. CZ-2012-13**, Property of Doug Sprayberry / Key Real Estate LLC located on 109 Monroe Drive, requesting rezoning from I-1 to S-1. The Planning Commission and Committee recommended approval.

ACTION: Councilor Payne moved approval of the ordinance at second reading.

Motion carried unanimously.

(b) Text Amendment / to Allow for Additional Public Comment during the Rezoning Process (CZ-2012-14)

ACTION: Councilor Payne moved for approval at second reading an ordinance to amend Section 3:2 of the Greenville County Zoning Ordinance, as amended, to allow for the option of additional public comment before the Planning Commission on zoning dockets and to update public hearing provisions. The Planning Commission and Committee recommended approval.

Motion carried unanimously.

(c) JTEKT Automotive (formerly Project IKE II) / FILOT Agreement

ACTION: Councilor Taylor moved for approval at second reading an ordinance authorizing the execution and delivery of a fee agreement between Greenville County and JTEKA Automotive South Carolina, Inc. providing for a fee in lieu of tax in connection with investment in an industrial project thereunder; the granting of an infrastructure tax credit with respect to such project; and other matters relating thereto.

ACTION: Councilor Taylor moved to hold this item for two weeks to allow time for final work on the referenced fee agreement.

Motion to hold carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Payne announced Zoning Docket CZ-2012-15, originally scheduled for first reading, had been withdrawn by the applicant.

Councilor Payne presented for first reading Zoning Dockets CZ-2012-16 through CZ-2012-20.

Chairman Kirven referred Dockets CZ-2012-16 through CZ-2012-20 to the Planning and Development Committee.

(b) Laurens / Greenville Multi County Industrial Business Park / Octagon Park Agreement Amendment (Project Coast)

Councilor Taylor presented for first reading an ordinance to amend the Master Agreement governing the Octagon Industrial Park of Laurens and Greenville Counties so as to enlarge the park.

Chairman Kirven stated the item would remain on the floor until second reading.

(c) Project Coast / Infrastructure Credit Agreement

Councilor Taylor presented for first reading an ordinance authorizing the execution and delivery of an Infrastructure Credit Agreement between Greenville County, South Carolina and a company known to the County as Project Coast; and other matters relating thereto including, without limitation, authorization of an Infrastructure Credit.

Chairman Kirven stated the item would remain on the floor until second reading.

(d) FY 2013 Greenville County Library System Budget

Councilor Taylor presented for first reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; and to authorize the annual Ad Valorem Property Tax Millage Levy for library purposes.

Chairman Kirven stated the item would remain on the floor until second reading.

Item (12)

BOARD ELECTIONS

(a) SCTAC

Henry McCullough was elected by six votes (Burns, Norris, Seman, Gibson, Rawls, Payne).

Murray Dodd received four votes (Baldwin, Taylor, Dill, Kirven).

Michael Kriese received two votes (Meadows, Cates).

Item (13)

COMMITTEE REPORTS

There were no further Committee Reports.

ANNOUNCEMENT

Chairman Kirven announced David Wilkins as the Chairman's appointee to the Greenville Area Development Corporation Board.

Item (14)

APPEARANCES BY CITIZENS

- Lyman Campbell, 247 Cardinal Drive, Greenville – appeared regarding chickens
- Davis Roeske, 400 N. Main Street, Greenville – appeared regarding DSN
- Hugo Redondo, 50 Rocky Creek, Greenville – appeared regarding recycling
- Bill Welch, 331 Penson Road, Greenville – appeared regarding DSN
- Bob Davis, 6 Setinel Court, Greer – appeared regarding cleansing of Christianity must cease in America

Item (15)

ADMINISTRATOR'S REPORT

Mr. Kernell stated the Cardiac Arrest Survivor Ceremony was scheduled for Thursday, May 24th at 2:00 p.m. at the TD Convention Center. He stated the purpose of the event was to recognize the County's public safety personnel who have provided exceptional care to patients in cardiac arrest, to celebrate survivors who have experienced cardiac arrest and to promote the importance of educating the public in CPR.

Mr. Kernell then responded to the issue presented by the speaker regarding recycling bins on Woodruff Road. He stated the bins at the Woodruff Road Wal-Mart would not be removed. He

stated the contractor who pulled the recyclables was located in Spartanburg, but the bins would remain where they were.

Item (16)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Chairman Kirven stated the Council's work was not finished in regard to the issues surrounding the Disabilities and Special Needs Board. He stated there would be a meeting the following week to further consider the matter.
- Chairman Kirven stated the Governor has signed a proclamation proclaiming May 28th, 2012 as Memorial Day in SC and encouraged all South Carolinians to take time on this special day to remember and honor the Americans who have sacrificed to help make our nation strong and our world a better place. He invited everyone to attend a Memorial Ceremony at County Square on May 28th starting at 10:00 am.
- Councilor Gibson invited her colleagues to a banquet on May 18th at Long Branch Baptist Church where she would be honored for her service to the National Rainbow PUSH. She stated the event would begin at 6:30 and tickets were available.
- Councilor Seman stated for the period of 2008 to 2011, over \$76 million in building permits had been issued to companies located within SCTAC. She then stated on behalf of the Ad Hoc Committee, they received a good bit of hard-copy information. The committee would work with staff to determine the best way to disseminate the information to the other Council Members.
- Councilor Norris stated she and Ms. Seman attended the recent Dunean Community Centennial Celebration where she presented them with a proclamation. She stated since the redrawing of district lines, she has acquired many new mill villages and was beginning to really love the people there. She stated she was out working to make sure the people in those areas were getting some quality of life and she would be requesting Council's support for these areas in the days to come. Ms. Norris then stated there were 3,700 rooms that were reserved by attendees at the AKA Convention in April. She stated her appreciation to the Chairman and Mr. Kernell for participating in the event.
- Councilor Burns commented regarding the speaker who appeared about chickens. Mr. Burns requested the P & D Committee look into the ordinance governing this matter, given its new popularity.
- Councilor Taylor concurred with Mr. Burns regarding chickens.

- Councilor Cates invited his colleagues to his daughter's wedding on Saturday, June 2nd at 2:00 p.m. at War Memorial Chapel.
- Councilor Dill stated the Senate had put \$40 million back into the Local Government Fund. He stated this was an effort led by Senators David Thomas and Mike Fair. He felt Council Members needed to commend their senators for supporting this issue. He stated they still needed to talk to each of their House Members and encourage their support since the matter would be going back to the House for consideration.
- Councilor Baldwin announced his son graduated from college last week and had already found a job. He then wished Councilor Burns a Happy Birthday.

Item (17)

ADJOURNMENT

ACTION: Councilor Dill moved to adjourn the meeting.

Motion carried and the regular meeting of Greenville County Council was adjourned at 7:22 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council