

**GREENVILLE COUNTY COUNCIL
REGULAR MEETING
September 18, 2012
6:01 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
LIZ SEMAN
DAN RAWLS

FRED PAYNE
JOE DILL
SID CATES
JOE BALDWIN

JIM BURNS
XANTHENE NORRIS
WILLIS MEADOWS

COUNCIL MEMBERS ABSENT:

LOTTIE GIBSON

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
PAULA GUCKER, Assistant County Administrator, Public Works
BOB MIHALIC, Governmental Relations Officer
JEFFREY WILE, Deputy County Attorney

OTHERS PRESENT:

CHIEF DEPUTY JOHN ELDRIDGE, Sheriff's Office

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Councilor Sid Cates

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT

Councilor Dill recognized students from Mrs. Wood's government class at Blue Ridge High School.

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Seman moved to approve the minutes of the September 4, 2012 regular County Council meeting.

Motion carried unanimously by all members present.

Item (5)

PUBLIC HEARINGS

(a) City View Special Tax District / Creation

A public hearing was held for the purpose of receiving public comments regarding an ordinance to create the City View Special Tax District; to define the boundaries of the District and the purpose for which it is created; to establish the City View Special Tax District as an Administrative Division of Greenville County; and to impose a tax levy of not more than 20 mills annually on all property located within the district.

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

(b) Greater Greenville Sanitation District / Annexation of Certain Properties - Coxe Drive, Mountain Creek Road, Piedmont Grove Park and P & N Drive, East Warehouse Court, Mackey Drive, Old Cleveland Road, Frontage Road and Park West Boulevard

A public hearing was held for the purpose of receiving public comments regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include certain properties located off of Coxe Drive, Mountain Creek Road, Piedmont Grove Park and P & N Drive, East Warehouse Court, Mackey Drive and Old Cleveland Road, and Frontage Road and Park West Boulevard; and to provide for public notice thereof.

- Ed Paxton, 1 York Circle, Greenville – appeared in opposition to the proposed

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

Item (6)

APPEARANCES

There were no speakers.

Item (7)

RESOLUTION

(a) Greater Greenville Sanitation District / Annexation of Certain Properties - Coxe Drive, Mountain Creek Road, Piedmont Grove Park and P & N Drive, East Warehouse Court, Mackey Drive, Old Cleveland Road, Frontage Road and Park West Boulevard

ACTION: Councilor Meadows moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include certain properties located off of Coxe Drive, Mountain Creek Road, Piedmont Grove Park and P & N Drive, East Warehouse Court, Mackey Drive and Old Cleveland Road, and Frontage Road and Park West Boulevard; and to provide for public notice thereof.

Motion carried unanimously by all members present.

Item (8)

ORDINANCES – THIRD READING

(a) Conpearl North America Inc. (Formerly Project Michigan) / Fee in Lieu of Tax Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee agreement by and between Greenville County, South Carolina and Conpearl North America Inc., a Michigan corporation, with respect to certain economic development property, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

AMENDMENT: Councilor Taylor moved to amend the fee agreement to reflect the changes outlined in the red-lined version that was provided in the agenda packet.

Motion to amend carried unanimously by all members present.

ACTION: Councilor Taylor moved adoption of the ordinance as amended.

Motion as amended carried unanimously by all members present.

(b) Laurens / Greenville Multi County Industrial Business Park Agreement Amendment - Conpearl North America Inc. (Formerly Project Michigan)

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to amend the Master Agreement governing the Octagon Industrial Park of Laurens and Greenville Counties so as to enlarge the park.

Motion carried unanimously by all members present.

(c) Laurens / Greenville Multi County Industrial Business Park Agreement Amendment - Project Gro

MOTION: Councilor Taylor moved for adoption at third reading an ordinance to amend the agreement for development for a joint county industrial park of Greenville and Laurens Counties, dated March 22, 1994, to add certain property (Project Gro) and extend the term thereof.

MOTION: Councilor Taylor moved to hold this item until such a time as the public hearing can be scheduled.

Motion to hold the item carried unanimously by all members present.

(d) Project Gro / Fee In Lieu of Tax Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a Fee Agreement dated as of September 18, 2012 by and between Greenville County, South Carolina and Project Gro providing for a payment of a fee in lieu of taxes, the issuance of special source revenue credits, and other matters related thereto.

ACTION: Councilor Taylor moved to hold this item until such a time as the public hearing can be scheduled.

Motion to hold the item carried unanimously by all members present.

(e) City View Special Tax District / Creation

ACTION: Councilor Meadows moved for adoption at third reading an ordinance to create the City View Special Tax District; to define the boundaries of the District and the purpose for which it is created; to establish the City View Special Tax District as an Administrative Division of Greenville County; and to impose a tax levy of not more than 20 mills annually on all property located within the district.

Councilor Norris stated she was proud of the creation of the lighting district for the community.

Councilor Baldwin stated voter turnout was great; the result was thirty-three in favor and one in opposition to creating the district.

Motion as presented carried unanimously by all members present.

Item (9)

ORDINANCES – SECOND READING

(a) Zoning Ordinance

1. **CZ-2012-27**, Property of Stephen Southerlin located at 2 Skyland Avenue requesting rezoning from R-7.5 to NC. The Planning Commission recommended denial and the Committee recommended approval of the ordinance.

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

Councilor Meadows stated the proposed would extend the property line to allow parking. He asked for Council support.

Motion carried unanimously by all members present.

(b) Project Worthwhile / Incentives Ordinance

ACTION: Councilor Taylor moved for approval at second reading an ordinance authorizing the execution and delivery of one or more incentive agreements by and among Greenville County, South Carolina and, a company known to the County as Project Worthwhile, and one or more existing or to-be-formed or acquired subsidiaries, or affiliated or related entities, as sponsor, to provide for a Fee in Lieu of Ad Valorem Taxes incentive; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; and other related matters.

AMENDMENT: Councilor Taylor moved to amend the ordinance, the fee agreement and the infrastructure credit agreement to reflect the changes outlined in the red-lined versions provided in the agenda packet.

Motion to amend carried unanimously by all members present.

ACTION: Councilor Taylor moved approval of the ordinance as amended.

Motion as amended carried unanimously by all members present.

Item (10)

ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Norris presented for first reading Zoning Dockets CZ-2012-36 through CZ-2012-39.

Chairman Kirven referred the items to the Planning and Development Committee.

Item (11)

COMMITTEE REPORTS

(a) Committee of the Whole

Appalachian Council of Governments / CEDS 2013 -2017 Letter

ACTION: Councilor Taylor moved to direct the Chairman of County Council to send a letter to the Appalachian

Council of Governments supporting CEDS 2013 - 2017 and supporting the Appalachian Region as an EDA Economic Development District.

Motion carried unanimously by all members present.

Item (12)

APPEARANCES

- Madeline Jones, 10 Corneton Pass, Greenville – appeared regarding Partnership with GADC
- Brittney Williams, 10 Corneton Pass, Greenville – appeared regarding Partnership with GADC
- Aisha Sheffield, 10 Corneton Pass, Greenville – appeared regarding Partnership with GADC
- Tana Adams, 10 Corneton Pass, Greenville – appeared regarding Partnership with GADC
- Ray McKetty, 10 Corneton Pass, Greenville – appeared regarding Partnership with GADC
- Ed Paxton, 1 York Circle, Greenville - appeared regarding policies and procedures

Item (13)

ADMINISTRATOR'S REPORT

County Administrator Joe Kernell gave Council an update on the County's financial situation for Fiscal Year 2012. He stated the audit was complete and the County Property Tax Revenue was down \$4.9 million; County office revenues were up in Building/Codes by \$515,000; in EMS by \$473,000; in Intergovernmental Revenue by \$1.359 million (which was partly due to the State Aid to Subdivisions funding coming in at a higher amount than budgeted); and other revenues which came in at \$942,000 over budget. The County's overall budgeted revenue was \$129,911,000. Revenues received were \$128,098,000; a difference of \$1.8 million under budget on the revenue side.

On the expenditure side they were able to keep costs down. The County's budgeted expenses were \$128,191,000; monies actually spent were \$126,314,000, making a difference of \$1.877 million.

The projected ending fund balance for 2012 was \$52,155,355. With the savings the County experienced, they were able to increase the fund balance by \$1,783,404 for a surplus of \$52,219,000.

Councilor Dill thanked Mr. Kernell and staff for anticipating a reduction in state funding.

Item (14)

REQUESTS AN MOTIONS BY COUNCIL MEMBERS

(a) Amend Greenville County Council Rule Section III D (9)

ACTION: Councilor Dill moved to hold the item until the next County Council meeting.

Motion to hold the item carried unanimously by all members present.

REQUESTS AN MOTIONS BY COUNCIL MEMBERS, continued

- Councilor Meadows thanked his colleagues for their cards, calls, flowers and prayers while he was ill.
- Councilor Cates expressed his appreciation to Mr. Paul Guy and to the young adults who came and appeared before County Council.
- Chairman Kirven gave a report from the recent GPATS meeting.
- Councilor Burns encouraged his colleagues to attend the United Way Local Electors meeting scheduled for Thursday at 8:00 a.m. at the United Way office on Frederick Street.

- Councilor Norris expressed her appreciation to the students from Beyond Differences who came out that evening. In addition, she thanked everyone who participated in the tennis tournament held the past weekend as a fund raiser for this organization. She also thanked Councilor Taylor for his assistance in helping provide a place for the youth forum to meet at Bob Jones University.
- Councilor Norris reminded the Chairman, on behalf of Ms. Gibson, of her request for some type of organizational graph of the county employees and the restructuring.
- Councilor Seman stated at the SCTAC Board Retreat, they were given a sneak preview of the Conestee Community Plans. She wanted to remind everyone the unveiling would be Tuesday, September 25th at McBee Chapel. The event would be from 6 until 8 with the formal presentation beginning at 6:30 p.m.
- Councilor Payne stated his gratitude for living in such a great community as Greenville.

Item (15)

ADJOURNMENT

ACTION: Councilor Payne moved to adjourn the meeting.

Motion carried and the regular meeting of Greenville County Council was adjourned at 7:23 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council