

**MINUTES
GREENVILLE COUNTY COUNCIL
JULY 16, 2013
COUNCIL CHAMBERS
6:07 p.m.**

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 PRESENT:

VICE CHAIRMAN WILLIS MEADOWS	LOTTIE GIBSON
JOE DILL	DAN RAWLS
FRED PAYNE	BUTCH KIRVEN
JOE BALDWIN	LIZ SEMAN
JIM BURNS	XANTHENE NORRIS

COUNCIL MEMBER(S) ABSENT:

SID CATES
CHAIRMAN BOB TAYLOR

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to Council
REGINA MCCASKILL, Deputy Clerk to Council
PAULA GUCKER, Assistant County Administrator, Public Works
BOB MIHALIC, Governmental Relations Officer
SANDRA YUDICE, Assistant to the County Administrator

OTHERS PRESENT:

NONE

CALL TO ORDER

Vice Chairman Willis Meadows

INVOCATION

Father Patrick Tuttle
St. Anthony's of Padua Catholic Church

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the June 18, 2013 County Council minutes.

Motion carried unanimously by all County Council Members present.

Item (5)

PUBLIC HEARINGS

(a) Greater Greenville Sanitation District Annexation/Certain Properties Located in the Del Norte Subdivision

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 in the Del Norte Subdivision, and to provide for public notice thereof.

- Tommy Finch, 7 Morwell Road, Greenville – appeared in favor of the proposed
- Emily Harding, 4 Tussock Road, Greenville – appeared in opposition to the proposed
- Don Collins, 101 McNeely Road, Piedmont – appeared in opposition to the proposed
- Gerry Paradis, 103 Broadford Road, Greenville - appeared in favor of the proposed

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

(b) Proposed Relinquishment of a Surplus Right-of-Way/Marion Street

A public hearing was held for the purpose of receiving public comments regarding the proposed relinquishment of a surplus right-of-way located at the intersection of Marion Street and Camden Drive.

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

(c) Donaldson Center Fire Service Area/FY2014 Budget

A public hearing was held for the purpose of receiving public comments regarding an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area.

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

Item (6)

APPEARANCES

- Alvin Bailey, 745 Gap Creek Road, Marietta – appeared regarding River Falls Fire Department
- Rowdy Harden, 101 Garden Gate Drive, Marietta - appeared regarding River Falls Fire Department

- JoAnne McLain, 119 Gap Creek Road, Marietta - appeared regarding River Falls Fire Department
- Jason Gordon, 430 Gap Creek Road, Marietta - appeared regarding River Falls Fire Department
- Terry Hightower, 416 Mountain View Lane, Marietta - appeared regarding River Falls Fire Department

Item (7)

CONSENT AGENDA

- (a) **Commissioning of Animal Control Officer John Nelson**
- (b) **Proposed Relinquishment of a Surplus Right-of-Way/Marion Street**
- (c) **Greenville County Library System/Purchase of Property – Sunnydale Drive**

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

Motion carried unanimously by all County Council Members present.

Item (8)

RESOLUTION

- (a) **Greater Greenville Sanitation District Annexation/Certain Properties Located in the Del Norte Subdivision**

ACTION: Councilor Payne moved for adoption a resolution to enlarge the Greater Greenville Sanitation District to include certain properties located in the Del Norte Subdivision.

Councilor Baldwin asked what was the law pertaining to removing property from the Greater Greenville Sanitation District.

Mr. Tollison stated per State Law, County Council had the ability to alter or reduce the boundaries of a special purpose tax district by a petition. He stated there was no mechanism in place to remove individual parcels from the middle of a district, only those on the periphery.

Motion as presented carried unanimously by all County Council Members present.

- (b) **Master Lease Agreement**

ACTION: Councilor Burns moved for adoption a resolution authorizing the Master Lease Agreement in the principal amount of not exceeding \$2,000,000 relating to the financing of equipment for public purposes; authorizing the execution and delivery of various documents; and other matters relating thereto.

Motion carried unanimously by all County Council Members present.

(c) **Duncan Chapel Fire District / General Obligation Bond Issuance - Request For Public Hearing**

ACTION: Councilor Burns moved for adoption a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$1,500,000 of General Obligation Bonds of Duncan Chapel Fire District and to provide for the publication of the notice of such hearing.

Councilor Dill asked if a public hearing was necessary.

Mr. Tollison stated state law required a public hearing.

Councilor Burns stated it was a binding referendum.

Councilor Baldwin asked if County Council denied holding a public hearing would it mean County Council also denied the referendum.

Mr. Tollison stated the purpose of the proposed item was to setup a public hearing. A public hearing had to be held to allow the process to continue.

Councilor Payne stated a referendum was a positive step.

Motion carried unanimously by all County Council Members present.

(d) **Project Commodore / Inducement Agreement**

ACTION: Councilor Burns moved for adoption a resolution authorizing the execution and delivery of an Inducement Agreement by and between Greenville County, South Carolina and a company or companies known to the County at this time collectively as Project Commodore, whereby, under certain conditions, Greenville County will execute a Fee in Lieu of Tax Agreement with the Company with respect to an industrial project in the County, whereby the project would be subject to certain fees in lieu of taxes; and providing for related matters.

Motion carried unanimously by all County Council Members present.

Item (9) ORDINANCES – THIRD READING

(a) **Zoning Ordinances**

1. **CZ-2013-18,** Property of Brad Doyle located on Easley Bridge Road requesting rezoning from R-M20 and C-3 to O-D.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously by all County Council Members present.

2. **CZ-2013-19,** Applicant Nelson Mullins Riley & Scarborough LLP, of property located at the North Pleasantburg Drive & Furman Hall Road intersection requesting rezoning from R-12, C-2 and S-1 to C-3.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.

AMENDMENT: Councilor Norris stated she had concerns with the proposed rezoning. Citizens feared being pushed out of the area by new commercial development. She stated she worked with the applicant and they expressed an interest in working with the residents and Greenville County to make between 6 – 7 acres of excess property available for a recreational facility or related activities. She requested County Council consider an agreement, in which, if the excess property was deeded to Greenville County, the Worley Road Community would be designated as a quality investment for Greenville County residents.

Councilor Meadows asked would the inclusion of Greenville County agreeing to take property in an ordinance create any issues.

Mr. Tollison stated it would not create any issues because at this point it was merely a conversation; nothing was currently binding.

Motion to amend carried unanimously by all County Council Members present.

Motion as amended carried unanimously by all County Council Members present.

3. **CZ-2013-21**, Property of William Hammond located on Woodruff Road requesting rezoning from C-1 to C-3.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously by all County Council Members present.

4. **CZ-2012-46**, Property of STM Acquisition and Development Inc., located on Woodruff Road requesting rezoning from C-2 to R-M16. This item was held over from the May 21st meeting.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.

ACTION: At the request of the applicant, Councilor Dill moved to hold this item until the August 20th meeting.

Motion to hold carried unanimously by all County Council Members present.

(b) FY2015 Budget for Greenville County

ACTION: Councilor Burns moved for adoption at third reading an ordinance to adopt the County of Greenville Fiscal Year 2014-2015 Budget.

Motion carried unanimously by all County Council Members present.

Item (10)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2013-20**, Property of Barbara Morris located on E. North Street requesting rezoning from R-M20 to C-1. The Planning Commission and Committee recommended approval. This item was held over from the last Council meeting.

ACTION: On behalf of the committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously by all County Council Members present.

(b) Donaldson Center Fire Service Area / FY 2014 BUDGET

ACTION: Councilor Burns moved for approval at second reading an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area.

Motion carried unanimously by all County Council Members present.

(c) Greenville / Anderson Multi County Industrial Business Park Agreement

ACTION: Councilor Burns moved for approval at second reading an ordinance to develop a jointly owned and operated industrial/business park (General Machine of Anderson, Inc.) in conjunction with Anderson County, such industrial/business park to be geographically located in Anderson County and established pursuant to South Carolina Code of Laws of 1976, as amended; to provide for a written agreement with Anderson County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of Ad Valorem taxes to the counties and relevant taxing entities; to provide that job tax credits allowed by law be provided for businesses locating in said park; and to permit a user fee in lieu of Ad Valorem taxation within said park..

Motion carried unanimously by all County Council Members present.

(d) River Falls Fire District / General Obligation Bond

ACTION: Councilor Burns moved for approval at second reading an ordinance to provide for the issuance and sale of a not exceeding \$950,000 Greenville County, South Carolina, General Obligation Bond (River Falls Fire District Project), Series 2013; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

AMENDMENT: Councilor Burns moved to amend the ordinance to reflect the changes outlined in the red-lined version included in the agenda packet.

Councilor Meadows recused himself.

Councilor Meadows passed the gavel to Councilor Gibson.

Motion to amend carried unanimously by all County Council Members present.

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

ACTION: Councilor Dill moved to hold the item until August 20, 2013.

Councilor Baldwin asked if the item had the ability to be a referendum for the voters in the River Falls Fire District.

Mr. Tollison stated there was not a reason to have a referendum because it would not be binding.

Councilor Baldwin asked what was the deadline to put a referendum on the November ballot.

Mr. Tollison stated he would speak with Conway Belangia, Executive Director for the Greenville County Election Commission Office.

Councilor Dill stated he moved to hold the item to allow the community more discussion time.

Councilor Burns stated he agreed with holding the item to allow time for potential funds to be freed up, which would reduce costs.

Motion to hold carried by nine of those present voting in favor and one written abstention (Meadows).

Councilor Gibson passed the gavel back to Councilor Meadows.

(d) Greenville Technical College / General Obligation Bond Issuance

ACTION: Councilor Burns moved for approval at second reading an ordinance to provide for the issuance and sale of not exceeding \$25,000,000 Greenville County, South Carolina, General Obligation Bonds (Greenville Technical College Project), Series 2013e; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Councilor Burns stated more questions continued to arise. He questioned if spending \$25,000,000 would solve the issues. He stated he did not want to vote against the project however, he was unsure if it had the capabilities to succeed. He did not agree with raising taxes for a project that was not clearly defined.

Councilor Payne stated in order to provide Greenville County with the educated workforce needed to recruit high impact companies, they needed to give Greenville Technical College the tools to supply that need.

Councilor Norris stated a program that invested in the future was important for quality education and employment.

Councilor Gibson stated training was definitely needed. She stated Greenville Technical College was the arm in bringing many businesses to the area. She stated as technology changed, the curriculum would change as well to insure there was a viable workforce.

Councilor Baldwin asked what was the projected millage increase to cover the \$25,000,000.

Mr. Kernell stated the millage increase was between 0.75 – 0.80 mills.

Councilor Dill moved to hold the item until the August 20, 2013. He asked Mr. Tollison to explain how many votes it would take to pass a millage increase.

Mr. Tollison stated the proposed ordinance required nine votes for approval at second and third reading.

Councilor Burns stated he did not agree with spending approximately \$300 per square foot for the proposed building. He agreed with investing in the workforce development however, he felt there was a better way, and he did not like the fact that there was no curriculum outlined in the project. Councilor Burns stated at this time, there were too many questions in relation to the proposed.

Motion to hold carried with Councilor Burns voting in opposition.

Item (11)

ORDINANCES – FIRST READING

(a) Drive Automotive / Fee Agreement

Councilor Burns presented for first reading an ordinance authorizing the execution and delivery of a Fee-in-Lieu of Ad Valorem Taxes and Incentive Agreement by and among Greenville County, South Carolina, and Drive Automotive Industries of America, Inc., as sponsor, and MI Developments (America) Inc., as sponsor affiliate, to provide for a Fee in Lieu of Ad Valorem Taxes incentive, granting of certain special source revenue credits and other matters related thereto.

(b) Drive Automotive / Fee Agreement Extension

Councilor Burns presented for first reading an ordinance authorizing an amendment of that certain fee in lieu of Ad Valorem Taxes agreement by and among Greenville County, South Carolina, and Drive Automotive Industries of America, Inc., as sponsor, and MI Developments (America) Inc., as sponsor affiliate, to extend the term of said agreement; and other matters related thereto.

(c) Greenville County Recreation District / Debt Transfer

Councilor Burns presented for first reading an ordinance providing for the assumption by Greenville County of certain indebtedness of Greenville County Recreation District; for the execution and delivery of one or more assumption agreements; for the delivery of substitute bonds; and other matters related thereto.

(d) Duncan Chapel Fire District / General Obligation Bond

Councilor Burns presented for first reading an ordinance finding that Duncan Chapel Fire District may conditionally issue not exceeding \$1,500,000 General Obligation Bonds; to authorize the Board of Fire Control of Duncan Chapel Fire District to issue such bonds and to provide for the publication of notice of the said findings and authorization; and other matters relating thereto.

(e) Project Commodore / Fee-in-Lieu-of-Tax Agreement

Councilor Burns presented for first reading an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Greenville County, South Carolina and a Company or Companies known to the County at this time collectively as Project Commodore, 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.

Item (12)

COMMITTEE REPORTS

There were no further Committee Reports.

Item (13)

APPEARANCES

There were no speakers.

Item (14)

ADMINISTRATOR'S REPORT

County Administrator Joe Kernell reported the transition of moving the Recreation District into a Department of the County had gone very well. He stated all the new employees were on the County's payroll and received their first check last week. Mr. Kernell stated they were still processing the property transfers and the debt and they were working with IT to integrate both systems. Overall the transition had been smooth.

Mr. Kernell then stated Sandra Yudice had put together a program that would increase awareness among the residents of the services the County provided. The hope is to improve the lines of communication by showing them where to go when they need something from County Government and engaging residents in what the County does. The program would be called the Greenville County Citizen School of Government. It was modeled after the internal program the County had to teach managers what the whole operation does. He stated the classes would begin September 10th and run through October 29th. The meetings would be held weekly, on Tuesdays, but would not interfere with Council meetings. He stated space would be limited.

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Burns handed out information from the United Way regarding an area they refer to as the White Horse Crescent. This is an area that affects about 4-5 County Council districts. The United Way has identified severe problems in this "White Horse Crescent," such as unemployment rate, which was almost double that of the rest of the County; the median income in this area was about half of the County average; the poverty rate was doubled; the child poverty rate was more than doubled; the number of adults who have not completed high school was doubled. These were areas of concern and the United Way and their partner agencies were working hard to get the services those partner agencies have into those areas that need it most. He invited his colleagues to tour those areas with him to witness the need and the programs that were available.
- Councilor Seman stated CU ICAR and SCTAC announced a partnership with Oak Ridge National Laboratory to support a three-year grant program to develop and test wireless charging systems for electronic vehicles. The research was funded by the US Department of Energy and other partners included Duke Energy, Cisco and Toyota. Testing would begin at the SCTAC test track in 2014.

- Councilor Payne invited Council members and the public to the University Center next Tuesday at 4:30 to hear from two gentlemen who were working on driverless vehicles and their uses. Phase I of their project was at Fort Bragg where they were using these vehicles to help wounded soldiers get around on base. Their second phase was on a project with NASA in Texas. He stated those two men have approached the County stating they would like to make Greenville the 3rd pilot site for their project at either CU ICAR or SCTAC.
- Councilor Gibson requested information regarding the listing of salaries from the reorganization. She also requested information on her own salary increase.

Item (14)

ADJOURNMENT

ACTION: Councilor Kirven moved to adjourn the meeting at 7:29 p.m.
Motion carried unanimously by all County Council Members.

Respectfully submitted:

Theresa Kizer, Clerk to Council