

**MINUTES
GREENVILLE COUNTY COUNCIL
SEPTEMBER 17, 2013
COUNCIL CHAMBERS
6:02 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:

| | |
|------------------------------|-----------------|
| CHAIRMAN BOB TAYLOR | SID CATES |
| VICE CHAIRMAN WILLIS MEADOWS | LOTTIE GIBSON |
| JOE DILL | XANTHENE NORRIS |
| FRED PAYNE | BUTCH KIRVEN |
| JOE BALDWIN | LIZ SEMAN |
| JIM BURNS | DAN RAWLS |

COUNCIL MEMBER(S) ABSENT:

NONE

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
KIMBERLY WUNDER, Assistant County Attorney
JIM DORRIETY, Assistant County Administrator, Public Safety
JEFF WILE, Assistant County Attorney

OTHERS PRESENT:

CHIEF RONNIE BOYCE, Chief, Donaldson Center Fire Department
ALEX MCNAIR, Chairman, Disabilities and Specials Needs Interim Board
JOHN COCCIOLONE, Executive Director, Greenville County Disabilities and Specials Needs

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Rev. Shawn Hevener, Pastor
Presbyterian Fellowship of Fountain Inn

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: Councilor Norris moved to amend the minutes of the September 3, 2013 meeting due to a misstatement made during Requests and Motions. She requested the change to be as follows:

Councilor Gibson stated on Saturday, August 24, 2013, John Gamble Celebration held an appreciation dinner banquet for Councilor Norris recognizing her for her work in District 23 at the Clarion Hotel located at I-85 and Augusta Road.

Motion as amended carried unanimously.

Item (5)

PUBLIC HEARINGS

- (a) Foothills Fire Service Area/Millage Request - CANCELLED**
- (b) Creation of the Lake Forest Special Tax District**

A public hearing was held for the purpose of receiving public comment regarding an ordinance to create the Lake Forest Special Tax District; to define the boundaries of the District and the purposes for which it is created; to establish the Lake Forest Special Tax District Commission; and to impose a tax levy of not more than \$25.00 annually on all real property located within the district.

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

Item (6)

APPEARANCES

- Jane Delisser, 305 Fairview Lake Way, Simpsonville – appeared regarding the Disabilities and Special Needs Board
- John Cocciolone, 3 Tale Court, Greer – appeared regarding the Disabilities and Special Needs Board

Item (7)

CONSENT AGENDA

- (a) Community Project Application / Donaldson Fire Service Area - Public Buildings / \$9,986.72**
- (b) Lease Agreement Renewal / Alzheimer's Association**
- (c) Initiate Amendment to the Comprehensive Plan to include the Dunean Community Plan**

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

Motion carried unanimously.

Item (8)

RESOLUTIONS

(a) Project Sugar / Inducement Resolution

ACTION: Councilor Meadows moved for adoption a resolution authorizing the execution and delivery of an Inducement Agreement and Millage Rate Agreement by and between Greenville County, South Carolina, and a corporation known to the County at this time as “Project Sugar” whereby, under certain conditions, the corporation will acquire, or purchase, certain land, improvements, furnishings, fixtures, apparatus, and equipment in connection with the construction of a manufacturing facility in the County, and the County will execute a Fee-in-Lieu of Tax Agreement and provide certain infrastructure credits to the corporation and execute certain documents and enact certain further legislation for the project involving a total of not less than \$38,500,000 in investment and the creation of not less than 80 new, full-time jobs.

Motion carried unanimously.

Item (9)

ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. CZ-2013-26, Property of QuikTrip Corporation located on N. Pleasantburg Drive at Montebello Drive, requesting rezoning from PD to C-3.

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

Motion carried unanimously.

2. 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.

ACTION: At the request of the applicant, Councilor Dill moved to hold this item until October 15th.

Motion to hold until October 15th carried unanimously.

(b) Duncan Chapel Fire District / General Obligation Bond

ACTION: Councilor Meadows moved for adoption at third 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.

ACTION: Councilor Dill moved to suspend the rules to allow for amendments at third reading.

Motion to suspend the rules carried unanimously.

AMENDMENT: Councilor Dill moved to amend the proposed ordinance to limit the issuance to a twenty-year bond.

Councilor Dill asked if the County was bound to sell the bonds through an outside party.

Mr. Tollison stated special purpose districts were separate from the County therefore it was the responsibility of the individual district's bond council to handle their transactions.

Councilor Meadows asked the Administrator, in reference to the interest charges, was there a difference between a twenty and a forty year bond.

Mr. Kernell stated in general a twenty-year bond would carry a lower interest rate than a forty-year bond.

Councilor Baldwin stated considering the residents of Duncan Chapel would be the ones to vote on the proposed, he did not see the need for County Council to micro-manage.

Councilor Kirven stated the idea of a forty-year bond term was unusual.

Councilor Cates asked what was the desire of the Duncan Chapel Board.

Councilor Dill stated it was his understanding the Duncan Chapel Board had chosen the forty-year term. He asked the Duncan Chapel Board spokesperson in attendance to answer if the board had agreed to execute a forty-year bond.

Margaret McGee, attorney representing Duncan Chapel stated the terms of the bond were not decided upon. Once the bond was approved, market conditions would determine the best option for the district, with the Duncan Chapel Fire District Commission making the final decision. She stated the forty-year thought came up due to rural development loans having some forty-year terms however, the proposed General Obligation Bond for Duncan Chapel Fire District would not have a forty-year bond. She stated only in the event the district was unable to pay would the bond amortize to a forty-year term however, it would not occur because it was a General Obligation Bond.

Councilor Dill withdrew his motion to amend, stating he wanted the record to show their attorney's statement.

Motion as presented carried unanimously.

(c) Creation of the Lake Forest Special Tax District

ACTION: Councilor Payne moved for adoption at third reading an ordinance to create the Lake Forest Special Tax District; to define the boundaries of the District and the purposes for which it is created; to establish the Lake Forest Special Tax District Commission; and to impose a tax levy of not more than \$25.00 annually on all real property located within the district.

Motion carried unanimously.

Item (10)

ORDINANCES – SECOND READING

(a) **Ordinance to Reflect the Correct Section of the Adopted Property Maintenance Code**

ACTION: Councilor Payne moved for approval at second reading an ordinance to update the Greenville County Code concerning the regulation of rubbish and litter to reflect the correct section of the adopted Property Maintenance Code.

Motion carried unanimously.

(b) **Greenville County Disabilities and Special Needs Board Ordinance**

ACTION: Councilor Meadows moved for approval at second reading an ordinance to amend Ordinance No. 2378, as amended, to establish a Board of Directors for the Greenville County Disabilities and Special Needs Board; to define the membership, terms and appointment of board members; and to provide for the dissolution of the Interim Board of Directors.

Councilor Dill inquired about a proposed amendment and where it would be inserted.

Mr. Tollison stated the proposed amendment would be inserted in Subsection (B): “Composition of the Board.” He read the proposed amendment as follows:

Allowing for up to Two Family Members on GCDSNB Board of Directors

Amend “4 (B)” in Section 1 of the Ordinance to add the following language at the end:

“Furthermore, the Board of Directors of the GCDSNB is specifically exempted from Section 2-83(D) of the Greenville County Code of Ordinances, and County Council may appoint up to (2) members of the Board who have immediate family members that are consumers receiving direct services from the GCDSNB.”

ACTION: Councilor Dill moved to approve the proposed amendment.

Councilor Seman suggested adding language to support the need for qualified individuals on the board. She stated the interim board had done a great job.

Chairman Taylor stated the board members for the DSNB had to be qualified individuals just as with all boards. He stated qualifications and training requirements would be determined.

Councilor Burns asked how the exception for the DSNB would affect other boards.

Mr. Tollison stated County Council determined the language for each board individually.

Motion to approve the amendment carried unanimously.

Motion as amended carried unanimously.

Item (11)

ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2013-38 through CZ-2013-41.

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

(b) Project Single / Fee-in-Lieu-of-Tax Agreement

Councilor Meadows presented for first reading an ordinance authorizing an amendment to a Fee-in-Lieu of Ad Valorem Taxes Agreement by and between Greenville County, South Carolina, and an entity known to the County at this time as Project Single, to provide for an extension of the investment period and an increase and extension of the Special Source

Revenue Credit benefits thereunder; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

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

(c) Fire District Operating Millage Referendum

Councilor Meadows presented for first reading an ordinance to provide a process whereby certain County-created fire districts and certain State-created fire districts may conduct operating millage referenda; and other matters related thereto.

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

(d) Lease Agreement / University of South Carolina - Children's Law Center

Councilor Meadows presented for first reading an ordinance to authorize and direct the Chairman of County Council and the County Administrator to execute a lease with the University of South Carolina – Children's Law Center for the use of available office space at County Square.

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

Item (12)

COMMITTEE REPORTS

(a) Committee of the Whole

1. Board and Commission Appointments

ACTION: On behalf of the Committee, Councilor Meadows moved to elect the following by acclamation:

a. Board of Tax Assessments and Appeals

S. Wayne Middleton

b. Human Relations Commission

Brandi Campbell (D.19)
Ronald Hall (D.22)
Steve Hall (D.22)
Angela Huntley (D.28)

c. Greenville County Redevelopment Authority

Amy Dunn (D.19)
Jane Kizer (D.24)
Walter Moragne (D.23)
Todd Yeomans (D.22)

Motion carried unanimously.

Item (13)

APPEARANCES

- David McCraw, 103 E. Beacon Drive, Greenville – appeared regarding a tourism district and local option permit
- Tamara Desmond, 3010 Kelsey Creek Road, Greenville – appeared regarding changes at Animal Care Services
- Ed Paxton, 1 York Circle, Greenville – appeared regarding FOI violations
- Jack Logan, 5051 Old Augusta Road, Greenville – appeared regarding juvenile jail

Item (14)

ADMINISTRATOR'S REPORT

Mr. Kernell stated there were issues with Animal Care Services that had been addressed. He stated a new veterinarian had been hired and as a preventive measure, the entire facility was sanitized. Contrary to some public belief, there was not a mass killing of animals. He stated issues relating to proper vaccination were corrected and no animal would leave the facility without proper vaccinations.

Mr. Kernell stated the ribbon cutting for the Juvenile Detention and Assessment Center was held on Friday, September 13, 2013. He stated it was important to separate youth from adults by means of a separate building. Mr. Kernell stated the State Director of Juvenile Justice for South Carolina agreed to help with reducing the number of juveniles that would come to the Juvenile Detention and Assessment Center.

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Burns inquired about where the County stood in regards to the Upstate Transportation Board and the efforts being put forth by outside entities dealing with the transportation sales tax referendum.
- Chairman Taylor stated Council would be discussing the matter at the next Committee of the Whole.

- Councilor Norris expressed her concern with the current state of the County's transportation system.
- Councilor Seman announced Brenda Jones was retiring after 14 years of service to SCTAC and that Karen Gordon would be replacing her as the new executive assistant.
- Councilor Gibson encouraged her colleagues to attend a celebration on September 28th marking the 107 Days of Non-Violence in Greenville County. The event would be held at Heritage Park in Simpsonville from 11:00 a.m. until 5:00 p.m.
- Councilor Kirven requested permission to present information to Council at the next Committee of the Whole meeting regarding what he had learned from his in-depth study on the transportation issue.
- Councilor Payne stated a group from Kingsport, Tennessee would be coming to Greenville on October 10th to look at the County's Museums in their quest to find a model for their own. He stated this was a great time to show off Greenville County.

ACTION: Councilor Dill moved to suspend County Council Rules in order to allow for a motion to reopen the board and commission application process for certain boards.

Motion carried unanimously.

ACTION: Councilor Dill moved to reopen for two weeks, the board and commission application process for the Foothills Fire Service Area, the Chanticleer Community Tax District and the Sterling Special Tax District.

Motion carried unanimously.

- Councilor Dill expressed his appreciation to staff for their efforts in providing an assessment center for juveniles in Greenville County.
- Councilor Cates stated Forbes Magazine listed the top 100 best and worst cities in the nation for finding jobs. Greenville, South Carolina was tied with Fort Myers for second place on the list of the best cities. Third place went to Charlotte, North Carolina and Greensboro, North Carolina was also in the top 10. He stated three Carolina cities along the I-85 corridor made the list for having the best prospects for getting jobs in the nation.
- Councilor Cates asked the County Administrator if there was an agency that inspected and rated animal shelters much like the Health Department did for restaurants.
- Mr. Kernell stated he was unaware of an agency that actually rated facilities; however HSUS (Humane Society of the United States) could come in and look at the facilities. He stated Greenville County has had experience with them back when the Humane Society ran the operation prior to the County taking over the function.

Item (16)

ADJOURNMENT

ACTION: Councilor Cates moved to adjourn the meeting at 7:15 p.m.

Motion carried unanimously by all County Council Members.

Respectfully submitted:

Theresa Kizer, Clerk to Council