

**MINUTES
GREENVILLE COUNTY COUNCIL
MAY 6, 2014
COUNCIL CHAMBERS
6:05 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	XANTHENE NORRIS
VICE CHAIRMAN WILLIS MEADOWS	LIZ SEMAN
JOE DILL	JIM BURNS
JOE BALDWIN	BUTCH KIRVEN
SID CATES	FRED PAYNE
LOTTIE GIBSON	

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
BOB MIHALIC, Governmental Relations Officer
JIM DORRIETY, Assistant County Administrator, Public Safety
SANDRA YUDICE, Assistant to the County Administrator
JOAN PETERS, Paving Engineer
HESHA GAMBRELL, County Engineer

OTHERS PRESENT:

JOHN ELDRIDGE, Chief Deputy, Greenville County Sheriff's Office

CALL TO ORDER

Chairman Bob Taylor

COMMENT

Chairman Taylor stated Dr. Bruce McAlister was scheduled for the invocation however, he was given an honor along with an invitation to dinner therefore he would not be in attendance.

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the April 1, 2014, County Council meeting.

Motion carried unanimously by all County Council Members.

Item (5) PROCLAMATION

Councilor Seman presented members of the staff of the Greenville County Detention Center with a proclamation for their role in safeguarding the citizens of Greenville County by providing safe, secure and humane incarceration of offenders within their custody.

Item (6) PUBLIC HEARINGS

(a) Greenville/Anderson Multi County Industrial Business Park Agreement Amendment/Carbon Resources Recovery SC LLC and CRR-SC SPE, LLC (formerly Project Gamma)

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

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

(b) Unattended Donation Receptacles

A public hearing was held for the purpose of receiving public comments regarding an ordinance prohibiting unattended donation receptacles in Greenville County.

- John Fiedler, 10 Runnymed Road, Greenville – appeared in favor of the proposed
- Brad Majors, 6 Frosty Meadow Court, Greenville – appeared in favor of the proposed
- Jim Marshall, 1621 Poplar Drive Ext., Greer – appeared in opposition to the proposed
- Sarah Brown, 1 Augusta Street, Suite 301, Greenville – appeared in opposition to the proposed
- Luke Burke, 401 Pettigru Street, Greenville - appeared in opposition to the proposed
- Shawn Pauly, 300 Pioneer Court, Simpsonville, appeared in opposition to the proposed

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

Item (7)

APPEARANCES – CURRENT AGENDA ITEMS

- Milton Thigpen, 601 Dunklin Bridge Road, Pelzer – appeared regarding Item 12(f)
- Bob Knight, 107 Lanneau Drive, Greenville – appeared regarding Item 12(f)
- Coleman Shouse, 5 Creekside Park Court, Greer – appeared regarding Item 12(f)
- Ed Paxton, 1 York Circle, Greenville – appeared regarding Item 12(f)
- Mercedes McClain, 106 Gallivan Street, Greenville – appeared regarding Item 12(f)
- Chris Bailey, 204 Anderson Street, Greenville – appeared regarding Item 12(f)
- Sandy Zwolak, 300 W. Silverleaf Road, Greer – appeared regarding Item 12(f)
- Mike Freeman, 2804 Augusta Street, Greenville – appeared regarding Item 12(f)
- Barry Strohl, 620 Langley, Road, Travelers Rest – appeared regarding Item 12(f)
- Susan McLarty, 204 E. Hillcrest Drive, Greenville – appeared regarding Item 12(f)
- Butch Taylor, 1 Millbrooke Court, Greenville – appeared regarding Item 12(f)
- Joshua Cooke, 50 Meadows Rose Drive, Travelers Rest – appeared regarding Item 12(f)
- Pat Taylor, 311 Poplar Lane, Mauldin – appeared regarding Item 12(f)

Item (8)

CONSENT AGENDA

- (a) Initiate Process for Text Amendment/Wedding Chapels and Special Events in Residential Areas (P&D)**
- (b) Initiate Process for Amendment to the Greenville County Comprehensive Plan / to Include the New Washington Heights Community Plan (P&D)**
- (c) TIGER Discretionary Grant (Finance)**
- (d) BJA FY2014 Adult Drug Court Discretionary Grant Program (Finance)**
- (e) FY2015 Used Oil Grant (Finance)**
- (f) FY2015 Waste Tire Grant (Finance)**
- (g) FY2015 Solid Waste Reduction and Recycling Grant (Finance)**
- (h) 2014 Paul Coverdell Forensic Science Improvement Grant (Finance)**
- (i) Lead the Wave Grant – EMS (Finance)**
- (j) Dunklin Fire Department / Amendment to Lease Agreement (Finance)**
- (k) Greenville County Redevelopment Authority / FY2014 Annual Action Plan (Finance)**

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

Motion carried unanimously by all County Council Members.

Item (9)

RESOLUTIONS

(a) Land and Water Conservation Fund Grant/Westside Park Rehabilitation

ACTION: Councilor Meadows moved for adoption a resolution to commit county funds to match a grant from the National Park Service United States Department of the Interior Land and Water Conservation Fund to Greenville County Parks, Recreation and Tourism, a department of the County of Greenville, South Carolina.

Motion carried unanimously by all County Council Members.

(b) Precision Valve/Fee in Lieu of Tax Agreement

ACTION: Councilor Meadows moved for adoption a resolution to approve and consent to the assignment and transfer of an Inducement Agreement and Millage Rate Agreement dated November 21, 2006 and a Fee in Lieu of Tax Agreement between Greenville County, South Carolina and Precision Valve Corporation dated May 20, 2008, as amended.

Motion carried unanimously by all County Council Members.

(c) Project Foundation/Inducement Resolution

ACTION: Councilor Meadows moved for adoption an inducement resolution with respect to Project Foundation.

Motion carried unanimously by all County Council Members.

Item (10)

ORDINANCES – THIRD READING

(a) Greenville/Anderson Multi County Industrial Business Park Agreement Amendment/ Carbon Resources Recovery SC LLC and CRR-SC SPE LLC (formerly Project Gamma)

ACTION: Councilor Meadows moved for adoption at third reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

Motion carried unanimously by all County Council Members.

Item (11)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

- 1. CZ-2014-6,** Property of Camperdown Academy Inc., located at 501 Howell Road requesting rezoning from R-20 to R-M20. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously by all County Council Members.

2. **CZ-2014-7**, Property of Brent Edgerton and Jenny Hawkins, located at 319 East Warehouse Court requesting rezoning from I-1 to S-1. The Planning Commission and Committee recommended approval.

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

Councilor Cates stated the purpose of the rezoning was to obtain storage for landscaping supplies. He encouraged everyone to vote in favor of the proposed.

Motion carried unanimously by all County Council Members.

3. **CZ-2014-13**, Property of Eunice Rickard located at 125 Old Grove Road requesting rezoning from R-MA to C-3. The Planning Commission and Committee recommended denial.

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

Motion was denied.

(b) Unattended Donation Receptacles

ACTION: Councilor Payne moved for approval at second reading an ordinance prohibiting unattended donation receptacles in Greenville County.

AMENDMENT: Councilor Kirven moved to allow amendments at third reading.

Councilor Baldwin asked as long as it was an attended receptacle, was there a difference between charitable and not for profit.

Mr. Tollison stated there was no difference as long as it was an attended receptacle.

Motion to allow amendments at third reading carried unanimously by all County Council Members.

Councilor Burns asked why did the committee change from a regulation of the boxes to prohibition of the boxes except for attended spaces.

Councilor Payne stated, based on the Zoning Administrator's interpretation, there was a text amendment which was in turn challenged by individuals in opposition to the proposed ordinance. Due to the Zoning Appeals Board turning down the Zoning Administrator's initial decision, the proposed ordinance was revised.

Councilor Burns stated the initial proposal was harder to enforce in some ways. He asked for clarification on the difference between regulations of the receptacles versus prohibiting unattended boxes.

Mr. Tollison stated several options were considered and the committee requested the proposed ordinance on unattended donation receptacles.

Councilor Cates stated he thought proliferation was the main concern of the donation receptacles.

Councilor Payne stated there was proliferation and an eyesore of the donation receptacles throughout the County.

Councilor Norris stated it was her understanding the quantity was not the issue, but it was whether or not the receptacles were attended.

Motion as amended carried unanimously by all County Council Members.

Item (12)

ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2014-11, CZ-2014-14 and CZ-2014-16.

Chairman Taylor stated the items would be referred to the Planning and Development Committee.

(b) Anderson / Greenville Multi County Industrial Business Park Amendment - Project Current

Councilor Meadows presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

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

(c) Laurens / Greenville Multi County Industrial Business Park Amendment

Councilor Meadows presented for first reading an ordinance to amend the agreement for development of a joint county industrial park, by and between Laurens County, South Carolina and Greenville County, South Carolina, providing for the development of a jointly owned and operated industrial/business park, so as to include additional property in Laurens County as part of the joint county industrial park.

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

(d) Anderson / Greenville Multi County Industrial Business Park Agreement – Project Choco

Councilor Meadows presented for first reading an ordinance to develop a joint county industrial and business park (Project Choco) in conjunction with Anderson County, such industrial and business park to be geographically located in the town of Pendleton, in Anderson County and established pursuant to Article VIII, Section 13 of the South Carolina Constitution, and South Carolina Code of Laws of 1976 Section 4-1-170, et sequitur, 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 jobs tax credits allowed by law be provided for businesses locating in said park; to permit a user fee-in-lieu of *ad valorem* taxation within said park; and other matters related thereto.

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

(e) Project Foundation

Councilor Meadows presented for first reading an ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Greenville County, South Carolina and Project Foundation; the application of an infrastructure credit to fee-in-lieu of tax payments; and matters relating thereto.

Councilor Meadows requested the item be returned to the Finance Committee.

Chairman Taylor referred the item to the Finance Committee.

(f) Transportation Projects Funding Referendum Ordinance

Councilor Meadows presented for first reading an ordinance to levy and impose a one percent (1%) Sales and Use Tax, subject to a referendum within Greenville County pursuant to Section 4-37-30 of the Code of Laws of South Carolina, 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects to be funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and prescribe the contents of the ballot question; to provide for the conduct of the referendum by the Greenville County Election Commission; to provide for the administration of the tax, if approved; and other matters relating thereto.

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

(g) Hospitality Tax Refunding Bond

Councilor Meadows presented for first reading an ordinance authorizing Greenville County, South Carolina, to execute documents including a second supplement to lease agreement by and between Greenville County, South Carolina and Greenville County Tourism Public Facilities Corporation; consenting to the issuance of refunding Certificates of Participation in the second supplement to lease agreement in the aggregate principal amount of not exceeding \$29,300,000; approving the form of a second supplement to trust agreement between Greenville County Tourism Public Facilities Corporation and the Trustee named thereunder; authorizing a pledge of and lien on the Hospitality Tax revenues to secure the payment of the base rent under the lease agreement; and other matters relating thereto.

Chairman Taylor referred the item to the Finance Committee.

(h) University Center Public Facilities Corporation / Refunding Certificates of Participation

Councilor Meadows presented for first reading an ordinance authorizing Greenville County, South Carolina, to execute documents including a second supplement to lease agreement by and between Greenville County, South Carolina and University Center Public Facilities Corporation; consenting to the issuance of Refunding Certificates of Participation in the second supplement to lease agreement in the aggregate principal amount of not exceeding \$5,500,000; approving the form of a second supplement to trust agreement between University Center Public Facilities Corporation and the Trustee named thereunder; and other matters relating thereto.

Chairman Taylor referred the item to the Finance Committee.

(a) **Committee of the Whole**

1. Board and Commission Nominations

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

Arena District Commission

Michael Cashman (D. 23) - new
Paul Kearns (D. 24) - incumbent
James Smith Jr. (D. 27) – new

Greenville Area Development Corporation

Catherine Heigel (D. 24) - new
David Kelley (D. 24) - new
Debbie Nelson (D. 20) – new

Construction Board of Appeals

Joe Black (D. 21) - incumbent
Michael Coleman (D. 22) - incumbent
Tony Gilreath (D. 21) – incumbent

Greenlink (GTA)

Samuel Zimmerman (D.23) - incumbent

SC Technology and Aviation Center Board

Steven West (D.27) - incumbent

Ashwicke Tax District Commission

Jan Munafo - incumbent
Mike Munafo – incumbent

Autumn Hills Tax District

Barbara Dennis – new

Boiling Springs Fire District

William Flack – incumbent

Buxton Tax District

David Spear – incumbent

Chanticleer Community Commission

Wiley Crittenden - new
Vernon Merchant III – new

Devenger Tax District

Emmett Henson – incumbent
Randy Price - incumbent
Siobhan Tortora – incumbent

Freetown Community Special Tax District

James Cramer – new

Linkside Special Tax District

Les Burns - incumbent
Dale Hawkins - incumbent
George Pike – incumbent

Motion carried unanimously by all County Council Members.

ACTION: On behalf of the Committee, Councilor Meadows moved the following candidates to a ballot vote at the May 20th County Council Meeting:

Zoning Appeals Board

Nathan Earle (D.17) - new
Kenneth Gibson (D.23) - new
Tom Kriese (D. 18) - incumbent
Bernard Newton (D. 21) – incumbent

Motion carried unanimously by all County Council Members.

Item (14)

APPEARANCES

- Bob Davis, Setinel Court, Greer – appeared regarding “the verdict is in”

Item (15)**ADMINISTRATOR'S REPORT**

County Administrator Joe Kernell stated Leadership Greenville Class of 39 was in the process of completing the restoration of the railcar on the Greenville Health System Swamp Rabbit Trail, at the new Swamp Rabbit Station pocket park in the Berea Community. He stated the Class of 39 partnered with the Greenville County Department of Parks, Recreation and Tourism to refurbish the 70 year old railcar to create a pocket park that will serve as a gathering and resting point for the many groups who utilize the trail. Spinx made a significant contribution to the restoration of the railcar. Included in these efforts was the donation of the mini locomotive by philanthropist, enthusiast and businessman David Wilkerson. This pocket park, located at the Pinsley Circle / Sulphur Springs Road intersection, will act as a gateway to the Berea Community. A ribbon cutting ceremony at the site is scheduled for Thursday, May 15th at 10:30 a.m.

Mr. Kernell stated on Friday, May 16, 2014 at 2:00 p.m. the County would be holding the Fourth Annual Cardiac Arrest Survivor Ceremony at the TD Convention Center. He stated this was a tremendous ceremony and he encouraged everyone to attend.

Item (13)**REQUESTS AND MOTIONS BY COUNCIL MEMBERS**

- Councilor Cates stated he was impressed with Representative Trey Gowdy.
- Councilor Burns reminded everyone of the United Way Annual Legislative Breakfast on Monday, May 12th at 7:30 a.m. at the Kroc Center.
- Councilor Norris invited everyone to the Happy Hearts Park Celebration on Saturday, May 17th from 2 until 6 p.m.
- Councilor Seman stated two airport improvement projects were underway at the Donaldson field. She stated one was an update to the runway safety area and the other was a runway drainage project. She stated both projects were funded through an FAA grant.
- Councilor Gibson thanked the employees of the Detention Center for the job they performed. She stated they were faced with many challenges and she would like to have some of those challenges addressed by the Public Safety Committee. Ms. Gibson invited Council Members to the Alcohol and Drug Abuse Family Affairs Committee breakfast on Tuesday, May 13th at 7:30 a.m. at the TD Convention Center.
- Councilor Payne expressed his appreciation for all the mothers in his life.
- Councilor Dill stated Adopt a Highway and the County's Environmental Control were both working very hard picking up trash in Greenville County; in many cases it was on the same streets over and over again. He requested the Chairman set up a Task Force to address the litter problem in Greenville County so that they could come up with a solution.
- Councilor Baldwin stated he was thankful that the right to open their meetings with prayer was upheld by the United States Supreme Court by a 5 to 4 vote.

Item (14)

ADJOURNMENT

ACTION: Councilor Baldwin moved to adjourn the meeting at 7:25 p.m.

Motion carried unanimously by all County Council Members.

Respectfully submitted:

Theresa Kizer, Clerk to Council