

**MINUTES  
GREENVILLE COUNTY COUNCIL  
APRIL 7, 2015  
COUNCIL CHAMBERS  
6:09 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	WILLIS MEADOWS	LIZ SEMAN
VICE CHAIRMAN BUTCH KIRVEN	SID CATES	LOTTIE GIBSON
JOE DILL	JIM BURNS	LYNN BALLARD
JOE BALDWIN	XANTHENE NORRIS	FRED PAYNE

**COUNCIL MEMBER(S) ABSENT:**

NONE

**STAFF PRESENT:**

JOE KERNELL, County Administrator  
MARK TOLLISON, County Attorney  
JEFF WILE, Assistant County Attorney  
DEAN CAMPBELL, Deputy 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  
ERIC VINSON, Director, Planning and Code Compliance  
JOHN VANDERMOSTEN, Assistant County Administrator, Public Safety

**OTHERS PRESENT:**

ERIC BEDINGFIELD, South Carolina House of Representatives

**CALL TO ORDER**

Chairman Bob Taylor

**INVOCATION** – *introduced by Councilor Sid Cates*

Alex Reynolds, President  
Taylors Town Square

**PLEDGE OF ALLEGIANCE**

**Item (4) APPROVAL OF MINUTES**

**ACTION:** Councilor Seman moved to approve the minutes of the March 17, 2015, Regular Council Meeting.

Motion carried unanimously.

**Item (5) PROCLAMATION**

**(a) St. Baldrick's Day**

Councilor Seman presented Robbie Tiffin and the St. Baldrick's Day Foundation with a proclamation honoring the volunteers whose time and talent have made St. Baldrick's Day awareness and fund raising successful; stating Greenville County Council supported their continued efforts in the fight against childhood cancer in Greenville County.

**Item (6) PUBLIC HEARINGS**

**(a) Sunday Alcohol Sales Referendum Ordinance**

A public hearing was held for the purpose of receiving public comments regarding an ordinance that calls for a referendum at the next general election to determine whether the South Carolina Department of Revenue may issue temporary permits to allow for the sale of alcoholic beverages for on-premises consumption and beer and wine at permitted off-premises locations on Sundays in the unincorporated area of the County of Greenville.

- **Catheryn McCraw, 109 Breeds Hill Way, Greer – appeared in favor of the proposed**
- **David McCraw, 109 Breeds Hill Way, Greer – appeared in favor of the proposed**

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

**(b) The Children's Museum of the Upstate**

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. 4484, so as to appropriate additional operating funds for tourist related projects.

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

**Item (7) APPEARANCES – CURRENT AGENDA ITEMS**

There were no speakers.

**Item (8) CONSENT AGENDA**

**(a) LiveWell / YMCA Grant – Partnerships to Improve Community Health**

**ACTION:** Councilor Norris moved to approve the Consent Agenda item.

Motion carried unanimously.

**Item (9) ORDINANCES – THIRD READING**

**(a) Sunday Alcohol Sales Referendum Ordinance**

**ACTION:** Councilor Kirven moved for adoption at third reading the ordinance calling for a referendum at the next general election to determine whether South Carolina Department of Revenue may issue temporary permits to allow for the sale of alcoholic beverages for on-premises consumption and beer and wine permitted off-premises locations on Sundays in the unincorporated area of the County of Greenville.

Motion carried with Councilor Meadows, Councilor Cates and Councilor Ballard in opposition.

**(b) The Children’s Museum of the Upstate**

**ACTION:** Councilor Kirven moved for adoption at the third reading the ordinance to amend Exhibit A established as an addendum to Ordinance No. 4079, as last amended by Ordinance No. 4484, so as to appropriate additional operating funds for tourist related projects.

Motion carried with Councilor Meadows and Councilor Cates in opposition.

**Item (10) ORDINANCES – SECOND READING**

**(a) Zoning Ordinances**

- 1. CZ-2015-09,** Property of Thomas Ryan located at 2304 Standing Springs Road requesting rezoning from C-1 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 unanimously.

2. **CZ-2015-10**, Property of Tony Hill located at Old White Horse Road requesting rezoning from C-1 to R-S. 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.

3. **CZ-2015-11**, Property of Joyce Brinck located at 130 Columbia Avenue requesting rezoning from C-2 to R-MA. The Planning Commission recommended approval and the Committee recommended denial.

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

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

Motion to hold carried unanimously.

4. **CZ-2015-13**, Property of Abner Christian Cleborn Irrevocable Trust c/o Wynell Long, Eyvonne Sherwood and Scott Hughes Long, Woodruff Road requesting rezoning from R-S to R-15. 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 with Councilor Kirven in opposition.

5. **CZ-2015-14**, Property of Alice and Robert Lee Jones, King Road and East Georgia Road requesting rezoning from R-R1 to R-S. 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.

6. **CZ-2015-15**, Property of Grace Community Church of South Carolina, corner of Pelham Road and Boiling Springs Road requesting rezoning from NC & O-D to NC. 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.

7. **CZ-2015-16**, Property of M.L. Garrett, 6514 White Horse Road requesting rezoning from R-12 to C-3. The Planning Commission recommended denial with consideration for C-1. The Committee recommended approval at the amended C-1.

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

**AMENDMENT:** Councilor Dill moved to amend the request from C-3 to C-1.

Councilor Burns asked if the applicant had requested C-1 rezoning and Councilor Dill confirmed the request.

Motion to amend carried unanimously.

**ACTION:** Councilor Dill moved approval of the ordinance as amended.

Motion carried unanimously.

**(b) Towing Ordinance Amendment**

**ACTION:** Councilor Seman moved for approval at second reading an ordinance to amend the non-consent towing ordinance to provide that the provisions of the ordinance apply to parking areas for apartment complexes.

Councilor Dill asked how the amendment would impact private properties.

Councilor Baldwin stated the current ordinance was already in effect for private properties such as motels but not for apartment complexes. Councilor Baldwin reminded Council members a car was towed from an apartment complex while the owner of the car was visiting someone living in the complex. The car was towed to Spartanburg County and it was discovered the current ordinance did not apply to apartment complexes.

Chairman Taylor asked Mark Tollison if the County was satisfied with the private property aspect of the ordinance.

Mark Tollison stated the County was satisfied with the private property aspect of the ordinance and reminded Council the ordinance was approved several years ago in response to "big rigs" being towed out of commercial parking lots. The amendment would expand the ordinance to include apartment complexes, to provide for the same signage and abide by the same set of rules for non-consent tows.

Councilor Cates asked if towing companies were seeking out vehicles to tow.

Councilor Baldwin asked why a company from Spartanburg would tow a vehicle parked on White Horse Road.

Councilor Cates asked if there was a rotation list for towing services or if those companies just roamed around seeking cars to tow.

Councilor Dill stated private companies contracted with different towing companies for services.

**ACTION:** Motion as presented carried unanimously.

**(c) Project Meadowlark / Incentive Agreement**

**ACTION:** Councilor Kirven moved for approval at second reading an ordinance to authorize: (1) the execution and delivery of an incentive agreement by and between Greenville, County, South Carolina and Project Meadowlark, acting for itself or an affiliate, whereby, under certain conditions, the Company will expand its corporate headquarters and office facilities currently located in the County; (2) the County to grant special source credits to reimburse the Company for a portion of the costs of certain infrastructure or real property costs incurred in connection with establishment of a commercial enterprise serving the economic development of the County; (3) the benefits of a multi-county park to be made available to the Company; and (4) other matters relating thereto.

Motion carried unanimously.

**Item (11) ORDINANCES – FIRST READING**

**(a) Revised Stormwater Ordinance**

Councilor Payne presented for first reading an ordinance to amend the Greenville County Storm Water Management Ordinance to implement requirements and procedures in compliance with Federal and State Regulations pursuant to the County's NPDES Permit.

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

**(b) Rehabilitated Historic Property Ordinance – Extension of Assessment Period**

Councilor Kirven presented for first reading an ordinance to amend Section 1 of Ordinance No. 4611, codified at Section 7-13 of the Greenville County Code of Ordinances, so as to provide that County Council may specify a longer special assessment period, not to exceed twenty years, for eligible rehabilitated historic property.

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

**(c) Anderson / Greenville Multi-County Industrial Business Park Amendment (Project Meadowlark / Project Upstate)**

Councilor Kirven 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.

**(d) Sweet Street Realty, LLC / Addition of Sponsor to FILOT**

Councilor Kirven presented to first reading an ordinance to authorize the addition of Sweet Street Realty, LLC, as a sponsor to an existing fee in lieu of tax of infrastructure improvement credit arrangement between Greenville County, South Carolina and Sweet Street Desserts, Inc. and the amendment of the fee in lieu of tax agreement between the County and Sweet Street Desserts, Inc. to address the inclusion of Sweet Street Realty, LLC as a sponsor; and other matters relating to the foregoing.

Chairman Taylor referred the item to the Finance Committee.

**Item (12)**

**COMMITTEE REPORTS**

**(a) Committee of the Whole**

**1. Board and Commission Appointments**

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

**Greenville Area Development Corporation (3 vacancies)**

Timothy Justice (D.27)  
Robbie King (D.26)  
Richard Wilkerson (D.23)

**Construction Board of Appeals (3 vacancies)**

Nelson Neal (D.22)  
Kim Rogers (D.26)  
Alexander Zuendt (D.22)

**Board of Zoning Appeals (4 vacancies)**

Michael Adamson (D.22)  
Keith Drummond (D.20)  
Karen McManaway (D.18)  
Wayne Moore (D.25)

**Parks, Recreation and Tourism Advisory Committee (3 vacancies)**

Steve Johnson (D. 17)

**Ashewicke Tax District Commission** (2 vacancies)

Teresa Stoecker (D.22)

**Buxton Tax District Commission** (1 vacancy)

Richard Stamey (D.19)

**Devenger Tax District Commission** (2 vacancies)

Fergus Davidson (D.21)

**Freetown Community Special Tax District Commission** (2 vacancies)

Joyce Miles (D. 23)

**Greenville County Economic Development Corporation** (1 vacancy / Council Seat)

Councilor Joe Dill

**South Carolina Technology and Aviation Center** (1 vacancy / Council Seat)

Councilor Liz Seman

Motion carried unanimously.

**ACTION:** On behalf of the Committee, Councilor Kirven moved to forward the following board applicants to a ballot vote at the April 21<sup>st</sup> County Council meeting:

**Arena District** (3 vacancies)

Jackson Bacot (D. 24)

Dee Benedict (D.21)

Stacy Kuper (D. 21)

Joyce Smart (D. 24)

**Greenlink (GTA)** (1 vacancy)

Matthew Burns (D.24)

David Mitchell (D. 23)

Motion carried unanimously.

**2. Out of State Solid Waste**

This item was held in the Committee of the Whole, therefore no action was required.



**Item (13)**

**APPEARANCES – non agenda items**

- Geneva Lawrence, 207 Beattie St, Simpsonville – appeared regarding Greenville County Animal Shelter
- Kelli Pellerin, 9 Kempsey Way, Greenville – appeared regarding Pavilion renovation and budget
- Al Mina, 4 Terra, Greenville – appeared regarding Pavilion renovation and budget
- Michel Plante, 27 Birchstone Ct., Simpsonville - appeared regarding Pavilion renovation and budget
- Nils Lindbloom, 301 Huntcliff Dr., Taylors – appeared regarding Poinsett District medians
- Lesley Craddock, 100 Cobblestone Rd, Greenville - appeared regarding Pavilion renovation and budget
- W.H. Shives, Jr., 110 Dexter Dr., Taylors – appeared regarding Report of Developments and status of County Government
- Ed Paxton, 1 York Circle, Greenville – appeared regarding landfill
- Greg Williams, 38 Isbell Lane, Greenville – appeared regarding EMS management
- Durant Ashmore, 220 McKittrick Road, Ft. Inn – appeared regarding public safety
- Kim Cowgill, 106 Brigham Creek Dr., Greer – appeared regarding Pavilion renovation and budget
- Eric Bedingfield, 945 Cooley Bridge Rd, Belton, SC – appeared regarding landfill

**Item (14)**

**ADMINISTRATOR’S REPORT**

Joe Kernell, County Administrator, stated County Administration was in the middle of budget preparations. The County departments, as well as the speakers, have identified a number of needs such as the Pavilion renovation, the radio system currently used by the Sheriff’s Office, and additional deputies and detention officers. The anticipated cost for the Pavilion was \$12 million. \$25 – \$28 million for the radio system, and \$1 - \$2 million for deputies and detention officers. Additional EMS staff has also been identified as a current need. Mr. Kernell stated this was a very challenging budget. He was aware County Council was not in favor of raising taxes and he would not recommend that. A plan would be presented in the near future that would not make everyone happy, but would meet the needs of the citizens of Greenville County as much as possible.

**Item (15)**

**REQUESTS AND MOTIONS BY COUNCIL MEMBERS**

**(a) Resolution Opposing House Bill 3579**

**ACTION:** Councilor Dill moved to suspend Council Rule IV (A) to allow for consideration of a Resolution Opposing House Bill 3579 due to the time sensitivity of the matter regarding mandated County acceptance of State maintained and operated roads.

Motion carried unanimously.

**ACTION:** Councilor Dill moved for adoption a resolution supporting State efforts to find solutions to the funding needs for State maintained and operated roads and bridges without transferring the burden to local governments and opposing any actions taken by the General Assembly

that through lack of State funding will lead to increased taxes on the citizens of Greenville County.

Councilor Payne requested a common interpretation for the purpose of the resolution; asking if it would keep the State from transferring any roads to Greenville County.

Councilor Dill stated the purpose was to state Greenville County did not want the roads under House Bill 3579.

Councilor Baldwin stated he supported the resolution but believed the issue should be reviewed in detail and not viewed simply as a way to get the roads away from the State. He stated there are too many state roads and the State bureaucracy was in much worse condition than Greenville County's bureaucracy. Councilor Baldwin stated he felt that County could take care of the roads faster and for less expense than the State. He did not like the fact that the Legislature appeared to be pushing this off on the counties but added, that as a matter of policy, the counties should have responsibility for some of the state roads in the future.

*7:28 p.m. – Councilor Gibson was transported to another area to allow EMS to provide medical assistance.*

Councilor Kirven asked if House Bill 3579 had been passed by a Committee of the House of the Full House of Representatives.

Councilor Dill stated it was his understanding the bill was currently being considered.

Councilor Kirven stated he was a bit concerned about reacting to a proposed bill in this manner and suggested Council may want to wait until the bill has actually passed.

Councilor Dill stated the proposed resolution came from the Association of Counties who had recommended it be adopted as soon as possible to prevent the passing of House Bill 3579.

Councilor Dill state there were counties in the State with no roads department. Those counties have to contract with other agencies to fix their roads.

Councilor Seman asked if there had been any conversations with the Delegation regarding House Bill 3579. She asked could the County be better served by working with the Delegation for a resolution as opposed to sending down a resolution.

Councilor Dill suggested Council send the proposed resolution to the Delegation for their review and approval.

Councilor Seman suggested Council speak directly with the Delegation or hold a workshop with them to discuss the resolution.

Councilor Dill stated he was interested in discussing the resolution with the Delegation as long as the Council members were in unison. He suggested sending the resolution to the Delegation as a request for their approval.

Councilor Payne stated he understood not accepting the roads if there would be no money to fix them. At this time, there was no guarantee there would be money now or in the future. He stated if the State wanted to give the roads to the Counties, they needed to guarantee money to take care of them and suggested this be included as an amendment.

Councilor Dill stated that was the original intent of the resolution.

Councilor Kirven stated if the resolution was re-worded to include information regarding the State providing money to the Counties for the roads, he would be in agreement.

Councilor Seman suggested including “proper” State funding to the resolution.

**AMENDMENT:** Councilor Burns suggested a Friendly Amendment by adding “without adequate permanent funding” after local governments. Councilor Dill stated he would accept the revision as a Friendly Amendment, and restated the motion for the record, “a resolution supporting State efforts to find solutions to the funding needs for State maintained and operated roads and bridges without transferring the burden to local governments without adequate permanent funding and opposing any actions taken by the General Assembly that through lack of State funding will lead to increased taxes on the citizens of Greenville County.”

Motion carried unanimously.

#### **REQUESTS AND MOTIONS cont.**

- Chairman Taylor apologized to those who had signed up to speak, stating that everyone was not given the opportunity to speak, but he felt the main viewpoints of discussion were well represented.
- Councilor Dill stated Special Olympics would begin the following morning at Furman University, beginning at 10:00 a.m. He encouraged his colleagues to attend.
- Councilor Seman stated on March 25, 2015, Moody’s Investor Services announced they would maintain the BAA2 rating and stable outlook for SCTAC, citing the airpark’s conservative financial management.

#### **(b) Motion to Waive Board and Commission Timeline**

**ACTION:** Councilor Seman moved to waive the timeline under the County’s Board and Commissions Policy in order to open the application period for two weeks for the Greenville County Department of Parks, Recreation and tourism Advisory Board, Ashwicke Special Tax District Commission, Devenger Tax District Commission, and Freetown Community Special Tax District Commission.

Motion carried unanimously.

- Councilor Ballard thanked all those in attendance of the meeting and stated that was what local government was all about.

- Councilor Payne stated he was touched by the letter he received from the Tool Shed. He asked what committee would be appropriate to look into that plan change. Councilor Kirven recommended the Poinsett Coalition Group come in and give an update during a Committee of the Whole meeting.
- Councilor Kirven expressed birthday wishes to Theresa Kizer, Clerk to Council.

**Item (16)**

**ADJOURNMENT**

**ACTION:** Councilor Burns moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:37 p.m.

Respectfully submitted:

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Theresa Kizer, Clerk to Council