



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
July 21, 2015
6:11 p.m.
County Square – Council Chambers

COUNCIL MEMBERS

<p style="text-align: center;">Mr. Bob Taylor, Chairman Mr. Butch Kirven, Vice Chairman Mr. Joe Dill Mr. Joe Baldwin <i>arrived @ 6:10 p.m.</i> Mr. Willis Meadows Mr. Sid Cates</p>	<p style="text-align: center;">Mr. Jim Burns Mrs. Xanthe Norris <i>arrived @ 6:06 p.m.</i> Mrs. Liz Seman Mrs. Lottie Gibson Mr. Lynn Ballard Mr. Fred Payne</p>
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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 MEMBER(S) ABSENT:

None

STAFF PRESENT:

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Jeffrey Wile, Assistant County Attorney
Dean Campbell, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
John Hansley, Deputy County Administrator
Theresa Kizer, Clerk to Council
Regina McCaskill, Deputy Clerk to Council
John Vandermosten, Assistant County Administrator, Public Safety
Paula Gucker, Assistant County Administrator, Public Works
Bob Mihalic, Governmental Relations Officer

OTHERS PRESENT:

Chief Deputy John Eldridge, Greenville County Sheriff's Office
Metz Looper, Planning Commission
Martin Livingston, Retiring Director, Greenville County Redevelopment Authority

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – *introduced by Councilor Xanthe Norris*

Rev. Terry King
Rock of Ages Baptist Church
Greenville, SC

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Gibson moved to approve the minutes of the June 16, 2015, Regular Council Meeting.

Motion carried unanimously.

Item (5) PROCLAMATION

(a) Martin Livingston, Retiring Director, Greenville County Redevelopment Authority

Councilor Norris presented Martin Livingston with a proclamation in which Greenville County Council honored his decades of outstanding service to Greenville County and proudly acknowledged a legacy of extraordinary leadership that has improved the lives of so many in Greenville County. During Mr. Livingston's tenure, GCRA received several million dollars in grant funds to revitalize Greenville neighborhoods and earned the recognition as one of South Carolina's finest development organizations. Councilor Norris stated the work done and leadership provided by Mr. Livingston has been dramatic, dynamic and sustainable, and his positive impact of economic growth, inclusion, and improvements to quality of life will be experienced and appreciated for generations.

Several GCRA Board Members spoke honoring Mr. Livingston for his dedication and hard work.

Chairman Taylor stated he had not bragged on any agency in Greenville County more than GCRA. Not only did GCRA put people in homes, it educated them and prepared them for home ownership. Chairman Taylor stated the work done by GCRA was sustainable and wonderful and thanked Mr. Livingston for his service.

Councilor Gibson stated she appreciated Mr. Livingston's commitment, sincerity, steadfastness, and above all, his fairness.

Item (6) PUBLIC HEARINGS

(a) FY 2017 Budget for Greenville County

A public hearing was held for the purpose of receiving public comments regarding an ordinance to adopt the County of Greenville's fiscal year 2017 budget.

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

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

(b) Tigerville Fire Department / Millage Request

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 Tigerville Fire District.

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

(c) Lake Cunningham Fire District / Continuation of Millage

A public hearing was held for the purpose of receiving public comments regarding a resolution to provide for continuation of current ad valorem property tax to be levied by the Lake Cunningham Fire District which represents no increase in taxes or millage rate.

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

(d) Dunklin Fire District / Continuation of Millage

A public hearing was held for the purpose of receiving public comments regarding a resolution to provide for continuation of current ad valorem property tax to be levied by the Dunklin Fire District which represents no increase in taxes or millage rate.

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

(e) Boiling Springs Fire District / Continuation of Millage

A public hearing was held for the purpose of receiving public comments regarding a resolution to provide for continuation of current ad valorem property tax to be levied by the Boiling Springs Fire District which represents no increase in taxes or millage rate.

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

Item (7) APPEARANCES – CURRENT AGENDA ITEMS

- **Jack Logan**, 5051 Old Augusta Road, Apt. C, Greenville – appeared regarding the 2017 Budget and the Justice Assistance Grant Program

Item (8) CONSENT AGENDA

- (a) 2015 Justice Assistance Grant Program**
- (b) FY2015 DNA Capacity Enhancement and Backlog Reduction Program**
- (c) 2015 Summer Food Service Program**
- (d) Community Project / City of Greer – Blue Ridge Plantation Subdivision / \$5,456**
- (e) Community Project / City of Fountain Inn – Park Fountain / \$17,829**
- (f) Community Project / Greenville County Public Works – Drainage Project / \$5,600**

ACTION: Councilor Norris moved approval of the Consent Agenda Items.

Motion carried unanimously.

Item (9) RESOLUTIONS

- (a) Continuation of Millage – Lake Cunningham Fire District / Dunklin Fire District / Boiling Springs Fire District**

ACTION: Councilor Kirven moved for adoption a resolution to provide for continuation of current ad valorem property tax to be levied by the Lake Cunningham Fire District, the Dunklin Fire District, and the Boiling Springs Fire District, which represents no increase in taxes or millage rate.

Motion carried unanimously.

- (b) Master Lease / Vehicle Replacement**

ACTION: Councilor Kirven moved for adoption a resolution authorizing the Master Lease Agreement in the principal amount of not to exceed \$3,084,500 relating to the financing of equipment for public purposes; authorizing the execution and delivery of various documents; and other matters relating thereto.

AMENDMENT: Councilor Ballard moved to amend the resolution to change the principal amount in the Title in Section II, from \$3,084,500 to \$3,974,500 and to add new ambulances to the Exhibit A: Equipment List, if approved.

Councilor Dill asked if the additional funds were for ambulances.

Councilor Ballard confirmed the additional funds were for ambulances and added when the purchase of new ambulances was placed on hold at the June meeting, the amount of money budgeted for ambulances was taken out of the Master Lease Agreement. The pool of money in the Master Lease was available, but not necessarily spent until items were purchased, leased, etc. Councilor Ballard stated everyone was aware he would be asking Council to reconsider the hold on the ambulances later in the meeting. He added he was advised by Administration and the Finance Department it would be better to address the ambulance issue now and, if approved, everything would be finalized. If not, Council would have to readdress the issue next month.

Chairman Taylor stated if the purchase of new ambulances was not approved tonight, the money would remain in the Master Lease Agreement itemization but would not be spent. There would be no impact on operations.

Joe Kernell confirmed the money would not be borrowed.

Councilor Burns stated the Finance Committee was given a much more detailed itemized list which was very helpful and suggested the same level of detail should be provided to County Council in the future.

Chairman Taylor called for a vote on the resolution.

Motion carried unanimously.

Mark Tollison stated Council did not vote on the Amendment, and a motion to reconsider the previous vote was needed.

ACTION: Councilor Dill moved to reconsider the previous vote.

Motion to reconsider the previous vote carried unanimously.

Motion to approve the amendment to the resolution carried unanimously.

Motion to approve the resolution as amended carried unanimously.

(c) Brandon Mill / Extended Assessment Period

ACTION: Councilor Kirven moved for adoption a resolution to approve an extended special assessment period under Section 7-13 of the Greenville County, South Carolina Code of Ordinances, as amended, for that certain parcel of improved real property known as the Brandon Mill.

Motion carried unanimously.

Councilor Burns stated he previously had several questions regarding the return on investment for this project. He met with Mr. Burke and was confident the tax assessment would be far outweighed by the benefits to the community.

Councilor Norris stated she was very supportive of the resolution and District 23 needed this to move forward.

(d) Brandon Mill / Abandoned Textile Mill

ACTION: Councilor Kirven moved for adoption a resolution to determine eligibility of the facility located at 25 Draper Street as an Abandoned Textile Mill Site pursuant to Title 12, Chapter 65, Code of Laws of South Carolina 1976, as amended, known as the "South Carolina Textile Communities Revitalization Act."

Motion carried unanimously.

Item (10) ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. **CZ-2015-25**, Property of Food Lion LLC and Willie James and Dorothy Johnson, located at the SW quadrant of East Woodruff Road at Lee Vaughn Road requesting rezoning from PD and R-S to PD Major Change as amended to include an additional access.

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

Motion carried unanimously.

2. **CZ-2015-27**, Property of Crown Properties located at 4300 and 4302 E. Edwards Road requesting rezoning from R-M10 and R-M20 to R-M20.

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

Motion carried unanimously.

3. **CZ-2015-28**, Property of Rocky Creek Baptist Church located at the Southern quadrant of Woodruff Road at Ladell Drive requesting rezoning from R-S to R-15.

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

Motion carried unanimously.

4. **CZ-2015-29**, Property of Moira Leigh Samuelson located at 500 Dalton Road requesting rezoning from R-12 to R-S.

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

Motion carried unanimously.

5. **CZ-2015-32**, Property of Tino Suarez located at 1000 Poinsett Highway requesting rezoning from C-2 to C-3. .

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

Motion carried unanimously.

(b) FY 2017 Budget for Greenville County

ACTION: Councilor Kirven moved for adoption at third reading of the ordinance to adopt the County of Greenville Fiscal Year 2017 Budget.

Councilor Ballard stated he was concerned about passing the budget for FY 2017 now because of the issue before County Council regarding the possible transfer of Emergency Medical Services to a different managing authority. The transfer would remove \$13 million dollars in proposed revenue and \$16 million in proposed expenses. Council was within State law to defer adopting the budget as long as the budget was passed prior to June 30, 2016. Councilor Ballard stated he would like to see the issue resolved before moving forward because failure to do so would change all the numbers in the budget.

Councilor Kirven stated he disagreed with Councilor Ballard. He stated the proposed transfer of EMS had not been approved and may or may not be approved. He stressed the urgency in passing the budget and if changes should occur to the magnitude as stated by Councilor Ballard, County Council had the authority to amend a budget any way they saw fit depending on situations should they arise.

ACTION: Councilor Ballard moved to hold the Fiscal Year 2017 budget until such time the EMS issue was resolved.

Councilor Gibson stated she has been so disappointed in regards to the Staunton Bridge Gym issue that she was willing to agree on a vote to hold the FY 2017 budget if the Staunton Bridge Gym was included in the FY 2016 budget.

Councilor Burns stated the Magistrate's Office was moved from the FY 2017 budget to the FY 2016 budget. He added that change alone would have ramifications through the FY 2017 budget if the money was spent a year earlier.

Chairman Taylor stated he was not aware any money was moved.

Joe Kernell stated no funds were moved. There had been discussion about moving funds from Councilor Baldwin. That discussion centered on the Magistrate's Office in Berea and the thought was that some of the funds left over from the current Magistrate's Office would be utilized for the Berea Office. No additional funds were put into the budget and no money was moved between years. Mr. Kernell stated the Staunton Bridge Gym was in the second year of the budget, however, the design and plans were already being put in place. The bulk of the money for the project was included in the second year of the budget.

Councilor Burns stated he thought Council voted to approve Councilor Baldwin's motion to move money from the FY 2017 budget to the FY 2016 budget for the Magistrate's Office.

Joe Kernell stated the money left over from the current capital projects fund (FY 2015) was being used to build a Magistrate's Office in Travelers Rest.

Councilor Burns asked Councilor Baldwin if that was his understanding of where the money would come from for the Magistrate's Office in Travelers Rest.

Councilor Baldwin stated his understanding was there would be money available in this budget year to build the Magistrate's Office so there would be no excuse for not completing the project in the budget year.

Joe Kernell stated the motion read as follows: "Move to amend the budget to allow for sufficient monies in the capital budget to add an additional Magistrate's Court."

Councilor Baldwin inquired if there was sufficient money in the capital budget to add the Magistrate's Court.

Joe Kernell stated there were sufficient funds available in the FY 2015 budget and they were looking at the Berea Magistrate's Office on White Horse Road.

Councilor Burns asked what would happen to the money allocated in the budget currently on the table (FY 2017).

Joe Kernell stated the money was still there.

Councilor Burns asked what the money would be use for.

Joe Kernell stated there was not money in the budget for a third Magistrate's Office or a second Magistrate's Office. The Amendment was to allow for the money in the capital projects fund to provide for a second Magistrate's Office (FY 2016).

Chairman Taylor stated no additional money was added or subtracted.

Councilor Burns asked if the Magistrate's Office would be funded with money left over from the FY 2015 budget.

Joe Kernell stated that was correct.

Councilor Burns asked how much money was left over from the FY 2015 budget.

Joe Kernell stated they were working through the bid now.

Councilor Burns asked how that could be accomplished if the amount of the bid was unknown.

Joe Kernell stated there was other money available from the capital projects fund based on the motion. There was money left over from other projects when they came in under the amount originally budgeted. Mr. Kernell stated \$3 million was budgeted for the first Magistrate's Office and the actual cost was approximately \$2.4 million which left a surplus of \$600,000.

Councilor Burns asked how the second Magistrate's Office could be built with \$600,000.

Joe Kernell stated a new building was not being built. The existing building would be retrofitted. There was also a private foundation contributing to the project.

Councilor Dill stated one of the speakers, Ed Paxton, spoke of the necessity and cost of the proposed lease/purchase of a crane. He stated he could not recall what was finalized regarding the crane issue.

Joe Kernell stated originally a new crane was requested at a cost of \$2 million. However, the County located a used crane for around \$800,000 - \$900,000. This change has already been made to the budget. The funds for the crane came from the Stormwater Budget.

Councilor Seman requested a Roll Call vote.

Councilor Payne stated, in his opinion, one of the reasons Greenville County was regarded as one of the top 25 counties in the country with a AAA credit rating and financial solidarity was because the County functioned on a 2-year budget. He added he would vote against the motion to hold the FY 2017 budget.

Chairman Taylor asked Councilor Ballard what date he anticipated the FY 2017 budget would come before Council again.

Councilor Ballard stated at such time as the EMS issue was resolved.

Motion to hold the Greenville County FY 2017 budget until such time the EMS issue was resolved carried with seven (Dill, Baldwin, Meadows, Burns, Norris, Gibson and Ballard) in favor and five (Kirven, Payne, Cates, Taylor and Seman) in opposition.

(c) Simpsonville Fire Service Area Project / Millage Request and Contract Renewal

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Simpsonville Fire Service Area consistent with the state law limits; to adopt a ten-year capital improvement plan; and to authorize execution of a new contract for the continued provision of fire protection services.

Councilor Kirven stated last month County Council approved a general obligation bond to enable, with participation by the City of Simpsonville, the building of a fire station north of Simpsonville on E. Standing Springs Road, located in the County of Greenville and not in the city limits of Simpsonville. The fire station was needed to serve a large residential area consisting of a number of subdivisions. County Council held the request to approve a companion order to authorize a \$3.9 million increase in property taxes for properties located within the Simpsonville Fire Service Area as more time was needed to study the justification and timing of the additional \$449,000 that would be generated by the millage increase. The City of Simpsonville has also requested the approval of the renewal of the fire service contract between Greenville County and the City of Simpsonville for another 10-year term. The 10-year term would not bind County Council to approve any future tax increases requested. The agreement or contract could be terminated with a 90 day notice and changed or modified, as deemed necessary. The purpose of the request for an increase in property taxes was to hire staff for the new fire station. Councilor Kirven recommended his colleagues approve the request.

Councilor Meadows stated he did have some reservations and questions about the request. He stated a 15.4% rate increase was requested. The area has grown in the last 10 years by 52%. The County's growth overall was not nearly that much but the County has continued to take care of its expenses. Councilor Meadows stated with the amount of growth Simpsonville has experienced, there should be some amount of reserves available to take care of the staffing needs at the new fire station. He stated in 2008, the net revenue for Simpsonville was \$205,000, in 2009 it was \$633,950, in 2010 it was \$1,122,477, in 2011 it was \$513,523, in 2012 it was \$911,583, in 2013 it was \$565,948 and 2014 showed a deficit of \$55,000 for a total of approximately \$4 million. Councilor Meadows asked where was the reserve money and why Simpsonville was not using it rather than raise taxes. Councilor Meadows stated he still had many questions and would rather hold the motion than vote against it.

ACTION: Councilor Meadows moved to hold the motion.

Chairman Taylor stated reserve from one year normally rolls over to the next year.

Councilor Meadows stated the information received from Simpsonville did not indicate a rollover of reserve money. The accounting from Fountain Inn did show rollovers and that was why he chose to support their request.

Councilor Kirven stated Simpsonville was largely a residential area of single family homes which were assessed at 4% as opposed to Greenville with numerous businesses and commercial properties that were assessed at 6% and higher. He added studies have shown that services provided to mainly residential areas that are taxed at 4% actually cost more. Councilor Kirven requested Council vote against holding the motion and approve and it tonight.

Councilor Meadows stated Simpsonville was not totally residential and had grown at a rate six times the rate of Greenville County.

Councilor Burns inquired if Simpsonville operated on a \$4.4 million surplus over the past five years.

Chairman Taylor asked if the Simpsonville City Administrator had an answer to the question.

David Dyrhaug, Simpsonville City Administrator, addressed Council. Mr. Dyrhaug stated the fund balance information he currently had was from the last audit completed at the end of the last fiscal year which indicated a fund balance of \$4.4 million for the general fund. He stated it had taken Simpsonville a few years to build that amount back up and those funds were used to sustain cash flow and eliminate the need to borrow against anticipated taxes and other revenue. The fund balance was approximately 33% of the city's operations. The City of Simpsonville was very hesitant to borrow against the fund balance. Mr. Dyrhaug stated taxes had been raised over the past couple of years to raise the fund balance.

Councilor Meadows stated County tax payers have funded Simpsonville's budget and the city has used that money as a surplus to avoid Tax Anticipation Bonds. He added he did not feel that was right and should not be done to the citizens of Greenville County.

Councilor Burns inquired if the \$4.4 million was only surplus from the fire department.

David Dyrhaug stated it was from the entire city budget, not just the fire department.

Councilor Burns inquired about the operating costs of the fire department and if it operated on a positive or a negative.

David Dyrhaug stated for some years the fire department operated on a positive and some years on a negative. The amount the City of Simpsonville had been budgeting for the fire department had been increasing every year. Mr. Dyrhaug acknowledged that in years past, the City of Simpsonville had contributed a lower percentage to the fire department but that was being rectified and was now at a consistent level.

Councilor Baldwin inquired if an analysis could be generated to determine the cost per household for the fire department. He added he thought Mr. Meadows was concerned that the citizens who reside in the unincorporated area of Simpsonville were paying too much as compared to residents of the incorporated area.

David Dyrhaug stated the City of Simpsonville had increased budgeting for the Fire Service Area and the greatest issue the Simpsonville Fire Service Area faced was the growth in the county portion of the district. The last few fire stations that had been built were in the county areas which were the underserved areas.

Councilor Baldwin stated the new fire station would be outside the city limits and would serve the citizens of that area.

David Dyrhaug confirmed the fire station would serve the citizens in the unincorporated area of Simpsonville.

Councilor Kirven stated 57% of the population of the Simpsonville Fire Service Area and the City of Simpsonville was served by the Simpsonville Fire Department.

Councilor Cates asked David Dyrhaug what the 3.9 millage increase was going to be used for and inquired if the increase would raise \$449,000.00 per year.

David Durhaug confirmed the millage increase would raise approximately \$400,000 - \$450,000 per year and the money would be used to staff the fire department with nine firefighters. The projected cost for the nine firefighters would be \$500,000 per year. The millage increase would not cover the full amount and the City of Simpsonville would support the cost.

Councilor Cates stated in 2018, the City of Simpsonville planned to purchase a new fire engine.

David Durhaug stated the purchase of a new fire engine was part of the capital improvement plan and the City of Simpsonville had not approached Greenville County about assistance with the purchase.

Councilor Cates stated construction of the new fire department was planned for 2018 at a cost of \$2 million.

David Durhaug confirmed the fire station would be built in 2018 and was part of the 10-year capital improvement plan.

Councilor Cates asked if that meant Simpsonville would not ask for additional money in the next two years.

David Dyrhaug stated he did not anticipate any additional requests.

Councilor Dill stated he did not recall anyone being against the ordinance at the public hearing and inquired if the people of Simpsonville agreed with the ordinance.

Councilor Kirven stated he had spoken to several groups of people at meetings as well as individuals residents, and they were all in agreement with the ordinance.

Councilor Dill stated several years ago a similar situation occurred in his district regarding the Cedar Mountain, NC fire service contract for some South Carolina residents. Greenville County staff was able to equalize the amount of taxes paid by the residents of Greenville County to correspond with the amount paid by the residents of North Carolina. Councilor Dill inquired if the residents of both the incorporated and unincorporated areas of Simpsonville were paying equal tax amounts for fire service protection.

David Dyrhaug stated he was not sure if the rates were equal but the millage rates were lower than some of the surrounding fire districts.

Councilor Burns stated the question appeared to be, were city residents of Simpsonville Fire District paying the same amount as county residents of Simpsonville Fire District. He added in the past there has been more burden on the county than on the city.

David Dyrhaug stated Simpsonville had increased the level of funding to the fire department out of the city's funds not from the County's revenue. The City of Simpsonville had increased funding from approximately 27% to 40% which was consistent with the proportion of population within Simpsonville city limits.

Councilor Baldwin stated he felt it was important to remember the expenses are for a fire station outside the city limits of Simpsonville. The new station would not serve residents living in the municipality of Simpsonville.

Councilor Dill asked David Dyrhaug how a motion to hold the ordinance would impact Simpsonville.

David Dyrhaug stated it would jeopardize the city's ability to levy the tax in time so that it would get on the tax bills.

Councilor Dill asked what the deadline date was in order to put the additional tax on the yearly tax bills.

Joe Kernell stated the issue should not go past August.

Chairman Taylor asked Mark Tollison if the issue was resolved by the next County Council meeting scheduled for August 18, 2015, would that be enough time.

Mark Tollison stated there was probably time in August to resolve the issue, if that was the will of Council. He added the Auditor would have to be made aware of the situation.

Councilor Dill stated if Council agreed to hold the item for the purpose of getting more information, then they needed to have specific questions.

David Dyrhaug stated the City of Simpsonville was working on the audit at this time and he did not think it would be completed by August 18, 2015. The audit was normally completed around October.

Councilor Baldwin asked what percentage of the Simpsonville City budget made up the fire department.

David Dyrhaug stated it was approximately 33% which was right where the city wanted it to be in order to have the cash flow to fund operations and not have to borrow against future revenues.

Councilor Kirven asked for clarification on the \$4.4 million in reserve. He inquired if that amount was for the entire City of Simpsonville or just for the fire department.

David Dyrhaug stated the surplus was not broken down into specific departments.

ACTION: Councilor Seman called for the question.

Motion was denied by a vote of four (Meadows, Taylor, Seman, and Ballard) in favor and eight (Kirven, Payne, Dill, Baldwin, Cates, Burns, Norris, and Gibson) in opposition.

Councilor Dill stated he wanted specific questions to be answered if the motion was to be held until the next meeting.

Councilor Meadows stated he really only wanted to understand what was being shown to Council and what was presented to Finance. The City of Simpsonville has only shown expenses and income for the past few years. The expenses were less than the income which resulted in a surplus of \$4.4 million.

Councilor Burns requested to see the cash flow (positive and/or negative) on a yearly basis just for the fire department, as well as the amount of money the City of Simpsonville put in for the fire department for the last five years. He also requested what was projected for the next few years.

Motion to hold the Simpsonville Fire Service Area Project / Millage Request and Contract Renewal Ordinance carried with a vote of seven (Payne, Dill, Meadows, Cates, Burns, Norris and Gibson) in favor and five (Kirven, Baldwin, Taylor, Seman and Ballard) opposed.

Councilor Meadows stated he would be happy to meet with Simpsonville in order to expedite the process.

Item (11) ORDINANCES – SECOND READING

(a) Zoning Ordinances

- 1. CZ-2015-33** Property of Perry Luthi located at 2201 Poinsett Highway Lots 3, 4 and 5 requesting rezoning from OD and R-7.5 to C-1. 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.

AMENDMENT: On behalf of the applicant, Councilor Meadows moved to amend the ordinance and rezone all three parcels OD.

AMENDMENT: Councilor Burns offered a friendly amendment to refer the item back to the Committee.

Mark Tollison stated the item could be amended by Council and sent back to the Committee or the item could be sent back to Committee with no amendment. If the item was to be amended during this meeting, Councilor Burns would need to withdraw his referral motion.

Motion to send the item back to Committee carried unanimously.

(b) Tigerville Fire Department / Millage Request

ACTION: Councilor Kirven moved for approval at second reading an ordinance to provide for the millage rate to be levied by the Tigerville Fire District.

Motion carried unanimously.

(c) Project Heritage / Fee In Lieu of Tax Agreement

ACTION: Councilor Kirven moved for approval at second reading an ordinance authorizing the execution and delivery of a first amendment to fee in lieu of ad valorem taxes and incentive agreement to provide a fee-in-lieu of ad valorem taxes, infrastructure credits, and other incentives necessary to induce Project Heritage to locate in the County; authorizing the sale of real property which is a portion of a parcel currently known as Greenville Tax Map No. 0409000100103 to Project Heritage; authorizing the execution and delivery of documents necessary to effect the intent of this ordinance; and other matters related thereto.

AMENDMENT: On behalf of the company's attorney, Councilor Kirven moved to amend the ordinance to hold the item until a public hearing could be scheduled.

Motion to hold carried unanimously.

Item (12) COMMITTEE REPORTS

(a) Committee on Finance

ACTION: On behalf of the Committee, Councilor Kirven moved to approve the FY 2016 Accommodations Tax Funding Recommendations as approved by the Finance Committee.

AMENDMENT: Councilor Dill moved to amend the item by increasing the Scottish Games allocation by \$15,000 and reducing Metropolitan Arts by \$10,000 and Roper Mountain Science Center by \$5,000.

Councilor Payne inquired if his motion meant eliminating allocations to the Metropolitan Arts Council completely.

Councilor Dill replied the Metropolitan Arts Council was not to receive Accommodations Tax funds, per the ordinance. He added the Metropolitan Arts Council was receiving the money in order to give it to another organization.

Motion to amend carried with Councilor Seman in opposition.

Motion as amended carried unanimously.

Item (13) APPEARANCES – non agenda items

- **Gwen Bayne**, 116 Childress Circle, Greenville – appeared regarding Berea
- **Jessica Monroe**, 150 Fernwood Drive, Greenville – appeared regarding Animal Control
- **Scott Lesiak**, 121 Brockman Drive, Mauldin – appeared regarding EMS Proposal
- **Dan Duggan**, 10 Kingsway Court, Greer – appeared regarding EMS
- **Anna Vukin**, 1175 Haywood Rd, Greenville – appeared regarding City View
- **Joseph Garrison**, 219 Cherub Court, Greenville – appeared regarding City View
- **Michael Banks**, 14 Elf Lane, Greenville – appeared regarding Community Garden

Item (14) ADMINISTRATOR'S REPORT

There was no Administrator's report.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Baldwin stated he appreciated people coming to County Council meetings and talking about the ambulance situation. He stated he would like to have a special Committee of the Whole meeting specially dedicated to the ambulance issue. Councilor Baldwin added if St. Francis Hospital had objections to the proposed EMS reorganization, they should be the first to speak. He stated this was an important issue and everyone needed to feel they have input.

ACTION: Councilor Baldwin moved to schedule a Special Called Committee of the Whole meeting dedicated to the EMS issue and to allow input from interested entities (St. Francis Hospital and Greenville Hospital System).

Chairman Taylor stated he did not know if public input would be appropriate during a Committee of the Whole meeting.

Mark Tollison stated there must be a 2/3 vote of County Council to add the item to the agenda and take that matter up as a voting motion.

ACTION: Councilor Baldwin moved to suspend the rules related to notice.

Motion to suspend rules carried with Councilor Kirven in opposition.

AMENDMENT: Councilor Burns offered a friendly amendment to insure the meeting was held before the end of August.

Councilor Baldwin accepted Councilor Burns' friendly amendment.

Motion to schedule a Special Called Committee of the Whole meeting before the end of August carried unanimously.

- Councilor Cates encouraged everyone to carefully read their EMS notebook prior the Special Called Committee of the Whole meeting.
- Councilor Burns also encouraged everyone to carefully read their EMS notebook prior the Special Called Committee of the Whole meeting and to read the document Mr. Duggan spoke of.
- Councilor Norris stated she was dealing with the unseen people of District 23, in the communities of City View, Boulder Creek and Crestwood. She stated those were areas most people never knew were there because they never go by. She felt the County needed to be more inclusive to make sure services were extended to those communities, especially in regard to recreational buildings. Ms. Norris stated there were great needs in those three communities.
- Councilor Seman stated SCTAC welcomed officials from the US Department of Energy, Oakridge National Lab, Duke Energy, Cisco, Toyota and CU-ICAR to field test a recently installed wireless charging infrastructure at ITIC. Once underway, the research and testing in static and dynamic wireless charging testing would be the first of its kind in the United States.
- Councilor Gibson stated as the granddaughter of a former slave, she has been overjoyed to know that South Carolina removed the Confederate Flag. She asked that her colleagues pray with her that Greenville County not have any disruption or anger or confrontation regarding the removal of the flag.
- Councilor Payne shared that his son, who was a Major in the US ARMY, was on a list to be approved for the position of Lieutenant Colonel.

(a) Proposed Council Rules Amendment / Presence at Meetings

ACTION: Councilor Ballard moved, per notice given at the previous County Council Meeting, to amend the Council Rules to add a new sentence at the end of Sub-section (A) of Section III, Meetings of the Council, removing electronic participation at Council meetings so that it reads:

(A) Meetings

“The Council shall ordinarily hold its regular meetings for the transaction of official business on the first and third Tuesdays of each month at such time and place as the Chairman may specify. Either the Chairman or a majority of the members of the Council may call special meetings, which may be held after forty eight hours public notice, which specifies the hour, date, and place of the special meeting and its agenda. No item may be considered at the special meeting unless it appears on this agenda. For all meetings of Council, members must be physically present in order to be counted as part of a quorum and to participate in discussions and voting.”

AND to add a new sentence at the end of Subsection (G) of Section V., COMMITTEES, removing electronic participation at standing committee meetings so that it reads:

(G) Committee Meetings

“A committee meeting may be held on the call of the Chairman at any time except on Sunday or holidays, or at such time as the Council is in session. All notice provisions set forth in Section III (B) above shall apply to meetings of committees. A quorum of a committee shall be a majority of its members. In order to be counted as part of a quorum and to participate in discussion and voting, a committee member must be physically present at the committee meeting.”

Councilor Payne stated he felt this would be a step backward and was not in agreement. He added that they lived in a society where the ability to communicate by electronic devices was part of their daily lives.

Councilor Ballard stated the matter had not been an issue but he would not want a contentious issue to be discussed by Council and have a member not physically present. He stated Council members were elected to represent their respective districts and should be physically present at meetings. If electronic participation was allowed, what would prevent the meeting being held with 12 electronic devices present and Council members not.

Motion carried with Councilor Payne in opposition.

(b) Reconsideration of the FY 2016 County Budget Ordinance to Delete the Section 11 Restriction on Ambulance Purchases

ACTION: Councilor Ballard moved to reconsider the third reading vote of the FY 2016 Greenville County budget.

Motion to reconsider was approved unanimously.

ACTION: Councilor Ballard moved to amend the FY 2016 Greenville Budget Ordinance to delete Section 11 in order to remove the restriction on the lease-purchase of five new ambulances.

Motion to amend carried unanimously.

Motion to approve the FY 2016 Greenville County budget at third reading as amended carried unanimously.

- Councilor Dill stated there was a public hearing the prior week in Fletcher, North Carolina, regarding the route to be selected by Duke Power for new high voltage power lines. There was another public hearing scheduled for that evening (07-21-15) in Landrum, South Carolina, to discuss the same issue. He was under the impression another public hearing was scheduled for the following week but gave no details. There was no public hearing scheduled for Greenville. He did not want the Public Services Commission to approve power lines along scenic Highway 11, through Camp Old Indian and the historic Poinsett Bridge without County Council's approval. He contacted Joe Kernell, County Administrator, and a Greenville County employee was sent to the meeting held in Landrum, which started at 4:00 pm. Councilor Dill stated he wanted County Council to take a position on the issue and request a public hearing be held in Greenville.

Councilor Gibson suggested County Council send a letter to Duke Power expressing their concerns.

- Councilor Dill wished Dr. Cates a Happy Birthday.

Item (16) ADJOURNMENT

ACTION: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 8:39 p.m.

Respectfully submitted:

Theresa Kizer, Clerk to Council