



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
October 6, 2015
6:01 p.m.
County Square – Council Chambers

COUNCIL MEMBERS

Mr. Bob Taylor, Chairman
Mr. Butch Kirven, Vice Chairman
Mr. Joe Dill
Mr. Joe Baldwin
Mr. Willis Meadows
Mr. Sid Cates

Mr. Jim Burns
Mrs. Xanthene Norris.
Mrs. Liz Seman
Mrs. Lottie Gibson
Mr. Lynn Ballard
Mr. Fred Payne

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:

STAFF PRESENT:

Joe Kernell, County Administrator
Mark Tollison, County Attorney
John Hansley, Deputy County Administrator
Jeffrey Wile, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
Theresa Kizer, Clerk to Council
Regina McCaskill, Deputy Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Bob Mihalic, Governmental Relations Officer
Chief Deputy John Eldridge, Sheriff's Office
Eric Vinson, Director, Planning and Code Enforcement
Sandra Yudice, Assistant to the County Administrator
Tom Meeks, Planning Department

OTHERS PRESENT:

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – Introduced by Councilor Lynn Ballard

Eddie Howard, Jr., Pastor
Hillside Baptist Church
Fountain Inn, SC

PLEDGE OF ALLEGIANCE – Boy Scout Troup 11, Sponsored by First Presbyterian Church of Greenville

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Seman moved to approve the minutes of the September 15, 2015, Regular Council Meeting.

Motion carried unanimously.

Item (5) PUBLIC HEARINGS

(a) Stormwater Ordinance Amendment

A public hearing was held for the purpose of receiving public comments regarding an ordinance to amend the Greenville County Stormwater Ordinance, as amended, relating to new development after the completion of a timber harvest in accordance with state law.

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

(b) Neely Ferry Road / Right-of-Way Relinquishment

A public hearing was held for the purpose of receiving public comments regarding the proposed relinquishment of a right-of-way at the intersection of Neely Ferry Road (F0016) and Stenhouse Road, right-of-way to be conveyed to the adjacent property owners, Brothers Four.

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

(c) Decostar Industries, Inc. (formerly Project Heritage) / Fee-in-Lieu of Tax Agreement

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the execution and delivery of a first amendment to a 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 Decostar Industries, Inc. 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; authorizing the execution and delivery of documents necessary to effect the intent of this ordinance; and other related matters.

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

Item (6) APPEARANCES – Current Agenda Items

None

Item (7) CONSENT AGENDA

(a) Neely Ferry Road / Right-of-Way Relinquishment

(b) Community Project Applications – Fork Shoals School / County Historical Marker

(c) Community Project Applications – South Greenville Fire Department / Emergency Generator

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

Motion carried unanimously.

Item (8) RESOLUTIONS

(a) Public Facilities Corporation Resolution

ACTION: Councilor Kirven moved for adoption a resolution for the purpose of establishing the Greenville County Business Park Public Facilities Corporation, stating its purposes and appointing the members to the Board of Directors of the Greenville County Business Park Public Facilities Corporation.

AMENDMENT: Councilor Meadows moved to amend the resolution to reflect the following underlined additions: 1.a.i. “holding title, owning, leasing , financing, constructing, acquiring, developing and operating land, buildings and equipment, and facilities functionally related thereto associated with the former Matrix properties”; and 7. “Sunset. At such time as the Corporation is no longer involved in the sale or development of the properties associated with the former Matrix, the Corporation shall cease its operations subject to State law dissolution requirements”. Councilor Meadows stated he felt specifying the property as the former Matrix added clarity to the resolution.

Chairman Taylor asked Joe Kernell and Mark Tollison if the proposed changes limited the purpose of the resolution.

Mark Tollison stated Councilor Meadow’s amendment was a refinement to the original resolution and bookended the corporation nicely.

Motion to amend carried unanimously.

Motion as amended carried unanimously.

Item (9) ORDINANCES – THIRD 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 OD.

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

Motion carried unanimously.

2. **CZ-2015-47**, Property of Joel Silos and Jessika Ramos located at 1118 Gordon Street Ext. requesting rezoning from R-10 to R-S.

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

Motion carried unanimously.

3. **CZ-2015-48**, Property of 401 Brushy Creek LLC, and Mark Cothran located at 401 Brushy Creek Road requesting rezoning from R-20 to C-1.

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

Motion carried unanimously.

4. **CZ-2015-49**, Property of Triangle Real Estate of Gaston and Tony Edward Abercrombie located at 762 and 756 Fairview Road requesting rezoning from C-1 and R-S to R-M14.

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

Motion carried with Councilor Ballard voting in opposition.

5. **CZ-2015-50**, Property of Wellington Homes and Robert Julian located on Mary Street requesting rezoning from R-10 and C-2 to R-7.5.

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

Motion carried unanimously.

6. **CZ-2015-51**, Property of Jack Shaw located at 25021 E. North Street requesting rezoning from R-20 to POD.

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

Motion carried unanimously.

7. **CZ-2015-53**, Property of the City and County of Greenville located on Perimeter Road requesting rezoning from C-2 to I-1.

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

Motion carried unanimously.

8. **CZ-2015-54**, Property of Thomas L. Henderson, James C. Henderson, Charlotte H. Roberts, James C. and Dolly Henderson, Sr., located at Woodruff Road and Sunnydale Drive requesting rezoning from R-S and S-1 to PD with conditions.

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

Motion carried unanimously.

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

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and among Greenville County, South Carolina, and Project Rock, as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive, to provide for a grant of certain special source revenue credits, and other matters related thereto.

ACTION: Councilor Kirven moved to refer the item back to the Finance Committee as the Company was in the process of resolving several issues in order to move forward.

Motion to refer to committee carried unanimously.

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

ACTION: Councilor Kirven 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.

ACTION: Councilor Kirven moved to refer the item back to the Finance Committee as the Company was in the process of resolving several issues in order to move forward.

Motion to refer to committee carried unanimously.

(d) Decostar Industries, Inc. (formerly Project Heritage) / Fee-in-Lieu of Tax Agreement

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of a first amendment to a 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 Decostar Industries, Inc. 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; authorizing the execution and delivery of documents necessary to effect the intent of this ordinance; and other related matters.

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

Motion to amend carried unanimously.

ACTION: Councilor Kirven moved to hold the item until the next Regular County Council Meeting scheduled for October 20, 2015.

Motion to hold carried unanimously.

(e) Stormwater Ordinance Amendment

Councilor Payne moved for adoption at third reading an ordinance to amend the Greenville County Stormwater Ordinance, as amended, relating to new development after the completion of a timber harvest in accordance with state law.

Motion carried unanimously.

Item (10) ORDINANCES – SECOND READING

(a) Zoning Ordinances

- 1. CZ-2015-52:** Property of Christopher T. Corley and Corpro Properties LLC located at 300 Ben Hamby Drive requesting rezoning from I-1 to S-1. The Planning Commission and the Committee recommended approval.

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

Councilor Burns stated he had requested to hold the item at the last County Council meeting. Since that time, he had met with several individuals involved and was more inclined to approve the rezoning request. Councilor Burns reminded everyone the item was up for second reading and any questions could be raised before third and final reading. He did not feel there was a need to hold the item at this time.

Councilor Payne stated he had received several calls about the item and there were some concerns about the request. He felt it was necessary to continue to investigate some of the questions that had been raised.

Motion as presented carried with Councilor Payne voting in opposition.

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

ACTION: Councilor Kirven moved for approval at second reading an ordinance authorizing a fee-in-lieu of tax and infrastructure improvement credit arrangement pursuant to a fee-in-lieu-of-tax agreement between Greenville County, South Carolina and (Project Diamondback); and other matters relating to the foregoing.

Motion carried unanimously.

(c) Transfer of Matrix Property

ACTION: Councilor Kirven moved for approval at second reading an ordinance to authorize and approve the transfer of County owned properties located near U.S. 25 (Augusta Road) and I-185 commonly known as the Matrix Business & Technology Park, and to authorize the execution of a deed and any other appropriate documents and agreements related thereto.

Motion carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Greenville / Anderson Multi County Industrial Business Park Agreement Amendment - Project Machine

Councilor Kirven presented for first reading an ordinance authorizing an amendment to the agreement for the development of a joint county industrial and business park by and between Greenville County, South Carolina and Anderson County, South Carolina, in order to expand the boundaries of the park to include certain property located in Anderson County and other matters related thereto.

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

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

Councilor Kirven presented for first reading an ordinance authorizing an amendment to the agreement for the development of a joint county industrial and business park by and between Greenville County, South Carolina and Anderson County, South Carolina, in order to expand the boundaries of the park to include certain property located in Anderson County and other matters related thereto.

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

(c) Hospitality Tax Amendment / Cancer Survivor Park

Councilor Kirven presented for first reading an ordinance to amend Exhibit A established as an addendum to Ordinance 4079, as last amended by Ordinance No. 4686, so as to appropriate additional operating funds for tourist related projects.

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

(d) Project Rampart / Fee-in-Lieu of Tax and Special Source Credit Agreement

Councilor Kirven presented for first reading an ordinance pursuant to Chapter 44 of Title 12, Code of Laws of South Carolina 1976, as amended, to enter into a fee agreement between Greenville County, South Carolina, Project Rampart and ABC Realty, providing for payment of fees-in-lieu of taxes and certain special source revenue credits against the same; and matters relating thereto.

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

(e) Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Project Rampart

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 for second reading.

(f) Project Orange / Fee-in-Lieu of Tax Agreement

Councilor Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Greenville County and Project Orange, whereby Greenville County will enter into a fee-in-lieu of tax arrangement with Project Orange, and providing for payment by Project Orange of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of a multi-county industrial/business park; and other matters relating thereto.

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

(g) Greenville / Anderson Multi County Industrial Business Park Agreement Amendment - Project Orange

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 for second reading.

Item (12) COMMITTEE REPORTS

(a) Committee of the Whole

1. Appalachian Council of Governments / CEDS Support Letter

ACTION: On behalf of the Committee, Councilor Kirven moved to accept the Appalachian Council of Governments 2015 CEDS Update and direct the Council Chairman to write a letter of support for the plan.

Motion carried unanimously.

2. Boards and Commissions Appointments

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

Accommodations Tax Advisory Committee:

- ***Penny Cooper***
- ***Michael Heater***
- ***Joyce McCarrell***
- ***Alan Strozier***

Airport Commission

- ***James Wall***

Airport Environs Planning Commission

- ***Brad Medcalf***

Devenger Point Special Tax District

- ***David Hinson***
- ***Lee Kazian***
- ***Gail Randall***

Donaldson Fire Service Area

- **Grant Wooten**

Historic Preservation Commission

- **Collie Breedlove**
- **Ruth Butler**
- **Lindsey Strand**

Museum Commission

- **Natasha Sexton**
- **Harry Ussery**

Old Mill Estates Tax District

- **Pauline Brown**
- **Raymond Hammond, Sr.**

Parks, Recreation and Tourism Advisory Committee

- **Jasper Puckett**

Motion carried unanimously.

ACTION:

On behalf of the Committee, Councilor Kirven moved to close nominations on the following boards and hold a ballot vote for each at the next Council meeting.

Greater Greenville Sanitation Commission (1 seat)

- **David Armstrong**
- **Roy Earnest**

Library Board of Trustees (7 vacancies)

- **Joseph Allen, Sr.**
- **Brian Aufmuth**
- **Laura Baker**
- **Grady Butler**
- **Chace Campbell**
- **S. Allan Hill**
- **Tommy Hughes**
- **Joe Poore**

Sterling Community Tax District (5 vacancies)

- **Santos Abritz**
- **Vicky Ashley**
- **Henry Black**
- **Martha Black**
- **Tammy Jones**
- **Dorothy Russell**

Motion carried unanimously.

Item (13) APPEARANCES – non agenda items

- *Patricia Taylor, 311 Poplar Lane, Mauldin – appeared regarding the resettlement of Syrian refugees in South Carolina*

Item (14) ADMINISTRATOR’S REPORT

County Administrator Joe Kernell stated on October 1, 2015, the EPA strengthened the National Ambient Air Quality Standards for ground-level ozone from 75 to 70 parts per billion, based on extensive scientific evidence about ozone’s effects on public health and welfare. The updated standard would improve public health protection, particularly for at-risk groups including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors, especially outdoor workers. It would also improve the health of trees, plants, and ecosystems.

He stated this was great news for the Upstate South Carolina region. Based on current design values, it was expected that Greenville County and the Upstate SC would continue to be in attainment with respect to the criteria pollutant. It was also expected that the South Carolina Department of Health and Environmental Control designation recommendations to EPA, which were due in October 2016, would be based on the 2013-2015 design values. EPA's final decision on designations for the 2015 ozone standard was due October 1, 2017, and would likely be based on the 2014-2016 values.

Mr. Kernell stated the County still needed to be vigilant of their collective efforts and behaviors affecting air quality. Therefore, the County would continue working with schools and other organizations to implement the Breathe Better program.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Dill requested the Chairman schedule a workshop to familiarize the Council on the issue of refugees.
- Councilor Baldwin agreed with Mr. Dill.
- Councilor Cates stated he attended the Drug Court Graduation and was very impressed with the program. He stated this was the 50th graduation and 75% of those graduates remained drug free. For every \$1 invested, drug court saved the County \$3.36 in keeping individuals out of jail. He stated it was a blessing to witness the event.
- Councilor Burns inquired if having Finance items come to Council for first reading before going to the Finance Committee for consideration would have delayed the process. County Attorney Mark Tollison stated if a Finance Committee meeting was held between the first reading and the date scheduled for second reading consideration, the items would have remained on schedule.
- Chairman Taylor reminded Council Members of the October 10th Ethics filing deadline.
- Councilor Seman asked Council Members to join her in congratulating Ronnie Boyce of the Donaldson Fire Department for having improved their ISO rating from a 4 to a 2. She stated they were now in the top 2% of all the fire departments in the United States. Ms. Seman stated this would be a huge factor in attracting companies to SCTAC.
- Councilor Gibson stated she had a great part in the County having a drug court. She stated she and several others traveled around to multiple cities and counties to view their drug courts before coming back to Greenville County and finding a sponsor for Greenville’s own drug court. She requested the Alcohol and Drug Abuse Commission / Phoenix Center make a presentation to the full Council on the great strides they were making. She then thanked everyone for their thoughts and prayers during her most recent hospital stay.

- Councilor Ballard stated Belmont Fire Department also received an ISO upgrade to 2. He thanked the fire districts in Greenville County who had reached out to help the folks in Columbia.
- Councilor Payne stated he participated in a group that went to Augusta last week to visit the Club Car production facility and to talk with them about possibly providing some vehicles the County could use as a shuttle service on campuses to demonstrate automated, semi-automated or connected vehicle transports. He stated it was tentative that representatives from Club Car would be here the following Thursday to look at Greenville's assets. He encouraged his colleagues to join them.
- Councilor Kirven stated the next Finance Committee meeting was scheduled for Monday, October 12th. He then wished Dr. Taylor and Mr. Dill a Happy Birthday.

Item (16) **ADJOURNMENT**

ACTION: Councilor Kirven moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 6:56 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council