



MINUTES GREENVILLE COUNTY COUNCIL

Regular Council Meeting

June 21, 2016

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 Arrived @ 6:04

Mr. Willis Meadows

Mr. Sid Cates

Mr. Jim Burns

Mrs. Xanthene Norris

Mrs. Liz Seman

Mrs. Lottie Gibson Absent

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.

STAFF PRESENT:

Joe Kernell, County Administrator

Mark Tollison, County Attorney

Dean Campbell, Deputy County Attorney

John Hansley, Deputy County Administrator

Theresa Kizer, Clerk to Council

Paula Gucker, Assistant County Administrator, Public Works

John Vandermosten, Assistant County Administrator, Public Safety

Eric Vinson, Director, Planning and Code Enforcement

Bob Mihalic, Governmental Relations Officer

Tom Meeks, Planning Department

Sandra Yudice, Assistant to the County Administrator

Jessica Stone, Administrative Assistant, Clerk to Council

OTHERS PRESENT:

Beverly James, Executive Director, Greenville County Library System

Chief Ronnie Boyce, Donaldson Fire Service Area

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – introduced by Chairman Bob Taylor

Jeff Webb, Youth Minister
Morningside Baptist Church
Greenville, SC

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Burns moved to approve the minutes of the June 7, 2016, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) PUBLIC HEARINGS

(a) Greenville County Library / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to approve the appropriation of funds for the Greenville County Library System for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and to authorize the annual ad valorem property tax millage levy for library purposes.

- *Ed Paxton, 1 York Circle, Greenville – appeared in opposition to the proposed*
- *Bob Davis, 6 Setinel Court, Greer – appeared in opposition to the proposed*

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

(b) Greenville / Laurens (Octagon Park) Multi-County Industrial Business Park Agreement Assessment - CRI Tolling, LLC (formerly Project Synergy)

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend that certain master agreement governing the Octagon Industrial Park dated September 1, 2010 between Laurens County and Greenville County to add the CRI Tolling, LLC tract located in Laurens County.

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

(c) South Greenville Fire District / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to provide for the millage rate to be levied by the South Greenville Fire District.

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

Item (6) APPEARANCES

None

Item (7) CONSENT AGENDA

- (a) FY2016 Justice Assistance Grant (JAG)**
- (b) FY2016 DNA Capacity Enhancement and Backlog Reduction Program**
- (c) Community Project Application / City of Simpsonville – 4th of July at Heritage Park**
- (d) Community Project Application / Phillis Wheatley Association – Phillis Wheatley Center**
- (e) Community Project Application / Greenville County Schools – Southside High School**

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

Motion carried unanimously by Council Members present.

Item (8) RESOLUTIONS

(a) South Greenville Fire District / Millage Request

ACTION: Councilor Kirven moved for adoption a resolution to provide for the millage rate to be levied by the South Greenville Fire District.

Motion carried unanimously by Council Members present.

(b) Resolution on Advanced Transportation

ACTION: Councilor Kirven moved for adoption a resolution supporting Greenville County as a pilot site in the State of South Carolina for the research, development, testing, and deployment of multimodal, intelligent, automated transportation systems and management technologies initiatives.

Councilor Kirven stated the Resolution was amended by the Finance Committee to delete language that could be construed as obligatory. He added the Resolution as it appeared in Council's packets and offered by the motion did not require any commitment to resources by Greenville County.

Councilor Burns asked if the motion presented was the motion passed by the Finance Committee.

Mark Tollison stated the motion presented and included in Council's packets was the version passed, as amended, by the Finance Committee.

Motion carried unanimously by Council Members present.

(C) Referendum to Create a Special Tax District for Lighting / New Washington Heights

ACTION: Councilor Kirven moved for adoption a resolution to certify a petition calling for a popular referendum to determine if the New Washington Heights Special Tax District shall be created to provide for street lighting within the proposed district; to direct the Greenville County Election Commission to hold an election and certify the results of the election to County Council.

Motion carried unanimously by Council Members present.

Item (9) ORDINANCES – THIRD READING

(a) Greenville County Library / Millage Request

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and to authorize the annual ad valorem property tax millage levy for library purposes.

Motion carried unanimously by Council Members present.

**(b) Project Bulwark /
Fee in Lieu of Tax Agreement and Special Source Credit Agreement**

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing a first amendment to a fee-in-lieu of tax and special source credit agreement by and between Greenville County, South Carolina, and a company known to the County as Project Bulwark, to provide for additional special source revenue credits; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

ACTION: Councilor Kirven moved to hold the item until a public hearing could be scheduled.

Motion to hold carried unanimously by Council Members present.

(c) Greenville / Laurens (Octagon Park) Multi County Industrial Business Park Agreement Amendment – CRI Tolling, LLC (formerly Project Synergy)

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to amend that certain master agreement governing the Octagon Industrial Park dated September 1, 2010 between Laurens County and Greenville County to add the CRI Tolling, LLC tract located in Laurens County.

Motion carried unanimously by Council Members present.

Item (10) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. CZ-2016-25: Property of Kays and Juliet Kaysi located at 3902 White Horse Road requesting rezoning from R-10 to OD.

The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously by Council Members present.

2. CZ-2016-31: Property of John S. and Sonja P. Hunt located at 415 Brushy Creek Road requesting rezoning from R-20 to R-M10.

The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously by Council Members present.

3. CZ-2016-33: Property of Jack H. Nimmons, Jr. located at the 2200 block of W. Blue Ridge Drive requesting rezoning from I-1 to C-3.

The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously by Council Members present.

4. CZ-2016-34: Property of Mary Ellen Fulmer Garrett located on 1022 W. Georgia Road requesting rezoning from R-S to C-3.

The Planning Commission and the Committee recommended approval.

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

ACTION: Councilor Dill moved to return the docket to the Planning and Development Committee based on new information.

Motion to return the item to the Planning and Development Committee carried unanimously by Council Members present.

5. **CZ-2016-35: Property of James A. Harris located on the 3100 block of Grandview Drive requesting rezoning from S-1 to R-M16.**

The Planning Commission and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.
Motion carried unanimously by Council Members present.

6. **CZ-2016-37: Property of JRB Partners LLC located on Laurens Road and Fairforest Way requesting rezoning from I-1 and C-3 to C-2.**

The Planning Commission and the Committee recommended approval, as amended, to C-3.

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

AMENDMENT: Councilor Dill moved to amend the request to C-3.
Motion to amend carried unanimously by Council Members present.

ACTION: Councilor Dill moved approval of the ordinance as amended.
Motion as amended carried unanimously by Council Members present.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading **Zoning Dockets CZ-2016-38 through CZ-2016-43.**

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

(b) Donaldson Fire Service Area / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area.

Chairman Taylor stated the item would remain on the floor.

(c) Canebrake Fire Department / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Canebrake Fire Service Area.

Chairman Taylor stated the item would remain on the floor.

(d) Windstone Special Tax District (Administration Division) / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Windstone Special Tax District.

Chairman Taylor stated the item would remain on the floor.

(e) Woodside Special Tax District (Administration Division) / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Woodside Special Tax District.

Chairman Taylor stated the item would remain on the floor.

(f) Broadmoor Special Tax District (Administration Division) / Uniform Service Fee

Councilor Kirven presented for first reading an ordinance to provide for the uniform service fee to be charged in the Broadmoor Special Tax District.

Chairman Taylor stated the item would remain on the floor.

Item (12) COMMITTEE REPORTS

None

Item (13) APPEARANCES – non agenda items

- **Sheldon Landgrave**, 19 Caswell Lane, Simpsonville – appeared regarding negligent land development
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding Spin Doctors
- **Howard Martin**, 334 Hatteras Ridge, Six Mile - appeared regarding Donaldson Center Golf Club
- **Joseph Mulcahy**, 117 Baldwin Creek Way, Simpsonville - appeared regarding Donaldson Center Golf Club
- **Bobbie Porter**, 380 Alverson Road, Pelzer - appeared regarding Donaldson Center Golf Club
- **Carl Arnold**, 303 Havenhorst Drive, Taylors - appeared regarding Donaldson Center Golf Club
- **Gerald Smith**, 1388 Garrison Road, Piedmont - appeared regarding Donaldson Center Golf Club
- **George Wood**, 16 Tamwood Circle, Simpsonville - appeared regarding Donaldson Center Golf Club
- **Emily McCorkle**, 108 S. Orchard Drive, Taylors - appeared regarding Donaldson Center Golf Club
- **James Sitton**, 303 N. B Street, Easley – appeared regarding noise problems
- **Jessica Monroe**, 150 Fernwood Drive, Greer – appeared regarding animal rights
- **Bobby Davis**, 6 Setinel Court, Greer – appeared regarding “America is headed toward a Tower of Babel”

Item (14) ADMINISTRATOR’S REPORT

County Administrator Joe Kernell stated this upcoming weekend, 216 soccer teams, 132 baseball teams and 450 swimmers would be in Greenville County participating in athletic events hosted by Parks, Recreation and Tourism. He added this was confirmation that Parks, Recreation and Tourism was working well in Greenville County.

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

(a) Greenville / Anderson Multi-County Industrial Business Park Agreement – First Reading

Per the notice given in the packet, Councilor Kirven presented for first reading an ordinance to develop a jointly owned and operated industrial / business park in conjunction with Anderson County, such industrial / business park to be geographically located in Greenville County and established pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as amended; to provide for a written agreement with Anderson County to provide for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxation; and other matters related thereto.

Councilor Kirven requested the item be referred to the Finance Committee.

Chairman Taylor referred the item to the Finance Committee.

- Councilor Norris expressed thanks to the Recreation District for providing summer programs for the children in the “unseen” areas of Greenville County. She stated she was indebted to the Judson and City View groups, and especially to Paul Guy, for all the hard work. Councilor Norris stated the Phillis Wheatley Center was providing much appreciated transportation. She added any individual or group who wished to donate could contact Theresa Kizer.
- Councilor Seman stated Lockheed Martin's T-50A jet trainer successfully completed its first flight test. The company was refurbishing Hangar 11 at SCTAC, which would house the T-50A final-assembly line, flight operations and support capabilities.
- Councilor Ballard stated the Fire Chiefs received a \$1.6 million grant to purchase much-needed radios to improve communication. The money must be spent by September 2016.
- Councilor Kirven reminded everyone about a concert featuring the Greenville Symphony Orchestra scheduled for July 2 at Heritage Park in celebration of Independence Day. He stated the family-oriented concert was free to the public.
- Councilor Dill requested information regarding the County's jurisdiction over the Donaldson Center property. He added there was a large group of people in the audience who had requested Council's assistance and he was unsure how Council could actually help.
- Mark Tollison stated Greenville County was joint owner of the Donaldson Center property along with the City of Greenville. SCTAC was formed in 1976 and given authority to act as the lease agent. He added SCTAC had made the decision to lease the Donaldson Center Golf Club property to a new lessee.
- Councilor Dill stated County Council appointed some of the members of SCTAC but not all. He stated he recalled hearing information about the new proposed lessee several years ago and added this decision was not something that happened a few weeks ago.
- Chairman Taylor confirmed this information and stated additional clarification was forthcoming.
- Councilor Seman stated County Council and Greenville City Council have been briefed at least annually regarding what was happening at SCTAC. She stated it appeared that some of the evening's speakers had been provided incorrect information. Councilor Seman suggested the topic be discussed at a future Committee of the Whole meeting and recommended Jody Bryson, CEO, be present to answer questions. She stated “Project Green” was coming to fruition.

- Councilor Baldwin stated he had made his monthly trip to the White Horse Road Magistrate's office and the staff had expressed a desire to have the proposed improvements completed within the next 6 months.
- Councilor Cates addressed the speaker concerned about the noise issue and stated it was an industrial area and the noise was permissible. He did speak with the individuals involved about the noise issue.
- Councilor Cates stated the Canebrake Fire Department requested a millage increase at the last Finance Committee for new equipment. Two teenagers died within the last month because there was no defibrillator available. He stated this bothered him deeply. Councilor Cates stated that Councilor Ballard obtained 2 defibrillators from St. Francis Hospital, free of charge, and the County was going to purchase two more for Canebrake.
- Councilor Payne stated he appreciated that fact that Council had a board member on the SCTAC board and SCTAC was a great asset to Greenville County. He stated he understood the concern about closing the golf course and there may be other golf courses in the area that would meet their needs. Councilor Payne stated Council should be supportive of SCTAC.
- Councilor Payne extended special birthday wishes to Councilor Gibson who was not in attendance in the hopes she would be back soon.

Item (16)

ADJOURNMENT

ACTION:

Councilor Payne moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:08 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council