



MINUTES GREENVILLE COUNTY COUNCIL

Regular Council Meeting

August 16, 2016

6:12 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 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

Jeff Wile, Assistant County Attorney

John Hansley, Deputy County Administrator

Theresa Kizer, Clerk to Council

Regina McCaskill, Deputy Clerk to Council

Jessica Stone, Administrative Assistant, Clerk to Council

Paula Gucker, Assistant County Administrator, Public Works

John Vandermosten, Assistant County Administrator, Public Safety

Chief Deputy Eldridge, Sheriff's Office

Eric Vinson, Director, Planning and Code Enforcement

Bob Mihalic, Governmental Relations Officer

OTHERS PRESENT:

Chief Ronnie Boyce, Donaldson Fire Service Area

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – introduced by Councilor Liz Seman

Christian Antwi, Youth Minister
Fourth Presbyterian Church

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Ballard moved to approve the minutes of the July 12, 2016, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) PROCLAMATION

Presented by Councilor Liz Seman on behalf of Councilor Lottie Gibson

Habitat for Humanity has worked to improve the Greenville community since 1985 by providing opportunities for affordable home ownership to low income families and creating stronger and safer neighborhoods in Greenville County. More than 335 families have been given the opportunity to build stability, strength, and self-reliance through affordable homeownership, based on a model of participatory charity by recipients, and public partnership and volunteerism in the construction of homes. Habitat for Humanity of Greenville County participated in the Veterans Build Initiative which provided volunteer engagement and homeownership opportunities to U.S. veterans, military service members and their families. Six homes in the Grace Point community were designated for the initiative.

Greenville County Council commended and expressed a sincere appreciation to Habitat for Humanity of Greenville County, and extended best wishes in its continued work with low income families, and in its new initiative to provide affordable homes to Veterans, military service members and their families.

Item (6) PUBLIC HEARING

(a) Donaldson Fire Service Area / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area.

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

(b) Canebrake Fire Department / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Canebrake Fire Service Area.

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

(c) Windstone Special Tax District (Administrative Division) / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied in the Windstone Special Tax District.

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

(d) Woodside Special Tax District (Administrative Division) / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied in the Woodside Special Tax District.

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

(e) Broadmoor Special Tax District (Administrative Division) / Uniform Service Fee

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the uniform service fee to be charged in the Broadmoor Special Tax District.

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

(f) Boiling Springs Fire District / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Boiling Springs Fire District.

- *Taft Matney, 712 Knollwood Drive, Greenville – appeared in favor of the proposed*

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

(g) Greenville / Anderson Multi-County Industrial Business Park Agreement (2015 Park)

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing and approving (1) the development of a joint county industrial and business park, pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Anderson County; such park to be geographically located in Greenville County; (2) the execution and delivery of a written park agreement with Anderson County as to the requirement of payments of the fee in lieu of ad valorem taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Greenville County; and (4) other matters related thereto.

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

(h) Greenville / Laurens Multi-County Industrial Business Park / Ordinance No. 2560 Amendment

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the park agreement authorized by Ordinance No. 2560 relating to the multi county industrial business park of Greenville County and Laurens County so as to provide for the continuation of the park.

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

Item (7)

APPEARANCES

- *John Blough, 712 Knollwood Drive, Greenville – appeared regarding Stepping Up Initiative Resolution*

Item (8)

CONSENT AGENDA

- (a) **FY 2016 Local Emergency Management Performance Grant**
- (b) **Firehouse Subs Public Safety Grant**
- (c) **ASPCA Grant Application**
- (d) **2016 Summer Food Service Program**
- (e) **Community Project Application / Judson Community Center – Playground Tiles**
- (f) **FY 2017 – 2018 Greenville County Road Paving List**
- (g) **Waterline Application / 539 & 543 North Harrison Bridge Road**

ACTION: Councilor Burns moved approval of the Consent Agenda Items.
Motion carried unanimously by Council Members present.

Item (9)

RESOLUTIONS

- (a) **Boiling Springs Fire District / Millage Request**

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

ACTION: Councilor Kirven moved to refer the item back to the Finance Committee.
Motion to refer the item back to the Finance Committee carried unanimously by Council Members present.

- (b) **Project Vigil / Inducement Agreement Resolution**

ACTION: Councilor Kirven moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Vigil. Whereby, under certain conditions, Greenville County will execute a fee in lieu of tax agreement with respect to a project in the County and whereby the Project would be subject to payment of certain fees in lieu of taxes. Whereby, Project Vigil will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously by Council Members present.

(c) Stepping Up Initiative Resolution

ACTION: Councilor Seman moved for adoption a resolution to encourage all counties within the state of South Carolina and across the country to participate in the Stepping Up Initiative aimed at reducing the number of people with mental illnesses in jails across the country.

Motion carried unanimously by Council Members present.

(d) Boiling Springs Fire District / Resolution Calling for a Public Hearing on the Issuance of Bonds

ACTION: Councilor Kirven moved for adoption a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$2,100,000 of General Obligation Bonds of Boiling Springs Fire District and to provide for the publication of the notice of such hearing.

Councilor Meadows recused himself from discussion and voting on the item due to a conflict of interest.

Motion carried unanimously by Council Members present with one (Meadows) in abstention.

Item (10) ORDINANCES – THIRD READING

(a) Donaldson Fire Service Area / Millage Request

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area.

Motion carried unanimously by Council Members present.

(b) Canebrake Fire Department / Millage Request

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Canebrake Fire Service Area.

Motion carried unanimously by Council Members present.

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

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied in the Windstone Special Tax District.

Motion carried unanimously by Council Members present.

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

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied in the Woodside Special Tax District.

Motion carried unanimously by Council Members present.

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

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the uniform service fee to be charged in the Broadmoor Special Tax District.

Motion carried unanimously by Council Members present.

(f) Greenville / Anderson Multi-County Industrial Business Park Agreement (2015 Park)

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing and approving (1) the development of a joint county industrial and business park, pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Anderson County; such park to be geographically located in Greenville County; (2) the execution and delivery of a written park agreement with Anderson County as to the requirement of payments of fee in lieu of ad valorem taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Greenville County; and (4) other matters related thereto.

ACTION: Councilor Kirven moved to suspend Council Rule IV (B) (3) in order to allow for amendments to be considered at third reading of the item.

Motion to suspend Council Rule IV (B) (3) to allow for amendments at third reading carried unanimously by Council Members present.

AMENDMENT: Councilor Kirven moved to amend the ordinance to reflect the changes outlined in the red-lined version that was included in the Council agenda packet. The amendment affirmed that the revenues from the park would continue to secure the special source revenue bonds issued as part of the County's Infrastructure Bank.

Motion to amend carried unanimously by Council Members present.

ACTION: Councilor Kirven moved adoption of the ordinance as amended.

Motion as amended carried unanimously by Council Members present.

Item (11) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. CZ-2016-32: Property of Stephanie King, Three Tree Hill, LLC, located at 245 Hicks Road requesting rezoning from R-10 to S-1.

The Planning Commission and the Committee recommended approval as amended to rezone a 4 acre portion.

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 rezone only a four-acre portion of the property to S-1.

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.

2. **CZ-2016-36: Property of Eugenia H. Greer and Kenneth T. Brown located at 2400, 2500, and 2702 Pelham Road requesting rezoning from R-20 to FRD.**

The Planning Commission recommended denial and the Committee recommended approval.

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

Councilor Burns encouraged his colleagues to support the rezoning request. He added the development would be an asset to the community.

Chairman Taylor stated he also supported the request.

Motion carried unanimously by Council Members present.

3. **CZ-2016-38: Property of Michael Merheb located at 624 S. Washington Avenue requesting rezoning from I-1 to R-15.**

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-2016-39: Property of Walter Panagakos located on Staunton Bridge Road and Frontage Road requesting rezoning from R-S 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.

Motion carried unanimously by Council Members present.

5. **CZ-2016-42: Property of Evelyn Rice (Life Estate) located at 1205 East Georgia Road requesting rezoning from R-15 to R-M10.**

The Planning Commission and the Committee recommended approval as amended to R-M5.

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 rezone the parcel to R-M5.

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.

6. CZ-2016-43: Property of Marshall Daniel Williams and Dunean Baptist Church located at 200 Edgewood Drive and 822 Marue Drive requesting rezoning from R-M20 to O-D.

The Planning Commission recommended denial and the Committee recommended approval.

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

Councilor Seman stated she was in support of the rezoning request and a petition of support had been submitted to Council by the Dunean community.

Motion carried unanimously by Council Members present.

(b) Project Snap / Fee In Lieu of Tax Agreement

ACTION: Councilor Kirven moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a Company known to the County at this time as Project Snap with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

Motion carried unanimously by Council Members present.

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

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

Motion carried unanimously by Council Members present.

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

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

Motion carried unanimously by Council Members present.

(e) Project Edison / Fee In Lieu of Tax Agreement and Infrastructure Financing Agreement

ACTION: Councilor Kirven moved for approval at second reading an ordinance authorizing amendments to and restatement of a fee-in-lieu-of-tax arrangement on behalf of Project Edison, pursuant to a fee-in-lieu-of-tax agreement between Greenville County, South Carolina and the Company; authorization and implementation of special source revenue credits pursuant to execution and delivery of an infrastructure financing agreement; and other matters relating to the foregoing.

ACTION: Councilor Kirven moved to refer the item back to the Finance Committee.

Motion to refer the item back to the Finance Committee carried unanimously by Council Members present.

(f) Greenville - Laurens Multi-County Industrial Business Park / Ordinance No. 2560 Amendment

ACTION: Councilor Kirven moved for approval at second reading an ordinance to amend the park agreement authorized by Ordinance No. 2560 relating to the multi county industrial business park of Greenville County and Laurens County so as to provide for the continuation of the park.

Motion carried unanimously by Council Members present.

(g) Infrastructure Tax Credit Ordinance / Matrix Properties

ACTION: Councilor Kirven moved for approval at second reading an ordinance amending Ordinance No. 3606 in order to authorize an amended and restated infrastructure tax credit (Matrix Project); authorizing the execution and delivery of an amended and restated infrastructure credit agreement; authorizing the entering into of certain covenants and agreements and the execution and delivery of certain documents, agreements and instruments relating to the issuance of the aforesaid amended and restated infrastructure tax credit (Matrix Project); and other matters relating thereto.

Motion carried unanimously by Council Members present.

Item (12) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading **Zoning Dockets CZ-2016-44 through CZ-2016-46, CZ-2016-48 through CZ-2016-51 and CP-2016-02.**

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

(b) Project Vigil / 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, South Carolina and a Company or Companies known to the County at this time as Project Vigil, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

Chairman Taylor stated the item would remain on the floor.

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

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.

(d) Caesar's Head Fire Service Area / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for an increase to the millage rate levied by the Caesar's Head Fire Service Area, and to authorize the Chairman of County Council and the County Administrator to renew the contract for fire protection and first responder services with Cedar Mountain Fire Rescue, Inc.

Chairman Taylor stated the item would be referred to the Finance Committee.

(e) Cell Tower Lease

Councilor Kirven presented for first reading an ordinance to authorize the Chairman of County Council and the County Administrator to execute a lease with Milestone Development, Inc. for the purpose of installing, constructing, and maintaining one or more telecommunications monopoles thereon.

Chairman Taylor stated the item would be referred to the Finance Committee.

(f) Boiling Springs Fire District / Conditional Issuance of General Obligation Bonds

Councilor Kirven presented for first reading an ordinance finding that Boiling Springs Fire District may conditionally issue not exceeding \$2,100,000 General Obligation Bonds; to authorize the Board of Fire Control of Boiling Springs Fire District to issue such bonds and to provide for the publication of notice of the said findings and authorization; and other matters relating thereto.

Chairman Taylor stated the item would remain on the floor.

Item (13) COMMITTEE REPORTS

None

Item (14) APPEARANCES – non agenda items

- *Thomas Barilovits, 9 Middlewick Court, Simpsonville – appeared regarding actions of publicly owned bodies*
- *Ed Paxton, 1 York Circle, Greenville – appeared regarding dogs and cats*

Item (15) ADMINISTRATOR'S REPORT

County Administrator Joe Kernell stated the new Magistrate's office in Travelers Rest was scheduled for completion by the end of September 2016 and staff would move in the first part of October. He added the County was still in the process of looking for an interim location for the White Horse Road Magistrate's office; one which would meet the needs of the legal community, the employees, and the Judges. Mr. Kernell stated the property the County purchased in Berea was being explored as a possible permanent site.

Mr. Kernell then stated the first 2.5 months of the Cat Diversion program through Animal Care had been very successful. He stated there was a 96% decrease in the number of cats brought in by Animal Control officers, a 53% decrease in the number of cats entering the shelter through public drop-off, and a 90% increase in the number of community cats that were spayed or neutered. Overall, 1093 fewer cats entered the shelter through all intakes which was a 38% decrease. Mr. Kernell added 462 fewer dogs (26% decrease), entered the shelter during the same time period.

Mr. Kernell reminded Council Members of the naming event scheduled for August 19th honoring Councilor Lottie Gibson. The event would be held at the Phoenix Center Training Facility.

Item (16)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

(a) False Alarm Ordinance – First Reading

Per notice given in the Council agenda packet, Councilor Ballard presented for first reading an ordinance to amend Chapter 11, Article IV of the County of Greenville, South Carolina Code of ordinances so as to require alarm users to provide for a biennial alarm user registration renewal process and fee.

Chairman Taylor stated the item would be referred to the Finance Committee.

(b) IVP, LLC / Fee Conversion – First Reading

Per notice given in the Council agenda packet, Councilor Kirven presented for first reading an ordinance authorizing the conversion of a fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 12, Code of Laws of South Carolina, 1976, as amended, between Greenville County and IVP, LLC to a simplified fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; the cancellation and termination of certain lease and associated agreements between the County and the Company; the reconveyance by the County of related property to the Company; and other matters related thereto.

Chairman Taylor stated the item would be referred to the Finance Committee.

- Councilor Ballard stated he had met with SCDOT, State House Representative Eric Beddingfield, Duke Power and Waste Management to discuss the repair of a road in District 26 which had been damaged during ash removal from the Duke Power plant located in Belton.
- Councilor Cates inquired about the timetable for the magistrate's office in Taylors. Mr. Kernell stated it would be included in the next budget which staff would begin working on in the fall.
- Councilor Burns announced the next County Square Ad Hoc Committee meeting would be Thursday, August 25th at noon.
- Councilor Norris stated she wanted to remind Council of the importance of the Citizen's Review Board. She stated Paul Guy was assisting in determining what items the board needed to focus on.
- Councilor Seman thanked everyone who came out for the Lockheed hangar inauguration event.

Item (17)

ADJOURNMENT

ACTION:

Councilor Seman moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:15 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council