



GREENVILLE COUNTY COUNCIL MINUTES

REGULAR MEETING

SEPTEMBER 19, 2017

6:02 P.M.

COUNTY SQUARE – COUNCIL CHAMBERS

COUNCIL MEMBERS

MR. BUTCH KIRVEN, CHAIRMAN

MR. WILLIS MEADOWS, VICE CHAIRMAN

MRS. XANTHENE NORRIS, CHAIRMAN PRO TEM

MR. JOE DILL

MR. MIKE BARNES

MR. SID CATES

MR. RICK ROBERTS

MR. BOB TAYLOR

MRS. LIZ SEMAN

MR. ENNIS FANT, SR.

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

John Hansley, Deputy County Administrator

Mark Tollison, County Attorney

Jeff Wile, Assistant County Attorney

Kimberly Wunder, Assistant County Attorney

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

Bob Mihalic, Governmental Relations Officer

Teresa Barber, Fire Code Official/Code Enforcement Supervisor

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION – Introduced by Councilor Ennis Fant, Sr.

Dr. U.A. Thompson

Retired Pastor

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilors Dill and Seman moved to approve the minutes of the September 5, 2017, Regular Council Meeting.

Motion carried unanimously.

Item (5) APPEARANCES – current agenda items

None

Item (6) PUBLIC HEARINGS

(a) Proposed Relinquishment of a Portion of Marcus Drive

A public hearing was held for the purpose of receiving public comments regarding the proposed relinquishment of a 3055 Sq. Ft. portion of Marcus Drive (J0053) to the adjacent property owner (TMS# 0543010101800).

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

(b) Bon Secours Health System Inc. / JEDA Bonds

A public hearing was held for the purpose of receiving public comments regarding a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Refunding Revenue Bonds, Series 2017 (Bon Secours Health System, Inc.), pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$69,925,000.

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

(c) Milliken Nonwovens LLC (formerly Project Mountaintop) / Fee in Lieu of Tax Agreement Amendment – Addition of Sponsor

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the addition of Milliken Nonwovens, LLC (formerly referred to as Project Mountaintop) as a sponsor to an existing fee in lieu of tax agreement with Greenville County, South Carolina and the amendment of an existing fee in lieu of tax agreement to address the inclusion of Milliken Nonwovens, LLC as a sponsor; and other matters relating to the foregoing.

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

(d) Roy Metal Finishing Company Inc. / Fee in Lieu of Tax Agreement Amendment

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing an amendment to that certain fee in lieu of tax agreement among Greenville County, South Carolina, Roy Metal Finishing Company, Inc., and JPCR, LLC dated June 1, 2012 and other matters related thereto.

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

(e) Foothills Fire Service Area / 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 Foothills Fire Service Area.

- **Richard Locke**, 1010 E. Lakeshore Drive, Landrum – appeared in favor of the proposed.

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

Item (7) CONSENT AGENDA

(a) Proposed Relinquishment of a Portion of Marcus Drive

(b) SC Park and Recreation Development Fund Grant

(c) FY2016 Homeland Security Grant – Bomb Team

(d) FY2016 Homeland Security Grant – SWAT

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

Motion carried unanimously.

Item (8) RESOLUTIONS

(a) Bon Secours Health System Inc. / JEDA Bonds

ACTION: Councilor Taylor moved for adoption a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Refunding Revenue Bonds, Series 2017 (Bon Secours Health System, Inc.), pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$69,925,000.

Motion carried unanimously.

(b) Setoff Debt and GEAR Programs

ACTION: Councilor Taylor moved for adoption a resolution to approve the memorandums of understanding and agreement between the County of Greenville and the South Carolina Association of Counties relating to the South Carolina Association of Counties being authorized and designated as the claimant agent for County departments pursuant to the Setoff Debt Collection Act of 2003, as amended, and the Governmental Enterprise Accounts Receivable Program, as set forth in Section 12-4-580 (2003) and to authorize the county tax collector to use the procedures provided in Chapter 56, Title 12 as the initial step in the collection of delinquent taxes.

Motion carried unanimously.

(c) Slater Water, Light and Sewer District / Dissolution

ACTION: Councilor Seman moved for adoption a resolution in support of the petition to dissolve the Slater Water, Sewer and Light District pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended.

Motion carried unanimously.

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

(a) **Zoning Ordinances**

1. **CZ-2017-37: Property of Faith Properties, located at 2401 Poinsett Highway, requesting rezoning from R-7.5 to O-D.**

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

Motion carried unanimously.

2. **CZ-2017-39: Property of Frances E. and Ladson E. Cunningham, located on GSP Drive, requesting rezoning from I-1 to C-2.**

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

Motion carried unanimously.

3. **CZ-2017-40: Property of Dempsey Farms, LLC, located at 5106 Edwards Road, requesting rezoning from R-20 to R-M4.**

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

Motion carried unanimously.

(b) **Milliken Nonwovens LLC (formerly Project Mountaintop) / Fee in Lieu of Tax Agreement Amendment – Sponsor Addition**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the addition of Milliken Nonwovens, LLC (formerly referred to as Project Mountaintop) as a sponsor to an existing fee in lieu of tax agreement with Greenville County, South Carolina and the amendment of an existing fee in lieu of tax agreement to address the inclusion of Milliken Nonwovens, LLC as a sponsor; and other matters relating to the foregoing.

Motion carried unanimously.

(c) **Roy Metal Finishing Company Inc. / Fee in Lieu of Tax Agreement Amendment**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing an amendment to that certain fee in lieu of tax agreement among Greenville County, South Carolina, Roy Metal Finishing Company, Inc., and JPCR, LLC dated June 1, 2012 and other matters related thereto.

Motion carried unanimously.

(d) **Foothills Fire Service Area / Millage Request**

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

Motion carried unanimously.

Item (10)

ORDINANCES – SECOND READING

1. **CZ-2017-43: Property of Gregory L. Ayers, located at 2001 Old Boiling Springs Road, requesting rezoning from O-D to C-1.**
The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

2. **CZ-2017-44: Property of John Michael Harris and Michael Elliott Harris, located at 2004 Perimeter Road, requesting rezoning from I-1 to S-1.**
The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

3. **CZ-2017-45: Property of Dwight Wesley King, located at 233-D Saint Mark Road, requesting rezoning from R-20 to R-M10.**
The Planning Commission recommended denial and the Committee recommended approval.

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

Councilor Barnes stated the property was located in his district and recommended approval of the request as presented.

Councilor Ballard stated a minimum of eight votes in favor was required for approval.

Motion carried unanimously.

4. **CZ-2017-46: Property of Thomas L. Mills, Jr., located at 29 E. Main Street, requesting rezoning from POD to R-20.**
The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

5. **CZ-2017-47: Property of Alex and Patricia S. Dukes, located at 40 Vaughn Road, requesting rezoning from R-S to R-15.**
The Planning Commission recommended denial and the Committee recommended approval.

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

Councilor Ballard stated a minimum of eight votes in favor was required for approval.

Councilor Roberts stated the property was located in his district and he recommended approval of the request.

Councilor Seman stated traffic has been a concern on the cut-through road.

Councilor Dill stated he had received a number of emails regarding the request and agreed that traffic was a major concern.

Councilor Payne suggested possibly reducing the speed limit.

Councilor Roberts stated Vaughn Road cut over from Woodruff Road to Highway 14 and was used as a cut-through; and speeding was an issue. Councilor Roberts stated he was meeting with residents of Claremont subdivision in the coming weeks. Some of the residents were pushing for a 3-way stop. The new zoning would change the house count from 12 up to 14 which he felt was a minimal change.

Councilor Cates stated speed bumps could be installed if it was a County owned road.

Councilor Fant asked about Staff's recommendation regarding the request.

Councilor Roberts stated Staff recommended approval.

Councilor Dill asked if the community was in favor of the request.

Councilor Roberts stated he did not know if all of the community was in favor. The property did not allow for a road due to its small size.

Motion as presented carried by a vote of nine (Barnes, Meadows, Cates, Roberts, Taylor, Norris, Fant, Ballard and Payne) in favor and three (Dill, Seman and Kirven) in opposition.

- 6. CZ-2017-48: Property of Judy Mullinax, Helen Rumler, Joyce Marchbanks and heirs, located on Old Buncombe Road, requesting rezoning from C-2 to FRD.**
The Planning Commission recommended approval and the Committee recommended denial.

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

ACTION: Councilor Meadows moved to hold the item until the next regularly scheduled Council Meeting.

Motion to hold carried unanimously.

- 7. CZ-2017-50: Property of Davdon Group LLC, located on Woodland Drive, requesting rezoning from R-10 to R-M20.**
The Planning Commission and Committee recommended denial.

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

Councilor Ballard stated eight votes in favor were required for approval.

Motion was denied unanimously.

8. **CZ-2017-51: Property of Cora C. Cuthbertson, located on Roper Mountain Road Extension, requesting rezoning from R-20 to O-D.**
The Planning Commission and Committee recommended denial.

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

Councilor Ballard stated eight votes in favor were required for approval.

Motion was denied unanimously.

9. **CZ-2017-52: Property on Phillips McCall and Anderson Ridge Road was Withdrawn by the applicant.**

10. **CZ-2017-53: Property of Rolling Green Village, located at 1 Hoke Smith Boulevard, requesting rezoning from PD and R-S to PD-MC (major change).**
The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

(b) Text Amendment to Establish a Business Technology District (CZ-2017-54)

ACTION: Councilor Ballard moved for approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to provide definitions and standards establishing the Business and Technology District ("BTD"). The Planning Commission and Committee recommended approval.

Motion carried unanimously.

(c) Comprehensive Plan Amendment to Include the South Greenville Area Plan (CP-2017-01)

ACTION: Councilor Ballard moved for approval at second reading an ordinance to adopt the South Greenville Area Plan as an amendment to the Imagine Greenville County Comprehensive Plan. The Planning Commission and Committee recommended approval.

Motion carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Ballard presented for first reading Zoning Dockets **CZ-2017-55 through CZ-2017-57.**

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

(b) River Falls Fire District / Administrative Division Ordinance

Councilor Seman presented for first reading an ordinance to establish the River Falls Fire District as an Administrative Division of the County.

Chairman Kirven stated the item would remain on the floor.

Item (12) **COMMITTEE REPORTS**

(a) **Committee of the Whole**

1. **Board of Tax Assessment and Appeals** (3 vacancies)

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to elect Veronica Knack by acclamation to fill one vacancy on the Board of Tax Assessment and Appeals.

Motion carried unanimously.

2. **Greenville County Redevelopment Authority** (4 vacancies)

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to elect Barry Coleman, Grant Cothran, David Doser and Ashley Trantham to fill four vacancies on the Greenville County Redevelopment Authority.

Motion carried unanimously.

3. **Thrive Upstate** (3 vacancies)

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to elect Christy Bright, Jason (J.T.) Morris and Amanda Walkup to fill three vacancies on Thrive Upstate.

Motion carried unanimously.

4. **Clerk Appointment**

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to appoint Regina McCaskill as Clerk to Council effective October 13, 2017, at a salary agreed upon in Committee of the Whole.

Motion carried unanimously.

Item (13) **APPEARANCES BY CITIZENS**

- **James Hargett**, 359 Reedy Fork Road, Greenville – appeared regarding being barricaded during storms and roundabouts
- **Robert Taylor**, 1 Millbrook Court, Greenville – appeared regarding rezoning classifications
- **Bob Davis**, 6 Setinel Court, Greenville – appeared regarding what has happened to our government and our laws
- **Jonelle Phillips**, 400 Phillips McCall Road, Greer – appeared regarding Five Forks Area

Item (14) **ADMINISTRATOR'S REPORT**

No Report

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Chairman Kirven stated he enjoyed seeing the new Greenville County ambulances.
- Councilor Norris stated funds have been approved through the Phyllis Wheatley Association in conjunction with Parks, Recreation and Tourism to renovate the Phyllis Wheatley Center. Renovations will take approximately 6 months and the center would be temporarily relocated to some of the surrounding buildings such as Beck School.
- Councilor Seman stated last week, the US State Department approved the sale of 19 F-16 jets to Bahrain. This important approval has cleared the way for production of these aircraft by Lockheed Martin Greenville at SCTAC
- Councilor Fant thanked the District 25 Representatives who were present. He stated the Affordable Housing Ad Hoc Committee met with representatives from Greenlink and other area agencies last week to discuss public transportation and affordable housing. He added the meeting had been very productive and Council could expect a presentation from the attendees at a future Committee of the Whole meeting. Councilor Fant added he had received some assurance that the Grove Road bus route was no longer in danger of elimination.
- Councilor Ballard thanked all the emergency responders who helped during last week's storm. He stated a local fire chief had shared information on "tiny houses" in the Detroit area and added Greenville County may want to consider these structures to help alleviate the affordable housing shortage.
- Councilor Payne stated on August 17, a Level V qualified automated autonomous vehicle was delivered to CUICAR from Fort Bragg. He stated the Greenville News recently published articles on Greenville County's involvement in the autonomous vehicle movement. Councilor Payne stated CUICAR was also very involved in the movement which could potentially bring new companies and industries to Greenville County.
- Councilor Dill stated the meeting with the Greenville County School Board was not as productive as he had hoped. He added the dialog should continue between Council and the School Board.
- Councilor Barnes thanked Greenville County EMS for all their hard work. He added Greenville County EMS was one of the best, if not the best, in the area.

Item (16)

ADJOURNMENT

ACTION: Councilor Barnes moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:05 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council