



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

December 5, 2017

6:09 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
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
Jeffrey Wile, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Administrative Assistant, Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Bob Mihalic, Governmental Relations Officer

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Webb Belangia, Pastor
Mauldin United Methodist Church

RECOGNITION

Boy Scout Troop #767
Simpsonville

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the November 7, 2017, Regular Council Meeting.

Motion carried unanimously.

Item (5) PUBLIC HEARINGS

**(a) South Carolina Technology and Aviation Center (SCTAC) /
Conveyance of Property to Echelon Acquisitions, LLC**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the conveyance of 0.16 of an acre of land at the South Carolina Technology & Aviation Center (SCTAC) to Echelon Acquisitions, LLC; and to authorize the Chairman of County Council and the County Administrator to execute any appropriate deeds and agreements related thereto.

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

(b) Hospital Revenue Bonds (GHS) / JEDA Bonds

A public hearing was held for the purpose of receiving comments from the public regarding a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its hospital revenue bonds (SC Health Company) Series 2017, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1793, as amended, in the aggregate principal amount of \$1,500,000,000 and authorizing a pledge of revenues of SC Health Company in connection herewith.

- **John Boyanoski**, 59 Holmes Dr. GVL – appeared in favor of the proposed
- **Francis Ellison**, 70 Round Pond Rd, GVL – appeared in favor of the proposed
- **Jonathan Whitehead**, 819 Plantation Dr, Simpsonville – appeared in favor of the proposed
- **Joseph Blake, Jr.**, 209 Babbs Hollow, GVL – appeared in favor of the proposed
- **William Nicholson**, 119 Shale Ct, GVL – appeared in favor of the proposed
- **James Burns (Mike)**, 100 Old Locust Hill Rd, Taylors – appeared in opposition to the proposed
- **Dwight Loffis**, 23 Addis Dr, GVL – appeared in opposition to the proposed
- **Thomas Corbin**, 1139 Bailey Mill Rd, Travelers Rest – appeared in opposition to the proposed
- **Thomas Barilovits**, 9 Middlewick Ct, Simpsonville – appeared in opposition to the proposed
- **Pressley Stutts**, 129 Farm Mill Cir, Simpsonville – appeared in opposition to the proposed

- **Ed Paxton**, 1 York Cir, GVL – appeared in opposition to the proposed
- **Laird Minor**, 400 Garrison Rd, Simpsonville – appeared in opposition to the proposed
- **Joseph Farmer**, 207 Alpine Way, GVL – appeared in opposition to the proposed
- **Jan Williams**, 6 Crabapple Ct, GVL – appeared in opposition to the proposed
- **William Timmons**, 25 Palladio Dr, GL – appeared in opposition to the proposed

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

(c) Southchase Wilson Bridge, LLC (formerly Project Spec) / Fee in Lieu of Tax Agreement

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina, and Southchase Wilson Bridge, LLC, with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes; and other matters related thereto.

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

(d) Greenville / Anderson Multi County Industrial Park Agreement Amendment (2010 Park) – Southchase Wilson Bridge, LLC (formerly Project Spec)

A public hearing was held for the purpose of receiving comments from the public regarding 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.

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

(e) Greater Greenville Sanitation District Annexation / Paris Mountain State Park

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation district to include Paris Mountain State Park, and to provide for public notice thereof.

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

(f) Proposed Relinquishment of a Portion of Thompson Drive

A public hearing was held for the purpose of receiving comments from the public regarding the proposed relinquishment of a 2,382 sf portion of Thompson Drive to the adjacent property owner known as Tax Map No. 0513020101600 for use as private property.

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

Item (6) APPEARANCES – current agenda items

None

Item (7) CONSENT AGENDA

- (a) Proposed Relinquishment of a Portion of Thompson Drive**
- (b) 2018 Palmetto Pride Grant – Solid Waste Recycling**
- (c) 2018 Palmetto Pride Grant – Litter Ends Here**
- (d) Community Project Application / Slater Marietta Christmas Parade - \$1,500.00**
- (e) Municipal Judge Agreement with City of Travelers Rest**
- (f) Waterline Application – 8 White Pine Lane**

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

Motion carried unanimously.

Item (8) RESOLUTIONS

- (a) Greater Greenville Sanitation District Annexation / Paris Mountain State Park**

ACTION: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include Paris Mountain State Park, and to provide for public notice thereof.

Motion carried unanimously.

- (b) Hospital Revenue Bonds (GHS) / JEDA Bonds**

Chairman Kirven stated it was his duty to make sure two procedural items were clear before Council discussed the item. He stated the item required approval from several counties in addition to Greenville County and ultimately, the Governor's approval was needed regardless of whether Council approved the item or not. Timing was also crucial; with changes in the tax law, the benefit of approval expired at the end of the month.

Councilor Roberts recused himself from discussion and voting on the item. He left the meeting at 6:58 p.m.

ACTION: Councilor Taylor moved for adoption a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its hospital revenue bonds (SC Health Company) Series 2017, 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 \$1,500,000,000 and authorizing a pledge of revenues of SC Health Company in connection herewith.

Councilor Payne stated the request for approval was a procedural motion for Council and the item would be presented to other affected counties. He inquired if there was a relationship between the request for approval and the pending lawsuit.

Mark Tollison stated the County was not a party to the lawsuit and any questions regarding the lawsuit would be better answered by the parties involved. Council was being asked to either approve or deny the resolution as part of the JEDA Bonds requirements. He stated Council had been asked to approve similar resolutions in the past for other entities.

Councilor Payne stated he felt the hospitals in Greenville County were doing a good job and should be allowed to judge their own futures in order to provide quality healthcare. He added Council should support the process, which was basically a formality. Councilor Payne stated he would be voting in favor of the resolution.

ACTION: Vice-Chairman Meadows moved to hold the item until the lawsuit had been decided.

Vice-Chairman stated although arguments both in favor and in opposition to the proposed had been presented by the speakers, the taxpayers were at risk. He added he would have preferred to have more time to study the issue and be able to ask questions of the speakers. Vice-Chairman Meadows compared the request to a similar situation in Pittsburgh and stated the impact was felt more by the disadvantaged.

Vice-Chairman Meadows restated his motion to hold the item until the courts had adjudicated the matter, whatever time that took.

Chairman Kirven stated holding the item would be the same as a denial. There would only be one opportunity to vote and the tax benefits would expire at the end of the month.

Councilor Taylor stated Council's approval of the resolution simply gave the hospital the ability to start the process. He emphasized that time was of the essence.

Councilor Fant stated the Republican-controlled House version of the tax bill stated 501(C)(3) Hospitals would no longer have access to tax exempt bonds and added that the provision was not included in the Senate bill. He stated the bill was currently in conference and it had not been determined what would actually happen at the end of the month.

Motion to hold carried by a roll call vote of six (Dill, Barnes, Meadows, Cates, Fant and Ballard) in favor, five (Taylor, Norris, Seman, Kirven and Payne) in opposition and one (Roberts) recusal.

(c) Tower Automotive / Fee in Lieu of Tax Agreement Assignment

ACTION: Councilor Taylor moved for adoption a resolution approving the assignment by Stone Mountain Industrial Park, Inc. of its interests in a fee agreement with Greenville County, South Carolina to Stag Industrial Holdings, LLC or an affiliate company designated but it and other matters related thereto.

Motion carried unanimously by Council Members present (Council Roberts was absent).

Councilor Roberts returned to the meeting at 7:11 p.m.

(d) Lockheed Martin Aircraft Center / Extension of Lease Agreement

ACTION: Councilor Taylor moved for adoption a resolution authorizing an extension of the term of that certain lease agreement between Greenville County, South Carolina and Lockheed Martin Aircraft Center dated December 1, 1998, and other matter related thereto.

Motion carried unanimously.

Item (9) ORDINANCES – THIRD READING

**(a) South Carolina Technology and Aviation Center (SCTAC) /
Conveyance of Property to Echelon Acquisitions, LLC**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the conveyance of 0.16 of an acre of land at the South Carolina Technology & Aviation Center (SCTAC) to Echelon Acquisitions, LLC; and to authorize the Chairman of County Council and the County Administrator to execute any appropriate deeds and agreements related thereto.

Motion carried unanimously.

Item (10) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. CZ-2017-57: Property of Steve McNair, located on Old Spartanburg Road, requesting rezoning from R-12 to R-M10.

The Planning Commission and the Committee recommended denial.

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

Councilor Ballard stated eight votes were needed to approve the item.

Motion was denied unanimously.

Councilor Ballard stated he had failed to recognize that the applicant had requested the item be sent back to the Planning and Development Committee.

ACTION: Vice-Chairman Meadows moved to reconsider CZ-2017-57.

Motion to reconsider carried unanimously.

ACTION: Councilor Ballard moved to return CZ-2017-57 to the Planning and Development Committee.

Motion carried unanimously.

2. CZ-2017-58: Property of Caissa III, LLC, located on White Horse Road, requesting rezoning from R-10 to C-2. The Planning Commission and the Committee recommended approval.

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

Vice-Chairman Meadows stated the property was located in his district. The types of businesses allowed in C-2 zoning were not the type that Council was trying to promote and could be detrimental to the area.

Councilor Fant inquired if this was the property Vice-Chairman Meadow had called him about.

Vice-Chairman Meadows confirmed it was the same property and the owner wanted to expand his parking capacity but had also indicated a desire to sell.

Councilor Roberts asked about the size of the property.

Vice-Chairman Meadows stated the property was .77 of an acre.

Motion as presented was denied by a roll call vote of four (Roberts, Norris, Seman and Ballard) in favor and eight (Dill, Barnes, Meadows, Cates, Taylor, Fant, Kirven and Payne) in opposition.

3. **CZ-2017-59: Property of Donald Marvin Bragg, located at 810 W. Bramlett Road, requesting rezoning from R-7.5 to C-1.** The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

4. **CZ-2017-60: Property of V-Go Holdings, LLC, located at 1335 Cedar Lane Road, requesting rezoning from C-3 and R-10 to S-1.** The Planning Commission and the Committee recommended denial.

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

Councilor Ballard stated eight votes were needed to approve the item.

Vice-Chairman Meadows stated the property was located in his district and there had been no opposition to the request from the community. He added that the area, currently zoned residential, contained wetlands and the owner had promised to put up a screen. Vice-Chairman Meadows recommended approval of the request.

Motion carried by a roll call vote of eleven (Dill, Barnes, Meadows, Cates, Roberts, Taylor, Norris, Fant, Ballard, Kirven and Payne) in favor and one (Seman) in opposition.

5. **CZ-2017-61: Property of Houses and Then Some, Inc., located at 211 Roper Mountain Road Extension, requesting rezoning from R-20 to O-D.** The Planning Commission and the Committee recommended denial.

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

Councilor Ballard stated eight votes were needed to approve the item.

Councilor Taylor recommended denial as there were still questions about the request. Motion denied by a roll call vote of two (Dill and Cates) in favor and ten (Barnes, Meadows, Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Payne) in opposition.

6. **CZ-2017-62: Property of JB RV and Boat Storage, located at 2764 S. Old Highway 14, requesting rezoning from R-S to S-1.** The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

7. **CZ-2017-63: Property of Tamekia N. El, located at 4924 Old Augusta Road, requesting rezoning from C-2 to R-10.** The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

8. **CZ-2017-64: Property of Robert Gray Taylor, located at 3006 E. North Street, requesting rezoning from C-1 to C-3.** The Planning Commission and the Committee recommended approval.

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

Councilor Taylor stated he would like to see support of the request.

Motion carried unanimously.

9. **CZ-2017-65: Property of Charles H. Wyatt, located on Old Buncombe Road, requesting rezoning from I-1 to R-7.5.** The Planning Commission and the Committee recommended approval.

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

Vice-Chairman Meadows stated there was some question about contamination at Union Bleachery. He stated Council received an email this past week stating the EPA had found no contamination. Vice-Chairman Meadows urged his colleagues to approve the request.

Motion carried unanimously.

10. **CZ-2017-66: Property of Jack Cochran, located on Anderson Road, requesting rezoning from R-M20 and R-12 to R-MHP.** The Planning Commission and the Committee recommended denial.

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

Councilor Ballard stated eight votes were needed to approve the item.

Councilor Fant stated the proposal was for a trailer park with up to 387 trailers. He stated he applauded the Staff, the Planning Commission and the Planning and Development Committee for recommending denial of the request. He stated there were a number of residents from District 25 in the audience who opposed the request and had worn black to show solidarity with the community and with each other. Councilor Fant stated it was his hope that one day District 25 would no longer be the dumping ground for all the unwanted ills in Greenville County. He thanked all the residents of the district for their loyalty and support.

Motion was denied unanimously.

- 11. CZ-2017-67: Property of Dorothy L. Butler-Austin, located on Draper Street, requesting rezoning from R-7.5 to FRD.** The Planning Commission and the Committee recommended approval without the condition recommended by the Planning Staff.

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

Chairman Kirven asked what condition was recommended by the staff.

Councilor Ballard stated there was a recommendation to change the road entrance; the Planning Commission and the Committee did not feel the recommendation was necessary.

Councilor Fant stated the Highway Department had no plans to approve the entrance condition recommended by the staff.

Motion as presented carried unanimously.

(b) Southchase Wilson Bridge, LLC (formerly Project Spec) / Fee in Lieu of Tax Agreement

ACTION: Councilor Taylor moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement but and between Greenville County, South Carolina and Southchase Wilson Bridge, LLC, with respect to certain economic development property in the County, where such property would be subject to certain payments in lieu of taxes; and other matters related thereto.

Motion carried unanimously.

(c) Greenville / Anderson Multi County Industrial Park Agreement Amendment (2010 Park) – Southchase Wilson Bridge, LLC (formerly Project Spec)

ACTION: Councilor Taylor 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.

Item (11) ORDINANCES – FIRST READING

(a) Greenville County Land Development Regulations Amendment

Councilor Ballard presented to first reading an ordinance to approve amendments to the Greenville County Land Development Regulations for the County of Greenville, South Carolina, as last amended by Ordinance No. 4852, in accordance with the provisions of the South Carolina Planning Enabling Act of 1994, S.C. Code Ann. Title 6, Chapter 29.

Chairman Kirven stated the item would remain on the floor.

Item (12) COMMITTEE REPORTS

None

Item (13) APPEARANCES BY CITIZENS

- **Efia Nwangaza**, 202 Lavinia Avenue, Greenville – appeared regarding disrespect of women and the safety of women in Greenville County
- **Hannah Meyer**, 108 Meadow Park Lane, Apt. C, Hendersonville, NC – appeared regarding respect for women in Greenville County

Item (14) ADMINISTRATOR'S REPORT

Mr. Kernell congratulated Deanna Damato, Litter Prevention Coordinator, who was awarded Employee of the Year by the State of South Carolina American Public Works Association in recognition of the County's successful litter program.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Norris stated she agreed with some of the evening's speakers regarding the requirement to state name and address before addressing Council and requested the County Attorney look into the matter.
- Councilor Norris thanked everyone who attended the event held at Springfield Baptist Church in support of the A.J. Whittenburg College Ministry. She stated the event was very successful. She wished everyone a Merry Christmas.
- Councilor Seman reminded Council about the SCTAC Annual Luncheon and Report to be held Monday, December 18, at the Champion's Club at Fluor Field.
- Councilor Fant recognized the members of Vision 25 who were in attendance. He thanked Council for a good year and stated he was very proud of the fact that Council always tried to find common ground. He wished everyone a Merry Christmas.
- Councilor Ballard commended the South Greenville Fire Department for reducing its ISO rating from 3 to 2. He added that Canebroke Fire Department had received one of the two new pieces of equipment County Council had helped them purchase and they were very appreciative. Councilor Ballard wished everyone a Merry Christmas.

- Councilor Dill wished everyone a Merry Christmas.
- Councilor Barnes stated he had enjoyed serving on Council during the year and wished everyone a Merry Christmas. He wished Hobart Lewis a Happy Birthday.
- Councilor Cates stated during the Pledge of Allegiance, he was reminded of those who served in the military and were wounded. He expressed his displeasure when people did not stand for the pledge. Councilor Cates wished everyone a Merry Christmas.
- Councilor Roberts stated it had been an honor to serve on Council during the past year. He stated he had wanted to acquire monies through private donations to purchase Atrial Defibrillators for EMS and recently attended a luncheon where he was made aware of some grant money to purchase them. Councilor Roberts stated he was very excited to attend the Leadership Program through the Riley Institute at Furman University. Many new ideas had been introduced and he was pleased to announce a culinary program at the Phillis Wheatley Center to help feed 200-250 children a day. He wished everyone a Merry Christmas.
- Vice-Chairman Meadows invited everyone to the Berea Swamp Rabbit Station on December 10. He stated there would be crafts, holiday decoration and Santa Claus.
- Chairman Kirven stated portable signs, that were prohibited, had started showing up again. He asked Paula Gucker to remind Codes Enforcement to be on the lookout for them. Chairman Kirven stated Council always tried to look at the issues from different angles and he appreciated everyone's hard work and ability to work together. He added that what was business in the Council meetings was friendship outside. Chairman Kirven wished everyone a Merry Christmas.
- Councilor Taylor requested clarification regarding the vote requirements in regards to the JEDA Bonds. He added that Lockheed Martin announced two new contracts to build F-18's. He wished everyone a Merry Christmas.

Item (16)

ADJOURNMENT

ACTION:

Councilor Taylor moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:59 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council