



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

March 6, 2018

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.

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Jeff Wile, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Sarah Holt, Subdivision Administrator
Shannon Herman, Assistant County Administrator

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION – introduced by Councilor Barnes

Reverend Joe Price
Washington Baptist Church, Greer

PLEDGE OF ALLEGIANCE

Without objection, Item (6) a. and Item (10) a. were moved forward on the agenda.

Item (6)

PUBLIC HEARINGS

(a) Animal Control Ordinance Amendment / Adequate Shelter

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend Chapter 4: Animals and Fowl, Article II: Dogs, Cats, Wildlife and Exotic Animals, Section 4-19 – Cruelty to Animals, to add provisions concerning adequate shelter for animals.

- **Jessica Monroe**, 150 Fernwood Drive, Greer – appeared in favor of the proposed
- **Barbra Richardson**, 202 Longview Drive, Piedmont – appeared in favor of the proposed
- **Sandra Farrey**, 110 Hillsborough Drive, Greenville – appeared in favor of the proposed
- **Lori Raymond**, 404 Crossvine Way, Simpsonville – appeared in favor of the proposed
- **Kelley Teal**, 1322 McKelvey Road, Fountain Inn – appeared in favor of the proposed
- **Kathryn Jasevich-Perkins**, 100 Spring Valley Road, Greenville – appeared in favor of the proposed
- **Keli Miller**, 9 Country Squire Court, Greenville – appeared in favor of the proposed
- **Stephen Knight**, 21 Old Altamont Ridge Road, Greenville – appeared in favor of the proposed
- **Charles Dieterich**, 28 Scarlett Street, Greenville – appeared in favor of the proposed
- **Kirbie Crowe**, 114 Berea Drive, Greenville – appeared in favor of the proposed
- **Meredith Thomas**, 17 Arthur Avenue, Greenville – appeared in favor of the proposed
- **Regina Waldrep**, 2 Nightingale Lane, Greenville – appeared in favor of the proposed
- **Clarence Mullinax**, 106 Yown Road, Greenville – appeared in opposition to the proposed
- **Coleman Flynn**, 5001 Jordan Road, Greer – appeared in opposition to the proposed
- **Keith Flynn**, 4391 Donahue Road, Greer – appeared in opposition to the proposed

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

Item (10)

ORDINANCES – SECOND READING

(a) Animal Control Ordinance Amendment / Adequate Shelter

ACTION:

Councilor Seman moved for approval at second reading an ordinance to amend Chapter 4: Animals and Fowl, Article II: Dogs, Cats, Wildlife and Exotic Animals, Section 4-19 – Cruelty to Animals, to add provisions concerning adequate shelter for animals.

Councilor Seman thanked all the speakers and stated citizen participation in the process was very important. The purpose of the ordinance was to provide additional clarification to Animal Control officers in order to better enforce existing laws. Councilor Seman stated she would vote in favor of the ordinance.

Councilor Roberts stated he was overwhelmed to see the number of people in the audience who were in support of the ordinance. He stated he had a great deal of love for animals but would not expect everyone to feel the same way; however, he would expect everyone to treat their animals with respect. He stated the individuals in attendance who were in opposition to the ordinance probably would not mistreat their animals. He added some very valid points were raised by both sides and the language in the proposed ordinance was vague; but, it would be impossible to clarify everything in detail. Mr. Roberts inquired if it was too much to ask owners to provide a warm, dry place for animals in extremely cold weather. He stated was very proud of the group in attendance that was in favor of the ordinance and added a tethering ordinance would be forthcoming.

Councilor Dill stated a lot of information and pictures had been provided by the speakers and he questioned what was being represented in one of the pictures. The picture in question showed a dog sitting by a doghouse and Councilor Dill asked if the doghouse was adequate. The dog in the picture was chained. Mr. Dill stated the proposed ordinance left a lot of unanswered questions and he was trying to understand what the pictures depicted.

Councilor Seman stated the dog in the picture had no water or food.

Councilor Roberts stated the dog was very thin.

Councilor Dill stated his neighbor was fined last week for the inhumane treatment of animals; therefore, the ordinance already in place was working.

Councilor Seman advised Mr. Dill he had the option of voting no for the proposed ordinance.

Councilor Dill stated he was not saying he was in favor or against the amendment; he wanted to understand why it had been brought forward.

Councilor Seman stated the Animal Control officers had asked for clarification of the current ordinance so they could better enforce the law.

Councilor Dill stated he could not vote for the amendment without more information.

ACTION: Councilor Taylor called for the question.

Motion to call for the question carried by a roll call vote of ten (Meadows, Cates, Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Payne) in favor and two (Dill and Barnes) in opposition.

ACTION: Councilor Dill moved to allow for amendments at third reading.

Motion to allow for amendments at third reading carried by a roll call vote of seven (Dill, Barnes, Meadows, Cates, Taylor, Norris and Payne) in favor and five (Roberts, Seman Fant, Ballard and Kirven) in opposition.

Motion as amended carried by a unanimous roll call vote.

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Meadows moved to approve the minutes of the February 20, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) **PROCLAMATION**

a. **Honoring Dr. Nicky A. Chavers**

Councilor Cates presented a proclamation to Dr. Nicky A. Chavers.

Dr. Chavers, a resident of Greenville County for over 50 years, founded and has maintained the ministry of The Academy of Arts since January, 1971. He has personally invested culturally, morally, and socially to enrich and educate the citizens of Greenville County and its surrounding areas as an actor, singer, author, musician, playwright and preacher. Dr. Chavers has developed biblical, historical and character-building productions of drama and musical programs known for "Making the Bible Come Alive". He has written over 25 plays and musical programs and more than 200 songs. Dr. Chavers, his son-in-law and daughter, Noah and Nicole Stratton, the faculty, staff and volunteers of the Academy of Arts and LOGOS Theatre have revitalized the former old Taylors Elementary and High School buildings located on School Street in Taylors as a professional family value entertainment center and college.

Item (7) **APPEARANCES – current agenda items**

- **Will Craft**, 927 Laurelwood Way, Landrum – appeared regarding Item 15.a. Laurelwood POA Appeal

Item (8) **CONSENT AGENDA**

- a. **Land and Water Conservation Fund (LWCF) Grant – Shelter Improvements**
- b. **Proposed 2018 Grievance Committee Pool**
- c. **Community Project Applications / Donaldson Center Fire Department – Motorized Gate - \$7,000.00**
- d. **Community Project Applications / Bike Walk Greenville – Multi Use Trail - \$5,000.00**

ACTION: Councilor Norris moved to approve the Consent Agenda Items.

Motion carried unanimously.

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

(a) **Zoning Ordinances**

- 1. **CZ-2018-01: Property of Melissa Halliburton and Swamp Rabbit Investments LLC, located on Fairbanks Street, requesting rezoning from R-7.5 to C-1.**

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

Motion carried unanimously.

- 2. **CZ-2018-02: Property of Rob Safrit and Future FDH Projects LLC, located at 3116 Highway 14, requesting rezoning from R-S to C-2.**

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

Motion carried unanimously.

3. **CZ-2018-04: Property of Herbert Earle Riddle, located at 2728 Poinsett Highway, requesting rezoning from R-M20 to C-1.**

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

Motion carried unanimously.

4. **CZ-2018-05: Property of Clear Spring Fire-Rescue, located on Scuffletown Road, requesting rezoning from R-S to FRD.**

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

Motion carried unanimously.

5. **CZ-2018-06: Property of Raymond Mark Cox, located at 114 Dusty Lane, requesting rezoning from R-S to C-3.**

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

Chairman Kirven stated the property was located in his district and he had been working with the applicant and some of the residents in the area about some conditions that would make the situation workable. The proposed conditions would mitigate some of the concerns of the residents and would still allow passage of the ordinance. He stated there was still some work needed on the item and he requested a motion to hold.

ACTION: Councilor Ballard moved to hold the item until the next regularly scheduled Council meeting.

Motion to hold carried unanimously.

6. **CZ-2018-08: Property of Southern Greenville County Citizens for the McKelvey Road / Reedy River Area, located South of Highway 418, East of McKittrick Road and US25, North of Daventon Road and West of Fairview Road, requesting rezoning from unzoned to R-R3 and R-R1, as was amended at second reading to remove the two parcels.**

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

Motion carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Land Development Regulations Update

Councilor Ballard presented for 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 #4960, 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

No reports

Item (13) **APPEARANCES BY CITIZENS**

- Gwendolyn Bayne, 116 Childress Circle, Greenville – appeared regarding crime in Berea

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

No report

Item (15) **REQUESTS AND MOTIONS BY COUNCIL MEMBERS**

a. **Laurelwood POA Appeal / Request Item to be Referred to Committee**

- Councilor Dill stated he had been looking at the situation with the Laurelwood POA for over a year. He added he had met with Paula Gucker and Heshia Gamble and discussed the pros and cons of the issue. Greenville County approved the bridge when it was built, but, the design standards have changed since that time and now the width of the bridge was a couple of inches too short. Mr. Dill stated the community was willing to bring the road up to county standards and would assume responsibility for any future repairs to the bridge. He requested the item be sent to the appropriate standing committee for further review.
- Chairman Kirven stated the appropriate committee would be the Public Works and Infrastructure Committee. Councilor Seman, Chairman of the committee, agreed.
- Councilor Ballard asked would the road be considered a county road and the bridge remain private.
- Mark Tollison stated nothing had been determined regarding the Laurelwood POA.
- Councilor Dill stated he had reviewed the audit of the Sheriff's Office and was concerned about the need for additional deputies; the number was estimated to be at least 25. Mr. Dill added that Greenville County had been short-changed a total of \$41,904,132 since 2008 from the Local Government Fund. He requested a resolution be drafted asking the Legislative Delegation for support to totally fund the Local Government Fund in order to have funds available to hire the necessary number of deputies.
- Councilor Cates commended the Sheriff's Office in the handling of Operation Millstone.
- Chairman Kirven wished Councilor Norris a happy birthday.
- Councilor Payne stated he was proud of Greenville County. He stated the discussion at the Planning and Development Committee on Monday evening was very civil and he was interested to see that the State was looking at the same issue. He added that Greenville County was part of the National Association of Counties (NACo), an organization that worked on issues like the opioid epidemic, transportation and housing; he encouraged his colleagues to get involved with NACo. Mr. Payne stated he currently served on a national Transportation Committee through NACo.
- Councilor Ballard stated he attended a community meeting this past weekend in District 25 at the request of Councilor Fant. He stated the attendees were all energized and appeared to have taken a real interest in their community. Mr. Ballard commended all citizens who were taking an interest in Greenville County.

- Councilor Fant commended Councilor Seman and all those involved in regards to the Animal Control Ordinance. He expressed gratitude to Councilor Ballard for his leadership, support and friendship. Mr. Fant recognized the members of Vision 25 who were in attendance.
- Councilor Seman stated The SC Aeronautics Commission recently released its statewide 2018 Economic Impact report. She congratulated Donaldson Field at SCTAC as the Number 1 ranked general aviation airport in the State, with an annual economic impact of \$522,406,970.
- Councilor Roberts recognized Al Cannady who was in attendance and thanked him for putting together an area plan for District 21 in response to growth and the need for infrastructure and stated the plan would be presented to Council in the near future.
- Councilor Norris stated she was still working on the issues with the Dunean Community and its need for a community center. She stated she had already spoken to Parks, Recreation and Tourism about a building for the center and looked forward to meeting with Mr. Kernell, County Administrator. Mrs. Norris invited her colleagues to attend a breakfast and walk-a-thon scheduled for Saturday at the Sterling Community Center.
- Councilor Fant stated the need for a community center in Dunean would continue to be an issue as long as Greenville County did not have a dedicated funding source for capital improvements.

Item (16)

ADJOURNMENT

ACTION:

Councilor Norris moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:57 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council