



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

August 21, 2018

6:04 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
Dean Campbell, Deputy County Attorney
Jeffrey Wile, Assistant County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Pam Gilliam, Administrative Assistant, County Council Office
Paula Gucker, Assistant County Administrator, Public Works
Sarah Holt, Planning Director
Bob Mihalic, Governmental Relations Officer
John Vandermosten, Assistant County Administrator, Public Safety

Others Present

Call to Order

Chairman Kirven

Invocation – introduced by Councilor Xanthene Norris

Minister Mildred Shell
Springfield Baptist Church

Pledge of Allegiance

Item (4) Approval of Minutes

ACTION: Councilor Payne moved to approve the minutes of the July 17, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) Proclamation

a. Honoring the Greenville County Emergency Response Team Founders

Councilor Ballard presented a proclamation to the Greenville County Emergency Response Team Founders; Ronnie Boyce, Tony Segars, Mike Stadler and Bobby Smith. With their vision and perseverance, they began the ERT and developed it into a model program that was seen as an example across the State.

Mr. Ballard stated the Greenville County Emergency Response Team was responsible for responding to the accidental or intentional release or spill of dangerous chemical, biological, fuels, pesticides, or radiological/nuclear agents into the environment. The team was also responsible for responding to technical rescue emergencies where individuals may be trapped in a collapsed structure, have been swept away by swift water or flooding, have become lost or injured while hiking or require rescue assistance provided by personnel who were specialists in building construction, trench collapse, or ropes and knots.

The team was made up of volunteers from various fire, emergency medical services and law enforcement agencies in the County.

Greenville County Council honored past and current members of the Greenville County Emergency Response Team and proclaimed August 21, 2018 as Emergency Response Team Day in Greenville County

b. Honoring Trooper Tyler D. Landreth

(Due to a scheduling conflict, the presentation was rescheduled from the July 17, 2018, Council Meeting.)

Councilor Barnes presented a proclamation to Trooper Tyler Landreth with the South Carolina Department of Highway Patrol. In the early morning hours of Saturday, March 31st, Trooper Landreth noticed smoke coming from the Springwood Apartments. Upon a closer investigation, he realized a second story apartment was on fire. After notifying dispatch of the emergency, he proceeded to the door of the burning apartment only to find the apartment empty. Trooper Landreth proceeded to go door-to-door alerting the occupants of the danger and safely evacuated the building.

Trooper Landreth, having willingly placed himself in harm's way, has shown his level of sincere dedication and his selfless determination to go the extra mile in order to preserve and protect the safety and well-being of those he has been called to serve.

Trooper Landreth has been nominated by his Commanding Officer for the GEM Award (Going the Extra Mile) which was the South Carolina Department of Safety's employee recognition program that celebrates employees who "go the Extra Mile" by acknowledging outstanding accomplishments made by their employees.

Greenville County Council honored Trooper Tyler D. Landreth for his courageous act and proclaimed July 17, 2018 as Trooper Tyler D. Landreth Day in Greenville County.

Item (6) **Public Hearings**

a. Material Sciences Corporation (formerly Project Infinity) / 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 Materials Sciences Corporation, 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.

b. Boiling Springs 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 Boiling Springs Fire District.

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

c. Dunklin 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 Dunklin Fire District.

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

d. Sale of County Owned Property / 114 Poinsett Highway

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the sale and transfer of county owned property located at 114 North Poinsett Highway in Travelers Rest.

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

e. Greater Greenville Sanitation District Annexation / 6 Cunningham Road and 239 Phillips Trail

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 6 Cunningham Road in Taylors and 239 Phillips Trail in Greenville.

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

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

There were no speakers.

Item (8) **Consent Agenda**

a. Community Project Application / Upstate Circle of Friends – Handicap Ramp at Bus Reception Area - \$11,500.00 (Finance)

b. Community Project Application / Greenville County Parks, Recreation and Tourism – New Washington Heights Happy Hearts Center - \$5,650.00

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

Motion carried unanimously.

Item (9) **Resolutions**

a. Greater Greenville Sanitation District Annexation / 6 Cunningham Road and 239 Phillips Trail

ACTION: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 6 Cunningham Road in Taylors and 239 Phillips Trail in Greenville.

Motion carried unanimously.

b. Boiling Springs Fire District / Millage Request

Vice-Chairman Meadows recused himself from discussion and voting on the item due to a potential conflict of interest.

Vice-Chairman Meadows left the room at 6:28 p.m.

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

Motion carried unanimously. *(Vice-Chairman Meadows did not vote).*

Vice-Chairman Meadows returned to the room at 6:29 p.m.

c. Dunklin Fire District / Millage Request

ACTION: Councilor Taylor moved for adoption a resolution to provide for the millage rate to be levied by the Dunklin Fire District.

Motion carried unanimously.

d. International Vitamin Corporation / Sponsor Affiliate

ACTION: Councilor Taylor moved for adoption a resolution designating and approving Banc of America Leasing & Capital, LLC, as a sponsor affiliate in satisfaction of the requirements of Title 12, Chapter 44 of the South Carolina Code, so as to allow the sponsor affiliate to qualify for benefits pursuant to a fee in lieu of ad valorem taxes arrangement between Greenville County, South Carolina, and International Vitamin Corporation; and other matters related thereto.

Motion carried unanimously.

Item (10) **Ordinances – Third Reading**

a. Materials Sciences Corporation (formerly Project Infinity) / Fee in Lieu of Tax Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Materials Sciences Corporation, 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.

Motion carried unanimously.

b. Project Rosie / Fee in Lieu of Tax Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee in lieu of tax and incentive agreement by and between Greenville County, South Carolina, and a company identified for the time being as Project Rosie, with respect to certain property in the County, whereby such property would be subject to certain fees in lieu of taxes; and other matters related thereto.

ACTION: Councilor Taylor moved to hold the item until the September 4, 2018, County Council meeting.

Motion to hold carried unanimously.

Item (11) Ordinances – Second Reading

a. Zoning Ordinances

- 1. CZ-2018-39:** Property of Silver Hawk LLC, located at 16 New Circle Road, requesting rezoning from C-2 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.

- 2. CZ-2018-40:** Property of Willene Allen, located at 400 East Lee 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.

- 3. CZ-2018-41:** Property of Hro Properties LLC, located on Old Howell 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.

- 4. CZ-2018-45:** Property of Virginia C. Taylor, located on Dublin Road.
Withdrawn by applicant

- 5. CZ-2018-45:** Property of Jack Jamison, Simpsonville Woodruff LLC, located at 2525 Woodruff Road, requesting rezoning from PD to PD, Major Change.
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.

Chairman Kirven inquired about possible amendments to the item.

Councilor Ballard stated he met with the applicant, along with County staff, regarding some recommended conditions to the request. He stated the applicant was in agreement with the recommendations. Mr. Ballard stated he had failed to bring the information regarding the recommendations to the Council meeting and would like to approve the item with the option to amend at third reading or the item could be held until the next meeting.

Councilor Payne asked if Mr. Ballard could provide some information about the recommendations.

Councilor Ballard stated there were four or five recommended conditions. When the item was presented to the Committee, the applicant was of the opinion that there were sewer lines on the backend of the property which would have prevented the planting of a buffer. Upon further inspection, it was determined that the sewer lines were not located on the applicant's property. Mr. Ballard apologized for not being able to recall the other recommendations.

Chairman Kirven stated the request was approved 12 years ago but the building was never built. Mr. Kirven stated what was originally agreed upon at that time had been presented to staff and conditions were recommended. He added that the conditions were not reflected in the document that was before Council.

Councilor Roberts stated one of the main factors was the proposed height of the building and the applicant had agreed to make adjustments.

ACTION: Councilor Roberts moved to allow amendments at third reading.

Motion to allow amendments at third reading carried unanimously.

ACTION: Councilor Ballard moved to approve the motion as amended.

Motion as amended carried unanimously.

b. Zoning Text Amendment / Initiation of Zoning by Petition (CZ-2018-47)

ACTION: On behalf of the Committee, Councilor Ballard moved for approval at second reading an ordinance to amend Section 3:0.3 of the Greenville County Zoning Ordinance relating to initiation of Zoning by Petition to provide time for contiguous property owners to request initial zoning.

Motion carried unanimously.

c. Sale of County Owned Property / 114 N. Poinsett Highway

ACTION: Councilor Taylor moved for approval at second reading an ordinance to authorize the sale and transfer of county owned property located at 114 North Poinsett Highway in Travelers Rest.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Zoning Ordinances

Councilor Ballard presented for first reading Zoning Dockets **CZ-2018-46 and CZ-2018-50 through CZ-2018-53.**

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

b. Foothills Fire Service Area / Millage Request

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

Chairman Kirven stated the item would remain on the floor.

c. Project Dream / Fee in Lieu of Tax Agreement

Councilor Taylor 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 known to the County at this time as Project Dream 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.

Chairman Kirven stated the item would remain on the floor.

d. Terra Pines Estate Special Tax District / Creation

Councilor Seman presented for first reading an ordinance to create the Terra Pines Estates Special Tax District; to define the boundaries of the district and the purposes for which it was created; to establish the Terra Pines Estates Special Tax District Commission; and to impose a tax levy of not more than fifty dollars annually on all real property located within the district.

Chairman Kirven stated the item would remain on the floor.

Item (13) Committee Reports

a. Affordable Housing Study Recommendations

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to adopt the County Administrator's recommendations in the Affordable Housing Report.

Motion carried unanimously.

Item (14) Appearances by Citizens

- **Seth Powell**, 108 Andrews Street, Greenville – appeared regarding tax hikes and transit issues in Greenville County
- **Jack Logan**, 5051 Old Augusta Road, Apartment C, Greenville – appeared regarding businesses in District 25
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding conduct of BZA board members

Item (15) Administrator's Report

Joe Kernell provided an update on the new radio system. He stated County officials met with Motorola last week and the structural analysis for the towers had been completed as well as the long-term leases and licensing for the new sites. The equipment shelters have been installed and the RF equipment for the new sites was ready for installation. Mr. Kernell stated the power plants were ready to be installed and the microwave equipment was on order. He added that the "go live" date would probably be sometime in October or November, which was fine as the current radio system was under maintenance with Motorola until the end of 2018. Mr. Kernell stated he hoped to report in the very near future that the system was active.

Councilor Dill stated there were rumors in the community that the money needed to purchase the radios was not available.

Mr. Kernell stated that adequate funds were available based on the County's projections. Mr. Kernell stated the County was paying for the fire departments' radios to "go live" but not actually paying for the radios. He added that this may have caused some confusion in the community. The County paid for the radios and hardware for EMS and the Sheriff's Office as well as all the dispatching equipment. He added the County was also paying the subscription fees for EMS, the Sheriff's Office and the fire departments. The County provided the cash match for the grant the fire departments received to purchase radios. Mr. Kernell stated the fire departments have applied for a second grant but he has not received word if the grant was awarded. He stated if the grant was not awarded, the fire departments would be responsible for providing the funds necessary to purchase the remainder of the needed radios.

Item (16) Requests and Motions by Council Members

a. Open Application Period for Glassy Mountain Fire District / 1 Vacancy

ACTION: Councilor Dill moved to open a special application period for 10 days in order to receive applications for the Glassy Mountain Fire Service Area, in order to fill a recent vacancy due to a resignation. Mr. Dill stated this was an elected board; however, Greenville County Council had the responsibility to fill seats for unexpired terms on this board.

Motion carried unanimously.

- Councilor Dill asked everyone to keep Judge Looper in their prayers as his mother-in-law had passed away.
- Councilor Barnes thanked his colleagues who supported the memorial for former Council Member Tony Trout who recently passed away.
- Councilor Cates stated yesterday he visited Overcomers, a division of Miracle Hill Ministries. Dr. Cates stated he was very impressed with the facility and the men who lived there. He added the men were former addicts and were participating in an 8-week rehab program. Dr. Cates urged his colleagues to visit the facility.
- Councilor Norris thanked the Parks, Recreation and Tourism Department for the summer programs that were held in the County's facilities; Brutontown, Sterling, Judson, Freetown and Phillis Wheatley. She also thanked Paul Guy for his contributions to the areas that did not have a facility.
- Councilor Seman reminded her colleagues about the retirement celebration for Don Erickson, with Lockheed Martin, scheduled for August 29. Ms. Seman stated there would also be an opportunity to meet Mike Fox, the new General Manager and Site Director for Lockheed Martin.
- Councilor Fant thanked all the members of Vision 25 who were in attendance. He also recognized Representative Leola Robinson-Simpson who was also in attendance. Mr. Fant stated the recent displacement of the residents in the Daniel Avenue Apartments brought to light the need for minimal housing standards in Greenville County. He thanked Paula Gucker and Joe Kernell for their efforts in putting together some minimum requirements for landlords to meet.
- Councilor Ballard stated the Emergency Response Team responded to emergencies throughout the state. Mr. Ballard stated South Greenville Fire District was in the beginning stages of replacing its outdated station with a new facility in a better location. The fire department recently went through a credit rating review in order to acquire a new bond and received a rating of AA.

- Councilor Payne recognized Dan Tripp who was running unopposed for the District 28 County Council seat. Mr. Payne stated yesterday he attended the dedication of the new Camperdown Academy. The facility has found creative ways to serve special needs children. He also attended the dedication for the new Clemson School of Nursing at GHS. Mr. Payne stated the school would be able to more than double the number of nursing students, which would help meet the nursing shortage in South Carolina.
- Councilor Dill wished Mr. Barnes Happy Birthday.

Item (17)

Adjournment

ACTION:

Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:08 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council