



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

October 2, 2018

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.

Council Members Absent

None

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
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
Bob Mihalic, Governmental Relations Officer
John Vandermosten, Assistant County Administrator, Public Safety

Others Present

None

Call to Order

Chairman Kirven

Invocation – *Introduced by Councilor Ennis Fant*

Reverend Chris Scott
Flatrock Missionary Church
Piedmont, SC

Pledge of Allegiance

Item (4) Approval of Minutes

ACTION: Councilor Norris moved to approve the minutes of the September 18, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) Public Hearings

a. Animal Control Ordinance Amendment / Tethering

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the County Code at Chapter 4: Animals and Fowl, Article II: Dogs, Cats, Wildlife and Exotic Animals, Section 4-18 "Unlawful Acts" concerning tethering dogs.

- Barbra Richardson, 202 Longview Drive, Piedmont, SC – appeared in favor of the proposed
- Amber Fuller, 961 Texas Street, Columbia, SC – appeared in favor of the proposed

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

b. Green Cloud Technologies, LLC (formerly Project Dream) / 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 Green Cloud Technologies, 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 matter related thereto.

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

c. Belmont Fire and Sanitation District

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to create the Terra Pines Estate Special Tax District; to define the boundaries of the district and the purposed 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.

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

Item (6) Appearances – current agenda items

No speakers

Item (7) Consent Agenda

a. Greenville County Library / Purchase of Property (Finance)

ACTION: Councilor Cates moved approval of the Consent Agenda Item.

Motion carried unanimously.

Item (8) Ordinances – Third Reading

a. **Animal Control Ordinance Amendment / Tethering**

ACTION: Councilor Seman moved for adoption at third reading an ordinance to amend County Code at Chapter 4: Animals and Fowl, Article II: Dogs, Cats, Wildlife and Exotic Animals, Section 4-18 “Unlawful Acts” concerning tethering dogs.

Councilor Seman thanked everyone in the community who leant their support, voice and expertise to the issue as well as the members of the Public Works and Infrastructure Committee who studied the matter and worked together to bring something to Council for consideration. Ms. Seman also thanked her colleagues for taking the issue seriously and considering the ordinance the safe and humane thing to do.

ACTION: Councilor Roberts moved to amend the ordinance by changing the running line/trolley area to a linear distance in Subsection (c) (10) as follows:

*Subsection (c) (10) tether a dog or dogs except when: (a) tethered pursuant to requirements of park, camping or recreational areas; or (b) tethered while engaged in lawful hunting activities; or (c) tethered to a running line, pulley or trolley system elevated no higher than seven (7) feet off the ground, in a manner that allows the tether to move freely along the length of the running line **which must be at least twenty (20) feet in length between the two (2) trolley stop points** ~~pulley or trolley system and allowing the dog fifty (50) square feet of usable space~~. The tether must be connected to the dog by a buckle-type collar or body harness made of nylon, leather or other durable and non-metallic material and must be properly fitted so as to not cause injury to the dog or embed in the dog’s neck. Only one dog may be attached to each running line, pulley or trolley system so as to prevent injury, strangulation, or entanglement.*

Motion to amend carried unanimously.

ACTION: Councilor Roberts moved to amend the ordinance by adding a new sentence to set a minimum age for tethering:

Dogs under three (3) months of age shall not be connected to a tether or trolley system

Councilor Taylor stated he appreciated the direction the ordinance was going but felt it had some very serious defects. Mr. Taylor stated having a dog tethered made them susceptible to attacks by other dogs; a tethered dog could also be dangerous to children entering a yard that was not fenced. He stated he did not know if it was possible to write an ordinance that could be enforced by the Code Enforcement Officers.

Motion to amend carried unanimously.

Motion as amended carried unanimously.

b. **Green Cloud Technologies, LLC (formerly Project Dream) / Fee in Lieu of Tax Agreement**

ACTION: Councilor Cates 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 Green Cloud Technologies, LLC, with respect to certain economic development in the County, whereby such property would be subject to certain payments in lieu of taxes; and other matter related thereto.

Motion carried unanimously.

c. Belmont Fire and Sanitation District / General Obligation Bonds Issuance

ACTION: Councilor Cates moved for adoption at third reading an ordinance finding that the Belmont Fire and Sanitation District may issue not exceeding \$1,250,000 General Obligation Bonds; to authorize the Belmont Fire and Sanitation Commission of the Belmont Fire and Sanitation District, South Carolina, to issue such bonds and to provide for the publication of notice of the said finding and authorization.

Councilor Payne inquired if any of the monies would be used for sewer and sanitation.

Brad Love, Attorney with Haynsworth Sinkler Boyd P.A., stated Belmont no longer offered sewer or sanitation services. He stated the services were ceded to Greater Greenville Sanitation Committee many years ago. He stated the proposed bond was only for fire service.

Motion carried unanimously.

d. Donation and Transfer of Property / Talley Bridge Road

ACTION: Councilor Cates moved for adoption at third reading an ordinance authorizing the donation and transfer of five (5) county owned lots located along Talley Bridge Road in Slater-Marietta to the Greenville County Redevelopment Authority for workforce housing; and to authorize the execution of deeds and any other appropriate documents and agreements related thereto.

Motion carried unanimously.

Councilor Taylor stated a motion to hold the item until the October 16th Regular Council Meeting was needed in order for the public hearing to be conducted.

Mark Tollison confirmed a public hearing was scheduled for October 16th; he asked if Council would consider a motion to reconsider in order to put the item back on the floor.

Chairman Kirven stated Council was in the process of voting on the item when Councilor Taylor stated a motion to hold was needed; the voting results were not conclusively announced, therefore, the floor was open for a motion to hold.

ACTION: Councilor Taylor moved to hold the item until the October 16th Regular Council Meeting in order for the public hearing to be conducted.

Motion to hold carried unanimously.

e. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park)

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

ACTION: Councilor Taylor moved to hold the item until the November 6th Regular Council Meeting in order for the public hearing to be conducted.

Motion to hold carried unanimously.

Item (9) Ordinances – Second Reading

a. Transtech of South Carolina, Inc. / Fee in Lieu of Tax Agreement

ACTION: Councilor Cates 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 Transtech of South Carolina, Inc., 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. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Transtech of South Carolina, Inc.

ACTION: Councilor Cates 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.

c. Faiveley Transport North America, Inc. / Lease Agreement Amendment

ACTION: Councilor Cates moved for approval at second reading an ordinance authorizing the execution and delivery of an amendment to the exiting lease agreement dated June 1, 1997 by and between Greenville County, South Carolina and Faiveley Transport North America, Inc., with respect to certain economic development property in the county, whereby the term of the lease agreement shall be extended; and other matters related thereto.

Motion carried unanimously.

Item (10) Ordinances – First Reading

a. Greenville County Flood Damage Prevention Ordinance Revisions

Councilor Seman presented for first reading an ordinance to amend Chapter 8, Article II of the Code of Greenville County, entitled “Flood Control, Drainage, Stormwater Management – Floods and Flood Control” so as to adopt certain changes in the National Flood Insurance Program mandated but the Department of Homeland Security – FEMA, National Flood Insurance Program; to increase ease of permitting and enforcement, to maintain records for future federal audits; and to incorporate map, technical and language modernization in the Greenville County Flood Damage Prevention Ordinance.

Chairman Kirven stated the item would remain on the floor.

b. Greenville / Anderson Multi County Industrial Business Park Amendment (2010 Park)

Councilor Taylor presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (the “2010 Park”) of Greenville and Anderson Counties so as to enlarge the park.

Chairman Kirven stated the item would remain on the floor.

c. **Canebrake Fire Department / General Obligation Bond**

Councilor Taylor presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$1,500,000 Greenville County, South Carolina, General Obligation Bond (Canebrake Fire District Project), Series 2018; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Chairman Kirven stated the item would remain on the floor.

Item (11)

Committee Reports

a. **Committee of the Whole**

1. **Board and Commission Appointments**

Board Appointments by Acclamation

ACTION:

On behalf of the Committee, Vice-Chairman Meadows moved to close nominations and elect the following by acclamation:

- **Accommodations Tax Advisory Committee (1 vacancy)**

B.J. Koonce to fill one vacancy

- **Construction Board of Appeals (2 vacancies)**

Bryan Malone and Peter Nomikos to fill two vacancies

- **Historic Preservation Commission (2 vacancies)**

Lindsey Strand and Al Wills to fill two vacancies

- **Metropolitan Sewer Subdistrict (3 vacancies)**

James Freeland, Edmund Gregorie and Jondia Berry to fill three vacancies

- **Museum Commission (2 vacancies)**

Natasha Sexton and Harry Ussery to fill two vacancies

- **Parks, Recreation and Tourism Advisory Board (1 vacancy)**

Jasper Pucker to fill one vacancy

- **Old Mill Estates Tax District (3 vacancies)**

Pauline Brown, Sandra Fraser and Raymond Hammond to fill three vacancies

- **Devenger Tax District (2 vacancies)**

Ralph Porter to fill one of two vacancies

- **Devenger Pointe Special Tax District (2 vacancies)**

William Hayes and Gail Randall to fill two vacancies

- **Lake Forest Special Tax District (1 vacancy)**
Megan McCarter to fill one vacancy
- **Sterling Community Special Tax District (5 vacancies)**
Vicky Ashley, Martha Black, Doris Fleming and Angelica Sligh to fill four of five vacancies
- **Donaldson Fire Service Area Commission (2 vacancies)**
Charles Holland and Grant Wooten to fill two vacancies

Motion carried unanimously.

Board Nominees to a Ballot Vote

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to close nominations and move the following names to a ballot vote on October 16th.

- **Airport Commission (1 vacancy)**
John Davis and James Wall
- **Board of Zoning Appeals (1 vacancy)**
Brittany Farrar and Hao Wu
- **Greater Greenville Sanitation District (1 vacancy)**
Michael Porter and Bruce Wilson

Motion carried unanimously.

Item (12) Appearances by Citizens

- Lois Gates, 2631 Poinsett Highway, Apt. 304, Greenville, SC – appeared regarding Poinsett House Apartments
- Bobby Davis, 6 Setinel Court, Greer, SC – appeared regarding self-government

Item (13) Administrator's Report

Joe Kernell thanked Council for attending the meetings held the previous week for the kick-off for County Square development. He added the comments have been very positive. Mr. Kernell stated a meeting was scheduled with the architects in the near future in order to lay out the amount of space that was needed. He stated the County was in the process of locating properties for the State services that would need to be relocated. Mr. Kernell stated he hoped to report on the relocation process very soon.

Item (14) Requests and Motions by Council Members

- Councilor Cates stated he recently attended a graduation ceremony at the Overcomers Program sponsored by Miracle Hill. Mr. Cates stated the program was for men who were addicted to alcohol or drugs. He stated the ceremony was very uplifting.

- Councilor Barnes stated he was glad to see the County move forward on the tethering issue; the ordinance that passed was a good start.
- Councilor Dill stated the situation outlined by the speaker regarding the Poinsett House Apartments was not new information. He stated both he and Councilor Meadows had mentioned the Poinsett House Apartments during talks about affordable housing. Mr. Dill stated the living conditions were substandard. He added that he had contacted officials at the County level, along with the State and the Federal Government, and was told that nothing could be done. Mr. Dill stated he hoped the County could find some way to assist the residents.
- Councilor Payne stated he was excited to attend *Smart Cities Week* in Washington, DC starting the next day. He stated he was slated to participate in a panel discussion regarding the importance of cities and corporations working together to create cities that were more livable for all citizens regardless of economic status.
- Councilor Ballard thanked Councilor Cates for assuming his leadership duties while he was on vacation. He also recognized Councilor Payne for receiving the GOP Chairman's Award commemorating his many years of service to the community. Mr. Ballard stated he drove by Augusta Grove recently and noticed another large area had been cleared for building; he added things were really looking very good in the district.
- Councilor Fant recognized the members of Vision 25 who were in attendance.
- Councilor Seman stated while everyone was very disappointed about the T-50A news out of Lockheed Martin; they were all still very excited about the F-16 Project. She added that SCTAC recently hired a new intern, Laughton Short, a sophomore at Clemson University. Ms. Seman stated Ms. Short was a business major with an emphasis in marketing and was very active in philanthropic activities on campus.
- Councilor Roberts stated he would like to meet with County Administrator Joe Kernell, Councilor Ballard and Chairman Kirven to discuss oversight of the County's Emergency Preparedness Plan as well as the feasibility of an Oversight Committee. Mr. Roberts stated there was a need to discuss improvements.
- Councilor Dill asked if the proposed improvements would be brought to Council. He added that any changes, such as firing individuals, should not occur unless Council was made aware.
- Chairman Kirven stated any proposals requiring action would be brought to Council.
- Councilor Norris thanked the staff with Parks, Recreation and Tourism for working with the students in the summer programs in areas such as Poe Mill and City View. She added the programs needed to be expanded to year round. Ms. Norris also thanked Paul Guy for all of his hard work.
- Chairman Kirven stated the Trustees at Furman University wanted to change the name of Swan Lake to Furman Lake. He asked, informally, if any Council Member was opposed and no one voiced any opposition.
- Chairman Kirven stated a few members of Council currently served on the Appalachian Council of Government Board. He added that Councilor Dill served as Chairman and was doing a very good job.
- Councilor Cates wished Councilor Dill and Councilor Taylor a Happy Birthday.

Item (15)

Adjournment

ACTION:

Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 6:56 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council