



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

October 16, 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
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*

Pastor Redonia Thomas
Bethlehem United Methodist Church

Pledge of Allegiance

Item (4) Approval of Minutes

ACTION: Councilor Ballard moved to approve the minutes of the October 2, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) Proclamation

a. International Stuttering Awareness Day

Councilor Taylor presented a proclamation to the Greenville-area Chapter of the National Stuttering Association in honor of International Stuttering Awareness Day which was first celebrated in 1988. Mr. Taylor stated the yearly tradition continued to grow around the world and in Greenville County with the motto of "You're Not Alone."

According to statistics, 5.0% of children and 1.0% of adults stutter, and thus Greenville County, with a population of 492,000, had nearly 25,000 children and 5,000 adults who stutter. He added that *We Stutter Upstate* was a social group made up of people who stutter, speech therapists, families and friends who come together for hope, support and empowerment.

Councilor Taylor encouraged the citizens of Greenville County to support the needs of people who stutter and appreciate the contributions they make to the community.

Greenville County Council proudly proclaimed October 22, 2018, as International Stuttering Awareness Day.

Item (6) Public Hearings

a. Proposed Conveyance of Surplus Right-of-Way / Traynham Blvd.

A public hearing was held for the purpose of receiving comments from the public regarding the transfer of surplus right-of-way on Traynham Boulevard to the adjacent property owner, which would allow the 0.01 acres of unimproved right-of-way to be combined with TMS #0468000400300.

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

b. Donation and Transfer of Property / Talley Bridge Road

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the donation and transfer of five county owned lots located alone Talley Bridge Road in Slater-Marietta to the Greenville County Redevelopment Authority for workforce housing; and to authorize the execution and deeds and any other appropriate documents and agreements related thereto.

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

Item (7) Appearances – current agenda items

No speakers

Item (8) Consent Agenda

- a. **Proposed Conveyance of Surplus Right-of-Way / Traynham Blvd.** (PWI)
- b. **Maddie’s Fund Shelter Innovation Grant** (Finance)
- c. **SC Parks and Recreation Grant – Historic Slater Hall Rehabilitation** (Finance)
- d. **Extension to File Agricultural Special Assessment Application** (Finance)

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

Motion carried unanimously.

Item (9) Resolutions

- a. **Retail Business Services LLC (Project Geist) / Inducement Resolution**

Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Retail Business Services LLC, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to a project in the county whereby the project would be subject to payment of certain fees in lieu of taxes, the extension of the terms of two Retail Business Services LLC related fee-in-lieu of tax lease agreements; ratifying an assignment of a fee in lieu tax lease agreement to Retail Business Services LLC or a related entity, and providing for related matters.

Motion carried unanimously.

Item (10) Ordinances – Third Reading

- a. **Donation and Transfer of Property / Talley Bridge Road**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to authorize 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.

- b. **Faiveley Transport North America, Inc. / Lease Agreement Amendment**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of an amendment to the existing 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.

ACTION: Councilor Taylor moved to hold the item in order for a public hearing to be scheduled.

Motion to hold carried unanimously.

c. Transtech of South Carolina, Inc. / 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 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.

ACTION: Councilor Taylor moved to hold the item in order for a public hearing to be scheduled.

Motion to hold carried unanimously.

d. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment - Transtech of South Carolina, Inc.

ACTION: Councilor Taylor 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 Anderson and Greenville Counties so as to enlarge the park.

ACTION: Councilor Taylor moved to hold the item in order for a public hearing to be scheduled.

Motion to hold carried unanimously.

Item (11) Ordinances – Second Reading

a. Zoning Ordinances

1. CZ-2018-54: Property of Gabriel Ricardo Tavar, located at 2815 Poinsett Highway, requesting rezoning from R-10 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.

Vice-Chairman Meadows stated the property was located in his district and he was not in favor of approval due to the condition of the property within the past six (6) months. He urged his colleagues to vote against the request.

Motion was denied unanimously.

2. CZ-2018-55: Property of Chambers Grading, Inc., located on a Frontage Road, requesting rezoning from R-S 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-2018-56: Property of Camperdown Academy, Inc., located at 501 Howell Road, requesting rezoning from R-20 to O-D.
The Planning Commission and Committee recommended approval.

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

Councilor Taylor stated Camperdown Academy was relocating which would mean 130 fewer cars in the morning and in the evening which would result in a big improvement in traffic. Mr. Taylor stated he recommended approval of the request.

Motion carried unanimously.

- 4. CZ-2018-57:** Property of Roberta Ambrose Hurley, located on Henderson Gap Road, requesting rezoning from R-S to R-15.
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-2018-58:** Property of TRS Properties, Guy Richard & Ann E. Chapman and Kirk S. Chapman, located on East Main Street, requesting rezoning from R-20 and C-3 to PD.
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.

- 6. CZ-2018-59:** Property of WR Hale, III Turst, located on Taylor Street, Martin Row and Averill Street, requesting rezoning from R-M20 to FRD.
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.

- 7. CZ-2018-60:** Property of Judith A. Machmer, located on Anderson Road and Conwell Street, requesting rezoning from R-M20 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.

b. Greenville County Flood Damage Prevention Ordinance Revisions

ACTION: Councilor Seman moved for approval at second 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 by 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.

Motion carried unanimously.

c. Greenville / Anderson Multi County Industrial Business Park Amendment – Anderson Project MTS (2010 Park)

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 (the “2010 Park”) of Anderson and Greenville Counties so as to enlarge the park.

Motion carried unanimously.

d. Canebrake Fire Department / General Obligation Bond

ACTION: Councilor Cates moved for approval at second reading an ordinance to provide for the issuance and sale of a 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.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Zoning Ordinances

Councilor Ballard presented for first reading Zoning Dockets **CZ-2018-61 through CZ-2018-66**.

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

b. Ordinance Setting Opening and Closing Times for County Parks

Councilor Roberts presented for first reading an ordinance concerning opening and closing hours for county parks.

Chairman Kirven stated the item would remain on the floor.

c. Kemet Corporation / Fee Conversion Agreement

Councilor Cates presented for first reading an ordinance authorizing the termination and cancellation of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 22, 1994 between Greenville County, South Carolina, Greenwood County, South Carolina, and Kemet Corporation; authorizing the conversion of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 31, 1997 between the County and the Company to a simple fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; authorizing the termination and cancellation of certain lease purchase and millage rate agreements and other associated agreements between the County and the Company; authorizing the re-conveyance by the County of related property to the Company; and other matters related thereto.

Chairman Kirven referred the item to the Finance Committee.

d. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Avocado (2010 Park)

Councilor Cates presented for first 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.

Chairman Kirven stated the item would remain on the floor.

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

Councilor Cates presented for first 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.

Chairman Kirven stated the item would remain on the floor.

f. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment –Project Fox (2010 Park)

Councilor Cates presented for first 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.

Chairman Kirven stated the item would remain on the floor.

g. Retail Business Services LLC (Project Geist) / Fee in Lieu of Tax Agreement

Councilor Cates 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 Retail Business Services LLC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of taxes; the extension of the term of two Retail Business Services LLC, related fee-in-lieu of tax lease agreements; ratifying an assignment of a fee in lieu tax lease agreement to Retail Business Services LLC; and other matters related thereto.

Chairman Kirven stated the item would remain on the floor.

Item (13) Board and Commission Ballots

a. Airport Commission (1 vacancy)

Chairman Kirven announced that James Wall was elected to fill 1 vacancy on the Airport Commission.

b. Board of Zoning Appeals (1 vacancy)

Chairman Kirven announced that Brittany Farrar was elected to fill 1 vacancy on the Board of Zoning Appeals.

c. Greater Greenville Sanitation (1 vacancy)

Chairman Kirven announced that Michael Porter was elected to fill 1 vacancy on the Greater Greenville Sanitation Board.

Item (14) Committee Reports

No Report.

Item (15) Appearances by Citizens

- **Bruce Wilson**, 14 Freestone St, Greenville – appeared regarding discriminatory practices by County Council
- **Rickey Benden**, 1201 Cedar Lane Road, Apartment A59, Greenville – appeared regarding Greater Greenville Sanitation trucks

Item (16) Administrator's Report

Joe Kernell reported that he and John Hansley met with representatives from Motorola the previous week in order to obtain an update on the radio system. Mr. Kernell stated there was a slight delay due to the hurricanes but it looked as if the system would be up and operating within the next 30 days. He added that most of the radios had been secured and would need to be programmed.

Item (17) Requests and Motions by Council Members

a. Open Application Period for the Newly Created Terra Pines Estates Special Tax District Commission

ACTION: Per notice provided on the Council agenda, Councilor Taylor moved to open a special application period for one month for the purpose of receiving applications for the newly created Terra Pines Estates special Tax District Commission.

Motion carried unanimously.

b. Reconsideration of the Animal Control Ordinance Amendment Regarding Tethering

Councilor Dill referred his colleagues to the copy of a proposed amendment he had considered presenting to Council. Mr. Dill stated he was very moved by some of the statements made at the last Council meeting regarding the tethering amendment; especially the last speaker as well as his colleague Councilor Taylor. Mr. Dill stated he had concerns about a dog tethered and unable to defend itself against another untethered dog or animal.

Councilor Dill requested to send the entire Animal Control Ordinance back to the Public Works and Infrastructure Committee to be studied.

Chairman Kirven stated the ordinance would be sent back to the Public Works and Infrastructure Committee for an in-depth study.

Councilor Seman inquired if sending the ordinance back to the committee would negate any aspect of it.

Chairman Kirven stated it would not.

No action was taken.

- Councilor Norris stated there were problems in the Poe Mill area with drugs and there was recently a death in the area due to drugs. Ms. Norris stated the Dunean area had a good history and she wanted to continue to work hard for the area to make life better for the residents. She stated she was very worried about Parks and Recreation and the need for year-round youth programs; she hated to represent the citizens in her district and not be able to help them. She requested Parks and Recreation take a look at the Poe Mill area and see what could be done.
- Councilor Cates invited his colleagues to attend the Overcomers Graduation Ceremony scheduled for Thursday, October 18 at 6:30 to be held at the Rescue Mission.
- Councilor Seman thanked Chairman Kirven and Councilor Ballard for joining her at Meals on Wheels for the 50th Anniversary of service to Greenville County. Ms. Seman, the former Executive Director, thanked Meals on Wheels, and all the other non-profits in Greenville County, for supporting the community.

Councilor Seman stated Chairman Kirven had received a letter regarding Dunean Mill and its consideration by the South Carolina State Board of Review for nomination to the National Register of Historic Sites.

Councilor Seman stated there were no fewer than six (6) corporate expansions underway at SCTAC: Vetroresina, Diversified Coatings Systems, Tiarco Chemical, Lockheed Martin, Hood Distribution and Cytec Solvay.

- Councilor Ballard stated that today he observed workers installing one of the last parts of the PSAP (public-safety answering point) in the southern part of the County.

Councilor Ballard also recognized members of a local Boy Scout Troop who were in attendance to earn merit badges.

Councilor Ballard stated he presented a proclamation to Standing Springs Baptist Church in Simpsonville on Sunday, October 14, recognizing the church on its 200th Anniversary.

Councilor Ballard stated he recently spoke with Chief Graham with the Mauldin Fire Department and was advised that the department had earned an ISO 1 rating. Mr. Ballard stated there were now seven (7) fire departments in the County with ISO 1 ratings. One station in southern Greenville County was unable to achieve the ISO 1 rating due to a lack of water.

- Councilor Fant recognized the members of Vision 25 in attendance. Mr. Fant thanked Councilor Ballard for all his hard work with regards to create economic growth and expansion in southern Greenville County. Councilor Fant requested clarification or a definitive conclusion on the issue of "park and ride" to address the lack of parking in the downtown area.

Councilor Fant also recognized Darren Scott who was in attendance. Mr. Scott is on the Greenlink Board and a resident of District 25.

Councilor Fant stated he would also be representing County Council, along with Chairman Kirven, at the Kroc Center on Friday, October 19, to discuss Greenville County's initiatives in expanding the supply of walkable and affordable housing options.

- Councilor Dill stated the Magistrate's Office in Marietta was now operated by the Sheriff's Department and Probation and Parole. He added that an individual could now fulfill the requirements of their probation or parole at the Magistrate's Office instead of in Greenville; this was extremely beneficial to those individuals with no transportation. Mr. Dill thanked County Administrator, Joe Kernell, for partnering with Probation and Parole for bringing this change about. A ribbon cutting would be scheduled in the near future.
- Chairman Kirven stated he spoke with Dennis Raines, Mayor of Mauldin, that day and was advised that the Mauldin Fire Department had achieved an ISO 1 rating. He added that he was not aware there were a total of seven (7) fire departments in the area with an ISO 1 rating. Mr. Kirven jokingly stated he did not know that Councilor Ballard would present the same information.
- Councilor Taylor stated an ISO 1 rating for the departments was very significant as it saved a considerable amount of money on fire insurance for the citizens. He stated he hoped more of the fire departments could achieve the same.
- Chairman Payne stated he really appreciated the pastoral prayer. He wished Chairman Kirven a Happy Birthday.
- Chairman Kirven wished Deputy Clerk to Council, Jessica Stone, a Happy Birthday.

Item (18) Adjournment

ACTION: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:02 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council