



## GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

July 16, 2019

6:18 p.m.

County Square – Council Chambers

301 University Ridge

Greenville, South Carolina 29601

### **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. Dan Tripp

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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**

**Lynn Ballard**, *District 26*

### **Staff Present**

**Joe Kernell**, *County Administrator*

**Mark Tollison**, *County Attorney*

**Jeff Wile**, *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*

**Nicole Wood**, *Assistant to the County Administrator*

**Bob Mihalic**, *Governmental Relations Officer*

### **Others Present**

None

### **Call to Order**

Chairman Kirven

**Invocation** – *Introduced by Councilor Xanthene Norris*

Bishop Samuel Zimmerman, Associate Pastor  
Springfield Baptist Church

### **Pledge of Allegiance**

**Item (4)      Approval of Minutes**

**Action:** Vice-Chairman Meadows moved to approve the minutes of the June 18, 2019, Regular Council Meeting.

Motion carried unanimously by Council Members present.

**Item (5)      Public Hearings**

**a.      Greater Greenville Sanitation District Annexation / Woodland Point Subdivision, 120 Pasco Court, 207 Woodbury Circle and 211 Groce Road**

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 the Woodland Point Subdivision, 120 Pasco Court, 207 Woodbury Circle and 211 Groce Road.

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

**b.      Proposed Relinquishment of Loop Lane Extension (Q0029)**

A public hearing was held for the purpose of receiving comments from the public regarding the proposed maintenance relinquishment of Loop Lane (Q0029) to the adjacent property owner (TMS# 0669010127400 and 06690101123100), for use as private property.

- **Paul Jenkins, 5 Lauren Lane, Cleveland** – appeared in favor of the proposed

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

**c.      Greenville County Land Development Amendment / Financial Securities**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend Section 3.4.3 “Financial Security Requirements” of the Greenville County Land Development Regulations to allow for letters of credit to be issued by federally insured financial institutions.

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

**d.      FY 2021 Budget for Greenville County**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to approve the FY 2021 Budget for Greenville County.

- **Susan McLarty, 204 E. Hillcrest Drive, Greenville** – appeared in favor of the proposed

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

**e. Cytex Carbon Fibers (Solvay) / 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 first amendment to a fee in lieu of tax agreement by and between Greenville County, South Carolina and Cytex Carbon Fibers LLC; the addition of sponsor affiliates under that agreement; and other matters related thereto.

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

**f. 385 Business Park, LLC (formerly Project Blackbird) / 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 385 Business Park 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.

**g. White Horse A, White Horse B, Berry Road & Gedosch Solar (formerly Project Ghost) / 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 agreements by and between Greenville County, South Carolina and RPSC Solar 3, RPSC Solar 7, RPSC Solar 8 and Gedosch Solar II, each a South Carolina Limited Liability Company with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

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

**h. Tigerville Fire District / Millage Request**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied in the Tigerville Fire District.

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

**i. Windstone Special Tax District / Millage Request**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied in the Windstone Special Tax District.

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

j. **Accurate Brazing Corporation (formerly Project Charm) / Fee in Lieu of Tax Agreement and Special Source Revenue Credit 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 Accurate Brazing Corporation, with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

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

**Item (6) Appearances – current agenda items**

No speakers

**Item (7) Consent Agenda**

- a. **Proposed Relinquishment of Loop Lane Extension (Q0029)**
- b. **Acceptance of Bracken Road into the Century Road Inventory**
- c. **FEMA Grant Application / Multi-Jurisdiction Hazard Mitigation Plan**
- d. **State Election Commission New Voting Equipment Agreement**

**Action:** Councilor Norris moved to approve the Consent Agenda Items.

Motion carried unanimously by Council Members present.

**Item (8) Resolutions**

- a. **Greater Greenville Sanitation District Annexation / Woodland Point Subdivision, 120 Pasco Court, 207 Woodbury Circle and 211 Groce Road**

**Action:** Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include the Woodland Point Subdivision, 120 Pasco Court, 207 Woodbury Circle and 211 Groce Road.

Motion carried unanimously by Council Members present.

- b. **Abandoned Textile Mill Site Certification / Piedmont Mill One**

**Action:** Councilor Taylor moved for adoption a resolution to provide a certification pursuant to the South Carolina Textile Communities Revitalization Act for the property formerly known as the Piedmont One Mill on Ridge Row Street, Piedmont, South Carolina.

Motion carried unanimously by Council Members present.

**c. Project Field / Inducement Agreement**

**Action:** Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Field, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to an industrial project in the County whereby the Project would be subject to payment of certain fees in lieu of taxes; and providing for related matters.

Motion carried unanimously by Council Members present.

**Item (9) Ordinances – Third Reading**

**a. Zoning Ordinances**

- i. **CZ-2019-35:** Property of Jerry C. Long, located on AD Asbury Road, requesting rezoning from R-MA and C-2 to I-1.

**Action:** Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously by Council Members present.

- ii. **CZ-2019-36:** Property of Raymond Mark Cox, located at 114 Dusty Lane, requesting rezoning from R-S to C-3.

**Action:** Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously by Council Members present.

**b. Cytec Carbon Fibers (Solvay) / Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor moved for adoption at third reading ordinance authorizing the execution and delivery of a first amendment to a fee in lieu of tax agreement by and between Greenville County, South Carolina and Cytec Carbon Fibers LLC; the addition of sponsor affiliates under that agreement; and other matters related thereto.

Motion carried unanimously by Council Members present.

**c. 385 Business Park, LLC (formerly Project Blackbird) / Fee In Lieu of Tax Agreement**

**Action:** Councilor Taylor moved for adoption at third reading ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and 385 Business Park, 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.

Motion carried unanimously by Council Members present.

**d. White Horse A, White Horse B, Berry Road and Gedosch (formerly Project Ghost) / Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor moved for adoption at third reading ordinance authorizing the execution and delivery of fee in lieu of tax agreements by and between Greenville County, South Carolina and RPSC Sloar 3, RPSC Solar 7, RPSC Solar 8 & Gedosch Solar, each a South Carolina Limited Liability Company with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Motion carried unanimously by Council Members present.

**e. Accurate Brazing Corporation (formerly Project Charm) / Fee in Lieu of Tax Agreement and Special Source Revenue Credit Agreement**

**Action:** Councilor Taylor moved for adoption at third reading ordinance authorizing the execution and delivery of fee in lieu of tax agreements by and between Greenville County, South Carolina and Accurate Brazing Corporation, with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Motion carried unanimously by Council Members present.

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

**a. Zoning Ordinances**

- i. CZ-2019-34: Property of Shannon Dobbins Woodward and Kelly Dobbins Morris, et al., located on Furr Road, requesting rezoning from R-S to FRD. The Planning Commission recommended denial and the Committee recommended approval.**

**Action:** On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Councilor Taylor stated when the item was first presented at the public hearing, he made the statement he would vote against the request unless the road was fixed to a standard fitting the proposed neighborhood. With the current level of traffic in the area and practically a “non-existent” road, he stated he would vote against the request.

Councilor Roberts stated FRD was normally used as more restrictive; however, the item now included more houses than initially requested. Mr. Roberts stated that was concerning to him and he was not in favor of the request.

Councilor Dill stated the item required eight (8) votes in favor for approval.

Motion was denied by a roll call vote of four (Dill, Barnes, Meadows and Cates) in favor, seven (Roberts, Taylor, Norris, Seman, Fant, Kirven and Tripp) in opposition and one (Ballard) absent.

- ii. **CZ-2019-38: Property of Sara J. Lambert and Bobby Gene Jones, et al., located on Farris Bridge Road and Berea Heights Road, requesting rezoning from R-12 to FRD. The Planning Commission recommended approval with conditions and the Committee recommended approval with the first condition only.**

**Action:** On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

**Action:** Councilor Dill moved to amend the request to include the following condition: to show the landscape buffer being continued along the northeast corner of the proposed project.

Motion to amend carried unanimously by Council Members present.

**Action:** Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously by Council Members present.

**b. Greenville County Land Development Amendment / Financial Securities**

**Action:** Councilor Dill moved for approval at second reading an ordinance to amend Section 3.4.3 "Financial Security Requirements" of the Greenville County Land Development Regulations to allow for letters of credit to be issued by federally insured financial institutions.

Motion carried unanimously by Council Members present.

**c. Tigerville Fire District / Millage Request**

**Action:** Councilor Taylor moved for approval at second reading ordinance to provide for the millage rate to be levied in the Tigerville Fire District.

Motion carried unanimously by Council Members present.

**d. Windstone Special Tax District / Millage Request**

**Action:** Councilor Taylor moved for approval at second reading an ordinance to provide to the millage rate to be levied in the Windstone Special Tax District.

Motion carried unanimously by Council Members present.

**Item (11) Ordinances – First Reading**

**a. Zoning Ordinances**

Councilor Dill presented for first reading Zoning Dockets CZ-2019-42, CZ-2019-43 and CZ-2019-46 through CZ-2019-51.

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

**b. Abandoned Textile Mill Site Certification / Taylors Village**

Councilor Taylor presented for first reading an ordinance to certify Taylors Village as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act.

Chairman Kirven stated the item would remain on the floor.

**c. Project Field / 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 Field with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

Chairman Kirven stated the item would remain on the floor.

**Item (12) Committee Reports**

**a. Committee of the Whole**

**i. Selection and Acquisition of Real Property for use by the Family Court, State and Related Public Offices**

**Action:**

On behalf of the Committee, Vice-Chairman Meadows moved to select the former Fluor office buildings and property on Halton Road and authorize the County Administrator to proceed with negotiation and execution of agreements to complete the lease and purchase of the property.

*The following was recorded verbatim per Vice-Chairman Meadows:*

"I wish to make just a few comments concerning the motion that I made as a result of being Vice-Chairman. I do think that the redevelopment of County Square is a good project and will ultimately benefit the taxpayers of Greenville County. So I am for that. More tax dollars will be provided from the land that is currently producing no income. This will help pay for the increasing needs of the County. How much will be received and when, are at the present time, only projections.

Having said that I support the project overall. I can't support this motion to purchase the Halton Road property for \$33,000,000. Nothing has changed since our previous vote. The fact remains that the buildings were purchased 18 months ago for \$18,350,000. It has been vacant for 18 months. It hasn't appreciated \$15,000,000 over that period of time. Wouldn't all of us like to buy a piece of property, keep it 18 months and reap an 80% profit?

I made a mistake saying nothing had changed; some things have changed. I guess the dates that this property was available has changed.



First, we were told that we must pay for it and make the offer by April 12, 2019 at 5:00 p.m. And when we defeated the motion to buy it at that particular time on April 30, then it was moved to April 30 that we had to buy it by April 30. As a result of no action being taken by April 30, the new deadline became July 1, 2019. Well, we missed that deadline, too. Another appraisal was provided to Council on May 7, 2019. The first one had been given to us by KDS, the broker that recommended the County to purchase the Halton Road property. The appraisal was done by a reputable company, Integra Realty Resources, who followed the established rules set forth by the Uniform Standards of Professional Appraisal Practice. They did exactly what they were asked to do. The questions that I have are:

1. Who chose this group? Nobody seems to know. Mr. Kernell said that he did not.
2. Who gave them instructions as to what the County wanted?
3. What were the instructions?
4. Were specific instructions given?

Whatever was given, I think they did and I think they did a good job on that. The instructions are part of the problem. Note that this appraisal is only good for use of Greenville County. No other person can use this or no other company can use this appraisal. In doing a comparison of like properties sold in Ft. Lauderdale., Birmingham, Al., Durham, NC, Charlotte, NC and Charleston, SC. Nothing was compared within 100 miles of where we are.

Not a single builder or developer, with whom I talked, some of these people are movers and shakers of Greenville County and some will probably be working on this project, none would say that they would pay this price for the building at \$33 million. In good conscience I can't justify taking an extra \$15 million out of the taxpayers' pockets to buy this building. So, I'll leave that at that. I just wanted to be on record that is the reason I'm against it, this building, not the project."

Motion as presented was carried by a roll call vote of nine (Dill, Cates, Roberts, Taylor, Norris, Seman, Fant, Kirven and Tripp) in favor, two (Barnes and Meadows) in opposition and one (Ballard) absent.

**Item (13)    Appearances by Citizens**

- **Cynthia Chance, 33 Seyle Street, Greenville** – appeared regarding the Dunean Community
- **Daniel Gamble, 110 Springbrook Drive, Greenville** – appeared regarding curfews for District 25

**Item (14)    Administrator's Report**

Joe Kernell stated the last two outstanding easements for the Swamp Rabbit Trail expansion had been obtained. Engineering for the approaches and the bridges was forthcoming and the trail would be expanded from Washington Street to CUICAR.

The grand opening for the Berea Senior Center was scheduled for July 31 from 11 a.m. until 1 p.m. He added that Senior Action would provide programming Monday through Friday including meals and transportation.

Mr. Kernell stated the Hampton Avenue bridge design was 100% complete. A community meeting was scheduled for the end of July to discuss the next steps with the community.

Mr. Kernell thanked Council for its action regarding the Halton Road property; the County could now move forward with the County Square Project.

**Item (15)     Requests and Motions by Council Members**

- Councilor Roberts thanked County Administrator Joe Kernell for the new radio system that would be released in the coming months. Mr. Roberts stated the system was going out in phases and would be coordinated with the end-user groups. Mr. Roberts stated the system would be a “big plus” for public safety in Greenville County.
- Councilor Norris stated she continued to research options for the Dunean community center building. The Phillis Wheatley Center was almost completed; the kitchen was the last thing that needed to be completed. Ms. Norris stated she was still in the process of establishing summer programs in some areas and vowed to continue working. She added she was very pleased the Hampton Avenue bridge would be completed soon.
- Councilor Seman stated she was excited to report that construction of Multi-Pack Solution’s new, state-of-the-art, 125,000-square-foot facility was in full swing at SCTAC. Multi-Pack was a contract packager and manufacturer to some of the most recognizable brands in the consumer over-the-counter drug and medical device markets. The company’s \$16.3 million investment was projected to create 72 new jobs.

Ms. Seman stated the County Square project was just one of many exciting things going on in the County. Other items included the budget, Greenlink funding and affordable housing options. While Council consisted of 12 different individuals representing 12 different districts, they all had one common goal: to do what was best for the people of Greenville County.

- Councilor Fant stated as Council went through the budget process and the County Square process, it was evident that was the way deliberative bodies should work. At the end of the day, the work of the people of Greenville County was the most important. In politics there were no permanent friends and no permanent enemies, only permanent issues.

Mr. Fant recognized the members of District 25 who were in attendance.

Mr. Fant stated there was no excuse for a child to live in a hotel room; it was unacceptable. He added children deserved better.

Councilor Fant stated he was still trying to work out something regarding the I-185 / toll road. It was necessary for growth in southern Greenville County; the County had to be proactive and figure out a way to open up those 17 miles of road without raising taxes.

- Chairman Kirven commended Cynthia Chance for her perseverance in regards to the Dunean community.

Mr. Kirven stated SCAC had requested Council make recommendations for the State Legislative Agenda for the coming year. He added Council would be attending the annual SCAC Conference in August; it was a time to interact with their colleagues and discuss issues and problems affecting the state.

Mr. Kirven stated the next regularly scheduled Council meeting would be held August 20.

Chairman Kirven informed Council they had been invited to drop in to the Arts Center and see students participating in the center's summer camp. Greenville County Parks, Recreation and Tourism Department had made arrangements for three students from the Freetown Center to attend each week; donors also provided scholarships. Mr. Kirven asked Council members to contact the Clerk's office for additional information.

- Councilor Dill wished Mr. Cates a Happy Birthday.

**Item (16)    Adjournment**

**Action:** Councilor Dill moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:19 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council