



GREENVILLE COUNTY COUNCIL

Minutes
Regular Council Meeting
May 4, 2021
6:00 p.m.

County Square - Council Chambers

Council Members

Mr. Willis Meadows, *Chairman, District 19*
Mr. Dan Tripp, *Vice-Chairman, District 28*
Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*
Mr. Joe Dill, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mrs. Liz Seman, *District 24*
Mr. Ennis Fant, Sr., *District 25*
Mr. Lynn Ballard, *District 26*
Mr. Butch Kirven, *District 27*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online and on the bulletin board at 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*
Kim Wunder, *Assistant County Attorney*
John Hansley, *Deputy County Administrator*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*

Pam Gilliam, *Administrative Assistant*
Bob Mihalic, *Governmental Affairs Officer*
Paula Gucker, *Assistant County Administrator, Public Works*
Shannon Herman, *Assistant County Administrator*
Nicole Wood, *Assistant County Administrator*
Meredith Papapieris, *Greenville County Cares Program, Director*

Others Present

Sheriff Hobart Lewis, *Greenville County Sheriff's Office*

Call to Order

Chairman Willis Meadows

Invocation

Councilor Stan Tzouvelekas

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Vice-Chairman Tripp moved to approve the minutes of the April 20, 2021, Regular Council Meeting.

Motion carried unanimously.

Item (5) Proclamation

a. Goodwill Industries of the Upstate / Midlands

Councilor Seman presented a proclamation to Brock Koonce and Marianne Shaddrix on behalf of Goodwill Industries of the Upstate/Midlands (GIUMSC).

Goodwill Industries was founded in 1902 to improve unemployment and socioeconomic issues, giving birth to the Goodwill philosophy of, “a hand up, not a hand out.” In 2020, GIUMSC placed 11,458 individuals into employment; an additional 19,711 individuals received job training and placement services. Of those individuals placed into employment, their earnings were projected to have an economic impact of \$158 million.

Greenville County Council proudly acknowledged the efforts and dedication of GIUMSC and proclaimed May 4, 2021 as “Goodwill Industries of Upstate/Midlands SC Day.”

Item (6) Appearances – Current Agenda Items

- **Ed Paxton** - appeared regarding Item 12.a. Transfer of County-owned Property / 48 Ridgeway Drive
- **Jack Logan** - appeared regarding Item 8.g. Project Safe Neighborhoods Grant – NIBIN System
- **Bruce Wilson** - appeared regarding Item 10.a.i.A. Motion to Allow for Amendments at Third Reading
- **Dr. U.A. Thompson** - appeared regarding Item 10.a.i.A. Motion to Allow for Amendments at Third Reading
- **Dorothy Russell** - appeared regarding Item 10.a.i.A. Motion to Allow for Amendments at Third Reading

Item (7) Public Hearings

a. Ordinance Repealing the Sewer Sub-District Consolidations for Berea Public Service District; Gantt Fire, Sewer and Police District; Marietta Water, Fire, Sanitation, and Sewer District; and Wade Hampton Fire and Sewer District; and to Provide for an Agreed to Enlargement of the Metropolitan Sewer Subdistrict Boundary in those Four Districts

A public hearing was held to receive comments from the public regarding an ordinance (1) repealing provisions of Ordinance No. 5248 authorizing the consolidation of Berea Public Service District; Gantt Fire, Sewer and Police District; Marietta Water, Fire, Sanitation, and Sewer District; and Wade Hampton Fire and Sewer District into the Metropolitan Sewer

Subdistrict; (2) providing for the enlargement of the boundaries of the Metropolitan Sewer Subdistrict within the areas of Berea, Gantt, Marietta, and Wade Hampton; and (3) amending the plan of consolidation in connection therewith; and (4) other matters related thereto.

There being no speakers, Vice-Chairman Tripp declared the public hearing closed.

b. Ordinance Repealing the County Establishment of the Berea Fire Service Area

A public hearing was held to receive comments from the public regarding an ordinance amending Ordinance No. 5249 to repeal the provisions establishing the Berea Fire Service Area from those fire service areas established thereby, and other matters relating thereto.

There being no speakers, Vice-Chairman Tripp declared the public hearing closed.

c. Ordinance Repealing the County Establishment of the Gantt Fire Service Area

A public hearing was held to receive comments from the public regarding an ordinance amending Ordinance No. 5249 to repeal the provisions establishing the Gantt Fire Service Area from those fire service areas established thereby, and other matters relating thereto.

There being no speakers, Vice-Chairman Tripp declared the public hearing closed.

d. Ordinance Repealing the County Establishment of the Wade Hampton Fire Service Area

A public hearing was held to receive comments from the public regarding an ordinance amending Ordinance No. 5249 to repeal the provisions establishing the Wade Hampton Fire Service Area from those fire service areas established thereby, and other matters relating thereto.

There being no speakers, Vice-Chairman Tripp declared the public hearing closed.

Item (8) Consent Agenda

- a. Commissioning of Codes Enforcement Officers *(PWI)*
- b. FY2022 Solid Waste General Recycling Grant *(Finance)*
- c. FY2022 Used Oil Grant *(Finance)*
- d. FY2022 Waste Tire Grant *(Finance)*
- e. SC JAG Grant – Full Spectrum Imaging System Replacement *(Finance)*
- f. SC JAG Grant – Upgrade of 3D Laser Imaging System *(Finance)*
- g. Project Safe Neighborhoods Grant – NIBIN System *(Finance)*

- h. AARP Community Challenge 2021 Grant *(Finance)*
- i. Community Project Application / Upstate Circle of Friends – Kitchen Upgrades \$7,259.00 *(Finance)*

Action: Councilor Ballard moved to approve the Consent Agenda items.

Motion carried unanimously.

Item (9) Resolutions

- a. **Metropolitan Sewer Subdistrict Annexation / 148 Cooper Lake Road – Request for Public Hearing**

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include the real property located at 148 Cooper Lake Road.

Motion carried unanimously.

Item (10) Ordinances – Third Reading

- a. **Zoning Ordinances**

- i. **CZ-2021-19:** Property of Beech Tree, Inc., located on Old Grove Road, requesting rezoning from I-1 to R-12.

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

Chairman Meadows stated he appreciated everyone who had worked so hard on the item. He stated Mr. Tzouvelekas, Mr. Shaw and Mr. Fant had worked tirelessly, along with Mr. Hughes and his staff, trying to come to an agreement regarding the request.

Councilor Ballard stated from 1990 until 2000, not much changed in downtown Greenville. In 2002, the Camperdown Bridge was taken down and things started to change; the downtown area became active. Today, downtown Greenville bore no resemblance to the area in 2010. A large number of residents had moved out of the downtown area due to gentrification; property values and rental costs were too high. Council was being asked to approve a project to build houses in a price range considerably above the average price of existing homes in the area. He could not, in good conscience, vote to approve the project. He asked his colleagues to vote in opposition to the proposed, as well.

Councilor Fant thanked Mr. Tzouvelekas, Mr. Shaw and Mr. Hughes for their hard work regarding the item. He also commended Chairman Meadows for his outstanding support, leadership and hard work. They had made great progress; the fact they had all agreed on 80% fair market homes and 20% affordable housing for the property was commendable. He applauded Mr. Hughes' commitment to help with the cost for infrastructure upgrades,

to include roads and sidewalks, in the area. The funding structure was currently being worked out in order to determine what portion of the new tax revenue would go to the bond, or if it would be a line item, and whether it would be millage or a fee. The process of setting up a community development district to successfully facilitate the project could be a model for affordable housing in Greenville County, and other counties throughout the state.

Action: Councilor Fant moved to refer the item back to the Planning staff in order to change the request to FRD (Flexible Review District) and allow the specifics in the language to be worked out regarding the community development district, the developer contribution and the financing structure.

Councilor Seman asked if the developer and the property owner had agreed to a zoning classification of FRD (Flexible Review District) for the site.

Councilor Fant stated the developer and the property owner had some concerns about the FRD classification. The builder had never worked under an FRD classification; the engineer, Paul Harrison, had worked under FRD classifications many times. Mr. Harrison was prepared to file as soon as possible.

Vice-Chairman Tripp stated he did not have a lot of details about what had gone on “behind the scenes” regarding the item in question; the negotiations appeared to be beyond Council’s role. He had concerns about Council Members getting too deeply involved in the process and forcing developers to make changes. Mr. Tripp stated it was not a model for Greenville County and he would be voting in opposition.

Councilor Fant requested a roll vote.

Councilor Harrison stated Council had received an email outlining the revised plan; it was a good solution and he supported it completely. He asked if there was a way to accomplish everything without changing the request to FRD and extending the process another two (2) months.

Mr. Tollison stated an FRD zoning classification required specific things that were not part of the current request. It was not possible to amend the request to FRD on the Council floor; there was a process involved.

Councilor Fant stated since the terms had already been agreed upon, the preliminary work could begin, if Council agreed to refer the item back to the Planning staff to amend the request to FRD. The item could not be amended to FRD at third reading.

Councilor Kirven stated he was concerned that Council was being too aggressive with the applicant and the application. Council Members should not attempt to change a zoning request without the consent of the property owner and/or applicant; to do so, appeared to be beyond the scope of Council’s job. The information outlined in the aforementioned email regarding the item, including all the concessions and conditions, appeared to touch on all the issues regarding the request. In his opinion, those concessions and conditions

could be met under the “very flexible” R-12 zoning request. He did not know if the applicant had agreed to, or had knowledge of, the proposed change. In the absence of that knowledge, he was opposed to referring the item back to the Planning staff.

Action: Councilor Fant called for the question.

Vice-Chairman Tripp requested a roll call vote.

Councilor Dill asked if the item should be held on the floor to allow the applicant the opportunity to request a different zoning classification for the property. If so, the current request would be “killed” by Council in order to allow for the new request to be presented.

Mr. Tollison stated there was no set procedure in the zoning ordinance that defined the process. The item could be held on the floor, as Mr. Dill suggested, waiting for the new request to be presented; however, there would be no action on it for two (2) months. The item could be referred back, which would require re-advertising the request under the same docket number. It would have to go through the established process in order to change the request to FDR.

Councilor Dill stated the issue before Council was whether to change the zoning classification of the site from I-1 to R-12, not the type of structures to be built on the property. Council had to decide to either leave the site as Industrial or change it to Residential, not tell the developer what kind of housing should be built.

Councilor Tzouvelekas inquired about returning the item back to staff, without the recommendation to change the request to FRD.

Councilor Dill stated Mr. Tzouvelekas’ question was not germane to the request on which Council was asked to vote. The current motion on the floor was not about the actual rezoning of the property, but, about the development of the property. Mr. Dill stated Council was only to vote on whether or not to change the zoning classification of the property; what happened after Council’s vote was up to the developer and any Council Members who wanted to get involved. He was opposed to referring the item back to the Planning staff.

Councilor Dill stated Council was not voting to decide what size houses were to be built, or any other specifications about the structures; they were simply voting whether to change the zoning classification from I-1 to R-12.

Motion to refer the item to the Planning staff carried by a roll call vote of seven (Barnes, Meadows, Shaw, Tzouvelekas, Norris, Fant and Ballard) in favor and five (Dill, Harrison, Seman, Kirven and Tripp) in opposition.

- ii. **CZ-2021-21:** Property of HRH Developers LLC, located at 1730, 1750, 1908 and 1910 Hood Road, requesting rezoning from S-1 and R-S to I-1.

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

Motion carried unanimously.

- iii. **CZ-2021-22:** Property of JBP Investment Properties LLC, located on Fork Shoals Road, requesting rezoning from S-1 to R-12.

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

Motion carried unanimously.

- iv. **CZ-2021-23:** Property of Tara Jean Zaino and Paul J. Zaino III, located at 146 Oaklawn Road, requesting rezoning from R-R3 to R-R1.

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

Motion carried unanimously.

- v. **CZ-2021-25:** Property of Crown Properties LLC, located at 1359 Ridge Road, requesting rezoning from R-10 and R-M20 to R-M16.

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

Motion carried unanimously.

- vi. **CZ-2021-27:** Property of LBRE Properties LLC, located on Rodgers Road, requesting rezoning from R-12 to R-7.5.

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

Motion carried unanimously.

Item (11) Ordinances – Second Reading

- a. **Ordinance Repealing the Sewer Sub-District Consolidations for Berea Public Service District; Gantt Fire, Sewer and Police District; Marietta Water, Fire, Sanitation, and Sewer District; and Wade Hampton Fire and Sewer District; and to Provide for an Agreed to Enlargement of the Metropolitan Sewer Subdistrict Boundary in those Four Districts**

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance (1) repealing provisions of Ordinance No. 5248 authorizing the consolidation of Berea Public Service District; Gantt Fire, Sewer and Police District; Marietta Water, Fire, Sanitation, and Sewer District; and Wade Hampton Fire and Sewer District into the Metropolitan Sewer Subdistrict; (2) providing for the enlargement of the boundaries of the Metropolitan Sewer

Subdistrict within the areas of Berea, Gantt, Marietta, and Wade Hampton; and (3) amending the plan of consolidation in connection therewith; and (4) other matters related thereto.

Motion carried unanimously.

b. Ordinance Repealing the County Establishment of the Berea Fire Service Area; Gantt Fire Service Area; and Wade Hampton Fire Service Area

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance amending Ordinance No. 5249 to repeal the provisions establishing the Berea Fire Service Area, the Gantt Fire Service Area, and the Wade Hampton Fire Service Area from those fire service areas established thereby, and other matters relating thereto.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Transfer of County-owned Property / 48 Ridgeway Drive

Vice-Chairman Tripp presented for first reading an ordinance to authorize the transfer of county owned property located at 48 Ridgeway Drive, the former Woodfield Community Center site, to the Greenville County Redevelopment Authority, and to authorize the execution of a quit-claim deed related thereto.

Chairman Meadows stated the item would remain on the floor.

b. Tigerville Fire District / Issuance of General Obligation Bonds

Vice-Chairman Tripp presented for first reading an ordinance to provide for the issuance and sale of (i) a not exceeding \$175,000 Greenville County, South Carolina General Obligation Refunding Bond (Tigerville Fire District Project), Series 2021a and (ii) a not exceeding \$1,035,000 Greenville County, South Carolina General Obligation Bond, Series 2021b; to prescribe the purposes for which the proceeds should be expended; to provide for the payment thereof; and other matters relating thereto.

Chairman Meadows stated the item would remain on the floor.

c. Tigerville Fire District / Millage Request

Vice-Chairman Tripp presented for first reading an ordinance to provide for the millage rate to be levied by the Tigerville Fire District; and request that second reading of the item be delayed until the consumer price index and population calculations were released.

Chairman Meadows stated the item would remain on the floor.

d. Chanticleer Special Tax District / Millage Request

Vice-Chairman Tripp presented for first reading an ordinance to provide for the millage rate to be levied by the Chanticleer Community Tax District.

Chairman Meadows stated the item would remain on the floor.

Item (13) Committee Reports

a. Committee of the Whole

i. Human Relations Commission / Removal of Members

Action: On behalf of the Committee, Vice-Chairman Tripp moved to remove four board members from the Human Relations Commission who represented District 21, 22, 25, and 26.

Motion carried unanimously.

ii. Reopen Application Period for Human Relations Commission

Action: On behalf of the Committee, Vice-Chairman Tripp moved to open a special application period for two weeks for the purpose of receiving applications for the four new vacancies on the Human Relations Commission.

Motion carried unanimously.

Item (14) Appearances – Items not on the Current Agenda

There were no speakers.

Item (15) Administrator’s Report

Joe Kernell provided an update on the Emergency Rental Assistance Program (ERAP). To date, 295 Greenville County households had received assistance, with average funding of \$4,323.00 and 4.3 months of assistance covered. A total of \$1.22 million had been disbursed with \$54,000 for utility assistance.

Mr. Kernell stated staff had spoken with other South Carolina counties. Basically, all the counties were in the “same boat”, experiencing similar levels of results.

The State of South Carolina would be launching its own assistance program on Wednesday, May 5, for those counties that did not receive the direct funding. The program “mirrored” Greenville County’s Emergency Rental Assistance Program. Staff at the state level spoke with County staff for guidance and direction.

Mr. Kernell stated the County’s ERAP appeared to be progressing well.

Item (16) Requests and Motions

- Councilor Ballard stated the Prisma Health COVID-19 vaccination van would be at Reedy Fork Baptist Church on Friday, May 7, and at Valley Brook Baptist Church on Saturday, May 8.

Mr. Ballard inquired about redistricting for Greenville County.

Mr. Tollison stated the issue would be presented to Council in the near future. They would need to develop procedures for dealing with redistricting. Currently, there was no County level data available. It was his understanding the data would not be available until September and could be subject to challenge on the census. Council needed to develop a plan for redistricting in anticipation of receiving the data; he would be submitting suggestions for doing so very soon.

- Councilor Dill stated he was under the impression the County would have to decide if it would seek assistance from the State regarding redistricting or if the process would be completed in-house.

Mr. Tollison confirmed Mr. Dill's statement. He was in the process of gathering information to present to Council in order to determine the level of assistance needed.

- Councilor Shaw stated he interacted with many County offices in his "day job." He complimented the employees of Greenville County and the great job they did every day.

Mr. Shaw stated Paul Wickensimer, Clerk of Court, recently received the Order of the Palmetto, the state's highest civilian honor.

- Councilor Norris stated she continued to work with the residents of the Sterling community as well as New Washington Heights. There were still many problems in both areas; she hoped to work with the residents for successful outcomes.
- Councilor Seman stated SCTAC's newly-constructed durability track had officially opened for business and was already in high demand. The track, ½ mile in length, was designed to provide exact testing scenarios. It had received rave reviews from SCTAC's corporate customers. She hoped to have a tour set up for Council Members by early summer.

Ms. Seman stated two recent events, a newspaper article regarding the Board of Zoning appeals as well as the removal of four board members from the Human Relations Commission, made it obvious Council faced some challenges in regards boards and commissions. The County's rules regarding them may need to be tweaked a bit in order to ensure that Council was fair and equitable to all applicants and understood the skills set needed for each individual board. She would appreciate the opportunity to take a "deeper dive" into the board and commission process.

Ms. Seman stated a number of items were highlighted during Council's recent goal setting workshop. As the County was currently conducting budgeting meetings, it may be a good time to revisit those items and formally adopt some of them.

- Councilor Harrison stated he did not have a lot of experience dealing with drama and conflict; he disliked them both, felt they caused polarization, and hindered problem solving. However, he felt it was necessary to address an earlier vote.

There had been a number of rumors and accusations thrown his way the past couple of days. Out of an abundance of caution, he had requested an informal advisory opinion from the South Carolina Ethics Commission. Mr. Harrison stated he took his integrity and his ethical behavior very seriously, as his past track record confirmed. The advisory opinion clearly stated there was no conflict of interest.

Disagreement regarding his thoughts or opinions on a matter was no reason to attack his integrity, character or behavior. He stated no Council Member deserved to be treated in that manner; they were all "on the same team" and should be able to work together.

Mr. Harrison stated the incident had been very distracting not only to him and his family, but all of Council. They should not rely on assumptions or preconceived notions about one another; they should talk to each other directly. He greatly appreciated each of his colleagues and looked forward to continuing to have hard discussions and hard debates; he promised to treat them with the dignity and respect they deserved.

Item (17) Adjournment

Action: Councilor Harrison moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 7:06 p.m.

Regina G. McCaskill
Clerk to Council