

**MINUTES
GREENVILLE COUNTY COUNCIL
REGULAR MEETING
NOVEMBER 3, 2009
COUNCIL CHAMBERS
6:04 p.m.**

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 PRESENT:

CHAIRMAN BUTCH KIRVEN	WILLIS MEADOWS	JUDY GILSTRAP
VICE CHAIRMAN BOB TAYLOR	LOTTIE GIBSON	LIZ SEMAN
JOE DILL	JIM BURNS	SID CATES
JOE BALDWIN	FRED PAYNE	XANTHENE NORRIS

COUNCIL MEMBER (S) ABSENT:

NONE

STAFF PRESENT:

JOE KERNELL, COUNTY ADMINISTRATOR
MARK TOLLISON, COUNTY ATTORNEY
JOHN HANSLEY, DEPUTY COUNTY ADMINISTRATOR
PAULA GUCKER, ASSISTANT COUNTY ADMINISTRATOR, PUBLIC WORKS
THERESA B. KIZER, CLERK TO COUNCIL
REGINA MCCASKILL, DEPUTY CLERK TO COUNCIL
BOB MIHALIC, GOVERNMENTAL RELATIONS OFFICER
MELLONE LONG, ASSISTANT COUNTY ADMINISTRATOR, PLANNING
DEAN CAMPBELL, ASSISTANT COUNTY ATTORNEY
VIVIAN ANTHONY, ASSISTANT COUNTY ADMINISTRATOR, HUMAN RESOURCES
TOM MEEKS, PLANNING DEPARTMENT

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Reverend Juan E. Sharpe, Sr.
Resurrection Power Ministries

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Gilstrap moved for approval the minutes of the October 20, 2009 Regular County Council meeting. Motion carried.

Item (5)

PROCLAMATION

(a) DAFFODIL PLANTING DAY

Councilor Payne presented a proclamation to the Mauldin Garden Club for their recent “Golden Days of South Carolina” State Award for its emphasis on the Daffodil. Through a proposal made by the Mauldin Garden Club, the Mauldin City Council adopted the Daffodil as the City of Mauldin’s official flower. Greenville County supports Mauldin’s initiative and encourages communities to participate in a Daffodil Beautification project in future years.

Item (6)

PUBLIC HEARING

AHOLD FILOT – TRANSFER OF PROPERTY

A public hearing was held for the purpose of receiving public comments regarding an ordinance consenting to the transfer from Ahold Information Services, Inc. (“AIS”) to certain affiliated entities of AIS’ interests in certain personal property subject to a lease agreement with Greenville County, South Carolina; consenting to the assignment from AIS to the affiliate transferees of AIS’ rights, title, interests and obligations under the lease; approving a revision and restatement of the lease; and other matters relating thereto.

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

Item (7)

APPEARANCES

- Robert Taylor, 1 Millbrooke Court, Greenville 29609 - appeared regarding the Greenville County Comprehensive Plan
- Jan Williams, 6 Crabapple Court, Greenville 29605 - appeared regarding the Greenville County Comprehensive Plan
- Ed Paxton, 1 York Circle, Greenville 29605 - appeared regarding criminal domestic violence prosecution program, Greenville County Comprehensive Plan and the Barking Dog Ordinance

Item (8)

CONSENT AGENDA

- (a) Criminal Domestic Violence Prosecution Program**
- (b) Safe Routes to School Program**
- (c) Five Year Exemption to Unrelated Purchaser**

Councilor Seman moved to approve the Consent Agenda items.

Motion carried.

Item (9)

ORDINANCES –THIRD READING

- (a) RIGHT - OF -WAY PRESERVATION ON CORRIDORS IDENTIFIED BY GPATS**

ACTION: Councilor Burns moved for adoption at third reading an ordinance to amend Ordinance No. 3079, as last amended by Ordinance No. 3301, to provide for additional building setback lines to preserve the Greenville County portion of corridors identified by the GPATS 2010-2015 Transportation Improvement Plan.

Motion carried.

- (b) MATRIX INVESTORS I, LLC / SPECIAL SOURCE REVENUE CREDIT AGREEMENT**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing delivery by Greenville County of a Special Source Revenue Credit Agreement with Matrix Investors I, LLC, and other matters related thereto.

Motion carried.

- (c) GENERAL ELECTRIC COMPANY / SECOND ADDENDUM OF FEE AGREEMENT**

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing an extension to the investment period of that certain Fee Agreement between Greenville County, South Carolina and the General Electric Company and related companies; providing for the inclusion of a new aviation manufacturing facility of the company within the definition of the “Project” in the Fee Agreement; and other matters related thereto.

Motion carried.

(d) GREENVILLE / LAURENS MULTI-COUNTY PARK AMENDMENT

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to amend that certain agreement for the development of a joint industrial and business park between Laurens County and Greenville County dated March 22, 1994, to add Unifor Tract.

Motion carried.

(e) RENEWAL LEASE AGREEMENTS / COUNTY SQUARE

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to authorize and direct the Chairman of County Council and the County Administrator to execute leases with the Greenville County Redevelopment Authority, the United States Agriculture Department, the Greenville County Alzheimer's Association, and the South Carolina Department of Health and Environmental Control for the use of available office space located at Greenville County Square.

Motion carried.

(f) FITESAFIBERWEB SIMPSONVILLE INC. / FILOT ARRANGEMENT AND SSRB FINANCING

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing a fee-in-lieu-of-tax arrangement and special source revenue financing on behalf of Fitesafiberweb Simpsonville, Inc., pursuant to a fee-in-lieu-of-tax agreement between Greenville County, South Carolina and the corporation; and other matters relating to the foregoing.

Motion carried.

(g) BARKING DOG ORDINANCE AMENDMENT

ACTION: Councilor Dill moved for adoption at third reading an ordinance to amend the Greenville County Code to provide that it is unlawful to keep a domestic pet which howls, barks, whines, or cries to such an extent as to materially interfere with or affect the health, comfort, peace and quiet of the public, or the reasonable use and enjoyment of the neighboring properties, within 200 feet of a residential property line in Greenville County. Councilor Dill stated the committee referred the item to County Council with no recommendation and specifically requested County Council to defeat the ordinance.

ACTION: Councilor Taylor moved to hold the item on the floor until a public hearing was scheduled for the first meeting in December.

ACTION: Councilor Baldwin moved to table the item.

Motion to table the item carried.

Item (10)

ORDINANCES – SECOND READING

(a) ZONING ORDINANCES

1. **CZ-2009-40**, This docket Was been withdrawn by the applicant.

(b) AHOLD FILOT / TRANSFER OF PROPERTY

ACTION: Councilor Taylor moved for approval at second reading an ordinance consenting to the transfer from Ahold Information Services, Inc. (“AIS”) to certain affiliated entities of AIS’ interests in certain personal property subject to a lease agreement with Greenville County, South Carolina; consenting to the assignment from AIS to the affiliate transferees of AIS’ rights, title, interests and obligations under the lease; approving a revision and restatement of the lease; and other matters relating thereto.

Motion carried.

COUNTY COUNCIL MEETING SCHEDULE

Chairman Kirven stated the remaining County Council meetings for 2009 were scheduled for November 17 and December 1.

Item (11)

ORDINANCES – FIRST READING

(a) GREENVILLE COUNTY COMPREHENSIVE PLAN

Councilor Burns presented for first reading an ordinance to adopt a Comprehensive Plan for the County of Greenville in compliance with S.C. Code Section 6-29-510.

Chairman Kirven stated the item would remain on the floor until November 17, 2009.

Item (12)

COMMITTEE REPORTS

(a) Committee on Public Works, Planning and Development

1. Waive Plan Review and Permit Fees for the Ronald McDonald House

ACTION: On behalf of the Committee, Councilor Burns moved to waive the Plan Review and Permit Fees for the Ronald McDonald House.

Councilor Taylor stated although the Ronald McDonald House was a great charity, Council needed to follow their policy; or risk setting a precedent.

The motion to waive fees for the Ronald McDonald House was denied.

(b) Committee on Finance

1. Drug Abuse Program Funds

ACTION: On behalf of the Committee, Councilor Taylor moved to direct the County Administrator to disburse \$377,582 from the Special Revenue Fund – Drug Abuse Program to the Phoenix Center Project.

Motion carried.

Item (13)

APPEARANCES BY CITIZENS

- Ed Paxton, 1 York Circle, Greenville - appeared regarding various subjects

Item (14)

ADMINISTRATOR'S REPORT

Deputy County Administrator John Hansley updated Council on the mailing out of the property tax bills and on the status of the Business Registration application process.

Item (15)

REQUESTS AND MOTIONS

- Councilor Taylor stated he was looking forward to the day when Council had several zoning dockets to deal with in that would mean growth and development was picking up in Greenville County.
- Chairman Kirven read a letter he had received from a citizen commending the work and professionalism of the Public Works Department in a recent drainage project he had on his property.
- Councilor Burns stated there would be no Zoning Public Hearings until January 2010.
- Councilor Norris requested Council review the board and commission process and see if it could be improved.
- Councilor Gibson requested the County Attorney seek an opinion from the Attorney General in regards to single member districts for 12 member boards and commissions. She also suggested a rotation schedule be considered for the boards containing fewer than 12 members. She offered her service should a committee be formed to review the board and commission process.
- Councilor Gibson also expressed her gratitude to Council for supporting the Alcohol and Drug Abuse Commission. She commended the board for their good work and invited Council to the November 20th anniversary celebration of the Phoenix Academy's ground breaking.
- Chairman Kirven instructed the County Attorney to review the matter of 12 member boards and report back to Council.
- Councilor Payne expressed his gratitude to all the talented applicants who applied during the recent board and commission cycle. He also commended the work of those responsible for bringing Boeing to South Carolina.

Item (16)

ADJOURNMENT

ACTION: Councilor Payne moved to adjourn the meeting. Motion carried and the meeting was adjourned at 6:57 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council