

**MINUTES  
GREENVILLE COUNTY COUNCIL  
REGULAR MEETING  
OCTOBER 20, 2009  
COUNCIL CHAMBERS  
6:25 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  
JEFF WILE, ASSISTANT COUNTY ATTORNEY  
MELLONE LONG, ASSISTANT COUNTY ADMINISTRATOR, PLANNING  
JOHN OWINGS, PLANNING DEPARTMENT  
KIMBERLY WUNDER, ASSISTANT COUNTY ATTORNEY  
DEAN CAMPBELL, ASSISTANT COUNTY ATTORNEY

**OTHERS PRESENT:**

GENE SMITH, EXECUTIVE DIRECTOR, GREENVILLE RECREATION DISTRICT

**CALL TO ORDER**

Chairman Butch Kirven

**INVOCATION**

Reverend Dean Taylor, Senior Pastor  
Calvary Baptist Church, Simpsonville

**PLEDGE OF ALLEGIANCE**

**Item (4)**

**APPROVAL OF MINUTES**

**ACTION:** (a) Councilor Gibson moved for approval the minutes of the October 6, 2009 Regular County Council meeting. Motion carried.

**Item (5)**

**PUBLIC HEARINGS**

**(a) GE Aviation Project / Special Source Revenue Bonds**

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the issuance and sale of Greenville County, South Carolina, Special Source Revenue Bonds (GE Aviation Project) Series 2009; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including an indenture; and certain other matters relating thereto.

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

**(b) Matrix Investors I, LLC / Special Source Revenue Credit Agreement**

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing delivery by Greenville County of a Special Source Revenue Credit Agreement with Matrix Investors I, LLC, and other matters related thereto.

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

**(c) General Electric Company / Second Addendum of Fee Agreement**

A public hearing was held for the purpose of receiving public comments regarding 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.

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

**(d) Greenville / Laurens Multi-County Park Amendment**

A public hearing was held for the purpose of receiving public comments regarding 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.

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

**(e) Lake Cunningham Fire Service Area / Tax Millage**

A public hearing was held for the purpose of receiving public comments regarding a resolution to approve Lake Cunningham Fire District's request for maintenance of its current Ad Valorem Property Tax Millage Levy.

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

**(f) Renewal Lease Agreements / County Square**

A public hearing was held for the purpose of receiving public comments regarding 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.

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

**(g) Fitesafiberweb Simpsonville Inc. / FILOT Arrangement and SSRB Financing**

A public hearing was held for the purpose of receiving public comments regarding 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.

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

**Item (6)**

**APPEARANCES**

There were no appearances.

**Item (7)**

**CONSENT AGENDA**

**(a) EPA Grant – US Finishing Mill**

Councilor Norris moved to approve the Consent Agenda item.

Motion carried.

**Item (8)**

**RESOLUTIONS**

**(a) Lake Cunningham Fire Service Area / Tax Millage**

**ACTION:** Councilor Taylor moved for adoption a resolution to approve Lake Cunningham Fire District's request for maintenance of its current Ad Valorem Property Tax Millage Levy.

Motion carried.

**(b) Donaldson Fire Service Area and the Belmont Fire and Sanitation District / New Boundary**

**ACTION:** Councilor Payne moved for adoption a resolution to establish a new boundary between the Donaldson Fire Service Area and the Belmont Fire and Sanitation District; and to provide for public notice thereof.

Motion carried.

**Item (9)**

**ORDINANCES –THIRD READING**

**(a) GE Aviation Project / Special Source Revenue Bonds**

**ACTION:** Councilor Taylor moved for adoption at third reading an ordinance authorizing the issuance and sale of Greenville County, South Carolina, Special Source Revenue Bonds (GE Aviation Project) Series 2009; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including an indenture; and certain other matters relating thereto.

Motion carried.

**(b) Donaldson Fire Service Area / New Boundary**

**ACTION:** Councilor Payne moved for adoption at third reading an ordinance to establish a new boundary between the Donaldson Fire Service Area and the Belmont Fire and Sanitation District; and to provide for public notice thereof.

Motion carried.

**Item (10)**

**ORDINANCES – SECOND READING**

**(a) Right-of-Way Preservation on Corridors Identified by GPATS**

**ACTION:** Councilor Burns moved for approval at second 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 approval at second 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 approval at second 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 approval at second 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 approval at second 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 approval at second reading an ordinance authorizing a fee-in-lieu-of-tax arrangement and special source revenue financing on behalf of Fitesafiberweb Simpsonville, Inc., a Delaware corporation, 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.

**Item (11) ORDINANCES – FIRST READING**

**(a) Zoning Ordinances**

Councilor Burns presented for first reading Zoning Ordinances CZ-2009-43 through CZ-2009-48.

Chairman Kirven referred those items to the Public Works Committee.

**(b) Ahold FILOT / Transfer of Property**

Councilor Taylor presented for first 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.

Chairman Kirven stated the matter would remain on Council floor for second reading.

**Item (12) BOARDS AND COMMISSIONS – SECOND READING**

**(a) Greenville Airport Commission (1 vacancy)**

James Wall (D.22)  
Eric Hedrick (D.22)

Elected Mr. Wall to fill the one vacancy.

**(b) Greenville Arena District (2 vacancies)**

Steve Shafer (D.22)  
“Ty” Thornhill Jr (D.25)  
Clifton Dyer (D.28)

Elected Mr. Shafer and Mr. Thornhill to fill the two vacancies.

**(c) Devenger Special Tax District (1 vacancy)**

Siobhan Tortora (D.21)  
Susan Lyness (D.21)

Elected Ms. Lyness to fill the one vacancy.

**(d) Disabilities and Special Needs Board (4 vacancies)**

Davis Roeske (D.23)  
Carolyn O'Connell (D.22)  
Roxie Kincannon (D.27)  
Martha Kellam (D.20)  
Bene Lease (D.28)  
Janet Fancher (D.19)

Elected Ms. Fancher, Ms. Kellam, Ms. Kincannon and Ms. Lease to fill the four vacancies.

**(e) Greenville Area Development Corporation (1 vacancy)**

Joseph Aneskievich (D.21)  
Magaly Peterson-Penn (D.27)  
Dante Russo (D.21)  
Mary Ann Pires (D.23)  
Steven Buckingham (D.23)  
Thomas Quantrille (21)

Elected Mr. Quantrille to fill the one vacancy.

**(f) Human Relations Commission (4 vacancies)**

Jessie Wofford (D.26)  
Sharon Bryant (D.25)  
Ramon Nieves-Lugo (D.20)  
Mary Randolph (D.27)  
Henry Jackson (D.27)  
Howard Mouzon (D.21)

Elected Ms. Bryant, Mr. Lugo, Ms. Randolph and Ms. Wofford to fill the four vacancies.

**(g) Library Board of Trustees (5 vacancies)**

Robert Clark (D.21)  
Brady Gilbert (D.17)  
Iverson Brownell (D.24)  
Arthur McMaster (D.21)  
Susan Barry (D.27)  
Grady Butler (D.23)

Andrew Holliday (D.17)  
Deryl Paradis (D.21)

Elected Ms. Barry, Dr. Butler, Mr. Clark, Mr. Gilbert and Ms. Paradis to fill the five vacancies.

**(h) Greenville County Redevelopment Authority Board (5 vacancies)**

David Doser (D.17)  
Robert Brissie Jr. (D.22)  
Ronald Preston (D.20)  
John Mahony (D.27)  
Richard Davis (D.21)  
Tom Van Norstrand (D.20)  
Louise Holmes (D.23)  
Sheally Venus Poe (D.21)  
Fletcher Martin Jr. (D.25)

Elected Mr. Doser, Ms. Holmes, Mr. Mahoney, Mr. Martin and Mr. Van Norstrand to fill the five vacancies.

**Item (13)**

**COMMITTEE REPORTS**

**(a) Committee on Finance**

**1. Accommodations Tax Funding Recommendation Guidelines**

**ACTION:** On behalf of the Committee, Councilor Taylor moved to amend the Guidelines for Distribution of Funds obtained from the South Carolina Accommodations Tax Law by adding the underscored language in Section I.C.1 and Section II.A as is reflected in the version included in the agenda packet.

Chairman Kirven stated everyone was interested in this important matter. He stated a revision to County policy, relating to Accommodations Tax Allocations was under consideration. Chairman Kirven recommended if the policy was changed, it would become effective next year.

Councilor Dill stated he would like to see the issue go to the Intergovernmental Relations Committee or a committee formed to deal with the issue. He stated there were a lot of questions that needed to be answered. He stated everyone was too hasty in dealing with the issue in the past couple of weeks. Councilor Dill stated he thought the allocation needed completion and a policy sent to a committee for development.

Chairman Kirven stated it already had been to a committee. He stated when a committee makes a recommendation and brings it to the floor, Council deals with it.

**AMENDMENT:** Councilor Taylor stated there was a policy for the distribution of funds obtained from the South Carolina Accommodations Tax Law. He stated certain monies come off the top; \$25,000 for the County, 5% to the General Fund, 30% to Advertising and Promotion Special Fund, 65% to Tourism Related Activities Special Fund and the remainder is dealt with by the Accommodations Tax Committee and brought to County Council for a vote.

He stated historically, County Council made changes to the Accommodations Tax Committee's recommendations. Councilor Taylor stated the CVB, which is the agency to deal with tourism, is given money out of the Tourism Related Activities Special Fund. The Finance Committee approved this amendment to the policy (in addition to the legislative allocations set forth in the Advertising and Promotion Special Funds (Section B-3). The Greenville Convention and Visitor's Bureau (CVB) will also receive an amount equal to 40% of the annual Tourism Related Activities Special Fund (Section B-4). He stated an additional change was made by the Finance Committee, Section II, paragraph A, the second paragraph - the Advisory Committee shall develop and maintain a Rating System for evaluating projects and activities for Tourism Related Activities Special Fund allocations. The Rating System will provide grading of proposals on an A, B, C, D basis with "A" being the highest and "D" being the lowest score. All timely submitted projects will receive a grade from the Advisory Committee to appear in its report and recommendations to County Council. This excludes the annual allocation to the Convention and Visitor's Bureau established in Section I.C.1.). The "which will receive no grade" was deleted. He stated, one interpretation, not previously considered, (in Section I.C.1 the Greenville Convention and Visitor's Bureau (CVB) will also receive an amount equal to 40% of the annual Tourism Related Activities Special Fund) if he was clear on his interpretation, that pot of money would include the bonded funds. He asked the County Attorney if he was correct on his interpretation.

Mark Tollison stated that Council may need to discuss available or non encumbered funds available.

Councilor Taylor stated he had not thought of that before, but when it is spelled out the way it was in the policy, it included the 65% which has the bond money it.

Mr. Tollison stated although the bond money was included in the 65%, it's encumbered and the amount of money would automatically come off before any further allocations were done.

Councilor Taylor stated the way the policy reads is different from what he thought the Finance Committee had in mind and passed.

Mr. Tollison stated when the Finance Committee took up the item; the actual breakdown of the revenues was there before the Committee. The amount of money talked about excluded Heritage Green and Northwood, which was encumbered. He stated the intent was clear, although at some point, if passed, a motion could be made to add language to further make that clear, which in turn would be good for staff and the Advisory Committee.

Chairman Kirven opened the floor for discussion on the motion.

Councilor Payne asked if the word "unencumbered" be an addition to the language of the amendment.

Councilor Taylor stated in I.C.1, he thought that was the intent of the committee and the audience at that meeting. He stated the audience came up with the amount to go to the CVB, which was based on 40% of the unencumbered amount.

Councilor Meadows stated maybe there was a need to have additional workshops to obtain proposals to amend. He stated because it would not go into effect until next year, there was time.

**ACTION:** Councilor Meadows made a motion to refer the item to the Intergovernmental Relations Committee.

Councilor Burns stated he had some amendments he would like to offer. He stated County Council goes through this process every year and each year everyone states we need to put a formula together. He stated he had some recommendations for a formula. He stated County Council had a chance to do something right, and any additional changes with accountability and collecting numbers, which added creditability to the process, would be handled through the Accommodation Tax Board. He stated County Council policies could be dealt with now and clarification could be given. He stated it was not rocket science about how more tourism was generated.

Councilor Meadows requested a role call vote.

Councilor Payne asked for clarification on the motion.

Chairman Kirven stated the motion was to refer the item to Intergovernmental Relations Committee. He stated if the motion passed, it would suspend discussion, and the item would go to the Intergovernmental Relations Committee.

Councilor Payne stated he was not sure if the Intergovernmental Relations Committee would come up with a better recommendation than the Finance Committee.

Chairman Kirven stated County Council had the option to vote for or against the motion. He reiterated if the motion passed it stops discussion and it would move to the Intergovernmental Relations Committee and if motion failed, discussion would continue on the floor.

Councilor Meadows clarified the point: Council was solely voting on the policy itself and not the allocation recommendation.

Chairman Kirven stated that was correct because the allocation recommendation had not come up yet on the agenda.

The motion presented by Councilor Meadows was denied with four (Gibson, Dill, Baldwin, and Meadows) in favor and eight (Seman, Gilstrap, Payne, Cates, Burns, Norris, Taylor and Kirven) in opposition.

Councilor Gibson asked after a committee makes recommendations to County Council, Council refers the recommendations to the Finance Committee to determine if there was a need to have additions or subtractions.

Councilor Taylor stated the recommendation comes to the Finance Committee initially, because everything comes through a committee.

Councilor Gibson asked when the item initially went to the Finance Committee; it was not acted on at that time, and was sent to the Committee of the Whole.

Councilor Taylor stated for the last several years the Finance Committee has sent the recommendation forward to the full Council without making any changes to the recommendation.

Councilor Gibson stated if she understood the minutes, after it initially went to the Finance Committee, it came to County Council with no recommendations from the committee. Once on the Council floor, suddenly it needed to go back to the Finance Committee and now what they were about to listen to came out of the Finance Committee. She asked was her understanding correct.

Councilor Taylor concurred.

**ACTION:** Councilor Dill made a motion to separate the motion (the 40% annual Tourism Related Activities Special Fund and the deletion of “which will receive no grade”) made by the Councilor Taylor on behalf of the Finance Committee (*there was no objection*).

**ACTION:** Councilor Dill called the question on the I.C.1 amendment.

The motion to call the question carried with nine (Norris, Gibson, Gilstrap, Payne, Dill, Baldwin, Meadows, Cates and Taylor) in favor and three (Seman, Burns and Kirven) in opposition.

Chairman Kirven stated the question on the floor was the 40% annual Tourism Related Activities Special Fund motion made by Councilor Taylor on behalf of the Finance Committee.

The motion to allow the 40% annual Tourism Related Activities Special Fund motion made by Councilor Taylor on behalf of the Finance Committee carried with eleven (Seman, Gibson, Gilstrap, Payne, Dill, Baldwin, Meadows, Cates, Burns, Taylor and Kirven) and one (Norris) in opposition.

**AMENDMENT:** Councilor Burns stated after the Finance Committee meeting, there was some ambiguity as to what the Convention and Visitor’s Bureau would have to do; he believed the intent was to allow the Convention and Visitor’s Bureau not go through the same process as others since they were receiving a set percentage. At the end of paragraph II.A “Allocation of Properties” it would read, “in lieu of submitting an application and receiving an Advisory Committee score, the Convention and Visitors Bureau will file and present an annual report to County Council on its activities and use of Accommodations Tax monies.” He stated this would allow, if put in policy, the Convention and Visitors Bureau to come directly to County Council, instead of initially going to the Accommodation Tax Board.

Councilor Meadows stated he believed the sense of the Finance Committee was the CVB would go through the same process.

**AMENDMENT:** Councilor Meadows made a motion to substitute Councilor Burns’ proposed amendment with this proposed amendment: “the CVB would submit a proposal to receive its annual Allocation established in Section I.C.1. The CVB proposal shall receive a grade from the Advisory Committee.”

Councilor Meadows stated, as written in state law, the CVB has to submit an annual report to County Council because monies were received from the county.

Chairman Kirven stated Councilor Burns amendment would be addressed first before it could be amended.

Mr. Tollison stated an amendment to an amendment was in order.

Chairman Kirven clarified the substitute amendment would be dealt with first.

**AMENDMENT:** Councilor Payne stated he did not see giving the CVB a grade a measure. He stated he would like to use Councilor Burns' proposed amendment and add a comma after "and present an annual report to County Council on its activities" and add: an estimate of the economic impact of ATAX projects on tourism in Greenville County, and use of Accommodations Tax monies. He stated if that was done, it would be the grade, because County Council would know the economic impact of the projects pushed and supported, which would have a comparison done year to year.

Councilor Burns stated he would accept Councilor Payne's friendly amendment.

Councilor Meadow's stated Councilor Payne's proposed amendment came close to his proposed amendment. He stated the application procedure did the things Councilor Payne proposed, but it does it before hand.

Councilor Payne stated a letter grade did not clarify anything; however, he liked the fixed percentage because it gave the CVB an unarguable portion. The percentage would go up if the CVB attracted more tourists, because the income would go up thus more money would be allotted.

Councilor Seman stated by County Council voting to give the CVB 40% every time, it was counter productive to grade them because they will always receive an "A" based on the previous passed motion.

Councilor Meadows asked Councilor Burns to restate the amendment including Councilor Payne's friendly amendment addition.

Councilor Burns stated "in lieu of submitting an application and receiving an Advisory Committee score, the Convention and Visitors Bureau will file and present an annual report to County Council on its activities an estimate of the economic impact of ATAX projects on tourism in Greenville County, and use of Accommodations Tax monies.

Councilor Meadows withdrew his proposed amendment and accepted Councilor Burns' proposed amendment.

Motion carried.

**AMENDMENT:** Councilor Burns made a motion to amend the first paragraph of Section IIIB "Project Approval" by adding "in making its recommendations the Advisory Committee shall apply its rating system described in Section 11A and will for the next three years until FY2012/2013. 1.) Allocate 90% of the remaining Tourism Related Activities Special Fund to projects receiving a score of A or B. 2.) Allocate 10% of the remaining funds to projects receiving a score of C. 3.) Will not allocate funds to projects receiving a D score; after three years, which will be the application received FY2013/2014, and beyond only those projects receiving an A or B will be funded." He stated the purpose was to focus in on the projects providing the greatest impact to the County. The concern was, historically, local festivals were given funding and have become contention. This would put projects on notice for the next three years 10% of the remaining allocation funding would be distributed. He stated this would allow projects receiving a score of C to figure out what it takes to improve their score.

Councilor Taylor stated he agreed with Councilor Burns' proposed amendment.

Councilor Gibson stated she disagreed with the proposed amendment because projects falling below a B would never have an opportunity to receive any of the money the County received from tourists related to their projects. She stated the guidelines did not provide an opportunity for some small groups to receive funding, and that was not fair to the taxpayers supporting those groups. She stated the proposed amendment would make funding opportunities more restrictive.

Councilor Seman stated County Council's job was to make the biggest impact and Council needed to figure out how to bring the whole County into a more prosperous economic situation. She stated County Council's job was to do the best job with the monies they were entrusted with.

Councilor Cates asked Councilor Burns to consider deleting the last sentence of his proposed amendment ("after three years, which will be the application received FY2013/2014, and beyond only those projects receiving an A or B will be funded.").

Councilor Payne asked if a start up event, which has the potential for tourism, but maybe has a slow first year, which may cause them to score a low letter, have the potential to move up a grade.

Councilor Burns stated in the first year of Artisphere no one knew the impact it would have on the community. Five plus years later, there was an unbelievable economic impact. He stated the ATAX Board would look each year at the potential of each event. He stated ATAX money should be allocated to events to enhance them, not to make them run. He stated he would accept Councilor Cates friendly amendment, and to also delete "and will for three years" at the top of the proposed amendment.

Councilor Taylor called the question.

Motion carried.

**AMENDMENT:** Councilor Burns moved to amend Section IIIB "Project Approval" to add the following language after the first paragraph: "County Council will review the recommendations from the Accommodations Tax Advisory Committee and have final approval over the allocations. In giving its final approval, the County Council will only consider and allocate funds to those projects scored as an A, B, or C by the Accommodations Tax Advisory Committee. County Council amendments to the Advisory Committee's recommended allocation amounts between eligible projects (those scored A, B, or C) will require a 2/3 vote of the members of Council." and delete the last sentence.

Councilor Burns requested a roll call vote.

**AMENDMENT:** Councilor Meadows made a motion to amend Councilor Burns proposed amendment by striking the following sentence: (County Council amendments to the Advisory Committee's recommended allocation amounts between eligible projects (those scored A, B, or C) will require a 2/3 vote of the members of Council and delete the last sentence.)

Councilor Baldwin asked what part would the Finance Committee play. He asked if the Finance Committee made a change would it revert back to the ATAX Committee's recommendation. He stated he was bothered by super majority votes by an elected group.

Councilor Payne stated when he spoke with citizens he usually told them it took seven votes to do anything, eight votes to spend money and nine votes to raise taxes.

Councilor Dill asked if it took 2/3 of the Finance Committee votes to send to Council.

Chairman Kirven stated the Finance Committee could change recommendations; however it was up to Council to validate.

Councilor Dill stated his understanding of the proposed amendment meant after the committee made its recommendation, it would only change with 2/3 votes by Council.

Mr. Tollison stated if the Finance Committee made a recommendation; it would come back to County Council for approval one way or the other.

Councilor Dill stated he would support the amendment if it was a simple majority.

Councilor Norris stated the proposed amendment goes through a procedure, and any changes or amendments would require a 2/3 votes.

Councilor Cates asked how replacing the 2/3 votes with a simple majority affect it.

Councilor Seman called the question.

Motion to call the question carried.

The motion to strike the following sentence: (County Council amendments to the Advisory Committee's recommended allocation amounts between eligible projects (those scored A, B, or C) will require a 2/3 vote of the members of Council." and delete the last sentence.) was denied with six (Gibson, Dill, Baldwin, Meadows, Cates and Taylor) in favor and six (Seman, Gilstrap, Payne, Burns, Norris and Kirven) in opposition.

The motion to amend III.B Project Approval to add the following language after the first paragraph: County Council will review the recommendations from the Accommodations Tax Advisory Committee and have final approval over the allocations. In giving its final approval, the County Council will only consider and allocate funds to those projects scored as an A, B, or C by the Accommodations Tax Advisory Committee. County Council amendments to the Advisory Committee's recommended allocation amounts between eligible projects (those scored A, B, or C) will require a 2/3 vote of the members of Council and delete the last sentence was denied with six (Norris, Seman, Gilstrap, Payne, Burns and Kirven) in favor and six (Gibson, Dill, Baldwin, Meadows, Cates and Taylor) in opposition.

**AMENDMENT:** Councilor Taylor moved to amend Section I.C.1 with the following: the Greenville Convention and Visitor's Bureau (CVB) will also receive an amount equal to 40% of the annual Tourism Related Activities Special Fund (Section B.4) available funds after mandated allocations.

Motion to amend carried.

Motion as amended carried.

## **2. Accommodations Tax FY2010 Funding Allocation Recommendations**

Councilor Taylor asked if the recommendations were subject to the amended policy.

Chairman Kirven stated the policy changes just voted on may or may not affect the funding available for distribution.

**ACTION:** On behalf of the Committee, Councilor Taylor moved for approval the recommended allocations for the FY 2009/2010 Accommodations Tax Funds as submitted by the Committee.

**AMENDMENT:** Councilor Dill moved to amend the allocations for funding with a handout.

Councilor Burns offered Councilor Dill a friendly amendment by deleting the \$10,000 recommendation to Medalist Sports because they already received \$50,000 annually from the Hospitality Tax Fund and allot the \$10,000 to Carolina Elite Soccer Academy.

Councilor Dill accepted Councilor Burns' friendly amendment.

Councilor Burns stated Freedom Weekend Aloft's recent announcement to give charitable funding was against tax policy of giving funding to charitable organizations. He stated changing numbers have a real affect on the organizations. Further stating, taking funding from all but two organizations, which based on plans submitted by the organizations, were not growing and showed no incredible growth plans that merited such an increase.

Councilor Meadows stated Freedom Weekend Aloft sent out an email explaining the donation. They receive funding from the Hospital System, similar to an advance, because the money was returned to the Hospital System at the end of the year. He stated Freedom Weekend Aloft put 2,376 heads in beds and the Scottish Games put 665 heads in beds, not including the 310 judges, bands and people employed by the Scottish Games. Both events have made a tremendous economic impact.

Councilor Gilstrap stated she had tremendous concern with two organizations receiving \$2,000 who received a D score, and a couple who had a C score were not given any funding. A score of D should not receive any funding.

Councilor Payne stated one of the events receiving a D score, while he supported it personally and was in favor of it, should not receive allocations if not generating tourist monies. He stated he would be willing to support the event through district funding.

Councilor Dill stated if there were any disagreements or changes needed with the spreadsheet, amendments should be made so it would be a finished product.

Councilor Seman asked if there was an opportunity to offer a motion to apply the motions just passed to the current allocation.

Councilor Taylor stated if that was done we would have excess money to distribute.

**AMENDMENT:** Councilor Gilstrap moved to delete funding for the Greater Greer Chamber of Commerce (\$2,000) and Simpsonville Area Chamber of Commerce (\$2,000) and allot the \$4000 to the Children's Museum.

Councilor Dill read into record the proposed allocations: American Legion Post 3- \$3,000; Artisphere - \$15,000; Carolina Ballet Theatre - \$2,500; Carolina Elite Soccer Academy - \$25,000; Discover Upcountry Carolina Association - \$3,000; Freedom Weekend Aloft, Inc - \$55,000; Convention and Visitors Bureau - \$130,000; Greater Greenville Scottish Games and Highland Festival - \$55,000; Greenville Little Theatre - \$2,500; Greenville Symphony Association - \$3,000; Metropolitan Arts Council - \$3,000; South Carolina Charities, Inc.- \$10,000; South Carolina Children's Theatre - \$1,000; The Children's Museum - \$14,000; The Mentoring Group - \$1,000; and Trillium Arts Group - \$2,000.

**ACTION:** Councilor Dill made a motion to accept the amendments as read.

**AMENDMENT:** Councilor Burns made a motion to amend the list with the following changes: reduce Freedom Weekend Aloft, Inc. to - \$50,000; and allot Discover Upcountry Carolina Association - \$5,000 (which is an increase by \$2,000); Metropolitan Arts Council - \$5,000 (which is an increase by \$2,000); and The Children's Museum - \$15,000 (which is an increase by \$1,000).

Councilor Dill stated he would accept Councilor Burns' friendly amendment.

Motion to accept the list carried.

**Item (14)**

**APPEARANCES BY CITIZENS**

- Brent Cox – appeared regarding the safety, health and welfare of children.
- Dr. Grady Butler, 234 Alameda Street, Greenville – appeared regarding the Henry Locke Bridge Memorial and his Library Board appointment.

**Item (15)**

**ADMINISTRATOR'S REPORT**

Mr. Kernell stated there was no Administrator's Report.

**Item (16)**

**REQUESTS AND MOTIONS**

Councilor Payne stated the South Greenville Water Project was coming along. They were currently on Plan C. He stated he would be coming to Council with a report sometime in the future.

Councilor Seman stated SCTAC would be representing Greenville County this week at the State-wide Delegation to the National Business Aviation Association Annual Conference in Florida.

Councilor Taylor expressed birthday wishes to Chairman Kirven.

Councilor Dill asked the Chair to start a process to look into the possibility of creating a policy requiring single-member districts on the twelve-member boards which Council appointed.

**Item (17)**

**ADJOURNMENT**

**ACTION:** Councilor Dill moved to adjourn the meeting. Motion carried and the meeting was adjourned at 8:22 p.m.

Respectfully submitted:

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Theresa B. Kizer, Clerk to Council