

**MINUTES
GREENVILLE COUNTY COUNCIL
REGULAR MEETING
MARCH 2, 2010
COUNCIL CHAMBERS
6:27 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	XANTHENE NORRIS
VICE CHAIRMAN BOB TAYLOR	LOTTIE GIBSON	LIZ SEMAN
JOE DILL	SID CATES	
JOE BALDWIN	FRED PAYNE	

COUNCIL MEMBER(S) ABSENT:

JIM BURNS
JUDY GILSTRAP

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
DEAN CAMPBELL, ASSISTANT COUNTY ATTORNEY
JEFF WILE, ASSISTANT COUNTY ATTORNEY
VIVIAN ANTHONY, ASSISTANT COUNTY ADMINISTRATOR, HUMAN RESOURCES
MELLONE LONG, ASSISTANT COUNTY ADMINISTRATOR, PLANNING DEPARTMENT

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Liz Seman

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Norris moved for approval the minutes of the February 16, 2010 Regular County Council meeting.

Motion carried.

Item (5)

PROCLAMATION

(a) Disability Awareness Month 2010

Councilor Dill presented Brent Parker, Executive Director, Disability and Special Needs Board and Connie Holmes, Chairman of the Board of Directors, Disability and Special Needs Board, with a proclamation, proclaiming the month of March as Disability Awareness Month.

Item (6)

PRESENTATION

(a) Greenville County Disabilities and Special Needs

Brent Parker, Executive Director, Disability and Special Needs Board gave a presentation stating the people of the Disability and Special Needs Board have wants and needs like everyone else. He stated they serve around 2200 people and have direct / indirect contact with over 20,000 people in Greenville County.

Item (7)

PUBLIC HEARINGS

(a) Greenville / Anderson Multi County Industrial Business Park Amendment

A public hearing was held for the purpose of receiving public comments regarding an ordinance to amend Ordinance No. 3171 as previously amended by Ordinance Numbers 3306, 3437, 3483, 3645, 3696, 3748, 3779, 3850, 3978, 4069, 4092, 4204 and 4246 relating to the Industrial/business Park of Greenville and Anderson Counties, so as to enlarge the park.

- Jan Williams, 6 Crabapple Court, Greenville - appeared in opposition

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

(b) Cognis Corporation / Fee-in-Lieu-of-Tax Agreement

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the amendment of a Fee in Lieu of Tax Agreement and an Infrastructure Financing Agreement, each entered into by and between Cognis Corporation, a Delaware Corporation, and Greenville County, South Carolina; and other matters relating to the foregoing.

- Jan Williams, 6 Crabapple Court, Greenville - appeared in opposition

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

Item (8)

APPEARANCES

- Ed Paxton, 1 York Circle, Greenville - appeared regarding County Council and the Committee of the Whole minutes

Item (9)

ORDINANCES - THIRD READING

(a) Zoning Ordinances

1. **CZ-2010-2**, Property of Gresham LLC, Located on Highway 14 and N. E. Main Street – Simpsonville, requesting rezoning from C-1 to C-2.

ACTION: Councilor Seman moved adoption of the ordinance at third reading.

Motion carried.

(b) Southern Greenville Water Improvement District

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the creation of the Southern Greenville Water Improvement District; approving and authorizing the implementation of the improvement plan for the Southern Greenville Water Improvement District; providing for the financing of the district by assessments on all real property comprising the district; and ordering the preparation of an assessment roll and the sending of notice of such assessment to property owners.

Councilor Meadows stated this was a difficult item to vote on due to the increase in taxes during this economy.

Councilor Gibson stated after years of seeking, the citizens in the area needed to have running water.

Councilor Payne stated 54% of the property owners voted by signed petition in favor and over 74% of the assessed property value was in favor. He stated while running for election, the citizens asked for his help in obtaining water in their area and this was one step in that direction. He stated the County was contributing half of the costs. He stated the citizens would have improved fire protection, fire insurance premiums could decrease and property values would probably increase.

Councilor Baldwin asked why was it decided to charge as assessment rate rather than a millage rate. He stated he didn't agree with charging a fee. He asked if citizens refused to pay, what were the County's rights.

Mr. Kernell stated the County only accepted the full amount of a tax bill and if a citizen chose not to pay a portion of a bill, the payment would not be accepted.

Councilor Taylor stated this was a one-time dollar amount for a service and that was different from a tax.

Councilor Meadows stated it was not a one-time fee, it was for a period of fifteen years. He stated regardless what it was called, more money was coming out of citizens' pockets.

Councilor Payne stated if there had been a better way to do it they would have done it. He stated the fees would go away once the lines were paid in full. He stated it was not an easy solution, but he was trying to help citizens with their water situation. He stated he was sorry for the dilemma.

Motion carried by a vote of eight in favor (Cates, Norris, Seman, Gibson, Payne, Baldwin, Taylor, Kirven) and two in opposition (Dill, Meadows).

(c) Greenville / Anderson Multi County Industrial Business Park Amendment

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to amend Ordinance No. 3171 as previously amended by Ordinance Numbers 3306, 3437, 3483, 3645, 3696, 3748, 3779, 3850, 3978, 4069, 4092, 4204 and 4246 relating to the Industrial/business Park of Greenville and Anderson Counties, so as to enlarge the park.

Motion carried.

Item (10)

ORDINANCES - SECOND READING

(a) Cognis Corporation / Fee In Lieu Of Tax Agreement

ACTION: Councilor Taylor moved for approval at second reading an ordinance authorizing the amendment of a Fee in Lieu of Tax Agreement and an Infrastructure Financing Agreement, each entered into by and between Cognis Corporation, a Delaware Corporation, and Greenville County, South Carolina; and other matters relating to the foregoing.

Motion carried.

(b) Brookfield Special Tax District

ACTION: Councilor Taylor moved for approval at second reading an ordinance to amend Ordinance No. 1949, as amended, creating the Brookfield Special Tax District, to amend the purposes of the district, to authorize a special one-time assessment, and to authorize a maximum uniform service charge.

Motion carried.

(c) Hospitality Tax / Amendment To Exhibit A

ACTION: Councilor Taylor moved for approval at second reading an ordinance to amend Exhibit A established as an addendum to Ordinance 4079, as amended by Ordinance 4179 and Ordinance 4273, so as to provide for the reallocation of project funds and to appropriate additional operating funds for tourist related projects.

Motion carried.

Item (11) ORDINANCES - FIRST READING

(a) Recovery Zone Designation

Councilor Taylor presented for first reading an ordinance designating all of the incorporated and unincorporated areas of Greenville County as a Recovery Zone for the purpose of the issuance of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds and other matters related thereto.

Chairman Kirven referred the item to the Finance Committee.

Item (12) COMMITTEE REPORTS

(a) Committee of the Whole

ACTION: Councilor Dill made a motion to suspend the rules to allow consideration of the action taken in the Committee of the Whole meeting.

Motion carried.

ACTION: On behalf of the Committee, Councilor Taylor moved to approve the proposed change to Council Rule IV (a).

Motion carried.

Item (13) APPEARANCES BY CITIZENS

- Jan Williams, 6 Crabapple Court, Greenville – appeared regarding transparency

Item (14) ADMINISTRATOR'S REPORT

County Administrator Joe Kernell stated he had placed in Council's packet an update of the Business Registration program. He felt the process was moving along fairly well.

Mr. Kernell clarified for one of the public speakers, that all the documents and details for the matters on the Council's meeting agenda were published and made available online.

Mr. Kernell also stated in regards to the request to develop a County Expenditure Transparency Program, a presentation was made to the Finance Committee a couple of weeks back, and a completed proposal would be coming in the very near future.

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Gibson presented Mr. Cates with an umbrella he had won in a drawing at the 2010 Census meeting where the Bob Jones Academy choir performed.
- Councilor Gibson wished Ms. Norris a happy birthday.
- Councilor Seman stated the SCTAC officials were presenters at the South Carolina Aviation Association Annual Conference last month where they provided an overview of their GIS system. The system was scheduled to go live later this year and will be the first of its kind in South Carolina. She also stated that she and Mr. Payne had the honor of going to the Roper Mountain Science Center where they received, on behalf of the County, the Preserve America Proclamation.
- Councilor Seman inquired about an update on the capital projects list for the Hospitality Tax. Mr. Kernell stated the information would be in their next packet.
- Council Seman also inquired about the Board and Commission process. Chairman Kirven stated there would be some proposals given to Council for their consideration prior to the next Council meeting.
- Councilor Payne invited Council members to the March 16th IRA Committee to hear a presentation by Ed McCallum of McCallum Sweeney Consultants regarding site selection by companies.
- Councilor Cates thanked Ms. Gibson for the umbrella and Mr. Kernell for the Business Registration update. He stated he was looking forward to royalty visiting the upstate.

ACTION: Councilor Meadows made a motion to reconsider the February 16th, 2010 County Council minutes for the purpose of inserting the detailed information of the amended version of the County District Expense Fund Policy.

Without objection the minutes were reconsidered and approved as amended.

REQUESTS AND MOTIONS BY COUNCIL MEMBERS cont'd.

- Councilor Baldwin clarified that BMW was in Spartanburg County and Greenville County did not derive any benefit from their presence, with the exception of the jobs it made available to Greenville's citizens.
- Councilor Dill passed out a pocket-sized copy of the U.S. Constitution to each of his colleagues.

Item (16)

ADJOURNMENT

ACTION: Councilor Dill moved to adjourn the meeting. Motion carried and the meeting was adjourned at 7:25 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council