



## GREENVILLE COUNTY COUNCIL

### Minutes

Regular Meeting  
May 5, 2020  
4:02 p.m.

County offices closed for public meetings  
Meeting conducted by remote participation

#### **Council Members present by remote participation**

Mr. Butch Kirven, Chairman, District 27  
Mr. Willis Meadows, Vice Chairman, District 19  
Mrs. Xanthene Norris, Chairman Pro Tem, District 23  
Mr. Joe Dill, District 17  
Mr. Mike Barnes, District 18  
Mr. Sid Cates, District 20  
Mr. Rick Roberts, District 21  
Mr. Bob Taylor, District 22  
Mrs. Liz Seman, District 24  
Mr. Ennis Fant, Sr., District 25  
Mr. Lynn Ballard, District 26  
Mr. Dan Tripp, District 28

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted 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*  
**John Hansley**, *Deputy County Administrator*  
**Regina McCaskill**, *Clerk to Council*  
**Jessica Stone**, *Deputy Clerk to Council*  
**Paula Gucker**, *Assistant County Administrator, Public Works*  
**Shannon Herman**, *Assistant County Administrator*  
**Nicole Wood**, *Assistant County Administrator*

#### **Others Present**

None

#### **Call to Order**

Chairman Kirven

#### **Invocation**

Councilor Bob Taylor

#### **Pledge of Allegiance**

**Item (4)**      **Approval of Minutes**

**Action:**      Councilor Norris moved to approve the minutes of the April 21, 2020, Regular Council Meeting.

Motion carried unanimously.

**Item (5)**      **Public Hearings**

**a.    Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Vermeer Corporation**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

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

**b.    Property Transfer to Greenville Transit Authority (GTA)**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the donation of county-owned land consisting of approximately 26.58 +/- acres, with a site address of 205 Arcadia Drive, Greenville, South Carolina, 29609, to the Greenville Transit Authority, and to authorize the execution of deeds and any other appropriate documents and agreements related thereto.

- Michael Hildebrand, 7 Wagram Way, Greenville – appeared in favor of the proposed
- Andrea Cooper, 507 Pettigru Street, Greenville – appeared in favor of the proposed
- Susan McLarty, 204 E Hillcrest Drive, Greenville – appeared in favor of the proposed
- Addy Matney, 712 Knollwood Drive, Greenville – appeared in favor of the proposed

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

**Item (6)**      **Appearances**

There were no speakers.

**Item (7)**      **Consent Agenda**

**a.    Community Project Application / Donaldson Center Fire Department Equipment - \$3,590.22 (Finance)**

**Action:**      Councilor Norris moved approval of the Consent Agenda item.

Motion carried unanimously.

**Item (8)**      **Resolutions**

**a.    Project San Diego / Inducement Resolution**

**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 San Diego, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to a 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.

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

- a.    **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Vermeer Corporation**

**Action:**      Councilor Taylor moved for adoption at third reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

Motion carried unanimously.

- b.    **Property Transfer to Greenville Transit Authority (GTA)**

**Action:**      Vice-Chairman Meadows moved for adoption at third reading an ordinance to authorize the donation of county-owned land consisting of approximately 26.58 +/- acres, with a site address of 205 Arcadia Drive, Greenville, South Carolina, 29609, to the Greenville Transit Authority, and to authorize the execution of deeds and any other appropriate documents and agreements related thereto.

Motion carried unanimously.

- c.    **Recreation System Revenue Bonds / Series 2015A and 2015B**

**Action:**      Councilor Taylor moved for adoption at third reading an ordinance providing for the issuance and sale of not exceeding \$7,010,000 Greenville County, South Carolina, Recreation System Revenue Refunding and/or Improvement Bonds, in one or more series, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters relating thereto.

Motion carried unanimously.

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

- a.    **Enoree Landfill Cell Tower**

**Action:**      Councilor Taylor moved for approval at second reading an ordinance to authorize the Chairman of County Council and the Council Administrator to execute a lease with Milestone Development Inc. for the purpose of installing, constructing, and maintaining a telecommunications monopole at the Enoree Landfill.

Councilor Tripp requested the definition of the word “monopole.”

Chairman Kirven stated most cell towers had four (4) legs reinforced with steel; a monopole was a single pole with the communication equipment located at the top. Mr. Kirven stated it was his understanding that a monopole was a less obtrusive, cleaner design that blended in better with the environment.

Councilor Tripp asked if the proposed monopole was a “regular” cell tower and if Greenville County would receive revenue from the lease.

Joe Kernell stated the monopole would be 196 feet tall and would include a two (2) foot lightning rod. The structure would be able to support up to four (4) tiers located on the pole; the site would be enclosed by a 50 x 50 chain link fence. Mr. Kernell stated Greenville County had received an initial lump sum payment and would receive additional payments in the future per the terms of the lease. Greenville County was currently in partnership with Milestone Development for different properties located throughout the county. A number of different carriers would be on the tower.

Chairman Kirven added there was plenty of evidence to support the claim that cell towers caused no harm to individuals and animals living in close proximity. The American Cancer Society had completed a study of cell towers and concluded they did not cause cancer. From a real estate standpoint, there were no detrimental effects on the surrounding property values. Mr. Kirven stated there were subdivisions in Greenville County that had cell towers located within the premises. He would be opposed if he had any concerns about detrimental effects.

Motion carried unanimously.

**b. Greenville Technical College / Escrow Agreement**

**Action:** Councilor Taylor moved for approval at second reading an ordinance approving an escrow agreement among Greenville County, Greenville Technical College Area Commission and an escrow agent; and other matters related thereto.

Motion carried unanimously.

**c. RV Parks / Tiny Home Subdivisions Moratorium**

**Action:** Councilor Dill moved for approval at second reading an ordinance declaring a moratorium for six months on the issuance of development permits for recreational vehicle ("RV") parks and tiny home subdivisions in Greenville County while revised standards were developed and updated.

Councilor Cates asked if the Planning Department staff would study the issue and make recommendations to the Committee and then to full Council.

Mark Tollison stated the moratorium would give staff time to study the issue; any new proposed regulations would go through the normal amendment process. There would be review by the Planning Commission as well as the Planning and Development Committee; any proposed regulations would be subject to a public hearing and then presented to Council for final approval. Mr. Tollison stated it had been quite some time since the county's RV park regulations have been assessed.

Councilor Tripp stated that although he had voted in favor of the item during committee, he did not have a strong feeling about it. He inquired if the recommendation of six (6) months was the time limit staff felt was necessary to review the current regulations and develop a possible proposal.

Mark Tollison stated the recommended time limit appeared to be reasonable given the County's processes and staff's workload; however, they may not need the full six (6) months.

Councilor Seman asked if there was a way to achieve the same results without a moratorium.

Mark Tollison stated a moratorium was a legal, approved and recognized method for calling a "time out." In the past three (3) years, Council approved a moratorium on car lots in a specified area of the County. Mr. Tollison deferred to Councilor Dill as he had expressed some strong opinions about the policy need for Council to adopt a moratorium.

Chairman Kirven asked if a moratorium was a pause to look at an issue.

Mark Tollison stated a moratorium was a policy decision for County Council to pause and study an issue.

Councilor Ballard stated he had a problem with the proposed moratorium because the issue had been before Council within the past 2 ½ years; it was presented during a public hearing. The question was asked if the County had any regulations regarding tiny houses; at the time, there were none. Mr. Ballard stated nothing had been done in regards to tiny houses since that time. He was opposed to using bureaucratic methods to deal with zoning issues. Mr. Ballard stated he would vote against the item.

Councilor Roberts stated he voted for the item at the committee level. A large part of the County did not want to participate in zoning but did want the County to step in and regulate certain issues. Mr. Roberts suggested the areas opposed to zoning should be more willing to work with the County in regulating growth.

Councilor Fant stated he had concerns about the proposed moratorium on multiple levels. It appeared to be a nimbyism issue of “not in my backyard”; the citizens who were in opposition to tiny houses were the same individuals who were opposed to zoning. Zoning was intended to regulate and the citizens could not have it both ways. The moratorium that was imposed on car lots had been somewhat effective but things were still not where they should be. Money laundering continued to occur on White Horse Road through car lots. He had not requested another moratorium on car lots even though some residents of the area had asked for another one. If a situation was not a cataclysmic disaster, Council should rely on the Planning Department to implement policy and procedures to regulate. Councilor Fant stated he would vote against the item; it was a poor way to regulate. Council should let the Planning Department staff do its job; develop regulations to control situations.

Councilor Dill stated it appeared that some Council Members were confused about the issue. Currently, there were no regulations pertaining to RV parks. He asked his colleagues who lived in the zoned areas of the County to show him how they were protected against RV parks; if they were able to do so, he would be glad to back away from the issue. He suggested taking six (6) months or a year to study the situation. Mr. Dill stated the situation with RV parks should not be blamed on zoning. The moratorium would have no effect on tiny houses; they had already been approved by staff as long as they met the regulations already in place. Mr. Dill stated regulations needed to be in place in regards to RV parks countywide.

Councilor Ballard stated there was an RV park located in his district; several years ago it was a mobile home park. He stated that in a mobile home park, a certain number of lots were permitted. Mr. Ballard stated he was not aware that an RV park had no regulations.

Vice-Chairman Meadows asked Mr. Tollison if there were any regulations regarding RV parks.

Mr. Tollison stated there were some county-wide regulations in the Land Development Regulations; they have not been updated in quite some time. As a result of recent “tiny home” developments, it had been discovered there were not a lot of traditional, subdivision-level type protections in the current regulations. Whether Council approved the proposed moratorium or not, the current regulations needed to be updated.

Paula Gucker stated “tiny homes” fell under Article 15 of the Land Development Regulations; it discussed parking and storage, intent, site plan approval, site plan requirements and design standards. “Tiny homes” were also addressed in the building permitting area as they were permitted as a recreational vehicle.

Councilor Dill asked who determined how many “tiny homes” were allowed on a site.

Ms. Gucker stated it was regulated by the site plan requirements, by the size of the lot and what the owner wanted to put on the lot. Staff reviewed a proposal to ensure it met current regulations.

Councilor Dill inquired about a “tiny home” community that had just been approved with 74 homes on 14 acres; he asked if that was a reasonable number.

Ms. Gucker stated it met the current Land Development Regulations.

Councilor Dill asked if only staff voted to approve the request.

Ms. Gucker stated approval was made at staff level along with the Subdivision Advisory Committee.

Councilor Dill inquired about the possibility of not approving a certain number of homes on a specified area.

Ms. Gucker stated it would not be approved only if it did not meet the current land development regulations.

Councilor Roberts stated the number of homes would not be approved if the property was zoned.

Ms. Gucker stated it was her understanding that the Zoning Ordinance was “silent” on RV parks.

Councilor Fant stated it was important to find common ground; a moratorium appeared “heavy-handed.” Staff should be encouraged to submit proposals and recommendations to update the current regulations.

Councilor Dill stated he had constituents in his district that were in favor of zoning and other who were adamantly opposed; however, zoning was not the issue. The problem was RV parks would eventually become an issue for all districts of the County; it should have been addressed earlier.

Councilor Tripp inquired about the nexus between a solution to the problem and zoning; would areas have to be zoned in order to address the problem of RV parks. Mr. Tripp asked if they did not have to be zoned, would the solution undermine zoning.

Mark Tollison stated regulations regarding RV parks existed in some form in the land development regulations; the fix could simply be to update them to deal with development issues and the density of its use. Zoning was a bit of a side issue in dealing with RV parks; however, Mr. Tollison stated it may be helpful to look at zoning when reviewing the current regulations.

Councilor Tripp stated it appeared this should be a zoning issue, not a regulation. If the citizens of a certain area wanted protection from “tiny homes” and overdevelopment, they should possibly be zoned.

Mark Tollison stated the issue may best be addressed in a workshop or during an Executive Session. The issue could certainly be handled through zoning, however, updating the old land development regulations could also solve the problem.

Vice-Chairman Meadows stated the issue had been brought up about two years ago. Two “tiny home” communities had been presented for development; they did not fit the current zoning which had to be changed in order to approve the developments.

Councilor Taylor stated it appeared that the definition of a recreational vehicle seemed to be missing; a “tiny home” was not a recreational vehicle.

Councilor Seman reminded her colleagues that their role was as policymakers; the comment regarding zoning being a policy was very valid. It was apparent that the issue could not be solved at that time; there appeared to be unanimity regarding the need for regulations regarding the issue.

**Action:** Councilor Seman called for the question.

Motion to call for the question carried.

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

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

**a. Mauldin Fire Service Area Project / General Obligation Bond 2020**

Councilor Seman presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$3,500,000 Greenville County, South Carolina, general obligation bonds (Mauldin Fire Service Area Project), Series 2020; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Chairman Kirven stated the item would remain on the floor.

**b. Mauldin Fire Service Area / Millage Request**

Councilor Seman presented for first reading an ordinance to provide for the millage rate to be levied by the Mauldin Fire Service Area consistent with the state law limits for operation and maintenance as well as for the maintenance of a Capital Improvement Plan.

Chairman Kirven stated the item would remain on the floor.

**c. Postponement of 2020 County-Wide Reassessment**

Councilor Seman presented for first reading an ordinance to postpone for one property tax year, the implementation of reviewed valued resulting from the Countywide Appraisal and Equalization Program provided pursuant to S.C. Code Annotated Section 12-43-217, as amended.

Chairman Kirven stated the item would remain on the floor.

**d. Project San Diego / Fee in Lieu of Tax Agreement**

Councilor Seman 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 presently identified by the county as Project San Diego 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.

Chairman Kirven stated the item would remain on the floor.

**Item (12) Requests and Motions by Council Members**

**a. Motion to reopen the Application Period for the Alcohol and Drug Abuse Commission**

**Action:** Councilor Ballard moved to reopen the application period for the Alcohol and Drug Abuse Commission.

Councilor Ballard stated there were specific credentials desired for board seats; no one in the current round of applications possessed those specific credentials. There was currently no quorum issue.

Motion as presented carried unanimously.

- Councilor Seman stated Donaldson Field would soon receive a \$69,000 grant from the FAA as part of the CARES Act which provided funds for all public airports in South Carolina. The U.S. Secretary of Transportation, Elaine Chao, recently announced the funding to provide crisis relief to airports for payroll, operations and safety management; it would also ensure that existing projects would continue in order to meet demands once the national air space system was operating at its normal capacity.
- Councilor Ballard inquired about the possibility of a Council Workshop to discuss the CARES funding.

Chairman Kirven stated that either a special called meeting or a workshop could be held to discuss the funding after staff submitted its report regarding funding needs in the county.

Councilor Ballard requested County Council hold its next regular meeting in Council Chambers.

Chairman Kirven stated Mr. Ballard's request would be taken under advisement; input from all Council Members would be used to make a decision.

- Councilor Fant stated the court system, under the direction of the Governor, had ordered the jails to “thin out” their population due to COVID 19. The individuals released were either non-violent offenders or were not considered a flight risk; they were put on home confinement with ankle monitors at a cost approximately \$80 per week. Mr. Fant requested Joe Kernell contact the judges to inquire about the possibly of waiving the fee as the offenders were unemployed and unable to pay.
- Councilor Barnes expressed his dissatisfaction with the habit of reopening the Board and Commission application process. He felt applicants should be responsible enough to file within the defined dates.

Councilor Ballard stated he had requested reopening the application period for the Alcohol and Drug Abuse Commission as one applicant had withdrawn their applicant during the most recent application period. The individual possessed certain qualifications that were needed on the board; none of the other applicants had the desired qualifications.

- Councilor Dill stated he recently attended a Council meeting in Savannah, Georgia; only Council and staff were present.

**Item (13) Adjournment**

Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:08 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council