



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting
May 19, 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 May 5, 2020, Regular Council Meeting.

Motion carried unanimously.

Item (5) Public Hearings

a. Enoree Landfill Cell Tower

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the Chairman of County Council and the County Administrator to execute a lease with Milestone Development Inc. for the purpose of installing, constructing, and maintaining a telecommunications monopole at the Enoree Landfill.

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

Item (6) Appearances

No speakers.

Item (7) Consent Agenda

- a. FEMA Hazard Mitigation Grant Program – Paris Mountain Fire Mitigation** *(Finance)*
- b. FEMA Hazard Mitigation Grant Program – Floodplain Buy-Outs** *(Finance)*
- c. JAG Grant 2020 – Upgrade of Digital Laser Imaging System** *(Finance)*
- d. JAG Grant 2020 – IBIS/NIBIN System** *(Finance)*
- e. Project Safe Neighborhood Grant – IBIS/NIBIN** *(Finance)*
- f. AARP Community Challenge Grant** *(Finance)*
- g. Greenville County Redevelopment Authority – Consolidated Plan 2020-2024 and FY 2020 Annual Action Plan** *(Finance)*
- h. Community Project Application / Berea Public Service District – Rescue Equipment / \$5,000.00** *(Finance)*
- i. Community Project Application / Greenville County Recreation Department – Conestee Ball Field / \$20,000.00** *(Finance)*
- j. Community Project Application / Berea Station Events Inc. – Berea Gateway Signage Project / \$5,000.00** *(Finance)*

Action: Councilor Norris moved approval of the Consent Agenda items.

Motion carried unanimously.

Item (8) Resolutions

a. Greenville County Redevelopment Authority / COVID-19 CDBG-CV Funding Resolution

Action: Councilor Seman moved for adoption a resolution to authorize the Greenville County Redevelopment Authority to apply for and administer supplemental Community Development Block Grant (CDBG-CV) funding to prevent, prepare for and respond to the Coronavirus pandemic.

Councilor Roberts asked if Council would have input regarding disbursement of the funds.

Chairman Kirven stated Greenville County Redevelopment Authority had developed a plan for disbursement; Council had already approved the plan. The staff at GCRA had oversight of the funds; Council was aware of how the money would be used as the plan was submitted to the Finance Committee.

Councilor Seman stated the grant clearly laid out how the funds were to be used.

Councilor Roberts inquired about using the funds differently, if the need arose, than what had been proposed by GCRA.

Councilor Seman stated the funds in question were not part of the CARES Act funds.

Councilor Roberts apologized for the misunderstanding.

Mark Tollison stated the funds would be disbursed per the action plan submitted by GCRA which was submitted to County Council on a yearly basis.

Chairman Kirven stated the funds in question were from the Block Grant Program administered by HUD.

Motion carried unanimously.

b. Greenville County Redevelopment Authority / COVID-19 ESG-CV Funding Resolution

Action: Councilor Seman moved for adoption a resolution to authorize the Greenville County Redevelopment Authority to apply for and administer supplemental Emergency Solutions Grant (ESG-CV) funding to prevent, prepare for and respond to the Coronavirus pandemic.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. Enoree Landfill Cell Tower

Action: Councilor Seman moved for adoption at third 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.

Motion carried unanimously.

b. Greenville Technical College / Escrow Agreement

Action: Councilor Seman moved for adoption at third 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.

Item (10) Ordinances – Second Reading

a. Zoning Ordinances

- i. **CZ-2020-10:** Property of Ryan Foster, located at 2702, 2704, 2500 and 2400 Pelham Road, requesting rezoning from FRD to FRD Major Change. The Planning Commission recommended approval with conditions and the Committee recommended denial.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Councilor Roberts stated prior to the COVID 19 pandemic, the planner had requested more time to develop another plan with much less density. He spoke with the planner this week and they were still working on an alternate plan.

Action: Mr. Roberts moved to hold the ordinance to give the planner an opportunity to submit a more suitable proposal.

Motion to hold carried unanimously.

- ii. **CZ-2020-14:** Property of Raymond P. and Sue S. Clement, located at 125 Oak Place, requesting rezoning from R-S to I-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- iii. **CZ-2020-15:** Property of Raymond P. and Sue S. Clement, located at 559 E. Suber Road, requesting rezoning from I-1 to R-S. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- iv. **CZ-2020-17:** Property of Furman Square, LLC, located at 5205 Old Buncombe Road, requesting rezoning from C-2 to S-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- v. **CZ-2020-20:** Property of Homes of Hope, Inc., located at 200 Honour Street, requesting rezoning from R-M20 to FRD. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *Provide a share driveway (constructed as “ribbon strips”) that would turn towards each dwelling providing adequate parking for each.*
2. *Provide a side entry on the driveway side of each dwelling for better access.*

3. *Meet any remaining comments from Staff's response dated March 13, 2020.*
4. *Submit and have the Final Development Plan approved before submitting for any Land Development of Building Permits.*

Motion to amend carried unanimously.

Action: Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously.

- vi. **CZ-2020-21:** Property of RFJ, LLC, Bell Industrial Park, LLC, Rose Water Investments, LLC, and Jack Foster, located on Henry Street and McKoy Street, requesting rezoning from I-1 to FRD. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *If the proposed rezoning was approved by County Council, then the development would automatically include the 25% parking reduction as allowed in Section 12.2 in the Greenville County Zoning Ordinance.*
2. *Submit a revised Statement of Intent and revised plans indicating that the two roof-mounted signs would not exceed a total square footage of 432 sq. ft.*

Motion to amend carried unanimously.

Action: Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously.

- vii. **CZ-2020-22:** Property of Martha Diane Hubbard and Rebecca Lynn White, located at 846 and 900 Fairview Road, requesting rezoning from R-S to R-10. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Councilor Ballard stated he initially had some concerns regarding the request; he had met with the development and the engineer. The developer had agreed to make some modifications to address Mr. Ballard's concerns; he recommended approval of the request.

Motion carried unanimously.

- viii. **CZ-2020-24:** Property of Dorothy Lila Moore, located at 309 Worley Road, requesting rezoning from R-12 to R-6. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- ix. **CZ-2020-25:** Property of Thomas M. Gilstrap Revocable Trust, located at 3518 Old Buncombe Road, requesting rezoning from I-1 and R-10 to C-3. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- x. **CZ-2020-27:** Property of Ambria Properties, LLC, located on Piedmont Golf Course Road, requesting rezoning from R-S to R-M20. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Motion carried unanimously.

- xi. **CZ-2020-29:** Property of Gray Development and Construction, located on Green Avenue and Parris Avenue, requesting rezoning from R-7.5 to R-FRD. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *All proposed street trees would be hardwood canopy trees and not understory trees.*
2. *Submit and have the Final Development Plan approved before submitting for any Land Development or Building Permits.*
3. *All proposed street trees would be a hardwood canopy tree that was one of the trees listed on the Greenville County Approved Street Tree list.*

Councilor Roberts stated many developments in his district had trees that were not on the Greenville County Approved Street Tree list. There have been issues with the trees, such as broken sidewalks, which resulted in removal. Mr. Roberts stated staff had assured him that trees would be addressed in the review process.

Motion to amend carried unanimously.

Action: Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously.

- xii. **CZ-2020-30:** Property of Gray Development and Construction, located on Parris Avenue and Tremont Avenue, requesting rezoning from R-7.5 to R-FRD. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *All proposed street trees would be hardwood canopy trees and not understory trees.*
2. *Submit and have the Final Development Plan approved before submitting for any Land Development or Building Permits.*
3. *All proposed street trees would be a hardwood canopy tree that was one of the trees listed on the Greenville County Approved Street Tree list.*

Motion to amend carried unanimously.

Action: Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously.

- xiii. **CZ-2020-31:** Property of Gray Development and Construction, located on Beacon Street and Orr Street, requesting rezoning from NC to NC-MC. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *All proposed street trees would be hardwood canopy trees and not understory trees.*
2. *Submit and have the Final Development Plan approved before submitting for any Land Development or Building Permits.*
3. *All proposed street trees would be a hardwood canopy tree that was one of the trees listed on the Greenville County Approved Street Tree list.*

Motion to amend carried unanimously.

Action: Councilor Dill moved approval of the ordinance as amended.

Motion as amended carried unanimously.

- xiv. CZ-2020-32:** Property of TBR Greenville Lofts Property, located at 201 Smythe Street, requesting rezoning from PD to PD-MC. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the ordinance at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *Meet all requirements per SCDOT and Greenville County Floodplain Administrations regarding the TIA which would also include review of the existing ingress/egress points.*
2. *Submit and have the Final Development Plan approved before submitting for any Land Development or Building Permits.*
3. *If the proposed rezoning was approved by County Council, then the development would automatically include the 25% parking reduction as allowed in Section 12.2 in the Greenville County Zoning Ordinance.*

Motion to amend carried unanimously.

Councilor Meadows stated during the Zoning Public Hearing, there were concerns regarding some of the changes that were to be made and how they compromised the safety of the building. He met with the developer earlier in the day; a meeting was scheduled for tomorrow to discuss the situation. The developer had requested the item to be held until after the meeting.

Action: Vice-Chairman Meadows moved to hold the ordinance in order to determine if any changes were needed to address the safety of the meeting.

Motion to hold carried unanimously.

b. Mauldin Fire Service Area Project / General Obligation Bond 2020

Action: Councilor Taylor moved for approval at second 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.

Motion carried unanimously.

c. Mauldin Fire Service Area / Millage Request

Action: Councilor Taylor moved for approval at second 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 operations and maintenance as well as for the maintenance of a Capital Improvement Plan.

Motion carried unanimously.

d. Postponement of 2020 County-Wide Reassessment

Action: Councilor Taylor moved for approval at second reading an ordinance to postpone for one property tax year, the implementation of reviewed values resulting from the Countywide Appraisal and Equalization Program provided pursuant to S.C. Code Annotated Section 12-43-217, as amended.

Vice-Chairman Meadows stated it was his understanding that the assessment had already been completed; the implementation was to be held.

Joe Kernell confirmed Mr. Meadows' statement. The information would be reviewed at a later date prior to implementation.

Motion as presented carried unanimously.

e. Project San Diego / Fee in Lieu of Tax Agreement

Action: Councilor Taylor moved for approval at second 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.

Motion carried unanimously.

Item (11) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2020-34, CZ-2020-35, CZ-2020-37 and CZ-2020-40.

Chairman Kirven referred the items to the Planning and Development Committee.

b. Greenville County Library System – FY21 Budget

Councilor Taylor presented for first reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021; and to authorize the annual Ad Valorem property tax millage levy for library purposes.

Chairman Kirven stated the item would remain on the floor.

c. Project Goal Line / Fee in Lieu of Tax Agreement

Councilor Taylor 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 known to the County at this time as Project Goal Line 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) Committee Reports

a. Committee of the Whole

i. Board and Commission Appointments / Nominations

Action:

Vice-Chairman Meadows moved to close nomination and elect by acclamation the following:

- Board of Tax Assessment and Appeals Elected Christopher Prince
- Greenville County Redevelopment Authority Elected Lawrence Black
- Greenville Technical College Area Commission Elected Hunter Howard and Dave Stafford
- Human Relations Commission Elected Dorothy Baumwaft, Nono Henderson and Jamika Nedwards

- Arena District Elected Neetu Patel, James Pittman, Rebecca Rodgers
- Greenville Area Development Corporation Elected Jim Burns, Marshall Franklin and Chad Tumblin
- Historic Preservation Commission Elected Samuel Hayes
- Zoning Board of Appeals Elected Lindsey Jacobs and Stephen Shaw
- Greenlink Elected Stephen Astemborski
- Parks, Recreation and Tourism Advisory Comm. Elected Tamara Dwyer and Sherry Roche
- South Carolina Technology and Aviation Corp. Elected Stephen West

Special Tax District Appointments

- Buxton Tax District Commission Elected Sandra Higginbotham and Luran Switzer
- Linkside Special Tax District Elected David Armstrong, Norman Barrett, Les Burns, Ronald Gratz and George Pike

- Old Mill Estates Tax District Elected Sandra Fraser
- Boiling Springs Fire District Elected Tonia Faulkenberry and William McDowell
- Devenger Tax District Elected Kevin Laliberty, Buddy McCombs and Randy Price
- Ashwicke Tax District Commission Elected Jan Munafo and Michael Munafo
- Freetown Community Special Tax District Elected James Cramer

Motion as presented carried unanimously.

Item (13) Administrator's Report

Joe Kernell provided a quick update regarding the reopening of the County's parks and recreation facilities. The Greenville County Aquatics Complex was scheduled to reopen on Wednesday, May 20, following CDC and DHEC Guidelines for public swimming pools. The program would include lap swim, open swim, self-led fitness and the walking track. Swim lessons would be offered at 50% of normal capacity. The teaching pools would be disinfected between each session. The County's water parks were expected to reopen on June 15 under the same guidelines. Current guidelines allowed the facility to be filled at 20% capacity; it was hoped that would be increased to 50% by the anticipated reopening date. Discovery Island and Otter Creek would operate on a split schedule from 10:30 a.m. until 1:30 p.m. and then from 2:00 p.m. until 5:00 p.m. to allow for sanitation of the facilities such as rest rooms, countertops, doors, etc. Closing at 5:00 p.m. would allow for the same sanitation process to take place before exclusive rentals start at 5:30 p.m. Mr. Kernell stated Seventh Inning Splash would operate from 1:00 p.m. until 5:00 p.m.; swim lessons would not be offered due to the rescheduled opening date. Chaise lounge chairs would not be provided; the public was allowed to bring their own chairs. Summer day camps would tentatively be offered through the community centers beginning Monday, June 15 running through August 7; capacity would be determined by CDC and DHEC guidelines as well as American Camp Association guidelines. All field trips were cancelled and outside groups/visitors would not be permitted. The CDC currently recommended no organized sports activities. Reopening for athletics would come in three phases; 1) fields and courts would open for individual play, training and instruction, 2) local league play, organized games and practices and 3) travel leagues and tournaments. The County was waiting for the Governor to announce reopening for athletics; it was anticipated some additional guidance would be available soon. Playgrounds would remain closed until further notice, per the Governor's orders. Mr. Kernell stated he would keep Council updated on any changes.

Staff was in the process of gathering the data needed to determine how monies from the CARES Act would be dispersed; they would be submitting recommendations soon. Mr. Kernell stated staff had also been talking with outside agencies the County hoped to partner with in regards to dispersal of the funds.

Councilor Tripp asked if *Little League* activities were currently prohibited.

Mr. Kernell stated *Little League* activities were prohibited by the Governor's orders along with CDC and DHEC guidelines.

Councilor Tripp stated he understood Governor McMaster's orders; he inquired if Greenville County was obligated to follow CDC and DHEC guidelines to the letter of their edicts.

Mr. Kernell stated the County was not obligated to follow CDC and DHEC guidelines; however, he would highly recommend doing so.

Councilor Tripp inquired about the County's oversight of Conestee Park.

Mr. Kernell stated the Conestee Foundation had complete oversight of the park; Greenville County had none.

Councilor Tripp asked when the libraries would reopen.

Mr. Kernell stated the libraries were moving toward reopening; he had not heard a specific date when that would occur. He would obtain the information as soon as it was available and report back to Council.

Chairman Kirven stated he had spoken to several Council Members regarding getting back to regular meetings; things had been working well using a virtual platform. Mr. Kirven requested staff prepare a plan to restart regular meetings while complying with social distancing requirements.

Councilor Roberts stated he was glad to get back to some level of normalcy; however, he would prefer to move forward with caution so as not to put anyone at risk. He suggested Council consider "high risk" individuals when making a determination as to when to resume regular meetings.

Mr. Kirven stated there were some liability issues that needed to be considered.

Councilor Seman stated the nice thing about virtual meetings was the ability for lots of citizens to participate. She had concerns about resuming regular meetings as it could limit the number of citizens who were able to participate from a public perspective.

Mr. Kirven stated the County wanted to be methodical about the process.

Councilor Ballard asked if future regular meetings could be live-streamed. He also inquired about a workshop or special meeting to discuss the CARES funding.

Joe Kernell stated the plan would be presented to Council for approval once it was completed; the intent was to have a special called meeting.

Joe Kernell stated the County did not currently have the capacity to group live-stream meetings; it would require production equipment.

Item (14) Comments by Council Members

- Councilor Seman stated SCTAC was awarded an FAA grant in the amount of \$3.5 million to be used for the rehabilitation of Taxiway B.

Ms. Seman requested an update on the County Square Project as it had been awhile. She was curious about the RFP process, selection committee criteria and if a company had been chosen for the project.

- Councilor Roberts stated he had a chance to speak with Sheriff Lewis and several of the local fire chiefs. Even as the County moved into reopening, the dangers were still there for first responders. He asked everyone to keep all first responders in their prayers; they were all working very hard.

Mr. Roberts stated there was a huge responsibility in regards to the CARES Act monies. He had received numerous calls wanting more details about disbursement of the funds. Council could not sit on the sidelines as leaders. The damage to the economy was great; he suggested having discussions to re-evaluate where the County stood.

- Councilor Dill expressed concerns about EMS trucks sitting at gas stations and convenience stores; it was unsafe for EMS personnel and the community.

Item (15) Adjournment

Action: Vice-Chairman Meadows moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 4:59 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council