



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

November 6, 2018

6:13 p.m.

County Square – Council Chambers

Council Members

Mr. Butch Kirven, Chairman
Mr. Willis Meadows, Vice Chairman
Mrs. Xanthene Norris, Chairman Pro Tem
Mr. Joe Dill
Mr. Mike Barnes
Mr. Sid Cates
Mr. Rick Roberts
Mr. Bob Taylor
Mrs. Liz Seman
Mr. Ennis Fant, Sr.
Mr. Lynn Ballard
Mr. Fred Payne

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 Absent

None

Staff Present

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Pam Gilliam, Administrative Assistant, County Council Office
Paula Gucker, Assistant County Administrator, Public Works
Bob Mihalic, Governmental Relations Officer
John Vandermosten, Assistant County Administrator, Public Safety
Sarah Holt, Planning Director

Others Present

None

Call to Order

Chairman Kirven

Invocation – *Introduced by Councilor Lynn Ballard*

Chief Zac Terry
Canebrake Fire Department

Pledge of Allegiance

Item (4) Approval of Minutes

ACTION: Councilor Seman moved to approve the minutes of the October 16, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) Public Hearings

a. Greenville County Flood Damage Prevention Ordinance Revisions

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend Chapter 8, Article II of the Code of Greenville County, entitled "Flood Control, Drainage, Stormwater Management - Floods and Flood Control" so as to adopt certain changes in the National Flood Insurance Program mandated by the Department of Homeland Security-FEMA, National Flood Insurance Program; to increase ease of permitting and enforcement; to maintain records for future federal audits; and to incorporate map, technical and language modernization in the Greenville County Flood Damage Prevention Ordinance.

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

b. Ordinance Setting Opening and Closing Times for County Parks

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance concerning the opening and closing hours of County parks.

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

c. Canebrake Fire Department / General Obligation Bond

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the issuance and sale of a not exceeding \$1,500,000 Greenville County, South Carolina, General Obligation Bond (Canebrake Fire District Project), Series 2018; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

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

d. Greenville / Anderson Multi County Industrial Business Park Amendment – (2010 Park)

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 Greenville and Anderson Counties so as to enlarge the park.

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

e. Dunklin Fire Department / Millage Request Adjustment

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to clarify the operational and reserve millage rates of the Dunklin Fire District for Tax Years 2017 and 2018.

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

f. JEDA Bonds / Rolling Green Village Project

A public hearing was held for the purpose of receiving comments from the public regarding a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Healthcare Facilities Revenue Bonds (Rolling Green Village Project) Series 2018, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws Of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$80,000,000.

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

g. Faiveley Transport North America, Inc. / Lease Agreement Amendment

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of an amendment to the existing lease agreement dated June 1, 1997 by and between Greenville County, South Carolina and Faiveley Transport North America, Inc. with respect to certain economic development property in the county, whereby the term of the lease agreement shall be extended; and other matters related thereto.

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

h. Transtech of South Carolina, Inc. / Fee in Lieu of Tax Agreement

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Transtech of South Carolina, Inc., 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.

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

Item (6) Appearances – current agenda items

No speakers

Item (7) Consent Agenda

- a. **Cities for Financial Empowerment Fund Grant** (Finance)
- b. **Pittman Park Cell Tower Lease Assignment and Easement** (Finance)
- c. **Community Project Application – CA4I / GAVP Matching Support - \$10,228.00** (Finance)
- d. **Waterline Grant Application – 100 Deerwood Circle** (PWI)
- e. **Commissioning of Code Enforcement Officers** (PWI)

ACTION: Councilor Taylor moved to approve the Consent Agenda Items.

Motion carried unanimously.

Item (8) **Resolutions**

a. Dunklin Fire Department / Millage Request Adjustment

ACTION: Councilor Taylor moved for adoption a resolution to clarify the operational and reserve millage rates of the Dunklin Fire District for Tax Years 2017 and 2018.

Motion carried unanimously.

b. JEDA Bonds / Rolling Green Village Project

ACTION: Councilor Taylor moved for adoption a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Healthcare Facilities Revenue Bonds (Rolling Green Village Project) Series 2018, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$80,000,000.

Motion carried unanimously.

c. Abandoned Building Certification / Building 100

ACTION: Councilor Taylor moved for adoption a resolution to provide certification as provided by the South Carolina Abandoned Buildings Revitalization Act of 2013 (S.C. Code Section 12-67-109 et seq.) for the building at 100 Executive Center Drive, Building 100, Greenville, South Carolina.

Councilor Dill asked if the budget would be affected by passage of the resolution.

Mark Tollison stated a provision under State Law allowed the owner of this type of commercial rental property with a high vacancy rate to receive tax credits for rehabilitating the building. He added there were no property taxes involved.

Motion carried unanimously.

d. Abandoned Building Certification / Building 250

ACTION: Councilor Taylor moved for adoption a resolution to provide certification as provided by the South Carolina Abandoned Buildings Revitalization Act of 2013 (S.C. Code Section 12-67-109 et seq.) for the building at 250 Executive Center Drive, Building 250, Greenville, South Carolina.

Motion carried unanimously.

e. Project Crystal 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 Crystal, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to an industrial 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.

f. Project Treehouse 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 Treehouse, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax and special source credit 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 whereby Project Treehouse would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. Zoning Ordinances

1. **CZ-2018-55:** Property of Chambers Grading, Inc., located on a Frontage Road, requesting rezoning from R-S to S-1.

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

Motion carried unanimously.

2. **CZ-2018-56:** Property of Camperdown Academy, Inc., located at 501 Howell Road, requesting rezoning from R-20 to O-D.

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

Motion carried unanimously.

3. **CZ-2018-57:** Property of Roberta Ambrose Hurley, located on Henderson Gap Road, requesting rezoning from R-S to R-15.

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

Motion carried unanimously.

4. **CZ-2018-58:** Property of TRS Properties, Guy Richard & Ann E. Chapman and Kirk S. Chapman, located on East Main Street, requesting rezoning from R-20 and C-3 to PD.

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

ACTION: Councilor Ballard moved to hold the item until the January 22, 2019 Council Meeting at the request of the applicant.

Motion to hold carried unanimously.

5. **CZ-2018-59:** Property of WR Hale, III Trust, located on Taylor Street, Martin Row and Averill Street, requesting rezoning from R-M20 to FRD.

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

Motion carried unanimously.

6. **CZ-2018-60:** Property of Judith A. Machmer, located on Anderson Road and Conwell Street, requesting rezoning from R-M20 to C-1.

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

Motion carried unanimously.

b. Greenville County Flood Damage Prevention Ordinance Revisions

ACTION: Councilor Seman moved for adoption at third reading an ordinance to amend Chapter 8, Article II of the Code of Greenville County, entitled "Flood Control, Drainage, Stormwater Management - Floods and Flood Control" so as to adopt certain changes in the National Flood Insurance Program mandated by the Department of Homeland Security-FEMA, National Flood Insurance Program; to increase ease of permitting and enforcement; to maintain records for future federal audits; and to incorporate map, technical and language modernization in the Greenville County Flood Damage Prevention Ordinance.

Motion carried unanimously.

c. Greenville / Anderson Multi County Industrial Business Park Amendment (2010 Park)

ACTION: Councilor Cates 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 Greenville and Anderson Counties so as to enlarge the park.

Motion carried unanimously.

d. Greenville / Anderson Multi County Industrial Business Park Amendment – Anderson Project MTS (2010 Park)

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

ACTION: Councilor Cates moved to hold the item in order for a public hearing to be scheduled.

Motion to hold carried unanimously.

e. Canebrake Fire Department / General Obligation Bond

ACTION: Councilor Cates moved for adoption at third reading an ordinance to provide for the issuance and sale of a not exceeding \$1,500,000 Greenville County, South Carolina, General Obligation Bond (Canebrake Fire District Project), Series 2018; 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.

f. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment - Transtech of South Carolina, Inc.

ACTION: Councilor Cates 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.

ACTION: Councilor Cates moved to hold the item in order for a public hearing to be scheduled.
Motion to hold carried unanimously.

g. Transtech of South Carolina, Inc. / Fee in Lieu of Tax Agreement

ACTION: Councilor Cates moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Transtech of South Carolina, Inc., 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.

h. Faiveley Transport North America, Inc. / Lease Agreement Amendment

ACTION: Councilor Cates moved for adoption at third reading an ordinance authorizing the execution and delivery of an amendment to the existing lease agreement dated June 1, 1997 by and between Greenville County, South Carolina and Faiveley Transport North America, Inc. with respect to certain economic development property in the county, whereby the term of the lease agreement shall be extended; and other matters related thereto.

Motion carried unanimously.

Item (10) Ordinances – Second Reading

a. Kemet Corporation / Fee Conversion Agreement

ACTION: Councilor Cates moved for approval at second reading an ordinance authorizing the termination and cancellation of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 22, 1994 between Greenville County, South Carolina, Greenwood County, South Carolina, and Kemet Corporation; authorizing the conversion of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 31, 1997 between the County and the Company to a simple fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; authorizing the termination and cancellation of certain lease purchase and millage rate agreements and other associated agreements between the County and the Company; authorizing the re-conveyance by the County of related property to the Company; and other matters related thereto.

Motion carried unanimously.

b. Ordinance Setting Opening and Closing Times for County Parks

ACTION: Councilor Roberts moved for approval at second reading an ordinance concerning opening and closing hours for county parks.

Motion carried unanimously.

Councilor Taylor asked if additional information would be added to the ordinance, such as specific opening and closing times for the parks.

Councilor Roberts stated that at this time, law enforcement could ask people to leave the County's parks but were unable to enforce the opening and closing times. He stated passage of the ordinance would give law enforcement the authority to enforce the hours of operation for the County's parks.

c. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Avocado (2010 Park)

ACTION: Councilor Cates moved for approval at second 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.

d. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Ferguson (2010 Park)

ACTION: Councilor Cates moved for approval at second 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.

e. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment –Project Fox (2010 Park)

ACTION: Councilor Cates moved for approval at second reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Greenville and Anderson Counties so as to enlarge the park.

ACTION: Councilor Cates moved to amend the ordinance to add properties to the project. The properties were located in Anderson County and would be identified in Exhibit B of the ordinance.

(A copy of the amended ordinance was placed at each Council Member's seat.)

Mark Tollison stated the item was a request by Anderson County. The project would be on the Anderson County side of the park.

Motion to amend carried unanimously.

ACTION: Councilor Cates moved for approval of the ordinance as amended.

Motion as amended carried unanimously.

g. Retail Business Services LLC (Project Geist) / Fee in Lieu of Tax Agreement

ACTION: Councilor Cates 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 Retail Business Services LLC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of taxes; the extension of the term of two Retail Business Services LLC, related fee-in-lieu of tax lease agreements; ratifying an assignment of a fee in lieu tax lease agreement to Retail Business Services LLC; and other matters related thereto.

Motion carried unanimously.

Item (1) Ordinances – First Reading

a. Zoning Ordinances

Councilor Ballard presented for first reading Zoning Docket CZ-2018-67. Mr. Ballard stated CZ-2018-68 was withdrawn by the applicant.

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

b. Textile Communities Revitalization Certification / Beattie Plant

Councilor Cates presented for first reading an ordinance to certify the Beattie Plant as a textile mill site under the South Carolina Textiles Communities Revitalization Act for the purpose of allowing the owner and/or developer to qualify for state income tax credits.

Chairman Kirven stated the item would remain on the floor.

c. Textile Communities Revitalization Certification / Furman Plant

Councilor Cates presented for first reading an ordinance to certify the Furman Plant as a textile mill site under the South Carolina Textiles Communities Revitalization Act for the purpose of allowing the owner and/or developer to qualify for state income tax credits.

Chairman Kirven stated the item would remain on the floor.

d. Project Crystal / Fee In Lieu of Tax Agreement

Councilor Cates 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 Crystal 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.

e. Project Treehouse / Fee In Lieu of Tax Agreement

Councilor Cates presented for first reading ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company or companies known to the County at this time as Project Treehouse with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Chairman Kirven stated the item would remain on the floor.

f. Greenville County Procurement Ordinance Amendments

Councilor Cates presented for first reading an ordinance to amend the Greenville County Procurement Ordinance as codified at Chapter 7, Article VIII of the Greenville County Code of Ordinances to increase threshold purchasing and procurement limits.

Chairman Kirven stated the item would remain on the floor.

Item (12) Committee Reports

No Report

Item (13) Appearances by Citizens

- **Lois Gates**, 2631 Poinsett Hwy, Apt 304, Greenville – appeared regarding elderly abuse by HUD
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding Greater Greenville Sanitation
- **James Moore**, 359 Hillside Church Road, Fountain Inn, SC – appeared regarding LDR – compatibility of subdivisions, infrastructure and land use

Item (14) Administrator's Report

Joe Kernell reported the Poinsett Highway Road Streetscape Project was under construction and moving along on schedule. He stated the first components of the project were Toledo Street and drainage and sidewalk work on the northbound side between Hammett Street and Gantt Street. Utility relocation was in progress with Duke Energy, AT&T and Greenville Water.

Mr. Kernell stated the County received notification on Friday, November 2, to proceed with the Hampton Avenue Bridge Project. SCDOT and the Federal Highway Administration issued the notice to allow for advertising of the construction of the bridge. The bid packages were submitted to the County's Purchasing Department and would be advertised in the near future.

Mr. Kernell stated the County was ready to sign the contract with MKSK, the firm chosen for the Comprehensive Plan. He added that MKSK was a planning, urban design and landscape architecture firm. The firm consisted of seven (7) regional offices located in Ohio, Kentucky, Michigan, Indiana and Greenville, South Carolina. Mr. Kernell stated the team was composed of a number of sub-contractors.

Mr. Kernell stated he was very happy to get all three projects underway and would be reporting on each in the near future.

Item (15) Requests and Motions by Council Members

- Councilor Norris stated SHARE recently held a state meeting at the Embassy Suites and she was very proud of what had been accomplished. Ms. Norris stated she hoped the Phillis Wheatley Center would be going forward in the near future. She added she was very happy that the Hampton Avenue Bridge was finally going to be fixed. She added she looked forward to hearing the election results.
- Councilor Seman stated last month marked the 10-year anniversary of the restructuring and rebranding of Donaldson Center into the SC Technology and Aviation Center. Since that time, the team at SCTAC had successfully transformed the 2600-acre center from a local industrial park to a globally-focused economic development powerhouse for Greenville County.

- Councilor Ballard congratulated Ms. Norris and Mr. Dill on being re-elected to Council; he wished Mr. Meadows the best of luck in the election.
- Chairman Kirven stated the St. Joseph's High School Girls Cross Country Track Team recently won the State Championship for the 11th year in a row. The team was coached by Marie Kernell, Joe Kernell's wife.

Mr. Kirven reminded everyone about the Veterans Day service to be held at County Square on Monday, November 12.

Mr. Kirven stated the Council meeting scheduled for November 20 would be cancelled if there was no objection from Council Members. The next meeting would be held on December 4. *(There were no objections.)*

- Councilor Payne stated one of his constituents recently called him to report a pothole. He contacted Paula Gucker and it had been fixed in less than 24 hours of the report. Mr. Payne commended Ms. Gucker and her staff for responding so quickly.

Item (16)

Adjournment

ACTION: Councilor Payne moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:12 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council