



GREENVILLE COUNTY COUNCIL

Minutes

Regular Council Meeting

October 19, 2021

6:01 p.m.

County Square - Council Chambers

Council Members

Mr. Willis Meadows, *Chairman, District 19*

Mr. Dan Tripp, *Vice-Chairman, District 28*

Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*

Mr. Joe Dill, *District 17*

Mr. Mike Barnes, *District 18*

Mr. Stephen Shaw, *District 20*

Mr. Chris Harrison, *District 21*

Mr. Stan Tzouvelekas, *District 22*

Mrs. Liz Seman, *District 24*

Mr. Ennis Fant, Sr., *District 25*

Mr. Lynn Ballard, *District 26*

Mr. Butch Kirven, *District 27*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online and 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*

Kim Wunder, *Assistant County Attorney*

John Hansley, *Deputy County Administrator*

Regina McCaskill, *Clerk to Council*

Jessica Stone, *Deputy Clerk to Council*

Pam Gilliam, *Administrative Assistant*

Bob Mihalic, *Governmental Relations Officer*

Paula Gucker, *Assistant County Administrator, Public Works*

Meredith Papapieris, *CARES Program Director*

Others Present

Sheriff Hobart Lewis, *Greenville County Sheriff's Office*

Steve Cole, *Executive Director, Greater Greenville Sanitation District*

Call to Order

Chairman Willis Meadows

Invocation

Councilor Butch Kirven

Pledge of Allegiance

Item (4) **Approval of Minutes**

Action: Councilor Seman moved to approve the minutes of the October 5, 2021, Regular Council Meeting.

Motion carried unanimously.

Item (5) **Appearances – Current Agenda Items**

- **Jim Wickes** – appeared regarding Item 7.a. Project Green Light / Inducement Resolution and Item 7.b. Project Jellyfish / Inducement Resolution

Item (6) **Consent Agenda**

- a. **Community Project Application / Senior Action \$500.00** *(Finance)*
- b. **Parks and Recreation Development Fund Grant – Northside Park Athletic Court Renovation** *(Finance)*

Action: Councilor Seman moved approval of the Consent Agenda Items.

Motion carried unanimously.

Item (7) **Resolutions**

- a. **Project Green Light / Inducement Resolution**

Action: Vice-Chairman Tripp moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Green Light, 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/company would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried.

- b. **Project Jellyfish / Inducement Resolution**

Action: Vice-Chairman Tripp moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Jellyfish, 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 Jellyfish would be provided certain credits against such fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried.

- c. **Abandoned Textile Mill Site Certification – Gordon Street Mill**

Action: Vice-Chairman Tripp moved for adoption a resolution to provide certification as provided by Section 12-65-60 of the South Carolina Textiles Communities’ Revitalization Act for that certain property located at 100 and 101 Gordon Street, Greenville, South Carolina, identified as Tax Map parcels 0116000600400 and 0229000700100.

Motion carried unanimously.

Item (8) Ordinances – Third Reading

a. Zoning Ordinances

- i. **CZ-2021-71:** Property of Maybi Baby, LLC, located at 95 Beeco Road, requesting rezoning from S-1 to I-1.

Action: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously.

- ii. **CZ-2021-73:** Property of J & C Holding Company, LLC, located on Gordon Street, N. Georgia Road, 20th Street and 8th Avenue, requesting rezoning from I-1 and S-1 to PD as amended

Action: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously.

- iii. **CZ-2021-75:** Property of Virginia Mann, David B. Mann and James R. Mann of Poinsett Home Builders, Inc., located on Old Bent Bridge Road and Gethsemane Drive, requesting rezoning from R-S to R-15.

Action: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously.

- iv. **CZ-2021-77:** Property of Ronald White of White Real Estate Holdings, LLC, located on W. Parker Road, requesting rezoning from R-10 to FRD as amended

Action: Councilor Dill moved adoption of the ordinance at third reading.

Motion carried unanimously.

b. Zoning Text Amendment / To Create a New Use Category for Private Fitness Center (CZ-2021-74)

Action: Councilor Dill moved for adoption at third reading an ordinance to amend Table 3.1, “Uses Permitted, Uses by Special Exception, and Conditional Uses” and Article 4, “Definitions” of the Greenville County Zoning Ordinance, relating to recreation and private fitness center facilities.

Motion carried unanimously.

Item (9) Ordinances – Second Reading

a. Zoning Ordinances

- i. **CZ-2021-78:** Property of RM Capital LLC, located on Bracken Road, requesting rezoning from R-S to R-MA. The Planning Commission and Committee recommended denial.

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

Motion was denied.

- ii. **CZ-2021-79:** Withdrawn by Applicant.

- iii. **CZ-2021-80:** Property of Sally R. Haas, located on St. Albans School Road, requesting rezoning from R-S to R-12. The Planning Commission and Committee recommended denial.

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

Motion was denied.

- iv. **CZ-2021-81:** Property of CJN, LLC, located on Emily Lane and Old Pelzer Road, requesting rezoning from I-1 and R-S to R-12. The Planning Commission and Committee recommended denial.

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

Motion was denied.

- v. **CZ-2021-82:** Property of Billy M. Woods, located on Sterling Grove Road and Augusta Road (US Hwy 25 South), requesting rezoning from R-S to C-2. 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.

- vi. **CZ-2021-83:** Property of Robert T. Cox, Jr., located at 340 Blakely Avenue, requesting rezoning from R-S to R-15. The Planning Commission recommended approval and the Committee recommended denial.

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

Councilor Fant recommended denial of the request.

Motion was denied.

- vii. **CZ-2021-84:** Withdrawn

- viii. **CZ-2021-85:** Property of Beverage South Inc., located on Crestwood Drive, Crestwood Forest Drive and Central Court, requesting rezoning from R-15 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.

Motion carried.

- ix. **CZ-2021-86:** Property of Affordable Dream Properties, LLC and Brian J. Yore, located at 1305 N. Parker Road, requesting rezoning from R-10 to R-MA. The Planning Commission and Committee recommended denial.

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

Motion was denied.

- x. **CZ-2021-87:** Property of Linda G. Whiteman Revocable Trust, located at 2319 Pelham Road, 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 ordinance to include a condition that the applicant must submit a site plan for review and approval prior to the issuance of and land development or building permits.

Motion to amend carried.

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

Motion carried.

- xi. **CZ-2021-89:** Property of Joanne M. Armstrong, located at 456 Crosby Circle, requesting rezoning from R-10 to R-6. The Planning Commission and Committee recommended denial.

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

Motion was denied.

Item (11) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets **CZ-2021-92, CZ-2021-93, CZ-2021-95 through CZ-2021-99, and CZ-2021-101 through CZ-2021-103.**

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

b. Greenville - Laurens Multi County Industrial Business Park Amendment (Connexial Center Industrial Park) / Addition of Properties

Vice-Chairman Tripp presented for first reading an ordinance authorizing the execution and delivery of a multi-county park agreement, governing a multi-county business and industrial park known as Connexial Center Industrial Park, by and between Greenville County, South Carolina, and Laurens County, South Carolina, to designate the boundaries of the park; and other related matters.

Chairman Meadows stated the item would remain on the floor to await a public hearing.

c. Greenville - Anderson Multi County Industrial Business Park Amendment (2010 Park) / Addition of Properties

Vice-Chairman Tripp presented for first reading an ordinance to amend the 2010 joint county industrial and business park agreement with Anderson County so as to enlarge the park.

Chairman Meadows stated the item would remain on the floor to await a public hearing.

d. Project Gatling / Fee in Lieu of Tax Agreement

Vice-Chairman Tripp 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 or companies known to the county at this time as Project Gatling 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 Meadows stated the item would remain on the floor to await a public hearing.

e. Project Green Light / Fee In lieu of Tax Agreement

Vice-Chairman Tripp 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 Green Light 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 revenue credits; and other matters related thereto.

Chairman Meadows stated the item would remain on the floor to await a public hearing.

f. Greenville – Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Project Green Light

Vice-Chairman Tripp presented for first 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.

Chairman Meadows stated the item would remain on the floor to await a public hearing.

g. Project Jellyfish / Fee In Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Vice-Chairman Tripp presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax and special source credit agreement by and between Greenville County, South Carolina and a company identified at this time as Project Jellyfish, 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 Meadows stated the item would remain on the floor to await a public hearing.

h. Project Storybook / Fee In Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Vice-Chairman Tripp 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 Storybook 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 Meadows stated the item would remain on the floor to await a public hearing.

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

Vice-Chairman Tripp presented for first 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.

Chairman Meadows stated the item would remain on the floor to await a public hearing.

Item (11) Committee Reports

a. Committee of the Whole

i. Board and Commission Appointments

Action: On behalf of the Committee, Vice-Chairman Tripp moved to elect by acclamation the following:

Brad Medcalf and Van Swafford to fill two vacancies on the Airport Environs Planning Commission.

David Bendig to fill one vacancy on the Greater Greenville Sanitation District Commission.

Theresa Aldrich to fill one vacancy on the Metropolitan Sewer Subdistrict Commission.

William Bartlett to fill one vacancy on the Construction Board of Appeals.

Dorothy Bishop, Tyler Corn, Walter Hursey, Lindsey Strand and Al Wills to fill five vacancies on the Historic Preservation Commission.

Brian Aufmuth, Ken Baxter, Sid Cates, Elizabeth Collins, James Hoard and Kristen Odom to fill six vacancies on the Library Board of Trustees.

Pearlie Harris and Natasha Sexton to fill two vacancies on the Museum Commission.

Mark Jones and Amelia Masters to fill two vacancies on the Canebrake Fire District.

Randy Allison and Todd Milam to fill two vacancies on the Clear Spring Fire and Rescue District.

Samuel Hankins and Jessica Saravia to fill two vacancies on the Devenger Pointe Tax District.

Benjamin Peat to fill one vacancy on the Donaldson Fire Service Area.

Pauline Brown and Raymond Hammond to fill two vacancies on the Old Mill Estates Tax District.

Jerrald Dempsey to fill one vacancy on the Terra Pines Estates Special Tax District.

Motion carried.

Ballot Results

Vice-Chairman Tripp stated the following individuals were elected by ballot vote:

Kevin Brady was elected to fill one vacancy on the Airport Commission.

Patricia Barbera was elected to fill one vacancy on the Board of Zoning Appeals.

Item (12) Administrator's Report

Mr. Kernell provided an update on the Emergency Rental Assistance Program (ERAP). The application portal closed for new applications effective September 31, 2021; staff was currently processing applications received prior to the deadline. To date, a total of \$12,571,000 had been paid for rent and utilities on behalf of 2590 tenants. The average funding amount was \$4853, representing an average of rent for 5 months, to include arrears and future payments. Currently, there was \$1.28 million remaining. Greenville Housing Connection, in partnership with other local agencies, were working on outreach and housing stabilizing programs, along with rent and utility assistance with the ERAP II funding.

Mr. Kernell also provided an update on the new County Square office building. Construction was progressing on schedule. The structural steel for the South Building, the one closest to University Ridge, had been completed. Stair 1 had been completed and inspected; construction on Stair 2 had started. A temporary roof for the South Building would be completed by the end of the week. Curtain wall framing, glass installation, framing of the interior partitions, overhead rough-in, in-wall rough-in for the plumbing, priority walls, spray fire proofing were scheduled for completion in the near future. Mr. Kernell stated construction continued on the North Building with structural steel erection, continued welding deck and detailing. The concrete stairs would be poured soon. Metal panel installation would continue along with framing of the interior partitions and spray fire-proofing.

The only "glitch" so far was the inability to obtain roofing materials as the roofing manufacturing plant burned. The contractor was making adjustments with a temporary roof on the South Building. It was hoped that the roofing membrane materials would arrive in time to eliminate the need for a temporary roof on the North Building.

Mr. Kernell stated things were going well with the contractor. A total of 84,607 man-hours had been put in with no accidents. Safety was a big part of the contractor's "mantra."

Item (13) Requests and Motions

a. Reconsideration of the Motion to Implement the Refund Program for Collected Fees

Action: Per notice provided in the Council agenda packet, Councilor Tzouvelekas moved to reconsider the vote taken on October 5, 2021, to deny the refunding project for road fees and public safety communications fees collected from 2017 to 2021.

Motion was denied by a roll call vote of five (Dill, Barnes, Meadows, Shaw and Tzouvelekas) in favor and seven (Harrison, Norris, Seman, Fant, Ballard, Kirven and Tripp) in opposition.

b. Motion to Recall the Project Homecoming Inducement Resolution from Finance Committee

Action: Per notice provided in the Council agenda packet, Councilor Ballard moved to recall from the Finance Committee the inducement resolution for Project Homecoming.

Chairman Meadows stated he ruled the motion out of order as the item “died” in the Finance Committee. Mr. Meadows stated a member of the Finance Committee who voted on the prevailing side could request reconsideration of the item. If the Finance Committee Chairperson made the decision to hold the item in Committee, Mr. Ballard’s motion would be in order.

Action: Vice-Chairman Tripp appealed the ruling of the Chairman.

Mr. Tripp stated what was occurring was “17th Century, barbaric butchering” of the rules. It was common practice, under Mason’s, that the body could pull an item from a committee. He requested a roll call vote.

Chairman Meadows stated in regards to the vote at hand, a “yes” vote meant agreement with Mr. Ballard and the item could be pulled back to the floor; a “no” vote meant agreement with the Chairman.

Councilor Ballard requested to make a statement.

Chairman Meadows informed Mr. Ballard he was not allowed to make a statement, as they were ready for the vote.

Vice-Chairman Tripp requested Mr. Tollison weigh in on the Chairman’s ruling and whether or not Mason’s directly addressed the issue.

Mr. Tollison stated his role was purely advisory. The question at hand was debatable. The rules were silent as to the status of the item in committee. All questions of order shall be determined by the Chairman, pursuant to Council Rules.

Motion to appeal the ruling of the Chair was denied by a roll call vote of six (Dill, Harrison, Seman, Ballard, Kirven and Tripp) in favor and six (Barnes, Meadows, Shaw, Tzouvelekas, Norris and Fant) in opposition.

Requests and Motions con’t

- Councilor Seman stated she felt it was an appropriate time for Council to reflect on its strategic goals, as outlined in the Council retreat. Ms. Seman stated Council’s strategic goals were as follows:
 1. Public safety
 2. Fiscal responsibility
 3. Planning and Infrastructure
 4. Economic Development
 5. Community Development
 6. Public transit
 7. Connectivity around the Swamp Rabbit Trail

Ms. Seman stated given what happened during the Committee on Finance meeting held October 13, she was not sure Council was making progress in regards to economic development. She was also concerned about the number of zoning request denials coming out of the Planning and Development Committee; it appeared that many of those denials were tied to infrastructure and road issues. The County had an opportunity to make an impact with the recovery money. She hoped Council could “come together”, especially around its strategic goals, and move forward. Ms. Seman suggested Council spend time, before the end of the year, to reflect on its strategic goals and what could be done in order to make progress in achieving those goals.

Council Members needed to be thinking of ways to meet its strategic goals together, whether through committee work or the full body. She was worried her colleagues had lost track of why they were there and towards what they were working.

- Councilor Fant applauded Ms. Seman's comments. Council faced many challenges and needed to work together; he hoped that one day, Council could talk "to each other" instead of "at each other." People had to be able to communicate, trust each other and collaborate.

Mr. Fant stated SCTAC announced its new board officers effective November 1, 2021. The new Chairman was Steve West and the new Vice-Chairman was Hank McCullough; both were Council appointees. Terrance Ford was appointed as Secretary.

- Councilor Ballard requested the following statement be recorded verbatim:

"Sad evening for County Council. Half of this body decided that rather than the entire body get to vote on a \$45 million economic development project, that three members of this body could "kill" that project. And that's abysmal. How can we abdicate our responsibility and turn it over and say, "Well, we're a 12 member body and we all have to represent the County, but no, we're going to allow three people in one committee to kill a major project." Now, I'm sorry, that just does not fly. I'm very disappointed in half of my colleagues on this dais."

- Councilor Kirven invited everyone to attend a Veteran's Day Event scheduled for Thursday, November 11 at 11:00 a.m. The event was to be held at County Square.
- Councilor Tripp stated he had been reflecting since the October 13, Committee on Finance meeting. He read the article in the Post and Courier; two sentences in the article summed up the events of that meeting. Chairman Meadows had been quoted in the article as saying that he did not stab the developer in the back by walking back on the incentives deal; it was a frontal stab, if anything, as he had informed the developer in the beginning that he would not support the project. It was fundamentally wrong for three members of a committee to be allowed to "dictate" and "lord over" what happened on the dais; it would have a chilling effect on the County's relationships with the other municipalities. Both the City of Greer and the developer had been wronged. Mr. Tripp asked how Council could, in good faith, work with the other municipalities. Chairman Meadows' philosophy on economic incentives would "shut down" economic development in Greenville County. Mr. Tripp apologized to Mayor Danner of Greer and Mr. Eades, the developer.
- Councilor Shaw stated a number of flags had been put in the used flag drop box that were in very good condition, with at least 90% life left. They were available for anyone who was interested.

Mr. Shaw stated Council had "thumbed" its nose at the State Supreme Court's ruling regarding the fees; the taxpayers of Greenville County had been "screwed."

- Councilor Harrison stated he agreed with Mr. Fant; Council needed to come together and trust each other. Over the past few weeks, he had tried; it was very difficult to get that trust, given the decisions that were made, along with the lack of logic, reason and common sense. The level of disrespect shown to Mayor Danner, Mr. Eades and the City Manager of Greer was astonishing. He acknowledged that some of his colleagues had been against the project from the beginning; however, the reasons they were opposed to the project had been explained and proven wrong. Mr. Harrison stated some of the alternatives for the project offered by his colleagues would have been worse than the original plan. The City of Greer and Mr. Eades, the developer, had been strung along for months with no plan to listen to the project. Mr. Harrison stated he was disappointed for the City of Greer and sad to be a member of Council. He offered to share the numbers in regards to how much the City of Greer lost with Council's denial of Project Homecoming.
- Chairman Meadows stated he had been accused of stabbing someone in the back; he stated it was actually "a frontal thing." He had stated in the beginning that he would not vote for the project and had been very clear on his position.

Mr. Meadows stated the “committee system” had worked since he was elected to serve on Council. The denial of Project Homecoming was not the first time a committee had “turned something down.” While, it was true that three people had killed the project, the system worked.

Mr. Meadows stated Project Homecoming was a good project; he had stated that from the beginning. The proposed financing was the “wrong financing.” GADC was responsible for recruiting businesses into Greenville County and looked for projects that would bring economic growth, jobs and other criteria. If a project did not meet that criteria, it was never presented to Council for consideration. FILOTs were designed to give South Carolina an opportunity to compete with neighboring states for businesses as the tax rates for those states were lower than South Carolina. The South Carolina General Assembly created the FILOT only for industry and manufacturing in order to give them a break on their taxes. Mr. Meadows stated there was no such tool for projects like the one in question.

Councilor Harrison stated Council had approved three FILOTs in the past year for projects that were the same as Project Homecoming.

Chairman Meadows stated he had suggested using a TIF for Project Homecoming. A TIF would accomplish virtually the same thing as a FILOT; all interested parties would have to work together.

Chairman Meadows agreed that Council had approved three FILOTs for projects that were similar to Project Homecoming. Two of those projects dealt with low income or “workforce housing”; the third one had “slipped through.” Mr. Meadows stated he was on the Finance Committee when those projects were approved and he took responsibility for the error.

From this point on, FILOTs would not be approved for projects presented to the Committee on Finance that were similar to Project Homecoming. Mr. Meadows stated they were now “following the rules”; he wished that Council had done so in the past. Greenville County could have saved \$130,000 if they had followed the rules; there would be no lawsuit against the County. He agreed that there had been times when the rules were broken.

Item (14) Adjournment

Action: Councilor Kirven moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 6:55 p.m.

Respectfully submitted:

Regina G. McCaskill

Clerk to Council