



GREENVILLE COUNTY COUNCIL

Minutes
Regular Council Meeting
November 2, 2021
6:00 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*
Pam Gilliam, *Administrative Assistant*
Bob Mihalic, *Governmental Affairs Officer*
Paula Gucker, *Assistant County Administrator, Public Works*
Nicole Wood, *Assistant County Administrator*
Meredith Papapieris, *Director of Grants and Special Projects*

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

Vice-Chairman Tripp

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Councilor Seman moved to approve the minutes of the October 19, 2021, Regular Council Meeting.

Motion carried unanimously by Council Members in attendance.

Item (5) Appearances – Current Agenda Items

- Paul Shewmaker – appeared regarding Item 14.b. Woodruff Road By-Pass
- Kristin Worden – appeared regarding Item 14.a. Open Special Application Period for the Planning Commission

Item (6) Public Hearings

a. Project Gatling / 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 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.

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

b. Project Jellyfish / Fee in Lieu of Tax Agreement and Special Source Revenue Credit 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 and special source credit agreement by and between Greenville County, South Carolina and a company identified 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.

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

c. Project Storybook / Fee in Lieu of Tax Agreement and Special Source Revenue Credit 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 and special source credit agreement by and between Greenville County, South Carolina and a company known to the County 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.

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

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

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, Vice-Chairman Tripp declared the public hearing closed.

e. **Greenville – Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Addition of Properties**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the 2010 joint county industrial and business park agreement with Anderson County so as to enlarge the park.

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

Item (7) Consent Agenda

- a. **Commission Code Enforcement Officers (PWI)**
- b. **Greenville County Code Compliance / Radon Mitigation Controls (PWI)**
- c. **FY2021 VOCA Grant (Finance)**
- d. **Community Project Application / Belmont Fire Department – Community Smoke Detectors \$1,500.00 (Finance)**
- e. **Local Accommodations Tax Allocation / Violins of Hope and Varna International’s Songs of Life (Finance)**

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

Motion carried unanimously.

Item (8) Resolutions

- a. **Greater Greenville Sanitation District Annexation / 15 Butler Springs Road – Request for Public Hearing**

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include 15 Butler Springs Road.

Motion carried unanimously.

- b. **Metropolitan Sewer Subdistrict Annexation / 917 and 919 Fairview Road – Request for Public Hearing**

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include the real property located at 917 Fairview Road and 919 Fairview Road.

Motion carried unanimously.

- c. **Milliken & Company and Milliken Nonwovens LLC / Fee in Lieu of Tax Agreement Extension**

Action: Vice-Chairman Tripp moved for adoption a resolution authorizing a five-year extension of the investment period under that certain fee in lieu of tax agreement between Greenville County, South Carolina, Milliken & Company and Milliken Nonwovens, LLC.

Motion carried unanimously.

- d. **Project Sticky / 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 Sticky, 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. Zoning Ordinances

- i. **CZ-2021-82:** Property of Billy M. Woods, located on Sterling Grove Road and Augusta Road, requesting rezoning from R-S to C-2.

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

Motion carried unanimously.

- ii. **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.

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

Motion carried unanimously.

- iii. **CZ-2021-87:** Property of Linda G. Whiteman Revocable Trust, located at 2319 Pelham Road, Crestwood Forest Drive and Central Court, requesting rezoning from PD to PD-MC as amended.

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

Motion carried unanimously.

b. Luxor Scientific LLC (formerly Project Jay) / Special Source Revenue Credit Agreement

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance authorizing the execution and delivery of a special source credit agreement by and between Greenville County, South Carolina and Luxor Scientific LLC, with respect to certain economic development property in the County, whereby such property would receive certain special source credits in respect of investment in related infrastructure; and other matter related thereto.

Motion carried unanimously.

c. Greenville – Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Luxor Scientific LLC (formerly Project Jay)

Action: Vice-Chairman Tripp 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) and Anderson and Greenville Counties so as to enlarge the park.

Motion carried unanimously.

Item (10) Ordinances – Second Reading

a. Zoning Text Amendment to Create the New Zoning District for the AG, Agricultural Preservation District (CZ-2021-91)

Action: On behalf of the Committee, Councilor Dill moved for approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to provide definitions and standards establishing the agricultural preservation district (AG).

Councilor Shaw stated several of his constituents had approached him with questions about the item. In order to give Council the opportunity to fully understand the issue, he felt it was necessary to hold the item.

Action: Councilor Shaw moved to hold the item until the next regular Council meeting scheduled for November 16.

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

Councilor Dill stated Council Members just received an email from Heather Collins. It contained a petition with 200 signatures indicating support of the item in question. The signatures were from citizens residing in Districts 17, 18 and 20. Mr. Dill stated passage of the item would not subject any properties to zoning; it would give them options, similar to District 26.

Councilor Seman stated staff, as well as the Planning Commission and the Planning and Development Committee, had recommended approval of the item. She had received a number of emails in favor of the proposed.

Action: Councilor Tzouvelekas moved to allow for amendments at third reading.

Councilor Ballard reminded his colleagues that any proposed amendments at third reading must be in writing and included in the Council packet.

Motion to allow for amendments at third reading carried by a roll call vote of ten (Barnes, Meadows, Shaw, Harrison, Tzouvelekas, Norris, Seman, Fant, Ballard and Tripp) in favor and two (Dill and Kirven) in opposition.

Councilor Dill stated that Mr. Meadows had informed the citizens of the districts that would be affected that they needed to “zone themselves.” Those citizens had indicated their support of the proposed new zoning district for the AG, Agricultural Preservation District; Mr. Meadows had encouraged that support. He hoped that Mr. Meadows stood by his statement. The proposed ordinance was the first step for his community to accept zoning.

Action: Motion as amended carried by a roll call vote of nine (Dill, Shaw, Harrison, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and three (Barnes, Meadows and Tzouvelekas) in opposition.

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

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance to amend the 2010 joint county industrial and business park agreement with Anderson County so as to enlarge the park.

Motion carried unanimously.

c. Project Gatling / Fee in Lieu of Tax Agreement

Action: Vice-Chairman Tripp 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 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.

Motion carried unanimously.

d. Project Jellyfish / Fee in Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Action: Vice-Chairman Tripp moved for approval at second 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.

Motion carried unanimously.

e. Project Storybook / Fee in Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Action: Vice-Chairman Tripp 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 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.

Motion carried unanimously.

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

Action: Vice-Chairman Tripp 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.

Item (11) Ordinance – First Reading

a. Project Ram / 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 Ram, 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.

b. Fox Hill Industrial Park / 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 fee in lieu of tax agreements by and between Greenville County, South Carolina and Fox Hill Greenville LLC and between Greenville County and 189 Milacron LLC, 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.

c. Project Ram / 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 Sticky, 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.

Item (12) Committee Reports

No reports

Item (13) Administrator’s Report

Mr. Kernell stated that on Friday, November 5, a State of the Art Emergency Response Live Training Exercise would be conducted at the “300 Building”, which was scheduled to be demolished in the near future. The event would start at 9:00 a.m. and was expected to last until noon. Public Safety providers from across Greenville County would participate. The nature of the exercise would be unknown to the participants. Mr. Kernell stated the exercise was not open to the general public; however, Council Members were invited to attend. A number of high-tech strategies would be used during the exercise.

Item (14) Requests and Motions

a. Open Special Application Period for the Planning Commission

Action: Per notice provided in the Council packet, Councilor Fant moved to suspend the Board and Commission Policy Section 12 quorum need requirement to open up an emergency application process for the Planning Commission.

Approval of the motion would allow County Council to begin the process for filling the recent vacancy on the Planning Commission and open a 2 week application period for bringing nominees to the Committee the Whole.

Councilor Fant asked Councilor Harrison and Mr. Tollison to speak on the proposed motion.

Councilor Harrison stated he agreed with the proposed motion. As a former member of the Planning Commission, it was important to fill the vacancy now instead of waiting until June of 2023. If Council did not approve the proposed, it could result in tie votes and denials of future zoning requests.

Mr. Tollison stated the Planning Commission was a county-wide board. The County’s Board and Commission Policy should better reflect the need to fully staff certain boards. Based on the current situation, it would be more advantageous if the board consisted of nine members as opposed to only eight.

Councilor Fant stated Section 13 of the Board and Commission Policy would also need to be suspended in order to open up the application process to all citizens of Greenville County.

Vice-Chairman Tripp asked if approval of the motion would open up the County to any legal action.

Mr. Tollison stated the item in question was a Board and Commission Policy administrative matter; he encouraged Council to staff up the Planning Commission.

Councilor Ballard stated he had spent time on the Planning and Development Committee. Many times, the recommendations of staff and the Planning Commission differed; the Committee would have to sort things out and make a recommendation. A “four-four tie” on the Planning Commission was the same as “no recommendation.” Mr. Ballard stated he was in favor of filling the vacancy as soon as possible.

Councilor Dill stated state law regarding boards and commissions must be followed, if the application period was to be opened up. The law indicated that members shall represent a broad cross-section of the interests and concerns within the jurisdiction.

Motion to suspend the Board and Commission Policy Sections 12 and Section 13 carried unanimously.

Action: Councilor Fant moved to open a special application period for the Planning Commission.

Motion carried unanimously.

b. Woodruff Road By-Pass

Councilor Tzouvelekas requested the Woodruff Road By-Pass matter be referred to the Finance Committee.

Councilor Tzouvelekas requested the Finance Committee work on a plan for an additional \$30 million to repave and repair Greenville County roads and intersections.

Mr. Tzouvelekas stated at the next County Council meeting, he would propose a plan to eliminate the Greenville County property tax portion of tax bills.

When Council agreed to the sewer consolidation, it was assumed that water bills would not increase. Mr. Tzouvelekas stated it appeared as if some customers were experiencing higher water bills. Some districts were possibly keeping their millage rate, even if they no longer provided sewer service.

Vice-Chairman Tripp requested the Woodruff Road by-pass issue be referred to the Committee of the Whole, not the Finance Committee. The Woodruff Road project had been going on for ten (10) years and impacted every citizen of Greenville County. He would like for all Council Members be given the opportunity to weigh in on the matter.

Chairman Meadows stated he would take Mr. Tripp's recommendation under advisement; however, at the present time, the item would be referred to the Finance Committee.

- Councilor Seman thanked the volunteers who worked the election polls.

Ms. Seman stated in regards to Mr. Tzouvelekas' request for the Finance Committee to come up with a plan for an additional \$30 million for the roads, she was not sure the Finance Committee would even be able to do that; it may require assistance from the Administrator, Joe Kernell.

A ribbon-cutting ceremony was recently held for the Crescent Start-Up Community on Poinsett Highway, in the old Hartness Plant. It would be a "live, work, play, innovate community", with a purpose to foster entrepreneurs and start-up companies in conjunction with GCRA and other economic development players. Ms. Seman stated it would be a nice addition to the Poinsett Corridor.

- Councilor Ballard stated South Greenville Fire District had one commissioner seat open. He had voted earlier in the day and was very pleased with the turnout.
- Mr. Ballard requested Council discuss the loss of revenue that was due to the South Carolina Supreme Court's ruling regarding the road fees. The County needed a plan going forward as the communication system had to keep going.

Chairman Meadows stated staff was working on a plan; it would be presented to Council in the near future.

- Vice-Chairman Tripp stated his district bordered Woodruff Road from the Five Forks area up to Trader Joe's. The Woodruff Road by-pass was near and dear to him, as well as his constituents. Earlier in the day, one of his constituents had complained about the Highway 14 issue being referred back to the "kill committee", meaning the Finance Committee. Mr. Tripp challenged Council not to play to that caricature; the issue was too important. Greenville County was expected to grow by 40% over the next 20 years; there was no way to deal with the congestion on Woodruff Road without completion of the by-pass. If the project was killed by the Finance Committee, it would be the wrong move.

Chairman Meadows stated there were no "kill committees" on Council and it was a disservice for Mr. Tripp to make that statement.

Vice-Chairman Tripp stated it was citizen who made the remark to him.

- Councilor Dill thanked his colleagues for approving CZ-2021-91 at second reading; he hoped it would pass at third reading.
- Councilor Barnes requested one of his colleagues on the prevailing side of the denial of the refund program associated with Civil Action No. 2017-CP-01914, to ask for reconsideration of the item. Mr. Barnes stated this would help the County avoid an even larger lawsuit.

- Councilor Shaw stated the Foothills Korean War Veterans Association recently held a fundraising event for the Korean War Memorial in Washington, D.C. He attended the event along with Councilor Kirven. A total of \$220,000 was raised, exceeding any other chapter in the country.
- Councilor Harrison stated a class at Clemson University was working with the Devinger Tax District to deal with issues that could not be dealt with by the HOA. The community's pool and recreation facilities were in a "tough state."

Councilor Fant stated the Finance Committee was not a "kill committee." He was offended by the comment. The committee voted against one project, as it did not fit the FILOT formula. Mr. Fant stated he felt that all the members of the Finance Committee were committed to the future growth of Greenville County; they recognized Woodruff Road was a major artery in Greenville County and important to its future growth.

Chairman Meadows stated he was appointing Councilor Fant and Councilor Tzouvelekas to serve on a committee with him to review Ms. McCaskill's salary.

Mr. Meadows stated all Council Members would have an opportunity to voice their opinion about Woodruff Road. Council had to start working together; they needed to stop voting against items because of personality differences. He pleaded with his colleagues to put their differences aside and do what was right for the citizens of Greenville County.

Chairman Meadows reminded everyone about the Special Called Meeting dealing with redistricting scheduled for Thursday, November 4, at 6:00 p.m.

Item (15) Adjournment

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

Motion carried unanimously and the meeting adjourned at 6:58 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council