

**GREENVILLE COUNTY COUNCIL
REGULAR MEETING
March 6, 2012
6:04 p.m.
County Square – Council Chambers**

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 and television stations and concerned citizens.

COUNCIL MEMBERS PRESENT:

CHAIRMAN BUTCH KIRVEN
VICE CHAIRMAN BOB TAYLOR
LIZ SEMAN
JOE BALDWIN
WILLIS MEADOWS
LOTTIE GIBSON

FRED PAYNE
XANTHENE NORRIS
SID CATES
JIM BURNS
DAN RAWLS

COUNCIL MEMBERS ABSENT:

JOE DILL

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to County Council
SALINA PRUITT, Administrative Assistant, County Council
MELLONE LONG, Assistant County Administrator, Planning
PAULA GUCKER, Assistant County Administrator, Public Works
JEFF WILE, Assistant County Attorney
DEAN CAMPBELL, Assistant County Attorney
BOB MIHALIC, Governmental Relations Officer
VIVIAN ANTHONY, Assistant County Administrator, Human Resources
WAYNE MULLEN, Coordinator, Human Resources
STEPHANIE BROWN, Coordinator, Human Resources
TOM MEEKS, Planning Department

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Reverend Dan Seibert, Pastor
Northside Baptist Church, Greenville

PLEDGE OF ALLEGIANCE

RECOGNITION

Councilor Meadows recognized students from a government class at Blue Ridge High School who were in attendance.

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Taylor moved to approve the minutes of the February 21, 2011 regular County Council meeting.

Councilor Baldwin requested a roll call vote.

Chairman Kirven asked that roll call votes not be requested on routine matters such as approval of minutes, although Councilman Baldwin could, under Council Rules, request a roll call vote.

Councilman Baldwin said he would still like to have a roll call vote taken on the approval of the minutes.

Motion carried with eleven in favor (Baldwin, Meadows, Cates, Burns, Taylor, Norris, Seman, Gibson, Rawls, Kirven, Payne), no one in opposition, and one absent (Dill).

Item (5)

PUBLIC HEARINGS

(a) **Greater Greenville Sanitation District Annexation / River Mist Subdivision, Oakvale Road, Arturo Road, Pasco Court, Evelyn Drive, and Burbank Drive**

A public hearing was held for the purpose of receiving public comments regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include certain properties in the River Mist Subdivision, and certain properties located off of Oakvale Road, Arturo Road, Pasco Court, Evelyn Drive and Burbank Drive.

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

(b) **Anderson/Greenville Multi-County Industrial Business Park Agreement Amendment – Bosch Rexroth**

A public hearing was held for the purpose of receiving public comments regarding an ordinance to develop a jointly owned and operated industrial/business park in conjunction with Anderson County, such industrial/business park to be geographically located in Greenville County and established pursuant to South Carolina Code of Laws 1976, Section 4-1-170, as amended; to provide for a written agreement with Anderson County providing for the expenses of the park, the percentage of revenue application, and the distribution of Fees in Lieu of Ad Valorem Tax to Greenville County and relevant taxing entities.

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

(c) **Floodplain Program Leases**

A public hearing was held for the purpose of receiving public comments regarding an ordinance to authorize the execution of leases with Greengate Community Initiative for the use and care of adjacent

property as part of the Greenville County Flood Buy-out Program.

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

tem (6)

APPEARANCES

There were no speakers.

Item (7)

CONSENT AGENDA

(a) Initiate Zoning Ordinance Text Amendment/Zoning Public Hearing Process

ACTION: Councilor Norris moved approval of the Consent Agenda item.

Motion carried.

Item (8)

RESOLUTIONS

(a) Greater Greenville Sanitation District Annexation - Certain Properties off Lake Drive, Sandra Drive and E. Mountain Creek Road / Request for Public Hearing

ACTION: Councilor Meadows moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include certain properties located off of Lake Drive and Sandra Drive and a property located off of E. Mountain Creek Road.

Motion carried.

(b) Greater Greenville Sanitation District Annexation / River Mist Subdivision, Oakvale Road, Arturo Road, Pasco Court, Evelyn Drive and Burbank Drive

ACTION: Councilor Meadows moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include certain properties in the River Mist Subdivision, and certain properties located off of Oakvale Road, Arturo Road, Pasco Court, Evelyn Drive, and Burbank Drive; and to provide for public notice thereof.

Motion carried.

(c) Project Vision / Inducement Resolution

ACTION: Councilor Taylor moved for adoption a resolution authorizing a fee in lieu of tax arrangement by and between Greenville County, South Carolina, and a company authorized to transact business in South Carolina and known to Greenville County and its County Council as "Project Vision" as an economic development inducement to the Company for the acquisition, or purchase, of certain improvements, furnishings, fixtures, apparati, and equipment in connection with the expansion of a manufacturing facility in Greenville County.

Motion carried.

Item (9)

ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. **CZ-2012-1**, Property of Jack Cochran located on Grove Road at White Horse Road requesting rezoning from R-MA, C-2 and S-1 to C-3.

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

Motion carried.

(b) Text Amendment / Condition 28 of Section 6:2 of the Greenville County Zoning Ordinance (CZ-2012-3)

ACTION: Councilor Payne moved for adoption at third reading an ordinance to amend Condition 28 of Section 6.2 of the Greenville County Zoning Ordinance to clarify that mixed use development within the C-1, C-2, and C-3, Commercial Districts is allowed as a conditional use and to provide the criteria for single family, multifamily, and mixed use developments in the aforementioned districts.

Motion carried.

(c) Floodplain Program Leases

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to authorize the execution of leases with Greengate Community Initiative for the use and care of adjacent property as part of the Greenville County Flood Buy-out Program.

Motion carried.

(d) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment - Bosch Rexroth

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to develop a jointly owned and operated industrial/business park in conjunction with Anderson County, such industrial/business park to be geographically located in Greenville County and established pursuant to South Carolina Code of Laws 1976, Section 4-1-170, as amended; to provide for a written agreement with Anderson County providing for the expenses of the park, the percentage of revenue application, and the distribution of Fees in Lieu of Ad Valorem Tax to Greenville County and relevant taxing entities.

Motion carried.

Item (10)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2012-2**, Property of Vulcan Lands, Inc., located on Brown Road (Vulcan Quarry) requesting rezoning from R-S to I-1. The Planning Commission had no recommendation and the Committee recommended approval as amended.

ACTION: On behalf of the Committee, Councilor Payne moved approval of the ordinance at second reading.

AMENDMENT: Councilor Payne moved to amend the ordinance, at the request of the applicant, by removing the Southern-most portion of the property from the request, being 8.42 acres on Tax Map Number WG07000200700.

Councilor Cates asked Councilor Payne if the Planning Commission had a recommendation after the portion was removed.

Councilor Payne stated the amendment was not sent back to the Planning Commission. He stated the amendment would create a buffer.

Councilor Norris asked how the berm would be advantageous to the residents.

Councilor Seman stated the residents were concerned about the construction being too close to their property, and by taking the southernmost property out of the request, it would provide a bigger buffer.

Councilor Rawls stated the berm was not the issue.

Councilor Norris stated she has received calls from individuals who, in a threatening manner, have told her what to do about the situation.

Councilor Rawls stated he spoke with Vulcan Lands and they requested the 8.42 acres be pulled out. They plan to ask for a rezoning of the 8.42 acres at a later date.

The motion to amend the request carried by a vote of ten in favor (Meadows, Cates, Burns, Norris, Seman, Rawls, Payne, Baldwin, Taylor, Kirven), one in opposition (Gibson) and one absent (Dill).

ACTION: Councilor Payne moved approval of the ordinance as amended.

Motion as amended carried by a vote of 9 in favor (Meadows, Cates, Burns, Seman, Rawls, Payne, Baldwin, Taylor, Kirven) and 2 in opposition (Norris, Gibson) and one absent (Dill).

(b) Ionic Technologies Inc. (formerly Project Sugar) / FILOT 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 between Greenville County, South Carolina and Ionic Technologies, Inc.; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes.

ACTION: Councilor Taylor moved to hold the item for two weeks at the request of the representing attorney.

Motion to hold carried.

Item (11)

ORDINANCES – FIRST READING

(a) Project Vision / FILOT Agreement

Councilor Taylor presented for first reading an ordinance authorizing a fee in lieu of tax arrangement on behalf of a company authorized to transact business in South Carolina and known to Greenville County and its County Council as “Project Vision”, pursuant to a Fee-in-Lieu-of-Tax Agreement between Greenville County, South Carolina and the Company; and other matters relating to the foregoing.

Chairman Kirven stated the item would remain on the floor until second reading.

(b) Creating the Construction Board of Adjustments and Appeals to Replace the Building and Housing Board of Adjustment and Appeals

Councilor Meadows presented for first reading an ordinance to repeal Ordinance No. 1848, as last amended by Ordinance No. 2055, relating to the Building and Housing Board of Adjustments and Appeals, to create the Construction Board of Appeals, to define its membership qualifications and responsibilities, and to amend Ordinance No. 2001 as to the name of the board contained therein.

Chairman Kirven stated the item would remain on the floor until second reading.

(c) Dissolution of the Upper Paris Mountain Special Tax District

Councilor Meadows presented for first reading an ordinance to dissolve the Upper Paris Mountain Special Tax District pursuant to Section 4-9-30(5)(e) of the Code of Laws of South Carolina, 1976, as amended; and other matters related thereto.

Chairman Kirven stated the item would remain on the floor until second reading.

(d) Amend FY 2011-2012 and FY 2012-2013 Budgets / to Create a Community Projects and Functions Account to Provide Additional Travel Funds for Council Members

Councilor Rawls presented for first reading an ordinance to amend Section 15 of the County of Greenville Fiscal Year 2011-2012 and 2012-2013 Budget Ordinances, so as to update and provide for a Community Projects and Functions Account to provide for additional travel funds for County Council members.

Chairman Kirven referred the item to the Finance Committee.

Item (12)

COMMITTEE REPORTS

There were no further Committee Reports.

Item (13)

APPEARANCES BY CITIZENS

- Ed Paxton, 1 York Circle, Greenville - appeared regarding mental health and the Detention Center
- Jan Williams, 6 Crabapple Court, Greenville - appeared regarding electronic voting
- Bob Davis, 6 Setinel Court, Greer - appeared regarding lack of morality creates unjust laws
- Milas Officer, 30 Fleetwood Drive, Greenville - appeared regarding Fleetwood Manor

Item (14)

ADMINISTRATOR'S REPORT

There was no Administrator's Report.

Item (15)

REQUESTS AND MOTIONS

(a) Reconsideration of the 2011 Accommodations Tax Funding Allocations

ACTION: Councilor Baldwin moved to reconsider the action taken by County Council at the February 21st meeting in regards to the 2011 Accommodations Tax Funding Allocations. He stated the A-Tax allocations created issues. He thought maybe the state should not allow the tax to be levied and the cost of travel would decrease, causing families to travel more. Although he did not agree with penalizing groups that needed it, he did not agree with the tax in general.

Councilor Burns requested a roll call vote.

Motion for reconsideration carried by a vote of ten in favor (Cates, Burns, Baldwin, Norris, Seman, Gibson, Rawls, Payne, Taylor, Kirven), one in opposition (Meadows), and one absent (Dill).

ACTION: Councilor Baldwin moved to approve the 2011 Accommodations Tax Funding Allocations as recommended by the Committee.

Motion carried.

REQUESTS AND MOTIONS BY COUNCIL MEMBERS continued

- Councilor Payne stated he attended the 2012 International Electric Vehicle Conference at the TD Center. He stated there were three speakers, one from Canada, one from Germany and one from Greenville and over 600 people participated in a dynamic discussion. Mr. Payne stated he was impressed by the potential of Greenville County being recognized as a leader in the electric vehicle considerations. He stated the event would continue until Thursday and he encouraged everyone to participate.
- Councilor Gibson concurred with the speaker, Mr. Paxton, in that there were many issues involving mental health and the Detention Center. She felt something needed to be done in regards to the inmates who were stricken with the illness. She asked staff to provide Council with a list of the problems that were occurring at the Detention Center and suggested Council go to the State Legislature to see if some help could be acquired from them.
- Councilor Seman stated in regards to the International Electric Vehicle Conference, an event was being held that evening and Jody Bryson wanted Council to know SCTAC was not able to pick the evening; otherwise they would have scheduled it at a time that would have allowed Council Members to participate. She reminded those Council Members who were going to take the Lockheed Martin Tour on Thursday, for security reasons, they needed to have their birthdates sent in ahead of time. Ms. Seman then invited her colleagues to participate in March for Meals on Wednesday, March 21, by helping deliver meals to seniors throughout the County.
- Councilor Norris stated she was very energized in regards to the Poinsett Coalition and what they were doing. They had their first meeting and were doing great things. She stated they went to Brutontown this week and would be going to Happy Hearts next, in order to involve those communities.
- Councilor Burns stated today he attended the Greenville Housing Fund and Microloan Program at City Hall. He stated the program was very impressive. The funds that were set up were not just to hand out loans but they also supported the development of start-ups and existing micro-enterprises by providing financial assistance, business training and business coaching. It also supported the creation and retention of jobs and economic development in the low and moderate income neighborhoods. He stated this, along with the Michelin Development Fund and a couple of the other things that were working in the communities, they were able to provide those community jobs for the start-ups. He stated 65 to 70 percent of all new jobs were created from small businesses like these. He stated BB&T was a big sponsor and

- Councilor Burns then stated he had received a report from Clemson, from the Strom Thurmond Institute, about prosperity in South Carolina and the analysis of the forty-six counties from 2000 to 2008. He stated the analysis showed there were several counties ahead of Greenville in certain areas. He stated he did not like to read about Greenville being listed as eighth in the state. Mr. Burns stated the report showed many of the innovative things other counties were doing which gave Greenville some ideas about areas they needed to focus on. He encouraged his colleagues to read the report.
- Councilor Meadows stated the analysis was based on percentages and if an area was way down on the list they had further to rise. He stated he would like to see the raw numbers on those areas. He felt the raw numbers would give a very different conclusion about Greenville's position.
- Councilor Baldwin stated in regards to the comments made by Ms. Gibson and Mr. Paxton, he felt the two people in the county who could help the most with the issues mentioned, were the Probate Court Judge and the Sheriff. He stated they were the ones who would be able to make some proposals to deal with the problems that were mentioned.
- Councilor Cates wished Ms. Norris a happy birthday.

Item (13)

ADJOURNMENT

ACTION: Councilor Taylor moved to adjourn the meeting.

Motion carried and the regular meeting of Greenville County Council was adjourned at 7:08 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council