

**GREENVILLE COUNTY COUNCIL
REGULAR MEETING
June 19, 2012
6:29 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
JOE DILL
JOE BALDWIN

FRED PAYNE
XANTHENE NORRIS
WILLIS MEADOWS
JIM BURNS

LOTTIE GIBSON
SID CATES

COUNCIL MEMBERS ABSENT:

LIZ SEMAN
DAN RAWLS

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to County Council
REGINA MCCASKILL, Deputy Clerk to County Council
PAULA GUCKER, Assistant County Administrator, Public Works
SHANNON HERMAN, Assistant to the County Administrator
JEFFREY WILE, Assistant County Attorney
TOM MEEKS, Planning Department
ERIC VINSON, Planning Department
SCOTT PARKS, Planning Department
TODD WARD, Planning Department
TERESA BARBARE, Code Enforcement

OTHERS PRESENT:

MARTIN LIVINGSTON, Executive Director, Redevelopment Authority
CHIEF RONNIE BOYCE, Donaldson Center Fire Department
CHIEF TONY SEGARS, Belmont Fire Department

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Bishop Samuel Zimmerman, Associate Pastor
Springfield Baptist Church

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT

Chairman Kirven announced Councilor Seman and Councilor Rawls would not be in attendance.

Item (4)

APPROVAL OF MINUTES

ACTION: (a) Councilor Norris moved to approve the minutes of the June 5, 2012 regular County Council meeting.

Motion carried unanimously with Councilors Seman and Rawls absent.

Item (5)

PRESENTATION

(a) Planning and Code Compliance Division / Conestee Presentation

Mr. Eric Vinson, Planning Department, stated over the past six months the Planning Department had worked with the Conestee Community to develop a Community Plan. A short term project was identified after a few meetings with leaders within the community. Conestee did not have a Community Poster as some other communities.

Mr. Livingston unveiled the Conestee Community Poster to County Council and explained the process was a partnership with various organizations, Greenville County, the Conestee Neighborhood Association, the Redevelopment Authority, non-profit organizations and others. Posters have been in use since the mid 1980's for redeveloped, mill history, or significant history in Greenville County; to date, 17 posters had been printed for different communities throughout the County.

Chairman Kirven asked if the poster was available for purchase.

Mr. Livingston stated copies of the posters were for sale for \$12.00 through the Greenville County Museum, Redevelopment Authority and the Planning Department. If someone was working on a history project/report, the poster(s) were provided free of charge.

Chairman Kirven stated on behalf of County Council, he was proud of the Conestee Community being added to the collection of posters for Greenville County communities centered on the proud textile heritage.

Councilor Gibson asked all residents to stand and stated she looked forward to working with them. She stated Councilor Seman and she were proud to represent the community. She stated the community poster would hang in County Square to remind everyone of the significant contributions made by the community. Ms. Gibson stated much time, talent and passion went into the development of the community. She dedicated the poster to all of the residents of the Conestee Community to be used as a symbol of the appreciation of all of their efforts. She thanked everyone for all of their help with the community.

RECOGNITION

Chairman Kirven recognized Mr. Perry Eichor, Mayor of Simpsonville and his wife Donna were in attendance.

Item (6)

PUBLIC HEARINGS

(a) JTEKT Automotive (Formerly Project IKE II) / FILOT

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing the execution and delivery of a fee agreement between Greenville County and JTEKT Automotive South Carolina, Inc. providing for a fee in lieu of tax in connection with investment in an industrial project thereunder; the granting of an infrastructure tax credit with respect to such project; and other matters relating thereto.

There being no speakers, Councilor Taylor declared the Public Hearing closed.

(b) FY2013 Greenville County Library System Budget

A public hearing was held for the purpose of receiving public comments regarding an ordinance to approve the appropriation of funds for the Greenville County Library System for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; and to authorize the annual Ad Valorem Property Tax Millage Levy for library purposes.

- Jan Williams, 6 Crabapple Court, Greenville – appeared in opposition

There being no further speakers, Councilor Taylor declared the Public Hearing closed.

Item (7)

APPEARANCES

- Jan Williams, 6 Crabapple Court, Greenville – appeared regarding the Consent Agenda
- Bob Davis, 6 Setinel Court, Greer – appeared regarding the Consent Agenda

Item (8)

CONSENT AGENDA

(a) Community Project Account Applications

1. South Greenville Fire District – Fire Hoses Upgrades / \$4,000
2. Dunklin Fire District – Repairs and Renovations to Current Stations / \$4,000
3. Canebrake Fire Department Training Facility / \$4,000
4. Piedmont Fire Department – Facility Improvements / \$4,000
5. Greenville County Recreation District – Happy Hearts Renovation / \$14,574
6. Greenville County Recreation District – Painting Improvements at Slater-Hall / \$16,965
7. Greenville County Recreation District – Greenville Textile Heritage Park / \$43,000
8. Greenville County Recreation District – Protection and Stabilization of the Historic Pelham Mill Textile Office / \$41,000
9. City of Simpsonville – Independence Day at Heritage Park / \$15,000
10. City of Greenville – Streetscape Project / \$34,357

(b) Citizens Corps Cooperative Agreement Award Grant / \$8,750

ACTION: Councilor Gibson moved to approve the Consent Agenda items.

Motion carried unanimously with Councilors Seman and Rawls absent.

Item (9)

ORDINANCES – THIRD READING

(a) JTEKT Automotive (formerly Project IKE II) / FILOT Agreement

ACTION: Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee agreement between Greenville County and JTEKT Automotive South Carolina, Inc. providing for a fee in lieu of tax in connection with investment in an industrial project there under; the granting of an infrastructure tax credit with respect to such project; and other matters relating thereto.

Motion carried unanimously with Councilors Seman and Rawls absent.

(b) Laurens / Greenville Multi County Industrial Business Park / Octagon Park Agreement Amendment / Encore of Greenville LLC and Sampson Real Estate LLC (formerly Project Coast)

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to amend the Master Agreement governing the Octagon Industrial Park of Laurens and Greenville Counties so as to enlarge the park.

Motion carried unanimously with Councilors Seman and Rawls absent.

(c) Encore of Greenville LLC and Sampson Real Estate LLC (formerly Project Coast) / Infrastructure Credit Agreement

Councilor Taylor moved for adoption at third reading an ordinance authorizing the execution and delivery of an infrastructure credit agreement between Greenville County, South Carolina and Encore of Greenville, LLC and Sampson Real Estate LLC; and other matters relating thereto including, without limitation, authorization of an infrastructure credit.

Motion carried unanimously with Councilors Seman and Rawls absent.

(d) FY 2013 Greenville County Library System Budget

ACTION: Councilor Taylor moved for adoption at third reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; and to authorize the annual Ad Valorem Property Tax Millage Levy for library purposes.

Motion carried unanimously with Councilors Seman and Rawls absent.

(e) Greenville County Disabilities and Special Needs Board / Governance Structure

ACTION: Councilor Gibson moved to approve an ordinance to repeal Section 4 of County Ordinance Number 2378 establishing the governance structure of the Greenville County Disabilities and Special Needs Board.

AMENDMENT: Councilor Dill made a motion to amend Section 3 “Interim Board of Directors” of County Ordinance Number 2378 by adding the following: “The Interim Board shall ensure that the Greenville County Disabilities and Special Needs Board fulfills its purpose, achieves its intended outcome for clients and operates in an effective, efficient and ethical manner. The Interim Board of Directors, through its chairperson shall make bi-monthly reports to County Council including but not limited to financial status of the board and any other significant issues or concerns affecting the Interim Board or families of clients.”

AMENDMENT: Councilor Burns offered a friendly amendment to change “bi-monthly” to “every other month.”

Motion to amend including the friendly amendment carried unanimously with Councilors Seman and Rawls absent.

Motion as amended carried unanimously with Councilors Seman and Rawls absent.

Item (10)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2012-17**, Property of Narramore Holdings LLC, located on White Horse Road at Saluda Dam Road requesting rezoning from C-2, R-M20 and S-1 to C-3. The Planning Commission and Committee recommended approval.

ACTION: Councilor Payne moved approval of the ordinance at second reading.

Motion carried unanimously with Councilors Seman and Rawls absent.

(b) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment - Lollis Metals

ACTION: Councilor Taylor moved for approval an ordinance to authorize the Nineteenth Amendment to the agreement for development of joint county industrial park between Greenville County, South Carolina and Anderson County, South Carolina, dated as of October 6, 1998, so as to enlarge the boundaries of such joint county industrial park to include one or more parcels of property located in Anderson County; and other matters related thereto.

Motion carried unanimously with Councilors Seman and Rawls absent.

(c) Laurens / Greenville Multi County Industrial Business Park / Octagon Park Agreement - Milliken & Company / Addition to Exhibit A-1

ACTION: Councilor Taylor moved for approval an ordinance to amend the Master Agreement governing the Octagon Industrial Park of Laurens and Greenville counties so as to enlarge the park.

Motion carried unanimously with Councilors Seman and Rawls absent.

(d) Project Eagle / Infrastructure Credit Agreement

ACTION: Councilor Taylor moved for approval an ordinance authorizing the execution and delivery of an infrastructure credit agreement by and between Greenville County, South Carolina, and a Company known to the County as Project Eagle, its affiliates and assigns, to provide for a special source revenue credit; and other related matters.

Motion carried unanimously with Councilors Seman and Rawls absent.

(e) SCTAC / National Guard Lease

Councilor Taylor moved for approval an ordinance to authorize and direct the Chairman of County Council and the County Administrator to execute a lease with the Military Department of the State of South Carolina, Office of the Adjutant General, for parcels of real property located at the South Carolina Technology & Aviation Center (SCTAC).

Motion carried unanimously with Councilors Seman and Rawls absent.

Item (11)

ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Payne presented for first reading Zoning Dockets CA-2012-21 through CZ-2012-27.

1. **CZ-2012-21**, Michael Corn, 332 White Horse Road (Council District 25) C-2 to S-1
2. **CZ-2012-22**, Lawrence Wagner, 8551 White Horse Road (Council District 19), R-S to C-3
3. **CZ-2012-23**, Goldjin Company Inc., 216 N. Washington Avenue (Council District 25), C-3 to S-1
4. **CZ-2012-24**, Frank Hammond, N. Pleasantburg Drive at Tulip Street (Council District 23), R-12 and C-2 to C-1
5. **CZ-2012-25**, Mike Tapio, E. Coleman Road at Roberts Circle (Council District 21), R-S to POD
6. **CZ-2012-26**, Infinity 3 Realty LLC, 6124 White Horse Road (Council District 19), C-1 to C-3
7. **CZ-2012-27**, Stephen Southerlin, 2 Skyland Avenue (Council District 19), R-7.5 to NC

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

(c) Donaldson Center Fire Service Area / FY2013 Millage Request

Councilor Taylor presented for first reading an ordinance to provide for the millage rate to be levied by the Donaldson Fire Service Area for FY 2013.

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

Item (12)

COMMITTEE REPORTS

(a) Committee of the Whole

1. Greenville County Board and Commission Policy Amendments

ACTION: On behalf of the Committee, Councilor Taylor moved to approve the Greenville County Board and Commission Policy as amended in the Committee of the Whole.

Motion carried unanimously with Councilors Seman and Rawls absent.

2. Board and Commission Members / Recusal Ordinance

Councilor Taylor presented for first reading an ordinance to amend Section 2-83 of the Greenville County Code to provide for written disclosure of economic interest and recusal for board/commission members.

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

Item (13)

APPEARANCES BY CITIZENS

- Debora Moore, 119 Oak Street, Greenville – appeared regarding Greenville County Redevelopment Authority
- Butch Taylor, 1 Millbrooke Circle, Greenville – appeared regarding communism and Agenda 21
- Bob Davis, 6 Setinel Court, Greer – appeared regarding saboteurs in the republic

Item (14)

ADMINISTRATOR'S REPORT

There was no Administrator's Report.

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Chairman Kirven announced the next meeting would be held in July 17th due to the July 4th holiday.
- Chairman Kirven announced the Sheriff's Office had offered to deliver the Council member's packets using two administrative personnel which would save the Council Office the expense of having to use an outside delivery service.

CZ-2012-19

- Councilor Payne stated Zoning Docket CZ-2012-19 was held two weeks ago pending receipt of written confirmation between the applicant and the adjacent church. The item was approved during the Planning and Development Committee meeting last night.

Chairman Kirven stated it was his understanding the applicant had a contract to purchase the property by an expiration date and if the rezoning was not approved by the expiration date they may lose the contract. He stated the applicant needed to work with the seller to extend the contract date.

Councilor Payne stated a contract extension would be an option.

Councilor Burns stated the issue with the rezoning was the property was not owned by the applicant requesting rezoning.

ACTION: On behalf of the Planning and Development Committee, Councilor Payne made a motion to recall Zoning Docket CZ-2012-19.

Motion to recall Zoning Docket CZ-2012-19 carried unanimously with Councilors Seman and Rawls absent.

ACTION: Councilor Payne made a motion to allow amendments at third reading.

Motion to allow amendments at third reading carried unanimously with Councilors Seman and Rawls absent.

ACTION: Councilor Payne made a motion to approve Zoning Docket CZ-2012-19 at second reading as amended.

Motion carried unanimously with Councilors Seman and Rawls absent.

REQUESTS AND MOTIONS BY COUNCIL MEMBERS, continued

- Councilor Norris stated she was working to secure the restoration/replacement of the bridge on Hampton Avenue.
- Councilor Dill recognized Sam Zimmerman and expressed his appreciation of Mr. Zimmerman's father who he worked with at the School District.

Item (16)

ADJOURNMENT

ACTION: Councilman Dill moved to adjourn the meeting.

Motion carried and the regular meeting of Greenville County Council was adjourned at 7:31 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council