

**MINUTES
GREENVILLE COUNTY COUNCIL
OCTOBER 15, 2013
COUNCIL CHAMBERS
6:12p.m.**

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 PRESENT:

CHAIRMAN BOB TAYLOR	SID CATES
VICE CHAIRMAN WILLIS MEADOWS	LOTTIE GIBSON
JOE DILL	XANTHENE NORRIS
FRED PAYNE	BUTCH KIRVEN
JOE BALDWIN	LIZ SEMAN
DAN RAWLS	

COUNCIL MEMBER(S) ABSENT:

JIM BURNS

STAFF PRESENT:

JOE KERNELL, County Administrator
MARK TOLLISON, County Attorney
JOHN HANSLEY, Deputy County Administrator
THERESA KIZER, Clerk to Council
REGINA MCCASKILL, Deputy Clerk to Council
PAULA GUCKER, Assistant County Administrator, Public Works
BOB MIHALIC, Governmental Relations Officer
DEAN CAMPBELL, Assistant County Attorney
TOM MEEKS, Planning Department

OTHERS PRESENT:

NONE

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Reverend Rusty Benton, Pastor
Grace Covenant Presbyterian Church
Mauldin, SC

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: Councilor Gibson moved to approve the minutes of the October 1, 2013 County Council meeting.

Motion carried unanimously by all County Council Members present.

Item (5)

PROCLAMATION

(a) **Friends of the Library**

Councilor Cates presented Beverly James, Executive Director of the Greenville Library System, with a proclamation proclaiming October 20 - 26, 2013, to be *Friends of the Greenville County Library System Week*. He encouraged residents to pay tribute to the Friends of the Library by becoming a member and supporting their upcoming Used Book Sale, October 25-27 at the Merovan Center.

Item (6)

PUBLIC HEARINGS

(a) **Lake Cunningham Fire District / Millage Request**

A public hearing was held for the purpose of receiving public comment regarding a resolution to consider the millage request by the Lake Cunningham Fire District for the 2014 Tax Year. The Lake Cunningham Board of Fire Control has requested Greenville County Council maintain their present millage rate of 32.7 mills for operations and maintenance. The request represents no increase over last years Ad Valorem property tax millage levy.

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

(b) **Dunklin Fire District / Millage Request**

A public hearing was held for the purpose of receiving public comment regarding a resolution to consider the millage request by the Dunklin Fire District for the 2014 Tax Year. The Dunklin Board of Fire Control has requested Greenville County Council maintain their present millage rate of 27.9 mills for operations and maintenance, which includes 1.7 mills for a reserve account previously levied pursuant to SC Code Annotated, Section 6-1-320(D). The request represents no increase over last years ad valorem property tax millage levy.

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

(c) **South Greenville Fire District / Millage Request**

A public hearing was held for the purpose of receiving public comment regarding a resolution to consider the millage request by the South Greenville Fire District for the 2014 Tax Year. The

South Greenville Board of Fire Control has requested Greenville County Council maintain their present millage rate of 36.2 mills for operations and maintenance. The request represents no increase over last years Ad Valorem property tax millage levy.

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

(d) Lease Agreement / University of South Carolina – Children’s Law Center

A public hearing was held for the purpose of receiving public comment regarding a ordinance to authorize and direct the Chairman of County Council and the County Administrator to execute a lease with the University of South Carolina – Children’s Law Center for the use of available office space at County Square.

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

Item (7) APPEARANCES

There were no speakers.

Item (8) RESOLUTIONS

(a) Millage Request Continuation / Dunklin Fire District, Lake Cunningham Fire District and South Greenville Fire District

ACTION: Councilor Meadows moved for adoption a resolution to provide for a continuation of current Ad Valorem Property Tax to be levied by the Lake Cunningham Fire District, the Dunklin Fire District, and the South Greenville Fire District, which represents no increase in taxes or millage rate.

Motion carried unanimously by all County Council Members present.

(b) BMW / Fee in Lieu of Tax Lease Agreement Extension

ACTION: Councilor Meadows moved for adoption a resolution authorizing the extension of the project acquisition period under the 2003 Fee-in-Lieu of Taxes Lease Agreement between Greenville County, South Carolina and BMW Manufacturing Co., LLC; and matters relating thereto.

Motion carried unanimously by all County Council Members present.

Item (9) ORDINANCES – THIRD READING

(a) Zoning Ordinances

- 1. CZ-2013-32, Property of Chip Fogleman located on Log Shoals Road requesting rezoning from R-S to R-12.**

ACTION: Councilor Dill moved adoption of the ordinance at third reading.
Motion carried unanimously by all County Council Members present.

2. **CZ-2013-34**, Property of Lynn Solesbee located on Augusta Arbor Way requesting rezoning from C-2 to I-1.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.
Motion carried unanimously by all County Council Members present.

3. **CZ-2013-36**, Property of Cindy Cason or Shelly Vinson located on 410 Haywood Road requesting rezoning from S-1 to C-3.

ACTION: Councilor Dill moved adoption of the ordinance at third reading.
Motion carried unanimously by all County Council Members present.

4. **CZ-2013-18**, Property of Brad Doyle located on Easley Bridge Road requesting rezoning from R-M20 and C-3 to O-D.

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

AMENDMENT: At the request of the applicant, Councilor Dill moved to hold this item indefinitely due to complications of the pending sale.

Motion to hold carried unanimously by all County Council Members present.

5. **CZ-2012-46**, Property of STM Acquisition and Development Inc., located on Woodruff Road requesting rezoning from C-2 to R-M16.

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

AMENDMENT: At the request of the applicant, Councilor Dill moved to hold the item until the November 19th County Council meeting.

Motion to hold carried unanimously by all County Council Members present.

(b) **Comprehensive Plan Amendment to Expand the Eastern Boundary of Priority Investment Area Three (CP-2013-2)**

ACTION: Councilor Dill moved for adoption at third reading an ordinance to amend the Greenville County Comprehensive Plan by expanding the eastern boundary of Priority Investment Area Three.

Motion carried unanimously by all County Council Members present.

(c) **Fire District Operating Millage Referendum**

ACTION: Councilor Meadows moved for adoption at third reading an ordinance to provide a process whereby certain County-created fire districts and certain State-created fire districts may conduct operating millage referenda; and other matters related thereto.

Councilor Baldwin asked when would a fire district have the opportunity to come before County Council for a millage increase.

Councilor Kirven stated a referendum would only be required if there was a request from the fire district or County Council.

Mr. Tollison stated if a referendum occurred it would take place in the odd number year.

Motion as presented carried unanimously by all County Council Members present.

(d) **Lease Agreement / University of South Carolina – Children’s Law Center**

ACTION: Councilor Meadows moved for adoption at third reading an ordinance to authorize and direct the Chairman of County Council and the County Administrator to execute a lease with the University of South Carolina – Childrens Law Center for the use of available office space at County Square.

Motion carried unanimously by all County Council Members present.

Item (10)

ORDINANCES – SECOND READING

(a) **Zoning Ordinances**

1. **CZ-2013-25**, This docket has been withdrawn by the applicant.

2. **CZ-2013-35**, Property of Bell Carrington & Price LLC located at 1504 Brushy Creek Road requesting rezoning from POD to PD as amended. The Planning Commission and Committee recommended approval as amended. This item was held after it was amended on October 1st.

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

AMENDMENT: Councilor Seman moved to amend the proposed ordinance by adding a condition to prohibit convenience food stores with gasoline sales uses in the new area.

Motion to amend carried unanimously by all County Council Members present.

ACTION: Councilor Cates moved to return the item to the Planning and Development Committee.

Councilor Cates stated a stand-alone store would not be appropriate for a buffer area. He requested the Planning and Development Committee explore different possibilities to ensure the buffer area was preserved.

Councilor Kirven stated the documents for the proposed ordinance showed an 8-foot wide average

landscape buffer along Hudson Road and Brushy Creek Road and a fence along one side of the property.

Motion to return the item to the Planning and Development Committee carried unanimously by all County Council Members present.

3. **CZ-2013-39**, Property of Yadhi Properties LLC located at 1101 Green Avenue requesting rezoning from S-1 to C-2. The Planning Commission and Committee recommended denial.

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

ACTION: Due to the request of the applicant, Councilor Norris moved to hold the item in order to allow the applicant the opportunity to modify his request.

Motion to hold carried unanimously by all County Council Members present.

4. **CZ-2013-40**, Property of Steve Massengale located at 3398 Anderson Road requesting rezoning from S-1 to C-1. 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 unanimously by all County Council Members present.

5. **CZ-2013-41**, Property of Eric Hedrick located on Smith Hines Road requesting rezoning from R-S and PD to PD Major Change. The Planning Commission recommended approval without any conditions allowing up to 187 units and the Committee recommended approval as amended to allow 172 units.

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

AMENDMENT: Councilor Dill moved to amend the request to allow 172 units.

Councilor Payne stated additional traffic was a major concern of the citizens in the proposed rezoning area.

Motion to amend carried unanimously by all County Council Members present.

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

Motion as amended carried with Councilor Payne in opposition.

(b) Project Cherry Blossom / Fee in Lieu of Tax Agreement

ACTION: Councilor Meadows moved for approval at second reading an ordinance authorizing the execution and delivery of a Fee Agreement by and between Greenville County, South Carolina

and a Company known to the County at this time as Project Cherry Blossom with respect to certain economic development property, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

AMENDMENT: Councilor Meadows moved to amend the ordinance to allow for amendments at third reading.

Motion to amend carried unanimously by all County Council Members present.

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

Motion as amended carried unanimously by all County Council Members present.

(c) Greer Fire Service Area Agreement

ACTION: Councilor Meadows moved for approval at second reading an ordinance to authorize the execution of a contract with the City of Greer for the provision of fire protection services to Greer Fire Service Area; and other matters related thereto.

Motion carried unanimously by all County Council Members present.

(d) Project Single / Fee-In-Lieu-of-Tax Agreement

ACTION: Councilor Meadows moved for approval at second reading an ordinance authorizing an amendment to a Fee-in-Lieu of Ad Valorem Taxes Agreement by and between Greenville County, South Carolina, and an entity known to the County at this time as Project Single, to provide for an extension of the investment period and an increase and extension of the Special Source Revenue Credit benefits thereunder; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

AMENDMENT: Councilor Meadows moved to amend the ordinance and the agreement to reflect the changes outlined in the red-lined version provided in the agenda packet.

Motion to amend carried unanimously by all County Council Members present.

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

Motion as amended carried unanimously by all County Council Members present.

Item (11)

ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2013-42 through CZ-2013-44 and CP-2013-3.

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

(b) Greenville / Anderson Multi County Industrial Business Park - Project Windemere

Councilor Meadows 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 Taylor stated the item would remain on the floor until the next County Council meeting.

Item (12) BOARD AND COMMISSION /BALLOT RESULTS

(a) Arena District (1 vacancy)

Chairman Taylor stated Joyce Smart was elected to fill the one vacancy on the Arena District Board.

(b) Library Board of Trustees (5 vacancies)

Chairman Taylor stated Susan Barry, Robert Clark, Richard Jensen, Glenda Julian and Deryl Paradis were elected to fill the five vacancies on the Library Board of Trustees.

Item (13) COMMITTEE REPORTS

There were no further Committee Reports.

Item (13) APPEARANCES

- Mercia Calvin, 13 Maples Street, Greenville – appeared regarding neighborhood concerns
- Butch Taylor, 1 Millbrooke Court, Greenville – appeared regarding sustainability development & taxes
- Ed Paxton, 1 York Circle, Greenville – appeared regarding hypocrisy
- Pat Taylor, 311 Poplar Lane, Mauldin – appeared regarding sales tax increase

Item (14) ADMINISTRATOR'S REPORT

There was no Administrator's Report.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Seman stated SCTAC recently completed a comprehensive crack, repair and resurfacing of the test track to prepare for the USDOE Wireless Charging Testing which will get underway in early 2014. Current track users include Michelin, Volvo Trucks, and ZF Transmissions.

- Councilor Kirven stated the SCDOT would be holding a regular commission meeting in the Council Chambers on Thursday, October 17th beginning at 9:00 a.m. He stated the meeting was open to the public.
- Councilor Payne stated last evening he had the opportunity to present the Legislative Delegation members with an update on GCEDC activities. He provided a copy of the same information to the Council Members and asked them to contact him if they had any questions.
- Councilor Dill stated Mr. Jimmy Turner had passed away over the weekend. He stated Mr. Turner built benches, playgrounds, walls and many other things inside the County parks over the years and he would be missed. He asked his colleagues to remember the family in prayer.
- Councilor Dill stated on Wednesday, October 16th at 8:30 a.m., there would be an Alternative Fuel for Transportation Conference held at the BMW Zentrum. He stated much of the discussion would be about compressed natural gas and liquid propane and he encouraged his colleagues to attend the conference. Mr. Dill then commended the County's administration for transferring many of the vehicles in the County's fleet over to propane and natural gas, saving the County thousands of dollars every year.
- Councilor Baldwin stated a year or so ago Council approved the plan for the Taylors mill. At a lunch meeting last week he learned that this mill, which held 18 businesses a year ago, has grown to 50 businesses and still has room to grow. He felt its success could perhaps encourage the redevelopment of other empty mills in the area.
- Councilor Cates stated the Piedmont Park Fire Department celebrated their 50th anniversary this week.
- Councilor Cates then wished Mr. Kirven a Happy Birthday.

Item (16)

ADJOURNMENT

ACTION: Councilor Meadows moved to adjourn the meeting at 7:08 p.m.

Motion carried unanimously by all County Council Members.

Respectfully submitted:

Theresa Kizer, Clerk to Council