

**MINUTES
GREENVILLE COUNTY COUNCIL
NOVEMBER 19, 2013
COUNCIL CHAMBERS
6:06 p.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	JIM BURNS

COUNCIL MEMBER(S) ABSENT:

NONE

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
TOM MEEKS, Planning Department

OTHERS PRESENT:

CHIEF DEPUTY JOHN ELDRIDGE, Sheriff's Office

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Councilor Fred Payne

PLEDGE OF ALLEGIANCE

Item (4)

APPROVAL OF MINUTES

ACTION: Councilor Rawls moved to approve the minutes of the November 5, 2013 County Council meeting.

Motion carried unanimously.

Item (5)

PUBLIC HEARINGS

(a) Sweet Street Desserts, Inc. (formerly Project Sugar)/ FILOT Agreement

A public hearing was held for the purpose of receiving public comment regarding an ordinance authorizing a fee in lieu of tax and infrastructure improvement credit arrangement pursuant to a Fee-in-Lieu-of-Tax Agreement between Greenville County, South Carolina and Sweet Street Desserts, Inc.; and other matters relating to the foregoing.

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

Item (6)

APPEARANCES

There were no speakers.

Item (7)

CONSENT AGENDA

(a) Mutual Aid Assistance Agreement / Greenville County Sheriff's Office and Pickens County Sheriff's Office

(b) 2014-2015 Road Paving List

(c) Waterline Grant Assistance / Bessie Road to Young Drive \$1800 (\$900 County Match)

(d) FY2011 Citizen Corps Grant / \$9000 – (\$0 County Match)

(e) 2013 Community Pride Grant / \$8000 – (\$0 County Match)

(f) Community Project Application / Slater-Marietta Fire Department - \$3500

(g) FY2013-2014 Accommodations Tax Funding

ACTION: Councilor Meadows made a motion to pull Item (g) from the Consent Agenda and take it up during Committee Reports.

Motion carried unanimously.

ACTION: Councilor Norris moved to approve the remaining Consent Agenda items.

Motion carried unanimously.

Item (8)

RESOLUTIONS

(a) Milliken /FILOT Amendment

ACTION: Councilor Meadows moved for adoption a resolution authorizing the execution and delivery of a Third Amendment to a 2006 Fee Agreement between Greenville County, Milliken & Company and Milmer, Inc., a wholly-owned subsidiary of Milliken & Company.

Motion carried unanimously.

(b) Advanced Composite Materials / FILOT Extension

ACTION: Councilor Meadows moved for adoption a resolution consenting to an extension of the investment period for Advanced Composite Materials, LLC and QM Holding, LLC under their Fee in Lieu of Tax Agreement with Greenville County pursuant to Section 12-44-30(13) of the Code of Laws of South Carolina 1976, as amended; and other matters related thereto.

Motion carried unanimously.

(c) Project Reno / Inducement Agreement

ACTION: Councilor Meadows moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and a company or companies known to the County at this time collectively as Project Reno, whereby, under certain conditions, Greenville County will execute a fee in lieu of tax agreement with the Company with respect to an industrial project in the County, whereby the project would be subject to certain fees in lieu of taxes; and providing for related matters.

Motion carried unanimously.

Item (9)

ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. **CZ-2012-46**, STM Acquisition and Development, Inc. Woodruff Road (Council District 27), C-2 to R-M16

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

Motion carried unanimously.

Item (10)

ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2013-35**, Property of Bell Carrington & Price LLC, located at 1504 Brushy Creek Road requesting rezoning from POD to PD as was amended on October 1st and

October 15th. This docket was returned to the Planning and Development Committee on November 5th and the Committee recommended approval as amended.

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

Councilor Cates stated the residents were satisfied with the current zoning. He stated there was a contingency plan to build a small retail area in a commercially-zoned area, that would face another shopping center.

Councilor Burns stated the proposed ordinance would allow for only a one-use zoning, while, if the proposed ordinance was denied, there was a potential to have 40,000 sq. ft. of office space on the property. He stated he was in favor of the proposed rezoning.

Councilor Kirven stated the building footprint did not specify the type of facility or use. He stated the drug store in his neighborhood blended in well with the area.

Motion as presented carried by a roll call vote of seven in favor (Rawls, Kirven, Payne, Burns, Norris, Seman, Gibson) and five in opposition (Dill, Baldwin, Meadows, Cates, Taylor).

2. CZ-2013-38, Property of Freeland and Kauffamn located on Old Buncombe 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.

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. This item was held over from the November 5th Council meeting.

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

AMENDMENT: At the request of the applicant, Councilor Norris moved to amend the zoning request from C-2 to C-1. The amendment would not allow liquor sales.

Councilor Gibson asked what type of business the applicant was planning on building.

Councilor Norris stated although she was unsure of the type of business, she was comfortable with the C-1.

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

4. CZ-2013-42, Property of Steve Timmons located on Beacon Drive and Pelham Road requesting rezoning from C-1 to C-3. The Planning Commission and Committee recommended approval.

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

Councilor Burns recused himself from the item.

Motion carried with eleven in favor and one written abstention (Burns).

5. CZ-2013-44, Property of Lisa Flanagan located at 115 Page Drive requesting rezoning from S-1 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 unanimously.

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

ACTION: Councilor Meadows 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.

AMENDMENT: Councilor Meadows moved to amend the ordinance to include an Exhibit for Project Reno.

Motion to amend carried unanimously

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

Motion as amended carried unanimously.

(c) Triple M (US) Inc. (formerly Project Hunt) / Special Source Revenue Credit

ACTION: Councilor Meadows moved for approval at second reading an ordinance authorizing the execution and delivery of a Special Source Revenue Credit Agreement by and between Greenville County, South Carolina and Triple M (US) Inc., pursuant to which the County shall provide a Special Source Revenue Credit with respect to the acquisition and improvement of certain industrial facilities in Greenville County, South Carolina: and other matters relating thereto.

Councilor Kirven stated although the company started in good-faith, it had created a conflict in the area. He stated the company had spent approximately \$750,000 to install a sound barrier wall between their property and the residential property adjacent to the company; therefore he was now in favor of the proposed ordinance

Motion as presented carried unanimously.

(d) Master Agreement Amendment / Octagon Industrial Park - Greenville and Laurens Counties

ACTION: Councilor Meadows moved for approval at second 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.

(e) Precision Valve Corporation / FILOT Agreement Amendment

ACTION: Councilor Meadows moved for approval at second reading an ordinance authorizing the execution and delivery of a first amendment to a Fee in Lieu of Tax Agreement between Greenville County, South Carolina and Precision Valve Corporation dated May 20, 2008; and other related matters.

Motion carried unanimously.

(f) Sweet Street Desserts Inc. (Formerly Project Sugar) / FILOT Agreement

ACTION: Councilor Meadows moved for approval at second reading an ordinance authorizing a fee in lieu of tax and infrastructure improvement credit arrangement pursuant to a Fee-in-Lieu-of-Tax Agreement between Greenville County, South Carolina and Sweet Street Desserts, Inc.; and other matters relating to the foregoing.

Motion carried unanimously.

(g) Project Reno / FILOT Agreement

ACTION: Councilor Meadows 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 Greenville County at this time collectively as Project Reno, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto.

Motion carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2013-47 and CZ-2013-48.

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

(b) Canebrake Fire District / River Falls Fire District - Commissioners Date of Election

Councilor Dill presented for first reading an ordinance to provide for the dates of the election of the commissioners of the Canebrake Fire District and the River Falls Fire District.

Chairman Taylor forwarded the item to the Committee of the Whole.

(c) Transfer Surplus Right-of-Way / Bryson Street and Virginia Avenue Alley

Councilor Payne presented for first reading an ordinance to authorize and approve the conveyance of surplus right of way consisting of a 10 ft wide alley running between Bryson Street and Virginia Avenue, and to authorize and direct the Chairman of County Council and the County Administrator to execute Quit Claim Deeds related thereto.

Chairman Taylor stated the item would remain on the County Council floor.

Item (12)

COMMITTEE REPORTS

(a) Committee of the Whole

1. Disabilities and Special Needs Board / Ballot Results

ACTION: On behalf of the Committee, Councilor Meadows moved to elect for a one-year term (Robert Ariail, Pearlie Harris, Alex McNair); for a two-year term (Paul Hamberis and William Mebane); and for a three-year term (Cynthia Baughan and Peggy Farmer) to fill the seven vacancies on the Disabilities and Special Needs Board.

Motion carried unanimously.

2. Lake Forest Special Tax District / Ballot Results

ACTION: On behalf of the Committee, Councilor Meadows moved to elect John Austin III (three-year term), Mary Ann Kiriakides (two-year term) and Hugh McVeety (one-year term) to fill the three vacancies on the Lake Forest Special Tax District.

Motion carried unanimously.

3. Research and Technological Development Corporation – SCTAC Representative

ACTION: On behalf of the Committee, Councilor Meadows moved to elect John Hopkins to fill the SCTAC Representative seat on the Research and Technological Development Corporation.

Motion carried unanimously.

(b) FY2013-2014 Accommodations Tax Funding (from the Consent Agenda)

Councilor Meadows stated an amount of \$7,723 for FY2013-2014 Accommodations Tax Funding was available for allocation.

AMENDMENT: Councilor Meadows moved to amend the FY2013-2014 Accommodations Tax Funding by allocating the remaining funds of \$7,723 by the following:

Aloft - \$2,000
Greenville Little Theater - \$2500
Greenville Symphony - \$1,000
Travelers Rest Historical Society - \$1,500
Simpsonville Labor Day - \$723

Motion to amend carried unanimously.

Motion as amended carried unanimously.

Item (13)

APPEARANCES

- Levit Talley, 4001 Pelham Road, Greenville - appeared regarding sales tax
- Ed Paxton, 1 York Circle, Greenville - appeared regarding disposal of surplus property
- Alan Ethridge, 16 Augusta Street, Greenville - appeared regarding Metropolitan Arts Council
- Leah Garrett, 701 Jacobs Road, Greenville - appeared regarding the Detention Center
- Deidre Odumakinde, 104 Stonegate Road, Simpsonville - appeared regarding Detention Center rehab programs
- Bob Davis, 6 Setinel Court, Greer - appeared regarding humanism
- Nse Ekpo, 711 Pendleton Street, Greenville - appeared regarding thank you to County Council

Item (14)

ADMINISTRATOR'S REPORT

County Administrator Joe Kernell stated the County's internal Leadership Class, which consisted of 25 mid-level employees, has completed their team building project. Their chosen project was to fix up/clean up the Happy Hearts Community Center. He stated the Lowe's on Poinsett Highway donated the materials needed for the project and some of their employees even helped with the work.

Mr. Kernell addressed a comment made by one of the speakers concerning equipment disposition. He stated the County had very strict rules in regards to the disposition of County property. The County holds auctions for its surplus equipment but have not found a market in Greenville for some of the larger pieces of equipment. He stated they could allow those pieces to go to County auction for pennies on the dollar from someone who was going to turn around and resell the piece for a profit, but they instead take the pieces to a larger market via the internet. When these larger pieces of equipment come up, the County employs a very well known website that is widely used by governmental agencies, called Gov Deals. An agency can place equipment on this site and people from anywhere can bid on it and it opens up the market tremendously. He stated the particular piece of equipment mentioned by the speaker went to North Dakota for around \$37,000 or so. He stated the County was able to maximize what they could get for the piece instead of letting it go for just a few thousand dollars at the County's auction.

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Dill asked the County Administrator to explain the process that is carried out when a mentally ill person was arrested.
- County Administrator Joe Kernell summarized the process of evaluating, counseling and housing inmates who were deemed mentally ill.
- Councilor Dill inquired as to why they did not have a facility specifically for those inmates who were mentally ill; stating it was his understanding the State had to be involved. He commented the State needed to step up and build a facility to house those individuals.
- Councilor Norris stated there were alternatives and she suggested County Council discuss the matter at some point.
- Councilor Baldwin encouraged Council to open a dialogue with the Greenville Delegation members to get their opinion on the Local Sales Tax option and to see if and when any funding assistance would be coming from the State for infrastructure.
- Councilor Cates thanked Mr. Ethridge of the Metropolitan Arts Council, stating he had recently attended, for free, a Foothills Philharmonic Symphony concert in Greer. He then stated he had been on the CVB Board for a little over a year and was very impressed with its president, Chris Stone, and the direction of the CVB. Mr. Cates stated the CVB received an award from the Southeast Tourism Committee for the 2013 Best Marketing Campaign in the Southeast for their “Yeah, that Greenville” campaign. He stated his appreciation to Jennifer Stillwell who worked with the campaign. Mr. Cates then thanked Mr. Ekpo for his warm thank you, and thanked Lowe’s on Poinsett Highway for their contribution to the Happy Hearts project.
- Councilor Burns inquired about the letter he requested go to the Legislative Delegation regarding the County’s nominees to the Greenville Technical College Area Commission. Chairman Taylor stated the letter had been sent. Mr. Burns requested a copy of the letter.
- Councilor Burns echoed Dr. Cates comments regarding the CVB stating they were doing a great job and that was only one of the many accommodations they have received. He stated in working with the Recreation District, CESA had a tournament coming up the following weekend. In a press release put out by CESA, they stated, “They were looking forward to hosting a record number of teams for the upcoming Fall Challenge Tournament this weekend. Three hundred six teams will converge on the MESA, Windwood and Brushy Creek Soccer complexes to compete in the under 8 thru under 14 boys and girls age groups.” Mr. Burns stated the economic impact of this tournament could be over \$3 million. CESA’s Co-Executive Director Pearse Tormey stated in the press release, “Last year they had a great tournament with 242 teams attending, and to see such a huge jump in numbers to 306 this year tells us that people enjoyed the experience. Continued support from the Greenville County Council and their ability to advertise and market their events was a huge asset.”
- Chairman Taylor reminded everyone to pick their representative on the Transportation Committee to represent their district. Dr. Cates asked if the person could also serve on another board or commission. County Attorney Mark Tollison stated they could as long as it was not an elected board.

- Councilor Norris commented on the project at Happy Hearts Park and expressed her appreciation. She encouraged her colleagues to visit the park. She stated this leadership class was also part of the Athena Group that had a Chamber Diversity meeting which honored them and allowed them to be a part of the Diversity Symposium. To Allen McCalla, she expressed how proud she was of him, especially since he was one of her former high school counselees.
- Councilor Norris invited her colleagues to Springfield Baptist Church on Sunday, December 8th at 4:00 p.m. when she will be presenting a Whittenburg Scholarship. She stated at the event they would be featuring Philip Boykin, a 2012 Tony Nominee from Greenville who attended the Governor's School for the Arts.
- Councilor Seman thanked everyone who was able to come out and tour the South Carolina Army National Guard facility at SCTAC. She stated this was a world class facility and would be a huge economic engine for Greenville County. The grand opening event was tentatively scheduled for late January.
- Councilor Norris asked Ms. Boyce of the Delta group to stand. She stated Ms. Boyce's father was Mr. Whittenburg, who was responsible for bringing about many changes during the de-segregation in Greenville, and who was also responsible for the Whittenburg Scholarship.
- Councilor Gibson recognized Ms. Eva Whittenburg's name. She stated she had worked with both of Elaine's parents through the NAACP and stated she was very proud of her and of her mother. She also thanked the Deltas for coming and sharing their concerns for their community.

Item (16)

ADJOURNMENT

ACTION: Councilor Gibson moved to adjourn the meeting at 7:15 p.m.

Motion carried unanimously by all County Council Members.

Respectfully submitted:

Theresa Kizer, Clerk to Council