



MINUTES GREENVILLE COUNTY COUNCIL

May 19, 2015
Council Chambers
6:07 p.m.

COUNCIL MEMBERS

Mr. Bob Taylor, Chairman
Mr. Butch Kirven, Vice Chairman
Mr. Joe Dill
Mr. Joe Baldwin
Mr. Willis Meadows
Mr. Sid Cates

Mr. Jim Burns
Mrs. Xanthene Norris
Mrs. Liz Seman
Mrs. Lottie Gibson
Mr. Lynn Ballard
Mr. Fred Payne

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 MEMBER(S) ABSENT:

None

STAFF PRESENT:

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Jeff Wile, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
John Hansley, Deputy County Administrator
Theresa Kizer, Clerk to Council
Regina McCaskill, Deputy Clerk to Council
Bob Mihalic, Governmental Relations Officer
John Vandermosten, Assistant County Administrator, Public Safety
Paula Gucker, Assistant County Administrator, Public Works
Eric Vinson, Director, Planning and Code Compliance

OTHERS PRESENT:

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION

Father Bart Leon, Saint Rafka Maronite
Introduced by Councilor Jim Burns

RECOGNITION

Chairman Taylor recognized Eddie McCall, an instructor at Brown Mackie College. Mr. McCall was accompanied by several members of his law enforcement class to observe governmental proceedings.

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Burns moved to approve the minutes of the May 5, 2015, Regular Council Meeting.

Motion carried unanimously.

PROCLAMATION

Augusta Road Ruritan Club

Councilor Fred Payne and Councilor Lynn Ballard presented a proclamation to the Augusta Road Ruritan Club for outstanding community service to Greenville County. The Augusta Road Ruritan Club embodies Ruritan National's purpose to create a better understanding among people and through volunteer community service to make America's communities better places to live and work. The Augusta Road Ruritan Club partners and works with many local entities to make a positive impact on the community.

Greenville County Council honored the work done by the Augusta Road Ruritan Club and expressed deepest appreciation for their outstanding community service to their fellow citizens and hereby declared May as Ruritan Awareness Month in Greenville County.

Item (5) PRESENTATION

Chairman Taylor presented the South Carolina Association of Counties (SCAC) Scholarship award to Jacob Mark Brazeal, son of Joe and Sara Brazeal of Taylors. Each year, SCAC awards four \$2,500 scholarships to graduating high school seniors. Jacob, a homeschool honors student, plans to attend Bob Jones University and major in Mathematics.

Item (6) PROCLAMATIONS (continued)

Chief Chris Harvey, Greer Fire Department

Councilor Joe Baldwin presented a proclamation to Greer Fire Chief, Chris Harvey. During his 38 year tenure with the Greer Fire Department and 19 years as Chief, he has been a proven leader in improving the fire service for the City of Greer and instrumental in helping the department to obtain an ISO rating of 2, resulting in lower insurance premiums for businesses and citizens. Chief Harvey has been a great ambassador to surrounding special purpose districts which has resulted in the formal adoption of cooperative agreements between Greer, Pelham, Boiling Springs, and Lake Cunningham.

Greenville County Council honored Chief Chris Harvey, and celebrated the outstanding character and leadership that he has displayed in serving the City of Greer and surrounding areas of Greenville County.

Item (7) APPEARANCES – CURRENT AGENDA ITEMS

- Ed Paxton, 1 York Circle, Greenville – appeared regarding the proposed Greenville County budget

Councilor Cates asked Joe Kernell if the proposed budget had been presented to the public.

Joe Kernell stated the proposed budget had not been presented to the public as of yet. It was presented to County Council at the Committee of the Whole meeting which was held prior to the County Council meeting.

Councilor Cates stated criticism of the proposed budget was a bit premature.

Item (8) CONSENT AGENDA

- (a) Community Project Application / Slater-Marietta Fire Department - \$10,000

ACTION: Councilor Norris moved to approve the Consent Agenda item.

Motion carried unanimously.

Item (9) RESOLUTIONS

- (a) **Project Stitch / Inducement Resolution**

ACTION: Councilor Kirven moved for adoption a resolution of inducement with respect to an industrial project in Greenville County, South Carolina by a Company or Companies known to the County at this time as Project Stitch whereby, under certain conditions, Greenville County will execute a fee in lieu of tax agreement with such Company or Companies pursuant to which the project would be subject to payment of certain fees in lieu of taxes, and an infrastructure finance agreement pursuant to which the Company or Companies will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

- (b) **Project Wilbur / Inducement Resolution**

ACTION: Councilor Kirven 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 Wilbur, whereby, under certain conditions, Greenville County will execute a fee in lieu of tax agreement with Project Wilbur with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes, and an infrastructure finance agreement whereby Project Wilbur will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

(c) Project Bugle / Inducement Resolution

ACTION: Councilor Kirven 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 Bugle, 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.

(d) Project Taber / Inducement Resolution

ACTION: Councilor Kirven moved for adoption a resolution identifying a project to satisfy the requirements of Title 12, Chapter 44 of the South Carolina Code, so as to allow investment expenditures incurred by a Company known to the County as Project Taber, its affiliates and related entities, to qualify as expenditures eligible for a fee-in-lieu of ad valorem taxes arrangement with Greenville County, South Carolina; committing to enter into necessary agreements with Project Taber to effect the intent of this resolution; and other matters related thereto.

Motion carried unanimously.

(e) Tiger 2015 Grant Funding

ACTION: Councilor Kirven moved for adoption a resolution to support funding from Greenville County, South Carolina, for the sustainable long term operations and maintenance of projects funded with Tiger 2015 Grant.

Councilor Meadows asked would the ordinance commit Greenville County to a regional transportation system.

Councilor Kirven replied the United States Department of Transportation awarded the Tiger Grants and set criteria which indicated it must be transformational. To meet the criteria, Greenville Transit Authority (GTA) made adjustments in planning that were presented in the grant proposal. In order to be transformational, service would be extended to areas such as Travelers Rest, Fountain Inn and Greer. The system would be a circulator system not a hub and spoke system and would be regional within Greenville County, but not multi-county. Clemson would continue to be serviced through CU-ICAR.

Councilor Meadows inquired about the dollar amount for the County as in-kind matches included the railroad cars, staff time and equipment.

Councilor Kirven stated it would be a 20% local match if the grant was awarded. This was cash or in-kind. The value of the infrastructure that would be a part of the program, if approved, could be contributed as a match in-kind. There was a cash component of the \$1.5 million that was not new money and not in the new budget. This cash component was in the old budget. It was money in hand designated for trails and related activities. Councilor Kirven added these grants were not automatic. Both the City of Greenville and Greenville County have applied several times and have never received a grant; chances were iffy this time. If approved, the grant would do a lot of good things for the community.

Councilor Meadows asked if the County would continue to pay for maintenance on the Swamp Rabbit Trail and would this mean the County would put in more money than in the past. He inquired if Council agreed to adopt the resolution, what would be the actual dollar amount for the County.

Joe Kernell stated if the grant was approved, the additional operating funds would not be included until the next budget cycle. The total estimated was \$750,000 which would be split between the City of Greenville and the County for a total of approximately \$375,000 each. The operation and maintenance of the Swamp Rabbit Trail would be absorbed in the normal operating expenses designated for the Swamp Rabbit Trail. He added the amount was in addition to the current budgeted amount but the routes would be more than doubled.

Councilor Norris stated she had asked for money for the west side of Greenville and the proposal included that area.

Councilor Burns asked for the total amount of the grant.

Joe Kernell replied the total amount of the project was \$23,422,000. The match portion was \$8,740,283. The grant amount requested was \$14,681,718.

Councilor Burns stated he was trying to understand the 80/20 piece of the resolution.

Joe Kernell stated it would be a 37.32% local match.

Councilor Kirven stated the chances of receiving the grant were greater if the County exceeded the local match criteria. Both the City of Greenville and Greenville County were supportive of the proposal as well as several private organizations in the area.

Councilor Burns inquired if that information was included in the document.

Councilor Kirven stated the County was committed to what was stated in the resolution.

Joe Kernell stated 3.7% was in-kind and the actual cash match was \$1.5 million from the County and \$2.5 million from the City of Greenville. The rest was from other sources.

Councilor Burns stated that was not clear in the document.

Councilor Kirven stated the application must be submitted by the end of this month.

Chairman Taylor inquired if the County was dealing with just its portion of the financing in the resolution.

Joe Kernell stated the amounts were just the County's portion and Council could reject the grant if they chose.

Councilor Meadows stated he agreed with Councilor Burns and would have preferred this item to have been brought to Council earlier. He added situations like this occurred too often.

Councilor Payne stated this had been a good discussion. He added there had been a recent article on the front page of the newspaper which showed the new routes for the west side, the east side, and down to Fountain Inn. The project could utilize the electric buses which were designed and made here. He would like to see them on the streets of Greenville.

Motion as presented carried unanimously.

Item (10) ORDINANCES – THIRD READING

(a) Anderson Multi County Industrial Business Park / Project Machine

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing an amendment to the agreement for the development of a joint county industrial and business park by and between Greenville County, South Carolina and Anderson County, South Carolina, in order to expand the boundaries of the park to include certain property located in Anderson County and other matters related thereto.

Councilor Kirven moved to hold the item until June 2, 2015, to coincide with the public hearing.

Motion to hold carried unanimously.

Item (11) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. CZ-2015-26, Property of Marvin Willimon located at 1010 N. Franklin Road requesting rezoning from R-M20 to R-S. The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

**(b) Imagine Greenville County Comprehensive Plan Amendment /
 Brandon Community Plan (CP-2015-01)**

ACTION: Councilor Dill moved for approval at second reading an ordinance to adopt the Brandon Community Plan as an amendment to the Greenville County Comprehensive Plan. The Planning Commission and the Committee recommended approval.

Motion carried unanimously.

**(c) Glassy Mountain Fire Service Area / Fountain Inn Fire Service Area –
 Millage Request**

ACTION: Councilor Kirven moved for approval at second reading an ordinance to provide for the millage rate to be levied by the Glassy Mountain Fire Service Area and the Fountain Inn Fire Service Area.

ACTION: Councilor Meadows moved to allow for amendments at third reading.

Motion to allow for amendments at third reading carried unanimously.

Councilor Dill inquired about the public hearing date for this amendment.

Theresa Kizer stated the public hearing was June 2, 2015.

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

Motion carried with Councilor Cates in opposition.

**(d) Glassy Mountain Fire Service Area /
General Obligation Refunding and Improvement Bonds**

ACTION: Councilor Kirven moved for approval at second reading an ordinance to provide for the issuance and sale of not exceeding \$2,400,000 Greenville County, South Carolina, General Obligation Refunding and Improvement Bonds (Glassy Mountain Fire Service Area Project), Series 2015A; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

ACTION: Councilor Kirven moved to amend the ordinance to reflect the changes outlined in the red-lined version of the ordinance that was included in the packet. He added there would be no millage increase to approve the bond funding

Motion to amend carried unanimously.

ACTION: Councilor Meadows moved to allow for amendments at third reading.

Motion to allow for amendments at third reading carried unanimously.

Motion as amended carried with Councilor Cates in opposition.

Item (12) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2015-25, CZ-2015-27 through CZ-2015-29, CZ-2015-31 through CZ-2015-34. Councilor Dill stated CZ-2015-30 was withdrawn by the applicant.

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

(b) Pet Waste Ordinance

Chairman Payne presented for first reading an ordinance to amend Chapter 4: Animals and Fowl, Article ii: Dogs, Cats, Wildlife and Exotic Animals, Section 4-18 Unlawful Acts, to include failure to properly remove animal waste.

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

**(c) Anderson / Greenville Multi County Industrial Business Park Agreement
(Projects Stitch, Wilbur, Bugle and Taber)**

Councilor Kirven 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 second reading.

(d) Project Stitch / Fee In Lieu of Tax Agreement and Infrastructure Credit Agreement

Councilor Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement and an infrastructure finance agreement by and

between Greenville County, South Carolina and a Company or Companies known to the County at this time as Project Stitch, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, and such Companies will receive certain infrastructure credits in respect of investment in related infrastructure; and other matters related thereto.

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

(e) Project Wilbur / Fee In Lieu of Tax Agreement and Infrastructure Credit Agreement

Councilor Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement and an infrastructure finance agreement by and between Greenville County, South Carolina and a Company or Companies known to the County at this time as Project Wilbur, with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, and such Company will receive certain infrastructure credits in respect of investment in related infrastructure; and other matters related thereto.

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

(f) Project Bugle / Fee In Lieu of Tax Agreement

Councilor Kirven 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 Greenville County at this time collectively as Project Bugle, 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.

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

(g) Project Taber / Fee In Lieu of Tax Agreement

Councilor Kirven presented for first reading an ordinance authorizing the execution and delivery of one or more incentive agreements by and among Greenville County, South Carolina and a Company known to the County as Project Taber, and one or more existing or to-be-formed or acquired subsidiaries, or affiliated or related entities, as sponsor, to provide for a fee in lieu of ad valorem taxes incentive; to provide for the inclusion of the project in a multi-county business or industrial park; addition of sponsor affiliate; and other related matters.

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

(h) Property Sale / Portion of Matrix Lot 16

Councilor Kirven presented for first reading an ordinance authorizing the sale of County owned property consisting of approximately 16 acres, more or less, known as a portion of Lot 16 located off Bracken Road, and to authorize the Chairman and County Council and the County Administrator to execute appropriate deeds and agreements related thereto.

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

(i) Greenville County Library System / Millage Request

Councilor Kirven presented for first reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the Fiscal Year beginning July 1, 2015

and ending June 30, 2016; and to authorize the annual ad valorem property tax millage levy for library purposes.

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

(j) Simpsonville Fire Service Area Project / General Obligation Bonds

Councilor Kirven presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$4,000,000 Greenville County, South Carolina, General Obligation Bonds (Simpsonville Fire Service Area Project), Series 2015b; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

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

(k) Canebrake Fire Department / Millage Request

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Canebrake Fire Service Area.

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

(l) Simpsonville Fire Service Area Project / Millage Request and Contract Renewal

Councilor Kirven presented for first reading an ordinance to provide for the millage rate to be levied by the Simpsonville Fire Service Area consistent with the state law limits; to adopt a ten-year capital improvement plan; and to authorize execution of a new contract for the continued provision of fire protection services.

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

(m) FY 2016 Budget for Greenville County

Councilor Kirven presented for first reading an ordinance to adopt the County of Greenville Fiscal Year 2016 Budget.

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

(n) FY 2017 Budget for Greenville County

Councilor Kirven presented for first reading an ordinance to adopt the County of Greenville Fiscal Year 2017 Budget.

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

Item (13) COMMITTEE REPORTS

There were no Committee Reports.

Item (14) APPEARANCES – non agenda items

- Jessica Monroe, 150 Fernwood Drive, Greer – appeared regarding animal ordinances
- Dan Duggan, 10 Kingsway Ct, Greer – appeared regarding EMS
- Bob Davis, 6 Sentinel Court, Greer – appeared regarding America has a grim future
- Tamara Desmond, 3010 Kelsey Creek Road, Spartanburg – appeared regarding animal care
- Glenn Tollison, 1743 McKelvey Road, Fountain Inn – appeared regarding public safety

Item (15) ADMINISTRATOR’S REPORT

County Administrator Joe Kernell invited Council members to the fifth annual Cardiac Survivors Ceremony at the TD Convention Center on Friday, May 22 at 2:00 p.m.

Item (16) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Seman stated the Donaldson Jet Center served as the patron host of the 2015 Blue Ridge Council Exporee held May 1-3 at Donaldson Field. The aviation themed weekend was a huge success as over 1300 Boy Scouts attended the event.
- Councilor Gibson asked how they continued to receive negative comments regarding the EMS situation when, as Council, they have never met on the issue. She requested some effort be made to find out where the County was on the matter.

(a) Disabilities and Special Needs Board / Seat Additions and Term Lengths

ACTION: Councilor Kirven presented for first reading an ordinance to amend Ordinance No. 2378, as amended by Ordinance No. 4584, regarding the number and term limits of the members of the Board of Directors of the Greenville County Disabilities and Special Needs Board.

Chairman Taylor stated the item would be referred to the Committee of the Whole.

- Councilor Kirven reminded everyone of the Memorial Day ceremony on Monday, May 25th at 10:00 a.m. at the Veteran’s Memorial at County Square.
- Councilor Payne stated Scottish Games would be held the coming weekend and encouraged everyone to participate. He stated Greenville County would be represented in the District of Columbia on June 1st at the National Building Museum in the Global Cities Team Challenge with an automated electric vehicle named Bruin 1. The vehicle was donated by Star EV, assembled in Simpsonville, South Carolina, and automated by undergraduate engineering students, in mechanical and electrical computer engineering at Bob Jones University.
- Councilor Dill thanked Mr. Kernell and his staff for the outstanding work they have done on the budget.
- Councilor Meadows encouraged everyone to come to the Memorial Day service on Monday.

- Councilor Cates expressed his appreciation to Mr. Kernell and his team putting together a budget with 23 and 24 straight years without a millage increase. He then stated on June 5th, the old mill at Taylors Bleachery would be holding their grand opening. Mr. Cates further stated that today the South Carolina Senate recognized a young man from Greenville, Casey Whitline, who would be on the American bob sled team in the 2018 Olympics.
- Councilor Burns expressed well wishes to Martin Livingston on the announcement of his retirement. He hoped Council would come together to do something for him to show their appreciation for the work he has done for GCRA and for Greenville County.
- Chairman Taylor thanked everyone for remembering him during his recent heart cath. procedure.
- Councilor Norris stated Freetown had a nice event over the past weekend; a kickoff to repair the outside of the Freetown Community Center and the playground. She stated she was able to solicit matching funds for their project which was through the AKA Sorority, of which she and Ms. Gibson were members. She then asked the Chairman to let her know when Greenville County was again selected to receive the SCAC scholarship.

Item (17) ADJOURNMENT

ACTION: Councilor Norris moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:33 p.m.

Respectfully submitted:

Theresa Kizer, Clerk to Council