



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
September 15, 2015
6:05 p.m.
County Square – Council Chambers

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
John Hansley, Deputy County Administrator
Jeffrey Wile, Assistant County Attorney
Dean Campbell, Assistant County Attorney
Kimberly Wunder, Assistant County Attorney
Theresa Kizer, Clerk to Council
Regina McCaskill, Deputy Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Bob Mihalic, Governmental Relations Officer

OTHERS PRESENT:

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – Introduced by Chairman Bob Taylor

Sam Zimmerman

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the September 1, 2015, Regular Council Meeting.

Motion carried unanimously.

Item (5) PUBLIC HEARINGS

(a) Williamsburg Drive Special Tax District Creation

A public hearing was held for the purpose of receiving public comments regarding an ordinance to create the Williamsburg Drive Special Tax District; to define the boundaries of the district and the purpose for which it is created; to establish the district as an administrative division of Greenville County; and to impose a fee of not more than forty-eight dollars (\$48.00) annually on all real property located within the district.

- *Saleem Shabazz, 200 Williamsburg Drive, Greenville – appeared in favor of the proposed*
- *Edward Paxton, 1 York Circle, Greenville – appeared in favor of the proposed*
- *Salina Pruitt, 106 Williamsburg Drive, Greenville – appeared in favor of the proposed*

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

(b) Foothills Fire Service Area / Millage Increase

A public hearing was held for the purpose of receiving public comments in regards to the Foothills Fire Service Area Operational Budget and Millage Levy for the Tax Year 2016; and to provide for the expenditures of the revenues received by the Foothills Fire Service Area during the tax year.

- *Richard Locke, 1010 E. Lakeshore Drive, Landrum – appeared in favor of the proposed*

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

Item (6) APPEARANCES – Current Agenda Items

None

Item (7) CONSENT AGENDA

- (a) FY 2016 – FY 2017 Road Paving List**
- (b) Homeland Security Grant**
- (c) Community Project / City of Simpsonville – South Greenville Fair**
- (d) Community Project / Recreation Department – Locomotive Relocation**

ACTION: Councilor Seman moved approval of the Consent Agenda Items.

Motion carried unanimously.

Item (8) RESOLUTIONS

(a) Metropolitan Sewer Subdistrict Annexation / Call for Public Hearing

ACTION: Councilor Payne moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include certain real property located off Lee Vaughn Road, Baughman Court, Jonesville Road and McKinney Road.

Motion carried unanimously.

(b) Greater Greenville Sanitation District Annexation / Call for Public Hearing

ACTION: Councilor Payne moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include certain properties located in the Drexel Terrace Subdivision and a property located on Everest Street.

Motion carried unanimously.

(c) Project Diamondback / Inducement and Millage Rate Agreement

ACTION: Councilor Kirven moved for adoption a resolution authorizing the execution and delivery of an inducement agreement and millage rate agreement by and between Greenville County, South Carolina and a Corporation known to the County at this time as "Project Diamondback" whereby, under certain conditions, the Corporation will acquire, or purchase, certain buildings, improvements, furnishings, fixtures, machinery, apparatus, and equipment in connection with the construction of a manufacturing facility in the County, and the County will execute a fee-in-lieu of tax agreement and provide certain infrastructure improvement credits to the Corporation and execute certain documents and enact certain further legislation for the Project involving a total of not less than \$100,000,000 in investment.

Motion carried unanimously.

Item (9) ORDINANCES – THIRD READING

(a) Williamsburg Drive Special Tax District Creation

ACTION: Councilor Payne moved for adoption at third reading an ordinance to create the Williamsburg Drive Special Tax District; to define the boundaries of the District and the purpose for which it is created; to establish the District as an Administrative Division of Greenville County; and to impose a fee of not more than \$48.00 annually on all real property located within the district.

Councilor Payne commended citizens who come forward to solve problems in their communities. He stated the ordinance gave the community the ability to make changes. The direction of the lighting would be set up by the citizens and those who provide the service.

Councilor Meadows requested Paula Gucker discuss the type of lighting which was to be used for the project.

Paula Gucker stated there were a number of different fixtures which could be used and the County would continue to work with the residents of the community to determine which option was the best.

Motion as presented carried unanimously.

(b) CH2M Hill Inc. / Fee in Lieu of Tax Agreement

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing, under certain conditions, the execution and delivery by Greenville County, South Carolina of a fee in lieu of taxes agreement with CH2M Hill, Inc. with respect to an office project in the County whereby the Project would be subject to payment of certain fees in lieu of taxes, and whereby CH2M Hill, Inc. 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) Greenville County Recreation Revenue Bonds

ACTION: Councilor Kirven moved for adoption at third reading an ordinance providing for the issuance and sale of Recreation System Revenue Bonds of Greenville County, South Carolina, and other matters relating thereto.

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

Motion to amend carried unanimously.

Motion as amended carried unanimously.

(d) Greenville County Recreation Revenue Refunding Bonds, Series 2015A (\$4,800,000) and Greenville County Recreation System Revenue Bonds, Series 2015B (\$3,190,000)

ACTION: Councilor Kirven moved for adoption at third reading an ordinance providing for the issuance and sale of not exceeding \$4,800,000 Recreation System Revenue Refunding Bonds, Series 2015A and \$3,190,000 Recreation System Revenue Bonds, Series 2015B, of Greenville County, South Carolina, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters relating thereto.

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

Motion to amend carried unanimously.

Motion as amended carried unanimously.

(e) Bausch & Lomb Inc. (formerly Project Capacity) / Fee in Lieu of Tax Agreement and Infrastructure Credit Agreement

ACTION: Councilor Kirven moved for adoption at third 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 Bausch & Lomb Incorporated (formerly known as Project Capacity) 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.

Motion carried unanimously.

(f) Greenville / Anderson Multi County Industrial Business Park Agreement Amendment / Bausch and Lomb Inc. (formerly Project Capacity)

ACTION: Councilor Kirven moved for adoption at third 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.

ACTION: Councilor Kirven moved to hold the item until a public hearing could be scheduled.
Motion to hold carried unanimously.

(g) Project Rock / Fee in Lieu of Tax Agreement

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and among Greenville County, South Carolina, and Project Rock, as sponsor, to provide for a fee in lieu of ad valorem taxes incentive, to provide for a grant of certain special source revenue credits, and other matters related thereto.

ACTION: Councilor Kirven moved to hold the item until the company was ready to move forward with third reading.
Motion to hold carried unanimously.

(h) Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (Project Rock)

ACTION: Councilor Kirven moved for adoption at third 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.

ACTION: Councilor Kirven moved to hold the item until the company was ready to move forward with third reading.
Motion to hold carried unanimously.

(i) Foothills Fire Service Area / Millage Request

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Foothills Fire Service Area.
Motion carried unanimously.

Item (10) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2015-31:** Request for rezoning was withdrawn by the applicant.
2. **CZ-2015-33:** Property of Perry Luthi located at 2201 Poinsett Highway Lots 3, 4 and 5 requesting rezoning from OD and R-7.5 to C-1. The Planning Commission recommended approval and the Committee recommended approval as amended to OD.

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 OD.

Motion to amend carried unanimously.

Motion as amended carried unanimously.

3. **CZ-2015-47:** Property of Joel Silos and Jessika Ramos located at 1118 Gordon Street Extension requesting rezoning from R-10 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.

4. **CZ-2015-48:** Property of 401 Brushy Creek LLC and Mark Cothran located at 401 Brushy Creek requesting rezoning from R-20 to C-1. 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.

5. **CZ-2015-49:** Property of Triangle Real Estate of Gaston and Tony Edward Abercrombie located at 762 and 756 Fairview Road requesting rezoning from C-1 and R-S to R-M14. The Planning Commission recommended denial and the Committee recommended approval.

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

Motion carried with Councilor Kirven voting in opposition.

6. **CZ-2015-50:** Property of Wellington Homes and Robert Julian located on Mary Street requesting rezoning from R-10 and C-2 to R-7.5. 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.

7. **CZ-2015-51:** Property of Jack Shaw located at 25021 E. North Street requesting rezoning from R-20 to POD. 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.

8. CZ-2015-52: Property of Christopher T. Corley and Corpro Properties LLC located at 300 Ben Hamby Drive requesting rezoning from I-1 to S-1. The Planning Commission and the Committee recommended approval.

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

Councilor Burns stated he had received a number of emails as well as additional information regarding the rezoning request.

ACTION: Councilor Burns moved to hold the item until the October 6, 2015 Regular County Council Meeting.

Motion to hold carried unanimously.

9. CZ-2015-53: Property of the City and County of Greenville located on Perimeter Road requesting rezoning from C-2 to I-1. 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.

10. CZ-2015-54: Property of Thomas L. Henderson, James C. Henderson, Charlotte H. Roberts, James C. and Dolly Henderson, Sr., located at Woodruff Road and Sunnydale Drive requesting rezoning from R-S and S-1 to PD. The Planning Commission and the Committee recommended approval with conditions.

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

AMENDMENT: Councilor Dill moved to amend the request as follows:

- Pertaining to the future connection to the west, include within the statement of intent, "The proposed future vehicular connection to the west will be installed by the developer at such time in the future when the adjacent property is redeveloped."
- At least one access to the east will align with an access to the proposed library and include appropriate pedestrian amenities;
- Align the signalized intersection at Woodruff Road with the driveway to the south;
- Maintain proposed landscape buffer with Woodruff Road considering planned SCDOT widening;

Motion to amend carried unanimously.

Councilor Burns stated the property was located in his district and there had been some relevant concerns from citizens about the traffic on Woodruff Road. He stated the request complied with the East Woodruff Road Area Plan but the plan may need to be updated to reflect changes and improvements in the area. Councilor Burns stated citizens had a right to be concerned but the rezoning request matched the intent and purpose of the plan and he would be voting in favor.

Motion as amended carried unanimously.

11. **CZ-2015-55:** Property of P.E.S. LLC located at 1801 Rutherford Road requesting rezoning from I-1 to S-1. The Planning Commission recommended approval and the Committee recommended denial.

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

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

Motion to return the item to the Planning and Development Committee carried unanimously.

12. **CZ-2015-38:** Property of John Broadbent located in the NE quadrant of Chick Springs Road at E. Main Street, Taylors requesting rezoning from R-12 to R-M5. *(The Planning Commission and Committee recommended approval. An updated summary from the September 14 Planning and Development Committee meeting was placed at each Council member's seat.)*

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

Councilor Baldwin stated he was not certain approval of the request was a good idea. There were three duplexes on the property and the owner had lost a portion of the property to wetlands. He stated there were currently two plans for the property: one with 40 structures and another with 49 structures. Councilor Baldwin stated he was concerned approval would set precedence for multi-family homes on adjacent properties. There would be multi-family homes on the property whether the rezoning request was approved or not.

ACTION: Councilor Baldwin moved to return the item to the Planning and Development Committee for further discussion.

Motion to return the item to the Planning and Development Committee carried unanimously.

(b) Project Heritage / Fee in Lieu of Tax Agreement

Councilor Kirven moved for approval at second reading an ordinance authorizing the execution and delivery of a first amendment to a fee-in-lieu of ad valorem taxes and incentive agreement to provide a fee in lieu of ad valorem taxes, infrastructure credits, and other incentives necessary to induce Project Heritage to locate in the County; authorizing the sale of real property which is a portion of a parcel currently known as Greenville Tax Map No. 0409000100103 to Project Heritage; authorizing the execution and delivery of documents necessary to effect the intent of this ordinance; and other related matters.

AMENDMENT: Councilor Kirven moved to amend the ordinance to reflect the changes made in the updated ordinance provided in the agenda packet.

Motion to amend carried unanimously.

Motion as amended carried unanimously.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2015-56 through CZ-2015-59.

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

(b) Project Diamondback / Fee in Lieu of Tax Agreement

Councilor Kirven presented for first 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 Project Diamondback; and other matters relating to the foregoing.

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

(c) Transfer of Matrix Property

Councilor Kirven presented for first reading an ordinance to authorize and approve the transfer of County owned properties located near U.S. 25 (Augusta Road) and I-185 commonly known as the Matrix Business & Technology Park, and to authorize the execution of a deed and any other appropriate documents and agreements related thereto.

Chairman Taylor referred the item to the Finance Committee.

Item (12) COMMITTEE REPORTS

None

Item (13) APPEARANCES – non agenda items

- **Jack Logan**, 5051 Old Augusta Road, Greenville – appeared regarding recreation
- **Johnnie Simmons**, 12 Cherry Cove Lane, Taylors – appeared regarding Public Safety Holiday
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding QUID
- **Jessica Monroe**, 150 Fernwood Drive, Greer – appeared regarding animal care

Item (14) ADMINISTRATOR'S REPORT

- County Administrator Joe Kernell stated Mr. Richard Black had invited Council Members to a First Responders Appreciation Day on Saturday September 26 from 8:00 am until 5:00 pm in the parking lot of County Square.
- Mr. Kernell stated in response to the questions concerning the purchase of a crane, the County had not yet purchased the crane that was included in the FY2016 budget. He stated the County continued to search for the right crane and to identify the best deal. He stated staff would appreciate information regarding any contact a citizen may have of someone working in that field.

- Mr. Kernell stated the 2015 audit was almost complete and he had some numbers he wished to share with Council. Mr. Kernell stated for 2015, the County budgeted \$144.823 million for revenue and \$144.814 million in expenses. The actual amount received in revenue was \$144.042 million, which was slightly lower than anticipated, but the actual expenses came in lower as well, at \$143.609 million. He stated overall it was a very positive year and the auditors would be making a full report to the Council in the near future.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Seman stated last week SCTAC announced a partnership with South Korean based SK Telcom to jointly develop standardization of packing prevention technologies at ITIC test track. The cutting edge R&D would protect connected vehicles using quantum cryptography technologies.
- Councilor Ballard stated Missouri Western University was the first university to offer a new degree in population health management. He stated with all the discussions Council has had recently, he felt the information would be interesting to them.
- Councilor Kirven invited everyone to the South Greenville Fair on Saturday, September 20th at the Simpsonville City Park. He stated the fair would include youth competitions on everything from agriculture to livestock.
- Councilor Kirven and Councilor Gibson commented on the Cancer Survivor's Park at the Reedy River. Ms. Gibson stated other partners were getting their monies together to help support the park and she encouraged the County to get involved.
- Councilor Dill stated the SCDOT held a public hearing that evening from 5-7:00 pm at Greer High School regarding a traffic circle on Highway 101 near the Lake Cunningham Fire Department. He stated the DOT had completely excluded Council Members.

Item (16) ADJOURNMENT

ACTION: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:12 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council