



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
March 15, 2016
6:03 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 ABSENT
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:

Lottie Gibson, District 25

STAFF PRESENT:

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
Jeff Wile, Assistant 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
John Vandermosten, Assistant County Administrator, Public Safety
Chief Deputy John Eldridge, Sheriff's Office
Bob Mihalic, Governmental Relations Officer
Eric Vinson, Director, Planning and Code Enforcement
Tom Meeks, Planning
Sandra Yudice, Assistant to the County Administrator
Jessica Stone, Administrative Assistant, Clerk to Council

OTHERS PRESENT:

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – introduced by Councilor Willis Meadows

Rev. Rod May, Assistant Pastor
Mitchell Road Presbyterian Church

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the March 1, 2016, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) PROCLAMATION

(a) Honoring Ben Haskew

Councilor Kirven presented a proclamation to Ben Haskew for his outstanding service as President of the Greater Greenville Chamber of Commerce. Mr. Haskew is retiring after twelve impactful years as President/CEO of the Chamber.

Mr. Haskew's tenure at the Chamber included development of the Next organization and the Upstate Chamber Coalition. He has been called a "builder of community," and "supporter of diversity. " Mr. Haskew has created an effective new brand, vision, and mission for the Chamber that also emphasized business development and growth contributing towards unprecedented economic success in Greenville County.

In his honor, the Chamber created an annual award, the *F. Ben Haskew Collaboration Award*, to be presented yearly to Upstate leaders who show progressive vision and partnership approaches to growth.

In 2015, Mr. Haskew was named South Carolina Chamber Executive of the Year.

Greenville County Council honored Mr. Ben Haskew for a 40-year career as a talented executive and champion for responsible economic growth and proudly acknowledged that his outstanding work at the Greater Greenville Chamber of Commerce will continue to have positive impacts in our community for decades to come.

Item (6) PUBLIC HEARINGS

(a) Ushers Machine and Tool Company Inc. (formerly Project Jewel) / Fee in Lieu of Tax Agreement

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Ushers Machine and Tool Company Inc., 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.

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

(b) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment - Ushers Machine and Tool Company Inc. (formerly Project Jewel)

A public hearing was held for the purpose of receiving comments from the public regarding 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.

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

(c) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment – Greenco Beverage Co. Inc. (formerly Project Blue Sky)

A public hearing was held for the purpose of receiving public comments regarding 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.

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

(d) Conveyance of a Surplus Right-of-Way / Providence Square

A public hearing was held for the purpose of receiving public comments regarding an ordinance authorizing and approving the conveyance of surplus right of way consisting of a 50 foot wide stub-out located off of Providence Square (J-0137) and adjoining Greenville County TMS# 0543070103200 and 0543070103300, and to authorize the Chairman of County Council and the County Administrator to execute quitclaim deeds related thereto.

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

(e) Land Development Regulations Amendment / Scuffletown Rural Conservation District Site Plan Review Guidelines

A public hearing was held for the purpose of receiving public comments regarding an ordinance to amend the County's Land Development Regulations, as amended, to add Section 12, adopting Site Plan Review Guidelines for the Scuffletown Rural Conservation District.

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

Item (7) APPEARANCES – Current Agenda Items

None

Item (8) CONSENT AGENDA

- (a) Community Project Application / Phillis Wheatley Center – Maintenance and Renovation Activities**
- (b) Community Project Application / Fourth of July Celebration at Heritage Park**
- (c) Community Project Application / Greenville County Schools – Golden Strip Career Center**
- (d) Community Project Application / Canebrake Fire Department – Engine / tanker Acquisition**

Councilor Burns requested to hold Item (a).

Chairman Taylor stated Item (a) would be held until the end of the meeting.

ACTION: Councilor Seman moved approval of the Consent Agenda Items (b), (c) and (d).

Motion carried unanimously by Council Members present.

Item (9) ORDINANCES – THIRD READING

(a) Ushers Machine and Tool Company Inc. (formerly Project Jewel) / 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 tax agreement by and between Greenville County, South Carolina and Ushers Machine and Tool Company, Inc. 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 by Council Members present.

(b) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment – Ushers Machine and Tool Company Inc. (formerly Project Jewel)

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.

Motion carried unanimously by Council Members present.

(c) Greenville County General Obligation Refunding Bonds

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to provide for the issuance and sale of (i) not exceeding \$11,000,000 Greenville County, South Carolina General Obligation Refunding Bonds, Series 2016a; (ii) not exceeding \$1,300,000 Greenville County, South Carolina General Obligation Refunding Bonds (Fountain Inn Fire Service Area Project), Series 2016b; and (iii) not exceeding \$1,500,000 Greenville County, South Carolina General Obligation Refunding Bonds, Series 2016c; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Motion carried unanimously by Council Members present.

(d) Anderson / Greenville Multi County Industrial Business Park Agreement Amendment – Greenco Beverage Co. Inc. (formerly Project Blue Sky)

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.

Motion carried unanimously by Council Members present.

(e) Conveyance of a Surplus Right-of-Way / Providence Square

ACTION: Councilor Payne moved for adoption at third reading an ordinance to authorize and approve the conveyance of surplus right of way consisting of a 50 foot wide stub-out located off of Providence Square (J-0137) and adjoining Greenville County TMS# 0543070103200 and 0543070103300, and to authorize the Chairman of County Council and the County Administrator to execute quitclaim deeds related thereto.

Motion carried unanimously by Council Members present.

Item (10) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2016-08:** Property of Jeffery Scott Collins, Co. A LLC, David M. Collins, Dana M. Collins, Douglas N. Collins, Lois C. Rouse and Samuel B. Rouse, et. al., located at the 300 Block of Reedy Ford Road requesting rezoning from I-1 and R-S to R-12. 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 by Council Members present.

2. **CZ-2016-12:** Property of RJR Venture Group LLC, located at 1607 and 1609 Roper Mountain Road requesting rezoning from R-S to R-15. 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 by Council Members present.

3. **CZ-2016-13:** Property of Ronald Lynn Center located at 1243 Locust Hill Road 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 by Council Members present.

(b) Zoning Map and Text Amendment / Revise Article 8 – Special Purpose and Review District to include the Scuffletown Rural Conservation District (CZ-2016-14)

ACTION: Councilor Dill moved for approval at second reading an ordinance to amend Ordinance 3229, being the official Zoning Ordinance and Map of Greenville County, said amendment being for the purpose of adding Section 8:9, as amended, to include the Scuffletown Rural Conservation District. The Planning Commission and Committee recommended approval.

Councilor Kirven stated the amendment would work hand-in-hand with the Scuffletown Area Plan. It would enable development to continue but would enhance desirability for current and future residents by providing open space requirements, buffers and natural condition options. Councilor Kirven respectfully requested his colleagues' support the request.

Motion carried unanimously by Council Members present.

(c) Comprehensive Plan Amendment / Revise the Future Land Use Map for the Scuffletown Area (CP-2016-01)

ACTION: Councilor Dill moved for approval at second reading an ordinance to adopt the Scuffletown Area Plan 2015 as an amendment to the Imagine Greenville County Comprehensive Plan. The Planning Commission and Committee recommended approval.

Motion carried unanimously by Council Members present.

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2016-15 through CZ-2016-23.

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

(b) Land Development Regulations Amendment / Scuffletown Rural Conservation District Site Plan Review Guidelines (LDR-2016-01)

Councilor Dill presented for first reading an ordinance to amend the County's Land Development Regulations, as amended, to add Section 12, adopting Site Plan Review Guidelines for the Scuffletown Rural Conservation District.

Chairman Taylor stated the item would remain on the floor.

(c) Fitesa Simpsonville, Inc. (formerly Project Zapp) / Fee in Lieu of Tax Agreement

Councilor Kirven presented for first reading an ordinance authorizing a second amendment to a fee-in-lieu of ad valorem taxes agreement by and between Greenville County, South Carolina, and Fitesa Simpsonville, Inc., to provide for an extension of the investment period and a special source revenue credit; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

Chairman Taylor stated the item would remain on the floor.

Item (12) COMMITTEE REPORTS

(a) Committee of the Whole

1. Greenville Technical College Area Commission Nominations

ACTION: On behalf of the Committee, Councilor Kirven moved to nominate *Hunter Howard* and *David Stafford* to the Greenville Legislative Delegation to fill two at-large seats on the Greenville Technical College Area Commission.

Motion carried unanimously by Council Members present.

2. Resolution Supporting Efforts in the General Assembly Regarding Community Service Sentencing of Non-Violent Offenders

On behalf of the Committee, Councilor Kirven moved for adoption a resolution supporting efforts in the General Assembly to adjust sentencing requirements to provide Judges with increased flexibility to sentence non-violent offenders to public service work to help communities address the issue of litter.

Motion carried unanimously by Council Members present.

3. Resolution of 2009-CP-23-4696 and 2014-CP-12-23-6065

ACTION: On behalf of the Committee, Councilor Kirven moved to direct the County Attorney to settle 2009-CP-23-4696 pursuant to the terms discussed in Executive Session.

Motion carried unanimously by Council Members present.

ACTION: On behalf of the Committee, Councilor Kirven moved to direct the County Attorney to settle 2014-CP-23-6065 pursuant to the terms discussed in Executive Session.

Councilor Baldwin recused himself from discussion and voting on the item due to a business conflict.

Motion carried unanimously by Council Members present with Councilor Baldwin recusing.

Item from Consent Agenda

(a) *Community Project Application / Phillis Wheatley Center – Maintenance and Renovation Activities*

ACTION: Councilor Burns moved to amend the Community Project Application for the Phillis Wheatley Center – Maintenance and Renovation by allocating \$3500 from his Community Projects monies for a total of \$45,000.00.

Motion to amend carried unanimously by Council Members present.

Motion as amended carried unanimously by Council Members present.

ACTION: Councilor Seman moved to reconsider the motion.

Motion to reconsider carried unanimously by Council Members present.

ACTION: Councilor Norris moved to amend the Community Project Application for the Phillis Wheatley Center – Maintenance and Renovation by allocating \$5000 from her Community Projects monies for a total of \$50,000.00.

Motion to amend carried unanimously by Council Members present.

Motion as amended carried unanimously by Council Members present.

Item (13) APPEARANCES – non agenda items

- **Traci Fant**, 211 Creektop Ct., Greenville - appeared regarding need for sidewalks
- **Migdalia Abrams**, 154 Valley Brook Rd., Piedmont – appeared regarding need for lights and sidewalks
- **Jessica Monroe**, 150 Fernwood Dr., Greer - appeared regarding animal welfare
- **Chris Teasley**, 211 Twin Springs Dr., Greenville – appeared regarding need for lights and sidewalks
- **Tami Desmond**, 3010 Kelsey Creek Rd, Spartanburg – appeared regarding animal welfare
- **Ed Paxton**, 1 York Circle, Greenville - appeared regarding Codes

Item (14) ADMINISTRATOR’S REPORT

None

Item (15)

REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Dill requested information regarding the part of Augusta Road in need of sidewalks and lights due to the death of a young man as presented by several speakers (non-agenda items.) He stated County Council had no jurisdiction regarding law enforcement arrests but he would like additional information regarding the case.
- Councilor Ballard was able to provide information regarding the general vicinity of the area in question. He added he had previously spoken to one of the speakers regarding the situation and had put them in contact with SCDOT as this was a state-maintained road. Councilor Ballard stated this area was very dark at night and very dangerous. He added there were no sidewalks and nowhere to walk except on the road.
- Councilor Dill stated he did not understand what County Council was not doing in regards to animal care. He added that Council members were policy makers. He stated Council hired an Administrator to follow policy and it was his understanding policies were being met.
- Joe Kernell responded by stating the staff at Animal Care had been implementing many Target Zero recommendations and cited February 2016 as having an 87% Return Rate which meant 87% of the animals lived. He added the figure was only 3% below the Target Zero recommended Return Rate of 90%. Mr. Kernell stated Animal Care would have to continue to care for a large number of animals until the community took action to have their animals spayed and neutered. He stated Animal Care tended to approximately 20,000 – 22,000 animals on a yearly basis and the budget for Animal Care has risen from \$200,000 in 2004 to \$3.5 million dollars currently. Mr. Kernell added County Council had stepped up and allocated a large amount of resources for animal care to residents of both Greenville County and Spartanburg County. Mr. Kernell also cited the formation of an Animal Care Committee which met regularly to discuss ways to improve service delivery. He added County Council was already doing as much as possible for the animals and needed to focus their attention on saving people's lives by discussing sidewalks, lighting, etc.
- Councilor Meadows stated recently Animal Care held an adoption program on the weekend and all the cats were adopted. He added both the staff and the County were doing a very good job in regards to animal care.
- Councilor Cates asked how the County's 87% return rate compared to counties of like size. Mr. Kernell stated he did not have those statistics in front of him, but they were all over the board and depended on what emphasis the governing body put on animal care.
- Councilor Norris stated the upcoming UNCF event was scheduled for March 18th and tickets were \$100.00.
- Councilor Seman stated SCTAC and ITIC was pleased to participate in and host events on February 24, 2016, related to South Carolina Auto Week and the 2016 Automotive Summit. SCTAC President and CEO, Jody Bryson, was one of three panelists joining Fred Cartwright (Executive Director of CU-ICAR) and Catherine Hayes (Executive Director of the South Carolina Automotive Council), at the 2016 Power Event Series presented by GSA Business Report at the TD Convention Center. ITIC hosted a Ride and Drive event which included technology demonstrations, presentations, and a reception with food and live music. Over 200 conference attendees participated.
- Councilor Payne thanked Paula and the Animal Care staff for the excellent job they were doing.
- Councilor Ballard wished Mr. Meadows a Happy Birthday.

(a) Waste Tire Ordinance Amendment / First Reading

Per notice given in the Council Agenda Packet, Councilor Ballard presented for first reading an ordinance to amend Section 3 of Ordinance No. 4771, regulating the storage of used and/or waste tires, to provide that used tires for resale may be stored outdoors on lots greater than one acres in size, provided the tires are stored in the rear yard, and enclosed and screened from view on all sides.

Chairman Taylor referred the item the Planning and Development Committee.

Item (16)

ADJOURNMENT

ACTION:

Councilor Ballard moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:06 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council