



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
April 19, 2016
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. Xanthe Norris
Mrs. Liz Seman ABSENT
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:

Liz Seman, District 24
Lottie Gibson, District 25

STAFF PRESENT:

Joe Kernell, County Administrator
Mark Tollison, 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
Eric Vinson, Director, Planning and Code Enforcement
Sandra Yudice, Assistant to the County Administrator
Debbie Adkins, Real Property Services Director
Jessica Stone, Administrative Assistant, Clerk to Council

OTHERS PRESENT:

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – introduced by Councilor Sid Cates

Dr. Ken Hay, Founder
The Wilds Christian Camp

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Ballard moved to approve the minutes of the April 5, 2016, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) APPEARANCES – Current Agenda Items

None

Item (6) ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. **CZ-2016-05:** Property of Carl Vaughan Schmidt Jr., located in the 100 Block of All Star Way requesting rezoning from R-20 to FRD as amended.

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

Motion carried unanimously by Council Members present.

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

ACTION: Councilor Dill moved for adoption at third 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.

Motion carried unanimously by Council Members present.

Item (7) ORDINANCES – SECOND READING

(a) Zoning Ordinances

1. **CZ-2016-15:** Property of Sheron Davis located at 111 Adams Mill Road requesting rezoning from R-S to C-1. The Planning Commission and Committee recommended denial.

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

Motion was denied unanimously by Council Members present.

2. **CZ-2016-16:** Property of Michael and Karen Miller located at 20 Wanda Lane requesting rezoning from R-10 to R-MA. 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 Council Members present.

3. **CZ-2016-17:** Property of Donna Christine Dor located at 311 Piedmont Avenue requesting rezoning from R-10 to R-20A. 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.

Councilor Cates encouraged his colleagues to approve the ordinance, stating the property was located in his district and he felt it was appropriate to rezone to R-20A.

Motion carried unanimously by Council Members present.

4. **CZ-2016-18:** Property of Kirk S. Chapman located at 403 and 407 E. Main Street, Taylors requesting rezoning from R-20 and C-1 to C-2. The Planning Commission recommended denial and the Committee recommended approval as amended to C-3.

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 C-3.

Motion to amend carried unanimously by Council Members present.

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

Motion as amended carried unanimously by Council Members present.

5. **CZ-2016-19:** Property of Lakewood Farms LLC located at the 100 Block of Lakewood Drive requesting rezoning from R-S to R-15. 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 Council Members present.

6. **CZ-2016-20:** Property of Barbara Elaine Bonds, Willie M. Bonds, et.al. located at 850 Scuffletown Road requesting rezoning from R-S to R-12. The Planning Commission and Committee recommended denial.

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

Councilor Kirven stated he felt the Planning Commission and the Committee made the correct determination and requested Council support the denial. He added there were ways the property could be developed in the future but he did not feel R-12 was appropriate at this time.

Motion was denied unanimously by Council Members present.

7. **CZ-2016-21:** Property of ASGA LP located at 300 Hammett Street requesting rezoning from I-1 and S-1 to R-MA. 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 Council Members present.

8. **CZ-2016-22:** Property of JK Development and Restore Life LLC located at the 600 Block of Aiken Chapel Road requesting rezoning from R-MA and C-2 to C-3. The Planning Commission and Committee recommended denial.

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

Motion was denied unanimously by Council Members present.

9. **CZ-2016-23:** Property of Aviation Ventures Series Fund II – Series Three located at Fork Shoals Road and West Georgia Road requesting rezoning from C-1 to C-2. The Planning Commission recommended denial and the Committee recommended approval as amended to C-3.

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 C-3.

Motion to amend carried unanimously by Council Members present.

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

Motion as amended carried unanimously by Council Members present.

10. **CZ-2016-23:** This docket was withdrawn by the applicant.

(b) Waste Tire Ordinance Amendment

ACTION: Councilor Dill moved for approval at second 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 acre in size, provided the tires are stored in the rear yard, and enclosed and screened from view on all sides.

AMENDMENT: Councilor Dill moved to amend the ordinance to allow used tires for resale to be stored on lots greater than 2 acres in size, provided the tires are stored in the rear yard, and enclosed and screened from view on all sides. This amendment applies to each reference to the acreage within the ordinance.

Councilor Baldwin inquired as to what changes were made from the original ordinance.

Councilor Ballard stated when the original ordinance was amended; the size of the lot was deleted. He added a used tire dealer thought to be in the unzoned area of his district was located in the zoned area and was unable to afford a building to enclose all of the tires.

Motion to amend carried by Council Members present with Councilor Baldwin voting in opposition.

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

Motion as amended carried unanimously by Council Members present.

(c) Transfer of County Owned Property / 301 River Street

ACTION: Councilor Kirven moved for approval at second reading an ordinance to authorize and approve the transfer of county owned property located at 301 River Street, to authorize the execution of deeds and any other appropriate documents and agreements related thereto, and establish use of transfer proceeds.

Motion carried unanimously by Council Members present.

(d) Adoption of the Administrative Portions of the Collective Building Codes / Associated Appendices / Property Maintenance and Swimming Pool Codes

Councilor Payne moved for approval at second reading an ordinance to comply with the regulations promulgated by the South Carolina Building Codes Council by repealing Ordinance Number 4557 and adopting the administrative provisions (Chapter 1) of the various codes promulgated by the South Carolina Building Codes Council relating to design review and inspection activities of the County of Greenville and enforcement of building provisions as provided in said codes; and, an ordinance to adopt the Property Maintenance Code, the standard Swimming Pool Code and existing Building Code in Greenville County as authorized by the South Carolina Building Codes Council; and to adopt certain appendices of the adopted codes to recognize certain variations in the codes based on physical conditions found within Greenville County.

Chairman Taylor inquired as to what kinds of issues may have been addressed in regards to the need for change.

Councilor Payne stated it was an annual update of the County Codes in order to conform to State and National Codes. He added it was reviewed and implemented by County staff.

Councilor Meadows asked who wrote the International Codes.

Paula Gucker stated International Codes were written by the International Codes Council. She added there were opportunities for staff in cities all over the country to add or amend Codes, as needed.

Councilor Meadows asked from where the International Codes Document originated.

Paula Gucker stated the International Codes are actually nationally adopted codes and are written by the International Codes Council.

Councilor Meadows asked for information about the South Carolina Building Codes Council.

Mark Tollison stated the South Carolina Building Codes Council was appointed by the Governor and fell under the South Carolina Department of Labor, Licensing and Regulation.

Councilor Meadows stated accountability would then go back to the governor.

Mark Tollison agreed and added accountability would also go back to the state board.

Councilor Dill inquired if the General Assembly was involved.

Mark Tollison stated there was pending legislation in the General Assembly to undertake and approve these updates.

Councilor Dill stated nothing had been enacted as of yet. He added he had quite a few questions about the ordinance and was not comfortable with Council voting on it in one meeting. He added there was a lot of information in the ordinance and cited text regarding additional fees above and beyond current permit fees.

Councilor Burns stated the only things that were changed were some of the updates, particularly in dealing with property maintenance and swimming pools. He indicated there were no new fines or fees. Councilor Burns stated the regulations were handed down from the national level to the state level. Council would be remiss if they did not pass the ordinance and would not be in compliance with other entities throughout the State. If Council chose not to pass the ordinance, then the pools in Greenville County may not meet certain requirements. Councilor Burns stated he was sure there were many implications involved in not passing the ordinance, such as insurance issues.

Councilor Baldwin stated it was his understanding if the new regulations were not adopted, then Greenville County would have no Building Codes.

Councilor Burns stated the proposed ordinance was just a small section of the Code. If the County chose not to adopt the regulations promulgated by the South Carolina Building Codes Council, then technically there would be Building Codes.

Motion as presented carried by Council Members present with Councilor Dill voting in opposition.

Item (8) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2016-26 through CZ-2016-30.

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

Item (9) BOARDS AND COMMISSIONS ELECTIONS

(a) Greenville Area Development Corporation (3 vacancies)

Chairman Taylor stated **Marshall Franklin, Donald Godbey, and Thomas Quantrille** were elected by ballot vote to fill three (3) vacancies on the Greenville Area Development Corporation.

(b) Library Board of Trustees (1 vacancy)

Chairman Taylor stated **Fritz Moise** was elected by ballot vote to fill one (1) vacancy on the Library Board of Trustees.

Item (10) COMMITTEE REPORTS

(a) Committee of the Whole

1. Tiger Grant Resolution

ACTION: On behalf of the Committee, Councilor Kirven moved to adopt a resolution to support funding from Greenville County, South Carolina, for the sustainable long term operations and maintenance of projects funded with the 2016 Tiger VIII Grant.

Motion carried unanimously by Council Members present.

Item (11) APPEARANCES – non agenda items

- *Jessica Monroe, 150 Fernwood Drive, Greer - appeared regarding animal welfare*
- *Ed Paxton, 1 York Circle, Greenville – appeared regarding a variety of subjects*
- *Andrew Mitchell, 7 Bellows Fall Drive, Greer - appeared regarding Greenville veteran property tax*

Item (12) ADMINISTRATOR’S REPORT

None

Item (13) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Meadows stated the Greater Greenville Sanitation was charging its customers who recycle a \$25 fee for a recycling cart. He was concerned customers would refuse to purchase the cart and throw their recyclables into the regular trash which would end up at the landfill. He requested the Finance Committee look at the GGS Budget to see if this fee could be avoided.
- Councilor Norris stated it was time for summer programs again. She stated the Recreation District was very cooperative but there was not enough funding to go around. She stated she was open to any help she could receive. She recognized Paul Guy and his efforts to make sure kids in the unseen areas have some kind of program to be involved in.
- Councilor Payne complimented Mr. Dill and Mr. Meadows in their efforts for the veterans. Mr. Payne then referenced an article in the Greenville News regarding the GSP Airport’s efforts to create a personal rapid transit system to better serve their needs. He stated the question had been raised as to whether or not there was anyone in Greenville County who could build these PRT vehicles. He felt this was a huge opportunity for Greenville to look into; the manufacturing of the vehicles and the infrastructure.
- Councilor Dill reminded everyone of the Special Olympics at Furman University, Wednesday at 9:00 am.
- Councilor Baldwin stated there were people who wished to enter pleas of guilty and they were not being transported to court. He did not know whose jurisdiction that fell to, but it needed to be looked into.

- Councilor Ballard thanked the County Administrator for supplying Council with the numbers they asked for at the last meeting.
- Councilor Ballard encouraged his colleagues to attend the Special Purpose District meeting on Thursday, April 21st at 7:00 pm. at the Duncan Chapel Fire Station on Old Buncombe Road. He stated the man from Charleston who put together their combined dispatch system would be speaking.
- Councilor Ballard expressed birthday wishes to Joel Dill.

Item (14)

ADJOURNMENT

ACTION:

Councilor Ballard moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:00 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council