



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
October 4, 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.

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
Jessica Stone, Administrative Assistant, Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Chief Deputy Eldridge, Sheriff's Office
Eric Vinson, Director, Planning and Code Enforcement
Bob Mihalic, Governmental Relations Officer
Tom Meeks, Planning Department
Sandra Yudice, Assistant to the County Administrator

OTHERS PRESENT

None

CALL TO ORDER

Chairman Bob Taylor

INVOCATION – Introduced by Councilor Butch Kirven

Pastor Vardrey Fleming
Bethel Bible Missionary Church
Greenville, SC

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Norris moved to approve the minutes of the September 20, 2016, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) PUBLIC HEARINGS

(a) Greater Greenville Sanitation District Annexation / 2011 Hudson Road

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include a certain property located off of Hudson Road, and to provide for public notice thereof.

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

(b) Alfmeier Corporation (formerly Project Vigil) / 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 Alfmeier Corporation and Alfmeier Friedrichs & Rath LLC 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.

(c) CH2M Hill Inc. / Addition of Sponsor Affiliate

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of an amended ordinance by Greenville County, so as to include HP Greenville, LLC as sponsor affiliate, amending the Ordinance No. 4732 dated September 15, 2015; and other matters related thereto.

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

(d) Foothills Fire Service Area / Millage Request

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Foothills Fire Service Area.

- **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.

(e) Cell Tower Lease

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the Chairman of County Council and the County Administrator to execute a lease with Milestone Development, Inc. for the purpose of installing, constructing, and maintaining one or more telecommunications monopoles thereon.

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

(f) False Alarm Ordinance – Biennial Registration - CANCELLED

Item (6) APPEARANCES

None

Item (7) RESOLUTIONS

(a) Greater Greenville Sanitation District Annexation / 2011 Hudson Rd

ACTION: Councilor Payne moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include a certain property located off of Hudson Road, and to provide for public notice thereof.

Motion carried unanimously by Council Members present.

(b) Project Breeze / 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 Project Breeze, whereby, under certain conditions, Greenville County will execute a fee in lieu of tax and special source credit agreement with respect to a project in the County whereby the project would be subject to payment of certain fees in lieu of taxes, and whereby the project will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously by Council Members present.

Item (8) ORDINANCES – THIRD READING

(a) Zoning Ordinances

1. **CZ-2016-49:** Property of TCC Venture LLC, Townes at Cardinal Creek HOA and Goldjin Company Inc., located at 225 Smith Hines Road, requesting rezoning from R-12 and PD to R-M9 and PD (Major Change).

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

Motion carried unanimously by Council Members present.

(b) Alfmeier Corporation (formerly Project Vigil) / 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 Alfmeier Corporation and Alfmeier Friedrichs & Rath LLC 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.

(c) Greenville / Laurens Multi County Industrial Business Park Agreement Amendment / Project Rain Boots

ACTION: Councilor Kirven moved for adoption at third reading an ordinance to authorize and approve the amendment of the agreement for development of joint county industrial business park, dated as of August 27, 1993, by and between Laurens County, South Carolina and Greenville County, South Carolina in order to remove certain property from the multi-county industrial park created by such agreement; and to provide for other matters related thereto.

Motion carried unanimously by Council Members present.

(d) CH2M Hill Inc. / Addition of Sponsor Affiliate

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of an amended ordinance by Greenville County, so as to include HP Greenville, LLC as sponsor affiliate, amending the Ordinance No. 4732 dated September 15, 2015; and other matters related thereto.

Motion carried unanimously by Council Members present.

(e) Hospitality Tax Refunding COPs Series 2016

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing Greenville County, South Carolina, to execute documents including a third supplement to lease agreement by and between Greenville County, South Carolina and Greenville County Tourism Public Facilities Corporation; consenting to the issuance of refunding Certificates of Participation in the third supplement to lease agreement in the aggregate principal amount of not exceeding \$10,100,000; approving the form of a third supplement to trust agreement between Greenville County Tourism Public Facilities Corporation and the Trustee named thereunder; authorizing a pledge of and lien on the Hospitality Tax revenues to secure the payment of the lease rentals under the lease agreement; and other matters relating thereto.

Motion carried unanimously by Council Members present.

(f) 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 by Council Members present.

(g) Cell Tower Lease

ACTION: Councilor Kirven moved for adoption at third reading an ordinance authorizing the Chairman of County Council and the County Administrator to execute a lease with Milestone Development, Inc. for the purpose of installing, constructing, and maintaining one or more telecommunications monopoles thereon.

ACTION: Councilor Kirven moved to hold this item until the October 18th County Council meeting.

Motion to hold carried unanimously by Council Members present.

Item (9) ORDINANCES – SECOND READING

(a) Zoning Ordinance

- 1. CZ-2016-48: Property of Virginia C. Taylor, located on Dublin Road, requesting rezoning from R-S to S-1.**

The Planning Commission recommended denial and the Committee had no recommendation.

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

Councilor Burns stated the property was located in his district and he was very torn about the request. The applicant had requested S-1; however, the property was in the middle of R-S zoned lands and fronts Interstate 85. Councilor Burns stated Dublin Road and Muddy Ford Road were problematic due to high volumes of traffic. He added that part of Dublin Road was maintained by SC DOT and the other part was maintained by Greenville County. Councilor Burns stated even though the property was zoned R-S, no one would be willing to purchase the property and build single-family homes. He added other factors which influenced the zoning of the property included the proximity to Interstate 85 and the widening project currently in progress, along with the 140,000 cars that pass by on a daily basis. Councilor Burns suggested Council approve the request and then study it in greater detail, prior to third reading.

Councilor Baldwin asked what the Long Range Plan called for in regards to the property.

Councilor Burns stated the Long Range Plan maintained the property's zoning at R-S. He stated the highway was built in the early 1960's and the property was not zoned until the early 1970's.

Chairman Taylor inquired about the elevations of the property in relation to Interstate 85.

Councilor Burns stated the back of the property was slightly elevated above Interstate 85 but the part along Muddy Ford Road was lower than the highway.

Councilor Meadows stated he agreed the request was very difficult. He stated Imagine Greenville stipulated R-S zoning for the property. Councilor Meadows stated many homes had been built in the area and to rezone the property in question as S-1 would be a travesty.

Councilor Seman stated the quality of the road and the truck traffic could not be ignored.

Councilor Norris stated Council needed to be supportive of the residential areas already established in the area.

Councilor Payne stated the rights of the property owner should be respected, but the rights of the existing community should be respected as well.

Councilor Kirven stated the power to approve or deny zoning requests should be used beneficially rather than punitively, for all the citizens involved. He stated he hoped the company interested in using the property would build a structure that was in line with the surrounding properties.

ACTION: Councilor Payne moved to hold the item until the next regularly scheduled County Council meeting to be held on October 18, 2016.

Motion to hold approved by a vote of ten (Dill, Baldwin, Meadows, Cates, Burns, Taylor, Seman, Ballard, Kirven and Payne) in favor and one (Norris) in opposition.

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

ACTION: Councilor Kirven 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 known to the County at this time as Project Universe 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.

(c) Repeal of Former Greenville County Alcohol and Drug Policy

ACTION: Councilor Kirven moved for approval at second reading an ordinance to repeal the Greenville County Alcohol and Drug Policy adopted pursuant to Ordinance No. 3594; and to provide that adoption of future alcohol and drug policies, and any amendment thereto, shall be by resolution.

Motion carried unanimously by Council Members present.

Item (10) ORDINANCES – FIRST READING

(a) Project Breeze / 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 the County at this time as Project Breeze with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Chairman Taylor stated the item would remain on the floor.

(b) Foothills Fire Service Area / Boundary Adjustment

Councilor Kirven presented for first reading an ordinance to establish a new boundary for the Foothills Fire Service Area to reflect that certain properties are being served by the Landrum Area Fire and Rescue District; and to provide for public notice thereof.

Chairman Taylor stated the item would remain on the floor.

Item (11) COMMITTEE REPORTS

(a) Committee of the Whole

1. Boards and Commissions Appointments

ACTION: On behalf of the Committee, Councilor Kirven moved to elect by acclamation the following:

- a. **Accommodations Tax Committee** (3 vacancies)
 B.J. Koonce (D.22)

- b. **Greater Greenville Sanitation Commission** (1 vacancy)
 Clay Jones (D.22)

- c. **Zoning Board of Appeals** (2 vacancies)
 Darrell Russell (D.17)

- d. **Historic Preservation Commission** (4 vacancies)
 Anthony Cox (D.21)
 Cynthia Jenkins (D.17)
 Mary McGee (D.19)
 Richard Owens (D.27)

- e. **Museum Commission** (4 vacancies)
 James Campbell (D.24)
 Natalie Crews (D.23)
 Scott Kilgore (D.24)
 Emelia Stephenson (D.24)

- f. **Parks, Recreation and Tourism Advisory Committee** (2 vacancies)
Tina Belge (D.23)
David LeBlanc (D.19)

Motion carried unanimously by Council Members present.

ACTION:

On behalf of the Committee, Councilor Kirven moved to elect by acclamation the following:

- a. **Boiling Springs Fire District Board** (1 vacancy)
Tonja Faulkenberry (D.21)
- b. **Chanticleer Community Commission** (2 vacancies)
Emilie Pazdan (D.24)
Alan Shusterman (D.24)
- c. **Devenger Pointe Special Tax District** (1 vacancy)
Danny McPeters (D.21)
- d. **Devenger Special Tax District** (1 vacancy)
Pam Osborne (D.21)
- e. **Donaldson Fire Service Area Commission** (1 vacancy)
Michael Cownie (3M)
- f. **Lake Forest Special Tax District** (2 vacancies)
John Austin (D.22)
Megan McCarter (D.22)
- g. **Old Mill Estates Tax District** (2 vacancies)
Edwin Tepera (D.20)

Motion carried unanimously by Council Members present.

2. Boards and Commissions Ad Hoc Committee / Policy Recommendations

ACTION:

On behalf of the Committee, Councilor Kirven moved to approve the revised Attendance Policy for Boards and Commissions.

Motion carried unanimously by Council Members present.

Item (12)

APPEARANCES – non agenda items

- ***Ed Paxton***, 1 York Circle, Greenville – appeared regarding fund sharing with caregivers
- ***Kirsty Keller***, 120 B Watson Road, Travelers Rest – appeared regarding issues with land/property

Item (13)**ADMINISTRATOR'S REPORT**

The Governor has declared a state of emergency due to Hurricane Matthew; along with people, come their pets. Greenville County Animal Care will serve as a primary pet shelter for those Charleston County residents who have been evacuated from the coast. Greenville County is prepared to host more than 400 animals. In order to serve the County's residents and visitors, Animal Care is suspending all regular daily activities. Those with appointments at the Wellness Clinic have been notified. Adoptions and all regular services will resume on Monday, October 10th. Basically, Animal Care will be closed to the general public until then.

Item (14)**REQUESTS AND MOTIONS BY COUNCIL MEMBERS**

- Councilor Payne addressed some of the concerns people had regarding Land Development Regulations. Many citizens have complained that they were not given enough opportunities for input, but Mr. Payne felt the process was not fully understood. He explained the process brought in informed citizens and encouraged them to debate with each other in order to reach conclusions, which were then reviewed by the Planning Commission. He felt the process was very thorough and that staff as well as citizens had ample opportunities to move the matter forward.
- Councilor Dill stated Saturday morning, October 8th, they were going up on Hogback Mountain to clean the Lindsay Pittman, Emery graveyard. Anyone who wanted to help needed to be at the entrance of the Cliffs of Glassy at 10:00 Saturday morning.
- Councilor Baldwin asked if the Travelers Rest Magistrate's office opened on the 3rd of October. Mr. Kernell stated it did open and they were moved in over the weekend. Mr. Dill stated there would be a ribbon cutting.
- Councilor Meadows expressed his appreciation to the Codes staff. He stated often times they were not recognized for the work they do. He stated many worked over the past weekend cleaning up a lot of the violations and problems that exist in Greenville County.
- Councilor Norris stated Brandon Mill was coming along nicely. She has hopes for the Monaghan Mill and for the unseen areas that she has talked about.
- Councilor Seman stated the SCTAC Board of Directors, on behalf of Greenville County and the City of Greenville, were honored to host USDOT Secretary Anthony Foxx for a visit to the International Transportation Innovation Center last Friday to observe examples of the latest road safety and charging technology for automated, sustainable and connected vehicles. Nearly 150 elected officials, industry partners and special guests were in attendance as Secretary Foxx addressed the gathering and participated in demonstrations focused on sensor-based roadside safety systems; camera-based vehicle side collision avoidance systems; and in-motion wireless power transfer supported by a cyber secure communications infrastructure. The technology demonstrations were orchestrated by ITIC Chief Technology Officer Dr. Joachim Taiber and supported by BMW, Cisco, Duke Energy, Mobileye, Oakridge National Laboratory, Proterra and Toyota. She thanked everyone that was able to come out.

- Councilor Ballard thanked the local responders in Greenville who sent people down to help out in Townville. Many of the emergency departments sent men and equipment down while Townville was dealing with the situation they had before them. He stated the South Greenville Fire Department, on South Augusta Road, was having their "Safety Day" on Saturday, October 8th, from 10:00 until 2:00. He stated on Friday, he was honored to attend the swearing in ceremony of the new Probate Judge, Judge Weigle. Mr. Ballard announced on Wednesday, October 5th, there would be a farewell gathering for Charlie Garrett, who was retiring.
- Councilor Ballard wished Joe Dill and Bob Taylor a Happy Birthday.

Item (15)

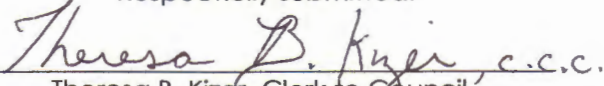
ADJOURNMENT

ACTION:

Councilor Ballard moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:01 p.m.

Respectfully submitted:


Theresa B. Kizer, Clerk to Council