



MINUTES
GREENVILLE COUNTY COUNCIL
Regular Council Meeting
November 15, 2016
6:02 p.m.
County Square – Council Chambers

COUNCIL MEMBERS

Mr. Bob Taylor, Chairman **Absent**
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
Dean Campbell, Deputy 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
Jessica Stone, Administrative Assistant, Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
Eric Vinson, Director, Planning and Code Enforcement
Sandra Yudice, Assistant to the County Administrator
Tyler Stone, Planning Department
Phoenikx Buathier, Planning Department
Judy Wortkoetter, Land Development
Teresa Barber, Fire Code Official/Code Enforcement Supervisor
Hesha Gamble, Engineering

OTHERS PRESENT

Milton Shockley, Planning Commission
Judge Metz Looper, Planning Commission
Nick Hollingshad, Planning Commission

CALL TO ORDER

Vice Chairman Burch Kirven

INVOCATION – introduced by Councilor Fred Payne

Sgt. Mike Decker
Three Strands Christian Church

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

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

Motion carried unanimously by Council Members present.

Item (5) PROCLAMATION

(a) Quick Jobs Program at Greenville Technical College

Councilor Kirven presented a proclamation to Mr. Steve Hand on behalf of the Quick Jobs Program at Greenville Technical College. Councilor Kirven stated the Quick Jobs Program was started in 2002 and had been highly successful in helping adults in occupational transition who needed short-term skills training to secure employment or advance their career. Based at the Buck Mickel Center, the program worked closely with Greenville County businesses and industries by providing training and certifications that were skills specific and job preparatory and benefited the employer, employee and community. Quick Jobs has served more than 34,000 students with more than 75% of them finding employment or higher paying jobs. Students have achieved great success in careers in health care, computer technology, industrial manufacturing and trade, and more.

Greenville County Council proudly acknowledged the success of the Quick Jobs Program at Greenville Technical College, and honored the outstanding collaboration between Greenville Tech, the dedicated students, and local businesses and industries that has led to sustainable economic growth that benefited all of Greenville County.

Item (6) PUBLIC HEARINGS

(a) Land Development Regulations Amendment

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to approve the Greenville County Land Development Regulations for the County of Greenville, South Carolina, providing for the administration, enforcement, and amendment thereof in accordance with the provisions of the South Carolina Planning Enabling Act of 1994, S.C. Code Ann. Title 6, Chapter 29.

- **Alvin Cannaday**, 134 Shannonlake Circle, Greenville – appeared in favor of the proposed
- **Michael Day**, 5 Creekside Court, Greenville – appeared in favor of the proposed
- **Jamie McCutcheon**, 1 Rubaiyat Lane, Greer – appeared in favor of the proposed
- **Thomas Stitt**, 340 Dunklin Bridge Road, Pelzer – appeared in opposition to the proposed
- **Barbara Martzen**, 332 D Hillside Church Road, Fountain Inn – appeared in opposition to the proposed
- **James Moore**, 359 Hillside Church Road, Fountain Inn – appeared in opposition to the proposed
- **Caron Wilson**, 349 Woodside Road, Simpsonville – appeared in opposition to the proposed
- **Lydia Martzen**, 332 D Hillside Church Road, Fountain Inn – appeared in opposition to the proposed
- **Carol Gilley**, 130 Terry Road, Fountain Inn – appeared in opposition to the proposed

- **Lynn Donehoo**, 116 Coker Road, Fountain Inn – appeared in opposition to the proposed
- **Bruce Masters**, 103 Hillside Church Road, Fountain Inn – appeared in opposition to the proposed

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

(b) Project Advantage / 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 Project Advantage, the code name for a Delaware Corporation 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 Burns declared the public hearing closed.

(c) Greenville – Anderson (2010 Park) Multi-County Industrial Business Park Agreement Amendment / Project Siberian

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 Burns declared the public hearing closed.

(d) Project Siberian / 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 Project Siberian, a South Carolina corporation, 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.

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

Item (7)

APPEARANCES – current agenda items

- **Cherington Shucker**, 200 Bromsgrove Dr., Greenville – appeared regarding Hospitality Tax / Creative Arts Center
- **Angelina Mussro**, 744 Berkeley Dr., Clemson – appeared regarding Hospitality Tax / Creative Arts Center
- **Roberta Evans**, 620 Packs Mountain Ridge Rd., Taylors – appeared regarding Hospitality Tax / SC Children’s Theatre
- **Gary Daniels, Jr.**, 124 Rockingham Rd., Greenville – appeared regarding Hospitality Tax / SC Children’s Theatre
- **Tracy Hardaway**, 205 Cindys Gate Dr., Clemson – appeared regarding Hospitality Tax / Creative Arts Center

Item (8) **CONSENT AGENDA**

- (a) SC Hospital Preparedness Program Grant
- (b) Victims of Crime Act Program Grant
- (c) Community Project Application / Dunklin Fire District – Fire Engine Maintenance
- (d) Community Project Application / Canebrake Fire Department – Emergency Response Training
- (e) Waterline Application / 117 Reedy Acres Drive

ACTION: Councilor Seman moved adoption of the Consent Agenda.

Motion carried unanimously by Council Members present.

Item (9) **RESOLUTIONS**

- (a) Project Locate / Inducement Agreement

ACTION: Councilor Burns moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Locate 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 Project/Company 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.

- (b) Project Dalmatian / Inducement Agreement

ACTION: Councilor Burns moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Dalmatian, whereby, under certain conditions, Greenville County will execute a fee in lieu of tax 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 providing for related matters.

Motion carried unanimously by Council Members present.

Item (10) **ORDINANCES – THIRD READING**

- (a) Land Development Regulations Amendment

ACTION: Councilor Dill moved for adoption at third reading an ordinance to approve the Greenville County Land Development Regulations for the County of Greenville, South Carolina, providing for the administration, enforcement, and amendment thereof in accordance with the provisions of the South Carolina Planning Enabling Act of 1994, S.C. Code Ann. Title 6, Chapter 29.

Councilor Ballard stated he wanted to make sure everyone understood that the Land Development Regulations were not zoning regulations; but, they determined how a property was developed. He added Council had the ability to amend ordinances, regulations, rules, etc. Councilor Ballard stated he would prefer to pass the LDR's as presented and specific items could be addressed through the amendment process, if necessary.

Councilor Kirven stated many of his constituents in District 27 had been grappling with some of the same issues as expressed by the speakers. He stated it was important to understand what the Land Development Regulations were and what they were not. He stated they were not a Managed Growth Plan, not a Comprehensive Plan, not an Area Plan, and not a Zoning Document. They set the standards and guidelines for the process of development of land in Greenville County that included measures to avoid adverse impacts such as stormwater, floodplain encroachments and other infrastructure. The current Land Development Regulations were 12 years old and contained loopholes and deficiencies. Councilor Kirven stated the proposed amended version was a step forward and the beginning of a new process. He stated he agreed it could be improved and encouraged the speakers to maintain their passion. There was room for many types of developments in Greenville County and higher density was encouraged in the urban areas where needed infrastructure was already in place as opposed to outlying areas. Councilor Kirven stated entities such as the Greenville County School District and ReWa were not controlled by Council and they did not have to follow the County's Comprehensive Plan. The LDR did not determine how a property could be developed or whether new subdivisions were approved. Councilor Kirven stated Area Plans and Corridor Studies had a bit more teeth in them than Comprehensive Plans and he encouraged the audience to look into them. A majority of the area in question was unzoned and that was an open door for any kind of development. The LDR would not stop adverse types of development. Zoning would give the residents more control. He added the County wanted to help the residents maintain the type of area they already had but stopping the LDR was not the way to accomplish that.

Councilor Payne stated he agreed with both Councilor Ballard and Councilor Kirven's comments. He stated there was always room for public involvement and sharing of ideas and listed several ways citizens could become involve and have their voice heard.

Motion carried unanimously by Council Members present.

(b) Anderson - Greenville Multi-County Industrial Business Park Agreement Amendment / Project Strike

ACTION: Councilor Burns 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 Burns moved to hold the item until the next regularly scheduled County Council meeting to be held on December 6, 2016.

Motion to hold carried unanimously by Council Members present.

Item (11) ORDINANCES - SECOND READING

Vice Chairman Kirven stated, without objection, Items 11.m. and 11.n would be moved forward on the agenda to accommodate Dr. Cates need to leave early.

(m) Hospitality Tax / Supplemental Appropriation - Visit Greenville SC and Chico Bolin Park

ACTION: Councilor Dill moved for approval at second reading an ordinance to amend Exhibit A established as an addendum to Ordinance 4079, as last amended by Ordinance No. 4758, so as to appropriate additional operating funds for tourist related projects.

AMENDMENT: Councilor Dill moved to amend the ordinance in Section 1. by filling in the sum amount with \$905,000; appropriating \$205,000 to Visit Greenville SC for FY2017 and appropriating \$350,000 to Chico Bolin Park for both FY2017 and FY2018 (for a 2-year total of \$700,000).

Councilor Kirven reminded Council nine (9) votes in favor were needed in order for the Ordinance to pass.

Motion to amend carried unanimously by the ten (10) Council Members present at the time of the vote.

Motion as amended carried unanimously by the ten (10) Council Members present at the time of the vote.

(n) Hospitality Tax / Supplemental Appropriation – SC Children's Theatre and Greenville Center for Creative Arts

ACTION: Councilor Dill moved for approval at second reading an ordinance to amend Exhibit A established as an addendum to Ordinance 4079, as last amended by Ordinance No. ____, so as to appropriate additional operating funds for tourist related projects.

Councilor Burns recused himself from discussion and voting on the item due to a potential conflict of interest.

ACTION: Councilor Dill moved to send the item back to the Committee of the Whole due to a lack of actual listing of amounts

Motion to send the item back to the Committee of the Whole carried unanimously by Council Members present.

Councilor Cates left the meeting at 7:18 p.m.

(a) Zoning Ordinances

1. CZ-2016-57: Property of EKCCJC Holdings, LLC, located on Halton Road, requesting rezoning from S-1 to C-3. The Planning Commission and Committee recommended approval.

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

Motion was carried unanimously by Council Members present.

2. CZ-2016-58: Property of William Jackson Foster, Jr., located at 400 W. Marion Road, requesting rezoning from R-10 to S-1. The Planning Commission and Committee recommended denial.

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

AMENDMENT: Councilor Dill moved to hold the item on the floor until the next regularly scheduled County Council meeting to be held on December 6, 2016.

Motion to hold carried unanimously by Council Members present.

3. CZ-2016-59: Property of SRI Holdings, LLC, located at 790 Roe Ford Road and 35 Addis Drive, requesting rezoning from R-S 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 by a vote of one (Payne) in favor and eight (Dill, Baldwin, Meadows, Burns, Norris, Seman, Ballard and Kirven) in opposition, three absent (Cates, Taylor and Gibson)

4. **CZ-2016-60: Property of Augusta Grove-Greenville, LLC, located on Matrix Parkway and Augusta Road, requesting rezoning from I-2 to C-1.** The Planning Commission and Committee recommended approval.

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

Councilor Ballard stated the plan for this property was very good and encouraged his colleagues to support the request.

Motion was carried unanimously by Council Members present.

5. **CZ-2016-61: Property of Joseph Batson, located at 207 Old Piedmont Highway, requesting rezoning from R-10 to R-M20.** The Planning Commission and Committee recommended approval.

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

Motion was carried unanimously by Council Members present.

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

ACTION: Councilor Burns 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 Project Advantage, the code name for a Delaware Corporation 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 was carried unanimously by Council Members present.

(c) Greenville - Laurens (1994 Park) Multi-County Industrial Business Park Agreement Amendment / Lockheed Martin Corporation

ACTION: Councilor Burns moved for approval at second reading an ordinance to amend an agreement for the development of a joint county industrial and business park (1994 Park) of Laurens and Greenville Counties so as to enlarge the park.

Motion was carried unanimously by Council Members present.

(d) Lockheed Martin Corporation / Fee in Lieu of Tax Agreement and Special Source Credit Agreement

ACTION: Councilor Burns moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax and special source credit agreement by and between Greenville County, South Carolina and Lockheed Martin Corporation previously known to the County under the code name of Hunter 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.

Motion was carried unanimously by Council Members present.

(e) Michelin North America, Inc. / Special Source Credit Agreement

ACTION: Councilor Burns moved for approval at second reading an ordinance authorizing (1) the execution and delivery of a special source credit agreement by and between Greenville County, South Carolina and Michelin North America, Inc. with respect to certain property in the County, whereby such property will receive certain special source revenue credits in respect of certain qualifying investment in related infrastructure; and (2) other matters relating thereto.

Motion was carried unanimously by Council Members present.

(f) Greenville - Anderson (2010 Park) Multi County Industrial Business Park Agreement Amendment / Project Siberian

ACTION: Councilor Burns moved for approval at second 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 was carried unanimously by Council Members present.

Councilor Meadows left the meeting at 7:26 p.m.

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

ACTION: Councilor Burns 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 Project Siberian, a South Carolina corporation, 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.

Motion was carried unanimously by Council Members present.

(h) Greenville - Anderson (2010 Park) Multi County Industrial Business Park Agreement Amendment / Project Locate

ACTION: Councilor Burns moved for approval at second 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 was carried unanimously by Council Members present.

(i) Project Locate / Fee in Lieu of Tax Agreement

ACTION: Councilor Burns moved for approval at second reading an ordinance to authorize the execution and delivery of a fee agreement by and between Greenville County, South Carolina and Project Locate providing for a payment of a fee in lieu of taxes and certain special source revenue credits, and other matters related thereto.

Motion was carried unanimously by Council Members present.

(j) Project Mint / Fee in Lieu of Tax Agreement

ACTION: Councilor Burns moved for approval at second reading an amendment to that certain fee in lieu of tax agreement by and among Greenville County, South Carolina, and Project Mint; to enter into such other necessary agreements or amendments to affect the intent of this ordinance; and other related matters.

Motion was carried unanimously by Council Members present.

Councilor Meadows returned to the meeting at 7:30 p.m.

(k) Greenville - Laurens (Octagon Park) Multi County Industrial Business Park Agreement Amendment / Project Dalmatian

ACTION: Councilor Burns moved for approval at second reading an ordinance to amend that certain master agreement governing the Octagon Industrial Park dated September 1, 2010 between Laurens County and Greenville County to add the Project Dalmatian tract located in Greenville County.

Motion was carried unanimously by Council Members present.

(l) Project Dalmatian / Fee in Lieu of Tax Agreement

ACTION: Councilor Burns moved for approval at second reading an ordinance to authorize 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 Dalmatian 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 was carried unanimously by Council Members present.

Item (12) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2016-54, CZ-2016-62 through CZ-2016-66, and CP-2016-03.

Vice Chairman Kirven referred the items to the Planning and Development Committee.

Item (13) COMMITTEE REPORTS

None

Item (14) APPEARANCES – non agenda items

- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding caregiver benefits

Item (15) ADMINISTRATOR’S REPORT

No report

Item (16) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Payne stated the EPA came to Greenville to honor Exxon and the Phoenix Center for the work they provided in the cleaning up the site where Serenity Place was located. This site, previously owned by Exxon, was once the site of a fertilizer plant which created a great deal of contaminates in the soil. Exxon Mobile, even though they did not create the problem, cleaned up the contaminated site in cooperation with the EPA, SCDHEC, Greenville County and the Phoenix Center.

- Councilor Baldwin discouraged the use of derogatory terms when addressing Council.
- Councilor Ballard stated he, Mr. Payne and Dr. Cates attended the Hartness ground-breaking event earlier in the day; stating it was a beautiful location.
- Councilor Meadows referenced Mr. Payne's comments stating he had been trying for years to get the area around Union Bleachery cleaned up.
- Councilor Seman stated Donaldson Field at SCTAC is honored this week to host an Airport Certification Safety Inspection team from the FAA. Donaldson Field Airport Manager Danny Moyd, and Donaldson Center Fire Department Chief Ronnie Boyce, have been hard at work preparing for the three day inspection, which is required for SCTAC to maintain its coveted Part 139 Airport certificate. Donaldson Field is one of only two general aviation airports in the state that meets all the stringent requirements of this safety program.
- Councilor Norris thanked staff for their work in providing for the New Washington Heights Special Tax District.

Item (17)

ADJOURNMENT

ACTION:

Councilor Burns moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:42 p.m.

Respectfully submitted:

Theresa B. Kizer, Clerk to Council