



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

December 4, 2018

6:23 p.m.

County Square – Council Chambers

Council Members

Mr. Butch Kirven, Chairman
Mr. Willis Meadows, Vice Chairman
Mrs. Xanthene Norris, Chairman Pro Tem
Mr. Joe Dill
Mr. Mike Barnes
Mr. Sid Cates
Mr. Rick Roberts
Mr. Bob Taylor
Mrs. Liz Seman
Mr. Ennis Fant, Sr.
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 Members Absent

None

Staff Present

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Pam Gilliam, Administrative Assistant, County Council Office
Paula Gucker, Assistant County Administrator, Public Works
Bob Mihalic, Governmental Relations Officer
John Vandermosten, Assistant County Administrator, Public Safety
Sarah Holt, Planning Director

Others Present

None

Call to Order

Chairman Kirven

Invocation – *Introduced by Chairman Butch Kirven*

Chaplain Pat Gillen
Greenville County Sheriff's Office

Pledge of Allegiance

Item (4) Approval of Minutes

ACTION: Councilor Norris moved to approve the minutes of the November 6, 2018, Regular Council Meeting.

Motion carried unanimously.

Proclamation – Brittany Brackett

Councilor Norris presented a Proclamation to Brittany Brackett, founder of the Outstanding Youth Awards (OYA), which spotlights area young leaders. The program serves as a personal way to give back and "pay it forward" in the community, as her mentors afforded that opportunity to her as a teen.

Greenville County Council proudly honored and acknowledged Brittney Brackett for her many endeavors, community associations and her tireless devotion to the youth of Greenville County.

Item (5) Recognition of Outgoing Council Member Fred Payne

Chairman Kirven recognized Councilor Fred Payne for his 12 years of dedicated service with Greenville County Council. Mr. Kirven stated he and his colleagues had learned lessons of passion, service and leadership from Mr. Payne as well as how to treat people with respect. He added that Council was very grateful to have had the opportunity to serving with Mr. Payne.

Councilor Payne stated he was honored to have served Greenville County for the past 12 years. Mr. Payne stated he was confident his successor, Dan Tripp, would do a great job for the County. He indicated he would continue to be involved with Greenville County to make a difference in the world.

Item (6) Public Hearings

a. Greenville / Anderson Multi County Industrial Business Park Amendment – Anderson Project MTS (2010 Park)

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 (the "2010 Park") of Greenville and Anderson Counties so as to enlarge the park.

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

b. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Transtech of South Carolina, Inc.

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 part (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

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

c. Kemet Corporation / Fee Conversion Agreement

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the termination and cancellation of that certain fee in lieu of ad valorem taxes arrangement entered into as of December 22, 1994 between Greenville County, Greenwood County and Kemet Corporation; authorizing the conversion of that certain fee in lieu of ad valorem taxes arrangement entered into as of December 31, 1997 between the County and the Company to a simple fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; and authorizing the termination and cancellation of certain lease purchase and millage rate agreements and other associated agreements between the County and the Company; authorizing the re-conveyance by the County of related property to the Company; and other matters related thereto.

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

d. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Avocado (2010 Park)

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 Taylor declared the public hearing closed.

e. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Project Fox (2010 Park)

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 Greenville and Anderson Counties so as to enlarge the park.

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

f. Retail Business Services LLC (Project Geist) / 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 Retail Business Services LLC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of taxes; the extension of the term of two Retail Business Services LLC, related fee-in-lieu of tax lease agreements; ratifying an assignment of a fee in lieu tax lease agreement to Retail Business Services LLC; and other matters related thereto.

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

g. Greenville County Procurement Ordinance Amendments

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the Greenville County Procurement Ordinance as codified at Chapter 7, Article VIII of the Greenville County Code of Ordinances to increase threshold purchasing and procurement limits.

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

Item (7) Appearances – current agenda items

No speakers

Item (8) Consent Agenda

- a. **2018 EMS Grant in Aid** *(Finance)*
- b. **2019 Palmetto Pride Grant – Litter Prevention** *(Finance)*
- c. **2019 PARD Grant – Westside Shelter** *(Finance)*
- d. **Community Project Application / Lake Cunningham Fire Department – Water Rescue \$2,999.00** *(Finance)*
- e. **Community Project Application / Greer Police Department – Equipment \$6,000.00** *(Finance)*
- f. **Community Project Application / City of Travelers Rest – Christmas Parade \$1,000.00** *(Finance)*

ACTION: Councilor Seman moved to approve the Consent Agenda Items.

Motion carried unanimously.

Item (9) Resolutions

- a. **Haydale Technologies, Inc. / Assignment and Assumption**

ACTION: Councilor Taylor moved for adoption a resolution to authorize the assignment and assumption of certain rights under a fee in lieu of tax agreement among Greenville County, South Carolina, Advanced Composite Materials LLC, and Haydale Technologies, Inc., and certain matters related thereto.

Motion carried unanimously.

- b. **Cytec Carbon Fibers / Addition of Sponsor Affiliate**

ACTION: Councilor Taylor moved for adoption a resolution authorizing the extension of the investment period and the addition of a sponsor affiliate under the 2011 fee agreement between Greenville County, South Carolina and Cytec Carbon Fibers LLC; and matters relating thereto.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. **Ordinance Setting Opening and Closing Times for County Parks**

ACTION: Councilor Roberts moved for adoption at third reading an ordinance concerning opening and closing hours for county parks.

Motion carried unanimously.

b. **Greenville / Anderson Multi County Industrial Business Park Amendment – Anderson Project MTS (2010 Park)**

ACTION: Councilor Cates moved for adoption at third reading an ordinance to amend an agreement for the development of a joint county industrial and business park (the “2010 Park”) of Anderson and Greenville Counties so as to enlarge the park.

Motion carried unanimously.

c. **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment - Transtech of South Carolina, Inc.**

ACTION: Councilor Cates 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.

d. **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Avocado (2010 Park)**

ACTION: Councilor Cates 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.

e. **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Anderson Project Ferguson (2010 Park)**

ACTION: Councilor Cates 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.

f. **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Project Fox (2010 Park)**

ACTION: Councilor Cates 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 Greenville and Anderson Counties so as to enlarge the park.

Motion carried unanimously.

g. Kemet Corporation / Fee Conversion Agreement

ACTION: Councilor Cates moved for adoption at third reading an ordinance authorizing the termination and cancellation of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 22, 1994 between Greenville County, South Carolina, Greenwood County, South Carolina, and Kemet Corporation; authorizing the conversion of that certain fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended, entered into as of December 31, 1997 between the County and the Company to a simple fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; authorizing the termination and cancellation of certain lease purchase and millage rate agreements and other associated agreements between the County and the Company; authorizing the re-conveyance by the County of related property to the Company; and other matters related thereto.

Motion carried unanimously.

h. Retail Business Services LLC (Project Geist) / Fee in Lieu of Tax Agreement

ACTION: Councilor Cates 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 Retail Business Services LLC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of taxes; the extension of the term of two Retail Business Services LLC, related fee-in-lieu of tax lease agreements; ratifying an assignment of a fee in lieu tax lease agreement to Retail Business Services LLC; and other matters related thereto.

Motion carried unanimously.

Item (11) Ordinances – Second Reading

a. Zoning Ordinances

- 1. CZ-2018-51:** Property of Shannon Dobbins Woodward and Kelly Dobbins Morris & et. al., located on Furr Road, requesting rezoning from R-S to R-12. The Planning Commission and Committee recommended denial.

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

Motion was denied unanimously.

- 2. CZ-2018-61:** Property of SC Propco LLC, located on Ebenezer Road, requesting rezoning from O-D to S-1. The Planning Commission and Committee recommended denial.

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

Councilor Roberts stated the parcel was located in his district. The S-1 zoning would allow different types of potential developments for the site, many of which were not a good fit for the surrounding area. A number of residents had voiced concerns and requested a more specific zoning; therefore, he recommended his colleagues deny the request.

Motion was denied unanimously.

3. **CZ-2018-62:** Property of Multiple Southern Greenville County Citizens with properties on Fairview, Peden, McKittrick Ridge Ext., Dean Woods, Hopkins, Hillside Church, Terry, Slatton Shoals, McKelvey and Reedy Fork Roads, requesting rezoning from Unzoned to R-R3. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

4. **CZ-2018-63:** Property of Castelforte LLC, located at 130 Prospect Street, requesting rezoning from R-7.5 to R-M20. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

5. **CZ-2018-64:** Property of John M. Ward, located at 106 Sulphur Springs Road, requesting rezoning from I-1 to S-1. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

6. **CZ-2018-65:** Property of Dean Edward Dupont, located at 103 Lake Sunshine, requesting rezoning from S-1 to R-S. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

7. **CZ-2018-66:** Property of Shannon Dobbins Woodward and Kelly Dobbins Morris & et. al., located on Furr Road, requesting rezoning from R-S to R-15. The Planning Commission and Committee recommended denial.

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

Motion was denied unanimously.

b. Textile Communities Revitalization Certification / Beattie Plant

ACTION: Councilor Taylor moved for approval at second reading an ordinance to certify the Beattie Plant as a textile mill site under the South Carolina Textiles Communities Revitalization Act for the purpose of allowing the owner and/or developer to qualify for state income tax credits.

Motion carried unanimously.

c. Textile Communities Revitalization Certification / Furman Plant

ACTION: Councilor Taylor moved for approval at second reading an ordinance to certify the Furman Plant as a textile mill site under the South Carolina Textiles Communities Revitalization Act for the purpose of allowing the owner and/or developer to qualify for state income tax credits.

Motion carried unanimously.

d. Project Crystal / Fee In Lieu of Tax Agreement

ACTION: Councilor Taylor 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 Crystal with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes; and other matters related thereto.

Motion carried unanimously.

e. Project Treehouse / Fee In Lieu of Tax Agreement

ACTION: Councilor Taylor moved for approval at second reading 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 Treehouse with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Motion carried unanimously.

f. Greenville County Procurement Ordinance Amendments

ACTION: Councilor Taylor moved for approval at second reading an ordinance to amend the Greenville County Procurement Ordinance as codified at Chapter 7, Article VIII of the Greenville County Code of Ordinances to increase threshold purchasing and procurement limits.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Greenville / Laurens Multi County Industrial Business Park Agreement – Project Gator

Councilor Taylor presented for first reading an ordinance to amend that certain agreement for the development of a joint county industrial and business park by and between Laurens County, South Carolina and Greenville County, South Carolina dated January 31, 2000 to enlarge the park to add certain property located in Laurens County (Project Gator) and to address other matters related thereto.

Chairman Kirven stated the item would remain on the floor.

Item (12) Committee Reports

a. Committee of the Whole

1. Metropolitan Sewer Subdistrict Annexation/ Request for Public Hearing (Certain Real Properties in Southern Greenville County.

Vice-Chairman Meadows stated the item was held in Committee and no action was necessary.

2. Southern Connector Resolution of Support

Vice-Chairman Meadows stated the item was withdrawn in Committee and no action was necessary.

3. Terra Pines Estates Special Tax District / Appointments (3 vacancies)

ACTION:

On behalf of the Committee, Vice-Chairman Meadows moved to elect Stephanie Braswell, Anne Holden and James Hollis to fill three vacancies on the Terra Pines Estates Special Tax District.

Motion carried unanimously.

Item (13) Appearances by Citizens

- **Gary Schwartz**, 18 Brennan Place, Greenville – appeared regarding dog barking ordinance
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding roll back taxes and Board of Tax Assessments and Appeals
- **David Simmons**, 4 Noble Oaks Lane, Simpsonville – appeared regarding transit
- **Matthew Burns**, 100 Long Hill Street, Greenville – appeared regarding Greenlink
- **Sarah Henry**, 1 Byrd Blvd., Apt. 5, Greenville – appeared regarding Greenlink
- **Joseph Craig**, 311 Briarcliff Drive, Greenville – appeared regarding Greenlink

Item (14)

Administrator's Report

Mr. Kernell stated the new dispatch system, TriTech, was up and operating for EMS and the fire departments the County dispatched for. He stated this sped up dispatch when a call was received; calls were simultaneously dropped to the fire departments and first responders were dispatched along with EMS. He stated the Sheriff's Office would be implementing the same CAD system within the next 60 – 90 days.

Mr. Kernell invited Council Members to the Holiday Celebration / Employee Appreciation Drop-in to be held on Thursday, December 13 from 1 – 4 p.m. in Suite 400. He stated it was a great time to interact with County employees; a projected 1000 employees would be in attendance.

Item (15)

Requests and Motions by Council Members

- Councilor Dill wished everyone a Merry Christmas and thanked Mr. Kirven and Mr. Ballard for the Christmas gifts. Mr. Dill stated he and Councilor Payne had been friends for over 30 year and that would not change. He added he had enjoyed working with Mr. Payne on Council and would enjoy working with him in the future.
- Councilor Barnes stated it had been a good year and he enjoyed working with all his colleagues. He wished everyone a Merry Christmas.
- Councilor Cates stated he would miss Councilor Payne. He wished everyone a Merry Christmas.
- Vice-Chairman Meadows wished everyone a Merry Christmas.
- Chairman Kirven stated Eric McCarthy with Proterra contacted him recently and invited Council to view the two (2) all-electric buses that were being built for the Greenville Transit Authority.

Mr. Kirven wished everyone a Merry Christmas. He stated it was a privilege to work with all his colleagues and for the citizens of Greenville County.

- Councilor Norris wished Happy Holidays to everyone. Ms. Norris stated she was very active with Springfield Baptist Church and its Scholarship Program. They had a program on Sunday that was very successful and she enjoyed hearing Loretta Holloway sing.
- Councilor Roberts stated he worked with Councilor Ballard on putting the end users of the new radio system together. He stated the meeting was very successful.

Mr. Roberts shared the sentiments of his colleagues in wishing everyone a Merry Christmas. He stated he appreciated all the leadership offered to him and he has enjoyed all the spirited debate. Mr. Roberts told Councilor Payne he really appreciated everything he had done for him.

- Councilor Seman invited her colleagues to the SCTAC Annual Meeting on Monday, December 17 at 11:30 a.m. The event will be held at the Champions Club at Fluor Field with guest speaker Mike Fox, General Site Director for Lockheed Martin.

Ms. Seman expressed her gratitude for the support given to her by Councilor Payne.

Councilor Seman stated growth happened from friction. She added growth also happened from a position of strength. Greenville County was very fortunate to be in a position to afford a number of things such as transportation, affordable housing, the Comprehensive Plan as well as a number of other issues. Ms. Seman also wished everyone a Merry Christmas.

- Councilor Fant thanked Mr. Kirven and Mr. Ballard for the Christmas gifts. He stated he did not want to take any disappointments into 2019; he wanted 2019 to be a fresh start with new enthusiasm. Mr. Fant stated his goal was to make a genuine difference in District 25 as well as all of Greenville County. He encouraged his colleagues to look to the future and not stay stuck in the past when dealing with issues the County faced.

Mr. Fant thanked Councilor Payne for everything he had done and added that Council had not supported Mr. Payne in all of his endeavors.

Mr. Fant recognized all the members of Vision 25 who were in attendance and wished everyone Merry Christmas.

- Councilor Ballard recognized Erica Rector, the newly elected Fire Commissioner with Dunklin Fire Department, who was in attendance. Mr. Ballard stated spirited debate and votes were what Council did, but, he hoped that some of the decisions made in the Committee of the Whole would not hurt the County's economic growth.

Mr. Ballard wished everyone a Merry Christmas.

Mr. Ballard stated Councilor Payne had told him that Council Members represented their respective districts as well as all of Greenville County. He thanked Mr. Payne for his friendship and guidance.

- Councilor Payne thanked Council for the presentation and the gift. He stated the last 12 years had been a joy and a pleasure. Mr. Payne stated there were many opportunities for Greenville County in the future and he would continue to push for innovation and technology. He urged everyone to stop looking at the past and start looking toward the future.

Mr. Payne wished everyone a Merry Christmas.

Item (16) Adjournment

ACTION: Councilor Payne moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:47 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council