



# GREENVILLE COUNTY COUNCIL

Minutes

## Regular Meeting

March 5, 2019

6:02 p.m.

County Square – Council Chambers

### Council Members

Mr. Butch Kirven, Chairman  
Mr. Willis Meadows, Vice Chairman  
Mrs. Xanthe 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. Dan Tripp

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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  
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

### Others Present

None

### Call to Order

Chairman Kirven

Invocation – Introduced by Vice-Chairman Willis Meadows

Janice Butler  
Christian Learning Centers, Greenville

### Pledge of Allegiance

**Item (4)      Approval of Minutes**

**Action:** Councilor Seman moved to approve the minutes of the February 19, 2019 Regular Council Meeting.

Motion carried unanimously.

**Item (5)      Public Hearings**

**a.    Sale of County Owned Property / 1501 W. Washington Street**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the sale and transfer of county owned property located at 1501 W. Washington Street, Greenville, South Carolina 29601, to the Greater Greenville Sanitation District.

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

**b.    Tower Automotive Operations USA I, LLC / Fee In Lieu of Tax Agreement Amendment**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing a second amendment to a fee-in-lieu of tax and special source credit agreement by and between Greenville County, South Carolina, Tower Automotive Operations USA I, LLC and Stag Industrial Holdings, LLC, to provide for an extended investment period; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

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

**Item (12)    Administrator's Report (Without objection, Chairman Kirven moved Item 12 forward on the agenda)**

Joe Kernell requested Chanell Moore, Executive Director of Parks, Recreation and Tourism, to address Council regarding a quick overview of the latest developments regarding the Riverbend Equestrian Park.

Chanell Moore stated that last week, the Recreation Department made a recommendation to repurpose Riverbend Equestrian Park. Since that time, the department had been contacted by numerous members of the community urging the department to reconsider the recommendation. Ms. Moore stated she was happy to report that the department was doing just that.

Ms. Moore stated community input was critical to a successful path forward; history, tradition and emotion had to be considered. As urged by many, the Recreation Department would step back and reconsider the best way to identify a fiscally responsible plan to sustain Riverbend's equestrian nature and increase its use by both the equestrian community and the public at large. Ms. Moore stated the plan would require change that would be identified and supported by the equestrian community and other stakeholders.

Ms. Moore reviewed the preliminary plans for the next few months.

1. *The activities at the park would continue as normal. Ms. Moore stated the Pony Club and the equestrian community would continue to use the arenas, trails and the barn; the County would continue posting horse shows, shelter rentals, social events, picnics and other recreational uses.*
2. *The Recreation Department would administer a survey to solicit input on how Riverbend could best serve the entire community. The survey would be highly publicized to encourage maximum participation.*

3. *The County, as required by its Procurement Ordinance, would issue a new Request for Proposals for the operation of a public equestrian program at Riverbend Park. The current contract for park operations was set to expire June 30, 2019.*

Ms. Moore stated it was important to have a clear path forward for confidence and continuity. The County would evaluate the proposals, current fee structures and current operations of the park. Staff would talk to the users and stakeholders of the park to create a strategic plan for shared use. Ms. Moore stated, with support, the plan could then be implemented. A performance matrix would be established to monitor and measure success.

Ms. Moore thanked Council and the public for their continued input and guidance.

**Item (6)      Appearances – current agenda items**

- **Anne Peden**, 221 Sandy Springs Road, Pelzer - appeared regarding Item 13.a. Motion to Recall the Public Hearing Resolution for the Metropolitan Sewer Subdistrict Annexation of Certain Southern Greenville County Properties

**Item (7)      Consent Agenda**

- a. **Commissioning of Code Enforcement Officer / Jeremy Martin** (PWI)
- b. **2019 Proposed Grievance Committee Members** (Finance)

**Action:** Councilor Norris moved to approve the Consent Agenda Items.

Motion carried unanimously.

**Item (8)      Ordinances – Third Reading**

a. **Zoning Ordinances**

1. **CZ-2019-01:** Property of William F. Brown, located at 2317 W. Blue Ridge Drive, requesting rezoning from C-1 to C-2.

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

Motion carried unanimously.

2. **CZ-2019-02:** Property of Twojk, LLC, located at 774 Piedmont Highway, requesting rezoning from S-1 to R-S.

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

Motion carried unanimously.

3. **CZ-2019-03:** Property of Saundra Alverson Tate, located at 210 Slatton Shoals Road, requesting rezoning from R-R3 to R-R1.

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

Motion carried unanimously.

4. **CZ-2019-04:** Property of Qtip Trust, located at 729 Fairview Road, requesting rezoning from R-S to NC with conditions.

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

Motion carried unanimously.

5. **CZ-2019-05:** Property of Douglas R. & Wanda S. Clark, located on W. Georgia Road and Sullivan Road, requesting rezoning from R-S to R-12.

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

Motion carried unanimously.

6. **CZ-2019-06:** Property of Grove Road Partners LLC, located at 1139 Grove Road, requesting rezoning from R-12 to O-D.

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

Motion carried unanimously.

7. **CZ-2019-07:** Property of Chung Yol Choe, located at 2919 White Horse Road, requesting rezoning from S-1 to C-3.

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

Motion carried unanimously.

8. **CZ-2019-08:** Property of Sarah Jean Kruse, located at 220 Rocky Creek Road, requesting rezoning from R-S to O-D.

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

Motion carried unanimously.

9. **CZ-2019-09:** Property of S & H Simpsonville, LLC, located at 930 NE Main Street, Simpsonville, requesting rezoning from C-1 to C-2.

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

Motion carried unanimously.

10. **CZ-2019-11:** Property of John Lisi, located at 117 Woodside Road, requesting rezoning from Unzoned to R-S.

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

Motion carried unanimously.

11. **CZ-2019-13:** Property of Lees Interior Design, LLC, located at 601 Easley Road, requesting rezoning from R-7.5 to R-6.

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

Motion carried unanimously.

b. **Greenville County Comprehensive Plan Amendment / Sans Souci Community Plan (CP-2019-01)**

**Action:** Councilor Dill moved for adoption at third reading an ordinance to adopt the Sans Souci Community Plan as an amendment to the imagine Greenville County Comprehensive Plan.

Motion carried unanimously.

c. **Tower Automotive Operations USA I, LLC / Fee In Lieu of Tax Agreement Amendment**

**Action:** Councilor Seman moved for adoption at third reading an ordinance authorizing a second amendment to a fee-in-lieu of tax and special source credit agreement by and between Greenville County, South Carolina, Tower Automotive Operations USA I, LLC and Stag Industrial Holdings, LLC, to provide for an extended investment period; and to enter into such other necessary agreements or amendments to effect the intent of this ordinance; and other related matters.

Motion carried unanimously.

d. **Project Pak / Fee In Lieu of Tax Agreement**

**Action:** Councilor Taylor 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 a company or companies known to the County at this time as Project Pak 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.

**Action:** Councilor Taylor moved to hold the item until the April 16, 2019 Regular Council Meeting.

Motion to hold carried unanimously.

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

**Action:** Councilor Taylor 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 Taylor moved to hold the item until the April 16, 2019 Regular Council Meeting.

Motion to hold carried unanimously.

Item (9) **Ordinances – Second Reading**

a. **Project Midnight / 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 and special source credit agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project Midnight with respect to certain economic development property in the County, whereby such 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.

Item (10) Committee Reports

a. Committee of the Whole

1. Board and Commission Appointments

**Action:** On behalf of the Committee, Vice-Chairman Meadows moved to close nominations and elect the following by acclamation:

▪ **Alcohol and Drug Abuse Commission**

Adriene Atkinson  
Heather Currie  
Ernest Hamilton  
Herman Roberts  
Zachary Wilson

▪ **Board of Tax Assessment and Appeals**

William Kelley

▪ **Greenville Technical College Area Commission**

Jo Hackl

▪ **Thrive Upstate**

Joseph Nixon

Motion carried unanimously.

Item (11) Appearances by Citizens

- **Johnny Gregory**, 2504 Wade Hampton Blvd., Greenville – appeared regarding a proposed art center
- **Dorothy Lamkin**, 114 Boling Rd, Greenville – appeared regarding economic development
- **Katie Smith**, 31 Riverside Drive, Greenville – appeared regarding book presentation
- **Cynthia Chance**, 83 Seyle Street, Greenville – appeared regarding Dunean community
- **Gary Henderson**, 200 Carilion Ln, Greenville – appeared regarding Riverbend Equestrian Center
- **Sandra Larson**, 115 Keeler Mill Rd, Travelers Rest – appeared regarding Riverbend Equestrian Center
- **Shannon Wilson**, 149 Wynn Cir., Greenville - appeared regarding Riverbend Equestrian Center
- **Whitney OBrian**, 7 Mossy Brook Tr., Travelers Rest - appeared regarding Riverbend Equestrian Center
- **Amber Massey**, 400 Jackson Grove Rd, Travelers Rest - appeared regarding Riverbend Equestrian Center
- **Susan Plyler**, 413 N. Kensington Rd., Greenville - appeared regarding Riverbend Equestrian Center

**Item (12) Administrator's Report**

See page 1.

**Item (13) Requests and Motions by Council Members**

- Chairman Kirven announced the appointment of an Ad Hoc Committee formed for the purpose of the Administrator's Periodic Evaluation and Performance Review. He added County Council members were appointed under County Council Rule V.I. for the purpose of studying and recommending to Council a reasonable method of performing periodic evaluations of the Administrator's job performance. The members appointed were as follows:

- Councilor Joe Dill (Chairman)
- Councilor Xanthene Norris
- Councilor Willis Meadows
- Councilor Rick Roberts
- Councilor Dan Tripp

Mr. Kirven stated Mr. Dill was the past Chairman of the statewide Association of Counties and was currently in his second term as Chairman of the Appalachian Council of Governments Board. The committee was charged with the following tasks:

1. Studying and investigating methods used by other public entities in reviewing and evaluating the periodic performance of the Chief of Administrative Officers.
2. Focus on the review as a positive management tool designed to enhance the performance of the entire organization by adding clarity of the expectations between County Council and the Administrator.
3. Present the committee's recommendations to Council as soon as practical.

Mr. Kirven stated meetings of the committee were at the call of the Chairman and County staff would assist the committee as needed.

- Chairman Kirven stated the County currently, and for some time, maintained a policy on the inclusion of Small, Disadvantaged, and Minority Businesses in its procurement process. Staff had been reviewing the current policy and considering appropriate ways to update the policy in line with current best practices and expectations of County Council.

With the approaching start of the County Office Building project, Mr. Kirven requested the Administrator direct staff to complete its review and policy and bring forward recommendations to County Council so as to:

1. Expand the policy to include women owned businesses and veteran owned businesses, in addition to the minority groups already covered by the existing policy.
2. Update the policy to modern best practices of local governments to ensure inclusion of all eligible minority operated businesses on all county controlled contracts for procurement of goods, services and construction projects.

- Chairman Kirven reminded everyone the Comprehensive Plan affected the whole county; it was very interactive and maximum citizen participation was encouraged. He added this was the citizens' opportunity to voice what they wanted to see in the future. Citizen input was needed to make the best decisions on how to deal with all the changes and growth in order to maintain the highest quality of life for all the citizens of Greenville County.

- Chairman Kirven stated there had been so much heated rhetoric lately about how County Council was organized and operated; County Council had to exercise the authorities granted to it by the State. State law made it clear that all authority resided with the Council - and not with any individual Council member.

Mr. Kirven stated Greenville County had the largest population in the State and the largest number of Council members allowed by State law. County Council maintained a system of standing committees modeled somewhat along the lines of the State Legislature. He stated the committees supported Council by covering various topics, but no committee had the power to make policy decisions except for the Committee of the Whole, which consisted of all Council members. Mr. Kirven stated no committee consisted of a majority of council members. The committees reported to the Council where all policy and other decisions were made by all 12 Council members.

Mr. Kirven stated Greenville was a large and diverse county – urban, suburban, rural, various growth patterns, terrain, and so on. Each District was unique in its own way, yet Council had to come up with solutions that took into account all those differences. He stated it may be easier if there were “at large” seats on Council but that was not the case. The only way to tackle the problems of the County was through the good faith work of all Council members. Cooperation was assured because a majority of Council was required to act; Council members needed each other’s support to get anything done. Every Council member had the same number of votes - one.

Mr. Kirven stated this was the system Council had been given; it placed a premium on the ability of Council members to work positively with one another. Leadership was not a job title but was simply the ability of a person to influence other people to help achieve common goals. Mr. Kirven stated the citizens of Greenville County were fortunate to have many opportunities to strive for and achieve good things for everyone; other places were not so fortunate. If Council would just work together, they could get a lot done for all of the citizens of Greenville County.

Mr. Kirven stated people knew that was what he was about – it always had been. He added he would be glad to meet with anyone, or any group, from any district, if they were willing to help move things forward in a positive way. He stated, “Call me. I look forward to talking with you.”

**a. Motion to Recall the Metropolitan Sewer Subdistrict Annexation / Southern Greenville County – Public Hearing Resolution**

**Action:** Per notice provided on the Council agenda, Councilor Fant moved to recall from the Committee of the Whole, the public hearing resolution regarding the Metropolitan Sewer Subdistrict proposed annexation of certain southern Greenville County properties.

Councilor Fant stated this was just a request for the public hearing, not the annexation. He added this was an opportunity for the citizens of the area to voice their opinion about the proposed annexation. Mr. Fant stated 92% of the proposed area to be annexed area was located in Districts 25 and 26. He stated that he and Councilor Ballard had worked with Metropolitan Sewer Subdistrict for a number of months regarding the issue. Council should not hold the item and the decision to do so had nothing to do with the Comprehensive Plan.

Mr. Fant stated sewer had to be expanded if the County planned to have economic growth. The property owners already located in the annexed area would get a tax rebate or a tax reduction because they would no longer be paying the millage. If the annexation to Highway 418 was successful, property owners in the proposed annexed area would not suffer a tax increase; they would only pay a fee for the flow if they tapped into the sewer. Mr. Fant stated home owners who elected to keep a septic tank would not have to pay a fee.

Mr. Fant stated Council had an unwritten rule; when something was happening in one Council member’s district, the others deferred and he felt Council should not break the precedence.



Councilor Tripp stated he attended all, or most, of the meetings held by Metropolitan; the proposed annexation affected his district, too. He stated it was his understanding that Metropolitan was asking for a rate increase and there were problems with the fee or revenue models. He added it was a bad time to hold a public hearing given that the Comprehensive Plan had not been completed and there were a lot of questions about the viability of the sewer district.

**Action:** Councilor Tripp moved to table the motion to recall.

After a brief discussion regarding the validity of his motion at this time, Mr. Tripp withdrew his motion.

Councilor Ballard stated approximately 70% of the proposed annexation was located in his district. He stated the South Greenville Area Plan was recently completed; it was his understanding that area plans were actually part of the Comprehensive Plan. He stated if the area that was taken by the County years ago was reinstated to Metropolitan, it would not entail digging sewer lines; it would only mean returning the territory to Metropolitan. Mr. Ballard stated the area for expansion in Greenville County was the southern part; he would like to hear from the people of the affected area.

Vice-Chairman Meadows stated he had not seen anything about Metropolitan asking for a rate increase; he would like to know where Mr. Tripp got the information. He stated he may be inclined to vote for the Comprehensive Plan if the pending bill for ReWa to take over all of southern Greenville County was not approved by the Legislature until after the plan was approved. He stated he was contacted recently and was asked to hold the item until the bill was approved. There was a lot more going on than what was on the surface; he indicated he would vote in favor of Councilor Fant's motion.

Councilor Roberts stated Greenville County was becoming a "bedroom community" for growth and business in other areas. Prospective businesses looked for sewer ready sites and if there were no sites available, the County lost opportunities. Mr. Roberts stated he had found both Metro and ReWa very open to working with Council; GADC, the Chamber of Commerce and business leaders were in favor of the proposal. Approving the proposal would allow Greenville County to compete with neighboring counties, especially Spartanburg County. Mr. Roberts stated Spartanburg County appeared to be taking 70-80% of new companies coming into the Upstate simply because sewer was available.

Councilor Dill stated about 15 years ago he met with Metropolitan Sewer Subdistrict along with members of the Legislative Delegation regarding running sewer lines to the northern part of Greenville County. The whole issue died because the residents did not want to pay; they were content with septic tanks. Mr. Dill stated he was not willing to push taxing the residents of his district. If Council voted to have a public hearing there had to be something to ask the citizens; would they be asked if they wanted sewer, Metropolitan or ReWa. He asked if there were any plans to consolidate the two. Mr. Dill inquired if questions had already been put together for a possible public hearing.

Chairman Kirven stated he was glad Councilor Ballard had mentioned area plans; they were great tools for citizens of a certain area to tailor a plan to meet their needs. The County's professional staff supported area plans by assisting the elected leaders and the citizens in formulating a plan; Mr. Kirven encouraged citizens to ask their elected officials to initiate an area plan. He stated the Chairman of the Metropolitan Sewer Subdistrict Board, James Freeland, had contacted him earlier in the day and said he had called several Council members as the proposed motion had caught Metro by surprise. Mr. Kirven stated he was also told that Metro was in the process of conducting evaluations and studies regarding their rate structure and taxes, but had not implemented anything as of yet. He added that Metro was also working with the County on the Comprehensive Plan which was due to be completed in a matter of months. Mr. Kirven stated it was not a question of if there was going to be public hearing but when would the public hearing be held.

Councilor Fant asked the members of the audience who were in favor of the motion to stand.

Councilor Taylor inquired how many votes were needed in order for the motion to pass.

Chairman Kirven stated eight votes were needed to recall the item to the floor and seven in favor were needed to pass the motion.

Councilor Cates inquired when a public hearing would be held if the motion passed.

Chairman Kirven stated the public hearing would be held within 30 days of passage.

Motion as presented was denied by a roll call vote of six (Meadows, Cates, Roberts, Norris, Fant and Ballard) in favor and six (Dill, Barnes, Taylor, Seman, Kirven and Tripp) in opposition.

- Councilor Ballard commended the Town of Piedmont and its recent revitalization. Two developers had bought properties in the town and had plans for major improvement as well as new construction.
- Councilor Tripp stated his wife gave birth to a boy on Saturday. Mom and baby were doing fine.
- Councilor Dill commended the speaker who talked about Tom Green. He also corrected one of the speakers who stated there was no zoned property in District 17. Mr. Dill stated there were zoned areas in his district.
- Councilor Cates invited everyone to attend the play "A Horse and His Boy" at the Academy of Arts. The play was written by C.S. Lewis.
- Councilor Roberts commended the citizens who showed up in support of Riverbend. He added it had been a very important part of his family's life.
- Councilor Seman stated the Taxiway A North Project at Donaldson Field was now open; it was a \$3.8 million project reconstruction that was funded by an FAA grant which was the largest single grant ever received by SCTAC. Ms. Seman added she had the opportunity to represent Councilor Norris and herself at a meeting the students from the USC Medical School. The students were interested in partnering with the Dunegan community.
- Councilor Norris stated efforts were underway to revitalize the McLaren Medical Shelter located on Wardlaw Street. She stated she was very proud to announce a community plan had been developed for City View. Ms. Norris stated the women leaders of the Democratic Party had met recently and discussed a number of issues.
- Chairman Kirven wished Councilor Norris a Happy Birthday.

**Item (14) Adjournment**

**Action:** Councilor Seman moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:39 p.m.

Respectfully submitted:

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Regina G. McCaskill, Clerk to Council