



## GREENVILLE COUNTY COUNCIL

Minutes  
Regular Meeting  
May 7, 2019  
6:03 p.m.

County Square – Council Chambers  
301 University Ridge  
Greenville, South Carolina 29601

### **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. 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  
Jeff Wile, Assistant County Attorney  
John Hansley, Deputy County Administrator  
Regina McCaskill, Clerk to Council  
Jessica Stone, Deputy Clerk to Council  
Paula Gucker, Assistant County Administrator, Public Works  
John Vandermosten, Assistant County Administrator, Public Safety  
Nicole Wood, Assistant to the County Administrator  
Bob Mihalic, Governmental Relations Officer

### **Others Present**

None

### **Call to Order**

Chairman Kirven

### **Invocation** – *Introduced by Councilor Rick Roberts*

Reverend James Trapp

### **Pledge of Allegiance**

**Item (4)      Approval of Minutes**

**Action:** Councilors Meadows and Norris both moved to approve the minutes of the April 16, 2019, Regular Council Meeting.

Motion carried unanimously.

**Item (5)      Public Hearings**

**a.      Metropolitan Sewer Subdistrict Annexation / Boundary Expansion**

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Metropolitan Sewer Subdistrict and provide for public notice thereof.

- **Jonelle Phillips**, 400 Phillips McCall Road, Greer – appeared in opposition to the proposed

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

**b.      Simpsonville Fire Service Area and Donaldson Fire Service Area – General Obligation Bonds**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the issuance and sale of (i) not exceeding \$6,000,000 Greenville County, South Carolina, general obligation bonds (Simpsonville Fire Service Area Project), Series 2019A; and (ii) not exceeding \$900,000 Greenville County, South Carolina general obligation bonds (Donaldson Fire Service Area Project), Series 2019B; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

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

**c.      M & P Lab Inc. (formerly Project Moonrise) / 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 M & P Lab Inc., 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.

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

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

There were no speakers.

**Item (7)      Consent Agenda**

**a.      Community Project Application / Tigerville Fire Department Improvements - \$6,000.00 (Finance)**

**Action:** Councilor Dill moved to approve the Consent Agenda Item.

Motion carried unanimously.

**Item (8)      Resolutions**

**a.    Project Fiber / Inducement Resolution**

**Action:**      Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Fiber, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax and special source revenue credits and a separate special source revenue 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 Fiber and its tenants would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

**b.    Metropolitan Sewer Subdistrict Annexation / Boundary Expansion**

**Action:**      Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Metropolitan Sewer Subdistrict and provide for public notice thereof.

Motion carried unanimously.

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

**a.    Zoning Ordinances**

- 1.    CZ-2018-58:    Property of TRS Properties, Guy Richard and Ann E. Chapman and Kirk S. Chapman, located on East Main Street, requesting rezoning from R-20 and C-3 to PD.**

Councilor Dill stated the docket was to be replaced by CZ-2019-26, which was also up for third reading. The applicant has requested the docket be denied and the subsequent docket (CZ-2019-26) be approved in its place.

**Action:**      Councilor Dill moved to deny the ordinance at third reading.

Motion was denied.

- 2.    CZ-2019-21:    Property of Crazy Auto Sales GSP, LLC, located at 504 Jones Avenue, requesting rezoning from R-12 to S-1.**

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

Motion carried with Councilor Cates voting in opposition.

- 3.    CZ-2019-23:    Property of Kellett 4 LLC, located at 3010 Fork Shoals Road, requesting rezoning from C-1 to S-1.**

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

Motion carried unanimously.

4. **CZ-2019-24 Property of Monroe Free, Habitat for Humanity of Greenville, located at 3033 Wade Hampton Boulevard, requesting rezoning from C-2 to C-3.**

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

Motion carried unanimously.

5. **CZ-2019-26: Property of TRS Properties, located on East Main Street at Mill Street, requesting rezoning from R-20 to PD.**

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

Motion carried unanimously.

**b. Simpsonville Fire Service Area and Donaldson Fire Service Area – General Obligation Bonds**

**Action:** Councilor Taylor moved for adoption at third reading an ordinance to provide for the issuance and sale of (i) not exceeding six million dollars (\$6,000,000) Greenville County, South Carolina, general obligation bonds (Simpsonville Fire Service Area Project), Series 2019A; and (ii) not exceeding nine hundred thousand dollars (\$900,000) Greenville County, South Carolina general obligation bonds (Donaldson Fire Service Area Project), Series 2019B; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Motion carried unanimously.

**c. M & P Lab Inc. (formerly Project Moonrise) / 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 M & P Lab Inc., 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.

**Item (10) Ordinances – Second Reading**

**a. Simpsonville Fire Service Area Millage Rate Request**

**Action:** Councilor Taylor for approval at second reading an ordinance to provide for the millage rate to be levied by the Simpsonville Fire Service Area consistent with the state law limits for operations and maintenance, and the capital improvement plan for the fire service area.

Chairman Kirven stated Simpsonville Fire Service Area was located in his district; approval of the ordinance would raise his taxes but he felt it was necessary.

Motion carried unanimously.

**b. Project Browser / Fee in Lieu of Tax Agreement Amendment**

**Action:** Councilor Taylor moved for approval at second reading an ordinance authorizing an amendment to the fee agreement by and between Greenville County, South Carolina and a company identified as Project Browser to provide for an amendment to the fee agreement by and between Greenville County, South Carolina and a company identified as Project Browser, dated December 8, 2015, to authorize an extension of the investment period thereof, and provide for the issuance of infrastructure credits thereunder.

Motion carried unanimously.

**c. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment – Project Browser**

**Action:** Councilor Taylor 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 to include certain property of Project Browser.

Chairman Kirven stated economic development projects meant companies were investing in Greenville County, bringing jobs and continued prosperity to the community.

Motion carried unanimously.

**d. Greenville County Library / FY2020 Budget Ordinance**

**Action:** Councilor Taylor moved for approval at second reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the fiscal year beginning July 1, 2019 and ending June 30, 2020; and to authorize the annual ad valorem property tax millage levy for library purposes.

Motion carried unanimously.

**e. Property Maintenance Code Amendment**

**Action:** Councilor Seman moved for approval at second reading an ordinance to amend Ordinance No. 4801, relating to the Property Maintenance Code of the County of Greenville to revise Section 106 “Violations” to provide that violations of the Property Maintenance Code were civil infractions, and to provide the process for adjudication of violations.

Councilor Tripp stated the proposed penalties for violations started out at \$200 a day, not to exceed \$2000; a violation would be considered a “new violation” for every day the penalty was not paid which could result in an unlimited penalty for simply not cutting your grass. He stated the County needed to be careful when levying penalties and suggested Council consider penalty limits as the stacking of penalties on a daily basis appeared egregious.

**Action:** Councilor Tripp moved to allow for amendments at third reading.

Motion to amend carried unanimously.

**Action:** Councilor Seman moved approval of the ordinance as amended.

Motion as amended carried unanimously.

**Item (11) Ordinances – First Reading**

**a. Drexel Terrace Special Tax District / Creation**

Councilor Seman presented for first reading an ordinance to create the Drexel Terrace Special Tax District; to define the boundaries of the district and the purpose for which it was created; to establish the district as an administrative division of Greenville County; and to impose an annual fee of not more than \$45.00 on all real property located within the district.

Chairman Kirven stated the item would remain on the floor.

**b. Greenville County Museum of Art / General Obligation Bonds**

Councilor Seman presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$3,000,000 Greenville County, South Carolina, General Obligation Bonds (Greenville County Museum of Art Project), Series 2019C; to prescribe the purposes for which the proceeds should be expended; to provide for the payment thereof; and other matters relating thereto.

Chairman Kirven stated the item would remain on the floor.

**c. Transfer and Conveyance of Real Property / Hilltop Drive – TMS# 0491.00-03-020.00 and 0491.00-03-005.00**

Councilor Seman presented for first reading an ordinance to authorize the transfer and conveyance of 4.2 acres, more or less, of real property located on Hilltop Drive in the City of Travelers Rest (TMS# 0491.00-03-020.00 and 0491.00-03-005.00) owned by Greenville County for the exclusive use and benefit of the Greenville County Library System.

Chairman Kirven stated the item would remain on the floor.

**d. Project Fiber / Fee In Lieu of Tax Agreement and Special Source Revenue Credit Agreement**

Councilor Seman 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 known to the County at this time as Project Fiber 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.

Chairman Kirven stated the item would remain on the floor.

**Item (12) Committee Reports**

No reports.

**Item (13) Appearances by Citizens**

- **David Dolge**, 17 Mountain Brook Trail, Greenville – appeared regarding the need for a light at The View Apartments on Poinsett Highway
- **Cynthia Chance**, 33 Seyle Street, Greenville – appeared regarding Dunean Community

- **Johnny Gregory**, 2504 Wade Hampton Blvd, Greenville – appeared regarding STEAM center
- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding FOIA and minutes
- **Robin Goolsby**, 110 Cotton Bay Way, Simpsonville – appeared regarding abortion
- **Peggy Baxter**, 450 Mountain Creek Church Road, Greenville – appeared regarding transportation
- **Erin Cruce**, 601 Cleveland Street, Apt. 6D, Greenville – appeared regarding transportation

**Item (14) Administrator’s Report**

No report.

**Item (15) Requests and Motions by Council Members**

- **Councilor Barnes** requested (per notification in the County Council packet) the following item be included on the agenda for the next Committee of the Whole meeting:

“I hereby move to direct the County Administrator to terminate the agreements for the new County office building and the University Ridge redevelopment project as of May 22, 2019. I also move to direct the County Administrator to take all necessary steps to cease work and stop the performance and procurement of all services in furtherance of the redevelopment of County Square as contemplated by the agreements. I further move to direct the County Administrator within 30 days to provide a full accounting to County Council of all amounts paid, and amounts due for services in furtherance of these projects up to and including the date of termination.”

Chairman Kirven stated the item would be included on the agenda for the next Committee of the Whole meeting.

- **Councilor Cates** stated he rode a Greenlink bus for the first time about two weeks ago; he did not have correct change but the driver, Darnell, paid for his fare and the ride was very nice.

Mr. Cates stated he attended a ceremony on Sunday at Piedmont Women’s Center in honor of its new facility; \$2.5 million was raised to build the center. He added the facility helped pregnant women who were faced with decisions regarding their unborn child.

- **Vice-Chairman Meadows** stated he had recently worked with Gary Shepard (Greenlink) and one of the concerns Mr. Shepard had was that the bus system was unable to identify where citizens lived who actually needed transportation. Mr. Shepard has asked local employers to provide information regarding the transportation needs of their employees. If Greenlink could determine where the needs were, it may be possible to schedule buses to pick up citizens in those areas.

- **Chairman Kirven** stated all Council members had different activities and commitments in the community in addition to attending Council meetings. He recently attended a ribbon-cutting ceremony at Lockheed Martin for production of the F-16 fighter planes as well as the Military Order of Purple Heart statewide convention and the South Carolina Chapter of the Reserved Officers Association. Mr. Kirven stated, as Chairman, he signs quite a bit of paperwork and he recently signed a contract for the company that transported deceased individuals to the morgue. He stated he had never really thought about the kinds of services and jobs required to make the operation of the county possible.
- **Councilor Norris** stated she sometimes felt inadequate when she was unable to help people and communities that needed assistance. She was determined to see the Hampton Avenue bridge finished. Ms. Norris stated access to public transportation was actually better years ago than it was today. She then stressed the need for a convention center in Greenville County. Ms. Norris stated it was imperative for everyone to work together to help those in need.
- **Councilor Roberts** stated most of the residents in his district did not utilize the bus system but many of them were willing to assist. Mr. Roberts stated people using the bus system were just trying to get to work and take care of their families. With the current unemployment rate being as low as it was in Greenville County, every person who was able to work was needed to fill jobs.
- **Councilor Taylor** stated the common theme for the evening appeared to be the need for money. The money available to spend in a given year was short due to the State Legislature not funding local county government activities. The Sheriff's Office, EMS and the Greenville County Art Museum needed more money; there were "new projects" that also needed money along with affordable housing and public transportation. He felt it was necessary to fund all of those issues. On the other hand, the County Square Redevelopment Project that would bring in millions of dollars and not burden the taxpayers had been put on hold due to a recent Council vote regarding the relocation of non-county agencies. It had also been proposed that the County Administrator cease all work on the project which would cost the County millions of dollars to do so; the County would then have to absorb those costs and would be unable to fund other projects. A new source of revenue was needed; he did not feel the citizens of Greenville County were prepared to increase their taxes and a public transportation referendum would not pass. He encouraged those interested in funding public transportation, affordable housing and other projects to contact their Council member and support the County Square Redevelopment Project.
- **Councilor Seman** stated the new Lockheed Martin F16 Project at SCTAC would bring in about 400 new jobs to the area. She also thanked all the citizens who took time to attend the meeting.
- **Councilor Fant** thanked all the members of Vision 25 who were in attendance. Mr. Fant stated former Council Member Lottie Gibson was unable to see completion of the Staunton Bridge Road Community Center; he was committed to see the completion of the Phillis Wheatley Center and the Hampton Avenue Bridge before Ms. Norris left Council. As Greenville transformed from a large town to a small city, there was no choice but to take mass transportation seriously; it had to be looked at from an economic perspective. If public transportation was not available, the economic growth that Greenville County was currently enjoying would come to a halt. Mr. Fant stated he was certain a 1¢ local sales tax increase would not pass and suggested establishing Greenlink as a private entity, separate from the County, with its own millage.



- **Councilor Ballard** thanked his colleagues for approving the Metropolitan Sewer Subdistrict boundary expansion.

He stated he recently attended the South Greenville Fire District Awards Program and the guest speaker was Sheriff Brown who spoke about integrity and commitment. Mr. Ballard stated he also attended a Housing and Transportation Forum and it was well-attended; the bottom line regarding affordable housing was money. Mr. Ballard stated he had received a phone call earlier in the day from a reporter from a local news stations regarding Senator Bernie Sanders' remarks about the gentrification of Greenville. He told the reporter that gentrification was a problem everywhere but Greenville recognized there was a problem.

- **Councilor Dill** stated former mayor, Bill Workman, had been moved to hospice care and he asked everyone to remember Mr. Workman in their prayers.

Eric Morris at Clemson University, as well as his students and other professors, recently completed a transportation study of the Upstate. Mr. Dill stated Mr. Morris had requested feedback from Council.

There was misinformation in a new circular about Council voting on raising taxes for teachers' pay this evening; it was actually the school board who would be voting on salaries.

Mr. Dill stated there was a training program in Marietta that helped individuals obtain their GED and also provided job training as well as other needed services but there was no bus service available for the residents of his district. Transportation was not just a problem in the city; it was a problem for his district as well.

Mr. Dill stated Lewis Vaughn was in the process of seeking donations for the Korean War Monument in Washington, DC. Many veterans and their families wanted to add names to the monument and Mr. Dill requested Administration review the Council District Funds criteria in order to donate money to the cause and other similar causes.

**Item (16) Adjournment**

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

Motion carried unanimously and the meeting was adjourned at 6:53 p.m.

Respectfully submitted:

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Regina G. McCaskill, Clerk to Council