



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

November 19, 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

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

Dan Tripp, *District 28*

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 Butch Kirven*

Dr. Grady Butler

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Councilor Seman moved to approve the minutes of the November 5, 2019, Regular Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) Public Hearings

a. Adjust the Boundaries of the Caesar’s Head Fire Service Area and the River Falls Fire Service Area

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to adjust the boundaries of two fire service areas so as to enlarge the Caesar’s Head Fire Service Area, and to diminish the River Falls Fire Service Area; and provide for public notice thereof.

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

Item (6) Appearances – current agenda items

No speakers

Item (7) Consent Agenda

- a. Acceptance of Hala Court into the County Road Inventory (PWI)**
- b. Community Project Application / Slater Marietta Fire Department – Christmas Parade \$1,000.00 (Finance)**
- c. Community Project Application / Tigerville Fire Department – Radios \$6,000.00 (Finance)**
- d. SCDHEC / EMS Grant-in Aid FY2019 – FY2020 (Finance)**
- e. 2019 Homeland Security Grant – SWAT Team (Finance)**
- f. 2019 Homeland Security Grant – Upstate Regional Bomb Squad (Finance)**
- g. Greenville County Library / Purchase of Property – N. Highway 101 (Finance)**

Action: Councilor Norris moved approval of the Consent Agenda Items.

Motion carried unanimously by Council Members present.

Item (8) Resolutions

a. Metropolitan Sewer Subdistrict Annexation / 1948 Jonesville Road – Request for Public Hearing

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include the real property located at 1948 Jonesville Road.

Motion carried unanimously by Council Members present.

b. Greater Greenville Sanitation District Annexation / 120 Dreamland Way and 6002 Old Buncombe Road – Request for Public Hearing

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include 120 Dreamland Way and 6002 Old Buncombe Road.

Motion carried unanimously by Council Members present.

c. Pierburg Resolution

Action: Councilor Seman moved for adoption a resolution extending the investment period under a fee agreement between Greenville County, South Carolina, and Pierburg US, LLC.

Motion carried unanimously by Council Members present.

d. Project Woods / Inducement Resolution

Action: Councilor Seman moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Woods, whereby, under certain conditions, Greenville County would 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.

e. Materials Sciences Corporation / Consent of Ownership Interest

Action: Councilor Seman moved for adoption a resolution acknowledging and consenting to the change of the ownership interest of Materials Sciences Corporation to Materials Sciences Holding Company; the creation of Materials Sciences, LLC, as an operating company owned by Materials Sciences Holding Company and the transfer of a partial ownership of Materials Sciences LLC to Seeman Composites, Inc.; and the transfer of the fee in lieu of tax agreement with Greenville County to Materials Sciences, LLC.

Motion carried unanimously by Council Members present.

f. General Nutrition Products, Inc. / Fee in Lieu Tax Agreement Extension

Action: Councilor Seman moved for adoption a resolution authorizing the extension of the term of a fee in lieu of ad valorem taxes arrangement under Title 4, Chapter 12, Code of Laws of South Carolina, 1976, as amended, between Greenville County and General Nutrition Products, Inc.; and other matters related thereto.

Motion carried unanimously by Council Members present.

Item (9) Ordinances – Third Reading

a. Zoning Ordinances

i. CZ-2019-68: Property of Frances J. Smith Irrevocable Trust, located at 211 W. Lee Road, requesting rezoning from R-20 to R-10.

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

Motion carried unanimously by Council Members present.

- ii. **CZ-2019-69:** Property of the Wickline Family Living Trust, located at 12349 Old White Horse Road, requesting rezoning from R-S to R-20.

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

Motion carried unanimously by Council Members present.

- iii. **CZ-2019-71:** Property of LTE Investment Group LLC, located at 4403 White Horse Road, requesting rezoning from R-10 to C-3.

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

Motion carried unanimously by Council Members present.

- iv. **CZ-2019-72:** Property of Yadhi Properties LLC, located at 1101 Green Avenue, requesting rezoning from C-1 to C-2.

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

Councilor Dill stated he could not vote in favor of the proposed; the plan was for a liquor store.

Action: Councilor Roberts moved to hold the item until a full Council was in attendance.

Motion to hold was denied.

Motion as presented carried.

- v. **CZ-2019-75:** Property of Maxwell Pointe, LLC, located on Highway 14 and Woodruff Road, requesting rezoning from PD to PD Major Change with conditions.

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

Motion carried unanimously by Council Members present.

b. Adjust the Boundaries of the Caesar’s Head Fire Service Area and the River Falls Fire Service Area

Action: Councilor Seman moved for adoption at third reading an ordinance to adjust the boundaries of two fire service areas so as to enlarge the Caesar’s Head Fire Service Area, and to diminish the River Falls Fire Service Area; and provide for public notice thereof.

Motion carried unanimously by Council Members present.

c. 2018 Building Codes

Action: Councilor Seman moved for adoption at third reading an ordinance to comply with the regulations promulgated by the South Carolina Building Codes Council by repealing Ordinance Number 4801 and adopting the administrative provisions (Chapter 1) of the various codes promulgated by the South Carolina Building Codes Council relating to design review and inspection activities of the

County of Greenville and enforcement of building provisions as provided in said codes; and, an ordinance to adopt the International Property Maintenance Code, the International Swimming Pool and Spa Code and International Existing Building Code in Greenville County as authorized by the South Carolina Building Codes Council; and to adopt certain appendices of the adopted codes to recognize certain variations in the codes based on physical conditions found within Greenville County.

Action: Councilor Seman moved to amend the ordinance to reflect the changes in the red-lined version provided at each Councilor's seat. The amendments were approved in committee earlier in the evening.

Motion to amend carried unanimously by Council Members present.

Action: Councilor Seman moved adoption of the ordinance as amended.

Motion as amended carried unanimously by Council Members present.

d. Greenville – Anderson Multi County Industrial Park Agreement Amendment (2010 Park) / Project Santa's Hat

Action: Councilor Seman 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 Seman moved to hold the item to allow time to schedule a public hearing.

Motion to hold carried unanimously by Council Members present.

Item (10) Ordinances – Second Reading

a. Project Ferguson / 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 or companies known to the County at this time as Project Ferguson, 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 by Council Members present.

b. Project Play Doh / 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 or companies known to the County at this time as Project Play Doh, 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 by Council Members present.

c. Project Sunshine / 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 or companies known to the County at this time as Project Sunshine, 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 by Council Members present.

d. Pierburg US LLC / Conversion Ordinance

Action: Councilor Seman moved for approval at second reading an ordinance authorizing the conversion of a fee in lieu of tax arrangement under Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended, by and between Greenville County, South Carolina and Pierburg US, LLC, formerly known as Pierburg, LLC, formerly known as Pierburg Inc., to a simplified fee in lieu of taxes arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; the termination of a certain lease agreement between the County and the Company; the reconveyance by the County of related property to the Company; the extension of the FILOT term; and other matters related thereto.

Motion carried unanimously by Council Members present.

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

Action: Councilor Seman 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 carried unanimously by Council Members present.

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

Action: Councilor Seman 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 Greenville and Anderson Counties so as to enlarge the park to include property of Anderson Industries, LLC and Pearman Road Associates, LLC.

Motion carried unanimously by Council Members present.

Item (11) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2019-76 through CZ-2019-81 and CZ-2019-83.

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

b. Greenville County Comprehensive Plan “Plan Greenville County” (CP-2019-05)

Councilor Dill presented for first reading an ordinance to adopt a Comprehensive Plan for the County of Greenville in compliance with S.C. Code Section 6-29-510.

Chairman Kirven referred the item to the Planning and Development Committee.

c. Project Woods / Fee in Lieu of Tax 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 or companies known to the county at this time as Project Woods, 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.

Chairman Kirven stated the item would remain on the floor.

d. University Ridge Economic Development Project / Bond Anticipation Notes and Related Agreements

Councilor Taylor presented for first reading an ordinance authorizing the execution and delivery of documents relating to the provision of county-owned facilities; consenting to and approving the issuance in one or more series from time to time of not exceeding \$120,000,000 County Square Redevelopment Corporation Installment Purchase Revenue Bonds, by County Square Redevelopment Corporation and the issuance in one or more series from time to time of bond anticipation notes of the corporation to provide funding to finance the costs of acquiring, constructing, equipping, and installing various county facilities and the acquisition of land related thereto; consenting to and approving the execution of one or more base lease and conveyance agreements by and between the county and the corporation; consenting to and approving the execution of one or more Public Facilities Purchase And Occupancy Agreements relating thereto by and between the county and the corporation; consenting to the form of one or more trust agreements to be entered into by the corporation and the trustee for the bonds; and together therewith assignments to the trustee of certain rights to payment and other rights of the corporation, under the facilities agreement; and making provision for all other matters relating to the foregoing.

Chairman Kirven stated the item would remain on the floor.

Item (12) Committee Reports

a. Committee on Public Works and Infrastructure

i. Building Code / Fee Schedule

Action: On behalf of the Committee, Councilor Seman moved to approve the Building Code Fee Schedule as presented in the Council agenda packet.

Motion carried unanimously by Council Members present.

b. Committee of the Whole

i. Resolution of Opioid Litigation

Action: On behalf of the Committee, Vice-Chairman Meadows moved to adopt a resolution to opt out of the nationwide class certified for negotiation purposes in *In Re National Prescription Opiate Litigation, MDL 2804*.

Motion carried unanimously by Council Members present.

Item (13) Appearances by Citizens

- Michael Ray Stansell, 432 Robert P. Jeanes Road, Easley – appeared regarding sanitary sewer consolidation.

Item (14) Administrator's Report

No Report

Item (15) Requests and Motions by Council Members

- Councilor Ballard stated South Greenville Fire Department recently dedicated its new station. The old station was designed and built as a volunteer station; there were never plans to have staff present 24/7. One of the bedrooms was located in the kitchen and the other in a closet. The gentleman who started the department had witnessed two children perish in a house fire as there was no fire service in the area at that time. Mr. Ballard stated the new department was very nice.
- Councilor Seman stated Lockheed Martin officially started production of the F-16 on Veterans Day; she promised to keep everyone posted on when the first planes rolled off the line.
- Councilor Norris stated everyone was very proud of the new Phillis Wheatley Center; the only thing left to complete was the kitchen. She thanked everyone who had attended the grand opening. Mrs. Norris wished everyone a Happy Thanksgiving.
- Councilor Cates wished everyone a Happy Thanksgiving.

Item (16) Adjournment

Without objection, the meeting was adjourned at 6:38 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council