



## GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

December 3, 2019

6:04 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*

**Bob Mihalic**, *Governmental Relations Officer*

### **Others Present**

None

### **Call to Order**

Chairman Kirven

### **Invocation** – *Introduced by Councilor Dan Tripp*

Wade Leonard, Senior Pastor  
Mauldin First Baptist

### **Pledge of Allegiance**

**Item (4)      Approval of Minutes**

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

Motion carried unanimously.

**Item (5)      Public Hearings**

**a.      Proposed Relinquishment of Dukeland Court**

A public hearing was held for the purpose of receiving comments from the public regarding the proposed maintenance relinquishment of the entire length of Dukeland Court (K0379) so that it could revert back to the floodplain.

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

**b.      Metropolitan Sewer Subdistrict District Annexation / 1948 Jonesville Road**

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 to include the real property located at 1948 Jonesville Road, and provide for public notice thereof.

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

**c.      Greater Greenville Sanitation District Annexation / 120 Dreamland Way and 6002 Old Buncombe Road**

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 120 Dreamland Way and 6002 Old Buncombe Road, and provide for public notice thereof.

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

**d.      Standard Motor Products, Inc. (formerly Project Ferguson) / 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 Standard Motor Products, 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 matter related thereto.

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

**e.      Pierburg US, LLC (formerly Project Sunshine) / 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 Pierburg US, LLC, 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 Seman declared the public hearing closed.

**f. Pierburg US, LLC / Conversion Ordinance**

A public hearing was held for the purpose of receiving comments from the public regarding 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.

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

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

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 Seman declared the public hearing closed.

**h. Anderson – Greenville Multi County Industrial Business Park Agreement Amendment (2010 Park) / Anderson Industries, LLC and Pearman Road Associates, LLC (formerly Project Snake)**

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 to include property of Anderson Industries, LLC and Pearman Road Associates, LLC.

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

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

A public hearing was held for the purpose of receiving comments from the public regarding 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.

- Stan Tzouvelekas, 216 Botany Road, Greenville – appeared in favor of the proposed

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

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

No speakers

**Item (7)**      **Consent Agenda**

- a.    **Proposed Relinquishment of Dukeland Court** *(PWI)*
- b.    **Recreation Revenue Sharing Agreement – City of Fountain Inn** *(Finance)*
- c.    **Escrow Agreement – Museum Conference Center Project** *(Finance)*

**Action:**            Councilor Seman moved approval of the Consent Agenda Items.

Motion carried with Councilor Tripp voting in opposition.

**Item (8)**      **Resolutions**

- a.    **Metropolitan Sewer Subdistrict Annexation / 1948 Jonesville Road**

**Action:**            Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Metropolitan Sewer Subdistrict to include the real property located at 1948 Jonesville Road, and to provide for public notice thereof.

Motion carried unanimously.

- b.    **Greater Greenville Sanitation District Annexation / 120 Dreamland Way and 6002 Old Buncombe Road**

**Action:**            Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 120 Dreamland Way and 6002 Old Buncombe Road, and provide for public notice thereof.

Motion carried unanimously.

- c.    **Drive Automotive / Adding a Sponsor Affiliate**

**Action:**            Councilor Seman moved for adoption a resolution designating and approving a sponsor affiliate in satisfaction of the requirements of Title 12, Chapter 44 of the South Carolina Code, so as to allow the sponsor affiliate to qualify for benefits pursuant to fee in lieu of ad valorem taxes arrangements with Greenville County, South Carolina; and other matters related thereto.

Motion carried unanimously.

- d.    **Project Tiger / 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 Tiger, 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.

**e. P & L Development LLC / Adding a Sponsor Affiliate**

**Action:** Councilor Seman moved for adoption a resolution authorizing the addition of a sponsor affiliate under the 2016 fee agreement between Greenville County, South Carolina and P&L Development, LLC; and other matters relating thereto.

Motion carried unanimously.

**f. Boiling Springs Fire District / Request for Public Hearing – Issuance of Debt**

**Action:** Councilor Seman moved for adoption a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$1,700,000 of General Obligation Bonds of the Boiling Springs Fire District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto.

Motion carried unanimously.

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

**a. Standard Motor Products, Inc. (formerly Project Ferguson) / 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 Standard Motor Products, 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.

**b. Project Play Doh / 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 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.

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

Motion to hold carried unanimously.

**c. Pierburg US, LLC (formerly Project Sunshine) / 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 Pierburg US, LLC 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.

**d. Pierburg US LLC / Conversion Ordinance**

**Action:** Councilor Taylor moved for adoption at third 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.

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

**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.

Motion carried with Councilor Fant voting in opposition.

**f. Anderson – Greenville Multi County Industrial Business Park Agreement Amendment (2010 Park) / Anderson Industries, LLC and Pearman Road Associates LLC (formerly Project Snake)**

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

Motion carried with Councilor Fant voting in opposition.

**g. Vermeer Corporation (formerly Project Yellow) / 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 Vermeer Corporation, with respect to certain economic development 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.

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

**a. Zoning Ordinances**

**i. CZ-2019-77:** Property of Passco Navarro Greenville, LLS and International Properties, LLC, located on Grove Preserve Parkway, requesting rezoning from C-3 to I-1. The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

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

**Action:** On behalf of the Committee, Councilor Dill moved for approval at second reading an ordinance to adopt a Comprehensive Plan for the County of Greenville in compliance with S.C. Code Section 6-29-510. The Planning Commission and the Committee recommended approval.

Motion carried unanimously.

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

**Action:**

Councilor Taylor moved for approval at second 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.

Councilor Kirven stated this was a complex document; Council had reviewed it but could have additional questions. Attorney Brad Love was in attendance to answer any questions regarding the bond; Mr. Love specialized in bond Council work. This was the same plan that was initially presented to Council. It was prescribed by state law and bond Council work; the plan was used by the City of Greer for its new City Hall and related municipal government improvements. The plan was used by the City of Travelers Rest for its new City Hall at Trailblazer Park; the City of Greenville used it for a new public works project on Fairforest Way as well as the new fire station on Verdae Boulevard. Mr. Kirven stated a Council workshop could also be scheduled prior to third reading.

Councilor Ballard stated he had a problem with approving \$120,000,000 in bond authorization for a project that had not yet been defined. It had been defined in broad terms as “going to build a County Square building”; the current building would be demolished, the property sold and developed. The project was currently being held up by the City of Greenville; Council had heard various scenarios as to what could happen but there was no defined project. Mr. Ballard stated he had trouble committing the County to the sale of bonds for a project that was not defined; he would have to vote against the item.

Councilor Fant stated he was totally in favor of the project; he was not interested in voting against it or “killing” it. However, he was somewhat in agreement with Councilor Ballard; the final outcome of the project was unknown. Council could continue with the planned development “as is”, even if the city did nothing. The planned development would limit the size and height of the buildings which could reduce the amount of revenue. Mr. Fant stated he did not want to blindly cross his fingers and hope the City of Greenville cooperated, commit the taxpayers to \$120,000,000 and then end up “short” at the “end of the day.” If that happened, Council would have to raise taxes. Mr. Fant inquired if the item could be held until the city made a final decision; Council could then make informed decisions instead of voting for the item without knowing what was going to happen. Holding the item could possibly make the city “speed up” and “quit playing games” or trying to “extort more stuff” from the County. When it was known what the city was going to allow the County to build, Council could then represent to the taxpayers how the money would actually be spent. Mr. Fant stated a number of his constituents in District 25 were on “fixed incomes”; he did not want to raise taxes to supplement funding for the project. He would suggest holding the item instead of “just not voting for it.”

Councilor Seman stated it was her understanding the City of Greenville would have first reading on January 27, 2020; she appreciated the sentiment on the frustration of her colleagues. For a number of reasons, the County had an “excellent project”; it had been frustrating the deal had not been closed. In terms of immediate needs from a finance perspective, the Halton Road property was certainly part of the whole equation. She would not want the County to “tie” its own hands by not having adequate cash flow to handle what was needed for the property. The bond was up to \$120,000,000 and it was her

understanding the County would access the monies in increments, as needed. Given the information, it gave some assurance that the County would not “overspend.” She asked Mr. Kernell to comment on cash flow needs as they related to Halton Road property.

Joe Kernell stated the \$120,000,000 was the same amount of money initially presented as needed for the project; approximately \$36 million was needed in the upcoming year for the County Square building and \$5 million for site infrastructure. The County was scheduled to close on the Halton Road property in April; failure to do so would result in a long-term lease for the property, which was not attractive to the County. The intent was to purchase the property and that was what Council had approved. The Halton Road issue was separate from the rezoning request for the County Square property; the County had already committed to move forward with Halton Road. Mr. Kernell stated funds were needed at the beginning of 2020 in order to meet those previously agreed to obligations. The rezoning modifications requested for the County Square property were up to the city. If the city denied the request, six-story buildings could still be built on the property. It would change the complexion of the deal substantially but the County would not be obligated to fulfill the other improvements requested by the city. Mr. Kernell stated when those reduced costs were factored in, the project’s actual payback changed by approximately one year. If the multi-county park was omitted and other revenue streams were utilized to fund the development, it could increase the payback by approximately one year. Mr. Kernell stressed that raising taxes was not an option for additional revenue. The County had already incurred some costs with the development and wanted to get started on Halton Road as soon as possible. The Family Court Judges were consulted regarding their office needs approximately two weeks ago. Mr. Kernell stated April 1, 2020, was the “big deadline” as the purchase reverted to a lease if not executed.

Councilor Roberts stated Council had agreed to move forward with the project; he had no intention of voting to “kill” the project. He and some of his colleagues agreed with 90% of the comments from Mr. Kirven and Mr. Kernell; perhaps they could agree on the facts and come up with a different evaluation at the end. Mr. Roberts stated everyone kept saying it was a \$1 billion project, based specifically on “going vertical” and having multi-story buildings going well above the six stories as specified by the current zoning. The multi-story buildings were a key factor to the development and the County could choose to go in a different direction; it would drastically change the County’s payback as well as the value of the land. The value of land changed exponentially with multi-story buildings as opposed to buildings with fewer stories. The County needed to look at the situation from a business perspective; he felt the County was hoping for the best and was not prepared for the worst. Mr. Roberts stated the formula that underscored the unique property and its success was because of the design; any changes would have severe consequences. The proposed building was beautiful and iconic, designed by an incredible team; the Administrator had put together a great plan. If everything came together as planned, the project would leave a legacy; however, the County may have to pull back from the proposed plan and reconsider the financial aspect of the project. Mr. Roberts stated the County may have to sell all the County Square property and build the building elsewhere; the design of the building may have to be changed to something more traditional and functional. He stated Council agreed on the plans for the building and the plans were set up in a certain way; those plans were being jeopardized. He stated he did not want to vote against the project; he would like to put it on hold. Mr. Roberts stated a bank would not loan money for a project without a clear understanding of how the money would be spent; Council should not do the same with taxpayer money. Putting the project on hold would bring up issues that would need to be resolved short term; however, it was the best thing to do in his opinion.

Chairman Kirven asked Mr. Kernell to give additional information regarding the difference in the “one year payback.” It was his understanding that Mr. Kernell and his team had looked at the “worst case scenario” regarding rezoning of the County Square property; some calculated projections had been made and he asked Mr. Kernell to present them.

Mr. Kernell stated issues with the City of Greenville and the rezoning request were anticipated. Roca Point was consulted and they were pretty confident there would be no impact on the values; the planned density was still probable which translated to dollars for the land. Mr. Kernell stated the County was



partners with Roca Point on the project; changes would affect both parties. Roca Point was interested in maximizing the value of the land. Mr. Kernell stated most of the buildings located in downtown Greenville were no more than four stories; there were some with six, eight or even twelve stories. To have varying building heights was all part of the "urban landscape." The County was required to provide \$15 million to the City of Greenville for an offsite parking deck which was a direct result of the County being allowed to develop a multi-county park within the city limits. In addition, the County was to provide offsite traffic improvements throughout the city. Mr. Kernell stated if the rezoning request was denied, those improvements would "go away." The City of Greenville had also requested other improvements such as \$2 million for affordable housing which would also be eliminated if the rezoning request was denied; a number of additional costs could possibly be eliminated as well. If the multi-county park was eliminated, the County would no longer control taxes on the property. The County could work with the school district to see if they were willing to work together; currently, the school district received no tax dollars from the property. Mr. Kernell stated the proposed \$1 billion development would create about \$23 million dollars per year in property taxes alone; additional taxes including business licenses, accommodations tax and hospitality tax would also be generated. There have been no discussions with the school district as of yet; it may be possible to structure a deal whereas the school system would receive some part of the tax revenue. Mr. Kernell suggested utilizing the expiring TIF funds; the City of Greenville had been using County taxes for years for a number for improvements in the downtown area such as parking and other infrastructure. The TIF funds could be designated for the project and they total about \$4.5 million per year. Based on calculations, the County could make up the majority of what the multi-county park would generate and would increase a payback by backing out the costs of the improvement requested by the city. Mr. Kernell stated this may extend things by a year but was still very "doable." The developers were confident land sales would be good and the project could proceed. Mr. Kernell stated there was no "crisis mode"; however, Council previously agreed to move forward with the financing. Mr. Kernell he would hate to see the County get itself into a bad financial situation; Greenville County prided itself on doing the right thing when dealing with finances.

Councilor Roberts stated it was his understanding that building height drastically influenced property values.

Mr. Kernell agreed and stated that varying building heights were planned for the project. The developers had indicated the needed density for the property could be reached if plans were approved for building heights up to six stories. Mr. Kernell stated the developers had looked at the situation from "all sides" and determined the original goals for the property could be met even if things did not go as planned with the City of Greenville.

Chairman Kirven stated there had been some talk about 15 and 20 story buildings; however, they were never meant to be built speculatively. Buildings of that height were to be kept in reserve in case a corporation expressed a desire to build on the site with those specifications. With the City Planning Commission indicating a maximum height of 12 stories, Roca Point indicated that would be no problem for the County. Mr. Kirven stated it was not likely the City of Greenville would turn down a company requesting to build more stories than allowed.

Councilor Fant stated some Council Members did not want to vote for the item in its entirety and others wanted to hold it; however, it appeared that all were in favor of the project. He inquired if there was a way to amend the item to initially approve a specified amount of money in order to meet current needs and revisit the item after the City Planning Commission made a final determination regarding the rezoning request. Mr. Fant stated this approach would insure current needs were met. He was a bit uncomfortable with a "blank check for \$120 million dollars" without knowing exactly what the end project would be.

Mr. Kernell stated the request for \$120 million would be for an authorization not issuance; it would be more than a year before more was issued. An initial issuance BAN (bond anticipation note) of \$36,909,948 was needed for the building based on the architects' estimates; some of those costs have

been incurred up to now. University Ridge Master Planning included the architects' work and hardscaping such as sidewalks and street; the draw for that through quarter 2021 would be \$4,899,168. Estimates for Halton Road included \$33 million for the purchase and \$7 million for the upfit for a total of \$40 million. The deadline for the Halton Road building was April 1, 2020. The plan was to issue debt as needed and have one BAN (bond anticipation note) for the total costs at the end; hopefully land sales would have started by that time and could potentially offset some of the costs resulting in borrowing a smaller amount than anticipated. Mr. Kernell stated the projected amounts have not changed since 2015.

Vice-Chairman Meadows stated Mr. Kernell had previously indicated there was enough money in the County's Reserve Funds for the Halton Road project.

Mr. Kernell stated the County had a fund balance which was needed in order to meet expenses. The County could "cash flow" the Halton Road project but that would be short term. The money would have to be replenished. During the first quarter of the year, the County received taxes and the fund balance "jumps up." Mr. Kernell stated it was very nearsighted to view that approach as a long term solution. If Council chose to fund the Halton Road project in that manner, it could be considered but would cause cash flow problems down the road. Permanent financing was needed in order to continue with the project.

Vice-Chairman Meadows stated Mr. Kernell was speaking in favor of holding the item as he had said there were details about the costs that were unknown at this time. Mr. Meadows stated no one knew exactly how much the project was going to cost. The initial figure was \$60 or \$70 million and it was now approaching \$200 million. Mr. Meadows stated the item should be held; he was not in favor of "killing" it nor was he in favor of voting for it until he was aware of all the details.

Councilor Tripp requested to ask Vice-Chairman Meadows why he was not willing to vote in favor of the item.

Vice-Chairman Meadows stated the item should be held and he would request that Mr. Kernell present the figures to Council again. Everything was basically generalities and never pinpointed. It was unknown when the County would start receiving taxes or what the costs were going to be. Mr. Meadows stated it was unknown what the City Planning Commission had asked the County to do; he requested Mr. Kernell provide the information to each Council Members. It was his understanding that the County would have to approach the City Planning Commission in five years as the zoning could possibly be changed. Since Mr. Kernell had indicated the County could finance the project on a short term basis, Mr. Meadows suggested holding the item and finance what was needed now on a short term basis. He stated there had been talk about getting \$23 million; he asked how it could be proven the County would receive that amount. Mr. Meadows stated the item should be held to get more information not just for the purpose of holding it.

Councilor Norris stated she agreed with some of the comments made by Mr. Meadows but Council appeared to be "in panic mode" about the project. Ms. Norris stated she was willing to put the item on hold in order to look more closely at the project as opposed to "killing" it. She stated the County needed to work together with the City of Greenville and should not panic. Ms. Norris stated she was willing to give it a try and could not see why any of her colleagues would say "no."

Councilor Tripp stated the thought that came to his mind was that the County should put political pressure of Mayor White with the city in order for the two parties to work together as partners. He stated the County was running up against hard deadlines. If the City of Greenville failed to approve the deal, he was in favor of taking away the parking garage and any other improvements requested by the city which would subsequently bring the cost of the project down. If that were to happen, Mr. Kernell would not have to issue \$120 million in bonds. Mr. Tripp stated Council needed to let Mr. Kernell do his job.

Councilor Fant stated the hesitancy to approve the item had nothing to do with Joe Kernell.

Chairman Kirven stated the item was only at second reading and finalized nothing. There was time to see what the City of Greenville was going to do as well as hold workshops, if necessary, to further discuss the issue. Mr. Kirven stated it would send the wrong message to the community if Council held the item. Council had the option to move forward very judiciously, see the city's response and defer action until a final decision was needed. Even if the contingent agreements were taken back, the County would still need financing for the Halton Road project.

Councilor Fant inquired about the compromise of giving the Administrator part of the money now and holding some of it back; Council would not look as if it was blindly going forward, not knowing where it was going and hoping that the city would wake up from its drowsy nap and participate.

Chairman Kirven stated Council could approve amendments at third reading.

Councilor Cates stated it bothered him that others appeared to know what was better for the County's property. The County and the City were really "one" and he could not understand why there was a problem. Mr. Cates stated it was his understanding that \$81 million dollars was needed between now and April 1.

Mr. Kernell stated the \$81 million was needed through the first quarter of 2021. The County wanted to do one note per year.

Councilor Cates stated the amount requested was \$120 million; the County would draw on that amount as needed. He inquired if the request would be sent to the Finance Committee for approval or would the decision be strictly up to Mr. Kernell.

Mr. Kernell stated the item could be sent to the Finance Committee if that was what Council wanted.

Councilor Cates stated he did not think that anyone wanted to stop the project altogether.

Mr. Kernell stated after Council approved the authorization for \$120 million, the County would go to the rating agencies in New York. The project would be presented to the agencies and a rating would then be placed on the project; a good rating was expected due to County's AAA bond rating. The bond rating would be used for the market; institutional investors would review the rating and give very attractive short term rates. Mr. Kernell stated the investors would also know they would be in the game to get the long term financing, if needed. Everything must be in order for people to be interested in financing the project; the process required a substantial amount of time.

**Action:**

Councilor Cates moved Council approve the authorization request for \$120 million and each time money was to be spent, the item would be presented to the Finance Committee for recognition, not necessarily approval.

Councilor Dill stated Council had been through the same thing many times; it was an exercise as to why the "magic number of second reading" could kill a project. Mr. Dill stated he could not understand holding the item at second reading rather than third reading; holding the item at second reading would not give the County any additional time as opposed to holding it at third reading. He understood why some Council Members were nervous about the project; it was the biggest deal in the state. There was no other County that had built a building or developed a property like the proposed. The County imposed restrictions on developers all the time; yet, Council was upset that the City Planning Commission had set limitations on the project. Mr. Dill suggested Council vote on the item at second reading; if it was apparent at third reading that there were still issues to be resolved, the County could then start pulling funding.

**Action:** Councilor Fant stated it was obvious Council could not find common ground, therefore, he moved to hold the item.

**Action:** Councilor Seman called for the question.

Without objection, the motion to call for the question carried unanimously.

Vice-Chairman Meadows requested a roll call vote.

Councilor Tripp stated Councilor Cates had made a motion to approve the item prior to Councilor Fant's motion.

Councilor Cates confirmed had made a motion to approve the authorization request for \$120 million; each time money was to be spent, the item would be presented to the Finance Committee for recognition, not necessarily approval. After a brief discussion, Councilor Cates withdrew his motion.

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

*(The motion on the floor was the original motion as presented by Councilor Taylor.)*

**Action:** Councilor Seman called for the question.

Without objection, the motion to call for the question carried unanimously.

Councilor Fant stated a 6 – 6 vote would “kill” the project.

Councilor Roberts stated Council did not want to “kill” the project.

Councilor Fant asked if a 6 – 6 vote on the ordinance would it “kill” the project.

Councilor Dill stated it would “kill” the funding.

Councilor Seman stated if Council Members were in favor or the project, they should be in favor of the funding mechanism needed for it.

Councilor Dill raised a Point of Order. He stated Councilor Seman had already called for the question.

Chairman Kirven stated a tie vote would put things in “new territory”; if the item passed, Council still had work to do.

Councilor Roberts inquired if Council could make another motion “down the road” that would move things forward.

Chairman Kirven stated Council still had third reading on the item, if it passed second reading.

Councilor Fant stated Council would not know what was approved by the City Planning Commission until the end of January.

Chairman Kirven stated it was unknown when the City Planning Commission would be voting on the zoning request. Council could still make its own decision about the project.

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

**d. Project Woods / Fee in Lieu of Tax Agreement**

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 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.

Motion carried unanimously.

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

**a. Project Tiger / Fee in Lieu of Tax Agreement**

Councilor Taylor presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement but and between Greenville County, South Carolina and a company or companies known to the county at this time as Project Tiger 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.

**b. Boiling Springs Fire District / Authorize the Issuance of Debt**

Councilor Taylor presented for first reading an ordinance finding that the Boiling Springs Fire District, South Carolina, may issue not exceeding \$1,700,000 of General Obligation Bonds and to provide for the publication of notice of the said finding and authorization.

Chairman Kirven stated the item would remain on the floor.

**Item (12) Committee Reports**

No report.

**Item (13) Appearances by Citizens**

- Wanda Hunt, 220 Duffie Road, Simpsonville – appeared regarding Bus Routes 508 and 510.

**Item (14) Administrator's Report**

Joe Kernell stated Property Management was very busy last week. The Cobb Tire Building was demolished; clean-up was completed earlier in the day.

Last Friday, the *Xanthe Norris Hampton Avenue Bridge* was installed. Mr. Kernell stated the deck needed to be poured and the canopy placed on the bridge. It was currently blocked off but would be completed in the very near future.

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

- a.** Motion to Reconsider the County's Resolution of Support for the Development of the South Carolina Art and Cultural Center / Downtown Convention and Event Center

Councilor Tripp stated Council had voted unanimously to approve the resolution during the Committee of the Whole meeting held October 15; however, there was a broad consensus, either written or unwritten,

that the resolution could be rescinded or reconsidered if the City of Greenville “messed” with the County’s redevelopment project. Mr. Tripp stated a relationship or partnership was defined as a “close cooperation between parties”; that was not happening between the County and the City of Greenville. When he was elected, he had “utopian” dreams of accomplishing all kinds of wonderful things; however, Council Members were fighting amongst themselves and with the City of Greenville. Mr. Tripp stated Greenville County was poised for great things but only if there were better partnerships between Council Members and the City of Greenville. He felt there needed to be some leverage with the city; Mayor White and the City Planning Commission were “playing games.” Mr. Tripp stated there was a fiscal impact if the County’s planned development was not approved. If it was not approved, he would be in favor of doing away with a lot of the “goodies” the city had requested. Mr. Tripp stated he would never vote in favor of the proposed convention center if the County’s planned development was not approved by the City of Greenville. To commit \$26 million to a “rattlesnake partner” was not the road he wanted to take; the deals the City wanted were linked to the County’s planned development. The fiscal impact of one affected the other. Mr. Tripp stated he wanted diplomacy to work and wanted the County to have a better relationship with the City of Greenville. Mayor White had texted him earlier and said “shame on himself for not talking to us (Council) more’; Mr. Tripp was willing to give Mayor White a chance. He had plans to sit down with the mayor and see what he had to say.

Councilor Tripp withdrew his request to make the motion for reconsideration.

- Councilor Ballard stated he had the pleasure of having Thanksgiving dinner with a friend; it was the gentleman’s first Thanksgiving outside of incarceration in 34 years. Mr. Ballard wished everyone a Merry Christmas.
- Councilor Fant stated it may appear that Council did not get along; however, it was, in his opinion, they a deliberative body should act. Fant stated he had four upcoming proposals but he planned to hold them until next year. Mr. Fant added something had to be done about the county’s roads.
- Councilor Seman stated Tim Thomas, Federal ARC Co-Chairman, visited SCTAC for an overview presentation and site tour of the park and the facility. Mr. Thomas was joined by local staff from the offices of Senator Lindsey Graham and Senator Tim Scott as well as the South Carolina Department of Commerce. Ms. Seman reminded her colleagues about the upcoming SCTAC luncheon.

Councilor Seman stated the Comprehensive Plan still required a third reading in order to be approved and subsequently implemented; she thanked the staff and the stakeholders involved. Ms. Seman also thanked the *Citizen Working Group*, especially Addy Matney; she appreciated all their hard work. She reminded everyone that the members of the group were volunteers. Councilor Seman stated she had received a number of emails from citizens encouraging her to vote in favor of the plan.

Over the Thanksgiving holiday, Ms. Seman’s father experienced a diabetic episode. EMS was called; Councilor Seman stated the two EMS workers were amazing. She added her father was doing much better.

- Councilor Norris stated Senator Ralph Anderson’s funeral would be held on Thursday, December 5 at 1:00 p.m. at Springfield Baptist Church.

Ms. Norris invited everyone to attend the Whittenburg Scholarship Program at Springfield Baptist Church.

- Councilor Roberts stated he was glad to hear that Ms. Seman’s father was doing well; the County’s EMS employees were doing a wonderful job given the volume of calls they received.

Mr. Roberts felt the evening's debate was very healthy. Council needed to ask questions when faced with approving a \$120,000,000 bond; Mr. Roberts would like to have a workshop to discuss the issue. He stated his vote "no" was not to "kill the project"; his hope was to hold the item. Councilor Roberts stated the vote was not a referendum on Joe Kernell or Chairman Kirven; it was simply a way to move forward on the project. It was his understanding Chairman Kirven had some productive talks with Mayor White.

Chairman Kirven stated he a spoken to several of the new members of the Greenville City Council; he was encouraged by their interest in finding an amicable and speedy solution to the issue.

Councilor Roberts stated continually attacking leaders was not helpful; there remained a number of questions and he hoped they could be worked through. The biggest obstacle was looking after the taxpayers' money; asking questions was healthy.

Mr. Roberts wished everyone a Merry Christmas.

- Councilor Cates announced that after almost 14 years of service, he did not plan to run for re-election; he wanted to spend more time with his wife. Mr. Cates stated there were several people interested in running for his seat.
- Vice-Chairman Meadows wished everyone Merry Christmas and Happy New Year.
- Councilor Barnes wished everyone a Merry Christmas. He reminded everyone about the community meeting to be held on December 9 at 6:00 p.m. at the Taylors Library.
- Councilor Taylor stated he was sorry to hear Mr. Cates would not be running for re-election. He was one of the most thoughtful members of Council, always a gentleman, able to think for himself and come to good conclusions; he wished Mr. Cates would run again. Councilor Taylor announced he too would not be running for re-election.
- Chairman Kirven stated he appreciated the spirited debate during the meeting; Council disagreed at times but always tried to do the right thing. Mr. Kirven thanked the Clerk's office for the evening's refreshments and everything they did for Council.

Mr. Kirven stated he looked forward to Council working with the new City Council; the County Square project offered too much for everybody involved not to find a way to make it work.

- Councilor Dill stated the County was experiencing "growing pains"; Greenville County was the fastest growing county in the state, possibly the region. He enjoyed the debate; it was not "rubber stamping" everything.

**Item (16)**

**Adjournment**

Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:48 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council