



## GREENVILLE COUNTY COUNCIL

### Minutes

Regular Meeting  
February 18, 2020  
6:10 p.m.

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

#### **Council Members**

Mr. Butch Kirven, Chairman, District 27  
Mr. Willis Meadows, Vice Chairman, District 19  
Mrs. Xanthene Norris, Chairman Pro Tem, District 23  
Mr. Joe Dill, District 17  
Mr. Mike Barnes, District 18  
Mr. Sid Cates, District 20  
Mr. Rick Roberts, District 21  
Mr. Bob Taylor, District 22  
Mrs. Liz Seman, District 24  
Mr. Ennis Fant, Sr., District 25  
Mr. Lynn Ballard, District 26  
Mr. Dan Tripp, District 28

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

#### **Council Members Absent**

**Rick Roberts**, *District 21*  
**Xanthene Norris**, *District 23*

#### **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*  
**John Vandermosten**, *Assistant County Administrator, Public Safety*  
**Bob Mihalic**, *Governmental Relations Officer*  
**Nicole Wood**, *Assistant County Administrator*

#### **Others Present**

None

#### **Call to Order**

Chairman Kirven

**Invocation** – *Introduced by Councilor Mike Barnes*

Reverend Trent Henson  
Washington Baptist Church, Greer

#### **Pledge of Allegiance**

**Item (4) Approval of Minutes**

**Action:** Vice-Chairman Meadows and Councilor Seman moved to approve the minutes of the February 4, 2020, Regular Council Meeting.

Motion carried unanimously by Council Members present.

**Item (5) Proclamation**

**a. League of Women Voters Centennial Month**

Councilor Sid Cates presented a proclamation to Lawson Wetli, President of the League of Women Voters of Greenville County and Nick Rosso, a high school intern.

The League of Women Voters was founded on February 14, 1920, during the convention of the National American Woman Suffrage Association, six months prior to the ratification of the Nineteenth Amendment to the U.S. Constitution giving women the right to vote. The League was designed to help women carry out their new responsibilities as voters and to encourage them to use their new power to participate in shaping public policy. It has expanded nationwide to include all fifty states and more than 700 local communities. The League has included men as well as women as members. For 100 years, it has been a respected nonpartisan, activist, grassroots organization dedicated to empowering voters and defending democracy.

The League of Women Voters of Greenville County was founded in 1951 and continues the League's commitment to "Making Democracy Work" for all; protecting and expanding voter and voting rights, providing nonpartisan information about political candidates and public policy issues, and promoting diversity, equity, and inclusion.

Greenville County Council proclaimed the month of February 2020 as "League of Women Voters Centennial Month" and congratulated the League of Women Voters of Greenville County on the League of Women Voters' 100th Anniversary.

**Recognitions**

Chairman Kirven recognized the members of Boy Scout Troop 259 who were in attendance. The troop, sponsored by John Knox Presbyterian Church, was led by Scout Master Mills Grant.

Councilor Dill recognized the students from Blue Ridge High School who were in attendance. Mr. Dill stated the students were enrolled in a government class at the school.

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

Chairman Kirven stated two individuals had signed up to speak regarding Item 9.e. which was tabled in the Committee of the Whole earlier in the day. Mr. Kirven stated they could speak at the end of the meeting, time permitting.

**Item (7) Consent Agenda**

- a. SCDOT / Greenville County Road Swap (PWI)**
- b. Waterline Grant – 108 Roberts Circle, Greer (PWI)**

**Action:** Councilor Tripp moved approval of the Consent Agenda items.

Motion carried unanimously by Council Members present.

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

**a.      Greenville County Zoning Ordinance Text Amendment / Taylors Main Street Development District (CZ-2019-63)**

**Action:**      Councilor Dill moved for adoption at third reading ordinance to amend the Greenville County Zoning Ordinance to add the Taylors Main Street Development District to Article 8: Special Review and Review District Regulations; and to define the boundaries of the Taylors Main Street Development District on the official Zoning Map of Greenville County.

Motion carried unanimously by Council Members present.

**b.      General Nutrition Products Inc. / Nutra Manufacturing – Conversion of Lease Agreement**

**Action:**      Councilor Taylor moved for adoption at third reading an ordinance authorizing the conversion 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. to a simplified fee in lieu of ad valorem taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; the cancellation and termination of a lease agreement between the county and General Nutrition Products, Inc.; the conveyance by the county of related property to General Nutrition Products, Inc.; and other matters related thereto.

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

Motion to hold carried unanimously by Council Members present.

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

**a.      Zoning Ordinances**

**i.      CZ-2020-01:**      Property of Frances Edwards Thorpe, located at 361 Terry Road, requesting rezoning from R-R3 to R-R1. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously by Council Members present.

**ii.      CZ-2020-02:**      Property of William R. Coker, located on Davis Road, requesting rezoning from R-R1 to R-S. The Planning Commission and Committee recommended denial.

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

Councilor Ballard stated the Comprehensive Plan had been laid out and Council had agreed to support it; however, the request was just the first in what he predicted would be numerous similar requests. The applicant was a second generation farmer that wanted to sell his land; Mr. Ballard did not feel it was Council's place to tell him to whom he could sell it. Mr. Ballard stated he was not going to be the one to let people leave the meeting with the impression that he wanted to "overrun" the Comprehensive Plan. He asked his colleagues to vote their conscience.

Councilor Tripp asked Mr. Dill to remind Council how the Committee voted on the item; he was under the impression both the Planning Commission and staff voted to deny the request.

Councilor Dill confirmed the Committee voted to deny the request.

Councilor Tripp stated if Council Members wanted to uphold the Committee's position, they should vote against the request.

Councilor Dill confirmed Mr. Tripp's statement and added it was a formality.

Councilor Fant stated the Committee was split 3 – 2 on the vote.

Councilor Ballard stated one of his colleagues called him after the Planning and Development Committee meeting and told him that he needed to find a "happy medium" between what the district currently had, what the people wanted and the future direction. In the past, that would have been a zoning category of R-S.

Chairman Kirven asked could the property be sold if the request was denied and the zoning category remained R-R1.

Councilor Ballard stated the property could still be sold but for less money.

Vice-Chairman Meadows stated that Council typically followed the recommendation of the Council Member in whose district the property was located. He asked Mr. Ballard if he had a recommendation.

Councilor Ballard stated Council was not going to "hang it" on him.

Vice-Chairman Meadows stated he just wanted to know where Mr. Ballard stood.

Councilor Ballard stated he thought he had made it clear where he stood; it was not Council's place to tell the applicant to whom he could sell his property.

Motion was denied by a roll call vote of five (Dill, Barnes, Meadows, Cates and Ballard) in favor; five (Taylor, Seman, Fant, Kirven and Tripp) in opposition; and two (Norris and Roberts) Council Members were absent.

- iii. **CZ-2020-03:** Property of 1505 Buncombe Road LLC, located at 1505 Buncombe Road, requesting rezoning from I-1 to FRD with conditions. The Planning Commission and Committee recommended approval with conditions.

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

**Action:** Councilor Dill moved to amend the request to include the conditions outlined in the staff letter sent to the applicant on January 3, 2020, that was published with the agenda packet.

Motion to amend carried unanimously by Council Members present.

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

Motion as amended carried unanimously by Council Members present.

- iv. **CZ-2020-04:** Property of Snyder and Rayburn Properties LLC, located at 1505 Buncombe Road, requesting rezoning from R-20 to FRD with conditions. The Planning Commission and Committee recommended approval with conditions.

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

**Action:** Councilor Dill moved to amend the request to include the conditions outlined in the staff letter sent to the applicant on January 10, 2020, that was published with the agenda packet.

Motion to amend carried unanimously by Council Members present.

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

Motion as amended carried unanimously by Council Members present.

v. **CZ-2020-06:** Withdrawn by applicant

vi. **CZ-2020-07:** Property of John C. Cooper, located on Augusta Road, requesting rezoning from R-R1 to I-1. The Planning Commission recommended denial and the Committee recommended approval.

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

Councilor Ballard stated the property was beside another parcel already zoned I-1. The building was an abandoned concrete plant; the applicant wanted to expand his business as he had outgrown its current location. Mr. Ballard stated he was in favor of the rezoning request.

Chairman Kirven inquired about the size of the property.

Councilor Ballard stated it was approximately 20 acres and fronted Augusta Road.

Motion carried unanimously by roll call vote (Councilor Roberts and Councilor Norris were absent).

vii. **CZ-2020-08:** Property of Erin Stephanie Mungo Dryer and Brian Dryer, located at 201 West Lee Road, requesting rezoning from R-20 to R-10. The Planning Commission and Committee recommended approval.

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

Councilor Cates stated he was in agreement with the request.

Motion carried unanimously by Council Members present.

viii. **CZ-2020-09:** Property of Blue Star Enterprises LLC, located at 207 & 215 West Main Street, requesting rezoning from C-2 to C-3. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously by Council Members present.

ix. **CZ-2019-80:** Property of Theodore C. Therodorou, located on Griffin Mill Road, requesting rezoning from R-S to R-15. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously by Council Members present.

x. **CZ-2019-83:** Property of William C. Johnson, located at 2956 New Easley Highway, requesting rezoning from C-2 to S-1. The Planning Commission and Committee recommended denial.

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

Councilor Cates stated the applicant wanted to put a “daycare for dogs” on the site; he was in agreement with the proposed rezoning.

Councilor Dill stated there was already a dog kennel on the property; the owners wanted space to let the dogs run.

Councilor Taylor stated it was his understanding the dogs would not be left outside at night.

Councilor Dill stated the space would be used for the dogs to exercise and they would not be left out at night.

Motion carried unanimously by Council Members present.

**b. Zoning Text Amendment to Amend Article 7 in Order to add a New Section 2.7 – Land Set Aside as Open Space Residential Development (CZ-2020-11)**

**Action:** Councilor Dill moved for approval at second reading an ordinance to amend Section 7:2 of the Greenville County Zoning Ordinance, “Open Space Residential Developments” to provide that land set aside as open space was ineligible to be reduced by variance. The Planning Commission and Committee recommended denial.

Motion was denied unanimously by Council Members present.

**c. Project Unity Gateway / Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project Unity Gateway 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 by Council Members present.

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

**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.

Motion carried unanimously by Council Members present.

**e. Bias-Based Intimidation Ordinance - Item was tabled in the Committee of the Whole meeting of February 18, 2020.**

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

**a. Zoning Ordinances**

Councilor Dill presented for first reading Zoning Dockets CZ-2020-12 and CZ-2020-13.

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

**Item (11) Committee Reports**

**a. Committee of the Whole**

**i. Board and Commission Policy Amendments**

**Action:** On behalf of the Committee, Vice-Chairman Meadows moved to amend the County Board and Commission Policy as outlined in the red-lined version included in the agenda packet. The amendments were approved in the Committee of the Whole meeting of February 4, 2020.

Motion carried unanimously by Council Members present.

**Item (12) Appearances by Citizens**

- Brent Cox, 30 Aldridge Drive, Greenville – appeared regarding 1996 Resolution
- Leslie Johnson, 20 Duke Street, Greenville – appeared regarding 1996 Resolution
- Timothy Womack, 1204 Edwards Road, Greenville – appeared regarding 1996 Resolution
- Andrew Delscamp, 104 Hudson Way, Greenville – appeared regarding 1996 Resolution
- Christina Lowe, 317 Silver Creek Road, Greer – appeared regarding 1996 Resolution
- Russell Dean, 212 Viewmont Drive, Greenville – appeared regarding 1996 Resolution
- David Shoemaker, 1855 Keeler Mill Road, Travelers Rest – appeared regarding 1996 Resolution
- Ryan Barnett, 401 Hampton Ridge Drive, Greer – appeared regarding 2<sup>nd</sup> Amendment
- Gary Leatherwood, 104 Vista Drive, Greenville – appeared regarding 1996 Resolution
- Helen Babb, 100 Deer Thicket Way, Taylors – appeared regarding Taylors Fire & Sewer District national recognition
- Jeremy Krober, 243 Old Grove Road, Greenville – appeared regarding discharge of firearms ordinance
- Stevie Klein, 306 Dellrose Circle, Taylors – appeared regarding 2<sup>nd</sup> Amendment

**Item (13) Administrator's Report**

No report

**Item (14) Requests and Motions by Council Members**

- Councilor Dill requested a moratorium on “tiny houses” and RV courts in Greenville County until such time as Council could put some requirements in place; currently, those types of developments were not approved by the County. Mr. Dill stated companies within the industry were willing to work with the County to establish standards to regulate the developments.
- Councilor Cates invited his colleagues to attend Legislative Day at Faith Baptist Church in Taylors on March 1 at 9:30 a.m.; lunch to be provided afterwards.
- Councilor Seman stated the 9th Annual Automotive South Carolina Summit was scheduled for next week in downtown Greenville. Hundreds of automotive executives from around the globe were scheduled to attend to learn about the latest trends and issues impacting the automotive industry in South Carolina. Speakers included Governor Henry McMaster, Lieutenant Governor Pamela Evette, Secretary of Commerce Bobby Hitt, Jim Newsome, President and CEO of the South Carolina Ports Authority and Jody Bryson, President and CEO of SCTAC.
- *The following was transcribed verbatim at the request of Councilor Cates:*

Councilor Fant stated, “Thank you, Mr. Chairman. I just want to take a second to say that, and I’m couching this carefully, that I cannot find words to express how disappointed I am in this group. A little over an hour ago, six of you trampled over me in Committee like I was gum under the bottom of your

shoes. You guys treated me and Mrs. Norris, with 90 years old, in her absence, who simply asked to hold the anti-bias ordinance 'til she could be here because it was important enough for her to participate in the discussion, and be on record and vote. And you seized on her absence and said, 'no.' I have never in my life seen such vitriolic hatred, bigotry, homophobia and xenophobia concentrated in one space in my life. I wanted, and I discussed this with the Chairman, all I wanted was Greenville County, which was the last county in the state to adopt the Martin Luther King holiday in 2005, to be the first county in the state in 2020 to adopt an anti-intimidation ordinance to show how progressive and moving forward we are as a community. It's not about me, it's about long after we're dead and gone, that we had a legacy that we did something positive for those generations of children yet unborn. I don't care how much ya'll talk on the telephone with each other, and you know who you are. I don't know how much you call around and plot and scheme and vote together. You cannot take the world or America back to 1950. All of you, all of you [inaudible] to be Christians and you hold leadership in your churches and you got keys and you're late to meetings 'cause you've just left church. Well, you ought to know that the time spectrum continuum does not move backwards, it moves from the beginning of time toward the eschaton. You cannot look backwards, we can only look forward. And, since ya'll were so evil, and so nasty, and so hateful, and grinned and laughed like it was funny, I've asked the, and I've protected you guys. I don't agree with ya'll 90% of the time, but I try to protect you because I try to be a good colleague. I could have brought up that 1996 resolution a long time ago and it wouldn't hurt me one iota in my district and ya'll know that. But, I try to work with ya'll. But, since ya'll want to play the game, I've already asked the attorney to draw up a resolution to repeal the 1996 resolution and let you squirm on that. That's all I got, Mr. Chairman."

*Councilor Fant left the meeting.*

- Councilor Ballard stated the Phoenix Center made a presentation during a luncheon he attended earlier in the day. He was sad to learn that the number of adolescents with drug problems was on the rise. The Phoenix Center met with DJJ (Division of Juvenile Justice) to find a way to get adolescents into White Horse Academy, a facility strictly for adolescents with drug problems. The center was also working with Gateway to expand the relationship between the two organizations. Adolescent drug abuse was a problem in Greenville County but the Phoenix Center was a "top notch" facility.

Mr. Ballard stated Chief Bill Stewart with Mauldin Fire Department was retiring at the end of February. Greenville County was seeing lots of years of experience going "out the window" with all the fire chiefs retiring.

**Item (15) Adjournment**

Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 7:23 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council