



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting
August 18, 2020
5:13 p.m.

County offices closed for public meetings
Meeting conducted by remote participation

Council Members present by remote participation

Mr. Butch Kirven, Chairman, District 27
Mr. Willis Meadows, Vice Chairman, District 19
Mrs. Xanthe 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 online and on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

Bob Taylor, District 22

Staff Present

Joe Kernell, County Administrator

Mark Tollison, County Attorney

Jeff Wile, Assistant County Attorney

Kimberly Wunder, Assistant County Attorney

John Hansley, Deputy County Administrator

Regina McCaskill, Clerk to Council

Jessica Stone, Deputy Clerk to Council

Pam Gilliam, Administrative Assistant

Paula Gucker, Assistant County Administrator, Public Works

Sheriff Hobart Lewis, Greenville County Sheriff's Office

Chief Deputy Marcus Davenport, Greenville County Sheriff's Office

Shannon Herman, Assistant County Administrator

Nicole Wood, Assistant County Administrator

Meredith Papapieris, Director, CARES Program

Others Present

None

Call to Order

Chairman Kirven

Invocation

Councilor Ennis Fant

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Councilor Ballard moved to approve the minutes of the July 21, 2020, Regular Council Meeting.

Motion carried unanimously.

Item (5) Public Hearings

a. Greater Greenville Sanitation District Annexation / Phillips Trail, Stallings Road, Stallings Road Shopping Center, Harvard Drive

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 263 Phillips Trail, 1316 Stalling Road, the Stallings Road Shopping Center located on the western side of Stallings Road, 113 Harvard Drive, and 115 Harvard Drive.

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

b. Greater Greenville Sanitation District Annexation / Wildaire-Merry Oaks Condominiums

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 properties in the Wildaire-Merry Oaks Condominiums located at 1 Hartsville Drive.

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

c. Greater Greenville Sanitation Commission / Millage

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to provide for the millage rate to be levied by the Greater Greenville Sanitation District.

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

d. Clear Spring Fire and Rescue District / Millage

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Clear Spring Fire District.

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

e. Chanticleer Community Special Tax District / Millage

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Chanticleer Community Special Tax District.

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

f. Lockheed Martin Corporation / Fee in Lieu of Tax Agreement Amendment

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing a first amendment to that certain fee in lieu of tax agreement by and between Greenville County, South Carolina and Lockheed Martin Corporation, and other matters related thereto.

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

g. 10 Academy Opportunity Zone Fund I, LLC (formerly Project Unity Gateway) / 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 10 Academy Opportunity Zone Fund I, LLC 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.

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

h. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / 10 Academy Opportunity Zone Fund I, LLC (formerly Project Unity Gateway)

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.

Item (6) Appearances - Current Agenda Items

There were no speakers.

Item (7) Consent Agenda

- a. **FY2020 Local Emergency Management Performance Grant (LEMPG) (Finance)**
- b. **FY2020 Local Emergency Management Performance Grant Supplemental (LEMPG) (Finance)**
- c. **Petco Foundation Innovation Showdown Grant (Finance)**
- d. **2020 Justice Assistance Grant (Finance)**
- e. **FY2020 DNA Capacity Enhancement and Backlog Reduction Program Grant (Finance)**
- f. **Community Project Application / Phillis Wheatley Kitchen Upgrade - \$5,114 (Finance)**
- g. **Community Project Application / Piedmont Public Service District – Building Upgrades \$10,000 (Finance)**
- h. **FY2021 Road Paving List (PWI)**

Action: Vice-Chairman Meadows moved for approval of the Consent Agenda items.

Motion carried unanimously.

Item (8) Resolutions

- a. **Greater Greenville Sanitation District Annexation / Phillips Trail, Stallings Road, Stallings Road Shopping Center, Harvard Drive**

Action: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 263 Phillips Trail, 1316 Stallings Road, the Stallings Road Shopping Center located on the western side of Stallings Road, 113 Harvard Drive, and 115 Harvard Drive.

Motion carried unanimously.

- b. **Greater Greenville Sanitation District Annexation / Wildaire-Merry Oaks Condominiums**

Action: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include certain properties in the Wildaire-Merry Oaks Condominiums located at 1 Hartsville Drive.

Motion carried unanimously.

- c. **Greater Greenville Sanitation Annexation / 54 Old Hunts Bridge Road, 120 Jervey Road and 550 Old Howell Road / Request for a 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 54 Old Hunts Bridge Road, 120 Jervey Road, and 550 Old Howell Road.

Motion carried unanimously.

- d. **Greater Greenville Sanitation Commission / Millage**

Action: Councilor Seman moved for adoption a resolution to provide for the millage rate to be levied by the Greater Greenville Sanitation District.

Motion carried unanimously.

- e. **Project Fox Hill / 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 Fox Hill, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax and special source 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/company would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. Zoning Ordinances

- i. **CZ-2020-34:** Property of Greg Minton on behalf of Enigma Corporation, located at 17 Black Drive, requesting rezoning from R-20 to C-1.

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

Motion carried unanimously.

- ii. **CZ-2020-41:** Property of Mildred Syphronia Harris, located on Buncombe Road and Old Buncombe Road, requesting rezoning from I-1 to C-2.

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

Motion carried unanimously.

b. Clear Spring Fire District / Millage Request

Action: Councilor Seman moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Clear Spring Fire District.

Vice-Chairman Meadows recused himself from discussion and voting on the item due to a potential conflict of interest.

Motion carried unanimously. *(Vice-Chairman Meadows abstained.)*

c. Chanticleer Community Special Tax District / Millage Request

Action: Councilor Seman moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Chanticleer Special Tax District.

Motion carried unanimously.

d. Lockheed Martin Corporation / Fee in Lieu of Tax Agreement Amendment

Action: Councilor Seman moved for adoption at third reading an ordinance authorizing a first amendment to that certain fee in lieu of tax agreement by and between Greenville County, South Carolina and Lockheed Martin Corporation, and other matters related thereto.

Motion carried unanimously.

e. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / 10 Academy Opportunity Zone Fund I, LLC (formerly Project Unity Gateway)

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 amend the request to reflect the changes outlined in the redlined version of the ordinance that was included in the agenda packet.

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

f. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / 10 Academy Opportunity Zone Fund I, LLC (formerly Project Unity Gateway)

Action: Councilor Seman moved for adoption at third reading an ordinance authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and 10 Academy Opportunity Zone Fund I, LLC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Action: Councilor Seman moved to amend the request to reflect the changes outlined in the relined version of the ordinance and agreements that were included in the agenda packet.

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

Item (10) Ordinances – Second Reading

a. Project Tuesday / Fee in Lieu of Tax Agreement

Action: Councilor Seman 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 Tuesday 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 McClaren (Lighthouse) / Fee in Lieu of Tax and Special Source Credit Agreement

Action: Councilor Seman 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 McClaren with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Action: Councilor Seman moved to amend the request to allow for amendments at third reading.

Motion to amend carried unanimously.

Action: Councilor Seman moved approval of the ordinance as amended and refer the ordinance back to the Finance Committee.

Motion carried unanimously.

c. **Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Project McClaren (Lighthouse)**

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 County and Greenville County so as to enlarge the park.

Action: Councilor moved to amend the request to allow for amendments at third reading.

Motion to amend carried unanimously.

Action: Councilor Seman moved approval of the ordinance as amended and refer the ordinance back to the Finance Committee.

Motion carried unanimously.

d. **Outdoor Go-Kart Tracks / Establish Hours of Operation**

Action: Councilor Seman moved for approval at second reading an ordinance establishing hours of operation for outdoor go-kart tracks in Greenville County; and delay third reading of the item until the September 15th meeting in order to allow time to publish the public hearing.

Action: Councilor Dill moved to include motorcycle tracks in the proposed ordinance.

Chairman Kirven inquired if Mr. Dill was referring to organized motorcycle events or just motorcycle tracks in general.

Councilor Dill stated some were organized events and some were not.

Councilor Seman stated the Public Works and Infrastructure Committee had discussed the difference in commercial enterprise and personal enjoyment; Mr. Dill's proposed amendment made a lot of sense, if he was referring to motorcycle tracks from a commercial prospective.

Councilor Dill stated he was referring to commercial events, whereby individuals paid to watch and participate.

Councilor Tripp stated the proposed ordinance for the go-kart tracks was tightly crafted; it mentioned the size of the motor and other specifics. He would like to see Mr. Dill's amendment in writing. Mr. Tripp inquired about the possibility of holding the item until the proposed amendment was available in writing for Council to review.

Chairman Kirven stated a motion to hold would be in order as well a motion to allow for amendments at third reading.

Councilor Dill stated the item could also be sent back to the Public Works and Infrastructure Committee for further review.

Councilor Ballard stated the proposed ordinance limited horsepower to 20; he had no idea how much horsepower a motorcycle had. It was his understanding go-karts were not included in the motor car tracks ordinance due to the horsepower issue.

Mr. Tollison stated it was his opinion that staff would need to review the proposed ordinance as well as the possible effects of Mr. Dill's amendment.

Action: Councilor Dill moved to refer the item back to the Public Works and Infrastructure Committee for further review.

Motion to refer the item back to the Public Works and Infrastructure Committee carried unanimously.

Item (11) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading Zoning Ordinances CZ-2020-49, CZ-2020-50 and CZ-2020-52 through CZ-2020-58.

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

b. Foothills Fire Service Area / Millage Reduction

Councilor Seman presented for first reading an ordinance to provide for the millage rate to be levied by the Foothills Fire Service Area.

Chairman Kirven stated the item would remain on the floor.

c. Sterling Special Tax District / Millage

Councilor Seman presented for first reading an ordinance to provide for the millage rate to be levied in the Sterling Special Tax District.

Chairman Kirven stated the item would remain on the floor.

Item (12) Committee Reports

No report.

Item (13) Administrator's Report

Joe Kernell provided an update on the CARES Program. It continued to progress; however, different areas were moving a bit slower than anticipated, particularly the small businesses.

VisitGreenvilleSC requested assistance from the CARES Program to fund a tourism recovery campaign. After consulting with the U.S Treasury Department, it was determined that the funds could be used for that purpose if the funds were utilized for the local tourism industry.

Mr. Kernell suggested Council convene in the near future to discuss specifically where the County stood in terms of the CARES Program as well as the future direction.

Item (14) Requests and Motions by Council Members

a. Reopen an Application Period for the Sterling Community Special Tax District

Action: Per notice provided in the Council agenda packet, Councilor Norris moved to open for two weeks, a special application period for the Sterling Community Special Tax District as no applications were received during the regular application cycle

Motion carried unanimously.

- Councilor Roberts expressed concerns about flooding in the County; it was a major concern in his district, especially after heavy rainstorms. The Greenville News recently ran an article about the situation; the article contained quite a bit of data. Greenville County had over 40,000 homes that were at risk of flooding; rain patterns for the area were changing and creating flooding problems. The Governor's Office had completed three studies regarding the area's rainfall and its impact on potential flooding. Some of the County's first responders were concerned that homes were being built that they would be unable to access in case of flooding. Mr. Roberts suggested staff consider the new data in determining future actions.

Chairman Kirven stated that while Greenville County's Stormwater Management Program had received a number of awards, it was important to look to the future and make adjustments as necessary. Mr. Kirven requested Paula Gucker and her staff prepare a report to Council regarding the situation.

- Councilor Ballard requested follow-up information from Mr. Kernell regarding the possibility of meeting in some type of hybrid fashion, with some Council Members present at County Square and others continuing to meet remotely.

Mr. Kernell stated it was Council's decision; any Council Member could come to County Square for the meeting, if they chose to do so. Council Chambers were open with a limited capacity of approximately 40 people. Depending on the number of Council Members who showed up, accommodations would have to be made for social distancing; it was not possible to accommodate all twelve at the dais. If they all wanted to attend, half could sit in Chambers and the rest could sit in Conference Room D. The meetings would still be livestreamed until Council decided to resume in-person meetings.

- Councilor Fant stated members of the community continued to request to speak about non-agenda items during Council meetings. Mr. Fant requested information regarding the appointment of new members to the Airport Commission.

Chairman Kirven stated the new members would be appointed in September.

Mr. Fant inquired about agencies assisting with quarantining for those individuals who lived in multi-generational, multi-family homes.

Mr. Kernell stated there were a number of community organizations dealing with the issue; they were also eligible to apply for funding in order to assist.

- Councilor Seman stated SCTAC was recently awarded an ARC grant in the amount of \$500,000, to be used for infrastructure improvements in the park.

Ms. Seman stated that earlier in the day, she had attended the Lt. Governor's celebration in Columbia commemorating the 100th anniversary of the 19th Amendment. She was thankful for the women who had worked so hard to guarantee the right to vote for all women as well as the right to hold office.

- Councilor Dill stated he was concerned about the homeless situation throughout the County. In the Marietta area, there were homeless people sleeping anywhere they could find space. Mr. Dill stated something had to be done to help; there were a number of concerns given the current situation with the COVID-19 pandemic.

Mr. Dill wished Mr. Barnes a Happy Birthday.

Item (15) Adjournment

Action: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:56 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council