



GREENVILLE COUNTY COUNCIL

Minutes
Regular Meeting
April 18, 2023
6:03 p.m.

County Square - Council Chambers

Council Members

Mr. Dan Tripp, *Chairman, District 28*
Mrs. Liz Seman, *Vice-Chairwoman, District 24*
Mr. Butch Kirven, *Chairman Pro Tem, District 27*
Mr. Joey Russo, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Benton Blount, *District 19*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mr. Alan Mitchell, *District 23*
Mr. Ennis Fant, Sr., *District 25*
Mr. Rick Bradley, *District 26*

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

None

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
Pam Gilliam, Administrative Assistant
Phillip Simmons, Information Systems
Bob Mihalic, Governmental Affairs Officer

Hesha Gamble, Assistant County Administrator
Tee Coker, Assistant County Administrator
Shannon Herman, Assistant County Administrator
Nicole Wood, Assistant County Administrator
Ted Lambrecht, Director, Parks Recreation and Tourism
Meredith Papapieris, Director of Grants and Special Projects
Rashida Jeffers-Campbell, Planning Director

Others Present

None

Call to Order

Chairman Dan Tripp

Invocation

Chairman Dan Tripp

Pledge of Allegiance

Item (4) Approval of Minutes

a. **April 4, 2023 – Regular County Council Meeting**

Action: Vice-Chairwoman Seman moved approval of the minutes from the April 4, 2023, Regular County Council Meeting.

Motion carried unanimously.

Item (5) Proclamations and Special Recognition

Councilor Tzouvelekas recognized the students from Eastside High School who were in attendance.

Item (6) Appearances – Current Agenda Items

- Katie Smith – appeared regarding Item 13.a.i. Board and Commission Appointments

Item (7) Public Hearings

a. **Adoption of the Administrative Portions of the Collective Building Codes; Associated Appendix; Property Maintenance and Swimming Pool Codes**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to comply with the regulations promulgated by the South Carolina Building Codes Council, by repealing Ordinance #5147 and adopting the Administrative Provisions of the various codes relating to design review and inspection activities of the County of Greenville and enforcement of building provisions as provided in said codes; and an ordinance to adopt the International Property Maintenance Code, the International Swimming Pool and Spa Code and International Existing Building Code in Greenville County as authorized by the South Carolina Building Codes Council; and to adopt certain appendices of the adopted codes to recognize certain variations in the codes based on physical condition founds within Greenville County.

There being no speakers, Vice-Chairwoman Seman declared the public hearing closed.

b. **Project Saving Daylight / Fee in Lieu of Tax Agreement and Special Source Revenue Credit 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 and special sources credit agreement by and between Greenville County, South Carolina and a company or companies known to the County at this time as Project Saving Daylight 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.

There being no speakers, Chairman Pro Tem Kirven declared the public hearing closed.

c. **Simpsonville Fire Service Area General Obligation Bonds**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the issuance and sale of not exceeding \$900,000 Greenville County, South Carolina, General Obligation Bonds (Simpsonville Fire Service Area Project), in one or more series; to prescribe the purpose for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

There being no speakers, Chairman Pro Tem Kirven declared the public hearing closed.

Item (8) **Consent Agenda**

- a. **Initiate a Text Amendment to the Greenville County Zoning Ordinance that would Amend Article 5, Section 5:9.7-8 Patio or Deck to Amend the Minimum Square Footage (P & D)**
- b. **Initiate the Adoption Process of the Augusta Road Corridor Strategic Plan as an Amendment to the Plan Greenville County Comprehensive Plan (P & D)**
- c. **Travelers Rest Historical Society / Spring Park Inn – Agricultural Special Assessment (Finance)**

Action: Vice-Chairwoman Seman moved approval of the Consent Agenda items.

Motion carried unanimously.

Item (9) **Resolutions**

- a. **Ortec, Inc. and L-Square Company / Extension Resolution**

Action: Chairman Pro Tem Kirven moved for adoption a resolution authorizing the extension of the term of the fee in lieu of tax agreement by and between Greenville County, South Carolina, Ortec, Inc. and L-Square Company dated as of September 1, 2013 and other matters related thereto.

Motion carried unanimously.

- b. **Project Perigree / Inducement Resolution**

Action: Chairman Pro Tem Kirven moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and a company or companies known to the County as Project Perigree, 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 Perigree would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and provided for related matters.

Motion carried unanimously.

Item (10) Ordinances – Third Reading

- a. **Adoption of the Administrative Portions of the Collective Building Codes; Associated Appendix; Property Maintenance and Swimming Pool Codes**

Action: Vice-Chairwoman Seman moved for adoption at third reading an ordinance to comply with the regulations promulgated by the South Carolina Building Codes Council by repealing Ordinance Number 5147 and adopting the Administrative Provisions (Chapter 1) of the various codes related to design review and inspection activities of the County of Greenville and enforcement of building provisions as provided in said codes; and an ordinance to adopt the International Property Maintenance Code, the International Swimming Pool and Spa Code and International Existing Building Code in Greenville County as authorized by the South Carolina Building Codes Council; and to adopt certain appendices of the adopted codes to recognize certain variations in the codes based on physical conditions found within Greenville County.

Motion carried unanimously.

Item (11) Ordinances – Second Reading

- a. **Zoning Ordinances**

- i. **CZ-2023-016:** Property of Frances Bronwyn Jones, located at 119 Watson Road, Fountain Inn, requesting rezoning from R-R1 to AG. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- ii. **CZ-2023-019:** Property of Arrow Properties, LLC, located at 2 Hatcher Creek Street, Hatcher Creek Street, and Ellis Mill Street, Simpsonville, requesting rezoning from NC to NC-Major Change. The Planning Commission and Committee recommended approval with a condition.

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

Action: Councilor Fant moved to amend the ordinance to include a condition that the applicant submit a Final Development Plan for review and approval prior to the issuance of any land development or building permits.

Motion to amend carried unanimously.

Action: Councilor Fant moved approval of the ordinance as amended.

Motion carried unanimously.

- iii. **CZ-2023-020:** Property of Elaine Means Haugabook and Erin Means Mellen, located on Old Bramlett Road, Greenville, requesting rezoning from FRD to FRD-Major Change. The Planning Commission had no recommendation and the Committee recommended approval with conditions.

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

Action: Councilor Fant moved to amend the ordinance to include two conditions:

- (1) The applicant submit a Final Development Plan for review and approval prior to the issuance of any land development or building permits;
- (2) To require sod be planted on all residential lots and in all common area and open space.

Motion to amend carried unanimously.

Action: Councilor Fant moved approval of the ordinance as amended.

Motion carried unanimously.

- iv. **CZ-2022-074:** Property of Ann K. Bowling, as Successor Trustee of the Grace H. Kleinschmidt Irrevocable Trust, located on Augusta Road and W. Georgia Road, Piedmont, requesting rezoning from R-R1 to C-3. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- b. **Zoning Text Amendment - To Amend Article 4, Definitions, Article 6, Table 6.1 Uses Permitted, Uses by Special Exception, and Conditional Uses and Section 6.2, Use Conditions (28) Single-Family and Multifamily Residential in C-1, C-2, and C-3, Commercial Districts of the Greenville County Zoning Ordinance (CZ-2023-021)**

Action: On behalf of the Committee, Councilor Fant moved approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to amend Article 4, Definitions, Article 6, Table 6.1 Uses Permitted, Uses by Special Exception, and Conditional Uses, and Section 6.2, Use Conditions (28) Single-Family and Multifamily Residential in C-1, C-2, and C-3, Commercial Districts.

Action: Councilor Fant moved to amend the ordinance to add the following conditions under "Use Conditions (28)":

Condition #2: If the proposed development meets the definition of a Mixed Used Development, then there must be at least twenty (20%) percent of the total acreage within the proposed development that contains nonresidential uses.

Condition #3: If the proposed development meets the definition of a Mixed Use Structure, then the first floor of the structure must, but is not limited to, contact nonresidential uses.

Chairman Pro Tem Kirven stated the proposed amendment was a step in the right direction. He recently encountered an unfortunate situation in his district involving a parcel that was last zoned in 1995. Given that fact, the developer was able to avoid any type of public hearing; a 42-unit apartment complex was built on the site, which was located in the middle of a subdivision. The proposed text amendment addressed the issue to a degree.

Councilor Harrison stated it was important to determine what “mixed use” exactly was. He commended the Planning Staff for their hard work on the text amendment and for putting actual numbers behind it.

Chairman Pro Tem Kirven stated he would like for the County to consider expiration dates for zoning classifications if a parcel was not developed within a specified amount of time.

Councilor Fant stated staff was currently working on that suggestion.

Motion to amend carried unanimously.

Action: Councilor Fant moved approval of the ordinance as amended.

Motion carried unanimously.

c. Zoning Text Amendment - To Amend Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental (CZ-2023-022)

Action: On behalf of the Committee, Councilor Fant moved approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to amend Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental.

Motion carried unanimously.

d. Road Fee Revenue Bonds

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance providing for the issuance and sale of road fee revenue bonds of Greenville County, South Carolina, and other matters related thereto.

Action: Chairman Pro Tem Kirven moved to amend the ordinance to reflect the changes outlined in the red-lined pages of the ordinance that was included in the agenda packet.

Motion to amend carried unanimously.

Action: Chairman Pro Tem Kirven moved approval of the ordinance as amended.

Motion carried unanimously.

e. Road Maintenance Fee Revenue Bonds Series 2023

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance providing for the issuance and sale of not exceeding \$31,000,000 Greenville County, South Carolina Road Fee Revenue Bonds, Series 2023, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters related thereto.

Action: Chairman Pro Tem Kirven moved to amend the ordinance to reflect the changes outlined in the red-lined pages of the ordinance that was included in the agenda packet.

Motion to amend carried unanimously.

Action: Chairman Pro Tem Kirven moved approval of the ordinance as amended.

Motion carried unanimously.

f. Simpsonville Fire Service Area General Obligation Bonds

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance to provide for the issuance and sale of not exceeding \$900,000 Greenville County, South Carolina, General Obligation Bonds (Simpsonville Fire Service Area Project), in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

Motion carried unanimously.

g. Project Saving Daylight / Fee in Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax and special sources credit agreement by and between Greenville County, South Carolina and a company or companies known to the County at this time as Project Saving Daylight 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.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Zoning Ordinances

On behalf of the Committee, Councilor Fant presented for first reading Zoning Dockets CZ-2023-023 through CZ-2023-027, and CZ-2023-030.

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

b. Road Maintenance Fee Ordinance Amendment

Chairman Pro Tem Kirven presented for first reading an ordinance to amend the Road Maintenance Fee ordinances related to the definition of county road system.

Chairman Tripp stated the item would remain on the floor.

c. Project Perigree / Fee in Lieu of Tax and Special Source Credit Agreement

Chairman Pro Tem Kirven presented for first reading ordinance authorizing the execution and delivery of a fee in lieu of tax and special source credit agreement by and among Greenville County, South Carolina and companies known to the County at this time as Project Perigree with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

Item (13) Committee Reports

a. Committee of the Whole

i. Board Appointments

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to appoint James Speed and Mark Caligaris to the Sheriff's office Citizen Advisory Committee.

Motion carried unanimously.

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to appoint Les Burns to fill one of three vacancies on the Linkside Special Tax District Board.

Motion carried unanimously.

Item (14) Administrator's Report

Mr. Kernell provided an update on completion of the new County Office building. There were two separate contractors on site and both were on schedule. He hoped to be able to report the move-in date within the next few weeks.

Item (15) Requests and Motions

a. Proposed Council Rule Amendment / 60-day Requirement for Items Referred to a Standing Committee

Action: Per Council Rules, Councilor Tzouvelekas provided notice of his intent to propose an amendment to the County Council Rules, which would require items introduced by Council Members and referred to a standing committee to appear on a committee agenda within 60 days.

Chairman Tripp stated the item would be included on the May 2, 2023, County Council agenda.

b. Reopen Special Application Period for Linkside Special Tax District

Action: As noticed on the County Council agenda, Vice-Chairwoman Seman moved to open a special 10-day application period for the Linkside Special Tax District Board.

Motion carried unanimously.

Requests and Motions continued

- Vice-Chairwoman Seman stated she recently represented County Council at the Osher Lifelong Learning Senior Leader Government Day. It was good to see the participants' interested in what was going on in Greenville County.
- Councilor Fant stated SCTAC was recently awarded a \$300,000 federal grant for airport tower upgrades, under the FY 2023 Bi-partisan Infrastructure Law passed by Congress. Donaldson Field was the state's largest general aviation airport as well as the global home of the Lockheed Martin F-16 Block 70.
- Councilor Bradley stated residents in the lower part of Greenville County were happy to hear about proposed lighting and walking trail upgrades to the Loretta C. Wood Park, located in his district.
- Councilor Barnes thanked Mr. Kernell, Sheriff Lewis and staff for their assistance in attempting to solve the problem of used tire disposal in the County.
- Councilor Blount acknowledged Tim Carlin, journalist with The Greenville News. Mr. Carlin recently announced he would be relocating to Houston, Texas. Mr. Blount thanked him for being fair, balanced and accurate in his reporting.
- Councilor Harrison wished Tim Carlin the best in his next ventures.

Mr. Harrison stated the Boiling Springs Fire District's Community Service Program provided a fire truck for his son's 4th birthday. Mr. Harrison stated the service was provided to members of the community. The children loved it.

Councilor Harrison stated during a previous Council meeting, he had mentioned a proposed state regulation regarding airports and developments. The City of Greenville, Greenville County and several other entities had sent letters to various Senate in-house committees expressing concerns about the proposed. He thanked Mr. Kernell and Bob Mihalic for drafting the County's letter.

- Councilor Tzouvelekas thanked the students from Eastside High School for their attendance and good behavior during the meeting.
- Councilor Mitchell stated Soteria Community Development Corporation would be having an open house on Thursday, April 20 from 11:30 a.m. until 1:00 p.m. He invited his colleagues to attend.
- Chairman Tripp thanked his colleagues for all their hard work and for a great meeting.

Item (16) Adjournment

Action: Vice-Chairwoman Seman moved to adjourn the meeting.

Motion carried and the meeting adjourned at 6:42 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council