



## GREENVILLE COUNTY COUNCIL

### Minutes

#### Regular Meeting

December 5, 2023

6:03 p.m.

Council Chambers  
301 University Ridge  
Greenville, South Carolina

#### 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*

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Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online, on the bulletin board at 301 University Ridge, Greenville, 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

**Regina McCaskill**, Clerk to Council

**Jessica Stone**, Deputy Clerk to Council

**Pam Gilliam**, Administrative Assistant

**Terrance Galloway**, Information Systems

**Bob Mihalic**, Governmental Relations Officer

**Tee Coker**, Assistant County Administrator

**Hesha Gamble**, Assistant County Administrator

**Nicole Wood**, Assistant County Administrator

#### **Others Present**

None

#### **Call to Order**

Chairman Dan Tripp

#### **Invocation**

Chairman Dan Tripp

#### **Pledge of Allegiance**

**Item (4) Approval of Minutes**

**a. November 7, 2023 – Regular County Council Meeting**

**Action:** Chairman Pro Tem Kirven moved approval of the minutes from the November 7, 2023, Regular County Council Meeting.

Motion carried unanimously.

**Item (5) Proclamations and Special Recognition**

**a. Recognizing Miracle Hill Ministries**

Recipients were unable to attend. To be rescheduled for a later date.

**Item (6) Appearances – Current Agenda Items**

There were no speakers

**Item (7) Public Hearings**

**a. Donaldson Company Inc. (formerly Project Power) / Fee in Lieu of Tax Agreement**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to authorize the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Donaldson Company Inc., 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.

- **Elizabeth Brown** – appeared in opposition to the proposed

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

**b. Sealed Air Corporation (US) (formerly Project Transformation) / 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 Sealed Air Corporation (US), 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.

- **Hao Wu** – appeared in favor of the proposed

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

**c. P & L Development, LLC (formerly Project Front Porch) / 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 the execution and delivery of an amended and restated fee in lieu of tax agreement by and between Greenville County, South Carolina and P & L Development, 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.

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

**Item (8) Consent Agenda**

- a. **Waterline Project / Blue Ridge Circle**
- b. **Initiate Text Amendment / Setbacks in Single-Family Residential Districts**
- c. **SC Legislative Grant for Sheriff's Office**
- d. **SC Legislative Grant for Parks, Recreation and Tourism – Slater Hall**
- e. **SC Legislative Grant for Parks, Recreation and Tourism – Swamp Rabbit Trail**
- f. **Rebuilding American Infrastructure and Sustainability and Equity Grant**
- g. **United States Tennis Association (USTA) Facilities Services Grant**
- h. **Community Project Application / Piedmont Dam Small Area Master Plan \$8,000**
- i. **Community Project Application / Piedmont Fire Department – Christmas Lights \$1,500**
- j. **Community Project Application / Mauldin High School – 50<sup>th</sup> Year Celebration \$ 2,000**
- k. **Commissioning of Code Enforcement Officers**

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

Motion carried unanimously.

**Item (9) Resolutions**

- a. **Fitesa Simpsonville, Inc (Project Dragon) / Fee In Lieu of Tax Agreement Extension**

**Action:** Chairwoman Seman moved for adoption a resolution authorizing a five-year extension of the investment period under that certain 2020 fee in lieu of tax agreement between Greenville County, South Carolina, Fitesa Simpsonville, Inc., and its affiliates.

Motion carried unanimously.

- b. **Land and Water Conservation Fund (LWCF) Grant – Southside Park**

**Action:** Chairwoman Seman moved for adoption a resolution to commit County funds to match a Land and Water Conservation Fund Grant from the National Park Service United States Department of the Interior to Greenville County Parks, Recreation & Tourism Department.

Motion carried unanimously.

**c. Abandoned Textile Site Revitalization Act Certification / 1417 Hampton Avenue Ext.**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution to provide a certification pursuant to the South Carolina Textile Communities Revitalization Act, for certain property located at 1417 Hampton Avenue Extension, Greenville, South Carolina.

Motion carried unanimously.

**d. Project Shepherd / Inducement Resolution**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Shepherd, 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. Project UTC / Inducement Resolution**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and a company identified at this time as Project UTC, 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.

**f. Project Eagle / Inducement Resolution**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and an entity identified as Project Eagle, including any related or affiliated entities or sponsor affiliates, 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 Eagle would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Motion carried unanimously.

**g. Project Leto/ FILOT Extension Resolution**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution authorizing the extension of the investment period under a fee agreement by and between Greenville County, South Carolina, and International Vitamin Corporation.

Motion carried unanimously.

**h. Metropolitan Sewer Subdistrict annexation / 306 Rocky Creek Road – Request for Public Hearing**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include the property located at 306 Rocky Creek Road, Simpsonville, South Carolina (TMS# 0575030100403).

Motion carried unanimously.

**i. Countywide Roads and Bridges Inventory**

**Action:** Vice-Chairwoman Seman moved for adoption a resolution to initiate a countywide inventory and assessment of roads, bridges, and thoroughfares maintained by Greenville County, the State of South Carolina and Cities of Fountain Inn, Greenville, Greer, Mauldin, Simpsonville and Travelers Rest.

Councilor Shaw inquired if the County would be outsourcing with a consultant to complete the inventory and assessment.

Vice-Chairwoman Seman stated County staff, along with staff from the municipalities, SCDOT and GPATS would be conducting the initial research.

Motion carried unanimously.

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

**a. Donaldson Company Inc. (formerly Project Power) / Fee in Lieu of Tax Agreement**

**Action:** Chairman Pro Tem Kirven 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 Donaldson Company, Inc., 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:** Chairman Pro Tem stated as noticed at the November 7<sup>th</sup> Council meeting, he moved to amend the ordinance and agreement to reflect the red-lined changes outlined in the amended version that was included in the agenda packet.

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

**b. Anderson / Greenville Multi County Industrial Business Park (2010 Park) Agreement Amendment – Donaldson Company Inc. (formerly Project Power)**

**Action:** Chairman Pro Tem Kirven 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.

Chairman Pro Tem Kirven moved to hold the item until such a time as the public hearing was scheduled.

Motion to hold carried unanimously.

**c. Transfer of Property to SCDOT / 202 Shannon Drive**

**Action:** Chairman Pro Tem Kirven moved for adoption at third reading an ordinance to authorize the sale of a portion of county owned property located at 202 Shannon Drive to the South Carolina Department of Transportation for the replacement of the Shannon Drive bridge over Brushy Creek, and to authorize the Chairman of County Council and the County Administrator to execute any necessary deeds and agreements related thereto.

Motion carried unanimously.

**d. Sealed Air Corporation (US) (formerly Project Transformation) / Fee in Lieu of Tax Agreement**

**Action:** Chairman Pro Tem Kirven 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 Sealed Air Corporation (US), 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.

**e. P & L Development LLC, (formerly Project Front Porch) / Fee in Lieu of Tax Agreement Amendment**

**Action:** Chairman Pro Tem Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of an amended and restated fee in lieu of tax agreement by and between Greenville County, South Carolina and P & L Development 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.

Motion carried unanimously.

**f. JTEKT South Carolina Automotive, Inc. (formerly Project Everest) / Fee in Lieu of Tax Agreement**

**Action:** Chairman Pro Tem Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of an amended and restated fee in lieu of tax agreement by and between Greenville County, South Carolina and JTEKT South Carolina Automotive, Inc., 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:** Chairman Pro Tem Kirven moved to hold the item until such a time as the public hearing was scheduled.

Motion to hold carried unanimously.

**g. Regulations for Waste Tire Haulers in Greenville County**

**Action:** Councilor Barnes moved for adoption at third reading an ordinance to establish regulations for waste tire haulers in Greenville County.

Motion carried unanimously.

**h. Land Development Regulations Amendment / Septic Subdivision Requirements and Riparian Buffers**

**Action:** Councilor Fant moved for adoption at third reading an ordinance to amend the Greenville County Land Development Regulations to update design standards for septic developments in the unzoned areas of the County and to establish countywide riparian buffer requirements to protect water quality and to implement features of the Plan Greenville County 2020 Comprehensive Plan.

**Action:** Councilor Fant moved to hold the item until January 2<sup>nd</sup> at which time the public hearing was scheduled.

Motion to hold carried unanimously.

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

**a. Zoning Ordinances**

**i. CZ-2023-067,** Property of Five Forks Memory Care, LLC, located at 102 Five Forks Road and Parkside Drive, Simpsonville, requesting rezoning from R-S to NC. The Planning Commission and Committee recommended denial.

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

Motion to deny was carried.

- ii. **CZ-2023-068,** Property of Matthew H. Sekuras and Rachel Sekuras, located on State Park Road and Wild Orchard Road, Travelers Rest, requesting rezoning from R-S 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.

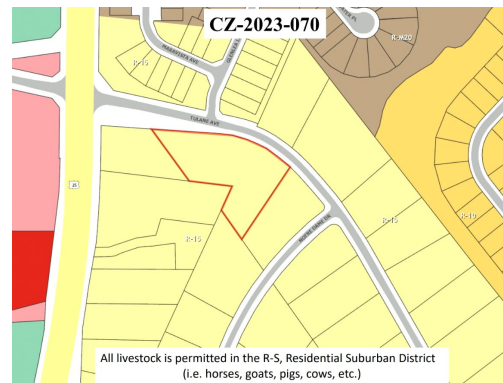
Motion carried unanimously.

- iii. **CZ-2023-070,** Property of Robin Coley and Matthew Lee McDonald, located at 109 Tulane Avenue, Greenville, requesting rezoning from R-15 to R-S. The Planning Commission recommended approval and the Committee recommended denial.

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

Councilor Blount stated the property was located in his district. He stated the owners had been allowed to have animals the property for a number of years. If the request was denied, the animals would have to be removed from the property. Mr. Blount stated the properties directly across the street were zoned R-S. The neighbors were in agreement with the request. He asked Council to approve the request.

Councilor Fant stated the Planning and Development Committee had taken great pains in reviewing the request. At his request, the immediate area’s zoning map was put on the screen for the audience to view.



Councilor Fant stated the property in question was zoned R-15, along with the parcels around it. The properties in the surrounding area were zoned at an even higher density of R-10, with multi-family across the street. The Committee wanted to find a way for the property owner to be able to keep their animals. Mr. Fant stated staff had recommended denial of the request; zoning the parcel R-S would be “spot zoning.” The neighbors had no problem with the animals. The R-S zoning classification would allow more than just the chickens and goats the owner currently possessed.

Councilor Blount stated the areas in green on the screen were zoned R-S, and were very close to the parcel in question.

Vice-Chairwoman Seman inquired about a special exception through the Board of Zoning Appeals.



Councilor Harrison stated the Planning and Development Committee had discussed the situation at length. Currently, there were no issues with the zoning; however, the concern was for the future. Mr. Harrison stated he would prefer a solution that everyone involved could be happy with.

Councilor Fant suggested freezing the zoning while the current owner resided on the property. When the property no longer belonged to the current owner, it would be rezoned in order to avoid having a farm in the middle of a residential neighborhood.

Councilor Blount stated there were other properties located in his district that were zoned for industrial use and there were homes on those sites. He had been told they were “grand-fathered in.” Mr. Blount stated if those types of situations were allowed, it shouldn’t be difficult to come up with a solution.

**Action:** Councilor Blount moved to send the item back to the Planning and Development Committee.

Motion to return the item to the Committee carried unanimously.

**b. Pelham Road Commercial Corridor Overlay District (CZ-2023-072)**

**Action:** On behalf of the Committee, Councilor Fant moved for approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to add Article 8, Section 12, Special Purpose and Review District Regulations to establish the Pelham Road Commercial Corridor Overlay District as shown on the map labeled “Exhibit A” attached hereto. The Planning Commission and Committee recommended approval.

Motion carried unanimously.

**c. 170 Patriot Hill, LLC – Fee in Lieu of Tax Agreement – Name Correction**

**Action:** Chairman Pro Tem Kirven moved for approval at second reading an ordinance authorizing the correction of the name of 170 Patriot Hill LLC, on a fee in lieu of tax agreement by and between Greenville County, South Carolina and 170 Patriot Hill Drive LLC; and other matters related thereto.

Chairman Pro Tem Kirven stated the filings for the company could not be consummated until the name change was approved.

Councilor Tzouvelekas inquired if the company would be “properly named” prior to third reading.

Chairman Pro Tem Kirven stated all the paperwork would be in order before the filings were completed; all parties involved were aware of the name change issue.

Councilor Tzouvelekas suggested a motion to ensure the name change was complete prior to third reading.

Chairman Tripp stated all involved parties were aware of the name change; it would be complete prior to third reading. He stated there were no nefarious motives.

Chairman Pro Tem Kirven stated it would not “slip through” unless all the paperwork was in the proper order.

Councilor Tzouvelekas stated there was another incident recently where all the necessary paperwork was not in order prior to third reading. He wanted to make sure nothing was missed.

Councilor Shaw stated he had concerns as there was an existing company called Patriot Hill; changing the name meant changing the entity with which the Council was dealing. Mr. Shaw stated it was very confusing and inquired if the item could be held in order to clear up any confusion. He stated Greenville County should not contract with entities that did not exist on paper.

Mr. Tollison stated it was not uncommon for incentives to be approved and companies to make the necessary filings. Changing the name of the company had no effect on the enforceability of the ordinance. The problem was essentially a scrivener's error.

Councilor Shaw stated Council was being asked to correct a scrivener's error for a company that did not exist. He inquired as to what company the County was contracting with in regards to the item in question.

Mr. Tollison stated it was a "spec" (speculative) building in a business park. The name of the company would change from 170 Patriot Hill LLC to 170 Patriot Hill Drive LLC. He stated the item could be sent back to the Finance Committee for review.

Councilor Shaw stated he would prefer the item be returned to the Finance Committee, as there had recently been similar requests. He stated Council had "run into this entity issue quite a bit over the last year."

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

Motion to call for the question carried by a roll call vote of eleven (Russo, Barnes, Blount, Shaw, Harrison, Mitchell, Seman, Fant, Bradley, Kirven and Tripp) in favor and one (Tzouvelekas) in opposition.

Motion as presented carried with Councilor Tzouvelekas voting in opposition.

**Item (12)** **Ordinances - First Reading**

**a. Sewer Easement Agreement / Enoree Residential Waste & Recycling Center**

Chairman Pro Tem Kirven presented for first reading an ordinance to authorize the execution and delivery of a sewer easement over a portion of the Enoree Residential Waste & Recycling Center property located at 1311 Anderson Ridge Road, Greer, and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

**b. Magna – Drive – Decostar / Fee in Lieu of Tax Agreement Second Amendments**

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the amendment and bifurcation of that certain fee in lieu of ad valorem taxes and incentive agreement by and between Greenville County, South Carolina, Drive Automotive Industries of America, Inc., Decostar Industries Inc., and MGSC001 LLC, together with any related entities and sponsor affiliates, originally entered into in 2013 and as amended in 2015; execution and delivery of two amended, bifurcated, and restated fee in lieu of ad valorem taxes and incentive agreements with respect to certain economic development property in the County, whereby such property would continue to be subject to certain payments in lieu of taxes, including the provision of certain special source credits; the amendment of that certain fee in lieu of ad valorem taxes and incentive agreement by and between Greenville County, South Carolina, Drive Automotive Industries of America, Inc., and certain sponsor affiliates, originally entered into in 2002 and as amended in 2004; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

**c. Anderson – Greenville Joint County Industrial Business Park (2010 Park) Agreement Amendment / Project White**

Chairman Pro Tem Kirven presented for first 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 to include certain property of [Project White].

Chairman Tripp stated the item would remain on the floor.

**d. Anderson - Greenville Joint County Industrial Business Park (2010 Park) Agreement Amendment / Project Austin**

Chairman Pro Tem Kirven presented for first 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 to add certain property in Anderson County [Project Austin].

Chairman Tripp stated the item would remain on the floor.

**e. Anderson – Greenville Joint County Industrial Business Park (Workforce Housing) Agreement Amendment / Project Delano**

Chairman Pro Tem Kirven presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (Workforce Housing) of Anderson and Greenville Counties so as to enlarge the park.

Chairman Tripp stated the item would remain on the floor.

**f. Project Delano / Special Source Credit Agreement**

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the execution and delivery of a special source credit agreement by and between Greenville County, South Carolina, and a company known at this time as Project Delano, with respect to certain investment in qualifying infrastructure related to the construction of a predominantly residential mixed-use project in the County to include certain affordable and workforce housing in the county, whereby such project would be subject to payments in-lieu-of taxes by virtue of its location in a joint county industrial and business park, and to application of certain special source credits; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

**g. Project Shepherd / Fee In Lieu of Tax Agreement**

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Project Shepherd, 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 Tripp stated the item would remain on the floor.

**h. Project UTC / Fee In Lieu of Tax Agreement**

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Project UTC with respect to certain economic development property in the county, whereby such property would be subject to certain payments in lieu of ad valorem taxes; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

**i. Project Eagle / Fee in Lieu of Tax Agreement**

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and an entity identified at this time as Project Eagle, including any related or affiliated entities and any sponsor affiliates, 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**

No reports

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

No report

**Item (15)**      **Requests and Motions**

**a.      Resolution to Revoke the Business Registration for the Business Located at 1142 Grove Road, Greenville**

As noticed on the County Council agenda, Councilor Tzouvelekas introduced as resolution requesting the Greenville County Administrator direct the Department of General Services to institute proceedings to revoke the business registration for the business located at 1142 Grove Road, Greenville.

Mr. Tzouvelekas stated there had been an exceedingly high number of law enforcement response calls and arrests related to the business. The request fell under the requirements of the County's business registration ordinance. Councilor Tzouvelekas requested Mr. Kernell provide a report by the next Council meeting, as to why the business's license should not be revoked, given the fact that the County had revoked other business license.

Chairman Tripp referred the item to the Committee of the Whole.

**Item (16)**      **Adjournment**

**Action:**      Chairman Pro Tem Kirven moved to adjourn the meeting.

Motion carried and the meeting adjourned at 6:48 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council