



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

February 20, 2018

6:08 p.m.

County Square – Council Chambers

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. Fred Payne

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
Dean Campbell, Deputy 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
Sarah Holt, Subdivision Administrator

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION – introduced by Councilor Dill

Dr. Bill Cashion, Interim Pastor
Marietta First Baptist Church
Marietta, SC

PLEDGE OF ALLEGIANCE

Item (4) **APPROVAL OF MINUTES**

ACTION: Councilor Norris moved to approve the minutes of the February 6, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) **PRESENTATION**

(a) **Presentation of the Patriot Award to Scott Case**

Presented by: Tim Macko
 Jack Bowdoe, ESGT representative
 LCDR Jared Henderson, CO NOSC of Greenville

Item (6) **PROCLAMATION**

a. **Honoring Dr. Nicky A. Chavers**

Proclamation was not presented. Honoree was not present.

Item (7) **PUBLIC HEARINGS**

(a) **Metropolitan Sewer Subdistrict Annexation / W. Georgia Road – Rocky Creek Road**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to enlarge the boundaries of the Metropolitan Sewer Subdistrict to include the real property identified as Tax Map Number 0575030100401 located off of W. Georgia Road and Rocky Creek Road, and to provide for public notice thereof.

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

Item (8) **APPEARANCES – current agenda items**

- **Anthony “Tony” Gilliard**, 527 Valley Creek Drive, Greer – appeared regarding GHS Resolution
- **Saria Saccocio**, 4 Amiata Way, Simpsonville – appeared regarding GHS Resolution
- **Spence Taylor**, 115 W. Seven Oaks Drive, Greenville – appeared regarding GHS Resolution
- **Keith Flynn**, 4391 Donahue Road, Greer – appeared regarding Animal Control Ordinance Amendment
- **James Rochester**, 637 Old Hunts Bridge Road, Greenville – appeared regarding Animal Control Ordinance Amendment
- **Scott Porter**, 1420 Jonesville Road, Simpsonville – appeared regarding GHS Resolution
- **James Hargett**, 359 Reedy Ford Road, Greenville – appeared regarding Animal Control Ordinance Amendment

Item (9) **RESOLUTIONS**

(a) **Metropolitan Sewer Subdistrict Annexation / W. Georgia Road – Rocky Creek Road**

ACTION: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Metropolitan Sewer Subdistrict to include the real property identified as Tax Map Number 0575030100401 located off of W. Georgia Road and Rocky Creek Road, and to provide for public notice thereof.

Motion carried unanimously.

Item (10) **ORDINANCES – SECOND READING**

(a) **Zoning Ordinances**

1. **CZ-2018-01: Property of Melissa Halliburton and Swamp Rabbit Investments LLC, located on Fairbanks Street, requesting rezoning from R-7.5 to C-1.**
The Planning Commission and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Motion carried unanimously.

2. **CZ-2018-02: Property of Rob Safrit and Future FDH Projects LLC, located at 3116 Highway 14, requesting rezoning from R-S to C-2.**
The Planning Commission and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Motion carried unanimously.

3. **CZ-2018-03: Property of Diya and Veer LLC, located at 6522 White Horse Road, requesting rezoning from C-1 to C-2.**
The Planning Commission and the Committee recommended denial.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Councilor Ballard stated eight votes were needed in order to pass the ordinance.

Motion was denied unanimously.

4. **CZ-2018-04: Property of Herbert Earle Riddle, located at 2728 Poinsett Highway, requesting rezoning from R-M20 to C-1.**
The Planning Commission and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Motion carried unanimously.

5. CZ-2018-05: Property of Clear Spring Fire-Rescue, located on Scuffletown Road, requesting rezoning from R-S to FRD.

The Planning Commission recommend approval with conditions and the Committee recommended approval without conditions.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Vice-Chairman Meadows inquired if approval of the request would be with conditions or without conditions.

Mark Tollison stated approval would follow the recommendation of the Planning and Development Committee.

Chairman Kirven stated the property was located in District 27. The Planning and Development Committee decided it would onerous to require the developer to add the conditions as recommended by the Planning Commission. Mr. Kirven stated he would recommend approval of the request.

Motion as presented carried unanimously.

6. CZ-2018-06: Property of Raymond Mark Cox, located at 114 Dusty Lane, requesting rezoning from R-S to C-3.

The Planning Commission recommended denial and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

Chairman Kirven stated it was very difficult at times to make decisions regarding rezoning requests in areas that were building up. On the one hand, Council wanted to protect the quality of life of the residents and on the other hand, Council would not want to clamp down on growth so much that needed services were not available.

Mr. Kirven stated the applicant planned to build a state-of-the-art, self-service, enclosed car wash on the property. He added there were no speakers at the public hearing who voiced opposition to the request. Staff indicated the business would have minimal impact on traffic in the area. Mr. Kirven stated he had received an email voicing concerns about the noise level the car wash would produce. The developer stated the entire workings of the car wash would be enclosed inside the building and noise would be minimal. Also, silencers would be installed on the blowers and fans to minimize noise. Mr. Kirven stated a solid wall would be installed facing the nearby residential area which would further minimize noise. He also received complaints regarding the traffic issue. Mr. Kirven stated SCDOT (Plan# 003960RD01) planned to widen Woodruff Road through the Five Forks area from Scuffletown Road to Bennett's Bridge Road with intersection and signal improvements; construction would start later this year.

Mr. Kirven stated given the information provided above, he planned to support the request.

Councilor Ballard stated eight votes were needed in order to pass the ordinance.

Motion as presented carried unanimously.

7. CZ-2018-07: Held in Committee

8. **CZ-2018-08: Property of Southern Greenville County Citizens for the McKelvey Road / Reedy River Area, located South of Highway 418, East of McKittrick Road and US25, North of Daventon Road and West of Fairview Road, requesting rezoning from unzoned to R-R3 and R-R1.**

The Planning Commission and the Committee recommended approval.

ACTION: On behalf of the Committee, Councilor Ballard moved approval of the ordinance at second reading.

ACTION: Councilor Ballard moved to amend the ordinance to remove two parcels: Tax Map Number 0588020100919, 3789 Chapman Grove Road and Tax Map Number 0588010100600, 710 Dunklin Bridge Road. Both parcels were contiguous to the unzoned area.

Councilor Ballard stated both property owners requested their property be removed from the zoning request.

Motion to amend carried unanimously.

Councilor Payne stated the entire area consisted of more than 7,700 acres and added this was a great example of community involvement.

Councilor Fant stated Mr. Ballard worked tirelessly with the residents in the area to recognize the importance of zoning in regards to the future of Greenville County by increasing and protecting property values. He added that Mr. Ballard showed extraordinary leadership in tackling the issue.

Councilor Ballard stated the request was citizen-driven. He recognized the leaders of the citizen group who were in attendance.

Motion as amended carried unanimously.

(b) Animal Control Ordinance Amendment / Adequate Shelter

ACTION: Councilor Seman moved for approval at second reading an ordinance to amend Chapter 4: Animals and Fowl, Article II: Dogs, Cats, Wildlife and Exotic Animals, Section 4-19 – Cruelty to Animals, to add provisions concerning adequate shelter for animals.

Councilor Seman stated the item came from the Public Works and Infrastructure Committee and another animal control ordinance was forthcoming from the Public Safety Committee. The item in question would better define the existing ordinance in terms of mistreatment in regards to appropriate shelter and would allow officers to better enforce the current laws.

Councilor Payne stated some of the speakers had brought up some very valid points in terms of wind-screening and the amount of protection that would be required.

ACTION: Councilor Payne moved to hold the item for further review by Council.

Councilor Taylor stated he concurred with Mr. Payne.

Vice-Chairman Meadows stated he agreed with holding the item and the recommended amendment should be more specific.

Chairman Kirven stated investigations were complaint-driven. Codes officials would not seek out mistreatment.

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

Item (11) ORDINANCES – FIRST READING

(a) Zoning Ordinances

Councilor Ballard presented for first reading zoning dockets CZ-2018-09 through CZ-2018-16.

Chairman Kirven referred items to the Planning and Development Committee.

Item (12) COMMITTEE REPORTS

(a) Committee of the Whole

1. Opioid Lawsuit

ACTION: On behalf of the Committee, Vice-Chairman Meadows moved to approve the Special Counsel Representation Agreement to retain the named attorneys to pursue legal action and recovery on behalf of the County in opioid related litigation.

 Motion carried unanimously.

Item (13) APPEARANCES BY CITIZENS

- **Cynthia Chance**, 33 Seyle Street, Greenville – appeared regarding Dunean Community, White Horse Road area and Animal Control
- **Efia Nwangaza**, 202 Lavinia Avenue, Greenville – appeared regarding safety and respect of women in Greenville County by government officials
- **Catherine Franch**, 2 Hawks Perch Way, Simpsonville – appeared regarding White Horse Road area

Item (14) ADMINISTRATOR’S REPORT

Mr. Kernell congratulated Conway Belangia, Director of the Greenville County Voter Registration and Election Commission, who was recently awarded the prestigious Moore Award by the South Carolina Association of Registration and Election Officials (SCARE). Mr. Belangia has served as Director of Voter Registration and Election Commission for more than 26 years and has been a member of SCARE since 1985 where he has served as Treasurer, Vice-President and President. Mr. Kernell stated the Moore Award was presented to the professional that best exemplified the spirit of the organization through continued unselfish giving of time and effort to make the association a more educated concerned group that promoted training and education in voter registration and election administration.

Item (15) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

- Councilor Roberts stated he was disappointed the Animal Control / Adequate Shelter ordinance was held but was confident the Public Works and Infrastructure Committee would be able to tweak the ordinance and present it in the near future. He stated he appreciated all the employees of GHS who were in attendance and had spoken out against the proposed resolution. The Centers for Medicaid and Medicare gave GHS a 4 out of 5 star rating and Councilor Roberts stated only 8% of teaching hospitals in the country had received such a high rating.
- Councilor Norris requested Paula Gucker and Joe Kernell locate a building, possibly through Parks and Recreation, for the Dunean Community to use for a community center.

- Councilor Seman stated that Terrance Ford, the Regional Director for External Affairs for AT&T, was recently appointed to the SCTAC Board of Directors as an at-large member.
- Councilor Fant recognized the members of Vision 25 who were in attendance.
- Councilor Ballard stated some of the communities in District 26 used area churches to hold community meetings and suggested the Dunean community may want to explore the possibility.
- Chairman Kirven stated Greenville County was in the midst of an opioid epidemic that showed no signs of stopping on its own. County Council had become increasingly concerned about how the crisis was impacting the lives of all of its citizens and the fact that public resources and taxpayers' dollars were being used to deal with and respond to the expanding crisis. County Council voted in favor of taking an important step toward combating the opioid crisis in Greenville County by retaining outside counsel to investigate, and if appropriate, to proceed with filing a lawsuit against those believed to be responsible for the crisis. The County would look to allocate proceeds from the lawsuit to abate problems in the community coming from the crisis; this could include better prevention and treatment programs. Councilor Payne stated he believed that GHS was a "goose" that laid "golden eggs". He added that GHS was a teaching hospital which was very important to the Greenville County community and it had a great employee base of doctors, nurses and other medical personnel. Councilor Payne stated GHS was the only major corporation headquartered in Greenville County with a genuine interest in the future of the community.
- Councilor Dill stated he had talked with some of the members of the Legislative Delegation and they had expressed a desire to come to the table and talk with the leaders of GHS to reach a compromise. He added that he supported the hospital and would be glad to assist in any way possible.
- Councilor Barnes stated he was disappointed the Animal Control / Adequate Shelter ordinance was held but he hoped it would be presented at a later date with the right solution.
- Councilor Meadows stated he would like to see the Legislative Delegation and GHS work together and he believed there was a workable solution to the issue.
- Councilor Cates reminded everyone that on April 8th, his church would be dedicating a new building to Hidden Treasures School, which worked with children with severe learning problems.
- Councilor Dill wished Regina McCaskill, Clerk to Council, a Happy Birthday.

Item (16)

ADJOURNMENT

ACTION:

Councilor Cates moved to adjourn the meeting.

Motion carried unanimously by Council Members present and the meeting was adjourned at 7:39 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council