



GREENVILLE COUNTY COUNCIL

Minutes (*Corrected*)

Regular Meeting

March 5, 2024

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*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online, at 301 University Ridge, Greenville, and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

None

Council Members Remote Participation

Steve Shaw, District 20

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
Phillip Simmons, Information Systems
Bob Mihalic, Governmental Relations Officer

Nicole Wood, Assistant County Administrator
Ronald Hollister, Assistant County Administrator, Public Safety
Hesha Gamble, Assistant County Administrator
Tee Coker, Assistant County Administrator
Rashida Jeffers-Campbell, Planning Director
Steward Lawrence, Human Resources
Lyndsey Sloan, Administration

Others Present

None

Call to Order

Chairman Dan Tripp

Invocation

Councilor Benton Blount

Pledge of Allegiance

Item (4) **Approval of Minutes**

a. February 20, 2024 – Regular County Council Meeting

Action: Vice-Chairwoman Seman moved approval of the minutes from the February 20, 2024, Regular County Council Meeting.

Motion carried unanimously.

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

None

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

- **Jack Logan** – appeared regarding the following:
 - Item 8.b.** Upstate Healthcare Coalition for Wilderness First Responder Class
 - Item 8.e.** Community Project Application / Furman United Soccer \$5,000.00
 - Item 12.a.iv.** County Administrator Employment Contract

- **David Kopp** – appeared regarding the following:
 - Item 12.a.iii.** Resolution Creating Capital Projects Sales Tax Advisory Commission
 - Item 12.a.iv.** County Administrator Employment Contract

- **Laura Allen** – appeared regarding the following:
 - Item 9.f.** Project Cranberry Sauce / Fee in Lieu of Tax Agreement

Item (7) **Public Hearings**

a. Laurens – Greenville / Octagon Industrial Park Agreement Amendment – Project Tomahawk
(Laurens County)

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the master agreement governing the Octagon Industrial Park between Laurens and Greenville Counties so as to enlarge the park to add a certain parcel in Laurens County.

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

b. Anderson – Greenville / Industrial and Business Park (2010 Park) Agreement Amendment – Project Colorful
(Anderson County)

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 to add certain parcel(s) in Anderson County.

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

Item (8) **Consent Agenda**

- a. Commissioning of Code Enforcement Officer**
- b. Upstate Healthcare Coalition for Wilderness First Responder Class**

- c. **Swift, Certain and Fair Supervision Program Funding**
- d. **ARC Grant – Judson Community Gateway Project**
- e. **Community Project Application / Furman United Soccer \$5,000**

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

Action: Councilor Fant requested Item 8.e. Community Project Application / Furman United Soccer be removed from the Consent Agenda.

Chairman Tripp stated the item was removed and would be taken up during Committee Reports. The motion on the floor was approval of the Consent Agenda Items 8.a. through 8.d.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. Zoning Ordinances

- i. **CZ-2024-001:** Property of Amity Road, LLC, located on Augusta Road Extension and Moon Acres Road, requesting rezoning from R-M20 to S-1.

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

Motion carried unanimously.

- ii. **CZ-2024-002:** Property of Karin E. Krussig, located at 112 S. Old White Horse Road and Page Drive, requesting rezoning from S-1 to R-7.5.

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

Motion carried unanimously.

- iii. **CZ-2024-007:** Property of J. David Monaco – Successor Trustee / D.P. Kropp Family Trust, located on Griffin Mill Road, Piedmont, requesting rezoning from R-S to R-15.

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

Motion carried unanimously.

- iv. **CZ-2024-008:** Property of Diversified Properties, Inc., and Jtracks Droperty LLC, located at 115, 125, and 203 Farmers Circle, Greer, requesting rezoning from FRD to S-1.

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

Motion carried unanimously.

- v. **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.

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

Motion carried unanimously.

b. Text Amendment / To Amend Article 7, Section 7:3.4 Side Setbacks in Single-Family Residential District (CZ-2024-09)

Action: Councilor Fant moved for adoption at third reading an ordinance to amend the Greenville County Zoning Ordinance to amend Article 7, Section 7:3.4 Side Setbacks in Single-Family Residential Districts.

Motion carried unanimously.

c. Laurens – Greenville / Octagon Industrial Park Agreement Amendment – Project Tomahawk (Laurens County)

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance to amend the master agreement governing the Octagon Industrial Park between Laurens and Greenville Counties so as to enlarge the park to add a certain parcel in Laurens County.

Motion carried unanimously.

d. Anderson – Greenville / Industrial and Business Park (2010 Park) Agreement Amendment – Project Colorful (Anderson County)

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 to add certain parcel(s) in Anderson County.

Motion carried unanimously.

e. Greenville County General Obligation Bonds / Twin Chimneys Landfill Project

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance to provide for the issuance and sale of not exceeding \$11,500,000 Greenville County, South Carolina, General Obligation Bonds, Series 2024A; 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.

f. Project Cranberry Sauce / Fee in Lieu of Tax Agreement

Action: Chairman Pro Tem Kirven moved for adoption at third reading at ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and a company known to the County at this time as Project Cranberry Sauce with respect to certain economic development property in the County, whereby the property would be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matter related thereto.

Action: Chairman Pro Tem Kirven moved to hold the item for two weeks, at which time the public hearing was scheduled.

Motion carried unanimously.

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

- a. **Laurens – Greenville Multi County Industrial Business Park Agreement Amendment / Project Hunter**

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance authorizing an amendment to that certain agreement for the development of a joint county industrial and business park by and between Laurens County, South Carolina, and Greenville County, South Carolina dated January 31, 2000 to enlarge the park to add certain property located in Laurens County (Project Hunter Industrial Park – Building A).

Motion carried unanimously.

- b. **Project Born / Special Source Credit Agreement**

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance authorizing the execution and delivery of a special source credit agreement by and between Greenville County, South Carolina and companies known to the County at this time as Project Born, with respect to certain economic development property in the County, whereby such property would receive certain special source credits in respect of investment in related infrastructure; and other matters related thereto.

Councilor Tzouvelekas requested a roll call vote.

Motion carried by a roll call vote of seven (Russo, Barnes, Harrison, Seman, Fant, Kirven and Tripp) in favor and five (Blount, Shaw, Tzouvelekas, Mitchell and Bradley) in opposition.

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

- a. **Flood Damage Prevention Ordinance Amendment**

Vice-Chairwoman Seman presented for first reading an ordinance to amend the “Floodways” section of the Flood Damage Prevention Ordinance codified at Section 37 of Chapter 8, Article II of the Code of Ordinances of Greenville County, South Carolina.

Chairman Tripp stated the item would remain on the floor.

Item (12) **Committee Reports**

Finance Committee Item from Consent Agenda

Item 8.e. Community Project Application / Furman United Soccer \$5,000

Action: Councilor Shaw moved to approve Item 8.e. Community Project Application / Furman United Soccer for \$5,000.

Councilor Fant stated if the application was approved, he questioned the fact that the County was reimbursing itself. Monies were paid to a private entity and then Community Project funds would be directed back to Parks, Recreation and Tourism. Mr. Fant stated his concerns had nothing to do with the soccer team. There were other teams that did not have funds to rent fields; they played on gravel and rocks.

Mr. Kernell stated the request fit the policy that was in place. The County was paid for rental and entry fees that would normally go to Furman Soccer Club. He stated it worked because it actually kept the money with the County. Funds were moved from one pocket to another and it provided a valuable service to the community in the way of recreation and soccer for youth.

Councilor Fant stated it was his hope that teams struggling to find a decent place to practice could have access to financial resources to reimburse the County for fields.

Vice-Chairwoman Seman stated she had requested the Finance Committee review the Community Project policy, to ensure it was in line with what Council wanted and to make any adjustments, if needed.

Councilor Shaw stated there were very few places to play soccer in the middle and western parts of Greenville County. He stated he commiserated with Councilor Fant. However, he could have given \$30,000 to be used for ballfields instead of to the non-profit he started. He stated at least the funds he had pledged were going back to the County.

Action: Vice-Chairwoman Seman called for the question.

Without objection, the motion to call for the question carried.

Motion as presented carried with a roll call vote of eleven (Russo, Barnes, Blount, Shaw, Harrison, Tzouvelekas, Mitchell, Seman, Bradley, Kirven and Tripp) in favor and one in opposition (Fant).

a. Committee of the Whole

i. Sheriff's Advisory Board / Appointments

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to appoint Deborah Manning (D.19) and William Blair (D.20) to the Greenville County Sheriff's Advisory Board.

Motion carried unanimously.

ii. Greenville County Citizen's Academy / Appointment

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to appoint Joseph Butler Bostick (D.23) to the Greenville County Citizen's Academy.

Motion carried unanimously.

iii. Resolution Creating the Capital Projects Sales Tax Advisory Commission

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to adopt a resolution creating a commission pursuant to the Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as amended; providing for the appointment, composition, duties, and responsibilities of such commission; and providing for other matters related thereto.

Councilor Tzouvelekas stated he preferred the monies be used strictly for roads; it could not be used for buildings, stadiums, or anything besides roads. He stated Council should narrow the scope on the issue as a group. Mr. Tzouvelekas stated he felt the item was being rushed. If approved, the application period for new commissioners would start the following day and run for one week.

Councilor Harrison stated he agreed with the first part of Mr. Tzouvelekas' comments. In order to be transparent, it was important to include the fact that the funds could be used for bridges.

Councilor Bradley stated he agreed with narrowing the scope of the item the funds could be used for. He stated the citizens needed to know exactly how the funds could be spent. Mr. Bradley stated he disagreed that the issue was being rushed. The decision was up to the citizens to approve the referendum or not; it was not Council's decision. If they wanted the roads fixed, approving the referendum was a way to do it.

Chairman Pro Tem Kirven stated Greenville County was not going to spend any money unless the citizens voted to approve the referendum. He stated if they voted not to approve it, no money would be spent; it had happened before. If approved, the money would only be spent in accordance to the projected revenue and on the projects that were listed on the ballot.

Councilor Blount stated he had been advocating for getting a referendum on the ballot; he trusted the citizens of Greenville County. Mr. Blount stated he could not support the item in question because, in his opinion, Council represented the citizens of Greenville County. Adding the commission and the way it was set up, put another layer between Council and the goal of fixing the roads.

Chairman Tripp stated he did not disagree with Mr. Blount; however, he felt the commission was a good thing. It would take politics out of the road issue and put an independent commission in charge of making decisions. Council would have veto power over the commission's report. Mr. Tripp stated it would be fair to put a resolution together for the new commissioners, laying out the legislative intent. He commended staff for doing such a great job working with the municipalities and the State, compiling the information necessary to make good decisions.

Vice-Chairwoman Seman stated she wanted to let the public know the process was based on state law. County Council did not make up the rules regarding how the commission was formed.

Councilor Barnes stated it was the right way to go to let the citizens decide if they wanted to fix the roads or not.

Councilor Fant stated he liked the idea of the resolution to give direction. It was good idea to have a layer between Council and the referendum. That layer would take politics out and would allow independent people to work with staff in order to develop a list of roads that needed to be evaluated. Ultimately, the public would make the final decision to approve the referendum or not. Mr. Fant stated it was important to understand that the item in question only dealt with setting a commission to study the problem and develop a list of potential projects. Council may not agree with the commission's report; the referendum could possibly not be put on the ballot.

Councilor Blount stated Council had been given two options: Capital Projects Sales Tax and Transportation Sales Tax. He was not opposed to putting a referendum on the ballot; however, he felt the Capital Projects Sales Tax option could potentially cause problems in the future.

Chairman Tripp stated the Capital Projects Sales Tax option did not tax groceries, the other one did. There was a movement to amend the state law, but, it was unknown if or when that would happen. Mr. Tripp stated the independence of the commission was the other reason the Capital Projects Sales Tax was chosen.

Councilor Shaw stated it was going to be up to small businesses to collect the tax. In doing so, they would become less competitive with other counties and other places. Mr. Shaw stated he had heard the same thing in regards to affordable housing. Council had been told they were creating a policy and would have the chance to vote on all affordable housing projects. He stated, according to his recollection, Council had voted to approve every affordable housing project that had been presented, with the exception of one or two. It was all part of a pattern that even the press had seen for a year. He stated there were other options; Council could lower ad valorem taxes, take the \$11 million and spend it better. That issue was part of the budget debate when Council voted to approve the largest tax increase in the history of Greenville County. Council was not doing its job if it approved the item in question and was telling the citizens that it knew how to spend their money better than they did. Mr. Shaw stated Council would take citizen's money at the point of a deputy's gun.

Chairman Tripp asked Mr. Shaw to keep it to the facts at hand.

Councilor Mitchell stated two options were outlined during the previous day's presentation The Capital Projects Sales Tax was only for roads and did not cover transportation; the Transportation Option did. Council was being asked to approve a resolution to form a commission to study the roads and provide a report.

Councilor Tzouvelekas stated he knew how things would run. Council had not turned down one affordable housing project; maybe a few, but not many. The commission was unelected and would be telling Council how to spend a billion dollars. He stated there were no time limits regarding how long the sales tax would last. Mr. Shaw stated he did not like unelected officials telling Council how to spend money.

Chairman Tripp informed Mr. Tzouvelekas that his statement regarding time limits was not correct. The ballot question would be put up by the Commission and would run two, four, six or eight years; it would also include a sunset provision. The longest it could run was eight years.

Councilor Tzouvelekas thanked Mr. Tripp for the clarification. He stated he still did not like unelected officials prioritizing and spending billions of dollars for the County.

Chairman Tripp stated the commissioners would not spend "one red cent." They would be responsible for putting together a draft of the language that would go on the ballot. The only people that would spend money in the process were the taxpayers of Greenville County.

Councilor Harrison stated he had issues with his colleague indicating they did not trust Council to pick a commission to deal with the roads; however, they trusted Council to come up with the road list. People complained about the roads every single day. Council finally had an option that the citizens could vote on and some Council Members were "poking holes" in it without offering any actual alternative solutions. Mr. Harrison stated both options were specifically dedicated for roads. The Capital Project Sales Tax option did not tax groceries. State law mandated if the referendum was approved, the actual road projects would be listed on the ballot. There was no guessing game or hidden agenda. The one cent sales tax was projected to bring in approximately \$120 million annually, specifically

dedicated for roads. If Council was able to find another revenue stream that added that amount, just for roads, he would be happy to consider it. He stated the citizens should be able to decide how they wanted to handle the situation. Council was trying to be proactive, do something good and let the citizens decide. It was being met with backlash and falsehoods, resulting in a bad reputation for local government.

Councilor Fant stated Council's role was to lead. He stated he was not in favor of the Transportation Sales Tax and he knew that it would fail with the voters. Council had to be students of history. In Greenville County, most voters are seniors and they would not vote in favor of a tax on groceries. The referendum failed miserably in 2014 as it would have put a tax on groceries. A total of 250,000 new residents were expected to move into Greenville County over the next 20 years and the roads had to be fixed. The Capital Projects Sales Tax had the greatest opportunity to pass.

Chairman Tripp stated Greenville County had more than 4000 road miles, including county, municipal and state roads; enough to travel to the Grand Canyon and back. The citizens of Greenville County were not interested in which entity owned a specific road. The commission would prioritize the roads in terms of need and submit a report to Council for approval. If approved, the referendum would be put on the ballot for the voters to decide. Mr. Tripp stated Council had to either decide to do something about the roads, or "sit back and kick the can down the road." He planned to vote to do something to improve the roads in Greenville County.

Councilor Tzouvelekas inquired as to why the County would want to pave State roads with the money generated by the sales tax. He stated to do so was a good example of government waste.

Chairman Tripp stated the citizens of Greenville County did not care who owned the roads. The County was going to take a comprehensive approach to solving the road issue. He stated the County would attempt to leverage its funding with the State; it was very possible with the proposed process. The commission would submit its report and Council would have the opportunity to approve or deny it.

Action: Councilor Fant called for the question.

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

Motion to adopt a resolution creating a commission pursuant to the Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as amended; providing for the appointment, composition, duties, and responsibilities of such commission; carried by a roll call vote of eight (Russo, Barnes, Harrison, Mitchell, Seman, Fant, Kirven and Tripp) in favor and four (Blount, Shaw, Tzouvelekas and Bradley) in opposition.

iv. County Administrator Employment Contract Extension Amendment

Action: On behalf of the Committee, Vice-Chairwoman Seman moved that the County Council Chairman be authorized to execute an amendment to Joseph Kernell's contract with the Greenville County, the terms of which were reviewed and discussed with County Council during executive session, which provides for, among other things, an extension to his contract through December 31, 2024, and a reflection of his current salary.

Motion carried unanimously.

Item (13) Administrator's Report

Mr. Kernell stated the Citizen's Academy, created by Council, was scheduled to begin on Tuesday, March 12. The first session would deal with the County's Internal Operations. The participants would visit different County departments on a monthly basis, as follows:

April - EMS, Sheriff's Department and the Detention Center

May - Animal Care and Parks Recreation and Tourism

June – Halton Road offices

July – Break

August – Vehicle Service Center and lunch at the Landfill

September – Elected Officials

Mr. Kernell stated Council was invited to all the sessions.

Mr. Kernell thanked Council for extending his contract. He stated there was a lot of work left to do; he looked forward to working with them.

Item (14) Requests and Motions

There were no requests or motions.

Item (15) Adjournment

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

Motion carried and the meeting adjourned at 6:54 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council