



GREENVILLE COUNTY COUNCIL

Minutes
Regular Council Meeting
June 21, 2022
6:01 p.m.

County Square - Council Chambers

Council Members

Mr. Willis Meadows, *Chairman, District 19*
Mr. Dan Tripp, *Vice-Chairman, District 28*
Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*
Mr. Joe Dill, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mrs. Liz Seman, *District 24*
Mr. Ennis Fant, Sr., *District 25*
Mr. Lynn Ballard, *District 26*
Mr. Butch Kirven, *District 27*

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*
Kim Wunder, *Assistant County Attorney*
John Hansley, *Deputy County Administrator*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Pam Gilliam, *Administrative Assistant*
Nicole Wood, *Assistant County Administrator*
Meredith Papapieris, *Director of Grants and Special Projects*

Others Present

None

Call to Order

Chairman Willis Meadows

Invocation

Councilor Stan Tzouvelekas

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Councilor Ballard moved to approve the minutes from the June 7, 2022, Regular County Council meeting.

Motion carried unanimously.

Item (5) Appearances – Current Agenda Items

There were no speakers.

Item (6) Public Hearings

a. Ordinance Amending Land Development Regulations Article 8.1 and Article 22 / To Provide Consistency with Industry Practices and to Align with the Intent of the Rural Development Subdivision

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the Greenville County Land Development Regulations to update the required elements for concept plans; to remove the open space table requirement; to clarify the minimum lot size requirements; and to clarify the uses that qualify as “Open Space” for rural conservation subdivisions under LDR Article 22 and to change the ownership requirements for buffer areas under LDR Article 8.21.

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

b. Augusta Road Corridor Study Area Moratorium

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance establishing a moratorium on the approval of preliminary plat applications and the issuance of building permits for residential development in the Augusta Road Corridor Strategic Plan Study Area and vicinity for a period of six months.

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

c. South Greenville Fire District / Millage Request

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 South Greenville Fire District.

There being no speakers, Vice-Chairman Tripp declared the public hearing closed.

Item (7) Consent Agenda

- a. Accommodations Tax Advisory Committee Recommendations**
- b. Community Project Application / Shannon Lake – Hydrologic Design Study \$6,000.00**
- c. Community Project Application / Duncan Chapel Fire District – Foam Unit \$5,500.00**
- d. Community Project Application / Sheriff’s Office – Community Relations Council \$6,000.00**
- e. Community Project Application / Dunklin Fire District – Roof Replacement \$5,000.00**
- f. Community Project Application / Greenville Textile Heritage Park – Picnic Shelter \$5,856.00**

- g. **Community Project Application / Sheriff's Office - Search and Rescue Equipment \$10,363.00**
- h. **Community Project Application / Piedmont Park Fire District - Smoke Detectors \$3,161.00**
- i. **Community Project Application / Paris Mountain State Park – Native Plant Garden \$3,000.00**
- j. **Community Project Application / Lake Cunningham Fire District – Utility Trailer \$2,000.00**
- k. **Community Project Application / Greenville County Recreation – Soccer Fields \$1,932.00**
- l. **Community Project Application / Lake Cunningham Fire District – Vehicle Maintenance \$6,000.00**
- m. **Community Project Application / SCTAC - Signage Project \$10,000.00**
- n. **Community Project Application / Greenville Textile Heritage Park – Shelter \$5,000.00**
- o. **Community Project Application / Sheriff's Office – Equipment for Active Shooter Incidents \$20,456.00**

Action: Councilor Seman moved approval of the Consent Agenda items.

Motion carried unanimously.

Item (8) Resolutions

- a. **Greater Greenville Sanitation District Annexation / 117, 125 and 203 Butler Springs Road – Request for Public Hearing**

Action: On behalf of the Committee, Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include 117 Butler Springs Road, 125 Butler Springs Road and 203 Butler Springs Road.

Motion carried unanimously.

- b. **Metropolitan Sewer Subdistrict Annexation / 122 Carolina Way and a Certain Property on Carolina Oaks Drive Near the Intersection with Carolina Way – Request for Public Hearing**

Action: On behalf of the Committee, Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Metropolitan Sewer Subdistrict to include the property located at 122 Carolina Way and a certain property located on Carolina Oaks Drive near its intersection with Carolina Way.

Motion carried unanimously.

- c. **South Greenville Fire District / Millage Request**

Action: Vice-Chairman Tripp moved for adoption a resolution to provide for the millage rate to be levied by the South Greenville Fire District.

Motion carried unanimously.

Item (9) Ordinances – Third Reading

a. Augusta Road Enterprise, LLC, (formerly Project Kane) / Fee in Lieu of Tax Agreement

Action: Vice-Chairman Tripp 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 Augusta Road Enterprise, LLC, 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. Greenville / Anderson Multi County Industrial Business Park (2010 Park) Agreement Amendment – Augusta Road Enterprise, LLC, (formerly Project Kane)

Action: Vice-Chairman Tripp 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.

Motion carried unanimously.

c. Donaldson Fire Service Area Project / General Obligation Bond Series 2022

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance to provide for the issuance and sale of not exceeding \$4,100,000 Greenville County, South Carolina, General Obligation Bonds (Donaldson Fire Service Area Project), Series 2022; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Motion carried unanimously.

d. Greenville / Laurens Multi County Industrial Business Park Agreement Amendment – Project Dogwood

Action: Vice-Chairman Tripp moved for adoption at third 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 Dogwood), and to address other matters related thereto.

Motion carried unanimously.

e. Glassy Mountain Fire Service Area / Millage Request

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Glassy Mountain Fire Service Area.

Motion carried unanimously.

Item (10) Ordinances – Second Reading

a. Zoning Ordinances

i. CZ-2022-042: Property of Rallis Wood LLC, located at 823 and 825 Woodside Avenue, Greenville, requesting rezoning from R-7.5 to R-M20. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Motion carried unanimously.

- ii. **CZ-2022-043:** Property of Arnold L. Hill of the Greenville County Disabilities and Special Needs Board, located at 123 Hawkins Street, Greenville, requesting rezoning from R-7.5 to R-6. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Motion carried unanimously.

- iii. **CZ-2022-044:** Withdrawn
- iv. **CZ-2022-046:** Property of Mountain Creek Real Estate, LLC, located at 4101 Old Buncombe Road, Greenville, requesting rezoning from S-1 to C-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Action: Councilor Dill moved to hold the item.

Motion to hold carried unanimously.

- v. **CZ-2022-047:** Property of Blue Tobias, Mary Kathryn Vaughn & Randy Vaughn, located on Ben Hamby Drive, Greenville, requesting rezoning from R-S to I-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Motion carried unanimously.

- vi. **CZ-2022-048:** Property of Stephen Dowd, located at 817 Garlington Road, Greenville, requesting rezoning from R-S to R-12. The Planning Commission recommended denial and the Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Motion carried unanimously.

- vii. **CZ-2022-050:** Property of Greenville County Redevelopment Authority, located on Scott Street, Marie Street, Emory Street and Rutherford Road, Greenville, requesting rezoning from R-7.5 to FRD. The Planning Commission and Committee recommended approval with conditions.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Action: Councilor Dill moved to amend the request to include the following conditions:

1. *To include a buffer meeting Section 8.21 of the Land Development Regulations, Forested Natural Vegetative and/or Landscaped Buffer.*
2. *To 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 Dill moved approval of the ordinance as amended.

Motion carried unanimously.

viii. CZ-2022-051: Property of Greenville County Redevelopment Authority, located on Clay Street, Emory Street and Rutherford Road, Greenville, requesting rezoning from R-7.5 to R-6. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Dill moved approval of the item at second reading.

Motion carried unanimously.

b. Augusta Road Corridor Study Area Moratorium

Action: Councilor Dill moved for approval at second reading an ordinance establishing a moratorium on the approval of preliminary plat applications and the issuance of building permits for residential development in the Augusta Road Corridor Strategic Plan Study Area and vicinity for a period of six months.

Councilor Dill asked Mr. Tollison if the item in question was part of the information regarding a lawsuit Council had received earlier in the day.

Mr. Tollison confirmed that the item in question was part of the lawsuit. He suggested an executive session to discuss the item in depth.

Action: Councilor Dill moved to hold the item for additional information.

Chairman Meadows inquired if holding the item would have any bearing on the lawsuit.

Mr. Tollison stated County Council had full authority to enact a moratorium in the matter for a period of six months. The lawsuit involved a number of issues; the moratorium was just one element of it.

Councilor Fant stated the moratorium was needed to give staff time to put the site plan in place for the Gateway Project. It was imperative the item in question move forward for the future of Greenville County.

Councilor Fant requested a roll call vote.

Motion to hold was denied by a unanimous roll call vote.

Councilor Dill stated he was trying to protect the citizens of Greenville County from problems associated with a lawsuit. He was concerned about the outcome of the lawsuit and its effect on the County.

Councilor Seman stated communication from the County Attorney's office was subject to attorney-client privilege; Council should be mindful of discussing such items in open session.

Councilor Ballard stated, if approved, the item would be on the floor for third reading at the next Council meeting.

Motion as presented carried unanimously.

c. **Ordinance Amending Land Development Regulations Article 8.1 and Article 22 / To Provide Consistency with Industry Practices and to Align with the Intent of the Rural Development Subdivision**

Action: Councilor Dill moved for approval at second reading an ordinance to amend the Greenville County Land Development Regulations to update the required elements for concept plans; to remove the open space table requirement; to clarify the minimum lot size requirements; and to clarify the uses that qualify as “Open Space” for rural conservation subdivision under LDR Article 22 and to change the ownership requirement for buffer areas under LDR Article 8.21.

Action: Councilor Harrison moved to amend the second line of Section 22.3.6 by removing the word “wetlands” in order to provide consistency with the zoning ordinance.

Motion to amend carried unanimously.

Without objection, the motion as amended carried unanimously.

Item (11) Ordinances – First Reading

a. **Zoning Ordinances**

Councilor Dill presented for first reading **Zoning Dockets CZ-2022-54** through **CZ-2022-62**.

Chairman Meadows referred the items to the Planning and Development Committee

b. **Caesar’s Head Fire Service Area / Millage Request**

Vice-Chairman Tripp presented for first reading an ordinance to provide for an increase to the millage rate levied by the Caesar’s Head Fire Service Area, and to authorize the Chairman of County Council and the County Administrator to renew the contract for fire protection and first responder services with Cedar Mountain Fire Rescue, Inc.

Chairman Meadows stated the item would remain on the floor.

Item (12) Committee Reports

There were no reports.

Item (13) Administrator’s Report

Mr. Kernell stated the County’s Information Systems staff, along with the Greenville County General Sessions and Family Court staff, had put a lot of time and effort into the virtual courtroom set-ups that were implemented with CARES Act funding. Word of the County’s virtual courtroom configuration had spread. Chief Justice Donald Beatty of the Supreme Court of South Carolina, as well as other personnel at the state level, had expressed interest in the technology as a standard across the state. A demonstration of the system was recently provided to the South Carolina Judicial Branch. Two virtual demonstrations of the system were scheduled for July. Amy Cox, Spartanburg County Clerk of Court, recently visited the virtual courtroom for a demonstration. Spartanburg County was in the process of building a new courthouse and had indicated an interest in utilizing the system. Mr. Kernell stated the virtual courtroom set-ups were an example of staff’s use of the CARES Act funding to improve services the citizens of Greenville County.

Item (14) Requests and Motions

6:29 p.m. Chairman Meadows passed the gavel to Vice-Chairman Tripp

a. Suspend the Rules to Allow Immediate Consideration of Program Option 1 (Premium Pay) for American Rescue Plan Act (ARPA) Funds

Action: Councilor Meadows moved to suspend Council Rule IV.A. to allow for immediate consideration of a motion to approve the County Administrator’s Program Option 1 for Premium Pay for American Rescue Plan Act (ARPA) funds.

Councilor Meadows stated it was odd for him to request a suspension of the rules as he believed in the committee system; however, the item at hand had “lingered a while.”

Councilor Ballard stated he was appalled when he saw the item had been included in the Council packet. At the Council meeting held on June 7, he made the very same request. Council was informed that due to the primary election scheduled for June 14, the item could not be presented for consideration as it was controversial. During that meeting, several Council Members made “a big issue” about the fact that the item needed to go through the committee process; others suggested passing the premium pay option and sending the remaining options to a committee. The information had been given to Mr. Meadows in February and he “sat on it.” On May 10, Mr. Kernell notified Council of his proposal. Mr. Ballard stated he had assumed the item would be included on the May 17 meeting agenda; however, it was not. When he attempted to present it during the June 7 meeting, his motion was denied. It was interesting that the Council Member currently requesting consideration of the item was in a run-off election scheduled for June 28.

Councilor Meadows stated the item was held at the June 7 meeting due to the fact that Greenville County could have possibly received additional ARPA funds from Columbia. On Friday, June 10, he had received a call from a person in Columbia; that individual had informed him that Greenville County would not receive any “money in the budget.” Mr. Meadows stated he was not sure if the controversy that had taken place during the June 7 meeting had stopped the money; he had “no idea.” He was given some type of commitment that Greenville County may receive additional funding; it was a substantial amount of money and would help with other things the County was doing. He had spoken to Sheriff Lewis and they agreed that the premium pay option should be approved; that was the reason for his attempt to present the item. Mr. Meadows confirmed he was in a run-off election; however, he felt the item would have no effect on whether he was elected or not.

Councilor Dill stated he did not feel his position on the item during June 7 meeting had anything to do with the election. There had been no reason to delay taking action on the item; the affected employees could have already been spending the money. Mr. Dill stated Joe Kernell had indicated during the last Council meeting that it would take approximately two (2) weeks for the employees to see the increase in their paychecks. He agreed that the item in question was the same item Councilor Ballard had tried to present during the previous meeting. He suggested Council vote for the salary increase and deal with the other aspects of the plan at a later date; however, he was very concerned about the proposed emergency room for the Slater-Marietta area as well as where EMS would eventually be located. Mr. Dill apologized to those employees affected by Council’s delay in taking action on the item.

Councilor Seman stated she echoed Mr. Ballard’s sentiments. The minutes for the June 7 Council meeting stated that Chairman Meadows was not in favor of taking up the item during that meeting as he believed in the committee process; Councilor Ballard could present it at the next meeting where it would be sent to the appropriate committee. Councilor Fant had promised that the item would be sent to Council with recommendations and there would be “no fight”; they did not want the funds to be used for political reasons, especially one week before an election. Ms. Seman stated it was obvious that all Council Members were in favor of the pay increases; however, it was a shame that the issue had been subjected to political grandstanding.

Councilor Seman asked Mr. Meadows if he would accept a friendly amendment to the motion.

Councilor Meadows stated he would not.

Action: Councilor Tzouvelekas called for the question.

Motion to call for the question was denied by a roll call vote of six (Barnes, Meadows, Shaw, Tzouvelekas, Norris and Fant) in favor and six (Dill, Harrison, Seman, Ballard, Kirven and Tripp) in opposition.

Councilor Kirven recognized the deputies and other front-line employees who were in attendance. They had worked hard and deserved the increase in pay; their service was greatly appreciated.

Councilor Fant commended Mr. Kernell's efforts to identify the members of law enforcement, the first responders and front-line workers who had worked during the pandemic. Mr. Fant stated the employees who were in attendance did not care about Council's internal fighting and politics; all they wanted was their money. He hoped Council could put its bickering and politics aside, show great leadership and give the employees the bonuses they deserved.

Councilor Seman stated every Council Member would vote in favor of the item; however, there were other items in the package that Council had to consider. As Mr. Meadows had stated, he was not interested in her friendly amendment, but, she felt it was important for Council to discuss those other items. She suggested a Committee of the Whole meeting be scheduled prior to the next Council meeting in order to do so.

Councilor Dill stated there were six Council Members who had wanted to approve the pay increases during the previous Council meeting; the remaining six did not. He wished those Council Members could have been more supportive of the issue during the June 7 meeting.

Councilor Harrison stated it was a frustrating situation and the issue should have been settled months ago. Council would approve the pay increases; however, there needed to be some accountability on the part of those Council Members who were not in favor of handling the issue during the last Council meeting. It made his heart hurt to see employees so upset about the way Council had handled the issue during the previous meeting.

Motion to suspend Council Rule IV.A. carried by a unanimous roll call vote.

Vice-Chairman Tripp requested Mr. Kernell provide an overview of the proposed premium pay increases.

Mr. Kernell stated Greenville County received American Rescue Plan Act (ARPA) funds from the federal government. The funds could be used to provide premium pay for eligible workers performing essential work during the pandemic. Option 1 of the proposal would provide \$3000 in premium pay to non-exempt, front-line essential workers and public safety employees (Tax Office, Sheriff's Office, Emergency Management, Detention and Law Enforcement Support, EMS and the Coroner's Office). Eligible employees must be currently employed by the County and must have worked from March 2020 through December 2021, during the height of the most dangerous part of the pandemic. Federal guidelines specified that those employees receiving premium pay must be either non-exempt or make less than approximately \$72,000, including the premium pay. Mr. Kernell stated there were approximately 1100 employees eligible for the premium pay; they would be looking at other employees on a case by case basis. Offices working from home were exempt from premium pay. Mr. Kernell stated County Square was open during the pandemic and served the citizens of Greenville County.

Action: Councilor Meadow moved to approve the County Administrator’s Program Option 1 for Premium Pay for American Rescue Plan Act (ARPA) funds.

Action: Councilor Meadows moved to amend the motion to reflect a recommended amount of \$3500.00 for each eligible employee as opposed to the original amount of \$3000.00.

Councilor Ballard asked if the other parts of the proposed plan would be affected by the recommendation to raise the premium pay amount to \$3500 for each eligible employee.

Mr. Kernell stated the other aspects of the proposal would not be affected. There was flexibility with the other two parts of the plan. It was more important to get premium pay to the employees.

Councilor Dill stated other counties had given two bonuses to their employees. It was his understanding that the amount would be \$5500.00 for each eligible employee. Mr. Dill stated the other two aspects of the plan needed to be approved. EMS would need office space once the new building was completed. The residents of northern Greenville County deserved an emergency room.

Councilor Tzouvelekas asked if salaried employees were eligible for premium pay. He would like to proposed that there be no cap on eligibility for law enforcement officers.

Mr. Kernell stated he would love to take away the cap; unfortunately, the federal government put stipulations on disbursement of the funds. Council did not have the authority to change those requirements. Some salaried employees may be eligible but there was a cap as mandated by the federal government. There was no cap for non-exempt employees; there were other factors that had to be determined as well. Greenville County was limited by federal law in regards to the funds.

Motion to amend carried unanimously.

Action: Councilor Dill moved to amend the motion to include the additional parts of the Administrator’s proposal.

Councilor Seman asked the County Attorney if Mr. Dill’s amendment was germane to the question on the floor.

Mr. Tollison stated the decision regarding the germaneness of Mr. Dill’s motion would be at the discretion of the presiding officer, Vice-Chairman Tripp. Germaneness generally required an amendment to be related to the same subject. Mr. Dill’s motion was not germane if Mr. Tripp determined that the current subject matter was limited to premium pay.

Vice-Chairman Tripp stated he was in favor of Mr. Dill’s motion and the issue should have been in committee months ago to allow for discussion; however, he would have to rule Mr. Dill’s proposed amendment out of order as Mr. Meadows’ motion was specific to premium pay.

Councilor Dill stated he understood Mr. Tripp’s ruling. The other two issues were not going to “die” and the County had received “COVID money” expressly for those purposes. Mr. Dill stated the citizens of his district needed to feel confident that the proposed emergency room for that area would be approved.

Vice-Chairman Tripp suggested an ordinance or resolution; he added he would be in support of such.

The motion as amended was unanimously approved.

6:59 p.m. Vice-Chairman Tripp passed the gavel back to Chairman Meadows

Chairman Meadows stated he planned to propose additional pay increases for all public safety personnel based on steps and cost of living increases. Greenville County was now competing with other agencies in terms of its public safety employees and was no longer the highest paying.

Requests and Motions continued

- Councilor Fant stated the South Carolina General Assembly recently approved \$9 million for the addition of high-speed loops and related infrastructure at the ITIC test track. He congratulated SCTAC on this vote of confidence from the State of South Carolina in recognition of the incredible asset it had developed to support the automotive industry.
 - Councilor Ballard stated he wanted to make sure the public safety personnel understood that Council had approved a \$3500 pay increase, not \$3000 as originally proposed.
 - Councilor Kirven stated it was apparent that Council needed to be more thorough in sending items through the committee or workshop process to allow for discussion, vetting, etc.
 - Councilor Barnes apologized for Council's actions during the meeting.
 - Councilor Shaw recognized the volunteers from Taylors Free Clinic who were in attendance, especially Karen Salerno, who had been with the clinic for 17 years.
 - Councilor Harrison stated he was glad Council had approved the premium pay for employees.
 - Councilor Tzouvelekas stated he appreciated Chairman Meadows' leadership in dealing with the premium pay issue as well as possible increased pay for public safety personnel.
- Mr. Tzouvelekas asked for continued prayers for the Spartanburg County deputy who was wounded in the line of duty.
- Councilor Norris stated she looked forward to continuing to work through the remainder of her term on Council.

Item (15) Adjournment

Action: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 7:06 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council