



GREENVILLE COUNTY COUNCIL

Minutes

Regular Council Meeting

November 15, 2022

6:05 p.m.

County Square - Council Chambers

Council Members

Mr. Willis Meadows, *Chairman, District 19*

Mr. Dan Tripp, *Vice-Chairman, District 28*

Mrs. Xanthe 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

John Hansley, Deputy County Administrator

Regina McCaskill, Clerk to Council

Jessica Stone, Deputy Clerk to Council

Pam Gilliam, Administrative Assistant

Terrance Galloway, Information Systems

Marcus Angel, Information Systems

Hesha Gamble, Assistant County Administrator

Tee Coker, Assistant County Administrator

Nicole Wood, Assistant County Administrator

Rashida Jeffers-Campbell, Planning Director

Others Present

None

Call to Order

Chairman Willis Meadows

Invocation

Councilor Butch Kirven

Pledge of Allegiance

Item (4) **Approval of Minutes**

a. **November 1, 2022 – Regular County Council Meeting**

Action: Councilor Ballard moved to approve the minutes from the November 1, 2022, Regular County Council meeting.

Motion carried unanimously.

Item (5) **Appearances – Current Agenda Items**

- **Cary Hall** - appeared regarding Item 13.a. Ordinance Regulating Conservation Easements in the Unincorporated Areas of Greenville County

Item (6) **Public Hearings**

a. **Greater Greenville Sanitation District Annexation / 11 Greenwood Avenue and 1240 Altamont Road**

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 11 Greenwood Avenue and 1240 Altamont Road.

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

b. **Project Dolphin / Fee in Lieu of Tax and Special Source Revenue Credit Agreement**

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project Dolphin, 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, Vice-Chairman Tripp declared the public hearing closed.

c. **Project EV Pack / 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 a company known to the County at this time as Project EV Pack, 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, Vice-Chairman Tripp declared the public hearing closed.

Item (7) **Resolutions**

a. **Greater Greenville Sanitation District Annexation / 11 Greenville Avenue and 1240 Altamont Road**

Action: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 11 Greenwood Avenue and 1240 Altamont Road.

Motion carried unanimously.

b. **Greater Greenville Sanitation District Annexation / Terra Pines – Request for Public Hearing**

Action: Councilor Seman moved for adoption a resolution to hold a public hearing to consider enlarging the Greater Greenville Sanitation District to include the Terra Pines, Terra Pines Estates, and Terra Creek Court Subdivisions.

Motion carried unanimously.

c. **Metropolitan Sewer Subdistrict / Boundary Enlargement – Territory of Travelers Rest / Request for Public Hearing**

Action: Councilor Seman moved for adoption a resolution ordering a public hearing on the question of the enlargement of the territory of the Metropolitan Sewer Subdistrict and other matters related thereto.

Motion carried unanimously.

d. **Willcoll Land, LLC / Partial Assignment Resolution**

Action: Vice-Chairman Tripp moved for adoption a resolution consenting to a partial assignment of certain interests under a fee in lieu of tax agreement with Greenville County, South Carolina, by Willcoll Land, LLC to Perimeter Propco LLC; and other matters related thereto.

Motion carried unanimously.

Item (8) **Ordinances – Third Reading**

a. **EPC Power Corporation (formerly Project Graham) / 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 EPC Power Corporation 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. Cell Tower Lease Renewal

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance to authorize the Chairman of County Council and the County Administrator to execute a lease with SBA Site, LLC, of approximately 10,000 square feet of space at the Twin Chimneys Landfill for the continued operation of a wireless telecommunications tower.

Motion carried unanimously.

c. MP I-85 Masters Industrial LLC (formerly Project Bullseye 1) / 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 MP I-85 Masters Industrial 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.

d. MP I-85 Masters Industrial LLC (formerly Project Bullseye 2) / 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 MP I-85 Masters Industrial 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.

e. MP I-85 Masters Industrial LLC (formerly Project Bullseye 3) / 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 MP I-85 Masters Industrial 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.

f. Greenville / Anderson Multi County Industrial Business Park (2010 Park) Agreement Amendment – MP I-85 Masters Industrial LLC (formerly Projects Bullseye 1,2 and 3)

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.

g. Project SRPF D/Greenville Park 25 LLC / 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 SRPF D/Greenville Park 25, 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.

h. Greenville / Anderson Multi County Industrial Business Park (2010 Park) Agreement Amendment – SRPF D/Greenville Park 25, LLC

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.

i. Road Maintenance Fee Ordinance

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance to impose and collect an increase to the Greenville County Road Maintenance Fee pursuant to Title 6, Chapter 1, Article 3, of the South Carolina Code of Laws, 1976, as amended.

Councilor Dill stated he would not support the item, as it was “a bad time” to do so. The County was currently involved in a lawsuit regarding the item. He recommended denial of the proposed ordinance.

Councilor Tzouvelekas stated he was unable to support the item. It was unknown how much money the proposed fee would raise and how much the County was “short”, in regards to the amount of money needed for road maintenance. Mr. Tzouvelekas inquired as to why the needed funding could not be obtained “from somewhere else” in the budget. He requested his colleagues not support the proposed “tax increase.”

Action: Councilor Fant called for the question.

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

Motion as presented carried by a roll call vote of seven (Harrison, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and five (Dill, Barnes, Meadows, Shaw and Tzouvelekas) in opposition.

j. Willcoll Land, LLC (formerly Project Mila) / Fee in Lieu of Tax Agreement Amendment

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance authorizing the amendment of that fee agreement between Willcoll Land, LLC dated April 6, 2021, as previously partially assigned, by adding additional land and economic development area to the fee agreement.

Motion carried unanimously.

k. **Greenville - Anderson Multi County Industrial Business Park (2010 Park) Agreement Amendment / Willcoll Land, LLC (formerly Project Mila)**

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.

l. **Berea Public Service District / General Obligation Bond**

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance finding that Berea Public Service District, South Carolina may issue not exceeding \$3,000,000 of general obligation bonds; to authorize Berea Public Service Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization.

Motion carried unanimously.

m. **Greenville - Anderson Multi County Industrial Business Park (2010 Park) Agreement Amendment / Project Iceberg / Lifeboat**

Action: Vice-Chairman Tripp moved for adoption at third reading an ordinance approving an amendment for the enlargement of the joint county industrial and business park by and between Greenville County, South Carolina and Anderson County, South Carolina (2010 Park); and matters related thereto.

Motion carried unanimously.

Item (9) Ordinances – Second Reading

a. **Zoning Ordinances**

i. **CZ-2022-087:** Property of Windward Partners IV LP, located at 2008 Old Spartanburg Road, Taylors, requesting rezoning from PD to PD-MC. The Planning Commission and Committee recommended approval with conditions.

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

Action: Councilor Dill moved to amend the request to include the condition that the applicant submit a final development plan for review and approval prior to the issuance of any land development or building permits.

Motion to amend carried unanimously.

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

Motion carried unanimously.

- ii. **CZ-2022-088:** Property of Joshua Freitas and Janet Gubiotti, located at 16 Gilliam Road, Pelzer, requesting rezoning from R-R3 to R-R1. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- iii. **CZ-2022-090:** Property of Three Brothers of Greenville, LLC, located on White Horse Road and Farris Bridge Road, Greenville, requesting rezoning from C-1 to C-3. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- iv. **CZ-2022-092:** Property of City of Greenville and County of Greenville – c/o SCTAC, located on 31 Ohio Loop, Ohio Loop, Chapel Loop, Donaldson Road, Exchange Street and Perimeter Road, Greenville, requesting rezoning from I-1 to S-1. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- v. **CZ-2022-094:** Property of Pendulum Capital Partners II, located 17 Hilltop Avenue, 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 ordinance at second reading.

Motion carried unanimously.

- vi. **CZ-2022-095:** Withdrawn by Applicant

- vii. **CZ-2022-097:** Property of Gary Chandler of Chandler Revocable Trust, Deborah Foster of Foothills Presbytery and Linda Gayle Porter, located on W. Georgia Road and Rocky Creek Road, Simpsonville, requesting rezoning from R-S to FRD. The Planning Commission and Committee recommended denial.

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

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

a. Project EV Pack / Fee In Lieu of Tax Agreement

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project EV Pack, 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.

b. Project Ahold Delhaize / Fee In Lieu of Tax Agreement

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and Retail Business Services LLC and ADUSA Distribution, 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.

c. Project Dolphin / Fee In Lieu of Tax and Special Source Revenue Credit Agreement

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project Dolphin, 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.

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

Action: Vice-Chairman Tripp moved for approval at second 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.

e. Project President / Fee In Lieu of Tax Agreement

Action: Vice-Chairman Tripp moved for approval at second reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and a company known to the County at this time as Project President, 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.

Item (10) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading **Zoning Dockets CZ-2022-100, CZ-2022-101, CZ-2022-103, CZ-2022-104, CZ-2022-106 through CZ-2022-109.**

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

b. Metropolitan Sewer Subdistrict Enlargement / Territory of Travelers Rest

Councilor Seman presented for first reading an ordinance authorizing the enlargement of the territory of the Metropolitan Sewer Subdistrict and other matters related thereto.

Chairman Meadows stated the item would remain on the floor.

Item (11) Committee Reports

There were no reports.

Item (12) Administrator’s Report

No report.

Item (13) Requests and Motions

a. An Ordinance Regulating Conservation Easements in the Unincorporated Areas of Greenville County

Action: As noticed on the County Council agenda, Councilor Shaw presented an ordinance regarding conservation easements and asked that it be referred to the Planning and Development Committee.

Chairman Meadows referred the item to the Planning and Development Committee.

- Councilor Harrison requested Council consider an ordinance to restrict garbage collection times the County. He had received a number of calls about the issue; it had been reported to him that some companies were picking up trash in the early hours of the morning. Mr. Harrison stated he did not want to restrict private companies; however, there had to be a “happy medium” as to when that type of activity should occur.

Chairman Meadows referred the issue to the Public Works and Infrastructure Committee.

- Councilor Tzouvelekas thanked Mr. Kernell for the work done on the Prisma MOU (Memorandum of Understanding) regarding the proposed North Greenville Hospital. He requested a review of it by the Committee of the Whole.

Chairman Meadows stated it was his understanding that the MOU had not been completed; he asked Mr. Kernell where staff was in finalizing the document.

Mr. Kernell stated the document in question would actually be a contract upon completion; it would be finalized very soon. County Council had already approved the use of ARPA funds for the hospital.

Chairman Meadows referred the item to the next Committee of the Whole for discussion.

Vice-Chairman Tripp stated if the item was referred to the Committee of the Whole, it would set up the possibility of a vote. Since the item had already been approved by Council, reconsideration of the original vote would be required. Mr. Tzouvelekas was not on the prevailing side of the original vote. The motion to refer the item to the Committee of the Whole appeared to be out of order.

Chairman Meadows stated it was his understanding that, as a general agreement, Mr. Kernell would report back to Council regarding the item. He stated it could be discussed by Council without a vote. He agreed with Mr. Tripp regarding the proper procedure; however, the item warranted additional discussion. Approximately \$13 million was to be spent and Council should be very careful about the agreement. It was a “lot of money for the taxpayers.”

Councilor Tzouvelekas stated he had sent an email to his colleagues, along with Mr. Kernell, outlining his concerns. Some of his concerns included:

- Greenville County would pay Prisma \$13.5 million upon execution of the MOU
- No completed contract
- A 20-mile radius “of not doing anything else”
- Only a “seven-year deal” for \$13.5 million

Mr. Tzouvelekas stated his email outlined additional concerns; however, he could not remember them “off the top” of his head. He stated if the agreement was signed “as is”, the citizens of Greenville would not be protected as they should be. He indicated that he did not understand why Council could not discuss the issue as a group. Mr. Tzouvelekas stated the commitment from Prisma was not adequate; seven (7) years was not long enough. Prisma would be able to keep the money, even if they failed to obtain the necessary permits and licenses.

Councilor Seman stated that information was incorrect.

Mr. Tzouvelekas stated he had possibly “made a mistake” in what he said; however, his email was very clear and it had no mistakes. He added that perhaps what he had said was “not exactly right”, but, what he wrote in his email was correct.

Chairman Meadows referred the issue to the Committee of the Whole in order to give Council the opportunity to discuss it.

- Councilor Seman stated she was glad to be given the opportunity to attend the Veterans Day ceremony recently held at County Square. She thanked Mr. Kirven for his role in facilitating the event; it was a great reminder of what was important.
- Councilor Fant stated SCTAC was proud to announce that the long-awaited construction of the brake lane located at the ITIC Automotive test track was open for business. The latest addition to the test bed was in high demand and being used heavily. ITIC was doing an outstanding job.
- Councilor Ballard stated he agreed that the motion to send the Prisma MOU to Committee of the Whole was out of order. The item was not brought up by a Council Member on the prevailing side of the original vote, as required by Council Rules.

Mr. Ballard stated Greenville County operated on a Council/Administrator form of government. The Administrator ran the operations of the County and reported back to Council. He added that Council was “the policy group”, and, not involved in the operation of the County.

- Councilor Kirven stated the South Carolina Association of Auditors and Treasurers recently held a meeting in Greenville. He and Mr. Kernell attended the meeting and gave a brief presentation regarding the University Ridge project. Jim Coleman, Chairman of the Association, was the Auditor of Laurens County.

Mr. Kirven stated the South Carolina Association of Counties was scheduled to meet in Greenville the first weekend of December. He hoped his colleagues would be able to attend some of the activities planned.

Mr. Kirven thanked everyone who attended the Veterans Day ceremony.

- Councilor Tripp stated he had no issue with discussing the Prisma MOU. It was “perfectly legitimate” for Mr. Kernell to present it to the Committee of the Whole and answer any questions Council Members may have. Mr. Tripp stated it had already been approved by Council. In order to reconsider the item, proper procedures must be followed. Mr. Tripp stated with Council trying to work together amicably, there was plenty of time for discussion.
- Councilor Dill stated he agreed that proper procedures must be followed if the item was to be reconsidered. He had been fighting the battle since February and it was political; however, he did not understand why the issue was being brought forward again. Mr. Dill stated opposition to an issue regarding citizens’ lives was completely out of the context for a Council Member. The Administrator’s responsibility was to run the County; Council’s responsibility was to set policy. The hospital was needed for the citizens of northern Greenville County. He stated anyone who could not see that “was blind.” He trusted Mr. Kernell and Council needed to let him do his job.

Mr. Dill stated what had happened in New Washington Heights was “unthinkable.” The City of Greenville was in the process of annexing that area into the city limits. The citizens of New Washington Heights did not want to pay additional taxes. Mr. Dill stated he hoped the new Council would do something about the situation; the old Council had “crucified” that community.

Councilor Dill stated there were signs posted at the County’s landfills and convenience centers stating no guns were allowed on the premises, even if the owner possessed a Concealed Weapons Permit. He had reservations about the legality of the signs. Mr. Dill stated he was aware that firearms were not allowed in public buildings. He requested removal of the signs.

- Councilor Barnes stated the four (4) Council Members whose terms were ending in December. He thanked Mr. Dill, Mr. Meadows, Mrs. Norris and Mr. Ballard for their service, 70 years in total, to the citizens of Greenville County.
- Councilor Norris stated she continued to work with the citizens of New Washington Heights. It had been a long process and she hoped the situation would be rectified soon.

Item (14) ***Adjournment***

Action: Councilor Fant moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 6:55 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council