



GREENVILLE COUNTY COUNCIL

Minutes
Regular Meeting
May 2, 2023
6:05 p.m.

County Square - Council Chambers

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 and on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

Alan Mitchell, District 23

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
Phillip Simmons, Information Systems

Hesha Gamble, Assistant County Administrator
Tee Coker, Assistant County Administrator
Shannon Herman, Assistant County Administrator
Nicole Wood, Assistant County Administrator
Ted Lambrecht, Director; Parks, Recreation and Tourism
Ty Houck, Parks, Recreation and Tourism
Meredith Papapieris, Director of Grants and Special Projects
Rashida Jeffers-Campbell, Planning Director

Others Present

None

Call to Order

Chairman Dan Tripp

Invocation

Councilor Chris Harrison

Pledge of Allegiance

Item (4) Approval of Minutes

a. April 18, 2023 – Regular County Council Meeting

Action: Vice-Chairwoman Seman moved approval of the minutes from the April 18, 2023, Regular County Council Meeting.

Motion carried unanimously by Council Members present.

Item (5) Proclamations and Special Recognition

a. Artisphere

Councilor Seman presented a proclamation recognizing Artisphere, an annual three day event held in Greenville. The event offered access to some of the world’s most talented visual artists, dynamic performing arts, and diverse local culinary selections. Its mission was to create a nationally recognized fine arts festival that enhanced quality of life and economic vitality in South Carolina. It was one of the Southeast’s most popular and significant cultural events. Ms. Seman stated the success of Artisphere could be attributed to its Board of Directors, both past and present, the dedication of its staff, and the unwavering support of TD Bank, presenting sponsor since the festival’s inception.

Greenville County Council proudly acknowledged the 19th anniversary of Artisphere and celebrated its dramatic impact on the community.

Item (6) Appearances – Current Agenda Items

There were no speakers.

Item (7) Consent Agenda

- a. Project Safe Neighborhoods Grant *(Finance)***
- b. SCJAG Grant for Metal Detectors *(Finance)***
- c. FY2024 Solid Waste General Recycling Grant *(Finance)***
- d. FY2024 Waste Tire Grant *(Finance)***
- e. FY2024 Used Oil Grant *(Finance)***
- f. Community Project Application / Verner Springs Park \$2,500.00 *(Finance)***

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

Motion carried unanimously by Council Members present.

Item (8) Ordinances – Third Reading

a. Zoning Ordinances

- i. CZ-2023-016: Property of Frances Bronwyn Jones, located at 119 Watson Road, Fountain Inn, requesting rezoning from R-R1 to AG.**

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

Motion carried unanimously by Council Members present.

- ii. **CZ-2023-019:** Property of Arrow Properties, LLC, located at 2 Hatcher Creek Street, Hatcher Creek Street, and Ellis Mill Street, Simpsonville, requesting rezoning from NC to NC-Major Change with condition.

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

Motion carried unanimously by Council Members present.

- iii. **CZ-2023-020:** Property of Elaine Means Haugabook and Erin Means Mellen, located on Old Bramlett Road, Greenville, requesting rezoning from FRD to FRD-Major Change with conditions

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

Motion carried unanimously by Council Members present.

- iv. **CZ-2022-074:** Property of Ann K. Bowling, as Successor Trustee of the Grace H. Kleinschmidt Irrevocable Trust, located on Augusta Road and W. Georgia Road, Piedmont, requesting rezoning from R-R1 to C-3.

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

Motion carried unanimously by Council Members present.

- b. **Zoning Text Amendment - To Amend Article 4, Definitions, Article 6, Table 6.1 Uses Permitted, Uses by Special Exception, and Conditional Uses and Section 6.2, Use Conditions (28) Single-Family and Multifamily Residential in C-1, C-2, and C-3, Commercial Districts of the Greenville County Zoning Ordinance (CZ-2023-021)**

Action: Councilor Fant moved adoption at third reading an ordinance to amend the Greenville County Zoning Ordinance to amend Article 4, Definitions, Article 6, Table 6.1 Uses Permitted, Uses by Special Exception, and Conditional Uses, and Section 6.2, Use Conditions (28) Single-Family and Multifamily Residential in C-1, C-2, and C-3, Commercial District of the Greenville County Zoning Ordinance (CZ-2023-21).

Action: Councilor Fant moved to allow for amendments at third reading in order to consider an amendment at the next meeting to set an August 1 effective date for the ordinance.

Motion carried unanimously by Council Members present.

Action: Councilor Fant moved to hold the item until the next Council Meeting in order to take up the amendment at that time.

Motion carried unanimously by Council Members present.

c. Zoning Text Amendment - To Amend Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental (CZ-2023-022)

Action: Councilor Fant moved adoption at third reading an ordinance to amend the Greenville County Zoning Ordinance to amend Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental.

Motion carried unanimously by Council Members present.

d. Road Fee Revenue Bonds

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance providing for the issuance and sale of road fee revenue bonds of Greenville County, South Carolina, and other matters related thereto.

Motion carried with Councilor Shaw and Councilor Tzouvelekas voting in opposition; Councilor Mitchell was absent.

e. Road Maintenance Fee Revenue Bonds Series 2023

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance providing for the issuance and sale of not exceeding \$31,000,000 Greenville County, South Carolina Road Fee Revenue Bonds, Series 2023, for the expenditure of the proceeds thereof, for the payment of said bonds, and other matters related thereto.

Councilor Tzouvelekas requested a roll call vote.

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

f. Simpsonville Fire Service Area General Obligation Bonds

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance to provide for the issuance and sale of not exceeding \$900,000 Greenville County, South Carolina, General Obligation Bonds (Simpsonville Fire Service Area Project), in one or more series; 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 by Council Members present.

g. Mateis Solar Corporation (formerly Project Saving Daylight) / Fee in Lieu of Tax Agreement and Special Source Revenue Credit Agreement

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of a fee in lieu of tax and special sources credit agreement by and between Greenville County, South Carolina and Mateis Solar Corporation, 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 by Council Members present.

Item (9) *Ordinances – Second Reading*

a. Road Maintenance Fee Ordinance Amendment

Action: Chairman Pro Tem Kirven moved for approval at second reading an ordinance to amend the Road Maintenance Fee ordinances related to the definition of county road system.

Motion carried unanimously by Council Members present.

c. Project Perigree / Fee in Lieu of Tax and Special Source Credit Agreement

Action: Chairman Pro Tem Kirven moved for approval at second reading ordinance authorizing the execution and delivery of a fee in lieu of tax and special source credit agreement by and among Greenville County, South Carolina and companies known to the County at this time as Project Perigree 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 by Council Members present.

Item (10) *Ordinances – First Reading*

a. Greenville County Library System Budget

Chairman Pro Tem Kirven presented for first reading an ordinance to approve the appropriation of funds for the Greenville County Library System for the fiscal year beginning July 1, 2023 and ending June 30, 2024; and to authorize the annual ad valorem property tax millage levy for library purposes.

Chairman Tripp stated the item would remain on the floor.

b. Glassy Mountain Fire Service Area / General Obligation Bond

Chairman Pro Tem Kirven presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$400,000 Greenville County, South Carolina, General Obligation Bonds (Glassy Mountain Fire Service Area Project), Series 2023C; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matter related thereto.

Chairman Tripp stated the item would remain on the floor.

Item (11) *Committee Reports*

No report.

Item (12) Administrator's Report

Mr. Kernell stated Greenville County recently received a \$10 million grant from the South Carolina Infrastructure Authority for stormwater drainage improvements at multiple locations along the Reedy River basin. The goal of the projects was to improve water quality in the Reedy River and lower flood risks. Planned improvements included a section of the Reedy near Hampton Station; a tributary to the Reedy was confined on one side by rail lines and on the opposite side by utilities, creating a channel with high banks that lead to increased water flow and higher bacteria levels flowing into the river. The County planned to create a half-acre stormwater wetland near Hampton Avenue, an area that drained into the Reedy. The detention area would provide better drainage to mitigate flooding downstream and would allow stormwater to filter through a wetland, resulting in cleaner water in the river. Mr. Kernell thanked Judy Wortkoetter, County Engineer in charge of Land Development, for pursuing the funding. The South Carolina Rural Infrastructure Authority was established in 2012 to assist communities with financing for qualified infrastructure projects for water and wastewater systems as well as stormwater drainage facilities.

Mr. Kernell stated the City of Greenville was wrapping up construction of the Swamp Rabbit Trail bridges. County crews planned to begin paving portions of the trail in mid-May, as soon as the city's bridge contractor completed demobilization.

Item (13) Requests and Motions

- a. **Proposed Council Rule Amendment / 60-day Requirement for Items Referred to a Standing Committee**

Action: Per Council Rules, Councilor Tzouvelekas introduced the proposed amendment at the last Council Meeting; therefore, he moved to amend the County Council Rules to add a new Subsection (4) to Section V (F) in order to require items introduced by Council Members and sent to Standing Committees, to appear on an agenda within 60 days after referral.

Councilor Tzouvelekas requested his colleagues support the proposed. He stated it was good when items were sent to a committee for debate. Councilor Tzouvelekas requested a roll call vote.

Councilor Shaw asked if there was already a similar rule in place for items referred to the Planning and Development Committee.

Mr. Tollison stated Council Rules indicated that zoning matters were to move forward; no rule existed for other committee matters.

Chairman Pro Tem Kirven stated he appreciated Mr. Tzouvelekas presenting the item to Council; however, he felt it appeared to be coercive. Mr. Kirven stated it may better for Council Members to try and persuade their colleagues on the merit of an idea. He had never seen that approach fail and it worked when a majority of Council was in agreement, as opposed to being coerced by rules. Mr. Kirven stated he could not support the proposed item and suggested Council work collegiately.

Councilor Shaw stated he disagreed with the term coercion being used regarding the item. The proposed rule was an attempt to address the idea that the Chairman of a committee could "sit on something" and nothing gets done. Mr. Shaw stated four out of five committee members could be persuaded that an item held merit. The persuasion would be useless as the Chairmen of a committee made the final decision regarding whether an item was included on an agenda or not.

Councilor Fant encouraged his colleagues to become familiar with Council Rules. He stated committee Chairpersons could “sit on items” and not allow them to be discussed. For five (5) person committees, three (3) committee members could put an item on an agenda even if the Chairperson was not in favor. Mr. Fant stated eight Council Members could recall any item from a committee at any time.

Councilor Shaw stated he was unable to locate the Council Rule supporting Mr. Fant’s statement. He asked if it was a “tradition” or a rule.

Mr. Tollison stated Council Rules attempts to address all possible situations; however, in situations where a particular issue was not addressed, Mason's Manual of Legislative Procedure was to be used. According to Mason’s Section 626, it was possible for a majority of a committee to call a meeting and place an item the agenda.

Councilor Shaw stated he wanted to clarify that Council had written rules that were unadopted; and, those rules were not Mason’s. He stated the rule Mr. Fant referred to was under Mason’s and not County Council.

Mr. Tollison stated Council Rules had been adopted. Mr. Tollison stated under County Council Rules, if a question could not be resolved, Mason’s Manual of Legislative Procedure should be used.

Chairman Tripp stated during the previous year, the former Chairman of Council had demanded a Finance Committee meeting be scheduled in order to address a particular item. Mr. Fant and Mr. Tzouvelekas, along with Mr. Meadows, were the committee members who demanded the meeting be scheduled.

Councilor Barnes requested a roll call vote.

Motion was denied by a roll call vote of three (Blount, Shaw and Tzouvelekas) in favor, eight (Russo, Barnes, Harrison, Seman, Fant, Bradley, Kirven and Tripp) in opposition, one (Mitchell) absent.

Requests and Motions continued

- Chairman Pro Tem Kirven stated he attended a luncheon the previous day and Frank Rainwater, Executive Director of the Revenue and Fiscal Affairs Office, was the guest speaker. According to Mr. Rainwater, the pace of growth for the County’s elderly and retired population was increasing faster than its workforce age. Mr. Kirven stated data of that type should be considered when developing plans for growth and development as well as service needs. He encouraged staff to avail itself to the resources provided by the Revenue and Fiscal Affairs Office.
- Councilor Fant stated Jody Bryson, SCTAC, Andrew Dill, Lockheed Martin, recently hosted a comprehensive tour of the F-16 production facility for South Carolina Secretary of Commerce, Harry Lightsey. It was Mr. Lightsey’s third visit to SCTAC and his first tour of the Lockheed Martin facility; he indicated he was very impressed by the global home of the F-16.

Mr. Fant stated more than 200,000 people were expected to relocate to Greenville County within the next 20 years, causing development pressures mainly in the rural parts of the County. The Planning and Development Committee had collaborated with staff to finds ways to manage growth and keep the “green in Greenville.” Mr. Fant stated it was important for all those involved to be able to speak positively about proper growth while avoiding pushback from the residents. He looked forward to continuing the discussion.

- Councilor Russo stated he attended the Upstate Warrior Solution ribbon cutting for the new Rupert Huse Veteran Center on April 19. He also recently attended the center's First Responder Committee meeting. Mr. Russo stated the committee was working on state legislation to expand its reach into the first responder community.

Mr. Russo stated he had met with members of the Cliffs at Mountain Park community the previous week. They discussed discuss public safety concerns.

Councilor Russo stated the Board and Commission Ad Hoc Committee had met the previous week. The committee was working on some positive steps and he was excited to see the results.

Mr. Russo stated he was slated to speak at the Young Greenville Republican Club – Young Leaders Summit to be held later in the evening.

- Councilor Barnes thanked Mr. Kernell and staff for continuing to address the issue of used tires in Greenville County. They would be working closely with DHEC in regards to penalties and fines.
- Councilor Blount stated he had attended the BMW Pro Am Media Event earlier in the day. He stated it was interesting to hear the announcement of Larry the Cable Guy as one of the celebrity golfers against the backdrop of a \$150,000 car. He was looking forward to the event.
- Councilor Shaw invited everyone to visit Paris Mountain State Park. William Doyle, a local Boy Scout, built a new pedestrian footbridge at the park for an Eagle Scout Project. Mr. Shaw stated he assisted the Mountainside Garden Club in putting more gardens at the park.
- Councilor Harrison stated he felt the Board and Commission Ad Hoc Committee would bring about good changes to the current policy.

Mr. Harrison stated he recently attended the grand opening of a First National Bank located in his district. He stated it was important to highlight new brick and mortar businesses; the business climate was still strong in Greenville County. The event was well-attended.

- Vice-Chairwoman Seman stated the first meeting of the Board and Commission Ad Hoc Committee went really well. The committee discussed a number of issues including the board and commission process, applications, and qualifications for service. She thanked Regina McCaskill, Clerk to Council, for putting the information together for the committee and providing a solid foundation for the committee.

Ms. Seman stated she recently attended the Forever Green luncheon, celebrating the 25th anniversary of Upstate Forever. She was thankful for the work the organization was doing for conservation.

- Councilor Tzouvelekas stated earlier in the week, he attended the Alcohol and Drug Abuse Commission board meeting held at the Phoenix Center. He appreciated the board's work efforts in the area of addiction.
- Chairman Tripp thanked all those in attendance as well as his colleagues for all their hard work.

Item (14) *Adjournment*

Action: Councilor Barnes moved to adjourn the meeting.

Motion carried and the meeting adjourned at 6:39 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council