



GREENVILLE COUNTY COUNCIL

Minutes
Regular Meeting
March 19, 2024
6:00 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

None

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
Bob Mihalic, Governmental Relations Officer

Terrance Galloway, Information Systems
Phillip Simmons, Information Systems
Nicole Wood, Assistant County Administrator
Ronald Hollister, Assistant County Administrator, Public Safety
Tee Coker, Assistant County Administrator
Rashida Jeffers-Campbell, Planning Director

Others Present

Steve Cole, Executive Director, Greater Greenville Sanitation

Call to Order

Chairman Dan Tripp

Invocation

Councilor Benton Blount

Pledge of Allegiance

Item (4) **Approval of Minutes**

a. March 5, 2024 – Regular County Council Meeting

Action: Vice-Chairwoman Seman moved approval of the minutes from the March 5, 2024, Regular County Council Meeting.

Motion carried unanimously.

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

Councilor Blount recognized the members of the Greenville Literacy Association who were in attendance.

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

- **Dianne Vreeland** appeared regarding the following:
 - 13.b.i. Capital Projects Sales Tax Commission Appointments
 - 13.b.ii. Capital Projects Sales Tax Recommended Actions Resolution

- **Sally Wills** appeared regarding the following:
 - 15.a. Food Desert Policy

- **Jack Logan** appeared regarding the following:
 - 15.a. Food Desert Policy

Item (7) **Public Hearings**

a. Enersys Advanced Systems Inc. (formerly Project Cranberry Sauce) / 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 Enersys Advanced Systems Inc., 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 matter related thereto.

- **Kevin Landmesser** appeared in favor of the proposed

b. Laurens – Greenville Multi County Industrial Business Park Agreement Amendment / Hunter Industrial A Building Owner, LLC (formerly Project Hunter)

A public hearing was held for the purpose of receiving comments from the public regarding 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 (Hunter Industrial A Building Owner, LLC).

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

c. NC&E, LLC, and Watt Holdings, LLC (formerly Project Born) / Special Source 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 special source credit agreement by and between Greenville County, South Carolina and NC&E, LLC, 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 matter related thereto.

- **Kevin Landmesser** appeared in favor of the proposed

d. Flood Damage Prevention Ordinance Amendment

A public hearing was held for the purpose of receiving comments from the public regarding 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.

There being no speakers, Vice-Chairwoman Seman declared the public hearing closed.

Item (8) Consent Agenda

- a. **SC JAG Grant – MDT Replacement for Department of Public Safety**
- b. **Upstate Regional WMD HazMat Team Grant**
- c. **Cardiac Arrest Survivor Ceremony – Bon Secours Grant**
- d. **Cardiac Arrest Survivor Ceremony – Prisma Grant**
- e. **FY2025 Solid Waste Used Oil Grant**
- f. **FY2025 Solid Waste Tire Grant**
- g. **FY2025 Solid Waste General Recycling Grant**
- h. **FY2025 Solid Waste Creativity with Waste Reduction Grant**
- i. **Community Project Application / Herdklotz Park Pollinator Garden \$3,000.00**

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

Motion carried unanimously.

Item (9) Resolutions

- a. **SC Office of Resilience Mitigation Department Grant**

Action: Chairman Pro Tem Kirven moved for adoption a resolution authorizing the County Administrator and Chairman of County Council to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program Subrecipient Agreement between Greenville County and the South Carolina Office of Resilience to Fund Stormwater Infrastructure Improvement Projects that would mitigate the impact of future disasters.

Motion carried unanimously.

- b. **260 Wilson Bridge LP / Assignment and Assumption Agreement**

Action: Chairman Pro Tem Kirven moved for adoption a resolution approving, consenting to, and ratifying the assignment and assumption by Exeter 260 Wilson Bridge, L.P. of a fee in lieu of tax agreement by and between Greenville County, South Carolina, AE Magnolia LP, and AE WW LLC.

Motion carried unanimously.

Item (10) Ordinances – Third Reading

- a. **Energys Advanced Systems Inc. (formerly 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 between Greenville County, South Carolina and Energys Advanced Systems Inc., with respect to certain economic development property in the county,

whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

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

b. Laurens – Greenville Multi County Industrial Business Park Agreement Amendment / Hunter Industrial A Building Owner, LLC (formerly Project Hunter)

Action: Chairman Pro Tem Kirven 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 Hunter Industrial Park – Building A).

Motion carried unanimously.

Councilor Shaw inquired if Greenville County received monies from the project from Laurens County.

Chairman Pro Tem Kirven stated Greenville County received 1% of the proceeds.

c. NC&E, LLC, and Watt Holdings, LLC (formerly Project Born) / Special Source Credit Agreement

Action: Chairman Pro Tem Kirven moved for adoption at third reading an ordinance authorizing the execution and delivery of a special source credit agreement by and between Greenville County, South Carolina and NC&E, LLC, and Watt Holdings, LLC, 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.

Motion carried.

Item (11) Ordinances – Second Reading

a. Zoning Ordinances

i. CZ-2024-010, Property of Park West Associates, LLC, located on Park West Blvd., Greenville, requesting rezoning from S-1 to R-MA. The Planning Commission and Committee recommended denial.

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

Motion to deny carried.

ii. CZ-2024-012, Withdrawn by applicant.

iii. CZ-2024-013, Property of Hotel Enterprise, LLC, located on Grove Reserve Parkway and Old Grove Road, Piedmont, requesting rezoning from C-1 to C-2. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

iv. CZ-2024-014, Withdrawn by Applicant

- v. **CZ-2023-082**, Property of Geer Highway Holdings, LP, located at 1679 Geer Hwy. & Keeler Mill Rd., Travelers Rest, requesting rezoning from R-S to R-M12. The Planning Commission recommended denial and the Committee recommended approval as amended to O-D.

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

Action: Councilor Fant moved to amend the request to O-D.

Motion to amend carried unanimously.

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

Motion carried unanimously.

b. Flood Damage Prevention Ordinance Amendment

Action: Vice-Chairwoman Seman moved for approval at second 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.

Motion carried unanimously.

Item (12) Ordinances – First Reading

a. Zoning Ordinances

On behalf of the Committee, Councilor Fant presented for first reading Zoning Dockets **CZ-2024-16**, and **CZ-2024-18** through **CZ-2024-20**.

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

Item (13) Committee Reports

a. Finance Committee

i. Intergovernmental Agreement between Greenville County and the City of Greenville for Multi County Industrial Business Parks

Action: On behalf of the Committee, Chairman Pro Tem Kirven moved to approve an Intergovernmental Agreement regarding joint multi-county industrial and business park property, between Greenville County and the City of Greenville.

Motion carried unanimously.

b. Committee of the Whole

i. Capital Projects Sales Tax Commission Appointments

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to appoint Thomas Epting, Ray Lattimore and Lisa Stevens to fill the three County appointed seats on the Capital Projects Sales Tax Commission.

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

ii. **Capital Projects Sales Tax Recommended Actions Resolution**

Action: On behalf of the Committee, Vice-Chairwoman Seman moved to adopt a resolution recommending actions to the Capital Projects Sales Tax Commission in support of roads, bridges, and related infrastructure projects on the ballot.

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

Item (14) Administrator's Report

Mr. Kernell stated he had no report.

Mr. Kernell answered the following questions posed by Council Members:

Chairman Pro Tem Kirven asked Mr. Kernell if the County had an outside, independent audit done every year.

Mr. Kernell stated Greenville County had an outside, independent audit completed every year by a certified public accounting agency. The County chose to change agencies every couple of years. The audit was published online for the public to review; there were audits for the past 10 – 20 years available.

Chairman Tripp inquired about the difference between an outside, independent audit and a forensic audit.

Mr. Kernell stated they were basically the same. The major difference was a forensic audit was usually done for court matters, where additional documentation may be required. Both types of audits checked the same numbers.

Councilor Shaw asked if the audit indicated funds budgeted for a particular purpose were actually used for another purpose. He stated he was not aware of any allegations about monies being taken; however, he wanted to know if the County was able to track that information.

Mr. Kernell stated the budget report and audit showed what was budgeted and what was spent. All expenditures were tested; the auditors ran very thorough samples of the expenditures to ensure the County complied with a number of different requirements, such as the Single Audit Act. Mr. Kernell stated there were state laws and grant laws that dictated how the County was allowed to spend money. He stated to even suggest that the County did not have audits was totally ludicrous. Mr. Kernell stated monies may be budgeted for one purpose, such as office supplies, and used for office equipment instead. He stated if funds budgeted for a large ticket item were used for another purpose, there would be a notation regarding the expenditure.

Vice-Chairwoman Seman stated there were times when the amount budgeted for roads did not match what was spent. She asked Mr. Kernell to provide some insight into why the numbers differed.

Mr. Kernell stated there were a variety of reasons that could happen. The actual work done on a project could run into a second fiscal year. For example, during the past year, the County received approximately \$8 million in road maintenance fees and spent more than \$12 million in paving. It would be easy to say the County spent a lot more than was brought in; however; it was accumulative. Mr. Kernell reminded everyone that a couple of years ago, the Road Maintenance Fee was thrown out by the Supreme Court. The budget reflected the full \$25 to be collected, but, was forced to collect only \$15. The County had to cut back on expenditures as approximately \$8 million was collected, as opposed to a projected \$12 million. Mr. Kernell stated during the past year, the County was unable to get any bids on projects due to all the work that was being done on the area's major highways. The

time to allow a contractor to complete work on a project had to be extended to 18 months, instead of 12. Mr. Kernell stated Greenville County spent an average of \$12 to \$14 million a year in paving.

Item (15) **Requests and Motions**

a. Food Desert Policy

As noticed on the County Council agenda, Councilor Fant introduced a resolution to create a County policy regarding the establishment of grocery stores in underserved areas of Greenville County. Mr. Fant requested the resolution be referred to the appropriate committee.

Chairman Tripp referred the item to the Finance Committee.

Item (16) **Adjournment**

Action: Councilor Fant moved to adjourn the meeting.

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

Respectfully submitted:

Regina G. McCaskill
Clerk to Council