Volume 9 Issue 11

Development Impact Fees— Focus of April's Board Meeting

he idea is simple enough, new development should pay for itself. Unfortunately, there is nothing simple about development impact fees in South Carolina. As a result, these particular fees may not be for everyone. At ACOG's April 27th board meeting, Governmental Services Director **Joe Newton**, Association of Counties' Senior Attorney **Tim Winslow**, and nationally recognized impact fee expert **Paul Tischler** all presented and detailed the do's, don'ts and the essentials of a legal and workable impact fee system.

New and enormously expensive infrastructure costs can be paid for by current residents through property taxes, or by the developer and new residents through user fees. Impact fees are widely used throughout the United States to pay for roads, libraries, recreation facilities, water and sewer treatment and distribution facilities, and other infrastructure necessitated by new growth. The United States Supreme Court has even blessed the use of impact fees as long as there is a close relationship or "rational nexus" between the fee paid and the benefit received.

South Carolina's impact fee enabling legislation (SC Code 6-1-910) goes well beyond a rational nexus and outlines a number of required studies and other hurdles before the fee can be levied. Affordable housing studies, detailed capital improvement plans, impact analyses, engineering studies, spending deadlines, special accounting restrictions and other requirements make our law more onerous than most.



Paul Tischler of TischlerBise, Inc., addressed members and guests at ACOG's April 27th monthly board meeting.

Several South Carolina cities and counties have properly and successfully implemented the fees. The Town of Summerville withstood a legal challenge that went all the way to the South Carolina Supreme Court. Beaufort County has implemented an array of impact fees that have helped to construct and expand excellent transportation, recreation and library systems in an area of explosive growth.

Given proper care, study, preparation, planning and a growth rate that can sustain user fees, development impact fees can provide local governments with a useful tool to manage growing infrastructure needs. On the other hand, South Carolina's impact fees cannot be set or applied arbitrarily, and the fees cannot be treated as just another revenue source. Local governments would do well to do their homework before attempting them.

May-June 2007

ACOG VIEWPOINT Goes Bimonthly



Beginning with this issue, VIEWPOINT, ACOG's monthly newsletter, will become a bimonthly publication. This current printing will become the May-June issue, and the next issue will be published in early July. Through this change, the Council hopes to save about half of its annual \$2,000 newsletter printing and mailing costs. ACOG will also stop mailing its quarterly activity reports (they will still be available on the ACOG's website), and will be publishing a semiannual activity report in July and January. If there are any questions concerning these publications, please contact Debbie Courson at ACOG at (864) 242-9733.



Multi-Family Housing Construction

he South Carolina Appalachian Council of Governments has completed research and production of the 2006 Greenville County Multi-Family Housing Survey. This unique report contains an inventory and analysis of all known conventional and "income-dependent" apartment properties with 40 or more units, and all townhouse and condominium properties with 15 or more units. Information for this publication is obtained from letters and phone calls to apartment managers, rental agencies, developers and real estate agents.

The 2006 survey reported continued widespread construction of townhouse and condominium units. Construction of high-end developments in and around Greenville's central business district has skyrocketed in recent years, resulting in new upscale units being offered with list prices ranging from \$200,000 upward. Widespread construction of this unit type also continues in suburban portions of the county. Since 1999, the inventory of these units has more than doubled. The current report reveals that 679 units were added to this market in 2006 through new construction. Another 2,238 units were either under construction or planned at the time of the survey. All areas of the county continue to experience growth in condominium and townhouse construction.

Despite ongoing growth in the condominium and townhouse market, for the second year in a row, conventional rental occupancy rates have increased. At the time of the 2006 survey, the overall Greenville County occupancy rate was reported to be 94.8 percent, rising above the 2005 rate of 93.1 percent, which in turn had risen from a rate of 91.4 percent reported in 2004. Rent prices for conventional rental units experienced a decrease in the 2006 report. This adjustment by apartment managers is most likely a key factor in the ongoing stability of conventional occupancy rates.



The 2006 report revealed increased activity in the development of "incomedependent" properties. At the time of the survey, four such properties were under

construction. Two of these developments will target elderly tenants, while the other two will target "family" tenants. Although funding for public and subsidized housing continues to be limited, the tax advantage offered for the construction and rehab of low-income housing tax credit (LIHTC) units continues to encourage this type of development.

The Appalachian Council of Governments produces this one-of-akind survey annually for Greenville County and biennially for Anderson and Spartanburg Counties. For more information, or to purchase a copy of this publication, please contact the Information Services Department at 864-242-9733. This report is also available for online purchase at <u>www.scacog.org</u> by clicking on the "Publications" link.

Development Corporation News

In continuing a trend over the last several years, ADC loans are being predominately funded though the SBA 504 program. This is due, in some part, to limited availability of funds in the other programs, but, more importantly, to extremely attractive rates in the 504 loan program. The fixed-rate, 20-year SBA loans over the last several years have been in the 6.00% to 6.50% range, which is very attractive for commercial loans when the prime rate is 8.25%.

(ADC continued on page 8)

Seniors Farmers' Market Nutrition Project

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he Appalachian Area Agency on Aging, in partnership with the S. C. Department of Social

Services and the Department of Agriculture, will be issuing vouchers to individuals age 60 and older with limited income to pur-

chase produce at designated local farmers' markets. The vouchers can be used from June through October 15, 2007. This is the



fourth year our agency has administered the program in Greenville and Spartanburg counties.

Individuals with a monthly income of \$1,476 or less, or who receive SSI or food stamp benefits, are eligible for the coupons. Individuals must apply in person, provide proof of identity, and show that they live in the county where sign up is being held.

This program is intended to supplement the diets of seniors with fresh, nutritious produce and to support South Carolina's small farmers. South Carolina is one of several states that received USDA funds to operate the Seniors Farmers' Market Nutrition Program.

Oconee older adults can sign up with the United Way of Oconee June 5-7. Contact United Way of Oconee at (864) 882-9743 for times. The Anderson County Recreation Department is handling sign up in Anderson County the week of June 6-7 and can be contacted at (864) 231-2237 for location and times. Sign up for Spartanburg County is June 12-14, and Greenville County is June 26-28. Contact the Appalachian AAA for locations and additional information.

Workshop At ACOG to Help Get YOUR Town Ready for 2010 Census

oes your town or county need a boost in grant money to boost programs for education, infrastructure and healthcare? Are you adequately represented in Congress for the size of your jurisdiction? The U.S. Census Bureau is gearing up for the 2010 Census, and local elected officials will play a critical role in making sure that the Upstate is accurately enumerated in order to get a fair share of state and federal funding.

The ACOG will host a free two-hour workshop on the 2010 Census LUCA (Local Update of Census Addresses) program on May 14, 2007, at 9:00 a.m. and again at 1:00 p.m. Representatives from the Charlotte Regional Census Center will conduct two introductory sessions targeted at top elected officials. Participants will learn about the importance of the LUCA program to their community, three options for LUCA participation, and program responsibilities. Elected officials and planners in each county and municipality will receive an invitation soon to attend this important meeting.

The Local Update of Census Addresses program (LUCA) will allow the Census Bureau to benefit from local knowledge in developing its Master Address File for the 2010 Census. State and local governments can contribute to a more complete and accurate census for their community by reviewing and commenting on the list of housing unit addresses that the Census Bureau will use to deliver questionnaires within their community.

An accurate population count starts with an up-to-date and accurate address list. If a house address is listed on the Master Address File, it will ensure that the people residing at the address will be counted. A Government Accountability Office report for fiscal year 2000 indicated that about \$283 billion in federal grant money were distributed to state and local governments by formula; states received their share of this money based in part on factors such as annual population



estimates derived from the 1990 decennial census. When the population estimates were updated to reflect the 2000 census results, an additional \$388 million in federal grant funding went predominately to the 23 states that had above-average estimate revisions. With high competition for state and federal funds, a complete count is vital to cities and towns nationwide.

Local governments have an opportunity to fully participate in the events leading up to the actual census enumeration in 2010. Using what they learn at the promotional workshop on May 14, municipal leaders will choose the level of participation in the precensus address update. After LUCA participants receive the appropriate packet of maps and address lists, they will have 120 days to review and update the address list and return their comments to the Census Bureau's Regional Office. The Census Bureau will use the updates to check the addresses using GPS units and send the results back to the communities for comment or appeal.

Participation in the Local Update of Census Addresses program is not mandatory, but few municipalities will want to miss out on the chance to increase their census-based funding and ensure fair government representation.

For more information on how your local government can participate in LUCA, please contact: U.S. Census Bureau, Charlotte Regional Census Center (1-888-688-6948); S. C. Budget and Control Board, Office of Research & Statistics (803-734-3793); or Carol Andersen, ACOG (864-242-9733).

Ombudsman Corner What are the Possible Bad Effects of Chemical Restraints?



Immobility. The same physical effects of immobility caused by physical restraints can occur when chemical restraints are used. This is because chemically restrained people may be sleepy and unresponsive, sitting in one position for long periods of time.

Repetitive movements. Some chemical restraints can also cause a resident to have repetitive movements of the head and the tongue, which is known as tardive-dyskinesia. These movements may not go away, even when the drug is stopped.

Agitation. Sometimes, a drug intended to calm a resident has the reverse effect. The resident becomes even more agitated. Unknowing staff may then ask the physician for a larger dose, which only increases the agitation or causes death.

Too many drugs. The effects of taking many kinds of drugs, called poly-pharmacy, are especially dangerous for older people. For example, many drugs, including some psychoactive drugs, cause blood pressure to drop, leading to falls that may result in hip fracture. A chemical restraint increases the danger of this occurring.

After reading about the bad effects of restraints, you're probably wondering if there are any rules nursing facilities and physicians have to follow about restraints. There's good news the answer is "Yes!" The restrictions on using restraints have been included in federal law and in some state laws. These laws changed the standard of *(Chemical Restraints continued on page 5)*

May—Older Americans Month "Older Americans: Making Choices for a Healthier Future"

ever has it been more evident that one of the biggest challenges facing the United States is how

we will care for our grandparents, parents, and loved ones as they age. Views may vary on how to prepare for what will be a diverse wave of seniors, whose ranks are growing due to the aging of 78 million baby boomers. But all agree that this shift in our nation's demographics will have profound implications for our economic and social landscapes at the national, state and community levels.

Federal, state and community leaders are witnessing sweeping fundamental transformations in the way we think about and deliver health and long term care in this country. More and more, we hear that the overwhelming preference of the American people is to remain at home for as long as possible and to have choice and control over how and where they live as they age. The national aging services network, led by the U.S. Administration on Aging and comprised of state, tribal and area agencies on aging, and more than 29,000 community service providers, caregivers and volunteers, know this and have worked hard to carry out their mission under the Older Americans Act to provide for and protect the independence and dignity of our older citizens.

For 44 years, our nation has paused to honor older Americans during May. During this special month, the ongoing contributions of our older citizens are highlighted with a national proclamation issued by the President of the United States, and activities and events planned in communities across America.

The theme for Older Americans Month 2007 is "<u>Older Americans:</u> <u>Making Choices for a Healthier Future</u>." This theme encourages us to think differently about health and long term care, and work together to rebal-



Making Choices

ance and modernize our current systems so that we may adequately plan for and address the needs of current and future generations. Older persons are entitled to live lives of dignity and independence through:

- Streamlined access to information, as well as to home and community services, including information that will enable people to plan ahead for long term care;
- Information about cost-effective prevention practices and activities that will improve health and quality of life and reduce risk of disease, disability and injury; and,
- Innovative, affordable and flexible options of care and support that will provide an array of choices about how and where to live.

We urge people of all ages to seize upon the occasion of Older Americans Month to plan, promote and participate in activities during May and throughout the year that reflect the tenets of the national theme. We must all work together to ensure that every older person in this great country is treated with dignity and respect, and moreover, that each has the opportunity to make the choices they desire to enjoy a healthy and rewarding future.

Contact the local Council on Aging in your county to learn more about scheduled activities for Older Americans Month and to learn more about services provided.

Inman Holds Town Planning Charrette

he Town of Inman recently participated in a strategic planning charrette for their community. The event brought together elected officials, community and business leaders, and citizens to identify the key challenges facing the community. Although many leaders and community organizations have identified goals important to



Inman, the community has not put them

together in a strategic manner. Realizing the lack of coordination between different entities has hampered community improvement efforts in the past, the Town worked with the Spartanburg County Planning Department and the Appalachian Council of Governments to organize and facilitate this strategic planning meeting.

The focus of the meeting was to begin developing a common vision for Inman. Key issues identified were expanding business recruitment efforts; improving communication lines between the city leaders and residents of Inman; updating land use policies to create a more attractive community; and providing services and amenities needed to make Inman a more inviting, livable community. Results from this meeting will be used by the Town to develop a vision that will focus community improvement efforts as they move forward. For more information, you may contact Chip Bentley at 864.242.9733, or Lisa Bollinger with Spartanburg County at 864.596.3472.

Plan-A-Biz.Org — A New Resource for Entrepreneurs

he Appalachian Council of Governments (ACOG) is pleased to announce the launch o f PLANABIZ.org, a web-based suite of interactive mapping and demographic analysis tools designed to support small business development in the Upstate. The ADC Small Business Resource Directory catalogs organizations, publications, and websites that support small business development. The Plan-A-Biz Suitability Tool enables entrepreneurs, bankers, and business consultants to analyze the suitability of a proposed business location based on demographic factors. Interactive mapping tools and detailed regional databases supplement the application, which serves as a tool for refining business plans and enhancing the business development process.

Prior to utilizing PLAN-A-BIZ, the user should first conduct independent research to determine ideal retail market conditions for his proposed business type. Once the user has completed this crucial first step, the PLAN-A-BIZ tool leads him through a series of simple steps to enter his proposed business type, proposed location, and minimum market characteristics as determined by his independent research. The resulting report summarizes the values of key demographic variables for the market study area, compared to the minimum values input by the user. The values are reported for 2005 and projected for 2010. Annual household expenditures for the specified business type are reported for the market area. The report includes a map of the market area and a traffic count map for a onemile radius around the business.

The Plan-A-Biz suite of tools fills a need for small business support services used in conjunction with existing business development resources from local agencies. Counselors at the Clemson Small Business Development Center (SBDC) and the Appalachian



Development Corporation (ADC) already use the tools to assist clients with business plan development and financing packages. In addition to these organizations, the project also can assist lenders participating in entrepreneurial funding programs and chambers of commerce who place priority on developing entrepreneurship and growing small businesses. Although the tool is not intended as criteria for funding, nor is it an absolute predictor of success, it can be used to assess the potential viability of a new business and to indicate ways to refine business and marketing plans.

This project was funded by an Appalachian Regional Commission Grant, with additional funding and development support from the Appalachian Development Corporation, the ACOG, the EDIS Partnership and the Clemson SBDC. Technical development was provided by Brad Barnell of WebGIS Solutions.

For more information, visit the PLAN-A-BIZ web site at www.planabiz.org, or contact Carol Andersen, ACOG Information Services Director, at 864-242-9733.



(*Chemical Constraints continued from page 3*) practice to individualized care in place of restraints.

Article taken from: *Nursing Homes getting good care there*/Second Edition by Sarah Greene Burger, Virginia Fraser, Sara Hunt, and Barbara Frank.

Summer Travel for Caregivers

hether you're the caregiver of a child or senior, traveling in the summer has its joys and strains.

When you can look ahead and anticipate trouble spots, you may very well eliminate them before they have a chance to spoil your vacation.

Traveling with a child seems like a simple enough endeavor. How-

ever, some of the things you need to be aware of in the case of traveling with a child are:



* Do they get mo-

tion sickness easily, and will they tell you in time if they are? Having ice chips, soft drinks and crackers can help avoid that difficulty.

- * Is homesickness a problem if a long trip is planned? Perhaps by carrying along some special toys from home and the promising daily calls home will help allay fears.
- * Does the child know critical information should they become lost or separated from the main group or family? What is his phone number, his parents' full names and his address?
- * Has the child had all the proper inoculations for the area you are visiting? A review to see if the Tetanus injection is current is much quicker than a trip to the emergency room while on a "pleasure" trip.
- * If medicines are needed, are they packed where they will be easily accessible? With all the changes in rules and regulations for flights, you might need to do a quick review to be certain.

(Caregivers continued on page 6)

Fall Prevention

ne part of the Family Caregiver Advocates' job with the Family Caregiver Support Program is to make sure that we provide caregivers with adequate information on certain topics that will help them better care for their care receiver. One of the topics that comes up often when speaking with caregivers is fall prevention.

Falls are one of the most common ways an older adult becomes injured. Broken arms, hips and legs are just one of the risks an older adult may suffer as a result of a fall. Also, one may begin to see that their care receiver limit their mobility or even change their daily habits if there is a fear of falling. This article will discuss some of the ways a caregiver can help to limit falls in the home for their care receiver.

As you are probably already aware, most of an older adult's serious falls happen at home. Things that one may do to limit falls include looking around the house for items that may cause a person to fall. Be sure that all mats and rugs are skid proof or secured with tape. Be sure that all electrical cords are removed from walking pathways. Keep stairways and floors clutter free. Be sure that tools in the yard are picked up and that any hoses laying in the yard are rolled up.

Bathrooms are a dangerous place for falls. In order to make the bathroom safer, try placing a non-slip mat in the tub or shower. Sometimes installing grab bars in the tub, shower, and even next to the toilet will help significantly reduce falls. A shower bench with non-skid tips will also decrease falls in the shower or tub. Raised toilet seats are very helpful for individuals who may have trouble getting up and down from a standard toilet.

Dim lighting or dark areas in the home may also contribute to falls. Brighter lights may help a person see better in the home. Lamps or night lights near the bed may reduce falls. Motion, voice or clap activated switches may help as well. Be sure that all stair-



ways have proper lighting and that the edges of a step are visible.

Be sure that the care receiver is wearing shoes that give good foot support and are easy to walk in. Slippery soles or high heels can be a factor in falls. Always encourage the care receiver to use their walker or cane when needed.

These are only a few of the ideas a caregiver can take into account when working with the care receiver to help prevent falling. To obtain more information on fall prevention, or to inquire about training on fall prevention, contact the Family Caregiver Support Program at (864) 242-9733 or 1-800-925-4077.



he 4 WorkLink Youth Council Meeting, Madren Center, Clemson, 1:00 p.m.

(Caregivers continued from page 5)

When traveling with a senior, many of the same needs arise as mentioned with children; however there are many others that may be unique to seniors.

- * Has the airline been advised if a special meal or special provisions must be in place for your senior companion to board and travel safely?
- * Do you have a list of the doctors' names and phone numbers, should you need to contact them?
- * Do you know the proximity of the nearest hospital to where you will be vacationing? In addition, do you have a copy of the senior's living will and healthcare directives with you?
- * Have you thought of bringing along extra eyeglasses or extra items, should the senior lose or misplace something important? Dentures are often lost, though people rarely think they could be.
- * Is the equipment you are bringing along in good working order? Does it need maintenance before the upcoming trip?

Although many of these things seem simple, they can really affect the quality of your vacation if any of them are not in order. The role of caregiver takes on a whole new meaning when you're out of your comfort zone in a new setting. A brief review of the preceding points might save the caregiver a lot of strain in what was meant to be a pleasure trip for all.

If you have questions as a caregiver regarding respite or other issues regarding your grandchild or senior, please contact the Family Caregiver Support Program. Debra Brown or Sam Wiley will be happy to speak with you regarding your concerns. Call 800-925-4077, or 864-242-9733. Fax to 864-242-6957. or contact bv email:brown@scacog.org, or swiley@scacog.org.



Budget and Control Board Offers Loans for Water and Sewer Projects

he Office of Local Government at the South Carolina Budget and Control Board offers low interest loans for water and sewer projects through the State Revolving Fund (SRF) for Wastewater and the SRF for Drinking Water.

The SRF for Wastewater is sponsored by the Environmental Protection Agency (EPA) under authority of the Federal Clean Water Act. Since 1989, South Carolina has received over \$336 million in federal and state matching funds to capitalize the fund. For FY 2007, over \$90 million is available for wastewater projects at interest rates from 1.00% to 3.50%. Municipalities, counties, and special purpose districts are eligible to apply for loans through this program to construct wastewater facilities, including relocation of sewer lines due to highway widening, and non-point source projects such as stormwater. The program allows up to 100 percent financing of all eligible costs including 20-year reserve capacity. All projects must be on the DHEC priority list to be eligible for a loan. However, projects may be added to the list at any time by submitting a priority questionnaire to DHEC.

In 1997 the U.S. Congress authorized funding to capitalize a revolving loan fund for drinking water to facilitate compliance with the Safe Drinking Water Act. The SRF for Drinking Water funds are available for drinking water supply or distribution system improvements, including relocation of water lines due to highway widening. The SRF for Drinking Water operates in virtually the same manner as the SRF for Wastewater. For FY 2007, over \$22 million is available through this program.

The interest rates for both programs are:

• Standard Rate – 3.5%: Applies to all systems with more than 10,000

population and all systems with Median Household Income (MHI) greater than \$37,082 (State MHI) regardless of size.



- Small System Rate 2.5%: Incentive rate for small systems of less than 10,000 population <u>and MHI less</u> than State MHI.
- Hardship Rate 1.0%: Available to systems that would meet the small system rate <u>and</u> their Level of Effort is more than 1.3%. (LOE is annual cost of water or sewer based on 6,000 gallons monthly usage divided by system MHI.)

These low interest rates for FY 2007 significantly reduce annual debt service costs, as well as the total amount paid over the life for the loan. Such savings directly benefit the rate-paying customers and the system.

For more information on either of these loan programs, contact Ms. Trish Comp at the S. C. Budget and Control Board in Columbia (737-3808), or Dirk Reis at the ACOG.

HISTORIC FACTS ...

The Stumphouse Tunnel, located in Oconee County, was the result of an attempt to connect Charleston with the Midwest. Before the 1860's, the Blue Ridge Railroad started the tunnel as a rail link; however, work came to a halt when the contractor went bankrupt.

Campbell's Covered Bridge, one of South Carolina's historic sites of interest, was built in 1909. This landmark was restored in 1964 and was actually relocated to its present home.

Grant Opportunity — S.C. State Historical Records Advisory Board Re-Grant Project, 2007-2008

n May 24, 10:30-12:30 p.m., the Appalachian Council of Governments will be hosting a local government grant workshop con-

ducted by the S. C. Department of Archives and History. The National Historical Publications and Records Commission (<u>NHPRC</u>) awarded to the State Historical Records Advisory Board (SC SHRAB) a \$128,040 grant to conduct a re-grant project for South Carolina's local governments, historical records repositories (e.g., historical so-

cieties, colleges and universities, museums, public libraries, and churches) and professional organizations. The SC SHRAB will make grants to



institutions and organizations on a competitive basis.

The types of projects to be funded for local governments include: * Consultant advice and assistance

- * Records inventory and scheduling (with an archival component)
- * Archival program enhancement
- * Microfilming of historically significant pre-1960 records

There are two funding cycles, with the following application deadlines: September 14, 2007, for projects beginning after January 1, 2008. Letters of intent are due July 6, 2007.

A records expert will also be available to answer general <u>records</u> <u>management questions</u>, as time permits, and to give guidance and direction in this area.

Re-grant project information can be found on the Archive website at <u>www.state.sc.us/scdah</u>. Contact John D. Mackintosh at (803) 896-6122, jdmackin@scdah.state.sc.us, to sign up for the workshop.

VIEWPOINT

Appalachian Council of Governments P. O. Box 6668 Greenville, South Carolina 29606

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(ADC continued from page 2)

The ADC took the following actions in its last board meeting:

- A request of \$1,338,000 through the ADC's SBA 504 program was approved by the ADC Board, contingent upon SBA's concurrence and approval of the project for Carmike Properties, LLC/River Place Restaurants, LLC. This loan will be made in conjunction with \$1,625,000 in permanent funding through South Carolina Bank and Trust. The loans will fund the purchase of land, building and equipment for a new Mediterranean restaurant to be located in the new Hampton Inn in downtown Greenville.
- A request for \$680,000 was approved for UGC, Inc., doing business as Yardiac.com, through the SBA 504 program, which will be subordinate to \$870,897 in funding from Wachovia Bank, N.A. The \$1.5 million in funds will be used for the construction of a new warehouse off Pelham Road in Greenville County. Yardiac.com is an Internet marketing company that sells lawn and garden needs worldwide. Products include garden accents, plant and lawn care products, gardening tools, pots and planters, trellises, greenhouses, garden apparel, patio heaters, etc.

If you know of a possible loan situation that can benefit from low-interest, fixedrate, gap financing, please contact David Mueller or George Long at the Appalachian Development Corporation at (864) 242-9733.



ADC loans will fund the purchase of land, building, and equipment for a new **Mediterranean restaurant** to be located in the new **Hampton Inn** in downtown Greenville.