



GREENVILLE COUNTY COUNCIL

Minutes

Special Called Meeting

March 11, 2020

3:03 p.m.

County Square – Council Chambers

301 University Ridge

Greenville, South Carolina 29601

Council Members

Mr. Butch Kirven, Chairman, District 27

Mr. Willis Meadows, Vice Chairman, District 19

Mrs. Xanthene Norris, Chairman Pro Tem, District 23

Mr. Joe Dill, District 17

Mr. Mike Barnes, District 18

Mr. Sid Cates, District 20

Mr. Rick Roberts, District 21

Mr. Bob Taylor, District 22

Mrs. Liz Seman, District 24

Mr. Ennis Fant, Sr., District 25

Mr. Lynn Ballard, District 26

Mr. Dan Tripp, District 28

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted 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*

John Vandermosten, *Assistant County Administrator, Public Safety*

Paula Gucker, *Assistant County Administrator, Public Works*

Bob Mihalic, *Governmental Relations Officer*

Shannon Herman, *Assistant County Administrator*

Nicole Wood, *Assistant County Administrator*

Others Present

None

Call to Order

Chairman Kirven

Invocation

Vice-Chairman Willis Meadows

Chairman Kirven thanked Interim Sheriff Johnny Mack for his last few days in office and for the deputies providing security for the meeting. Mr. Kirven recognized the deputies in attendance.

Chairman Kirven welcomed everyone to the meeting. Given the number of attendees, he requested that everyone please act in a courteous and respectful manner throughout the meeting.

Item (3) Reconsideration of the Resolution Establishing a Sunset Clause for Old Resolutions

Chairman Kirven stated Councilor Ballard had notified Council of his intent to request reconsideration of the resolution establishing a sunset clause for old resolutions.

Action: Councilor Ballard moved to suspend Council Rule 3.D.9. to allow Council to reconsider the March 3 vote on the resolution establishing a sunset clause for old policy statement resolutions. The motion would suspend the next consecutive regular meeting and prevailing side requirements.

Vice-Chairman Meadows requested to hear Council Rule 3.D.9.

Mark Tollison read Council Rule 3.D.9. as follows:

“When a question has been decided, a member who voted on the prevailing side of the question, at the same meeting of the Council, or at the next consecutive regular meeting of the Council, may move for reconsideration. If the Council shall refuse to consider, or upon reconsideration, shall affirm its initial decision, the motion shall not be in order for a period of one year except by a three fourths vote of those members present and voting. For all meetings subsequent to the meeting at which a question was decided, proper notice must be given of a Council member's intent to move for reconsideration.”

Vice-Chairman Meadows stated Chairman Kirven made a statement to the newspaper indicating that extensive legal research had been completed in order to permit the suspension of the rule in question; he requested a review of the research to be presented.

Chairman Kirven stated it was hard to single out Councilor Ballard’s motion as objectionable among the many similar motions Council had approved going back for quite some time. Additionally, he also pointed out that Council Rule 6.B. indicated the following:

“Rules relating to priority of business or to procedure may be suspended by a majority vote of the members of Council.”

Chairman Kirven stated it was his opinion that Councilor Ballard’s motion was in order.

Councilor Dill stated Council Rule 3.D.9. indicated a request for reconsideration was to be presented at the next regularly scheduled meeting, not a special called meeting.

Mark Tollison stated Councilor Ballard’s motion was to suspend the entire rule.

Action: Councilor Seman called for the question.

Chairman Kirven stated a motion to call for the question was non-debatable.

Point of Order: Councilor Cates asked how many votes were needed in order for Councilor Seman’s motion to pass.

Chairman Kirven stated seven (7) votes were needed.

Motion to call for the question carried by a roll call vote of eight (Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and four (Dill, Barnes, Meadows and Cates) in opposition.

Point of Order: Councilor Cates asked how many votes were needed in order for Councilor Ballard's motion to pass.

Chairman Kirven stated seven (7) votes were needed.

Motion to suspend Council Rule 3.D.9. carried by a roll call vote of eight (Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and four (Dill, Barnes, Meadows and Cates) in opposition.

Action: Councilor Ballard moved to reconsider Council's March 3 vote on the sunset resolution.

Action: Councilor Ballard called for the question.

Motion to call for the question carried by a roll call vote of ten (Dill, Meadows, Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and two (Barnes and Cates) in opposition.

Motion to reconsider Council's March 3 vote on the sunset resolution carried by a roll call vote of eight (Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Tripp) in favor and four (Dill, Barnes, Meadows and Cates) in opposition.

Action: Councilor Ballard moved to establish a sunset clause of four years on all County Council policy resolutions.

Action: Councilor Ballard called for the question.

Councilor Tripp suggested debating the item in question; this would allow Council Members on both sides of the issue to voice their opinion.

Councilor Ballard stated Council had "beat it to death."

Councilor Tripp stated he would not vote in favor of the motion to call for the question.

Motion to call for the question carried by a roll call vote of seven (Roberts, Taylor, Norris, Seman, Fant, Ballard and Kirven) in favor and five (Dill, Barnes, Meadows, Cates and Tripp) in opposition.

Vice-Chairman Meadows stated he was opposed to the proposed resolution because there would be unintended consequences. If the item was approved by Council, the County would lose Veterans Day holiday as well as the Martin Luther King, Jr. holiday.

Chairman Kirven stated Councilor Meadows was incorrect regarding the County losing holidays. He asked Mr. Meadows if he was finished with his commentary.

Point of Order: Councilor Tripp stated no commentary was allowed at this point.

Vice-Chairman Meadows stated his vote was "no."

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

Item (4)

Adjournment

Without objection the meeting was adjourned at 3:19 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council