



## GREENVILLE COUNTY COUNCIL Minutes

Regular Meeting  
July 21, 2020  
5:04 p.m.

County offices closed for public meetings  
Meeting conducted by remote participation

### **Council Members present by remote participation**

Mr. Butch Kirven, Chairman, District 27  
Mr. Willis Meadows, Vice Chairman, District 19  
Mrs. Xanthe 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 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*  
**Paula Gucker**, *Assistant County Administrator, Public Works*  
**Shannon Herman**, *Assistant County Administrator*  
**Nicole Wood**, *Assistant County Administrator*

### **Others Present**

None

### **Call to Order**

Chairman Kirven

### **Invocation**

Councilor Liz Seman

### **Pledge of Allegiance**

**Item (4) Approval of Minutes**

**Action:** Vice-Chairman Meadows moved to approve the minutes of the June 12, 2020, Special Called Council Meeting and the June 16, 2020, Regular Council Meeting.

Motion carried unanimously.

**Item (5) Public Hearings**

**a. Boiling Springs Fire District / Millage Request**

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to provide for the millage rate to be levied by the Boiling Springs Fire District.

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

**b. South Greenville Fire District / Millage Request**

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to provide for the millage rate to be levied by the South Greenville Fire District.

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

**c. JIDA Industrial Solutions Inc., (formerly Project San Diego) / 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 JIDA Industrial Solutions Inc., 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.

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

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

- Mitchell Postich, 4 E Long Creek Court, Simpsonville - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Andrea Miller, 133 Buist Ave. Unit B, Greenville - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Adrianna Krzywicka, 28 Blackburn Street, Greenville - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Maya Hislop, 210 Robinson Street, Greenville - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Farris Steele Johnson, 37 Montgomery Street, Greenville - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Janine D'Souza, 8 Red Bark Court, Taylors - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation
- Kritika Sethi, 210 Meadow Lake Trail, Greer - appeared regarding Item 9.i. Greenville County Sheriff's Office Citizen Advisory Board Creation

**Item (7)      Emergency Ordinance**

**Action:** Vice-Chairman Meadows moved for approval an ordinance to maintain a temporary suspension of the regular operating rules of County Council meetings to provide for County Council and other County related meetings during the COVID-19 pandemic.

Vice-Chairman Meadows stated the proposed ordinance would be in effect until September 20, 2020.

Vice-Chairman Meadows stated he was in favor of face-to-face meetings as they were much more effective. However, when looking at the numbers, he did not think it was a good idea to resume face-to-face meetings at this time. Greenville County had 96 cases of COVID-19 in March, 632 cases in April, 913 cases in May and 3200 cases in June. Mr. Meadows stated through July 17, there have been 2800 cases in the County. He felt more testing was a contributing factor to the higher numbers. The number of deaths was more concerning than the number of cases. Greenville County had 1 death in March that was attributed to COVID-19, 26 in April, 20 in May and 16 in June. Those numbers gave hope that things were started to decline; however, there had been 42 deaths thus far attributed to COVID-19 in July. Council Members were at risk, some more than others, as well as many of the people who regularly attended Council meetings. Council had a responsibility to provide a safe environment for meetings. Mr. Meadows stated Council was doing a reasonable job in taking care of the business of the County. While he would like to return to face-to-face meetings, he supported the proposed ordinance.

**Action:** Councilor Ballard moved to amend the proposed ordinance as follows:

County Council would resume in person meetings in Council Chambers beginning with the next regularly scheduled meeting on August 18, 2020; Standing Committees would resume in person meetings in Conference Room D beginning with the next regular scheduled meeting. Zoning Public Hearings would also be conducted in person in Council Chambers. County Council Members were permitted to attend County Council meetings, and all County Council Standing Committee meetings, electronically (telephonically or by video conference or other virtual means) in accordance with the South Carolina Freedom of Information Act. The meetings would be live-streamed and available to the public online.

For those attending the meeting:

- Wearing of masks would be required, with the exception of when a member was speaking or if Council was being addressed by Staff or a member of the public
- If some members were not physically in attendance, their chairs would be pulled back from the dais allowing more distancing between the members present
- The number of attendees at the meeting would be limited based on the ability for social distancing to be observed
- Attendees would be admitted to the room and directed to be seated – no congregating in the Chamber would be allowed before or after the meeting
- Any member of the public wishing to speak at the meeting must register with the Clerk to Council before noon the day of the meeting

Councilor Ballard stated he had been approached by several people over the last 2-3 weeks, inquiring as to why Council was not meeting in person; he told them to contact their Council Representative. The local municipalities were meeting in person and most employees had returned to work; it was Council's job to be back at work in Council Chambers. Mr. Ballard recommended his colleagues approve the amendment.

Councilor Fant stated he had spoken extensively with Mr. Ballard about the situation; he would like to return to in-person meetings as they seemed to be more efficient. Mr. Fant stated 33% of the residents of his district lived in poverty; 80% worked in "front-line" or "essential" jobs, which prohibited at-home work or the ability to teach their children virtually. They interacted with the public on a daily basis with higher exposure to COVID-19. He stated it would be disingenuous for him to support in-person meetings; everyday he stressed the importance of washing hands, social-distancing, wearing masks and venturing out only when absolutely necessary. As much as he wanted to support his friend and colleague, Mr. Ballard, he could not support the proposed amendment. COVID-19 disproportionately affected persons of color; many of those in poverty did not have access to adequate healthcare. He was also worried about Ms. Norris, age 91; she would probably attend in-person meetings, if the amendment was approved. He would not vote in favor of Mr. Ballard's proposed amendment.

Chairman Kirven stated he looked forward to the time when Council resumes regular face-to-face meetings; he felt certain that his colleagues felt the same. The only problem with Councilor Ballard's amendment was the timing and the data which indicated rising numbers. Council would retain control of the situation if the extension was approved; the order could be rescinded at any time the data suggested it was safe to return to partial or total in-person meetings.

Councilor Roberts stated he liked the discussion; everyone had made valid points. Most Council Members had been out in the public, participating in different events; however, most were reluctant to participate in face-to-face meetings. He would like to see some type of hybrid meetings; Council Chambers was large enough to accommodate responsibly-held meetings. Other counties were conducting meetings face-to-face. Council lost "true transparency" when conducting meetings remotely; very few citizens spoke and Council did not get a good "feel" for what they were saying. As leaders, Council had not really talked about the virus. Nothing had been put on the agenda and a mask ordinance had not been proposed or discussed. Council was not willing to discuss the situation as it was so scary; yet, they expected everyone else to return to work. As leaders, the citizens of Greenville County wanted to see Council Members involved. Most County employees were back at work and Council expected them to be there. While he understood everyone's concern, he felt Council needed to develop a plan to meet face-to-face; he suggested Joe Kernell and staff submit recommendations on how to do so.

Councilor Seman thanked Mr. Ballard for the proposed amendment. She was in favor of in-person meetings and grateful he had included her suggestions in regards to masking, social distancing and other safety measures. Clearly it would take an effort from staff to facilitate some type of in-person meetings. Greenville County was the largest county in the state with very smart employees. If the smaller municipalities were able to meet in-person and livestream meetings, Greenville County could do the same. It would take creativity and understanding on the part of staff, Council and the public. Things would not be the same, even when face-to-face meetings resumed. Council Chambers could not be filled; safety guidelines would still be in place in terms of density. Perhaps citizens wishing to address Council would wait in their car until it was time to speak. She did not want to wait until the end of September to make a decision about in-person meetings. Council could recall the extension at any time; however, part of leadership was to inspire hope. It was hard to work from home; there would be issues in the future that would be best handled face-to-face. Ms. Seman suggested Mr. Kernell and staff develop a plan of action for future meetings.

Chairman Kirven stated he agreed with Ms. Seman's suggestion; he requested Mr. Kernell and staff develop a plan of action to resume in-person meetings on a gradual basis.

Mr. Ballard's motion to amend was denied by a roll call vote of four (Roberts, Seman, Ballard and Tripp) in favor and eight (Dill, Barnes, Meadows, Cates, Taylor, Norris, Fant and Kirven) in opposition.

Councilor Tripp stated Council had made public policy decisions based on political agendas and fear, rather than logic and medicine.

**Action:** Councilor Tripp moved to amend the proposed ordinance to state the emergency ordinance would be included on all upcoming agendas and would require a vote, at each meeting, to determine if the extension remained in effect.

Councilor Dill stated he understood what Mr. Tripp was trying to accomplish; however, Council had the ability to bring the item to Council at any time. Mr. Dill stated it would be an "exercise" to vote on the item at every meeting.

Chairman Kirven stated emergency ordinances were, by law, temporary in nature.

Councilor Dill stated Council should get accustomed to things the way they were. Whether Council decided to meet in-person or remotely in the future, things would never be the same as they were, prior to the pandemic.

Chairman Kirven stated Council would be able to make better-informed decisions regarding in-person meetings by combining Mr. Kernell's upcoming report and the available data regarding the pandemic.

Councilor Roberts stated Council should have discussions regarding the issue on a regular basis, perhaps every couple of weeks. By the next meeting, staff could certainly be prepared to report to Council on its findings regarding in-person meetings, as well as any hybrid-types of meetings. The State Legislature was meeting in-person, along with Federal officials and most municipalities and other counties. Formalizing discussions on the issue was the very least Council could do, at this point. Mr. Roberts stated he looked forward to staff's report. He appreciated Mr. Tripp's amendment and supported the idea of discussing the issue at every meeting.

Mr. Tripp's motion to amend was denied by roll call vote of five (Roberts, Norris, Seman, Ballard and Tripp) in favor and seven (Dill, Barnes, Meadows, Cates, Taylor, Fant and Kirven) in opposition.

**Action:** Councilor Dill moved to amend the proposed ordinance to state the County's policy regarding Council meetings applied to all county-related committees.

Vice-Chairman Meadows stated that all county-related committees were included in the proposed ordinance.

Councilor Dill withdrew the amendment.

Councilor Roberts stated he planned to have a Committee on Public Safety meeting with local public officials to discuss the pandemic; most had expressed a desire to meet in-person. Mr. Roberts stated the decision to meet in-person should be up to the discretion of the committee chairperson; members could show up in-person if they wanted to, but would have the option to attend the meeting remotely.

Mark Tollison, County Attorney, stated the emergency ordinance simply suspended Council Rules in order to permit Council to conduct meetings remotely, if they chose to do so. The ordinance would not mandate that all meetings were to be held remotely.

Chairman Kirven inquired if Council's standing committees would have to abide by the ordinance.

Mr. Tollison stated the ordinance would simply allow the committees to meet remotely; if the committee members chose to meet in-person, they could do so.

Councilor Roberts stated smaller groups should be able to manage in-person meetings effectively.

Chairman Kirven stated he was concerned about the logistics regarding meetings. The four (4) recommendations to "kill" the virus were to wear a mask, wash hands, maintain social distancing and avoid crowds. As the public would be invited, in-person meetings would violate the recommendation to avoid crowds. Council needed to make a maximum effort to "kill" the virus in order to resume in-person meetings.

Councilor Dill stated he wished to put his amendment back on the floor.

**Action:** Councilor Dill moved to amend the proposed ordinance to state the County's policy regarding Council meetings applied to all county-related committees.

Councilor Dill stated he felt Council's policy regarding meetings should be the policy of all committee meetings; he did not want the County to incur extra expenses in an effort to clean. Council would be looking at data and studies in order to determine the right way to return to in-person meetings. Mr. Dill stated he would like to see the proposed ordinance also be the County's policy.

Councilor Roberts stated he understood Mr. Dill's position; however, some Council Members had participated in press conferences and other public events. Mr. Roberts inquired about the availability of space in order to have unofficial or information-gathering meetings. As long as a quorum did not exist, committee members should be able to meet with members of the public. Mr. Roberts asked if meetings of those types should be held "off-site."

Chairman Kirven stated Council regularly received a list of County employees who were currently out of work due to COVID-19 and the number was not shrinking. All meetings at County Square had to be supported by staff; there were staff members currently affected by the virus. Mr. Kirven stated he normally erred on the side of caution; the virus was a dangerous situation and Council needed to treat it as such.

Councilor Roberts inquired about amending Councilor Dill's amendment.

Chairman Kirven stated Mr. Dill's amendment was currently on the floor and open for discussion.

Councilor Dill stated he was concerned that Council would start having in-person meetings and they would not be inclusive; he would prefer to continue to meet remotely and not jeopardize anyone's health. If Mr. Kernell and his staff were able to develop a plan to meet in-person in a responsible manner, he would certainly attend.

Chairman Kirven stated there was value in being consistent.

Councilor Roberts inquired about an ordinance to require masks be mandatory.

Chairman Kirven stated it was not germane to the discussion and not a current agenda item.

Councilor Tripp stated the emergency ordinance was permissive; it allowed Council to hold electronic meetings. Mr. Tripp questioned the need for Councilor Dill's amendment.

Chairman Kirven stated to keep consistency.

Councilor Tripp inquired if Council was in violation of current County ordinances by having virtual meetings.

Chairman Kirven stated Council was not in violation of current County ordinances. Under the Freedom of Information Act, the emergency ordinance was necessary in order to continue to hold meetings electronically.

Councilor Tripp stated if the proposed ordinance also applied to the committees, the amendment was not needed. If it did not apply to the committees, Council had been violating FOIA requirements and other County ordinances for the past few months.

Mr. Tollison stated Council Rules specified that Council Members had to be physically present during a meeting in order to participate. Council Rules could have been amended; however, the emergency order was the vehicle used to suspend the requirement and allow Council to meet remotely.

Councilor Tripp stated he was not referring to the underlying emergency ordinance; rather, he was referring to Mr. Dill's amendment. If the current emergency ordinance did not cover committee meetings, then presumably, Council had been in violation of FOIA laws by holding committee meetings on a remote basis.

Mr. Tollison stated the emergency ordinance covered committee meetings.

Councilor Tripp inquired about the need for Councilor Dill's amendment; it was superfluous.

Chairman Kirven stated it appeared to be an effort for consistency.

Councilor Norris requested clarification of Mr. Dill's amendment.

Chairman Kirven stated Councilor Dill's amendment, if approved, would consistently apply the method of meeting between Council and its standing committees. If Council met remotely, then the committees would meet remotely; if Council opted to meet in-person, the committees would follow suit. The emergency order was temporary in nature; at some point, it would no longer be needed and Council Rules would be in effect. Changing Council Rules was not temporary in nature; doing so was not as expeditious.

Councilor Roberts asked about the legality of the ordinance and the amendment. He inquired about what ordinance the committees been working under.

Chairman Kirven stated the committees had been working under the current emergency ordinance.

Vice-Chairman Meadows stated the proposed ordinance stated the same thing as the current emergency order; it applied to Council meetings and other county-related meetings, during the pandemic.

Chairman Kirven stated the emergency order was permissive; it allowed Council and the committees to meet at their discretion, either remotely or in-person. Mr. Dill's amendment would require them to meet uniformly, one way or another.

Vice-Chairman Meadows stated if that logic was followed, only remote meetings would be allowed. Mr. Meadows stated he did not really see what Council was discussing; Council and the committees could either meet remotely or not.

Councilor Roberts stated if three (3) members of the Committee on Public Safety would like to meet in-person; it should be up to the independent committee members to determine how they would like to meet.

Chairman Kirven stated he could see the value in consistency as opposed to having one group meet one way and another group meet another way.

Councilor Tripp asked if the emergency ordinance was permissive or did it require Council conduct meetings remotely.

Chairman Kirven stated the current ordinance did not require remote meetings.

Councilor Tripp stated if Mr. Roberts wanted to have an in-person committee meeting, he would be allowed to do so under the emergency ordinance.

Chairman Kirven agreed and added only remote meetings would be allowed under Mr. Dill's proposed amendment.

Councilor Tripp questioned a permissive ordinance that allowed Council to meet either remotely or in-person; he added there was no logic allowed for public discourse. The emergency ordinance was permissive; it did not require remote meetings and allowed Council to do so, if they felt it was necessary. If a committee wanted to meet in person, they would be allowed to do so under the emergency ordinance.

Chairman Kirven stated Mr. Dill's intent was to have uniformity; if Council met remotely, then the committees were to follow suit.

Councilor Tripp inquired about the permissiveness of the underlying ordinance.

Chairman Kirven stated the underlying ordinance was permissive.

Councilor Tripp stated the underlying amendment would also be permissive. If Mr. Dill wanted to hold his committee meetings remotely, he would be allowed to do so. If Mr. Roberts wanted to hold his committee meetings in-person, he would be allowed to do so. Under both the proposed ordinance and the proposed amendments, both of those scenarios would be permissible; unless Mr. Kirven would not allow committee chairmen to meet as they wanted.

Chairman Kirven stated he disagreed with Councilor Tripp's logic.

**Action:** Vice-Chairman Meadows called for the question.

Councilor Roberts requested clarification regarding what Council was voting on; he had been advised by Mr. Tollison that he could have in-person committee meetings, if he so desired.

Chairman Kirven stated that in his opinion, the amendment would enforce some consistency between Council meetings and committee meetings; the committees would be required to meet the same way Council chose to meet.

Councilor Roberts stated the emergency ordinance did not require meetings to be held remotely.

Councilor Cates stated he felt his colleagues understood Mr. Dill's amendment.



Councilor Roberts stated words mattered; legalities mattered; what Council was voting on mattered.

Councilor Cates informed Mr. Roberts that he understood Mr. Dill's intent.

Councilor Roberts stated Council did not vote on intent; they voted on legislation.

Vice-Chairman Meadows stated he had previously called for the question.

Councilor Roberts requested Mr. Tollison's opinion.

Councilor Tripp asked if the emergency ordinance required Council to meet remotely; did it allow Council to meet in-person, if they chose to do so; and, would those two options apply to the amendment, if it passed.

Mr. Tollison stated the emergency ordinance would not require Council to meet remotely and it would allow Council to meet in-person, if they chose to do so. The ordinance was simply drafted to allow for the possibility of meeting remotely; it did not mandate remote meetings. Council's adopted Rules of Procedure were amended a few years ago to require physical presence at meetings in order to participate, both at the committee level and at Council level. Short of amending Council Rules, a series of emergency ordinances had been passed to allow Council to meet remotely. As far as Mr. Dill's amendment was concerned, Mr. Tollison stated it appeared that Mr. Dill wanted to have some sort of uniformity in regards to Council meetings and committee meetings. If he wanted to only meet remotely, Mr. Tollison suggested Councilor Dill state that in the amendment.

Councilor Dill stated it was his intent to have the committees meet the same was as Council; it appeared to be common sense for all meetings to be conducted uniformly. It concerned him that some Council Members wanted to have meetings that would exempt some people.

Councilor Roberts stated that Mr. Dill was certainly welcome to attend an in-person meeting, he attended other community events.

Councilor Dill stated if he was made aware of in-person meetings, he would certainly attend.

Councilor Roberts stated that Mr. Dill, along with other Council Members, attended community functions but were unable to attend Council and committee meetings in person.

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

Councilor Norris requested clarification of Mr. Dill's amendment.

Mr. Tollison stated if Mr. Dill's amendment passed, the ordinance would read that it was the policy of County Council to meet remotely.

Councilor Tripp stated if the underlying emergency ordinance was permissive, the amendment did not mirror the ordinance, yet it would require remote meetings; at that point, it would be considered instructive, not permissive. Mr. Tripp asked what would happen if Council decided to meet in-person.

Mr. Tollison stated the amendment would change the tenor of the ordinance from permissive to declaring that Council Rules were suspended; it was the policy of County Council for all Council and committee meetings to be conducted remotely.

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

Chairman Kirven stated that the motion as amended was now on the floor.

**Action:** Vice-Chairman Meadows called for the question.

Councilor Tripp asked if Mr. Dill's amendment mandated remote Council meetings until the emergency ordinance was rescinded.

Chairman Kirven stated, yes, Council would be required to meet remotely, just as they had for the past three months.

**Action:** Councilor Tripp moved to adjourn.

Chairman Kirven stated Council was in the midst of a roll call vote.

Councilor Tripp reiterated that he had moved to adjourn the meeting.

Chairman Kirven ruled Mr. Tripp's motion to adjourn out of order.

Councilor Tripp stated the motion to adjourn was of the highest precedence.

Vice-Chairman Meadows stated Mr. Tripp was out of order as there was already a motion on the floor when he moved to adjourn.

Councilor Tripp stated the motion to adjourn took precedence over any other motion.

Chairman Kirven stated that Councilor Tripp could appeal the ruling of the chair.

**Action:** Councilor Tripp appealed the ruling of the chair.

Chairman Kirven stated he had ruled that Councilor Tripp's motion was out of order. It was up to Council to determine if the meeting was to be adjourned or if they would proceed to the roll call vote to call for the question.

Councilor Tripp stated the question at hand was whether the motion to adjourn was of higher precedence than a pending motion.

Councilor Fant stated Council had only covered approximately 25% of the agenda.

Councilor Cates stated it was absolutely necessary to cover some of the zoning items as the body would not meet again for another four (4) weeks.

Chairman Kirven stated the question was whether the ruling of the Chair was sustained or overturned.

Mr. Tollison stated the motion to adjourn was of higher precedence, if Mr. Tripp was recognized by the Chairman. He was not sure if Chairman Kirven had recognized Councilor Tripp, prior to making the motion.

Chairman Kirven stated that with so many people talking, it was difficult to determine if Mr. Tripp had been recognized or not. Mr. Kirven stated he would humbly concede to Mr. Tripp; the motion to adjourn was on the floor and open for discussion.

Motion to adjourn was denied by a roll call vote of one (Tripp) in favor and eleven (Dill, Barnes, Meadows, Cates, Roberts, Taylor, Norris, Seman, Fant, Ballard and Kirven) in opposition.

The original motion to adopt the ordinance as amended carried by a roll call vote of eight (Dill, Barnes, Meadows, Cates, Taylor, Norris, Fant and Kirven) in favor and four (Roberts, Seman, Ballard and Tripp) in opposition.

**Item (8) Consent Agenda**

- a. **Humane Society of the US (HSUS) #Spay Together / Neuter Grant** *(Finance)*
- b. **FY2021 Solid Waste Education / Outreach Grant** *(Finance)*
- c. **FY2021 Used Oil Grant** *(Finance)*
- d. **FY2021 Waste Tire Grant** *(Finance)*
- e. **FY2021 Accommodations Tax Allocation Recommendation** *(Finance)*

**Action:** Vice-Chairman Meadows moved for approval of the Consent Agenda items.

Motion carried unanimously.

**Item (9) Resolutions**

- a. **Boiling Springs Fire District / Millage Request**

**Action:** Councilor Taylor moved for adoption a resolution to provide for the millage rate to be levied by the Boiling Springs Fire District.

Vice-Chairman Meadows recused himself from discussion and voting on the item due to a potential conflict of interest.

Motion carried unanimously. *(Vice-Chairman Meadows abstained.)*

- b. **South Greenville Fire District / Millage Rate**

**Action:** Councilor Taylor moved for adoption a resolution to provide for the millage rate to be levied by the South Greenville Fire District.

Motion carried unanimously.

- c. **Project Tuesday / Inducement Resolution**

**Action:** Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project Tuesday, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to a project in the county whereby the project would be subject to payment of certain fees in lieu of taxes, and providing for related matters.

Motion carried unanimously.

**d. Project McClaren (Lighthouse) / Inducement Resolution**

**Action:** Councilor Taylor moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and Project McClaren, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax and special source credit agreement with respect to a project in the county whereby the project would be subject to payment of certain fees in lieu of taxes, and whereby project/company would be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; providing for related matters.

Motion carried unanimously.

**e. Span Packaging Services LLC / Assignment of Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor moved for adoption a resolution consenting to the assignment of the fee in lieu of tax agreement between the County, Span Packaging Services, LLC, as sponsor, and MDTH Circuit, LLC, as sponsor affiliate, from sponsor affiliate to perimeter QOZB Realty, LLC, and other related matters.

Motion carried unanimously.

**f. Greater Greenville Sanitation District Annexation / Phillips Trail, Stallings Road, Stalling Road Shopping Center, Harvard Drive – 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 263 Phillips Trail, 1316 Stallings Road, the Stallings Road Shopping Center located on the western side of Stallings Road, 113 Harvard Drive, and 115 Harvard Drive.

Motion carried unanimously.

**g. Greater Greenville Sanitation District Annexation / Wildaire-Merry Oaks Condominiums – 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 certain properties in the Wildaire-Merry Oaks Condominiums located at 1 Hartsville Drive.

Motion carried unanimously.

**h. Greenville County Redevelopment Authority / Urban County Requalification - Cooperative Agreement with Municipalities**

**Action:** On behalf of the Committee, Vice-Chairman Meadows moved for adoption a resolution, as amended and approved by the Committee of the Whole, to approve the extension of the Cooperative Agreement between Greenville County and the municipalities of Fountain Inn, Greer, Mauldin, Simpsonville, and Travelers Rest to obtain Urban County status with the United States Department of Housing and Urban Development, and appoint the Greenville County Redevelopment Authority (GCRA) as its agent for the purpose of administering any grant funds received as a result of said agreement.

Motion carried unanimously.

**i. Greenville County Sheriff's Office Citizen Advisory Board Creation**

**Action:** On behalf of the Committee, Vice-Chairman Meadows moved for adoption a resolution, as amended and approved by the Committee of the Whole, to create a Greenville County Sheriff's Office Citizen Advisory Board and set out the board's appointment and responsibilities.

Motion carried unanimously.

**Item (10) Ordinances – Third Reading**

**a. Zoning Ordinances**

- i. CZ-2020-19:** Property of SC Greenville Garlington LLC, located on Entertainment Boulevard and Garlington Road, requesting rezoning from S-1 to PD as amended.

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

Motion carried unanimously.

- ii. CZ-2020-26:** Property of Jan C. Brown, located at 445 Dallas Road, requesting rezoning from R-10 to R-S.

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

Motion carried unanimously.

- iii. CZ-2020-28:** Property of Rola Hann, located at 2956 New Easley Highway, requesting rezoning from C-2 to FRD as amended.

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

Motion carried unanimously.

- iv. CZ-2020-35:** Property of Joshua and Debra Jones, located at 589 Dunklin Bridge Road, requesting rezoning from R-R1 to FRD as amended.

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

Motion carried unanimously.

**b. Project Unity Gateway / Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor 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 a company known to the County at this time as Project Unity Gateway 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.

**Action:** Councilor Taylor moved to allow for amendments at third reading.

Motion to amend carried unanimously.

**Action:** Councilor Taylor moved to refer the item back to the Finance Committee.

Motion carried unanimously.

Councilor Seman inquired about voting to allow amendments at third reading when an item was on the floor at third reading.

Mr. Tollison stated Council Rules would have to be suspended in order to allow for amendments at third reading, if action was needed immediately. However, the item in question was referred back to the Finance Committee; by approving amendments at third reading, Council had agreed that when the item was presented again for third reading, amendments were in order.

**c. JIDA Industrial Solutions Inc., (formerly Project San Diego) / Fee in Lieu of Tax Agreement**

**Action:** Councilor Taylor 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 JIDA Industrial Solutions Inc., 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 (11) Ordinance - Second Reading**

**a. Zoning Ordinances**

- i. CZ-2020-05:** Property of ECS Development, located at 201 Reid School Road, requesting rezoning from R-S to R-M20. The Planning Commission and the Committee recommended denial.

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

Councilor Cates stated he was opposed to the request; it would add more traffic to the light at Wade Hampton Boulevard and Reid School Road. There were already plans to build 97 houses in the area; the developer wanted to build apartments or townhouses.

Motion was denied unanimously.

- ii. CZ-2020-34:** Property of Greg Minton on behalf of Enigma Corporation, located at 17 Black Drive, requesting rezoning from R-20 to C-1. The Planning Commission and the Committee recommended approval.

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

Councilor Roberts stated he had spoken to the developer earlier in the day and was pleased with the plan of action. A few months ago, he was not in favor of the request; however, the developer had agreed to a 20-year buffer to provide for residential growth only. Most of the residents had been opposed to the plan. A community meeting was held and the developer presented the plan of action; the residents were now in favor of the rezoning request.

Councilor Taylor stated there were issues with the developer's plan; some land that was to be used as a buffer between commercial and residential was to be developed.

Councilor Roberts stated there was a huge fear of encroachment in the area. A larger buffer than originally planned for was in the developer's plan; another portion of land that was planned for commercial would actually remain residential.

Motion as presented carried unanimously.

- iii. **CZ-2020-37:** Property of Oaks Properties LLC, located on Berea Heights Road and Farris Bridge Road, requesting rezoning from O-D to R-M20. The Planning Commission recommended approval and the Committee recommended denial.

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

Vice-Chairman Meadows stated the property was located in his district; there were already a large number of properties zoned multi-family in the district. The developer wanted to build townhouses that would be "leasable", thus creating apartments. Mr. Meadows stated he was opposed to the request.

Motion was denied unanimously.

- iv. **CZ-2020-41:** Property of Mildred Syphronia Harris, located on Buncombe Road and Old Buncombe Road, requesting rezoning from I-1 to C-2. The Planning Commission and the Committee recommended approval.

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

Motion carried unanimously.

- v. **CZ-2020-42:** Withdrawn by applicant
- vi. **CZ-2020-43:** Property of Lake Rutledge LLC, located at 125 Rutledge Lake Road, requesting rezoning from R-S to C-3. The Planning Commission and the Committee recommended denial.

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

Vice-Chairman Meadows stated the property was located in the middle of R-S zoning; approving the request would be tantamount to "spot zoning." Mr. Meadows stated he was opposed to the request.

Motion was denied.

- vii. **CZ-2020-44:** Property of Lake Rutledge LLC, located on Rutledge Lake Road, requesting rezoning from R-S to S-1. The Planning Commission and the Committee recommended denial.

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

Motion was denied unanimously.

**b. Clear Spring Fire District / Millage Request**

**Action:** Councilor Taylor moved for approval at second reading an ordinance to provide for the millage rate to be levied by the Clear Spring Fire District.

Chairman Kirven stated Clear Spring Fire District was located in District 27. There had been no operating millage increase in a number of years; an increase was approved a couple of years ago through a separate capital bond issue. The 3.4 mil increase would bring the fire district's millage rate to 27.3. By comparison, Simpsonville Fire Service Area was at 37.5 and Fountain Inn Fire Service Area was at 35.3. The district's population continued to grow at a tremendous rate resulting in a higher call rate. The increased revenue would be used for staffing purposes and equipment. They were working hard to target an ISO 2 rating. Mr. Kirven urged his colleagues to approve the request.

Vice-Chairman Meadows recused himself from discussion and voting on the item due to a potential conflict of interest.

Motion carried unanimously. *(Vice-Chairman Meadows abstained.)*

**c. Chanticleer Community Special Tax District / Millage Request**

**Action:** Councilor Taylor moved for approval at second reading an ordinance to provide for the millage rate to be levied by the Chanticleer Special Tax District.

Motion carried unanimously.

**d. Lockheed Martin Corporation / Fee in Lieu of Tax Agreement Amendment**

**Action:** Councilor Seman moved for approval at second reading an ordinance authorizing a first amendment to that certain fee in lieu of tax agreement by and between Greenville County, South Carolina and Lockheed Martin Corporation, and other matters related thereto.

Motion carried unanimously.

**Item (12) Ordinances – First Reading**

**a. Zoning Ordinances**

Councilor Dill presented for first reading Zoning Ordinances CZ-2020-45 through CZ-2020-48.

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

**b. Project Tuesday / Fee in Lieu of Tax Agreement**

Councilor Seman presented for first 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 or companies known to the County at this time as Project Tuesday 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.

Chairman Kirven stated the item would remain on the floor.



**c. Project McClaren (Lighthouse) / Fee in Lieu of Tax and Special Source Credit Agreement**

Councilor Seman presented for first 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 McClaren 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.

Chairman Kirven stated the item would remain on the floor.

**d. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Project McClaren (Lighthouse)**

Councilor Taylor presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson County and Greenville County so as to enlarge the park.

Chairman Kirven stated the item would remain on the floor.

**e. Greenville / Anderson Multi County Industrial Business Park Agreement Amendment (2010 Park) / Project Robo**

Councilor Taylor presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson County and Greenville County so as to enlarge the park.

Chairman Kirven referred the item to the Finance Committee.

**f. Amendment to the Land Development Regulations / Creation of Subdivision Jurisdiction Area**

Councilor Dill presented for first reading an ordinance to amend the Greenville County Land Development Regulations for the County of Greenville, South Carolina, as amended, to provide for a Subdivision Jurisdiction Area; establishing boundaries and regulations for new residential subdivisions pursuant to the assigned values set forth within the subdivision jurisdiction area; and to update the provisions of Section 3.1 of these regulations to reflect the establishment of the Subdivision Jurisdiction Area Regulations

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

**g. Greenville County Code Amendment / Hours of Fireworks Discharge**

Councilor Seman presented for first reading an ordinance to amend the County Code at Chapter 15; Offenses and Miscellaneous Provisions, to add Article VII, Fireworks.

Chairman Kirven referred the item to the Committee of the Whole.

**h. Outdoor Go-Kart Tracks / Establish Hours of Operation**

Councilor Ballard presented for first reading an ordinance establishing hours of operation for outdoor go-kart tracks in Greenville County.

Chairman Kirven referred the item to the Public Works and Infrastructure Committee.

**Item (13) Committee Reports**

No report.

**Item (14) Administrator's Report**

Joe Kernell stated a directive had been sent to all County employees indicating face masks were required when meeting with the public, face-to-face, and in public areas. The directive did not apply if a partition was in place.

The CARES Act Program was now open to all small businesses (50 employees or less), regardless of whether they received federal funding in the past. The County had received more than 2000 applications to-date with about 300 submitted for payment. A number of community health partners had also submitted applications.

Councilor Tripp stated the information provided by Mr. Kernell on Friday indicated the County was under \$250,000 in funding to-date.

Mr. Kernell stated the County had funded approximately \$500,000 to-date. A number of small businesses had initiated an application; however, as they had received direct assistance from the federal government, they had delayed submitting them. The County was seeing a significant uptick in submissions.

Councilor Tripp asked how long it would take to get a good indication of how the program was progressing.

Mr. Kernell stated it should take a couple of weeks to get a good idea of where the program was headed. At that point, the County would also have some indication of how the other funds that were put in place were being utilized.

Councilor Tripp asked how much the County was spending on the marketing campaign for the program.

Mr. Kernell stated he did not have the exact figures with him. The campaign involved a couple of phases, including the Greenville County Cares billboard campaign and Love Thy Neighbor. He estimated the County had spent about \$45,000; he would provide Council with the exact amount as soon as possible.

Councilor Tripp asked how much had been spent on the Ten Commandments advertising campaign.

Mr. Kernell stated it was part of the Love Thy Neighbor campaign and was included in the \$45,000.

Councilor Roberts stated he had received very positive feedback about staff from small businesses owners who had applied for assistance. He applauded Mr. Kernell and his staff for doing such a good job.

**Item (15) Requests and Motions by Council Members**

- Councilor Norris stated she continued to work hard with the citizens of the New Washington Heights area.

Ms. Norris stated she still needed assistance with the kitchen at the Phillis Wheatley Center. Previously, Mr. Roberts had pledged part of his district's Community Projects funds for the kitchen, but, more was needed. She planned to ask the City of Greenville for assistance.

A lot of children who normally attended the summer camps were not participating this year; however, things were going well with those who were attending.

- Councilor Roberts stated he had received a number of emails from citizens concerned about not being given the opportunity to speak regarding items not on the agenda. Council was losing transparency and inquired if that portion of the agenda could be reinstated or if a resolution was needed in order to do so.

Chairman Kirven stated he felt it was Council's intent to gravitate back to allowing citizens to speak on items not included on the agenda, once regular in-person meetings were reinstated. There was no legal requirement to include the item on the agenda; it was a courtesy to the citizens as well as an opportunity for Council to hear from their constituents. It had been temporarily suspended under the Emergency Ordinance. In the future, Council may need to review the guidelines regarding citizens speaking to non-agenda items in order to discourage individuals from speaking on personal issues or those not related to Greenville County.

Councilor Roberts stated Ms. Norris was a hero; she worked tirelessly for her district and for the citizens of Greenville County. He verbally pledged ½ of his portion of District 21's Community Projects monies for the Phillis Wheatley Center kitchen.

- Councilor Dill wished Mr. Cates a Happy Birthday.

**Item (16) Adjournment**

**Action:** Councilor Seman moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 7:22 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council