



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting
September 15, 2020
5:00 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. 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 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*
Kimberly Wunder, *Assistant County Attorney*
John Hansley, *Deputy County Administrator*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Pam Gilliam, *Administrative Assistant*
Paula Gucker, *Assistant County Administrator, Public Works*
Nicole Wood, *Assistant County Administrator*

Others Present

None

Call to Order

Chairman Kirven

Invocation

Councilor Lynn Ballard

Pledge of Allegiance

Item (4) Approval of Minutes

Action: Councilor Seman moved to approve the minutes of the September 1, 2020, Regular Council Meeting.

Motion carried unanimously.

Item (5) Public Hearings

a. Sixin North America, Inc. (formerly Project Tuesday) / 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 Sixin North America, 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 Taylor declared the public hearing closed.

b. Foothills Fire Service Area / Millage Increase

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Foothills Fire Service Area.

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

c. Sterling Special Tax District / Millage

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to provide for the millage rate to be levied by the Sterling Special Tax District.

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

d. Greenville County Code Amendment / Hours of Fireworks Discharge

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to amend the County Code at Chapter 15: Offenses and Miscellaneous Provisions, to add Article VII, Fireworks.

There being no speakers, Vice-Chairman Meadows declared the public hearing closed.

e. Greater Greenville Sanitation District Annexation / 54 Old Hunts Bridge Road, 120 Jervey Road and 550 Old Howell Road

A public hearing was held for the purpose of receiving comments from the public regarding a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 54 Old Hunts Bridge Road, 120 Jervey Road and 550 Old Howell Road and to provide for public notice thereof.

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

f. Proposed Relinquishment / Stone Cottage Lane

A public hearing was held for the purpose of receiving comments from the public regarding the proposed maintenance relinquishment of the first 1650 SF of Stone Cottage Lane (TMS# 0627030101100, 0627020102800, 0627030100200, 0627030100500 and 0627020100300) for the adjacent property owners to use as a private drive.

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

Item (6) Appearances - Current Agenda Items

There were no speakers.

Item (7) Consent Agenda

- a. **Proposed Relinquishment / Stone Cottage Lane (PWI)**
- b. **GreaterGood.org “Keep Pets with their Families” Grant (Finance)**
- c. **FY 2020 VOCA Grant (Finance)**
- d. **Community Project Application – Slater Hall Community Center War Memorial - \$5,200.00**
- e. **Community Project Application – Slater Marietta Fire Department / Christmas Parade - \$1,000.00**
- f. **Community Project Application – Historic Marker / John H. Goodwin House - \$1,000.00**

Action: Councilor Taylor moved approval of the Consent Agenda items.

Motion carried unanimously.

Item (8) Resolutions

- a. **Greater Greenville Sanitation District Annexation / 54 Old Hunts Bridge Road, 120 Jervey Road and 550 Old Howell Road**

Action: Councilor Seman moved for adoption a resolution to enlarge the boundaries of the Greater Greenville Sanitation District to include 54 Old Hunts Bridge Road, 120 Jervey Road and 550 Old Howell Road and to provide to public notice thereof.

Motion carried unanimously.

Item (9) Emergency Ordinance

- a. **Greenville County Council / Operating Rules Suspension**

Chairman Kirven stated since March 15, Greenville County had reported 13,398 total cases of COVID-19 compared to 15,191 in Charleston County and 13,865 in Richland County; the State of South Carolina had reported a total of 133,470 cases to date. For the week ending September 12, Greenville County reported 591 new cases; compared to a high of 1,283 cases reported for the week ending July 11. The lowest number of new cases, 285, were reported for the week ending August 22; however, there appeared to be an upward trend since that time. COVID-19 was not the flu, it was a transmitted illness with long-term medical implications; many people were at risk of permanent damage or possible death. Mr. Kirven stated some Council Members were considered high risk of contracting COVID-19.

Vice-Chairman Meadows stated he had been under the impression that Council would be able to lift the emergency ordinance by September; however, he felt the upward trend in new cases would continue for a while.

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

Mr. Meadows stated there was false information circulating in the community about Council not having open meetings; that information was not true. Since Council implemented virtual meetings, a total of 767 viewers had watched the meetings; there was an average of approximately 100 viewers per meeting. That figure coincided, or exceeded, the average number of attendees during a regular face-to-face Council meetings. Mr. Meadows stated from March 1 through May 31, there were 187 viewers; June 1 through August 19, there were 475 viewers and 105 viewers at the September 1 meeting. The public had been given the opportunity to participate in Council meetings; some of the individuals who were complaining about alleged “closed meetings” had not attended a meeting in seven (7) years.

During the County Council Citizen Comment Session which was held on September 15, more than 20 citizens spoke; he felt the session went well and was an adequate indication that citizens would participate in virtual meetings. Mr. Meadows commended Chairman Kirven for making arrangements for the session; he suggested they be held on a monthly basis.

Councilor Seman inquired about the local municipalities’ plans for meetings; if they were still holding virtual meetings or had resumed in-person meetings.

Chairman Kirven stated the City of Greenville continued to meet virtually; City Hall remained closed to visitors. He was under the impression that the City of Simpsonville also continued to meet virtually; he did not have any information about the other municipalities.

Councilor Ballard stated he had informed his colleagues of four (4) proposed amendments to the motion. He agreed with Vice-Chairman Meadows that the meetings were not closed. However, so much was lost during virtual meetings; communication was non-verbal and seeing faces on a screen was not the same as discussing issues around the dais.

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

AMENDMENT #1

The Finance, Planning & Development, Public Safety, and Public Works & Infrastructure Committees would meet in-person in Conference Room D.

The public would be admitted to the meetings based on:

The capacity of the room.

In accordance to the Governor’s mandate concerning public meetings.

Councilor Seman inquired about Mr. Ballard’s thoughts regarding Council Members’ attendance at committee meetings from a technology standpoint.

Councilor Ballard stated if any Council Members chose not to participate in the committee meetings on a virtual basis, they could be physically present and participate via IPADs.

Councilor Seman stated there were some issues that needed to be discussed face-to-face. She was thankful the County had the technology available to meet virtually; she thanked Mr. Meadows for presenting the numbers. Regardless of what Council chose to do going forward, she suggested continuing live-streamed meetings. The threat of the virus could extend well into 2021; even though Council may choose to meet in-person, there would always be those individuals who feared attending in-person meetings. The public certainly had access to Council meetings; it might not be as easy as attending them in-person. Citizens always had the option of contacting Council Members personally through a variety of ways. She was hopeful for a “phase-in plan” that would start with in-person committee meetings. She was worried about making sure the technology was available to live-stream meetings efficiently.

Councilor Meadows inquired about sending a “mixed message” to the public; in-person committee meetings were acceptable but Council meetings were not.

Councilor Ballard reminded his colleagues he had four (4) proposed amendments; Mr. Meadows’ question would be answered in the remaining amendments.

Councilor Roberts stated federal and state legislators were meeting in-person; teachers were being asked to return to the classroom. Other facets of daily living were getting back to normal and precautions such as social distancing and masks were still required. In-person meetings did not send “mixed messages”; they were getting back to doing the work of the people and interacting in the best way possible. A “mixed message” was going on trips and attending different events, but not holding in-person meetings. Doing things in a safe environment was being “preached” across the nation; he was not sure why Council meetings were different.

Councilor Tripp inquired if Mr. Ballard’s proposed amendments addressed the requirement for the public to wear masks.

Councilor Ballard stated he did not address masks in the four (4) proposed amendments; he felt the issue may be raised during Council’s discussion.

Action: Vice-Chairman Meadows called for the question.

Councilor Fant suggested Mr. Ballard present all four (4) proposed amendments.

Action: Councilor Ballard moved to add the following amendments to the proposed ordinance as follows:

AMENDMENT #2

The Committee of the Whole would meet in-person in Suite 400.

The public would be admitted to the meetings based on:

The capacity of the room.

In accordance to the Governor’s mandate concerning public meetings.

AMENDMENT #3

Zoning Public Hearings would be conducted in-person in Suite 400.

The public would be admitted to the meetings based on:

The capacity of the room.

In accordance to the Governor’s mandate concerning public meetings.

All matters being presented to Council would be presented in-person.

Any Council Member who did not wish to attend in-person could participate via Zoom.

The meetings would be live-streamed and available to the public for viewing.

AMENDMENT #4

As of the August 18th Council Meeting, Staff had both Conference Room D and Council Chambers open for Council Members to attend in-person. Mr. Ballard was present in the Chamber for that meeting.

Future Council meetings would be conducted in-person in Council Chambers.

If the number of Council Members present exceeded the dais capacity to allow for social distancing, the meeting could either be moved to Suite 400 or Council Members split, with half being in Chambers and half in Conference Room D.

The public would be admitted to the meetings based on:

- The capacity of the room.

- In accordance to the Governor's mandate concerning public meetings.

- All matters being presented to Council would be presented in-person.

Any Council Member who did not wish to attend in-person could participate via Zoom.

The meetings would be live-streamed and available to the public for viewing.

Chairman Kirven stated he hoped this would be the last time the emergency ordinance had to be extended. Council would feel much more confident and safe if the numbers were to start decreasing, especially for the more vulnerable members of the population; he included himself in that category. The emergency ordinance was a temporary measure.

Councilor Fant suggested a definitive discussion, and possible agreement, regarding masks. He was aware some Council Members were not in favor of wearing masks; however, he felt it was necessary to do so. If Council chose to meet in-person and masks were not required, he would opt to attend the meetings virtually.

Vice-Chairman Meadows asked if all four (4) amendments could be addressed as whole.

Chairman Kirven stated he did not have a problem addressing all four (4) together.

Councilor Dill stated there were a number of things about Mr. Ballard's amendments that bothered him. He knew people who were suffering from COVID-19, some older individuals as well as some younger. He had heard conflicting information about social distancing and other safety precautions. He had an acquaintance who had recently contracted COVID-19 and he had no idea how he had contracted it; the individual wore a mask and practiced social distancing. Mr. Dill stated a comment had been made about attending meetings; if he had to go to work for the people of Greenville County, he would go where he was called. The Senate was meeting via Zoom; Mr. Dill suggested Greenville County meet at one of the area's convention centers. Mr. Dill stated he did not support Mr. Ballard's amendments; Council needed to rule on the side of caution.

Vice-Chairman Meadows asked Chairman Kirven if he had the power to call Council back to in-person meetings, if the numbers started to decrease.

Chairman Kirven stated if the situation merited, it could be done.

Councilor Tripp inquired if the emergency ordinance that passed during the previous Council meeting, as amended by Councilor Dill, required virtual meetings.

Chairman Kirven stated the intent of Mr. Dill's amendment was to have consistency between regular Council meetings and committee meetings.

Councilor Tripp stated it was his understanding the ordinance required Council to meet virtually. If so, Council could move to operate under the original emergency ordinance which gave the option to meet either in-person or virtually. He had mixed feelings about the situation; he wanted to clarify where Council stood with the emergency ordinance.

Mr. Tollison stated the emergency ordinance before Council carried forward the requirement that meetings were to be held remotely. If the ordinance passed in its current form and an in-person meeting was needed, some type of repeal or modification would be required. The ordinance would expire 61 days after passage.

Action: Councilor Tripp moved to strike Councilor Ballard's four (4) proposed amendments and remove the requirement to meet virtually from the proposed ordinance.

Chairman Kirven requested clarification of the possible effects of Councilor Tripp's motion.

Councilor Tripp stated Mr. Ballard's amendments would require in-person meetings; his motion would permit in-person meetings, if Council so desired.

Mr. Tollison agreed with Mr. Tripp. If the requirement to hold remote meetings was removed, Council would have the option to either meet in-person or remotely prior to expiration of the order.

Councilor Tripp asked since Mr. Ballard attended the previous Council meeting in-person, was he was in violation of the current emergency ordinance. He would like to return to "neutral ground"; not force the issue of remote meetings and give those Council Members who wished to meet in-person the option of doing so.

Chairman Kirven stated he did not feel Mr. Ballard violated any rules by attending the meetings in-person; the meetings were not open to the public. Council Members could attend the meetings at County Square if they chose to do so. He reminded Council that Mr. Ballard's amendments were still on the floor; they took precedence over Councilor Tripp's.

Councilor Fant asked if the County had the technology to stream live meetings, with some Council Members in attendance at County Square and others attending remotely. He was uncomfortable with Ms. Norris attending meetings at County Square.

Mr. Kernell stated it could be a modified Zoom meeting.

Councilor Fant inquired about the possibility of requiring masks, if Council chose to hold public meetings. Council's decision regarding masks would determine his vote.

Councilor Ballard stated he had no problem with masks; however, he would like for individuals speaking to be able to remove their masks.

Councilor Fant stated he would agree for the removal of masks while an individual was speaking. He also felt the public should be required to wear masks during open meetings.

Chairman Kirven asked Mr. Ballard if he wanted Council to vote on each amendment separately or as a whole.

Councilor Ballard stated he had no preference. His amendments were all basically the same; they address four (4) separate types of meetings.

Councilor Dill inquired if Mr. Ballard's amendments addressed seating during open meetings.

Chairman Kirven stated Mr. Ballard's amendments alluded to the Governor's mandate concerning public meetings, which contained a room capacity component.

Councilor Dill stated he was still concerned about the number of people allowed to attend open meetings; he asked how the number would be regulated. Mr. Dill inquired about the possibility of holding public meetings in a facility large enough to hold a large number of attendees.

Chairman Kirven stated Council Chambers was marked off with tape to indicate which seats could be occupied to insure social distancing measures. The capacity of Chambers was greatly limited; the number was far less than the number of viewers. It would be difficult to regulate attendees; where they sat, who would be admitted and in what order.

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

Action: Councilor Tripp moved to remove the requirement to meet virtually from the proposed ordinance.

Councilor Taylor stated a current lawsuit was pending which would require no restrictions such as wearing masks and social distancing. It was his understanding this would apply to the whole country, if it were passed.

Councilor Roberts stated Mr. Tripp's amendment was a great idea. The technology was available to create a hybrid model for Council meetings.

Councilor Tripp stated he was trying to get back to "neutral ground"; a hybrid concept for meetings was acceptable. A meeting regarding the new Land Development Regulations was needed; Council had voted to meet in-person but under the current ordinance, that was not an option. He wanted Council to be in a position that was permissive rather than restrictive.

Councilor Roberts stated the Legislative Delegation used Suite 400 for their meetings due to the large size of the room; the Board of Zoning Appeals was using Council Chambers instead of Conference Room D to hold meetings. It appeared that in-person meetings were being conducted at County Square. Holding in-person meetings along with live-streaming or Zoom should be an option moving forward.

Councilor Seman stated she was in favor of Mr. Tripp's amendment. It was an opportunity for the County to lead. It would be great if a really strong hybrid model for meetings could be developed; the local municipalities, as well as other counties, could follow the model. Greenville County had a good track record of being innovative. There were a number of issues that Council needed to address that would benefit from in-person meetings.

Councilor Dill stated the CARES Act monies could purchase the "Lifesize Program", a video conferencing program; the program would protect the citizens of Greenville County who wanted to participate in meetings.

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

Councilor Dill inquired if the amendment allowed the County to look at available technology to conduct meetings.

Councilor Tripp stated the amendment simply took Council back to the original ordinance; it provided for the flexibility to meet either in-person or remotely. The amendment did not specifically address technology issues; however, the County could look at available technology.

Councilor Fant inquired if the amendment allowed for committee meetings to be held in-person or remotely.

Chairman Kirven stated the amendment would allow committee chairpersons to decide how they would meet. It was his intention for County Council and Committee of the Whole meetings to continue to be conducted remotely for the duration of the emergency ordinance; he could not speak for the other committee chairpersons.

Councilor Cates asked if a committee chairperson could decide to meet in-person.

Chairman Kirven confirmed committee chairpersons could decide to meet in-person, if they chose to do so.

Councilor Dill asked if it was too late to withdraw his vote on Councilor Tripp's motion to amend.

Councilor Fant asked if Mr. Dill could ask for a reconsideration of Mr. Tripp's amendment as he was on the prevailing side.

Councilor Dill stated he wanted to withdraw his vote as he was under the impression that the vote was in regards to pursuing some type of technology to host meetings.

Councilor Seman stated Mr. Tripp's motion would allow Council to meet in-person as well as remotely in some sort of hybrid model. Council could work with staff to find a way to meet both in-person and virtually at the same time.

Councilor Tripp stated nothing would change as a practical matter under his amendment; it simply made the ordinance permissive as opposed to restrictive.

Chairman Kirven stated if a committee chairperson opted to meet in person and a member of the committee did not want to do so; the committee member would have to miss the meeting. He would hate to miss a committee meeting just because he did to want to meet in-person. When he had to choose between his wife's health issues, as well as his own, and attending a meeting, he would have to choose the health issues.

Councilor Tripp stated if a committee chairperson called an in-person meeting, a member of the committee could attend virtually, if they chose to do so.

Chairman Kirven stated it was his belief that if the last sentence of the ordinance was deleted, a meeting was either in-person or remote. All committee members would have to attend the meeting as it was set. There was no provision for options; it was either in-person meetings or remote meetings.

Councilor Tripp stated the original ordinance was "permissive"; if a committee chairperson chose to conduct meetings in-person, individual committee members had the option to attend and vote in-person or remotely.

Mr. Tollison stated Council Rules required a physical presence at meetings in order to vote and be part of the quorum; the emergency ordinance allowed Council the ability to meet and vote remotely, which was in line with the Freedom of Information Act.

Action: Councilor Dill moved to reconsider Councilor Tripp’s amendment.

Councilor Tripp stated the purpose of his amendment was not strategic but diplomatic. The current ordinance locked Council into remote meetings; he did not feel that was the right message to send to the citizens of Greenville County. If the sentence mandating remote meetings was removed, Council Members would have the option to attend meetings in-person or remotely.

Motion to reconsider Councilor Tripp’s amendment carried by a roll call vote of nine (Dill, Barnes, Meadows, Cates, Roberts, Taylor, Norris, Fant and Kirven) in favor and three (Seman, Ballard and Tripp) in opposition.

Action: Councilor Dill called for the question.

Without objection, the motion to call for the question carried.

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

Motion as originally presented 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 (10) Ordinances – Third Reading

a. Zoning Ordinances

- i. **CZ-2020-48:** Property of Silver Hawk, LLC, located at 18 New Circle Road, requesting rezoning from C-2 to S-1.

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

Motion carried unanimously.

b. Zoning Text Amendment / Section 6:2. Condition 28 (CZ-2020-45)

Action: Councilor Dill moved for adoption at third reading an ordinance to amend Section 6:2 (28) of the Greenville County Zoning Ordinance, “Use Conditions (Single-family and Multifamily Residential in C-1, C-2, and C-3, Commercial, districts)” to clarify that Single-family development may be allowed to be reviewed and approved under Section 7.2 “Open Space Residential Development.”

Motion carried unanimously.

c. Zoning Text Amendment / Section 7:2.4-4 and 7:2.5-4. Open Space Residential Development Options #1 and #2 (CX-2020-46)

Action: Councilor Dill moved for adoption at third reading ordinance to amend Section 7:2.4-4 “A” of the Greenville County Zoning Ordinance, “Open Space Residential Development, Option #1 – Single Family Attached” and 7:2.5-4 “A” of the Greenville County Zoning Ordinance, “Open Space Residential Development, Option #2 – Single Family Attached” to remove the 15% and 20% limitation for Single-family Attached developments.

Motion carried unanimously.

d. Sixin North America, Inc. (formerly Project Tuesday) / Fee in Lieu of Tax Agreement

Action: Councilor Seman 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 Sixin North America, 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.

e. Foothills Fire Service Area / Millage Reduction

Action: Councilor Seman moved for adoption at third reading an ordinance to provide for the millage rate to be levied by the Foothills Fire Service Area.

Motion carried unanimously.

f. Sterling Special Tax District / Millage

Action: Councilor Seman moved for adoption at third reading an ordinance to provide for the millage rate to be levied in the Sterling Special Tax District.

Motion carried unanimously.

g. Greenville County Code Amendment / Hours of Fireworks Discharge

Action: Vice-Chairman Meadows moved for adoption at third reading an ordinance to amend the County Code at Chapter 15: Offenses and Miscellaneous Provisions, to add Article VII, Fireworks.

Motion carried unanimously.

Item (11) Ordinances – Second Reading

a. Zoning Ordinances

i. CZ-2020-40: Property of Diversified Properties Inc. and Durham Kids Investments LP, located on Farmer's Circle and Old Highway 14 South, requesting rezoning from R-S to S-1. The Planning Commission and Committee recommended denial.

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

Councilor Barnes stated he was under the impression that the request was approved with recommendations.

Councilor Dill stated he was also under the impression that the request was approved by the committee with recommendation.

Action: Councilor Barnes moved to hold the item for clarification.

Motion to hold carried unanimously.

- ii. **CZ-2020-50:** Property of Betty Jane B. Bullard and Margaret B. Pearson, located at 917 and 919 Fairview Road, requesting rezoning from R-S to R-15. The Planning Commission and Committee recommended denial.

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

Action: Councilor Ballard moved to hold the item for one (1) month, per the applicant's request.

Motion to hold carried unanimously.

- iii. **CZ-2020-52:** Property of Andrew Bryan McGeachie and Michael Allen McGeachie, located on Parson Road, requesting rezoning from R-S to R-15. The Planning Commission and Committee recommended denial.

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

Action: Councilor Ballard moved to hold the item until the next regularly scheduled County Council meeting, per the applicant's request.

Motion to hold carried unanimously.

- iv. **CZ-2020-54:** Property of Mark III Properties LLC, located on Furr Road, requesting rezoning from R-S to FRD. The Planning Commission and Committee recommended approval with a condition.

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

Action: Councilor Dill moved to amend the request to include the condition that the applicant submit a Final Development Plan for review and approval before submitting for any Land Development or Building Permits.

Councilor Roberts asked to whom the Final Development Plan should be submitted.

Councilor Dill stated the item would go back through the regular cycle; the Final Development Plan would not be submitted to Council.

Motion to amend carried unanimously.

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

Motion as amended carried with Councilor Kirven voting in opposition.

- v. **CZ-2020-55:** Property of SCDOT, located on Right-of-Way adjacent to TMS# 0434000100106, requesting rezoning from Unzoned to C-2. The Planning Commission and Committee recommended approval.

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

Motion carried unanimously.

- vi. **CZ-2020-56:** Property of Robert Michael Gaddis, located on Stallings Road, Mountain Creek Church Road, E. Mountain Creek Road (SC Hwy 253) and Caroline Drive, requesting rezoning from S-1 to FRD. The Planning Commission and Committee recommended approval with conditions.

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

Action: Councilor Dill moved to amend the request to include to following conditions:

- *To submit a Traffic Impact Study for review and approval.*
- *To submit and have the Phased Final Development Plans approved before submitting for any Land Development or Building Permits.*

Councilor Cates stated the parcel was located in his district. The homes that the developer was planning to build were good for the area. He had spoken to some of residents and they were satisfied there would be no immediate traffic problems; previous floodplain issues had also been resolved. Mr. Cates stated he was in favor of the request.

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

- vii. CZ-2020-58:** Property of Diversified Properties, LLC and Durham Kids Investments, LP, located on Old Highway 14 and Farmer's Circle, R-S to FRD. The Planning Commission and Committee recommended approval with conditions.

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

Action: Councilor Dill moved to amend the request to include to following conditions:

- *On Concept Plan Sheet C3.01, change the 10' wide buffer to a 20' wide buffer along Farmer's Circle and adjacent to any single-family residential.*
- *On Concept Plan Sheet C3.02, change the single row of evergreen trees to a double row of evergreen trees.*

Motion to amend carried unanimously.

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

Motion as amended carried unanimously.

Reconsideration of CZ-2020-40:

Action: Councilor Dill moved to reconsider Zoning Docket CZ-2020-40.

Motion to reconsider carried unanimously.

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

Motion was denied unanimously.

Item (12) Ordinances – First Reading

a. Zoning Ordinances

Councilor Dill presented for first reading Zoning Dockets CZ-2020-59 through CZ-2020-62.

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

Item (13) Committee Reports

No further reports.

Item (14) Administrator's Report

No report.

Item (15) Requests and Motions by Council Members

- Councilor Ballard stated Ronnie Boyce, retired Fire Chief with the Donaldson Center Fire Department, recently spent a week in the hospital with a collapsed lung. Mr. Ballard encouraged his colleagues and staff to reach out to Mr. Boyce; it would certainly lift his spirits.
- Councilor Barnes thanked everyone for their concern during his recent illness.
- Councilor Cates stated his wife Candy was recently ill with pneumonia and spinal meningitis. He thanked everyone for their prayers and concerns; she was doing much better.
- Councilor Seman requested an update on the CARES Act Funding as well as new funding options. There were a couple of proposals "floating around"; she asked Mr. Kernell to provide a proposed timeline in terms of reallocation of the monies.

Joe Kernell stated they were waiting on information from GCRA in order to be able to respond to the other requests that had been received; he estimated some information would be available by the end of the week.

- Councilor Roberts stated he knew it took a lot for Mr. Barnes to attend the meeting, given his recent illness; it spoke of his character and he was glad to see him up and about.

Item (16) Adjournment

Action: Councilor Cates moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 6:34 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council