

A RESOLUTION

AUTHORIZING THE EXECUTION OF CONSENT ORDERS IN SETTLEMENT OF TWO LAWSUITS BROUGHT BY TAYLORS FIRE AND SEWER DISTRICT AND PARKER SEWER AND FIRE SUB-DISTRICT AGAINST GREENVILLE COUNTY AND GREENVILLE COUNTY COUNCIL.

WHEREAS, Taylors Fire and Sewer District (“Taylors”) and Parker Sewer and Fire Sub-District (“Parker”) (collectively, the “Districts”) filed two lawsuits against Greenville County and Greenville County Council (collectively, “Greenville County”) identified as case numbers 2020-CP-23-05132 and 2021-CP-23-00081; and

WHEREAS, the Districts sought a court order declaring County ordinances consolidating the Districts into Metropolitan Sewer Subdistrict d/b/a MetroConnects (“Metro”) unlawful and enjoining their enforcement; and

WHEREAS, the parties in good faith sought to come to a mutually agreeable resolution resulting in the Districts voluntarily transferring their sewer systems to Metro with the Districts continuing to provide fire protection services as fire districts; and

WHEREAS, Metro participated in the settlement discussions for purposes of enabling a settlement of the dispute between the Districts and Greenville County; and

WHEREAS, the Districts, Metro and Greenville County have spent several months in good faith settlement discussions in an effort to resolve the two lawsuits; and

WHEREAS, the governing bodies of Parker and Metro have each met in separate, duly called public meetings and authorized settling the lawsuits upon the terms and conditions set forth in the Parker Consent Order, a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the governing bodies of Taylors and Metro have each met in separate, duly called public meetings and authorized settling the lawsuits upon the terms and conditions set forth in the Taylors Consent Order, a copy of which is attached to this Resolution as Exhibit B; and

WHEREAS, Greenville County Council hereby finds and determines that approving the Parker Consent Order and the Taylors Consent Order is in the best interest of Greenville County and its citizens.

NOW, THEREFORE, BE IT RESOLVED by Greenville County Council that:

SECTION 1. The Parker Consent Order attached hereto as Exhibit A is hereby approved, and upon entry of the Order by the Greenville County Circuit Court, shall bind Greenville County according to the terms set forth in the Order.

SECTION 2. The Taylors Consent Order attached hereto as Exhibit B is hereby approved, and upon entry of the Order by the Greenville County Circuit Court, shall bind Greenville County according to the terms set forth in the Order.

SECTION 3. The Chairman of County Council and the County Administrator are authorized to execute the Parker Consent Order and the Taylors Consent Order and to execute any other necessary instruments incident thereto.

SECTION 4. County staff are directed to implement the terms of the Parker Consent Order and the Taylors Consent Order.

SECTION 5. This Resolution shall become effective upon adoption.

DONE IN REGULAR MEETING THIS ___ DAY OF _____, 2021.

Willis H. Meadows, Chairman
Greenville County Council

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator