



## GREENVILLE COUNTY COUNCIL

Minutes

Committee of the Whole Meeting

January 24, 2023

5:00 p.m.

County Square - Council Chambers

### Council Members

**Mr. Dan Tripp**, *Chairman, District 28*

**Mrs. Liz Seman**, *Vice-Chairwoman, District 24*

**Mr. Butch Kirven**, *Chairman Pro Tem, District 27*

**Mr. Joey Russo**, *District 17*

**Mr. Mike Barnes**, *District 18*

**Mr. Benton Blount**, *District 19*

**Mr. Stephen Shaw**, *District 20*

**Mr. Chris Harrison**, *District 21*

**Mr. Stan Tzouvelekas**, *District 22*

**Mr. Alan Mitchell**, *District 23*

**Mr. Ennis Fant, Sr.**, *District 25*

**Mr. Rick Bradley**, *District 26*

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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

**Terrence Galloway**, Information Systems

### Others Present

### Call to Order

Chairman Dan Tripp

### Invocation

Councilor Joey Russo

***Item (3)                    Approval of Minutes***

**Action:** Vice-Chairwoman Seman moved to approve the minutes of the October 4, 2022, Committee of the Whole meeting.

Motion carried unanimously.

***Item (4)                    Adoption of Greenville County Council Rules***

Chairman Tripp stated the main purpose of the meeting was to focus on Council Rules. All Council Members were provided a summary of seven proposed amendments.

**Amendment 1**

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule III (B) as follows:

- Include workshops in the general notice provision
- Add deadline for member submittals to the Clerk to Council

All members of Council should be furnished copies of all requests requiring Council action in their Agenda Packet for upcoming meetings and workshops, including motions to reconsider. This notice shall include complete copies of each proposal to be considered. Copies of proposed ordinances at second and third readings shall appear as amended at any previous readings. This notice requirement shall not apply to items presented to the Council by standing Council committees as long as those items appear on the published agenda of the committee for the meeting at which the committee voted on the item presented. Items to appear for consideration must be received by the Clerk to Council no later than 12:00 P.M. on Thursday to be included in the Agenda Packet. Emergency items and corrections may be added or made to an agenda after the Thursday deadline with the Chairman's approval.

Motion carried unanimously.

*Chairman Tripp passed the gavel to Vice-Chairwoman Seman.*

**Amendment 2**

**Action:** Councilor Tripp moved to amend County Council Rule III (E) as follows:

- Appearances – Requests to be heard not eligible for items that have not been through a committee

For thirty (30) minutes prior to each regularly scheduled Council meeting, members of the public wishing to address the Council on a matter of County business on the agenda will have an opportunity to register to speak. Prior to Council's consideration of any item of business listed on the agenda, members of the public registering to speak on any item of business listed on the agenda for that night's Council meeting will speak in the order in which they register, except that priority will be given to those persons indicating a desire to speak about an item on the agenda for final consideration. Presentations shall be limited to three (3) minutes per person, not to exceed the thirty-minute period. Items appearing on the agenda that have not come through a committee are not eligible for requests to be heard under this subsection with the exception of emergency ordinances. The Chairman may permit additional time for speakers who have signed up before the meeting.

Councilor Tripp stated the genesis for the proposed amendment was to clarify a process. He stated there was no debate on first reading of items. If approved, the proposed amendment would limit citizen comments to items that had been through the committee process. During the previous year, several ordinances were introduced during Requests and Motions and Council had not been given the information necessary to discuss the item. Mr. Tripp stated it was not fair to the public, or Council, to discuss an issue without knowing the facts. Once an item had been through committee, it would be presented for second reading. At that time, Council Members could discuss the item and the public would have the opportunity for input.

Councilor Bradley stated if an item was “killed” in committee, the public would never have the opportunity to speak on it.

Councilor Tripp stated that was certainly a possibility; however, if an item was “killed” in committee, that was probably a “good sign” that it should not be discussed by Council. For example, the ordinance regarding the library that was presented to Council in 2022. Mr. Tripp asked if it was Council’s role to determine what books and displays were appropriate for the libraries or was it the responsibility of the Library Board. He stated those questions should be asked at the committee level. The proposed amendment was not an effort to “stifle” public input. Public Comment Sessions had been scheduled on a monthly basis to give the public the opportunity to discuss any item they wanted. Council needed to get away from “gotcha politics” and “lower the temperature” on some of the ordinances that had been “dropped as hot potatoes.”

Vice-Chairwoman Seman stated citizens had the opportunity, at any time, to contact Council regarding an issue of concern; Council Members were always accessible to the public. She suggested her colleagues encourage any constituent to reach out to Council via email or phone. The issue could be addressed by the upcoming proposed Communications and Governmental Affairs Committee, if approved.

Councilor Fant stated, historically, issues would be raised that had absolutely nothing to do with County Council. An item would be presented for first reading with no chance for approval. Those types of items would anger citizens and they would show up at Council meetings to speak, even though Council had no jurisdiction. Mr. Fant stated it was important for Council to debate legislation over which it had jurisdiction, not items presented for “political points” or to enrage certain segments of the community.

Councilor Harrison stated he felt the proposed amendment would provide more impact to citizens’ comments. Currently, citizens were allowed to speak on items at first reading, even though there was no debate by Council Members. With the proposed format, the public would know what the committee recommended as well as Council’s feelings regarding the item. Citizen comments would be allowed at second reading, along with Council’s discussion.

Councilor Russo stated the proposed amendment would place more emphasis at the committee level; he suggested possibly adding citizen input during the committee meetings.

Councilor Shaw requested clarification regarding committee Chairmen and their ability to put an item on an agenda or not.

Councilor Tripp stated it was the Chairman’s decision to include an item or not. He stated some items were held in committee until such time they were deemed appropriate to be discussed; however, holding an item was not an attempt to stifle debate.

Councilor Shaw stated in his experience on Council, he had introduced items for debate that never came up in committee. Mr. Shaw stated any Council Member could introduce an item that would subsequently be “killed” in committee.

Vice-Chairwoman Seman stated it was important to utilize the expertise of County staff, and in particular the Legal Department, to ensure that items presented to Council fell under its jurisdiction. Ms. Seman stated if a Council Member felt strongly about an issue, they could raise that issue during Requests and Motions.

Councilor Shaw stated it should not be imputed that any issue brought forth by a Council Member was a personal issue. There may be no intent to “stir things up”; it may simply be an issue they felt very strongly about. He was not in favor of the proposed amendment as it allowed the Chair of any committee to “kill” an item.

Councilor Blount stated he had actually learned quite a bit from listening to both his colleagues and the public during meetings. It was important to hear what the citizens had to say about an issue, prior to it being sent to a committee. That information would be helpful to the committee during its discussion.

Councilor Barnes stated timing was crucial when deciding to include an item on an agenda or not.

Councilor Shaw inquired about items that were never put on a committee agenda.

Chairman Pro Tem Kirven stated an item that was referred to a committee had been on an agenda. If a Council Member wanted to recall an item, they would need to seek support from their colleagues to do so. An item initiated during a Regular Council Meeting and sent to committee could be recalled by a majority vote of Council.

Councilor Tzouvelekas stated he had a hard time not allowing citizens to speak at Council meetings. He stated he focused on issues that fell under the jurisdiction of County Council as well as issues that were important to his constituents. Council Members answered to their constituents, not their colleagues. If a constituent requested an item be put on the agenda, he was going to present it to Council for consideration. He worked for the citizens of Greenville County; they should be allowed to speak to Council at any time and with no time limits. Even though some members of Council did not agree that pro-life, guns or social issues were important, those issues were important to the citizens. Mr. Tzouvelekas stated he was not in favor of the proposed amendment.

Councilor Harrison stated he was not in favor of stifling comments from the public. He was “big” on the establishment of a communications/transparency type of committee. If the Communications and Governmental Affairs Committee was approved, it would help with some of the issues raised by Mr. Shaw and Mr. Tzouvelekas. The item in question was a procedural measure, not an attempt to stifle public comment. Mr. Harrison stated the Communications and Governmental Affairs Committee would improve communication across “every avenue”, from Council to the public, to each other, staff, and other government agencies.

Councilor Tripp quoted *1 Corinthians 14-40: Let all things be done decently and in order*. The proposed amendment was about process. It was not about stifling debate or public comments; it was simply about aligning public input with an item that had been vetted by a committee. Mr. Tripp stated prior to the meeting, he returned 40 pounds of books to the Mauldin Library; his children read library books constantly. It angered him when certain groups of people insisted he voted to keep pornography in the libraries. There would never be peace on Council until business was handled decently and in order.

**Action:** Councilor Tripp called for the question.

Motion to call for the question was denied by a vote of six (Barnes, Mitchell, Seman, Fant, Kirven and Tripp) in favor and six (Russo, Blount, Shaw, Harrison, Tzouvelekas and Bradley) in opposition.

**Action:** Councilor Shaw moved to amend the motion to state committee Chairmen must include referred items on an agenda and public comment be allowed at the committee level.

**Point of Order:** Councilor Tripp stated Mr. Shaw’s proposed amendment was not germane to the item in question.

Vice-Chairwoman Seman stated the goal of the current sitting Council was to be in a place of trust. She hoped items referred to a committee would be put on an agenda without demanding the Chairmen to do so.

Councilor Shaw asked if the amendment could be made at the appropriate time.

Councilor Tripp stated there were other amendments to Council Rules on the agenda; it was possible Mr. Shaw’s amendment would be germane to one of those. He could also opt to propose an amendment to Council Rules at a later date.

Councilor Shaw withdrew his amendment.

Motion as presented carried with Councilor Tzouvelekas and Councilor Bradley voting in opposition.

*Vice-Chairwoman Seman passed the gavel back to Chairman Tripp.*

### **Amendment 3**

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule V (A), Rule V (a)(4) and Rule V (A)(6) as follows:

- Council shall have six standing committees
- Rename the Public Works and Infrastructure Committee to the Roads, Infrastructure and Public Works Committee and increased roads priority within the jurisdiction list
- Addition of the Communications and Governmental Affairs Committee

(A) Standing Committees

*Council shall have six standing committees and the names and jurisdictions are as follows:*

- (1) Committee on Finance
- (2) Committee on Planning and Development
- (3) Committee on Public Safety and Human Services
- (4) *Committee on Roads, Infrastructure, and Public Works*
  - (a) *County and State Roads/Bridges (Management, Funding, Support, Intergovernmental)*<sup>3</sup>
  - (b) *Infrastructure Management*
- (5) *Committee on Communications and Governmental Affairs*
  - (a) *County Communication Planning, Implementation, and Oversight*
  - (b) *Intergovernmental Relations*
  - (c) *Community Outreach*
- (6) Committee of the Whole

Motion carried unanimously.

#### Amendment 4

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule V (a)(4) as follows:

- Amend Committee of the Whole role to match Council’s Boards and Commissions Policy

(6) Committee of the Whole

This committee shall be composed of each member of Council and the Chairman of County Council shall serve as Chair.

- (a) Council Rules
- (b) Exercising Power of Eminent Domain
- (c) Boards and Commission Policy nominations *responsibilities as assigned to:* ~~Alcohol and Drug Abuse Commission; Board of Tax Assessment and Appeals; Disability and Special Needs Board; Human Relations Commission; Redevelopment Authority; and Planning Commission; and nominations to boards submitted from other standing committees.~~

Motion carried unanimously.

#### Amendment 5

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule V (C) as follows:

- Include Committee on Communications and Governmental Affairs Committee in the list of appointments
- Add “up to” five (5) members on the regular committees
- Add “up to six (6) members” on the Finance Committee if Council Chairman elects to serve as voting member
- Council Chairman may serve *ex officio*, non-voting member on the regular committees

Not later than the second regular Council meeting in January following each General Election, the Chairman of Council shall appoint *up to* five (5) Council members to: the Committee on Planning and Development; the Committee on *Roads, Infrastructure, and Public Works*; the Committee on Public Safety and Human Services; *the Committee on Communications and Governmental Affairs*; and *up to six (6) members* to the Committee on Finance *should the Chairman of Council elect to serve as a voting member. The Chairman of Council may serve as an ex-officio, non-voting member on the above listed committees.* The Chairman of County Council shall appoint the Chairman for each Committee. After the appointment, a committee chairman can only be removed as Chair and/or reassigned to another committee by the Chairman of Council with the approval of six (6) additional Council members. The Chairman of each Committee shall appoint the Vice-Chairman for his or her respective Committee.

Motion carried unanimously.

#### Amendment 6

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule V (F)(2) and Council Rules V (F)(3) as follows:

- Specify the Planning and Development zoning report at full Council be made as the actual Committee recommendation
- Clarify that Committee Reports are not mandatory

(F) Committee Reports and Recommendations

- (2) All zoning matters properly referred to the Planning and Development Committee must be reported to full Council in a timely manner with a recommendation for approval, denial, approval as modified, or "no recommendation." *At Council meetings, the Planning and Development Committee will present zoning dockets with the Committee's recommendation as the initial motion for consideration.*

**Action:** Vice-Chairman Pro Tem Kirven moved amend the motion to add that Committee Reports must appear on the full Council agenda.

Motion to amend carried unanimously.

- (3) Matters before committees shall be reported to full Council only if approved, approved as modified, or with "no recommendation". When the question before a committee is for approval or approval as modified, a tie vote fails and the matter (other than a zoning matter) is defeated. The Chairman of a standing committee ~~shall~~ *can* report upon the activity of the committee at each regular County Council meeting, and the agenda of every regular meeting shall provide a time for committee chairman to make these reports, *as needed. Items coming from the committee for action or discussion shall appear on the full Council agenda.*

Motion as amended carried unanimously.

**Amendment 7**

**Action:** Vice-Chairwoman Seman moved to amend County Council Rule V (G), Council Rule V (H) and Council Rule V (I) as follows:

- Provide for joint committee meetings
- Include "other matters" in committee as subject to recall
- Provide for the dissolution of special committees that have completed their work or are no longer meeting by the end of the second legislative year

(G) Committee Meetings

A committee meeting may be held on the call of the Chairman at any time except on Sunday or holidays, or at such time as the Council is in session. All notice provisions set forth in Section III (B) above shall apply to meetings of committees. A quorum of a committee shall be a majority of its members. *Two standing committees may meet jointly for the consideration of a specified item or subject. Joint committee meetings may be held upon the agreement of the Chairman of Council and the two respective Committee Chairs.*

(H) Recall of Ordinances, Resolutions *or Other Matters*

Any ordinance, ~~or~~ resolution, *or other matter* that has been referred to Committee may be recalled by an affirmative vote of two thirds of the members of the Council.

(I) Special Appointments

Except as otherwise provided herein, the Chairman of Council shall make such appointments of Council members to boards, commissions, committees, and other governmental bodies as may be required by law or agreement. These appointments must observe the rules of each board, commission, or body as to its particular eligibility and length of service requirements. The Chairman may also appoint such additional temporary Council committees as he or the Council deems appropriate. *Special, temporary, task force, or ad hoc committees that have completed their work or have been inactive for the three (3) months preceding December 31 of a General Election year will be deemed to sunset unless otherwise deemed ongoing by the Chairman.*

Motion carried unanimously.

**Amendment 8** *(not on the agenda)*

**Action:** Councilor Shaw moved to amend Council Rules to state a matter referred to a committee shall be placed on that committee's next agenda for first reading.

Mr. Tollison stated items were not referred to standing committees for first reading; items of that nature were referred to committees for discussion. He stated Mr. Shaw's amendment, if approved, should appear in Section V. of Council Rules.

Chairman Tripp stated it may be more appropriate for the proposed amendment to state that, with a majority of Council, items referred to committees would be included on the next agenda for that committee. It may create a bit of an impetus to get seven (7) Council Members to agree; however, it would be easier than getting eight or nine members to recall an item from committee.

Mr. Tollison stated the proposed amendment would be appropriate to be included in Council Rule V (F)(3).

Chairman Pro Tem Kirven stated he was concerned the proposed amendment would not solve the problem. There were ample opportunities for the public to be heard regarding an issue. The monthly Citizen Comment Sessions were one avenue for members of the public to express their views. Mr. Kirven stated the traditional role of the committees was to be a place for discussion and work on issues. Timing was important; Committee Chairmen had to have some ability to put things in order and bring items forward at the appropriate time. Mr. Kirven stated he would be opposed to the proposed amendment.

Councilor Tzouvelekas stated he felt Mr. Shaw's amendment was a very good one. If a referred item was never placed on an agenda, the public would never have the opportunity to speak. Mr. Tzouvelekas stated referred items should be placed on committee agendas for discussion.

Councilor Shaw reiterated that citizens should be allowed to speak at the committee level.

Councilor Harrison stated he completely understood his colleagues views on the issue. If an item was referred to a committee and subsequently voted "down", there would be no opportunity for public comment. Mr. Harrison stated the approved Committee on Communications and Governmental Affairs was dedicated to communication and transparency.

Vice-Chairman Seman stated it may appropriate to refer the issue at hand to the Committee on Communications and Governmental Affairs to be vetted. If it became apparent that changes were needed, Council Rules could be amended.

Councilor Shaw stated he was comfortable with the issue being forwarded to the Committee on Communications and Governmental Affairs.

**Action:** Vice-Chairman Seman moved approval of Council Rules as amended.

Motion carried unanimously.

**Item (5)**      **Adjournment**

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

Motion carried unanimously and the meeting adjourned at 5:40 p.m.

Respectfully submitted:

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Regina G. McCaskill  
Clerk to Council