



GREENVILLE COUNTY COUNCIL

Committee of the Whole

Minutes

February 2, 2021

4:08 p.m.

County Square - Council Chambers
Remote Participation by Council Members

Council Members

Mr. Willis Meadows, *Chairman, District 19*

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

Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*

Mr. Joe Dill, *District 17*

Mr. Mike Barnes, *District 18*

Mr. Stephen Shaw, *District 20*

Mr. Chris Harrison, *District 21*

Mr. Stan Tzouvelekas, *District 22*

Mrs. Liz Seman, *District 24*

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

Mr. Lynn Ballard, *District 26*

Mr. Butch Kirven, *District 27*

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*

Pam Gilliam, *Administrative Assistant*

Paula Gucker, *Assistant County Administrator, Public Works*

Shannon Herman, *Assistant County Administrator*

Nicole Wood, *Assistant County Administrator*

Meredith Papapieris, *Greenville County CARES Program, Director*

Call to Order

Chairman Willis Meadows

Invocation

Councilor Stephen Shaw

Item (3) Approval of Minutes

Action: Councilor Seman moved to approve the minutes of the December 15, 2020, Committee of the Whole meeting.

Motion carried unanimously.

Item (4) County Council Rules Amendments

a. Three Candidate Rule Amendment

Amendment: Update Rule for Chair and Vice-Chair elections with three or more candidates

SECTION I. OFFICERS OF THE COUNCIL

(D) Election Procedure

When three or more candidates are nominated for the position of Chairman or Vice-Chairman, once a vote is held that produces two candidates who have received the most votes, then only those two top candidates shall stand for election on the next ballot. **No additional nominations may be made on the next ballot between the top two candidates. However, in the event three or more candidates are nominated on the first ballot and one candidate receives seven or more votes, there is no further voting and the candidate receiving seven or more votes is elected.**

Vice-Chairman Tripp asked if additional nominations could be made on the third, and subsequent ballots, if there was a tie vote on the second ballot.

Mr. Tollison stated the existing rule ended with the phrase “on the next ballot” and the proposed amendment referenced the “next ballot”, or the runoff. If the runoff did not produce a winner, the floor would be opened for additional nominations.

Councilor Tzouvelekas inquired about the possibility of a 4 – 4 – 4 split.

Mr. Tollison stated the entire process would start over. There would have to be a clear “top two” candidates.

Councilor Ballard stated he was in support of a candidate who received seven votes as being named the winner of the seat. For most elections, a candidate receiving 50% of the votes plus one additional vote was declared the winner of the race.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion as presented carried by a unanimous roll call vote.

b. 48-Hour Notice for Special Meetings

Amendment: Require 48-hour notice for Special Meetings

SECTION III. MEETINGS OF THE COUNCIL

(A) Meetings

The Council shall ordinarily hold its regular meetings for the transaction of official business on the first and third Tuesdays of each month at such time and place as the Chairman may specify. Either the Chairman or a majority of the members of the Council may call special meetings, which may be held after ~~twenty four~~ **forty eight** hours public notice, which specifies the hour, date, and place of the special meeting and its agenda. No item may be considered at the special meeting unless it appears on this agenda. All meetings of Council will be held in-person with members able to participate by remote means as needed.

Chairman Meadows stated the proposed change would give Council Members, as well as the public, more time to change their schedules. There had been comments in the past that it appeared Council was trying to rush things by only giving a 24-hour notice.

Councilor Harrison inquired about the negatives if the amendment was not passed.

Councilor Seman stated she was concerned about emergency situations; would Council have the ability to suspend the rule and schedule a meeting earlier than 48 hours. She asked about the possibility of including a clause to address emergency situations.

Mr. Tollison stated Council could suspend the rule in order to schedule an emergency meeting, giving less than a 48-hour notice.

Councilor Kirven stated state law specified a 24-hour timeline; however, Council could certainly extend that timeline. While the convenience issue was certainly a valid point, he would recommend staying with 24 hours as there could be occasions where time was of the essence.

Mr. Tollison stated that state laws, as they related to public body meetings, did not apply to emergency meetings. There were separate statutory clauses for emergency meetings.

Vice-Chairman Tripp asked who determined the emergency status of a meeting.

Mr. Tollison stated the Chairman and the Members of Council.

Councilor Shaw inquired if the proposed 48-hour notice applied to emergency meetings.

Mr. Tollison stated a 24-hour notice was required for emergency meetings, per state statute; special meetings would require 48 hours under the proposed amendment. Currently, state law required 24 hours for special meetings.

Vice-Chairman Tripp stated allowing both Council and the public more time to prepare for special meetings was certainly prudent. He was in favor of the proposed amendment, given the fact that emergency meetings would still require a 24-hour notice.

Councilor Harrison stated if the current rule was kept in place with no amendments, special meetings could be announced 48 hours in advance. If necessary, a special meeting could be announced with only a 24-hour notice as well.

Councilor Dill stated the proposed amendment only pertained to special called meetings.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion as presented was denied by a roll call vote of six (Dill, Barnes, Meadows, Shaw and Tzouvelekas) in favor and six (Harrison, Norris, Seman, Fant, Ballard and Kirven) in opposition.

c. Five Member Committees

Amendment: Standing committees have five members

SECTION V. COMMITTEES

(C) Appointment to Standing Committees

- (1) Not later than the second regular Council meeting in January following each General Election, the Chairman of Council shall appoint: five (5) Council members to the Committee on Planning and Development; five (5) Council members to the Committee on Public Works and Infrastructure; five (5) Council members to the Committee on Public Safety and Human Services; and **up to six (6), but not less than** five (5) Council members to the Committee on Finance. The Chairman of County Council shall appoint the Chairman for each Committee. The Chairman of each Committee shall appoint the Vice-Chairman for his or her respective Committee.

Councilor Seman stated it was important to have an odd number of committee members.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion as presented carried by a roll call vote of eleven (Dill, Barnes, Meadows, Shaw, Harrison, Tzouvelekas, Seman, Fant, Ballard, Kirven and Tripp) in favor and one (Norris) in opposition.

d. Agenda Additions per FOIA

Amendment: Update agenda notice requirements with state law

SECTION III: MEETINGS OF THE COUNCIL

(B) Notice to Members

All members of Council should be furnished copies of all requests requiring Council action in their agenda packets for upcoming meetings, 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.

Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hour notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda.

Chairman Meadows requested Mark Tollison weigh in on the proposed amendment.

Mr. Tollison stated the proposed amendment was taken verbatim from state law in regards to open meetings and agendas related to a public body. In order to be transparent, he recommended adoption of the proposed amendment.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion as presented carried by a unanimous roll call vote.

e. Chair / Vice-Chair Term Limits

Amendment: Chair and Vice-Chair may only serve two consecutive terms

SECTION I: OFFICERS OF THE COUNCIL

(A) Chairman

At its first meeting in January following each general election, the Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years. A member may only serve as Chairman for a maximum of two consecutive terms; but will be eligible to be elected Chairman again after having been out of the office of chairman for at least two years. The Chairman shall preside at all meetings of the Council. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman.

(B) Vice-Chairman

At its first meeting in January following each general election, the Council shall select one of its members to serve as Vice-Chairman for a term of two years. A member may only serve as Vice-Chairman for a maximum of two consecutive terms; but will be eligible to be elected Vice-Chairman again after having been out of the office of vice-chairman for at least two years. The Vice-Chairman shall preside at meetings of the Council when the Chairman is absent or unable to preside.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion as presented carried by a roll call vote of ten (Dill, Barnes, Meadows, Shaw, Harrison, Norris, Seman, Fant, Ballard and Tripp) in favor and two (Tzouvelekas and Kirven) in opposition.

f. P & D and PWI Jurisdiction Adjustments

Amendment: Assign Building Codes, Stormwater Management, Clean Water act, Soil & Water Commission and Floodplain Management to Planning & Development Committee

SECTION V. COMMITTEES

(A) Standing Committees

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

(2) Committee on Planning and Development

- (a) Planning
- (b) Subdivision and Land Development Regulations, and Management
- (c) Zoning Adoption, Amendment and Process
- (d) Official map adoption
- (e) Comprehensive Plan Implementation
- (f) Corridor Plans
- (g) Area Plans
- (h) Transportation Planning, GPATS, GTA
- (i) Demographics
- (j) Keep Greenville Beautiful
- (k) Clean Air Act
- (l) Building Codes Adoption and Enforcement
- (m) Stormwater Management, Clean Water Act, Soil and Water Commission
- (n) Floodplain Management

(4) Committee on Public Works And Infrastructure

- (a) County/State/Private Roads, Bridges, Sidewalks, Maintenance and Infrastructure Management
- (b) Traffic Calming
- (c) Engineering
- (d) Solid Waste Collection and Disposal
- (e) Building Codes Adoption and Enforcement
- (f) Stormwater Management, Clean Water Act, Soil and Water Commission
- (g) Animal Care Services
- (h) Floodplain Management
- (i) Greenville County Redevelopment Authority
- (j) All fire districts and fire service areas
- (k) SCTAC and Greenville Airport Commission
- (l) Recreation
- (m) Public Utilities
- (n) All special tax districts and all special purpose district not otherwise assigned
- (o) Property Management – Supervision/Maintenance of all County buildings and property, grounds, and parking facilities

Councilor Ballard stated the items in question were originally the responsibility of the Planning and Development Committee and were moved to the Public Works and Infrastructure Committee. Mr. Ballard stated things had worked fine since that change was made.

Joe Kernell stated the items were originally the responsibility of the Intergovernmental Relations Committee. The proposed amendment was an attempt to balance committee duties. With a couple of exceptions, the current responsibilities of the two committees were possibly interchangeable. Mr. Kernell suggested Stormwater Management remain with the Public Works and Infrastructure Committee; it was a public works function and mandated by the EPA.

Councilor Ballard stated Floodplain Management should possibly stay with the Public Works and Infrastructure Committee as well.

Councilor Harrison requested information regarding staff's thoughts on the proposed changes and why they were necessary. He agreed that Stormwater Management and Floodplain Management should stay with the Public Works and Infrastructure Committee. From an engineering perspective, it appeared that Building Codes and Enforcement should continue to be handled by the Public Works and Infrastructure Committee. Mr. Harrison asked if there was a specific reason for the proposed changes.

Chairman Meadows stated he was not aware of any specific reason for the proposed amendment; the changes were an attempt to balance out the workload.

Mr. Kernell stated the proposed changes would have no effect on staff's workload and would simply change the committees' responsibilities.

Councilor Seman stated as Chair of the Public Works Committee, she was happy to keep any business Council deemed appropriate for the committee. Her only concern was overburdening the Planning and Development Committee, given the increasing number in zoning requests and the lengths of the public hearings.

Vice-Chairman Tripp stated zoning decisions made by the Planning and Development Committee had a big impact on stormwater. There had been numerous problems with stormwater runoff from new subdivisions in his district; it may be helpful if the same committee made decisions regarding zoning and stormwater impacts.

Mr. Kernell stated Stormwater Management, as indicated in the proposed amendment, referred to the program, not the effects of stormwater. Information regarding a subdivision's effect on stormwater would be communicated with Council, regardless of which committee dealt with the issue.

Action: Councilor Seman offered a friendly amendment to retain Stormwater Management and Floodplain Management with the Public Works and Infrastructure Committee.

Councilor Fant stated he fully supported Councilor Seman’s friendly amendment. Stormwater Management was in the constrained side of planning, not the development side. It should remain with the Public Works and Infrastructure Committee.

Action: Vice-Chairman Tripp moved approval of Councilor Seman’s friendly amendment to retain Stormwater Management and Flood Management with the Public Works and Infrastructure Committee.

Motion to amend carried unanimously.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion carried by a roll call vote of nine (Dill, Barnes, Meadows, Shaw, Harrison, Tzouvelekas, Norris, Seman and Tripp) in favor and three (Fant, Ballard and Kirven) in opposition.

g. Chairman and Ex Officio Member of Committees

Amendment: Chairman may be non-voting committee member

SECTION I: OFFICERS OF THE COUNCIL

(A) Chairman

At its first meeting in January following each general election, the Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years. The Chairman shall preside at all meetings of the Council and may serve as an ex officio, non-voting member of any committee. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman.

Councilor Kirven stated the proposed amendment gave the impression that the Chairman would be a full participant in all committees, including discussion and debate, with the exception of voting. Mr. Kirven stated it appeared to be micromanagement on the part of the Chairman. Each standing committee had a Chairman and Vice-Chairman; they were entitled to independent thoughts and discussion. The proposed was a step too far in authorizing the Chairman to be immersed in the fine details of each committee’s work.

Councilor Ballard stated he had served on several boards and the Chairman never assigned themselves as a voting member. In a situation where a Council Member passed away or was unable to perform the duties of their office, the Chairman could assign themselves to serve on the committee until a replacement could be named, if the amendment was approved by Council.

Vice-Chairman Tripp asked if the proposed amendment would impact the Chairman's duty to assign committee members.

Mr. Tollison stated the key word in the proposed amendment was "may." He added that Mr. Tripp raised a valid point about the potential conflict between the current standing committee appointment provisions and the openness of the Chairman's ability to appoint himself to a committee setting, as an acting member in all respects. The proposed amendment may not be necessarily restrictive, but it contained an element of potential conflict.

Vice-Chairman Tripp stated he was under the impression that Council Members were welcome to attend any committee meeting, whether a member of the committee or not. They would not vote; however, they would have the ability to ask questions. He wanted to make sure the proposed amendment would not prevent the Chairman's ability to appoint members. He asked if the term "notwithstanding Rule 5(c)" should be added to the amendment.

Mr. Tollison stated he could reconcile the proposed amendment with Rule 5(c), if it was passed by Council. There was a potential conflict with the proposed amendment and the current rule regarding standing committee appointments.

Councilor Kirven stated as a courtesy, Council Members were entitled to attend any committee meeting and interact at an appropriate level, with no voting privileges. The proposed rule change was not necessary.

Chairman Meadows stated he agreed with Mr. Kirven. All Council Members had the right to attend committee meetings. The Chairman of each committee controlled the meeting and could elicit comments from attending Council Members.

Action: Councilor Dill moved denial of the amendment.

Motion was denied by a unanimous roll call vote.

h. Eliminate First Reading by Title Only

Amendment: First Reading by title only not allowed

SECTION IV. ORDINANCES, RESOLUTIONS, AND OTHER MATTERS

(B) Readings

- (1) First Reading** - Any member or committee may introduce an ordinance for first reading at any meeting of the Council. No vote shall be taken and no debate or amendment shall be in order. The Chairman shall refer the proposed ordinance to an appropriate committee unless the proposed ordinance was introduced by a committee. All ordinances presented to Council for First Reading shall substantially set forth its subject matter in the body of said ordinance. ~~Ordinances may be presented for First Reading just by title/caption only upon the approval of the Chairman and with prior Council notice of the reason for omitting the body of said ordinance.~~

Chairman Meadows stated the purpose of the amendment was to ensure that ordinances presented for first reading must contain “substance” as opposed to title only.

Councilor Ballard stated the current rule, approved by Council prior to 2016, was put in place to meet the high number of economic development projects with only partial information available. There was a need to put them on the agenda for Council’s review in order to meet strict timelines. Since 2016, the format required for economic development projects had changed; the rule had not been used since that time. A proposed ordinance should be available for review by both Council and the public when presented for first reading.

Councilor Harrison asked Mr. Tollison if the proposed change would impact first reading of zoning dockets.

Mr. Tollison stated the current process for zoning dockets would not be changed by the proposed amendment; they contained all the necessary information in the actual application.

Councilor Ballard stated first reading of zoning dockets occurred after the public hearings.

Action: Vice-Chairman Tripp moved approval of the amendment.

Motion carried by a unanimous roll call vote.

i. Move Chair / Vice-Chair Elections to June (short version)

Amendment: Moving Chair and Vice Chair election date to June

SECTION I: OFFICERS OF THE COUNCIL

(A) Chairman

At its first regular meeting in January June following each general election, the Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years beginning on July 1 and ending on June 30 of the second year. The Chairman shall preside at all meetings of the Council. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman. The Chairman elected to office by Council in January 2021 shall hold over until the June 2023 election.

(B) Vice-Chairman

At its first regular meeting in January June following each general election, the Council shall select one of its members to serve as Vice-Chairman for a term of two years beginning on July 1 and ending on June 30 of the second year. The Vice-Chairman shall preside at meetings of the Council when the Chairman is absent or unable to preside. The Vice-Chairman elected to office by Council in January 2021 shall hold over until the June 2023 election.

****Note --** In the event of a vacancy in office, the current succession rules for Chairman, Vice-Chairman, and Chairman Pro Tem will still effectively operate to fill offices with this June change.

Councilor Tzouvelekas stated choosing the Chairman and Vice-Chairman was extremely difficult, especially for new Council Members. They had no experience working with the existing members and it was quite a challenge. He realized there were additional challenges if either the existing Chairman or Vice-Chairman did not return to Council for some reason.

Councilor Harrison stated he echoed Mr. Tzouvelekas' sentiments; it had been an extremely difficult process. He was in favor of a solution, but, probably not the one proposed. Mr. Harrison stated the current process was a bit "flawed"; he did have his own ideas for possible solutions.

Vice-Chairman Tripp stated the item in question and the next item were basically the same; one was a "short version" and the other a "long version." Mr. Tripp asked if it was prudent to take each separately or should they be discussed together.

Councilor Seman asked if the issue had to be solved immediately; it may be best to take care of it at a later date, given the fact that other Council Members may have possible solutions to the problem.

Councilor Ballard stated he would support dealing with the issue at a later date as long as Council agreed to address it moving forward. Council rule stipulated that rule changes had to be completed in February.

Councilor Kirven stated four other counties in the state elected a Chairman-at-large and left the decision up to the voters.

Councilor Ballard inquired if that was a viable solution.

Mr. Tollison stated he would be glad to research the issue and report back to Council.

Chairman Meadows inquired about the possible effect on committees if the proposed amendment was approved by Council.

Councilor Barnes stated the proposed amendment would not work if the current Chairman was no longer a Council Member.

Vice-Chairman Tripp stated in that scenario, the Vice-Chairman would fill the vacancy and Council would hold an election to fill the Vice-Chairman's position. He added that six months was too long, in his opinion; Council may want to consider a shorter period.

Action: Councilor Seman moved to hold the item and appoint a working group to study the situation and report back to Council in February or March.

Motion carried by a unanimous roll call vote.

j. Move Chair / Vice-Chair Elections to June (long version)

Amendment: Moving Chair and Vice Chair election date with to June with filing requirements

SECTION I: OFFICERS OF THE COUNCIL

(A) Chairman

~~At its first meeting in January following each general election, t~~The Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years. The Chairman shall preside at all meetings of the Council. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman.

(B) Vice-Chairman

~~At its first meeting in January following each general election, t~~The Council shall select one of its members to serve as Vice-Chairman for a term of two years. The Vice-Chairman shall preside at meetings of the Council when the Chairman is absent or unable to preside.

(C) Chairman Pro Tempore

If at any time both the Chairman and the Vice-Chairman are absent or vacancies exist in both offices, the Council member with the most years of uninterrupted service on the Council shall serve temporarily as Chairman until a new Item 4 (j) Chairman can be elected or until the existing Chairman (or Vice Chairman) is able to resume his duties.

(D) Election Procedure

The Chairman and Vice-Chairman shall be elected at the first Regular Meeting in June. Their terms of office shall be for two fiscal years from July 1 of the first fiscal year through June 30 of the second fiscal year. The officer election process shall proceed as follows:

- A member wishing to be considered for an office (chair, vice-chair) shall submit a letter of intent to the Clerk to Council by April 1. The letter of intent shall include the office for which the individual wishes to be considered. Members may only offer for one office per election cycle.
- The Clerk to Council shall compile the roster of candidates seeking each office, to include their respective letters of intent, and present this roster to Council members no later than April 5.
- A Council member wishing his/her name to be added to or deleted from the roster shall notify the Clerk to Council in writing within the next seven calendar days after presentation of the April 1 roster.
- The Clerk to Council shall present the final roster to the full Council in the Agenda Packet for the second regular meeting in April.
- Officer elections will be held at the first Regular Council Meeting in June. The vote shall be by roll call.

When three or more candidates are nominated for the position of Chairman or Vice-Chairman, once a vote is held that produces two candidates who have received the most votes, then only those two top candidates shall stand for election on the next ballot. The Chairman and Vice-Chairman elected to office by Council in January 2021 shall hold over in their respective offices until the June 2023 election.

**Note -- In the event of a vacancy in office, the current succession rules for Chairman, Vice-Chairman, and Chairman Pro Tem will still effectively operate to fill offices with this June change.

Action: Councilor Seman moved to hold the item and appoint a working group to study the situation and report back to Council in February or March.

Motion carried by a unanimous roll call vote.

k. **Third Reading Amendments Requirements**

Amendment: Eight (8) votes needed to approve allowing amendments at Third Reading and require publication of proposed Third Reading amendments

SECTION IV. ORDINANCES, RESOLUTIONS, AND OTHER MATTERS

(B) Readings

(3) **Third Reading -**

- (a) On third reading, the question shall be the adoption of the ordinance as passed on second reading, and no amendment shall be in order unless permitted by a majority vote of Council Members. If Council agrees to the introduction of an amendment on third reading, it will be considered at the next regularly scheduled meeting and its passage shall be governed by the provisions of Subsection 4 below. Amendments permitted at Third Reading must strictly pertain to the subject matter of the ordinance as passed at Second Reading.
- (b) Council can approve a motion at second reading amending the ordinance to allow for the introduction of amendments at third reading. If the motion to allow amendments is approved by at least eight (8) members of the Council, then amendments are eligible for immediate consideration when the ordinance comes up for third reading. Prior to consideration of an amendment at third reading, the proposed amendment must be included in the Council agenda packet.

Councilor Kirven stated second reading of an item was designed for the most robust discussion; questions and concerns should be “ironed out” at that point. Amendments were not allowed at third reading, unless a motion had been approved earlier at second reading to allow for such. Too often, Council had fallen into the practice of automatically requesting amendments at third reading and not spending any time on the fundamental issue at second reading. An amendment could dramatically change in substance by the time it reached third reading, without any advanced notice filed and the public being at a loss as to what had changed. Council needed more discipline in allowing amendments at third reading as well as informing of the substance of any amendments.

Vice-Chairman Tripp asked Mr. Kirven if he would be amenable to a friendly amendment of changing approval “by at least eight (8) members of Council” to approval by “at least seven (7) members.”

Councilor Kirven stated he accepted Mr. Tripp’s friendly amendment. He was trying to set a “higher bar” in order to avoid abusing the privilege of making amendments at third reading. Mr. Kirven reiterated that robust discussion and debate should occur at second reading. Notice in writing of any proposed amendments at third reading should be included in the Council packet.

Action: Councilor Kirven moved to approve the proposed amendment with a change in the requirement of approval “by at least eight (8) members” to a requirement of “by at least seven (7) members.”

Motion carried by a unanimous roll call vote.

I. Committee Chairman Removal

Amendment: Add requirement to remove Committee Chairman

SECTION V. COMMITTEES

(C) Appointment to Standing Committees

- (1) Not later than the second regular Council meeting in January following each General Election, the Chairman of Council shall appoint: five (5) Council members to the Committee on Planning and Development; five (5) Council members to the Committee on Public Works and Infrastructure; five (5) Council members to the Committee on Public Safety and Human Services; and up to six (6), but not less than five (5) Council members to the Committee on Finance. 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.
- (2) Members and Officers of Standing Committees shall serve until the second of January following the next General Election of Council. Provided, however, that during the course of the two year term, the Chairman may change committee membership as merited **with the exception of the committee chairman as provided for in subsection (1) above,** and make such additional appointments as needed due to the inability of any Council member to attend meetings.

Councilor Ballard stated in the past, some Council Members felt that their appointment as a committee Chairman was “held over their head” and they could be removed at any time. The proposed amendment would not allow the Council Chairman to remove a committee Chairman without the approval of six additional Council Members.

Vice-Chairman Tripp stated he would support the proposed amendment as it assured the body that the removal of a committee Chairman would be a collegial process.

Action: Councilor Ballard moved approval of the amendment.

Motion carried by a unanimous roll call vote.

m. Council Chairman Removal

Amendment: Add provision to Subsection I (A) to specify that a Chairman may only be removed by nine or more affirmative votes

SECTION I. OFFICERS OF THE COUNCIL

(A) Chairman

At its first meeting in January following each general election, the Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years. The Chairman shall preside at all meetings of the Council. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman. **The Chairman can only be removed by nine (9) or more affirmative votes of the Members of Council at a Regular meeting where a motion calling for removal appears on the agenda.**

Councilor Ballard stated Council had no mechanism in place if the Chairman became incapacitated, except the Vice-Chairman would assume over duties. It was not fair to the Vice-Chairman or to Council if the inability to carry out the duties of Chairman lasted for an extended period of time. The proposed amendment would not remove the individual from Council; however, something would be in place, should the need arise.

Vice-Chairman Tripp stated he had concerns about Council Members abusing the proposed amendment, especially if there were personality conflicts. A Council Member could put a motion on the floor at every meeting requesting removal of the Chairman, even if there were not enough votes for approval. Prior to a motion for removal could be made, a letter signed by nine Council Members supporting the removal of the Chairman would be required. The letter would have to specify the reason for the removal such as illness, misconduct in office, etc.

Councilor Ballard stated he had not considered Mr. Tripp's concerns and was open to suggestions.

Chairman Meadows stated a mechanism should be put in place to deal with the issue if the Chairman should become incapacitated or otherwise unfit to serve. Safeguards should be put in place to protect the Chairman as well.

Action: Councilor Seman moved to hold the item and appoint a working group to study the situation and report back to Council in February or March.

Motion carried by a unanimous roll call vote.

Action: Vice-Chairman moved to approve Council Rules amendments a. through h., k. and l.; the amendments would be forwarded to full Council. Proposed amendments i., j. and m. were referred to a working group for further review; the group would report back to Council in February or March.

Motion carried by a unanimous roll call vote.

Item (5) Greenville County CARES Program

Item was moved to the Regular Council Meeting immediately following Committee of the Whole.

Item (6) Adjournment

Action: Councilor Barnes moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:28 p.m.

Regina G. McCaskill
Clerk to Council