



GREENVILLE COUNTY COUNCIL

Minutes

Special Called Meeting
November 13, 2020
4:05 p.m.

County Square is currently closed for public meetings
Meeting conducted with remote participation by Council Members

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 on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

Mike Barnes, District 18
Willis Meadows, District 19
Sid Cates, District 20

Staff Present by remote participation

Joe Kernell, County Administrator
Mark Tollison, County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council

Others Present

None

Call to Order

Chairman Butch Kirven

Invocation

Councilor Bob Taylor

Chairman Kirven stated the Emergency Order that allowed County to meet remotely expired November 13; it was not reviewed at the last meeting, as Council had requested a “hybrid” type of meetings. Item 3 of the agenda, if approved, would allow Council to move forward with more “in-person” meetings. Council members and the public would be able to attend the meetings in Council Chambers; the proposed amendment would also provide for virtual meetings to continue and expand public input, at least once a month, for comments on items not on a current agenda.

Item (3) County Council Rules Amendment Package / To Allow for Remote Meeting Participation AND To Provide for Appearances on Items not on the Current Council Agenda

Chairman Kirven stated a motion to suspend Council Rules was needed in order to put the proposed amendment on the floor for discussion; the motion would require eight (8) votes in favor for passage.

Councilor Taylor stated public comments for items not included on a current agenda would need to be limited to items for which County Council had oversight.

Action: Councilor Dill moved to suspend Council Rule VI(a) in order to take up the proposed amendment.

Motion carried with Councilor Roberts voting in opposition.

Action: Councilor Seman moved to divide the proposed amendments and discuss *Amendment 1: Allowance for Remote Meeting Participation* separately from *Amendment 2: Appearances on Items not on the Current Council Agenda*.

Motion carried unanimously.

Action: Councilor Seman moved to approve *Amendment 1: Allowance for Remote Meeting Participation*.

Action: Councilor Dill moved to amend the amendment to allow for in-person meetings in Suite 400 in order to accommodate Council Members, staff and citizens.

Councilor Dill stated it was time for Council to resume in-person meetings; other jurisdictions, such as Anderson County, were conducting meetings in-person. There was enough space in Suite 400 to accommodate Council Members, staff and any citizens who wished to participate.

Chairman Kirven asked if the proposed amendment would allow the option to participate remotely for those individuals who wanted to do so.

Councilor Dill confirmed his proposed amendment would allow for remote participation; however, in-person participation for both the community and Council Members should be encouraged.

Chairman Kirven requested Regina McCaskill, Clerk to Council, comment on preparations necessary to conduct in-person meetings in Suite 400.

Ms. McCaskill stated staff had made arrangements necessary for in-person meetings in Council Chambers. She stated that seven (7) Council Members could sit at the dais, with social distancing requirements met. Council Chambers could accommodate 45 individuals, including Council Members and staff, as dictated by the COVID-19 restrictions; the meeting would be projected onto the screen. Staff tested the equipment and the results were very positive. Ms. McCaskill stated there was currently no means available in Suite 400.

Chairman Kirven inquired about individuals addressing Council in Chambers.

Ms. McCaskill stated arrangements had been made for the upcoming public hearings to allow citizens to view the hearings and address Council, both virtually and in-person.

Action:

Councilor Dill amended his motion to delete Suite 400 for in-person meetings and allow for remote participation, as needed.

Councilor Roberts stated he had been unable to speak with his constituents regarding the issue due to the late notice of the meeting; so far, he had received only minimal feedback. He felt in-person meetings could take place in Suite 400; it may take some effort on the part of the IT staff. Greenville County was the largest county in the state and had received “COVID money” through the CARES Act, which could be used for the necessary equipment. There were “plenty of contractors” that could fit the room with the equipment necessary to hold in-person meetings. Other groups were able to meet in-person, such as the Legislative Delegation, the school board and other municipalities. His family went out every day and several Council Members attended in-person events; there was no reason they could not physically attend a Council meeting. Mr. Roberts stated it was time for Council to “go back to work”; the rest of the community had done so. He was disappointed there was not a “full group” of Council Members in attendance. He added he did not feel there was a member of Council who could state, with a straight face, they had not been out in public. Mr. Roberts stated it was possible to use Suite 400 for in-person Council meetings; it was being used by other parties and the County’s IT department was capable of making it happen.

Councilor Roberts stated he planned to vote against the proposed amendment as he wanted to meet in-person. Even though Councilor Ballard put it forward, he was certain that he was in favor of in-person meetings. Mr. Roberts stated he was trying to speak for “the other people” as they were not being allowed to do so.

Councilor Tripp asked Mr. Roberts if he was opposed to Councilor Taylor and Councilor Norris meeting virtually.

Councilor Roberts confirmed he was opposed to them meeting virtually. Ms. Norris had indicated during the last meeting that she was “out and about” and fine with meeting in-person. Mr. Roberts stated Dr. Taylor should “be immune” to the coronavirus. Everybody was “out and about already” but acted as if they could not attend Council meetings. He was not going to be a hypocrite; all Council Members could show up for the meetings. They could social distance in a responsible way, just as they did everywhere else.

Councilor Norris stated her family members did not want her to attend meetings in-person. If she agreed to attend meetings in person, social distancing guidelines would have to be met; if not, she would leave. She no longer attended church services; visitors to her home sat on the porch.

Councilor Seman stated she appreciated Mr. Roberts’ passion; however, she wanted to make it clear to the public that Council Members were working. She would not want anyone to get the false impression that Council was not working because meetings were being held via Zoom. She was certainly in favor of Council Members continuing to be able to meet remotely; many had jobs outside of Council and were not always able to meet in person.

Councilor Ballard stated the proposed amendment would remove a sentence from Council Rules that specifically addressed prohibiting Council Members from calling in to meetings; the sentence was added in 2015. At the time the sentence was added, remote meetings were not commonplace. Mr. Ballard stated he always preferred to meet in person, if possible, but was not opposed to remote meetings. After meeting remotely for months, Council had found it a viable way to participate. He agreed that Council Members should have the option to attend meetings remotely; the ability to do so was beneficial.

Councilor Fant stated he could not support a meeting where all Council Members were physically in attendance; to do so, was recklessly irresponsible. People were dying from COVID-19 by the thousands on a daily basis. Council needed to make provisions for remote participation.

Councilor Tripp asked Mr. Dill if his amendment would preclude Council Members from participating in meetings remotely.

Councilor Dill stated his proposed amendment would not preclude Council Members from participating in meetings remotely; it would allow for both Council Members and the public to do so.

Mr. Tollison stated the proposed amendment, as presented by Councilor Seman and Councilor Ballard, would allow for a meeting space with both in-person and remote participation by Council and the public as described by Mr. McCaskill.

Councilor Dill stated he wanted to make sure there would be ample space for Council Members and the public to attend meetings in-person.

Ms. McCaskill stated Council Chambers could accommodate seven (7) Council Members at the dais; all 12 Council Members could be accommodated, but their faces would not be clear on the remote playback. The meeting would be conducted via Zoom and the public could watch remotely. Council Chambers could accommodate a total of 45 persons, including staff and Council.

Councilor Roberts inquired about the public being able to address Council both in-person and remotely.

Chairman Kirven stated the public would be given the opportunity to address Council either in-person or remotely.

Councilor Fant stated he was not comfortable with in-person meetings. He inquired about the possibility of Council continuing to meet via Zoom without an Emergency Ordinance.

Mr. Tollison stated the first amendment would take care of the need for Emergency Ordinances; the reason for the Emergency Ordinances was to suspend the rule in order to allow Council Members to attend meetings remotely.

Councilor Fant asked if Council could elect to continue to conduct meetings remotely until it was safe to meet in-person.

Mr. Tollison stated if the amendment passed, it would be each Council Member's decision whether to attend meetings in-person or remotely. Ms. McCaskill would set up a room for a limited number of Council Members to attend in-person, if they chose to do so; arrangements would also be made for remote participation. The proposed amendment would allow for flexibility.

Chairman Kirven stated the proposed amendment was permissive; it gave each Council Member the option to attend in-person or remotely, depending on their situation.

Councilor Fant inquired if the proposed amendment required in-person attendance of either the Chairman or the Vice-Chairman for standing committees.

Chairman Kirven stated in-person attendance of those individuals would not be required for standing committees.

Councilor Roberts stated the item could be amended to include the requirement.

Chairman Kirven stated he would not impose such a requirement; each Council Member had to make the choice for themselves, based on their individual situation.

Councilor Dill stated his proposed amendment did not pertain to standing committees.

Councilor Roberts inquired if standing committee meetings would continue to be held both in-person and remotely.

Chairman Kirven stated they would.

Action: Councilor Taylor called for the question.

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

Motion to amend as presented by Councilor Dill carried with Councilor Roberts voting in opposition.

Action: Councilor Ballard moved to refer *Amendment 2: Appearances on Items not on the Current Council Agenda* until the December 1, 2020, County Council Meeting.

Councilor Roberts he wanted citizens to be given the opportunity to address Council regarding items not included on the agenda.

Mr. Tollison stated the Emergency Ordinances have allowed for remote participation at Council meetings and truncated off appearances on items not on the current Council agenda; logistics played a large part in those decisions early on. Now, the County had to capacity to allow appearances on items not on the current Council agenda, either in-person or remotely. If the proposed amendment and an Emergency Ordinance were not passed, individuals wishing to address Council on items not on the current agenda would be allowed to do so for a period of up to 30 minutes.

Motion to refer *Amendment 2: Appearances on Items not on the Current Council Agenda* until the December 1, 2020, County Council Meeting carried unanimously.

Item (4) **Adjournment**

Action: Councilor Tripp moved to adjourn.

Motion carried unanimously and the meeting adjourned at 4:39 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council