

4) TERM OF OFFICE OF CHAIR AND VICE CHAIR

- a) The Chair and Vice Chair shall be elected for a two year term and shall not be removed from their respective offices unless he or she becomes disqualified to serve as a member of Council.
- b) In the event the Chair shall be temporarily absent or unable to serve, the Vice Chair shall serve as Chair.
- c) Any vacancy in the Chair or Vice Chair shall be filled by the Council for the unexpired portion of the term. This election shall be held at the next regular Council meeting following the vacancy.

5) DUTIES OF THE CHAIR (OR VICE CHAIR IN CHAIR'S ABSENCE)

- a) The Chair shall preside at all meetings of the Council. A member or participant in the meeting must be recognized by the Chair in order to address the Council.
- b) The Chair shall rule without debate on points of order and parliamentary procedure, including ruling out of order motions offered for obstructive purposes; however, the Chair may be overruled by a vote of four (4) members of Council.
- c) The Chair shall determine whether a speaker has gone beyond reasonable standards of courtesy in their remarks and to entertain and rule on objections from other members on this ground.
- d) The Chair shall ensure a member who has not spoken on an issue shall be recognized before someone who has already spoken.
- e) Call a brief recess at any time.
- f) Adjourn in an emergency.
- g) Represent the Council or appoint a designee to represent Council at ceremonial functions.
- h) Assume executive functions typical of a Chief Executive Officer, including, but not limited to, executing official documents on behalf of the Council when directed and authorized by a majority vote of Council.
- i) Within fourteen (14) working days of being elected, the Chair shall notify the Clerk to Council in writing of the seating assignments for Council. The Clerk to Council shall, in turn, notify Council members who shall take their respective seats at the next Council meeting after notification. The Chair may change the assignments at any time by giving the Clerk to Council written notice.
- j) Within fourteen (14) working days of being elected, the Chair shall notify the Clerk to Council in writing of the ex-officio assignments for Council. The Clerk to Council shall, in writing, notify Council members and the board Chair of their respective boards of the appointments. The Chair may change the assignments at any time by giving the Clerk to Council written notice.
- k) The Chair shall have such other duties and perform such other functions as may be established by Council.

6) CLERK TO COUNCIL

The Council shall appoint a person, not a member of the Council, to serve as Clerk to Council for an indefinite term.

- a) The Clerk to Council shall prepare the agenda packet for each meeting, under the direction of the Chair and participation of the County Administrator. The agenda packet shall include the agenda document, any proposed ordinances or amendments to ordinances and supporting documentation relevant to items on the agenda. The Clerk to Council shall deliver a copy of the agenda packet electronically to each Council member at least twenty-four hours prior to the meeting.
- b) In accordance with Section 4-9-120 of the Code of Laws of South Carolina 1976, as revised, "All proceedings of Council shall be recorded and all ordinances adopted by Council shall be compiled, indexed, codified, published by title and made available to public inspection at the office of the Clerk to Council."
- c) The Clerk to Council shall post an electronic copy of the minutes on the county website within a reasonable time after their adoption.
- d) The Clerk to Council shall deliver, electronically, copies of the minutes of each regular, special called or emergency Council meeting to all members in a timely fashion.

- e) The Clerk to Council shall also keep action minutes of all work sessions and joint meetings with other boards.
- f) The Clerk to Council shall render any reasonable assistance to members of the Council in drafting and preparation of reports, recommendations, ordinances, resolutions, directives and correspondence.
- g) The Clerk to Council shall conduct research and investigation for members of Council as they may require.
- h) The Clerk to Council shall be responsible for giving and posting notice of all meetings of Council as required by law.
- i) The Clerk to Council shall act as custodian of the County seal, minute books and Code of Ordinances.
- j) The Clerk to Council shall be responsible for other duties as may be assigned by the majority of Council.

7) MEETINGS OF THE COUNCIL

a) REGULAR MEETINGS

The Council shall convene its regular meeting for the transaction of official business on the second and fourth Monday of each month at 6:00 PM in the Fairfield County Council Chambers, unless otherwise specified by Council. Official action may only be taken at properly noticed regular meetings. All other meetings of Council are advisory and must be ratified at a subsequent regular meeting to have the force of Council. All meetings at which official action is taken shall be held within the boundaries of Fairfield County. While there may be occasions when Council leaves the boundaries of Fairfield County to meet with members of the General Assembly, the United States Congress, joint meetings with governing boards of other political subdivisions of the State of South Carolina or for purposes of Council retreats / planning sessions, no official action may be taken. Any official action of Council must be taken at the usual and customary meeting place and time. Special or emergency meetings may be called by the Chairman or by a majority of the Council, but no such special meeting shall be held unless all members are notified 24 hours in advance of such meetings. A majority of the members shall constitute a quorum for the transaction of business at any meeting of Council.

b) COUNCIL WORK SESSIONS

- 1) Work sessions are meetings of the entire Council designed to enable the Council to focus on complex matters which would consume excessive time in a regular meeting, such as the development of the County budget. Work sessions may also be convened to receive information, to receive administrative updates, or to meet with individuals or groups to discuss information of mutual concern.
- 2) Work sessions enable all members of Council to participate in an in-depth discussion of an issue.
- 3) The Chair shall determine if a matter shall be scheduled for discussion at a work session or he/she may create an ad hoc committee to address the matter and report it back to the entire Council. Ad hoc committees shall contain fewer Council members than a majority of Council.
- 4) Ad hoc committees must report their recommendations within 60 days of being established.
- 5) Moving through items on the work session agenda, the Chair may take a "sense of the Council" for purposes of placing action items on future regular agendas; however, no official action may take place.
- 6) The usual and customary date and location for work session meetings is the third Monday of each month at 6:00 PM in the Fairfield County Council Chambers, unless otherwise specified by Council following the appropriate notification procedure.
- 7) A quorum is not necessary to convene a Council work session.
- 8) Public comment will not be taken at work sessions, unless authorized by the Chair.
- 9) No official votes may take place in a work session--though the Chair may poll the members to determine the "sense of the Council" on the issue under discussion. The Clerk to Council will take action minutes during a work session only as it pertains to the "sense of the Council." Official action on any issue may only be taken at a regular meeting of Council.

c) STANDING COMMITTEES

The Chair of County Council shall appoint members and the chairs of the following standing committees no later than the first regular meeting in February each year.

(1) Administration and Finance Committee (*Administration and Finance*), consisting of three (3) members, functions as a committee of ways and means to which matters dealing with direction and coordination of general administration, budgeting, appropriations and expenditures, capital improvements and programming, taxation, property assessment, bonds and indebtedness, purchasing procedures and county organization, structure and Council rules and regulations should be referred.

(2) Public Affairs And Policy (*Justice & Personnel Procedures; Environmental and Public Safety; Land Planning*), consisting of three (3) members, functions in the areas of general operational matters. Serves to consider matters relating to (a) intergovernmental relations with the county court systems, legislation and legal matters, public records and legal publications, personnel policy and procedures; (b) recycling, waste disposal and collection, environmental issues concerning the landfill, public safety, fire protection, detention and correctional facilities; (c) planning and zoning ordinances, rezoning requests and proposals.

(3) Public Services And Development (*Health, Education and Recreation; Public Facilities and Transportation; Welfare and Community Relations*), consisting of three (3) members, functions in the areas of general operational matters. Serves to consider matters relating to (a) schools and school districts; parks, playgrounds and vocational training; (b) regulation of buildings (building codes, plumbing and electrical regulations, etc.), drainage and flood control, county roads and state highways, right-of-way protection and acquisition, condemnation, airport facilities, transportation facilities and services, parking and traffic control, railroads and railroad facilities, public utilities, agriculture and forestry; (c) events and special projects related to inter-relations between Council and the community, public relations and publicity of Council special functions and events, museums and historic sites, tourism, county beautification and libraries.

(4) Economic Development Committee (*Economic Development*), consisting of three (3) members, serves to consider matters involving economic development, industrial recruitment, county development and intergovernmental relations matters brought before them and make recommendations to the full Council.

*Note: Issues having a financial impact (except Economic Development) will default to the Administration and Finance Committee.

a) No standing committee of Council shall be scheduled at the same time.

b) Organization: Once appointed for the year, no member of a committee may be removed by the Chair of Council without the approval of Council. During the remainder of the year, any vacancy occurring on these committees shall be filled in a similar manner as soon as it may reasonably be accomplished. Any member of Council may attend any meeting of the committee, provided, however, only members of the particular committee may vote on matters before that committee.

c) Jurisdiction: Unless otherwise ordered, committees shall have jurisdiction only over matters pertaining to the subjects indicated by the names of the respective committees. Personnel matters shall be discussed by the full Council and not by standing or special committees.

d) Agendas: Appropriate written backup material for all items of business that are to be included in the Administration and Finance, Public Affairs and Policy and Public Services and Development Committee agendas must be delivered electronically to the County Administrator's Office no later than 5:00 p.m. on the date one week prior to the committee's scheduled meeting date. In exceptional circumstances, time-sensitive items received after the deadline may be added to a committee's agenda at the discretion of the committee's Chairperson, provided the addition is made before agendas are printed and distributed. In the event that the Chair of the committee cannot be reached before agendas are printed, then such items may be added with the consent of a majority of the committee's members. If a majority of the committee's members cannot be reached, the Chair of County Council shall have the discretion to add such items. Once the committee agendas have been printed and distributed publicly, changes to the agenda may only be made by the unanimous consent of the committee during the committee meeting. Agendas with backup

information shall be provided to all members of Council on or before the Friday prior to the committee meeting.

e) Meetings: Committees shall meet regularly in a room designated by the Committee Chair. No committee shall meet while the Council is meeting without special leave. No committee shall sit unless a quorum is present. No Council member shall be allowed under any circumstances to vote by proxy. Members of Council, whenever possible, shall make inquires and requests for information at the Committee meetings. Members of the public may address a Committee with the permission of the Committee Chair and with the consent of the Committee; however, any material that a citizen intends to present, including audio and visual presentations, must be approved by the Clerk of Council prior to the Committee meeting.

f) Legislative Action: Items referred to a committee for consideration shall be listed under one of the following categories: "Items for Action" or "Items for Information, Discussion, and/or Preliminary Action." Additional agenda categories (including, but not limited to, "Presentations," "Notifications," and "Items Pending Analysis") may be added to the agenda as needed for items not requiring immediate committee action.

1) **ITEMS FOR ACTION** - For all items requiring action, the committee shall take one of the following actions by majority vote:

- a) Recommend that Council approve the item, which may or may not include amendments or modifications to the original request;
- b) Recommend that Council deny the item;
- c) Forward the item to Council without a recommendation;
- d) Defer consideration of the item to a future committee meeting;
- e) Refer the item to another committee or commission; or
- f) Table the item.

2) **ITEMS FOR INFORMATION, DISCUSSION AND/OR PRELIMINARY ACTION** - For items on the agenda for information, discussion and/or preliminary action, the committee shall take one of the following actions by majority vote:

- a) Direct the administrator to bring the item back for action at a specified committee meeting;
- b) Defer consideration of the item until a specified committee meeting; or
- c) Receive the item for information or discussion purposes only, and dispose the item from the committee agenda;
- d) Items so removed will be reported as such by the committee to Council.

g) Reports: All committee recommendations requiring formal action by Council shall be included in the agenda and distributed to all members of Council prior to consideration and adoption by Council, provided that if any matter is considered by the majority of any committee to be an emergency, copies of such reports may be furnished to each member of Council at the time of said Council meeting. All items presented to Council by a committee must carry the committee's disposition of the item, whether that disposition is a recommendation for approval, a recommendation for denial, no recommendation or to make any other disposition with respect to the item. Any item not reported out to the full council by a committee within 90 days of that item having first appeared on the committee's agenda may be placed on the Council agenda when the Clerk's Office has received a written request signed by three members of Council, not less than 24 hours prior to the scheduled meeting. A minority report may be made if requested. Presentation of the committee's motion at the regular Council meeting does not require a second.

h) Recommitting: Any item, which may come before the Council, may be committed or recommitted before a final decision thereon. Provided, however once a motion or matter is forwarded to full Council from committee, that motion or matter may not be returned to committee other than as directed by Council.

i) Budget Work Sessions: The Council shall meet as a Committee of the Whole for budget work sessions prior to first reading of the budget.

8) COUNCIL ATTENDANCE PROVISION

Fairfield County Council respects the State of South Carolina's Constitution as it relates to fulfilling the duties of office as an elected representative of Fairfield County and our oath of office. Each member of Council should attend every public meeting as scheduled by a majority of Council. If, however, for any reason a member of Council cannot attend any scheduled public meeting, he/she should notify the Clerk of Council prior to the beginning of the meeting to notify the Council and public of the reason for the absence.

9) COUNCIL RULES FOR MEETINGS

Generally speaking, the rules are the same for all types of meetings, with the exception that official action may only be taken at a regular meeting. All other meetings are advisory and the Chair may ask for a "sense of the Council" with official action to be taken at a subsequent Council meeting.

When the Council is called to order, every member and every guest shall take his or her seat and shall, during the session, act with decorum.

The Chairperson shall preserve order. If any member violates the rules of order as recognized by the Council, the Chair shall (or other member may) call him or her to order. A member who is called to order shall immediately take his or her seat until the question of order is decided, unless he or she is allowed by the Chair to explain his or her action.

The Chair shall decide all questions of order without debate, or with short conversation as he or she may permit; but any member may appeal to the Council to overrule the decision of the Chair which shall require at least 3 votes of the members present and voting.

If repeated calls do not produce order, the Chair may call by name any member persisting in irregularity. The person may then explain his or her conduct but may be ordered by the Chair to withdraw while Council considers appropriate action.

In case of repeated disturbance or disorderly conduct by any persons present, the Chair shall have the power to order the Chamber cleared, and any member may move for the order.

- 1) Every member, when about to speak, shall address himself/herself to "Mr. or Madam Chairman," and, in speaking, shall avoid disrespect to the Council and any personalities. All comments shall be confined to the question under consideration.
- 2) The Council shall proceed by motion. Any member, including the Chair, may make a motion. While the Chair may make a motion, he/she is not required to. The Chair may invite another Council member to make a motion by saying "the Chair will entertain a motion that..."
- 3) If the Chair wishes to become actively engaged in debate on a particular matter, he or she shall designate another Council member to preside. The Chair shall resume the duty to preside at the conclusion of the matter.
- 4) The Chair or his designee shall state the motion.
- 5) The member making the motion shall be entitled to speak first.
- 6) A Council member who has not spoken on the issue shall be recognized before someone who has already spoken.
- 7) A member may make only one motion at a time. (Distinct issues are considered and dealt with one at a time; therefore, a new proposal may not be put forth until action on the preceding item has been concluded).

- 8) It is the duty of the Council member to vote unless excused by a majority of Council. (A member who wishes to be excused from voting, due to a conflict of interest, shall so inform the Chair, who shall take a vote of the remaining members. A member who fails to vote, having not been excused, shall be recorded as voting in the affirmative).
- 9) Should a member believe another member has a conflict and should not be allowed to vote, the objecting member must raise his/her objection prior to the minutes of the affected meeting being adopted; otherwise, the vote stands.
- 10) All votes shall be recorded in the minutes naming the maker, the seconder, yeas, nays and excused or absent.
- 11) Any Council Member who excuses him or herself from deliberations shall be prohibited from participating in the entire proceeding involving that item.
- 12) Any member of Council having a conflict or potential conflict of interest in any matter before Council shall make known that conflict and shall physically remove him or herself from the Council Chambers while the item in question is being deliberated and voted upon. That member of Council shall then be required to sign a statement of potential Conflict of Interest form, which shall be noted in the record and placed on file in the Clerk to Council's office.
- 13) Any motion may be renewed during the same meeting if it is proposed by a member who voted on the prevailing side.
- 14) A member wishing to renew a motion at a subsequent meeting must have voted on the prevailing side and must have the item included in the agenda packet following the prescribed method for placing items in the agenda packet.
- 15) The Council may not deliberate, vote or otherwise act on items not included in the agenda packet. (Items not included in the agenda packet may be added to the agenda at the appropriate time by a majority of Council for discussion only, but no official action may be taken. The Chair, at his discretion, may direct the Clerk to Council to add the item to a subsequent agenda packet for consideration for official action).
- 16) Introduction and subsequent approval of ordinances and resolutions shall follow the manner prescribed by South Carolina statutes for such actions. (A copy of these rules and procedures shall be on file in the Clerk to Council's office with a copy for public viewing and inspection at the main public library during their normal business hours).
- 17) All motions (including motions to table, adjourn and recess) require a second to be debated. Failure to receive a second within a reasonable time automatically tables the motion.
- 18) A motion may be withdrawn by the introducer with the concurrence of the seconder any time prior to the Chair calling for a vote on the motion.
- 19) Any individual matter initiated by a Council Member that needs Council action should first be made in motion, voted on and assigned by the Chair to Committee, should it be carried by a majority vote. This same process will apply to matters that are brought to the Council by members of the public, should action be required. All matters of the public shall require a Council Member sponsor. All such items should be forwarded, in writing, to the Chair of Council.
- 20) A majority of Council membership shall constitute a quorum. The number required for a quorum shall not be affected by vacancies. If a member has withdrawn from a meeting once the meeting has been called to order without being excused by a majority vote of the remaining members, he or she shall be counted as present for the purposes of determining whether a quorum is present. He or she shall also be considered to have voted in the affirmative on all matters arising subsequent to his or her unexcused absence. (The purpose of this rule is to prevent a member from abandoning their seat without proper authorization in an effort to frustrate the working of government).
- 21) Council acts as a body. No individual member of Council is authorized to act for Council unless authorized and directed to do so by Council. Council members receiving information which will ultimately require action by the Council, he/she shall promptly report such matter to the Chairman for further action by the Council.

- 22) Directives to county employees are to be issued by Council as a body to the County Administrator for appropriate action.
- 23) In all particulars not determined by these rules, or by the law, the Chair shall table the action and direct the County Attorney research the matter and to present a written opinion at a time and date certain.

10) ALL MEETINGS SHALL BE OPEN TO THE PUBLIC EXCEPT AUTHORIZED EXECUTIVE SESSIONS

- a) In accordance with Section 30-4-70 of the Code of Laws of South Carolina, 1976, as amended, a public body may hold a meeting closed to the public for one or more of the following reasons:
 - (1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.
 - (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
 - (3) Discussion regarding the development of security personnel or devices.
 - (4) Investigative proceedings regarding allegations of criminal misconduct.
 - (5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.
 - (6) The Retirement System Investment Commission, if the meeting is in executive session specifically pursuant to Section 9-16-80(A) or 9-16-320(C).
- b) Before going into executive session the public agency shall vote in public on the question and when the vote is favorable, the presiding officer shall announce the specific purpose of the executive session. As used in this subsection, "specific purpose" means a description of the matter to be discussed as identified in items (1) through (5) of subsection (a) of this section. However, when the executive session is held pursuant to Sections 30-4-70(a)(1) or 30-4-70(a)(5), the identity of the individual or entity being discussed is not required to be disclosed to satisfy the requirement that the specific purpose of the executive session be stated. No action may be taken in executive session except to (a) adjourn or (b) return to public session. The members of a public body may not commit the public body to a course of action by a polling of members in executive session. Subsequent to executive session, Council may take action on matters discussed in executive session.
- c) No chance meeting, social meeting, or electronic communication may be used in circumvention of the spirit of requirements of this chapter to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.
- d) This chapter does not prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.
- e) Sessions of the General Assembly may enter into executive sessions authorized by the Constitution of this State and rules adopted pursuant thereto.
- f) The Board of Trustees of the respective institution of higher learning, while meeting as the trustee of its endowment funds, if the meeting is in executive session specifically pursuant to Sections 59-153-80(A) or 59-153-320(C).

11) CODE OF CONDUCT

Fairfield County Council believes that the public interest is best served when meetings are conducted in an atmosphere of mutual respect and civility. Every person, including public officials and private citizens,

who participates in a Fairfield County Council meeting is requested to adopt the following pledge of conduct:

I pledge that I may disagree but will be respectful of all. I will direct all comments to the pending issues. I will refrain from personal attacks.

12) PARLIAMENTARY PROCEDURE

- a) Members May Appeal From Decision: All questions of order shall be determined by the Chairman without debate, or with such debate as the Chairman, in his/her discretion may permit; but any member may appeal to the entire Council the decision of the Chairman.
- b) When Motions Are Debatable: All motions, except motions to adjourn, shall be debatable.
- c) Roll Call Vote: Upon any question, at the request of any four (4) members, a roll call vote shall be ordered: whereupon the Clerk shall call the roll and take the names of all who voted "Yes," and all who voted "No," which the Clerk shall enter in the minutes. Any member may, upon request, have his/her vote recorded on any question.
- d) Substitutions in the Chair: The Chairman, in the absence of the Vice Chairman, or the Vice Chairman, when he/she is presiding, may name a member to fill his/her place during an occasional absence from the Chair, but such substitutions shall not extend beyond adjournment. In the absence of the Chairman or the Vice Chairman, the Council shall elect an acting Chairman to serve until the return of the Chairman or the Vice Chairman.
- e) Parliamentary Procedure Not Specified in These Rules: In all particulars not determined by these rules, or by the law, the Chairman or other presiding officer shall be guided by the previous usage of Council or by parliamentary law and procedures as it may be collected from Robert's Rules of Order.
- f) Council, by majority vote, may waive its rules if it determines that it benefits the public's interest.

13) AGENDAS

a) REGULAR MEETING AGENDA

The format for the order of business for the regular meeting agenda shall be as follows:

- 1. Call to order
- 2. Approval of Agenda
- 3. Invocation
- 4. Approval of Minutes
- 5. Public Presentations
- 6. Public Comment (3 minutes: Input must pertain to items on the agenda)
- 7. Public Hearing
- 8. Ordinances, Resolutions and Orders
- 9. Board and Commission Minutes
- 10. Board and Commission Appointments
- 11. Old Business
- 12. New Business
- 13. County Administrator's Report: Standard Last Item: (Motion Period Process)
- 14. Clerk to Council's Report
- 15. Public Comment (3 minutes: Input will be for items not currently on Council's agenda or under Council's consideration. The subject matter shall be related to and limited to items, issues and topics regarding Fairfield County).
- 16. County Council Time
- 17. Executive Session: Subsequent to executive session, Council may take action on matters discussed in executive session.
- 18. Adjourn

14) NOTES ON AGENDA ITEMS

a) Approval of Agenda:

- 1) Council members may introduce a motion and with proper second and majority vote, change the order of discussion of items on the agenda, delete items, table items or add items to the agenda.
- 2) Added items are added for information only and may not be voted upon unless they were included in the agenda packet and given the proper public notice.
- 3) After all adjustments to the agenda are finalized, the Chair calls for a motion "to approve the agenda as amended." With the motion to "approve the agenda as amended" being properly made and passed by a majority of Council, no further changes may be made and the amended agenda becomes the order of business.

b) Public Comment:

- 1) The first public comment segment will be for input pertaining to items on the agenda, for which no public hearing is required or has been scheduled.
- 2) The second public comment segment will be for items not currently on Council's agenda or under Council's consideration. The subject matter shall be related to and limited to items, issues and topics regarding Fairfield County. Speakers shall use language that is civil, factual and diplomatic.
- 3) The total time allocated to each public comment segment is 30 minutes.
- 4) Persons desiring to make a public comment shall indicate this intention prior to the beginning of the meeting by signing the public comment sheet.
- 5) The public comment sign-in sheet shall be made available at all regular meetings of Council at least fifteen (15) minutes in advance of the meeting by the Clerk to Council.
- 6) To make a public comment, the speaker must indicate the following information on the public comment sign-in sheet: their name, address, telephone number and the matter on which he/she desires to comment, and must announce his/her name, county and district where they reside from the podium.
- 7) Five (5) minutes prior to the posted starting time for the regular meeting, the Clerk to Council, or her designee, will announce in a voice sufficient to be heard by all in the room that "the opportunity to sign up for public comment expires when the Chair calls the meeting to order." The Clerk to Council shall also announce that "all electronic devices shall be switched to a silent mode."
- 8) Upon the Chair calling the meeting to order, the Clerk to Council shall remove the public comment sign-in-sheet and shall deliver it to the Chairman.
- 9) Public Comment shall be limited to three (3) minutes for individuals.
- 10) Citizens addressing Council shall conduct themselves with decorum and respect.
- 11) All comments shall be addressed to the Chairman, and not individual members of Council.
- 12) Council may not respond or engage in dialogue with the speaker.
- 13) Council Members wishing to respond may do so during County Council Time.
- 14) Unless it is a requirement of law, a grant or directive of the Chair, an individual's comments will not be recorded in the minutes.
- 15) Speakers are to station themselves at the speaker's podium and not approach Council members.
- 16) Speakers wishing to disseminate materials must first ask the Chair for permission. If permission is granted, then the materials are placed in the custody of the Clerk to Council for dissemination. The speaker is not allowed to approach Council.

c) Public Presentations:

- 1) The total time allocated to this item is 30 minutes.
- 2) All presentations will be held on the last Council meeting of the month.
- 3) Permission to make a public presentation must be made in writing or electronic written communication to the Clerk to Council at least seven (7) business days prior to the requested regular meeting date.

- 4) Presentations shall be limited to five (5) minutes for an individual or ten (10) minutes for persons representing a group of five (5) or more.
- 5) The presentation request must: (a) list the name, address and contact number of the presenter; (b) list the topic to be discussed; (c) provide an explanation of the listed topic. If the presentation is requested by a group, the group must provide: (a) the name of the organization on the official letterhead of the group; (b) list of the organization's officers and a contact number; (c) official designation
- 6) Individuals or groups desiring to provide written materials to the Council members shall furnish a copy of any such written materials to the Clerk to Council at the time of their request to be heard.
- 7) Upon approval by the Presentation Committee (consisting of Chairman, Vice Chairman and the District Representative from which the request originated) to add the requested item to the public presentation portion of the agenda, the Clerk to Council shall place the item at the appropriate location on the agenda packet. If the materials are not conducive to electronic dissemination, the Clerk to Council shall take appropriate means to deliver the materials to Council prior to the date of the next regular meeting. Furthermore, in cases where the request originates from the district of the Chairman or Vice Chairman, the Chairman shall appoint another Council Member to maintain a consistent number of three (3) members on the Presentation Committee, which shall be determined by rotation of Council Members, commencing in district order (excluding the Chairman and Vice Chairman's district).
- 8) No materials may be disseminated that were not included with the original request. Duplicate copies of the original materials that were sent to Council in their agenda packet may be handed to the Clerk to Council for distribution. Individuals are to be stationed at the speaker podium and not approach Council.

d) Public Hearing:

- 1) Some ordinances, resolutions and orders require a public hearing. This item is discussed in more detail in Addendum 1—Ordinances and Resolutions.
- 2) The total time allocated to this item is 30 minutes.
- 3) This time is for public hearing only.
- 4) Public hearing is limited to the matter as posted on the public hearing sign-in sheet.
- 5) Persons desiring to speak on the posted public hearing matter shall indicate this intention prior to the beginning of the meeting by signing the public hearing sheet.
- 6) The public hearing sign-in sheet shall be made available at appropriate regular meetings of Council at least fifteen (15) minutes in advance of the meeting by the Clerk to Council.
- 7) To make a public hearing comment, the speaker must indicate the following information on the public hearing sign-in sheet: their name, address and telephone number, and must announce his/her name, county and district in which they reside from the podium.
- 8) Five (5) minutes prior to the posted starting time for the regular meeting, the Clerk to Council or their designee will announce in a voice sufficient to be heard by all in the room that "the opportunity to sign up for public hearing expires when the Chair calls the meeting to order."
- 9) Upon the Chair calling the meeting to order, the Clerk to Council shall remove the public hearing sign-in-sheet and shall deliver it to the Chairman.
- 10) Public hearing shall be limited to three (3) minutes for individuals.
- 11) Citizens addressing Council shall conduct themselves with decorum and respect.
- 12) Unless it is a requirement of law, a grant or directive of the Chair, an individual's comments will not be recorded in the minutes.
- 13) Speakers are to station themselves at the speaker's podium and not approach Council members.
- 14) Speakers wishing to disseminate materials must first ask the Chair for permission. If permission is granted, then the materials are placed in the custody of the Clerk to Council for dissemination. The speaker is not allowed to approach Council.

e) Ordinances, Resolutions and Orders:

Ordinances, resolutions and orders are placed at this location in the agenda for appropriate action as described in detail in Addendum 1—Ordinances and Resolutions.

15) WORK SESSION AGENDAS

The format for the order of business for the worksession meeting agenda shall be as follows

- a) **WORK SESSION AGENDA WHEN COUNCIL IS NOT MEETING WITH ANOTHER OFFICIAL BODY**
 - I. Call to Order
 - II. Approval of Agenda
 - III. Invocation
 - IV. Old Business
 - V. New Business
 - VI. Adjourn

- b) **WORK SESSION AGENDA WHEN COUNCIL MEETS WITH ANOTHER OFFICIAL BODY**
 - I. Call to Order of County Council
 - II. Call to Order of Visiting Body or Bodies
 - III. Approval of Agenda by County Council
 - IV. Approval of Agenda by Visiting Body or Bodies
 - V. Invocation
 - VI. Old Business
 - VII. New Business
 - VIII. Adjourn of Visiting Body
 - IX. Adjourn of County Council

16) COUNCIL PARTICIPATION AT OFFICIAL FUNCTIONS

Educational, training and lobbying opportunities are essential to being on County Council and in many instances require travel at County expense for Council members. Generally, there will always be more travel opportunities of these types than funding or time will allow. Therefore, to allow for appropriate training/educational and lobbying efforts for Council members while maintaining fiscally responsible practices, Council hereby establishes the following requirements regarding travel at County expense:

- On an annual basis, funds shall be budgeted by County Council to correspond with the usual and customary expenses for the annual legislative County conference of the National Association of Counties and the annual summer conference of the South Carolina Association of Counties;
- However, Council members are not required to attend these conferences and may use their budgeted allocation for other training, educational or lobbying costs as they deem appropriate;
- Funds shall not be provided beyond the individual Council member's annual budgetary allotment, unless presented at a Council meeting and approved by the majority of Council;
- Funds shall be budgeted on an individual basis and shall not be transferred or applied to the use of other Council members' training, educational or lobbying efforts, nor shall such funds be used for expenses other than official travel and training/education/lobbying;
- Unused funds shall revert to the County at the end of the fiscal year.

17) AMENDMENTS

A proposed amendment to these rules may be adopted by the Council upon an affirmative vote of a majority of its members.

18) SEVERABILITY


The provisions of this Resolution are declared to be separable. If any section, phrase or provision shall be declared by a court of competent jurisdiction to be invalid or unenforceable for any reason, the remaining sections, phrases and provisions of the Ordinance shall remain valid.

19) REPEALER

All orders, resolutions or other procedures in conflict with this Resolution are hereby repealed, but only to the extent of that conflict. As to those items merely restated without amendment or modification, no repealer is implied hereby.

Resolved and done in a meeting duly noticed and assembled, and effective from and after, this 8th day of Oct. 2018.

FAIRFIELD COUNTY, SOUTH CAROLINA



William B. Smith, Jr.
Chairman of County Council
Fairfield County, South Carolina

ATTEST:



Patti Davis, Clerk to County Council
Fairfield County, South Carolina

ADDENDUM 1--ORDINANCES AND RESOLUTIONS

1) General

The Council takes legislative action by ordinance. After an ordinance has had three readings, public hearing, if required by other applicable law, and is passed by the Council, it becomes the law of the County. A resolution is generally an act of a temporary nature or one that is ordinarily sufficient for Council action of ministerial, administrative or executive matters and is not a matter of changing a matter of law. Resolutions do not have the force of law, but shall express the opinion of Council concerning a particular thing or matter.

2) Ordinances and Resolutions Shall Be In Writing

All proposed ordinances and resolutions shall be in writing, either typed or printed, and in a sufficient number of copies for each member of the Council to be provided with copies at the time of introduction.

3) Reading of Ordinances and Resolutions

If all members of Council are furnished with copies of a proposed ordinance or resolution, a verbatim reading thereof shall not be required unless such reading is specifically requested by a member. All ordinances, with the exception of emergency ordinances as hereinafter set out, shall be read at three (3) meetings of Council on three (3) separate days with an interval of not less than seven (7) days between the second and third reading.

4) Introduction and Required Readings of Ordinances and Resolutions

- a) Introduction of Ordinances: Any member of Council may introduce an ordinance during Approval of Agenda for placement on the agenda. The Chair shall call for a vote to add the ordinance to the agenda. If there is a majority vote, the Chair shall place the ordinance on the revised agenda for discussion only. No vote may be taken on the ordinance except that the Chair shall call for a vote to place the ordinance on the agenda of a future meeting, which shall require a majority vote.
- b) Ordinances may be placed on the posted agenda prior to a meeting for "First Reading, By Title Only" by the Chair or by a majority of Council by contacting the Clerk to Council and requesting the item be placed on the agenda.
- c) First Reading: At the first reading of an ordinance, no debate or amendment shall be in order.
- d) Second and Third Readings: At least one (1) day prior to the second reading of an ordinance, printed copies of the text of the ordinance shall be delivered to every member of the Council. After all amendments, if any, are disposed of, the question shall be whether the ordinance shall receive second reading. After the ordinance has been given second reading on a subsequent regular public or special meeting of Council, the third reading of the ordinance may be scheduled. At the third reading of any ordinance, amendments may be made upon a majority vote of the Council. A public hearing, if required by other applicable law, must be scheduled prior to the passage of the ordinance. After all amendments, if any, are disposed of, and after public hearing has been held, the question shall be the passage of the ordinance.
- e) Final Passage: No ordinance, resolution, code or policy or amendments thereto shall be passed or adopted unless a majority of the members of the Council shall have voted for its approval or passage. Amendments to an existing ordinance shall require the procedures as required for original passage of an ordinance.
- f) All amendments must be relevant to the proposed resolution. After all amendments, if any, are dispensed with, the question shall be the adoption of the resolution.
- g) Emergency Ordinances: In accordance with Section 4-9-130 of the Code of Laws of South Carolina 1976, as revised, Council may adopt emergency ordinances. An emergency ordinance shall be effective immediately upon its enactment without regard to any reading, public hearing, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first (61st) day following the day of enactment. Such ordinances, however, must deal with public emergencies affecting life, health, safety or the property of the people. Such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or charge a service rate. Every emergency ordinance shall be designated as such and shall contain a declaration that an emergency exists and describe the emergency. Every emergency ordinance shall be enacted by the affirmative vote of at least a majority vote of the members of the Council present.

5) Public Hearing

Upon giving fifteen (15) days notice of the time and place of such hearing which shall be published in a newspaper of general circulation in the County, a public hearing shall be held before final Council action to:

- a) Adopt ordinances, if required by other applicable law;
- b) Adopt annual operational and capital budgets;
- c) Make appropriations, including supplemental appropriations;
- d) Adopt building, housing, electrical, plumbing, gas and all other regulatory codes involving penalties;
- e) Adopt land planning and subdivision regulations;
- f) Levy taxes; and
- g) Sell, lease or contract to sell or lease real property owned by the County.

Persons wishing to address Council during public hearings must comply with the provisions set out in Section 14(d) herein. For grant purposes, the Clerk to Council may record an individual's comments into the minutes of meeting.

6) Annual Appropriations Ordinance

At or prior to the first regular meeting in June, the County Administrator shall present for first reading an appropriations ordinance which shall set forth in detail appropriations for all County purposes and activities during the ensuing fiscal year; and this ordinance, as it may be amended, shall be enacted by the Council prior to the commencement of such fiscal year. The total of the appropriations under such ordinance shall not exceed the total of anticipated County revenues from all sources. Notwithstanding any other provisions of the budget ordinance, the County Auditor shall not officially levy a tax without prior consultation and approval of the Council. As soon as possible after receiving the preliminary millage figures from the Auditor's office, the Council shall, by Resolution, inform the Auditor as to specific millage figures to be used for each agency. The budget ordinance must comply with all applicable state statutes.

7) Ordinances and Resolutions Shall Be Printed

In accordance with Section 4-9-120 of the Code of Laws of South Carolina 1976, as revised, "All proceedings of Council shall be recorded and all ordinances adopted by Council shall be compiled, indexed, codified, published by title and made available to public inspection at the office of the Clerk to Council of Council."

ADDENDUM 2--BOARDS AND COMMISSIONS.

1) Election And Appointments To Boards And Commissions

- a) The various boards and commissions established by the County government each perform a vital service to this County. They serve the public good and help to make the quality of life in this County better for all. It is, therefore, the expressed intent and desire of the Council that all citizens of the County be made aware of the work of the commissions and boards and that all be given the opportunity to serve their community by their participation and membership in these organizations. Further, the Council is of the opinion that the best interests of the County are served when its boards and commissions select members from all areas of the County and when they reflect as nearly as possible a fair representation of the racial, sexual and economic make-up of the community.
- b) Commission and Boards Covered:
 - 1) The Council shall appoint the membership of the Aeronautics Commission, Assessment Appeals, Behavioral Health Services Board, Construction Board of Appeals, Council on Aging Board, Disabilities and Special Needs Board, Fire Commission, Hospital Board, Library Commission, Planning Commission, Zoning Board of Appeals and the delegate to the Olde English Tourism Commission.
 - 2) The Chairman shall serve as the public delegate to the Central Midlands Council of Governments, the Central South Carolina Alliance and the I-77 Alliance. Terms and requirements for membership shall be as specified by appropriate State law, County Ordinance, this Resolution or by subsequent resolution, order or other directive of County Council.
 - 3) The Chairman of County Council shall select one member of County Council to serve as a voting member of the Fairfield County Chamber of Commerce Board of Directors; however, this person will not serve as an officeholder of the Fairfield County Chamber of Commerce Board of Directors.
 - 4) The Council shall appoint three (3) Commissioners to the Fairfield Joint System in accordance with the terms and conditions of Resolution 2018-06, A Resolution by Fairfield County Authorizing the Creation of a Joint Authority Water and Sewer System and the Memorandum of Understanding between the County and The Town of Winnsboro.

2) Appointment Requirements – Council District Seats

- a) The Clerk to Council shall report to the Council when a vacancy is expected to occur within one hundred and twenty (120) days from the anticipated vacancy for each County board and commission which the Council has a legal responsibility to fill. The Clerk to Council shall receive applications for any impending vacancy. The Council Chair or Clerk to Council shall also inform the Chair of the relevant board or commission of the impending vacancy.
- b) Each board or commission may, if it so chooses, recommend to the Council member from whose Council district the impending vacancy is expected (“nominating member”) the names of individuals who would be interested in serving on the board or commission.
 - 1) Before submitting the name(s) of any person(s), the board or commission should attempt to find at least one interested person who, given the present membership of the board or commission, would add to the cross-sectional representation from within the County.
 - 2) Prospective members of boards or commissions must be a resident of Fairfield County, though they need not be a resident of any particular district.
 - 3) Possible candidates should include persons from as many different geographic areas as possible. Should it be impossible to find persons from the wider community to fill vacancies, the board or commission should report its efforts to the nominating member at the time of its submission of suggested names.
 - 4) No county employee or elected official may be appointed to a board or commission unless the makeup of that board or commission specifically requires a county employee or elected official to be a member, i.e. a building inspector, or the county human resources director.

- 5) If the board or commission decides to provide the name of any individual(s) to the nominating member, the board or commission is encouraged to provide at least two individuals for each vacancy, detailing the name, physical address and occupation of the person leaving the seat to be filled, and the name, physical address, telephone number and occupation of each individual suggested to fill the vacancy.
- c) Regardless of the source of the candidate's name, before a candidate can be considered, that candidate must submit a signed application, in which the candidate indicates willingness to serve should the candidate be selected. This application must also include a statement that the candidate has been informed of the duties of the office and of the meeting times and other requirements for the position. Further, the application must contain sufficient information on the other interests, positions and community involvement of the individual suggested so as to allow the nominating member to evaluate the candidate.
- d) Where an incumbent candidate is eligible for re-appointment and re-appointment is sought by that candidate, the application shall be marked so as to inform the nominating member of the request for re-appointment and include information as to the prior terms of the member on the board or commission. At the request of a potential candidate, the Clerk to Council shall deliver the proposed template for the submission of this information.
- e) Regardless of the source of the application, the nominating member is not obligated to accept any candidate.
- f) After receiving applications prior to the application deadline, the Clerk to Council shall provide a copy of each application to the nominating member. The nominating member shall determine which, if any, application to provide to the Council at the next appropriate meeting, during which the Clerk to Council shall publish the name of each candidate.
- g) If the nominating member has not removed the candidate's name from consideration, then, at the meeting following the meeting at which the Clerk to Council first published the name of each candidate, the Clerk to Council shall publish the name of each candidate into the minutes as the candidate selected to fill the vacancy, unless a super majority of Council opposes the nomination. In such a case, the nominating member has an additional thirty (30) days to submit another name for Council consideration.
 - 1) In the event the nominating member does not provide the Clerk to Council with the name of a candidate no more than thirty (30) days after the Clerk to Council notifies the Council of that vacancy, then, no later than the normal agenda deadline for the next meeting at which the Clerk to Council otherwise would have published the name of the candidate provided by the nominating member, subject to all other requirements for submitting a candidate's name, each Council member is entitled to submit the name of one or more candidates to fill the vacancy. At that meeting, the Council shall vote on the slate of candidates. Each Council member is entitled to cast one vote per election irrespective of the number of candidates subject to election for the vacancy to be filled. If no candidate receives a majority, the balloting shall continue until there is a winner by a majority of the vote or further balloting may be reserved to a later meeting of the Council.
 - 2) A similar procedure applies to the election of candidates for "at-large" seats: No later than the normal agenda deadline for the next appropriate meeting, subject to all requirements for submitting a candidate's name, each Council Member is entitled to submit the name of one or more candidates to fill the at-large vacancy. At that meeting, the Council shall vote on the slate of candidates. Each Council Member is entitled to cast one vote per election irrespective of the number of candidates subject to election for the vacancy to be filled. If no candidate receives a majority, the balloting shall continue until there is a winner by a majority of the vote or further balloting may be reserved to a later meeting of the Council.
- 3) The Clerk to Council shall notify each selected candidate.

3) Consecutive Terms/Replacements

A person selected to serve on any board or commission is not eligible to serve more than two consecutive terms. For purposes of this sub item, and for emphasis and clarification, if a person is selected to complete

an unexpired term, and the remaining term to be served is equal to or less than one-half of the full term, the person's service during that unexpired term shall not be deemed service of a term for reappointment purposes. Conversely, if a person is selected to complete an unexpired term, and the remaining term to be served is greater than one-half of the full term, the completion of that term shall be considered to be service of a full term, and the person so serving shall be eligible for appointment of only one more consecutive term. Provided, however, no person shall serve more than seven and one-half consecutive years on a board or commission. A person is always eligible to be appointed to the same board or commission after an absence from the board or commission for a period equal to one full term of service.

4) Election of Members

Elections to fill vacancies on board and commissions should be held at a public meeting of the Council during the month of September each year, prior to the expiration of the terms of those boards or commission members whose successors are to be elected. Members elected during September of each year shall be referred to as the Class of xxxx to facilitate recordkeeping.

5) Vacancies Not Timely Filled/Holdovers

Should a vacancy in a board or commission not be filled within the time limits as set out herein for any reason, the individual holding the position at the time of the vacancy may continue in the position until it is filled. The term of the newly selected individual shall run from the initial date of the vacancy, not from the date he/she shall be approved to assume the position. However, in the event that a holdover situation should result in a continuing need to replace all members of a board or commission at one time, the Council shall have the authority to stipulate that the term of one or more of the positions on the board or commission shall be of a lesser duration for a specified period. This will enable the Council to return the board to a normal turn-over pattern in its later terms.

6) Removal of Board Members

Nothing in these provisions shall be taken to imply that any board or commission member or members may not be removed from their positions during their terms for any reason or no reason, or may not be re-appointed at any time, at the discretion of the Council.

7) Re-appointments

Persons who seek to be re-appointed to a board or commission shall submit an application to the Clerk to Council which shall indicate that the candidate's eligibility for re-appointment and whether the board or commission endorses the request for re-appointed. The Council reserves the right to accept or deny any applications for membership on a particular board or commission and shall determine the re-appointment in the normal manner of all nominations.

8) Provisions as to the Rural Fire Board

Because of the peculiar needs of the Rural Fire Board as to the make-up of its board, nominations to this board shall, in most instances, be taken from the membership of each respective fire department. However, nothing in these rules shall limit the right of the Council to appoint any person it may so choose should it determine that such appointment is in the best interest of the County.

9) Duties of the Boards and Commission

a) Information to Council: As ex-officio members of all boards or commissions, the Council members shall be kept informed of all board and commission activity. All boards and commissions shall provide directly to the office of the Clerk to Council, copies of all by-laws, procedural manuals, statutes and other materials by which the organization and or board operates. The board/commission by-laws must conform to the rules and regulations as set forth by Council, and must be so approved by Council. Board meetings shall be documented by audio taped as well as by written minutes, which shall be maintained as records of the

board or commission. Timely notice of all meetings shall be provided to the Clerk to Council for provision to the Council. The recording secretary of each board and commission shall, within thirty (30) calendar days of each meeting, forward copies of the agenda, minutes, and attendance report to the office of the Clerk to Council.

- b) **Information to the Public:** Each board and commission shall provide adequate and sufficient notice of all meetings to the general public by posting such notice at its general meeting location or at the front of the County Administration complex at least twenty-four (24) hours prior to such meeting. Meetings shall be open to the general public, except for executive sessions of such boards as may pertain to the issues set out at Section 9 herein. A period of public comment may or may not be provided at said meetings at the discretion of the board or commission.
- c) **Board Membership and Attendance:** A simple majority shall constitute a quorum of the board or commission and shall be addressed accordingly in the internal operating rules and regulations of the board or commission. Board and commission members are required to be in attendance at three-fourths (3/4) of all regular meetings during a 12 month calendar period. Non-attendance at the required number of meetings shall result in removal from the board. The director of each board or commission shall submit to Council on a semi-annual basis (July and January) an attendance report of board members. Question as to the validity and/or continuation of board membership shall be determined solely by the Council. Should any question as to board membership arise, including questions relating to the failure of a board member to adequately carry out his board duties or to regularly attend board meetings and/or functions, the Chairman or executive director shall notify the Clerk to Council in writing of the problem. The Clerk to Council shall then refer the situation to the Council Chairman for appropriate action.
- d) **Board Internal Operating Rules and Regulations:** Each board and commission shall promulgate in written form its internal operating procedures. Said operating procedures must conform to the rules and regulations as set forth by Council, and must be so approved by Council. No part of these rules and regulations shall be in conflict with the rules established by the Council for the operation of the boards and commissions nor shall they allow or provide for actions in conflict with the ordinance/act which shall have created the board or commission in Fairfield County.
- e) **Mandatory Board Training:** Council shall provide three (3) training opportunities annually. Board members must attend at least one (1) of these trainings. If a board member fails to attend one (1) training per year, the board member must submit written notice to County Council as to his reason for absence. Council may accept the reason or reject it. Rejection will result in removal from the board. Failure to submit a written reason within thirty (30) days of three (3) trainings in a calendar year will result in automatic termination from the board.