



RICHLAND COUNTY COUNCIL RULES

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RICHLAND COUNTY COUNCIL RULES

RULE I: MEETINGS

1.0 Authority

These Rules are adopted pursuant to S.C. Code Ann. Section 4-9-110, which provides that, “[t]he Council shall determine its own rules and order of business.”

1.1 Purpose and Scope

These rules shall apply to all meetings of the County Council, including committee meetings, and to all boards and commissions for which the County Council appoints a majority of the members and they have no rules in place. Where applicable, the term “County Council” means not only the County Council but also any other board or commission in the county governed by these Rules. These Rules were adopted as guidelines to assist County Council, and county boards and commissions in conducting orderly and productive meetings. Any deviation from or waiver of these Rules shall not affect or void any action taken by County Council, a county board, or a commission. Furthermore, such deviation or waiver does not convey any right or cause of action to third parties not otherwise imposed by law.

1.2 Procedure

In all cases not covered by these rules or by law, the Chair or other presiding officer shall be guided by such rules as are set forth in the most recent edition of *Robert’s Rules of Order*.

1.3 Open Meetings

All meetings of the County Council shall be open to the public except as provided for in Section 30-4-10 et. seq. of the South Carolina Code of Laws, 1976, as amended. All regular and special called meetings of the Council will be broadcast live (and recorded), where practical.

Public notice of regularly scheduled meetings, special called meetings, and committee meetings will be given in accordance with S.C. Code Ann. Section 30-4-80 “Notice of meetings of public bodies.

1.4 Executive Sessions.

In accordance with the South Carolina Freedom of Information Act, “[a] public body may hold a meeting closed to the public” for any of the purposes set forth in S.C. Code Ann. Section 30-4-70. The agenda shall state the reason for the Executive Session. Pursuant to 30-4-70(b), before going into executive session Council shall vote in public on the question and when the vote is favorable, the Chair or presiding officer shall announce the specific purpose of the executive session. No action may be taken in executive session except to (a) adjourn or (b) return to public session.

1.5 Dates/Times

- a) Regular Meetings – Regular Meetings of County Council shall be held on the first and third Tuesday of each month at 6:00 p.m., and on other dates and at any other times determined by Council as part of Council’s Annual Meeting Schedule approved prior to each calendar year (i.e., a “Regular Meeting” may be held other than on the first and third Tuesday of each month at 6:00 p.m., so long as such meeting is approved by Council as part of its Annual Meeting Schedule). Further, the Chair for good cause, with the consent of a majority of the Council members present, may schedule a regular meeting at other times. “Good cause” includes, but is not limited to,

consideration of County holidays, in which case the Council may decide to adjust its meeting schedule accordingly.

- b) Special Meetings – Special Meetings may be called by the Chair or a majority of the members. The members of the Council must be informed of the subject(s) to be discussed at a special meeting. While special called meetings, absent contrary authority, may be held for any purpose Council desires, two frequent reasons necessitating a special meeting include 1) a special called meeting that is essentially the result of the rescheduling of a meeting that had been regularly scheduled but for whatever reason needs to be moved to a different date or time (i.e., a regular meeting held at a special time not originally scheduled); and 2) a special called meeting to take up a specific matter or matters (i.e., a “limited purpose” meeting). A special called meeting that is in essence a regular meeting that has been moved to a time not originally scheduled should follow the agenda order set forth in Rule 1.7(c) of these rules. A special called meeting that is for a “limited purpose” or “limited purposes” need not follow the agenda order set forth in Rule 1.7(c) of these rules, but instead may follow an agenda that is as specific or general as may be necessary for Council to be informed of the purpose(s) of the limited meeting and to carry out the purpose(s) of the limited meeting.

Electronic Participation – “Council members are expected to regularly attend meetings in person, but electronic participation may be permitted in circumstances with notification being made to the Chair at least 24 hours prior to the meeting start time. Electronic participation may also be permitted in Committee Meetings with notification to the Committee Chair at least 24 hours prior to the meeting start time.

Electronic participation, including participation via online platforms such as Zoom, WebEx, or similar mediums, is permitted in circumstances where a Council member may not be present in Council chambers or other Council meeting location due to illness, public health crises or emergencies, quarantine, government-imposed curfew or restriction on movement, traffic or other delays, or other cause that reasonably would be expected to impede or prevent a member of Council from attending a Council meeting in person. Any Council members participating electronically may not participate in any executive session. Council members participating electronically may choose to abstain from a vote on the issue discussed in Executive Session.

For the purpose of this section “electronic” participation shall mean videoconferencing or teleconferencing which allows all persons participating in the meeting to hear each other at the same time (and, if videoconferencing, to see each other as well).”

- c) Zoning Public Hearing Meetings – Zoning public hearing meetings shall be held on the fourth Tuesday of each month at 7:00 p.m., unless otherwise scheduled by the Chair for good cause, or by a majority of the Council members for good cause. “Good cause” includes, but is not limited to, consideration of County holidays, in which case the Council may decide to adjust its meeting schedule accordingly.

1.6 Quorum

A quorum for the transaction of official business of the Council shall consist of six (6) members.

A quorum of a committee, subcommittee or advisory committee of the Council shall consist of a simple majority of the fixed membership of the committee, subcommittee, or advisory committee.

1.7 Agenda

- a) **Compilation** – The agenda for regular a meeting of the Council shall be compiled by the Clerk of Council on the Tuesday proceeding the first and third Tuesday of the month. Title of proposed agenda items should be delivered to the Clerk’s Office no later than 9:00 AM Tuesday one week prior to the scheduled Council meeting and/or before the scheduled Horizon meeting. Support documentation should be delivered to the Clerk’s Office no later than Noon Wednesday one week prior to the council meeting.
- b) **Placing on Agenda (Methods)** – Items for Council consideration may be placed on the agenda by any of these methods:
 - 1) Committee action, or
 - 2) Any item defeated, tabled, or not acted on by the committee within 90 days of that item having been placed on the committee’s agenda may be placed on the Council agenda when the Clerk’s Office has received a written request (including electronic mail or messaging) from three members of Council, or
 - 3) Proclamation introduced by one member of the Council presented to the Clerk prior to the agenda deadline, or
 - 4) Items authorized by ordinance (e.g. appointment and commissioning of Code Enforcement Officers), or
 - 5) The item consists of a notice given to the governing body concerning the location of a proposed home for 9 or fewer mentally or physically handicapped persons, or
 - 6) In the case of a resolution honoring or recognizing a citizen or organization, the same by unanimous consent may be placed on the agenda and voted on during Council’s motion period, or
 - 7) **Administrator’s Nomination** – this method of placing an item on the Council’s agenda recognizes that as the County’s chief executive officer, the Administrator may from time to time have a matter that needs to come before the Council that requires action, the delay of which might prejudice the County’s interest in a discernable way. In such instances, the Administrator may nominate an item for placement on Council’s agenda, and Council may decide to include such item at its pleasure during the adoption of its agenda, or the re-adoption of this agenda should re-adoption be necessary. Any item nominated under this rule:
 - a) Must include a representation by the Administrator, orally or in writing, that the item is time sensitive, exigent, or of such immediate importance that taking it up later would or could prejudice the County;

- b) In addition to (a) the Administrator shall provide an explanation as to why the item could not be routed to Council through the committee process or any of the other methods of placement on Council's agenda set forth in 1.7(b) 1-6 or, as to 1.7(b)(a), why committee consideration is not necessary;
 - c) Must be consented to by two-thirds of those members of the Council present at the meeting.
 - c) Order – the agenda for regular meetings of Council (and those special called meetings that are the result of rescheduling a meeting that had been regularly scheduled, as provided for in Rule 1.5(b) of these rules) shall consist of the following categories of business, to be taken up by the Chair in the order listed.
 - 1) Roll Call
 - 2) Invocation
 - 3) Pledge of Allegiance
 - 4) Approval of minutes of previous meetings: a simple majority vote of the Council is required to approve minutes. If there are corrections or amendments to the minutes, they may be approved as corrected or amended. Motions to reconsider, rescind, or expunge from the record any previous action must be made prior to the adoption of the relevant minutes, and any such motion will be placed on the Agenda's Motion Period for debate. Only when an item is expunged can it be reconsidered during the Motion Period. The adopted minutes shall note the motion to reconsider, rescind, or expunge.
 - 5) Adoption of agenda: a two-thirds majority vote, of those present, is required to adopt the agenda.
 - 6) First County Attorney's Report of Executive Session items: The County Attorney shall report only on those Executive Session items in which the County is represented by outside counsel or in which the County has retained the services of a consultant who is charging the County for services by the hour. In such cases, if it would save the County money to dispose of matters involving outside counsel or consultants at or near the beginning of its meeting, Council may take up such matters during this first Report of Executive Session items. No action shall be taken in Executive Session. The agenda shall state the reason for Executive Session.
 - 7) Citizens' Input:
 - a) **Agenda Items:** Each person who has signed the Agenda Items Input List to speak before Council may do so for up to 2 minutes; provided, however, the entire Agenda Items citizen input time shall not exceed 30 minutes, except by leave of Council. The Clerk shall be responsible for keeping the time for each speaker, and the timer shall not be started until after the speaker has stated his or her name and address. Anyone who wishes to speak but did not sign up to

speak, or signed up on the wrong Input List, may be allowed to speak at Council's discretion. Input must pertain to items on the agenda for which no public hearing is required or scheduled. Individual members of the Council shall not be referred to by name, but instead, the input should be directed to the full Council. Any material that a speaker would like to present to Council, including audio and visual presentations, should be provided to the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present. In the event a citizen who has signed up to speak intends to speak, or does speak, on behalf of any group, association, community, or anyone besides or in addition to himself or herself, the speaker must provide the Clerk of Council written authorization from such group, association, community, or citizen, prior to the meeting. The Clerk will have available Council members' contact information as listed on the County's website. The Chair may advise speakers to coordinate with or contact County staff as may be appropriate to the issue(s) raised by the speaker. Rule 2.2, Preservation of Order, applies during Citizens' Input. In addition, if it becomes clear that the item addressed or the speaker's input bears no reasonable relationship to any matter over which Richland County has responsibility, the Chair may discontinue that input prior to the running of the time limit for speakers set forth herein.

- b) **Non-Agenda Items Input:** Anyone who wishes to speak on an item, not on the agenda or bring a concern to the Council's attention may speak for no more than two minutes; provided, however, the entire Non-Agenda Items citizen input time shall not last longer than 30 minutes, except by leave of Council. The Clerk shall be responsible for keeping the time for each speaker, and the timer shall not be started until after the speaker has stated his or her name and address. Anyone who wishes to speak but did not sign up to speak, or signed up to speak on the wrong Input List, may be allowed to speak at Council's discretion. Individual members Council shall not be referred to by name, but instead, input should be directed to the full Council. Any material that a speaker would like to present to Council, including audio and visual presentations, should be provided to the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present. In the event, a speaker who has signed up to speak, or does speak, on behalf of any group, association, community, or anyone besides, or in addition to, himself or herself, must provide to the Clerk of Council written authorization from such group, association, community, or citizen, prior to the meeting. The Clerk will have available Council members' contact information as listed on the County's website. The Chair may advise speakers to coordinate with or contact County staff as may be appropriate to the issue(s) raised by the speaker. Rule 2.2, Preservation of Order, applies during Citizens' Input.
- 8) Report of the County Administrator: The County Administrator shall make recommendations or announcements concerning county affairs. Items for action shall be taken under this section only upon compliance with Rule 1.7(b)(7).
- 9) Report of the Clerk of Council: The Clerk of Council shall make announcements, if any, concerning county affairs.

- 10) Report of the Chair: The Chair of Council shall make announcements, if any, concerning county affairs.
- 11) Presentations: The party requesting to make the presentation shall set forth a written request that includes (1) the name of the person, group, association, or entity making the presentation, (2) the name and contact information for the presenter(s) or spokesperson(s) thereof, and (3) the purpose and nature of the presentation. The request should be succinct but have enough information to meaningfully inform the Council and the public of the substance of the presentation, and be submitted to the Clerk of Council in advance of the agenda deadline for the meeting where the presentation is intended to be made. The presentation request shall be included in the agenda packet. Presentations shall be limited to five (5) minutes and shall be heard on the third Tuesday of the month, except by leave of Council. All presentations shall be approved by the Chair before placement on any Council agenda. No presentation shall be heard which is not on the Council agenda prior to the start of the meeting. No more than three presentations will be allowed at each meeting. The purpose of this rule is so that Council may plan its meetings accordingly, given the variety of presentations and lengths thereof, and to assess the merits of a given presentation. Presentations shall not be used to request funding or resources support from the County.
- 12) Public Hearings: Each person who has signed up may speak to Council for up to two (2) minutes concerning an item for which there is a public hearing; provided, however, the entire public hearing time for any one item shall not exceed 30 minutes, except by leave of Council.

Any material that a speaker intends to present to Council, including audio and visual presentations, must be submitted to the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present. The Chair will request that in the event someone who has signed up to speak intends to speak, or does speak, on behalf of any group, association, community, or anyone besides, or in addition, to himself or herself, that the speaker advises Council during his or her public hearing input of that fact, and name or identify anyone else for whom the citizen is speaking or represents. The Clerk shall be responsible for keeping the time for each speaker, and the timer shall not be started until after the speaker has stated his or her name and address.

Anyone who wishes to speak but did not sign up to speak, or signed up to speak on the wrong public hearing list, may be allowed to speak at Council's discretion. Individual members of the Council shall not be referred to by name, but instead, input should be directed to the full Council. Rule 2.2, Preservation of Order, applies during Public Hearings. In addition, if it becomes clear that the speaker's input bears no reasonable relationship to the item subject to the Public Hearing, the Chair may discontinue that input prior to the running of the time limit for speakers set forth herein.

- 13) Consent items: Items shall consist of those matters that do not require further discussion by Council that has been forwarded to Council by the unanimous vote of the Committee; provided, however, that an item forwarded to Council by Committee without recommendation shall not be listed as a Consent Agenda item. Any member

of the Council can remove an item from the Consent Agenda prior to the adoption of the agenda. The Chair has the discretion to place items on the Consent Agenda, if in the judgment of the Chair; those items are unlikely to be debated.

14) Third reading: final approval of Ordinances.

15) Second reading.

16) Requests by Council members: items may include those that were defeated (or deferred beyond 90 days) by the committee and reintroduced by written request of three members of the Council.

17) Other Items.

18) Second County Attorney's Report of Executive Session items: The County Attorney shall report on the remaining Executive Session items. No action shall be taken in executive session. The agenda shall state the reason for Executive Session.

19) Motion period/Announcements: Any Council member may make an announcement or introduce an item (excluding resolutions) for referral to a Committee; however, any Council member wishing to make a motion during the "motion period" must have transmitted a written request to the Clerk's Office by the deadline for posting the agenda for a regularly scheduled meeting of Council in accordance with the South Carolina Freedom of Information Act (i.e. twenty-four hours prior to such meeting) so that the nature of the motion appears on the agenda. Motions for resolutions and ordinances may be forwarded to a Committee for further deliberation or, by unanimous consent, the resolution shall be deemed adopted or the ordinance may be given first reading. Further, any Council member may use this time to inform Council, Administration, and County staff of upcoming matters or items likely to come before Council, to orient Administration and staff thereto, and to request information or the commencement of research in the ordinary course of Council-Administrator dealings.

When referring an item to a committee, a Council Member must specify the intent of his or her motion.

If a Council Member does not specify the intent of his or her motion, the Chair shall ask the maker of the motion for clarification. Immediately following each motion, the Chair shall determine the committee to which the item will be referred, according to the guidelines established in Rule 4.1.

20) Pending items: Issues that have been raised by a Council member wherein a response is expected from staff shall be listed on the agenda along with a time frame in which a response from staff will be provided. These items shall be for information only and no discussion shall take place.

21) Adjourn.

d) Additions – Pursuant to S.C. Code Ann. Section 30-4-80, "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 hours' 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. Nothing herein relieves a public body of any notice requirement with regard to any statutorily required public hearing."

RULES II: THE CHAIR

2.1 Call to Order

The Chair shall call Council meetings to order at their posted time or as soon thereafter as practical on the first and third Tuesday of each month and, if a quorum is present, proceed to the meeting agenda. The Vice-Chair shall preside in the absence of the Chair. In the absence of the Chair and Vice Chair, the most senior member in attendance shall preside.

2.2 Preservation of Order

The Chair shall preserve order and decorum and, in case of disturbance or disorderly conduct in the Chamber or the lobby, may cause the same to be cleared. The members of Council agree to, and all of those attending Council's meetings are expected to, adhere to the following "Code of Conduct":

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

2.3 Transgression of Order

If any member, in speaking or otherwise, transgresses the Rules of Richland County Council, the Chair shall call such member to order. If repeated cries of order are ineffective, the Chair may call a member by name, and if the Chair deems it necessary, shall state the offense committed. The member may be heard in response.

2.4 Points of Order - Appeal

- a) Point of Order [Motion to Raise a Question of Order] - The Point of Order takes precedence over any question from which it arose. It yields to any privileged motion and a motion to lay the underlying question on the table. The Point of Order is not debatable (except that the Chair may ask the member raising the point to explain it), it is not amendable, and cannot be reconsidered. It does not require a second. The Point of Order is in order when another person has the floor and can interrupt a person speaking if the point requires attention at the time it is raised. The Chair shall decide all points of order, subject to an appeal by any member.
- b) Appeal - The duties of the Chair include making rulings on questions of parliamentary procedure. An Appeal is the vehicle available to members of Council who believe that the Chair's ruling was erroneous. The Appeal is in order when another has the floor, but must be taken immediately after the ruling and is out of order if other business has

intervened. It is debatable unless the underlying question is not debatable or if the Appeal relates to decorum or priority of business; it is not amendable.

The decision of the Chair stands unless reversed by a majority of the members; the Chair may vote to create a tie and thus sustain the ruling. An Appeal takes precedence over any pending questions at the time the Chair makes the ruling.

If debatable, each member may speak only once and for no longer than ten (10) minutes each, except by permission of the Council. An Appeal can be reconsidered.

2.5 Participation

The Chair shall vote in all cases (except when the Chair may be personally or pecuniarily interested) in accordance with Rule 5.18. The Chair may enter into the debate of the Council, but should not use the office of the Chair to wield influence over the other members.

2.6 Election

The Chair shall be elected at the first regular or special called meeting of the Council in January, or as soon thereafter as may be practical, by the membership of the Council. The Chair shall serve continuously until the following January unless removed by a two-thirds majority vote of the full Council.

2.7 Vice Chair

The Vice-Chair shall be elected at the first regular or special called Council meeting in January or as soon thereafter as may be practical, by the membership of the Council. The Vice-Chair shall serve continuously until the following January unless removed by a two-thirds majority vote of the full Council.

2.8 Signatures

The Chair shall sign all ordinances, resolutions, and other documents approved or authorized by the Council. In the absence of the Chair, the Vice Chair is authorized to sign official documents of the County.

The Clerk of Council or in her absence the Deputy Clerk of Council is authorized to sign or attest to official documents of the County.

RULE III: MEMBERS AND MEMBERSHIP

3.1 Seating

At the first regular or special called meeting in January, after the election and seating of the Chair and Vice Chair of Council, as provided for in Rules 2.7 and 2.8, respectively, Council members shall select their seats based first on seniority in years of continuous service and then in alphabetical order.

3.2 Attendance

Subject to the rule for electronic participation set forth herein, each member is expected to be within the Council Chambers during Council's meetings, or within the meeting room of any alternate location of a Council meeting. The Chair must note for the record any member's absence and the circumstances therefor as appropriate, and such absence and the circumstances therefor, if known, shall be noted in the minutes.

3.3 Call to Order

When the Council is called to order, each member shall take his/her place on the dais and shall act with decorum.

3.4 Speaking

The Chair shall hear the members desiring to speak in the order in which they express interest in speaking, recognizing each member in turn. Members shall respectfully address the Chair and shall avoid disrespect to the Council, and shall confine all remarks to the question under consideration. No member shall speak more than twice on the same question without leave of Council, except merely to provide clarification. Each member shall be allowed to speak no more than five (5) minutes for debate on any one issue before Council. If a member has the floor and is addressing the body, that member shall not lose the floor by asking a question of any member of the body. If a member shall be called to order while speaking, such member shall forfeit the floor until the question of order is decided.

3.5 Original Papers

Any member leaving a meeting of Council or its committees who possesses original papers relating to the business of the Council (signed ordinances, contracts, etc.), shall leave original papers with the Clerk before departing.

RULE IV: COMMITTEES

4.1 Standing Committees

The Chair of County Council shall appoint members of the following standing committees by the first regular meeting in February each year or as soon thereafter as practical:

- a) **Administration and Finance Committee**, consisting of five (5) members, functions as a committee of ways and means to which matters dealing with general administration, the budget, capital improvements, taxation, and bond issues should be referred. Customarily meets on the 4th Tuesday of the month.
- b) **Development and Services Committee**, consisting of five (5) members, functions in the area(s) of general operational matters, and those matters relating to the function and activities of the County Department of Public Works and Engineering. Customarily meets on the 4th Tuesday of the month.
- c) **Rules and Appointments Committee**, consisting of three (3) members, functions as a review and advisory body on the rules of the County Council and serves as an interviewing and recommending body for applicants to County boards, commissions, and committees created by and whose members consists in whole or in part in County Council appointments. The Committee meets on an as-needed basis.
- d) **Economic Development Committee**, consisting of three (3) members, serves to consider economic development matters brought before them and make recommendations to the full Council. The Committee meets on an as-needed basis.

Absent exigent circumstances, no meeting of a standing committee of the Council shall be scheduled at the same time as another meeting of a standing committee of the Council.

Standing Committees shall follow the same rules and procedures as the County Council.

4.2 Ad Hoc Committees

Ad Hoc Committees will be appointed by the Chair on an as-needed basis and shall follow the same rules and procedures as the Standing Committees, and are authorized to meet as-needed without being limited by the normal scheduling timeframes, except as required by law.

4.3 Organization

Each committee of County Council shall select a Chair and function as an advisory committee to the full Council. Once appointed for a year, no member of a committee may be removed by the Chair of the Council without the approval of the Council. During the remainder of the year, any vacancy, occurring on these committees shall be filled by the Chair, 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.

The Chair of the County Council shall be an ex-officio member of the Rules and Appointments Committee and Economic Development Committee.

4.4 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, except in the case of ad hoc search or other committees specifically appointed to assist in matters related to any County official the Council hires directly.

4.5 Agendas

Appropriate written backup material for all items of business that are to be included in the Administration and Finance or Development and Services Committee agendas must be delivered electronically to the County Administrator's Office no later than 5:00 p.m. on the date two (2) weeks 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 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 the 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 the Council on or before the Thursday prior to the committee meeting.

4.6 Meetings

Committees shall meet regularly in a location designated by the Committee Chair; provided, however, that Ad Hoc Committees shall meet on an as-needed basis only at the call of such Committee's 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 the Council, whenever possible, shall make inquiries and requests for information at the Committee meetings. At the request of a member of the

committee, 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 provided to the Clerk of Council prior to the Committee meeting, except by leave of the Committee.

4.7 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, 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.

- a) Items for Action – For all items requiring action, the committee shall take one of the following actions by majority vote:
 - 1) Recommend that Council approve the item, which may or may not include amendments or modifications to the original request;
 - 2) Recommend that Council deny the item;
 - 3) Forward the item to Council without a recommendation;
 - 4) Defer consideration of the item to a future committee meeting;
 - 5) Refer the item to another committee or commission; or
 - 6) Table the item.

- b) Items for Information, Discussion, or Preliminary Action – The committee shall take one of the following actions by majority vote:
 - 1) Direct the Administrator to bring the item back for action at a specified committee meeting;
 - 2) Defer consideration of the item until a specified committee meeting; or
 - 3) Receive the item for information or discussion purposes only, and dispose of the item from the committee agenda. Items so removed will be reported as such by the committee to Council;
 - 4) Notwithstanding items 1 through 3 in this subsection, any item on the Administration and Finance (A&F) or the Development and Services (D&S) Committee agendas listed as an "Item Pending Analysis" must be resolved, tabled or otherwise disposed of within 100 days of that matter's referral to the A&F or D&S Committee.

4.7 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 time sensitive or 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 report (includes electronic mail or messaging) from three (3) members of Council, not less than 24 hours prior to the scheduled meeting.

4.8 Recommitting

Any item coming before Council may be referred to a committee or recommitted to a committee of Council before a final decision by the full Council thereon.

4.9 Budget Work Session

The Council shall meet as a Committee of the Whole for Budget Work-Session prior to the first reading of the budget.

4.10 Motions Forwarded to a Committee

Any motion forwarded to a committee by the Chair, or in the Chair's absence, the Vice Chair, or in the Vice Chair's absence, the acting Chair, will appear on that committee's agenda. Any item forwarded to a committee that is not completed will be listed at the end of the committee's subsequent agenda(s) under, "Items Pending Analysis" and the reason the item remains pending.

RULE V: LEGISLATIVE ACTION

5.1 Emergency Ordinances

To meet public emergencies affecting life, health, safety, or the property of the people, emergency ordinances may be adopted upon a two-thirds affirmative vote of the Council members present. Such an ordinance is effective immediately upon its enactment without regard to any public hearing, reading, publication, or notice requirements. It automatically expires after 60 days. Every emergency ordinance shall be designated as such and shall contain a declaration that an emergency exists and describe the emergency.

Emergency ordinances shall not levy taxes, grant, renew, or extend a franchise, or impose or change a service rate.

5.2 Other Ordinances – Required Readings

With the exception of emergency ordinances, all ordinances, including those making supplemental appropriations, shall receive approval at three public meetings of the Council on three separate days with an interval of not less than seven (7) days between the second and third readings. An ordinance shall be deemed passed upon third reading approval and thereafter can be rescinded only by a motion to reconsider or rescind that is made prior to the approval of the minutes.

Any ordinance that does not receive three reading approval by Council may not be reintroduced for twelve (12) months from the date the minutes reflecting its denial (i.e., the final time the ordinance was read and did not pass) were approved, absent consent of two-thirds of the full Council.

5.3 Levying Tax/Incurring Debt/Amending Budget

Ordinances levying a tax or incurring indebtedness shall not be passed unless voted for on each reading by at least six (6) members of the Council assembled and with appropriate backup material provided for each reading.

5.4 Public Hearings

Public hearings shall be held before final action is taken to:

- a) Adopt annual operational and capital budgets;

- b) Make appropriations, including supplemental appropriations;
- c) Adopt building, housing, electrical, plumbing, gas, and all other regulatory codes;
- d) Adopt zoning and subdivision regulations;
- e) Levy taxes;
- f) Sell, lease or contract to sell or lease real property owned by the county;
- g) Impose ad valorem property taxes upon a fire service area; or
- h) Provide for the distribution of assets following the abolishment of a special purpose district.

The final action for any of the first six (6) matters must be in the form of an ordinance. A minimum of fifteen (15) days' notice of the time and place of the hearing must be published in at least one newspaper of general circulation in the county, prior to conducting a public hearing for any of the above categories of ordinances.

Notice for an item (g) must be provided once a week for three (3) successive weeks in a newspaper of general circulation in the county, and the hearing must occur fewer than sixteen (16) days following the first notice. Item (h) requires at least two (2) public hearings with ten (10) days prior notice published in a newspaper of general circulation prior to each meeting.

5.5 Second Reading

Upon the second reading of an ordinance, the ordinance shall be placed on Council's agenda for third reading at its next meeting or at another time as scheduled by Council; provided; however, there must be an interval of not less than seven (7) days between second and third readings.

Each ordinance affecting the expenditure of money by the County shall receive the affirmative vote of the Council on each reading, noting that the County Administrator's comment shall inform Council regarding its effect on the finances of the County, unless this requirement is waived by Council or the financial effect is evident on the face of the ordinance.

5.6 Third Reading

Full debate and amendments shall be allowed on the third reading.

5.7 Debate

Debate among members of the Council is in order only after a motion has been stated by the Chair and has been seconded. Any motion shall, if desired by the Chair or any other member, be reduced to writing and delivered to the Chair and read before it shall be debated.

5.8 Motions During Debate

When a motion has been stated and seconded and debate has begun, the following motions shall be in order:

- a) To approve (the matter under consideration);
- b) To deny;
- c) To amend;
- d) To substitute one more (related to the matter) for another;
- e) To adjourn;
- f) To recess;
- g) To continue or postpone the matter to a date certain;
- h) To continue or postpone the matter indefinitely;
- i) To return to the agenda if the item under consideration has been taken out of turn;
- j) To table the matter;

- k) To call for the question (“close debate” or move “for the previous question”);
- l) To raise a question of privilege;
- m) To convene an executive session;
- n) To refer the matter to a committee (or “to commit”);
- o) To recommit a matter (send it back to committee);
- p) To divide the question;
- q) To strike some or all of the matter (similar to substitute motion or amendment); and
- r) To seek information of “clarification” on an aspect of the matter under debate.

5.9 Substitute Motion

No more than two (2) motions may be received in substitute for the motion on the floor. Any substitute motion defeated by a vote of the Council shall be counted as one of two (2) permissible substitute motions, but any substitute motion, which fails for lack of a second, shall not be so counted.

5.10 Amendments

A proposed amendment shall be in order regardless of the number of changes proposed therein to the matter under debate, provided such amendment is otherwise in order and shall be considered in the order in which it is received.

5.11 Withdrawing Motions

The member who introduced a motion may withdraw it before a decision on it or any amendment to it, so long as the member seconding the motion shall not object; provided, however, that no motion may be withdrawn after the previous question has been called.

5.12 Privileged Motions

Motions to adjourn, to recess, to raise a question of privilege, to convene an executive session, or to return to the agenda if an item is taken out of turn shall always be in order except while the Council is actually engaged in deciding a question. A motion to adjourn or to take a recess, having been defeated, no new motion to adjourn or take a recess shall be in order until fifteen (15) minutes shall elapse from the decision of the former motion even though such motion to recess might be to recess to a different time.

5.13 Suspending Motions

The following instances may suspend any matter before Council, temporarily:

- 1) Point of order;
- 2) Point of personal privilege;
- 3) Point of information;
- 4) Question of recess; and
- 5) Other incidental questions, such as reading papers, dividing a question, withdrawing a motion, or excusing a member from voting.

5.14 Motion to Recess

A motion to recess may state the time for reconvening. In the absence of such stated time, reconvening shall be at the call of the Chair.

5.15 Delays

The Chair shall entertain no motion that would have the effect of unnecessarily delaying the business of the Council.

5.16 Defeated Actions

Once an action of any kind has been proposed and defeated twice during two (2) separate regular or called meetings of Council, within a period of sixty (60) days, no motion of the same effect may be allowed with regards to the same question for a period of one (1) year from the date of initial motion, without the consent of a majority plus one (1) of the entire Council. The names of the consenting Council members shall be presented to the Chair prior to the listing of the item on the agenda.

5.17 Voting

Each member shall vote on each question put forth, except that no member shall be permitted to vote on any question in which that member has a direct personal or pecuniary interest, or in which that member perceives that he or she has a direct personal or pecuniary interest, or in which his or her participation might create an appearance of impropriety in that member's estimation.

If a member does not cast a vote on the question put, such member will not be considered to have voted with either the prevailing or the non-prevailing side.

In the case of a tie vote, the prevailing side is the side that voted against approval of the matter voted upon (e.g. if the matter before Council is a vote to continue an item until the next meeting, and the vote on that question is 5-5, the motion did not pass, the item is not continued and the side prevailing as to the motion is the side that voted not to have continued the item).

If voting an abstention, a reason for the abstention must be stated at the time of the abstention, or delivered to the Clerk following the meeting, and recorded in the minutes. No member shall, under any circumstances be permitted to vote after a decision has been announced by the Chair. Following the vote, an absent member may be permitted to declare the vote she/he would have given if present, but such vote shall not affect the previous question.

Voting shall be by electronic means (i.e. via the electronic voting system) unless conditions at the time of a given vote do not permit the use of the electronic voting system (e.g. it is inoperable, not working properly, there is a power failure, Council is holding its meeting in a location that does not have or accommodate electronic voting, or other condition prohibiting electronic voting). In such a case, voting by a show of hands shall be in order.

Votes shall be recorded in the minutes.

5.18 Voting for Board and Committee Appointments

Voting to Elect Boards, Committees, and Commissions. When the Council is voting to elect one or more persons to open positions on a board, committee, or commission, ballot elections may be used if the number of candidates exceeds the number of positions available. With a ballot election, each Council member shall vote—on one ballot—for up to as many positions as are open. Each member shall sign or otherwise mark his or her ballot and the minutes will reflect each member's vote. Members may vote by ballot for someone who was not nominated. Each ballot is considered one vote cast, and a candidate must receive a majority of votes to be elected. If no candidate receives a majority vote, balloting continues as needed until all positions are filled. If fewer than the proper number of candidates receive a majority vote, those candidates receiving a majority are elected, and balloting continues with all other candidates remaining on the ballot. If more candidates receive a majority vote than there are positions open, those receiving the largest

number of votes will be elected and those receiving a majority, but tied for last of those receiving a majority, *will remain on the ballot for repeat balloting, as needed. If all positions are not filled after the first vote, no candidates shall be involuntarily eliminated.*

5.19 Dividing the Question

Any member may call for the division of a question. Council may then divide the question if it can be so comprehended that, one part is taken away, and the rest can stand for decision. A motion to divide the question shall require a second and shall be effective upon the vote of a majority of members present and voting.

5.20 Reconsideration

After a question has been decided, any member who voted with the prevailing side may move for reconsideration, and any member may second such a motion. However, if Council either shall refuse to reconsider or shall affirm its first decision, then no further reconsideration shall be in order, except by unanimous consent. The motion to reconsider shall have precedence over all other main motions, but it may be introduced only on the day of the decision in question or during the next succeeding session of Council prior to the approval of the minutes. Any subsequent proposal to alter the decision of the Council must take the form of a main motion to rescind.

5.21 Public Inspection

After adoption, the full ordinance shall be made available for public inspection through the Office of the Clerk of Council.

5.22 Resolutions

The Council may adopt Resolutions to formally express its opinions or desires. Upon adoption, the Chairperson shall execute the document on behalf of the entire Council.

5.23 Proclamations

An individual Council member may issue a Proclamation as an expression of his or her personal opinion or desire. The Proclamation shall be signed by the initiating Council member and shall not require action by the Council.

RULE VI: RULE CHANGES

6.1 Suspension/Amendments

These rules may be suspended by unanimous consent.

Absent unanimous consent, these rules may be suspended 1) with the concurrence of two-thirds of the members of the whole (e.g. eight (8) out of eleven (11) members) and 2) after twenty-four (24) hours' notice of suspension of the rule or rules in question has been given in accordance with the South Carolina Freedom of Information Act.

These rules may be amended at the discretion of the County Council upon approval by two-thirds of the members of the whole (e.g. eight (8) out of the eleven (11) members) after twenty-four (24) hours' notice of the proposed amendment of the rule or rules in question has been given in accordance with the South Carolina Freedom of Information Act.

RULE VII: OFFICIALS TO SERVE THE COUNCIL

7.1 Administrator and Clerk of Council

The Council shall appoint or elect a County Administrator and a Clerk of Council.