



# **RICHLAND COUNTY COUNCIL RULES AND APPOINTMENTS**

Jim Manning	Bill Malinowski, Chair	Julie-Ann Dixon
District 8	District 1	District 9

**MAY 19, 2015  
4:00 PM**

**4th Floor Conference Room**

## **CALL TO ORDER**

### **Approval Of Minutes**

1. May 5, 2015 [PAGES 4-8]

### **Adoption Of Agenda**

### **Items For Action**

2. After discussion between the Rules Committee Chair and Clerk to Council it has been determined that the rules of Richland County Council are efficient and outline the duties and responsibilities of each council member. Therefore, it is recommended that the committee review the current policies/procedures for any additional input/changes [PAGES 9-10]

a. **Allow members to electronically participate during executive session** – This item was held in committee pending a legal opinion.

### 3. VOTING:

a. I move that County Council amend its rules to require roll call voting on every vote taken [ROSE]

1. Roll Call Voting Options

### 4. BOARD TERMS: [PAGES 13-17]

a. Richland County Boards, Commissions, and Committees:

1. Boards, Commissions, and Committees governed by Richland County Council
2. Boards, Commissions and Committees with specific criteria
3. Boards, Commissions and Committees that involve other governing bodies

b. Richland County Boards, Commissions and Committees that have been dissolved:

1. Youth Commission
2. Appearance Commission
3. Economic Development Committee
4. Disabilities and Special Needs Board
5. Midlands Commission on Homelessness
6. Complete Street Commission
7. Building Board of Adjustment and Appeals
8. Performing Arts Center Board
9. Transportation Study Commission

c. MOTION: Move that the terms of Board members to the Lexington Richland Alcohol & Drug Commission [LRADAC] be changed from "two, three year terms" to "three, three year terms" so that Richland County appointees have the same opportunities for extended service on this board as Lexington County appointees are currently allowed [PEARCE]

### 5. Notification of Vacancies:

a. Planning Commission - 1

## Adjournment



# Richland County Council Request of Action

**Subject**

May 5, 2015 [PAGES 4-8]

**Purpose**

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA



## RULES AND APPOINTMENTS COMMITTEE

May 5, 2015  
4:00 PM  
4<sup>th</sup> Floor Conference Room

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building*

### CALL TO ORDER

Mr. Malinowski called the meeting to order at approximately 4:03 PM

### APPROVAL OF MINUTES

**April 28, 2015** – Mr. Manning moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF THE AGENDA

Mr. Manning moved, seconded by Ms. Dixon, to adopt the agenda as published. The vote in favor was unanimous.

### INTERVIEWS

**Hospitality Tax – 1** – Mr. Craig Parks was interviewed via telephone.

**Midlands Workforce Development Board – 3** – Mr. Patrick Thomas was interviewed.

### ITEMS FOR ACTION

#### NOTIFICATION OF APPOINTMENTS:

**Airport Commission – 1** – Ms. Dixon moved, seconded by Mr. Manning, to appoint Mr. D. Michael Kelly to the Airport Commission. The vote in favor was unanimous.

**Building Codes Board of Appeals – 1** – Ms. Dixon moved, seconded by Mr. Manning, to appoint Mr. David Cook to the Building Codes Board of Appeals. The vote in favor was unanimous.

**Accommodations Tax – 1** – Ms. Dixon moved, seconded by Mr. Manning, to appoint Ms. Amber Martin to the Accommodations Tax Committee. The vote in favor was unanimous.

#### Committee Members Present

Bill Malinowski, Chair  
Julie-Ann Dixon  
Jim Manning

#### Others Present:

Michelle Onley  
Monique McDaniels  
Dale Welch  
Dan Cole

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# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

Rules & Appointments Committee  
Tuesday, May 5, 2015  
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**Hospitality Tax – 1** – Mr. Manning moved, seconded by Ms. Dixon, to appoint Mr. Craig Parks to the Hospitality Tax Committee. The vote in favor was unanimous.

**Midlands Workforce Development Board – 3** – Mr. Manning moved, seconded by Ms. Dixon, to appoint Mr. Bobby Cunningham, Ms. Barrie B. Kirk, and Mr. Patrick Thomas to the Midlands Workforce Development Board. The vote in favor was unanimous.

**Employee Grievance Committee – 3** – Ms. Dixon moved, seconded by Mr. Manning, to appoint Ms. Beverley Williams Leeper, Ms. Suzie Haynes and Mr. Joseph Scott Hallbick to the Employee Grievance Committee. The vote in favor was unanimous.

**Planning Commission – 4** – Ms. Dixon moved, seconded by Mr. Manning, to re-appoint Mr. Wallace Brown, Sr.; Mr. C. David Tuttle, Ms. Beverly Diane Frierson, and Mr. Patrick Palmer to the Planning Commission. The vote in favor was unanimous.

Ms. Dixon moved, seconded by Mr. Malinowski, to defer action until the May 5<sup>th</sup> Committee meeting.

### COUNCIL RULES

- a. **Motion: In the event that a Standing Committee of Council (Administration & Finance, Development & Services, Economic Development, Rules & Appointments) should fail to have a quorum of its members present either at the beginning of the meeting or after the meeting has begun, any item or items that are reported on Committee Agenda deemed “time sensitive” by a committee member or County staff will be referred to the Chair of the Committee, the Chair of Council and the County Administrator. A determination will then be made by this group as to whether the “time sensitive” designation is valid. This determination may require consultation with a Department Head, Procurement, Legal, et al. If a determination of time sensitivity is made in the affirmative, the Chair of Council may add the item to the next regularly scheduled Council meeting for review, debate and action [PEARCE AND MANNING]**

*[The below is proposed amended language]*

#### **RULE VI: RULE CHANGES**

##### **6.1 Suspension/Amendments**

*None of the foregoing rules shall be rescinded, suspended, or altered without unanimous consent, if without twenty-four (24) hours’ notice, or without the concurrence of two-thirds of the members of the whole (e.g., eight out of eleven members) after previous notice of motion to rescind,*

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# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

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*suspend, or alter has been given at a prior meeting, and such alteration, suspension, or rescission shall be made only by written resolution.*

### Time Sensitive Items Pending Committee Action

Notwithstanding any other Council rule, any number of Council may move to add an item which could have been reported on by the committee to which the matter was assigned, but for the lack of a quorum of such committee, if 1) the movant represents that the item is "time sensitive" 2) the motion to add the item to the agenda is properly seconded, 3) the Chair of the committee to which the item is assigned confirms that in his or her opinion the item is time sensitive, and 4) the Council Chair confirms that in his or her opinion the item is time sensitive, then such item may be added to the agenda at the meeting at which the motion is made upon the concurrence of a majority of the members of the whole [i.e., six (6) Council members out of the eleven members of the whole Council].

This rule is intended to be used only in cases of legitimate time sensitivity as confirmed by the process set forth herein, and not used to bypass the normal committee or Council agenda setting process.

*These rules may be amended from time to time, as needed, at the discretion of the County Council upon approval by two-thirds of the members of the whole (e.g., eight out of eleven members) at a regularly scheduled meeting.*

This item was held in committee until a decision has been reached on pending legislation in relation to amending agendas.

## DISCUSSION

### VOTING

- 1) I move that County Council amend its rules to require roll call voting on every vote taken [ROSE]
  - a. **Roll Call Voting Options** – Mr. Cole and Mr. Welch presented a brief overview of the options the IT Department identified for roll call voting.

Mr. Manning moved, seconded by Ms. Dixon, to retain the current voting practice for roll call voting. The vote in favor was unanimous.

This item will be placed on the May 19<sup>th</sup> Council agenda.

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# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA



Rules & Appointments Committee  
Tuesday, May 5, 2015  
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- 2) After discussion between the Rules Committee Chair and Clerk to Council it has been determined that the rules of Richland County Council are efficient and outline the duties and responsibilities of each council member. Therefore, it is recommended that the committee review the current policies procedures for any additional input/changes.
- a. **Allow members to electronically participate in standing committee Meetings** – Mr. Manning recommended not allowing electronic participation in standing committee since the committee meetings are scheduled in advance unlike special called meetings.
  - b. **Allow members to electronically participate during executive session** – Mr. Malinowski expressed concern regarding electronic participation in executive session due to the potential of a breach in confidentiality.

Mr. Manning expressed that Council members should be trusted to maintain confidentiality whether they are physically participating or participating electronically.

Mr. Malinowski requested the proposed language to allow electronic participation in executive session be included on the May 19<sup>th</sup> Rules agenda for action.

### ADJOURNMENT

The meeting adjourned at approximately 4:50 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council



# Richland County Council Request of Action

## **Subject**

After discussion between the Rules Committee Chair and Clerk to Council it has been determined that the rules of Richland County Council are efficient and outline the duties and responsibilities of each council member. Therefore, it is recommended that the committee review the current policies/procedures for any additional input/changes **[PAGES 9-10]**

**a. Allow members to electronically participate during executive session** – This item was held in committee pending a legal opinion.

## **Purpose**

## 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., unless otherwise scheduled by the Chair for good cause, with the consent of a majority of the Council members present.
- b) Special Meetings- Special Meetings may be called by the Chair or a majority of the members of Council provided that twenty-four (24) hours' notice has been given to Council members and the public. The members of 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 1.7c) 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 1.7c) 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.

1) Electronic Participation- During any Special Called meeting, not held in conjunction with a regularly scheduled Zoning Public Hearing and Planning Meeting, any Council member may participate in the meeting via electronic participation as present for the purposes of a quorum. ~~Any Council member participation electronically shall not be allowed to participate in executive session matters. Should an executive session be held, a council member participating electronically may choose to abstain from a vote on the issue discussed in executive session.~~

No less than five Council members must be physically present to schedule a Special Called Meeting.

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

Electronic participation shall only be allowed in a Special Called meeting of Council.

- 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, with the consent of a majority of the Council members present.

# Richland County Council Request of Action

**Subject**

**VOTING:**

- a. I move that County Council amend its rules to require roll call voting on every vote taken **[ROSE]**
  1. Roll Call Voting Options

**Purpose**

# Richland County Council Request of Action

## **Subject**

BOARD TERMS: [**PAGES 13-17**]

- a. Richland County Boards, Commissions, and Committees:
  1. Boards, Commissions, and Committees governed by Richland County Council
  2. Boards, Commissions and Committees with specific criteria
  3. Boards, Commissions and Committees that involve other governing bodies
- b. Richland County Boards, Commissions and Committees that have been dissolved:
  1. Youth Commission
  2. Appearance Commission
  3. Economic Development Committee
  4. Disabilities and Special Needs Board
  5. Midlands Commission on Homelessness
  6. Complete Street Commission
  7. Building Board of Adjustment and Appeals
  8. Performing Arts Center Board
  9. Transportation Study Commission
- c. MOTION: Move that the terms of Board members to the Lexington Richland Alcohol & Drug Commission [LRADAC] be changed from "two, three year terms" to "three, three year terms" so that Richland County appointees have the same opportunities for extended service on this board as Lexington County appointees are currently allowed [**PEARCE**]

## **Purpose**

# Richland County Board Terms

## Current Ordinance:

- Sec. 2-327. Terms of service.
  - The members of such boards , commissions and committees shall not serve more than two (2) consecutive terms; provided, however, that upon service of two (2) consecutive terms a member may be eligible for reappointment after one day of non- service. Provided, however, that an individual serving in an executive position on a county board, commission , or committee shall be allowed to complete the term for that position when the individual's term on the board, commission expires prior to the expiration of the executive appointment. Further provided, regional boards , commissions and committees are exempt from the two (2) consecutive term limits requirement whenever the other jurisdiction(s) appointing said members do not limit the number of terms held by their appointee(s).
  - Notwithstanding any other provision of this Article, any member serving on a board, commission or committee may continue to serve until such time as an advertisement has appeared in the local newspaper and a successor has been duly appointed; provided, however, the term of an elected member (who is serving on a board, commission or committee) ends when such member is no longer serving in the capacity of an elected member.  
(Ord. No. 015-11HR, § I, 3-1-11)

## Boards, Commission and Committees governed by Richland County Council:

### **Township Auditorium:**

- **Members:** Seven (7) members residing in the county
- **Terms:** Five (5) years

### **Planning Commission:**

- **Members:** Commission shall consist of not less than five (5) or more than nine (9) members
- **Term:** Four (4) years

### **Board of Zoning Appeals:**

- **Members:** Seven (7) members
- **Term:** Three (3) year terms.

### **Library Board of Trustee:**

- **Members:** Ten (10) members
- **Term:** Four (4) year terms

### **Music Festival Commission:**

- **Members:** Six (6) members
- **Terms:** Four (4) year terms

## **Boards, Commission and Committees that involve other governing bodies:**

### **Board of Assessment Appeals:**

- **Members:** Seven (7) members to be appointed as follows: One by the city council of the City of Columbia, who shall reside within the corporate limits of Columbia; three (3) by a majority of the county council; one by the board of trustees of School District No. 1 of the county, who shall be a resident of School District No. 1; one by the board of trustees of School District No. 2 of the county, who shall be a resident of School District No. 2; and one by the board of trustees of School District No. 6 of the county, who shall be a resident of the county, residing in School District No. 6. One of the members appointed by the county council shall be a person actively engaged in the real estate business.
- **Term:** Three (3) years or until their successors are appointed.

### **Richland-Lexington Riverbanks Parks Commission:**

- **Members:** Two (2) members
- **Term:** Six (6) years

### **Central Midlands Council of Government:**

- **Members:** Six (6) elected officials and five (5) citizens appointed by Council.
- **Term:** Three (3) year term.

### **Historic Columbia Foundation:**

- **Members:** Two (2) members
- **Term:** Four (4) year term

### **Lexington/Richland Alcohol & Drug Abuse Council:**

- **Members:** Six (6) members and the Lexington County Council appoints six members.
- **Term:** Three (3) year term.

### **Community Relations Council:**

- **Members:** One-third (10) of the thirty members are appointed by Richland County Council; one-third by the Columbia City Council; and, one-third by the Columbia Chamber of Commerce.
- **Term:** Three (3) year term.

### **Convention Center Commission:**

- **Members:** Fourteen (14) members to be appointed as follows: three (3) members shall be appointed by the Richland County Council; three (3) members shall be appointed by the Columbia City Council and five (5) members shall be appointed by the nine members so appointed, from a slate to be prepared by the Greater Columbia Chamber of Commerce and the Columbia metropolitan Convention and Visitor's Bureau.
- **Term:** Three (3) years in which event initial terms shall be staggered.

### **East Richland Public Service District:**

- **Members:** Five (5) members appointed by the governor upon the recommendation of the county council
- **Terms:** Five (5) year terms.

## **Boards, Commission and Committees with specific criteria:**

### **Airport Commission:**

- **Members:** Nine (9) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall reside in either the Rosewood, Shandon, or Hollywood-Rose Hill-Wales Garden area.
- **Terms:** The term of office of each commissioner shall be for a period of four (4) years or until his successor is appointed and qualified. The initial appointment shall be made in staggered terms. The four (4) commission candidates receiving the most votes shall initially be appointed for four (4) years and the three candidates receiving the next higher votes shall initially be appointed for two (2) years.

### **Richland Memorial Hospital:**

- **Members:** Fourteen (14) members and the chief and vice chief of staff shall serve ex officio.
- **Terms:** Four (4) years, or until his or her successor is appointed. Provided, however, the terms of all current board members shall expire on December 31st of the last year of their current term. Thereafter, each term of office shall begin on January 1st of the first year, and expire on December 31st of the fourth year.

### **Conservation Commission:**

- **Members:** Eleven (11) members. Each member of Richland County Council shall appoint one person to represent their respective Council district,
- **Term:** Commissioner shall be coterminous with the term of the appointing Council member. Provided, however, that if a vacancy shall occur on Council, the member of the Commission appointed by the vacating Council member shall complete his/her term.

### **Hospitality Tax Advisory Committee:**

- **Members:** Five (5) members who shall be appointed by majority vote of the Council. All members must be interested citizens residing in the County, and at least two members must be representative of the restaurant industry.
- **Term:** Two (2) years or until his or her successor is appointed.

### **Building Codes Board of Appeals:**

- **Members:** Seven (7) members. Such board shall consist of one (1) architect, one (1) engineer, one (1) contractor, one (1) alternate member from each of the building, electrical, gas and plumbing industries, and three (3) alternate members from the fire protection industry.
- **Terms:** Three (3) year terms.

### **Building Codes Board of Appeals**

- **Members:** Seven (7) members; one (1) architect, one (1) engineer, one (1) contractor, one (1) alternate member from each of the building , electrical, gas and plumbing industries, and three (3) alternate members from the fire protection industry. All members shall be residents of the county. All members shall be appointed by the council and serve without compensation. Based on the nature of the pending appeal(s), the Building Official shall select four (4) of the alternate members to serve on the board for any scheduled meeting and shall take into consideration the expertise offered by said member in making such selections.
- **Term:** All appointments shall be for three (3) year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made.

### **Accommodation Tax Committee:**

- **Members:** Seven (7) members, the majority of which must be from the hospitality industry, two members must be from the lodging industry and one member must represent the cultural organizations.
- **Term:** Two (2) year terms

**Business Service Center Appeals Board:**

- **Members:** Five (5) members who shall be appointed by majority vote of the Council. The five-member board shall be comprised of three Certified Public Accountants, one member of the S.C. Bar Association, and one other business person. Not more than one member of the Appeals Board may be an employee of the County.
- **Term:** Four (4) years. However, in making the initial appointments, two members shall be appointed for an initial term of four years, two members for an initial term of three years, and one member shall be appointed for an initial term of two years. Thereafter, their successors shall be appointed for terms of four years, or for the balance of any unexpired term. Members may be reappointed for a consecutive, second term, for four years. After this second term, a member may be reappointed for a third term, but only after two years has elapsed from the last day of the last term served. The County Council may terminate for just cause any Board members' terms of office.

**Internal Audit Committee:**

- **Members:** Five (5) members of Council (the Council Chair, the A&F Committee Chair, the D&S Committee Chair, the Economic Development Committee Chair, and the Rules and Appointment Committee Chair), two citizens appointed by a majority vote of the Council at large, and an employee appointed by the County Administrator.
- **Term:** One (1) year in length, with up to three term renewals permitted.

**Employee Grievance Committee:**

- **Members:** Seven (7) members (County employees)
- **Term:** Three (3) term.

**Procurement Review Panel:**

- **Members:** Five (5) members
- **Term:** No term limit noted
- Applicants must be from the service industry

**Transportation Penny Advisory Committee:**

- **Members:** Fifteen (15) Richland County citizens representing Arcadia Lakes, Blythewood, Columbia, Eastover, Forest Acres, Irmo, and unincorporated areas of Richland County.
- **Term:** Terms of service range from three (3) to five (5) year terms.



## **Richland County Boards, Commissions and Committees that have been dissolved**

### **Appearance Commission:**

- **Members:** Eleven (11) members who are individually appointed by the representing councilperson to represent each council district. Additionally, two members shall be appointed at-large by majority vote of the full council, for a maximum number of 13 commission members. At least one member of the commission must be a landscape architect and one member must be a horticulturist; and the other members being interested citizens residing in Richland County. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia, and the county will serve as ex-officio members.
- **Term:** Two (2) years or until his or her successor is appointed.

### **Transportation Study Commission:**

- **Members:** Thirty-nine (39) members who shall be appointed as follows: 11 members, 1 from each member of County Council; 7 members, 1 from each member of Columbia City Council; 4 members, of which 1 shall be appointed by Lexington County Council, 1 shall be appointed by West Columbia City Council, 1 shall be appointed by Cayce City Council, and 1 shall be appointed by the Springdale Town Council; and 17 members, as recommended by the Richland County Rules and Appointments and approved by a majority vote of Richland County Council. No elected officials shall be appointed to this Commission.
- **Term:** Two (2) year term

### **Economic Development Committee:**

- **Members:** Twelve (12) members, of which three (3) shall be appointed by the council
- **Term:** Three (3) years

### **Youth Commission:**

- **Members:** Thirteen (13) members, all of whom shall be residents of the county; at least one (1) member to be appointed from the clergy; at least one (1) member to be a representative of the South Carolina Department of Youth Services, upon recommendation of the commissioner; at least one (1) member from the Richland County Sheriff's Department, upon recommendation by the Richland County Sheriff; at least one (1) member who is a resident of Richland County School District One; at least one (1) member who is a resident of Richland County School District Two; two (2) members attending high school (grades 9-12) in Richland County; and the remaining six (6) members at large.
- **Term:** The term of office of each commissioner shall be for a period of four (4) years, or until his successor is appointed and qualified; however, the initial appointment shall be made in staggered terms. The six candidates receiving the most votes shall be appointed for four (4) years, and the five (5) remaining candidates shall be appointed for two (2) years.

### **Complete Streets Commission:**

- **Term:** Initially, three (3) members shall be appointed for a one year term; three (3) members for a two year term; and three (3) members for a three year term. Thereafter, all appointments shall be for a three year term. The initial appointments shall be as follows:

### **Building Board of Adjustment and Appeal:**

- **Members:** Seven (7) members appointed; one member must come from each of the following industries: Architecture, Engineering, Contracting, Building, Electrical, Plumbing, and Gas.
- **Term:** Three (3) year terms

### **Performing Arts Center Board:**

- **Members:** Eleven (11) members. The City of Columbia and the Richland County Council each appoints three members. The President of the University, or his designee, shall serve as Chairman and the University shall appoint an additional five members.
- **Term:** Four (4) year term

# Richland County Council Request of Action

**Subject**

Notification of Vacancies:

- a. Planning Commission - 1

**Purpose**