



RICHLAND COUNTY COUNCIL RULES AND APPOINTMENTS

Jim Manning	Bill Malinowski, Chair	Gwendolyn Davis Kennedy
District 8	District 1	District 7

**JUNE 5, 2012
5:00 PM**

4th Floor Conference Room

CALL TO ORDER

Approval Of Minutes

1. May 1, 2012 [PAGES 5-6]

Adoption Of Agenda

- 2.

Interviews

3. Accommodations Tax Committee-4 (2 persons employed or have worked in Hospitality, 1 person employed or have worked in Lodging, and 1 person from a cultural industry); no applications were received
4. Appearance Commission-2 (1 licensed horticulturalist and 1 landscaper is needed)
5. Board of Assessment Control-1; one application was received from for the one position from Fred C. Meetze, Jr. **[PAGES 11-12]**
6. Business Service Center Appeals Board-1 (a CPA is needed); no applications were received
7. Employee Grievance Committee-1; one application was received for the one position from Betty A. Etheredge **[PAGES 15-16]**

Discussion

8. Council Member Individual Discretionary Account Motions **[PAGES 18-19]**
9. Add to Section 4.1 of Council Rules: "No standing committees of Council shall be scheduled at the same time." **[LIVINGSTON]**
10. That all items currently listed at the end of the A&F and D&S Committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now **[MALINOWSKI]**
11. All committee items being sent to full council will not automatically be placed on the consent agenda but be listed as first reading items. The rationale is that only three persons could be present for the quorum and if all voted for the item it goes on the consent and this is only about 27% of council. **[MALINOWSKI]**
12. Reviewing Committee Qualifications **[PAGES 22-28]**

Adjournment



Richland County Council Request of Action

Subject

May 1, 2012 [PAGES 5-6]

Purpose

Minutes of



RICHLAND COUNTY COUNCIL RULES AND APPOINTMENTS COMMITTEE SPECIAL CALLED MEETING MAY 1, 2012 5:00 PM

MEMBERS PRESENT:

Member Chair, Bill Malinowski
Member Gwendolyn Davis Kennedy
Member Jim Manning

ALSO PRESENT- Elizabeth McLean, Monique Walters

CALL TO ORDER

The meeting was called to order at approximately 5:03 p.m.

APPROVAL OF MINUTES

The minutes from April 3, 2012 were approved as submitted.

ADOPTION OF AGENDA

The agenda was adopted as submitted.

INTERVIEWS

Accommodations Tax Committee-4 (2 persons employed or have worked in Hospitality, 1 person employed or have worked in Lodging, and 1 person from a cultural industry); no applications were received – the Committee recommended this item be re-advertised.

Appearance Commission-2 (licensed horticulturalist and 1 landscaper is needed) – the Committee recommended this item be re-advertised.

Board of Assessment Control-no applications were received– the Committee recommended this item be re-advertised.

Building Codes Board of Adjustments and Appeals-3 (1 person must be a licensed electrician and 2 individuals must be in the Fire Protection industry or employed in fields with extensive knowledge of fire codes and fire regulations); no applications were received at this time – the Committee recommended this item be re-advertised.

Business Service Center Appeals Board-1 – the Committee recommended this item be re-advertised.

Internal Audit Committee-1 (person must be a CPA); one application was received from K. Eve McCoy, CPA* - Ms. McCoy was interviewed by the committee; the Committee then recommended her for reappointment to the Audit Committee.

Township Auditorium Board-2; applications were received from the following: John V. Crangle; David H. Gates; Christopher Leevy Johnson*; Lillian A. McBride; Eva Prioleau; John Whitehead* - prior to the interview Ms. McBride withdrew her application from the pool. Mr. Gates was unable to attend due work commitments; the remaining candidates were interviewed, and after a discussion the Committee recommended the two incumbents be reappointed.

DISCUSSION

Council Member Individual Discretionary Account Motions – the Committee directed a rough-draft be created by Finance and Legal, and bring back to committee at the next meeting. This item was held in Committee.

That all items currently listed at the end of the A&F and D&S Committee agendas as “Items Pending Analysis” be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now [MALINOWSKI] – the Committee recommended that a rule be created for items without activity for 90 to 100 days of activity to at least receive a staff report, move it to Council, or give further direction. This item was kept in Committee for language.

All committee items being sent to full council will not automatically be placed on the consent agenda but be listed as first reading items. The rationale is that only three persons could be present for the quorum and if all voted for the item it goes on the consent and this is only about 27% of council. [MALINOWSKI] – no language was drafted at this point; however the Committee recommended this item be sent to Council with a recommendation for approval.

Reviewing Committee Qualifications – this item was kept in Committee due to lack of time.

ADJOURNMENT

The meeting adjourned at approximately 5:54 pm.

Minutes transcribed by Monique Walters

Richland County Council Request of Action

Subject

Purpose

Item# 2

Richland County Council Request of Action

Subject

Accommodations Tax Committee-4 (2 persons employed or have worked in Hospitality, 1 person employed or have worked in Lodging, and 1 person from a cultural industry); no applications were received

Purpose

Richland County Council Request of Action

Subject

Appearance Commission-2 (1 licensed horticulturalist and 1 landscaper is needed)

Purpose

Richland County Council Request of Action

Subject

Board of Assessment Control-1; one application was received from for the one position from Fred C. Meetze, Jr.
[PAGES 11-12]

Purpose



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: FRED CHALMERS MEETZE JR
Home Address: 1300 JEROME DRIVE COLUMBIA SC 29203
Telephone: (home) 803 786-4115 (work) 803 414-3073
Office Address: SAME

Email Address: FCMEEZE@YAHOO.COM

Educational Background: COLUMBIA H.S. / DREHER HS. 1978 - 2yrs VARIOUS TECH-

Professional Background: SELF-EMPLOYED - 26yrs IN SCAC + PROFESSIONAL CLASSES

Male [checked] Female [] Age: 18-25 [] 26-50 [] Over 50 [checked]

Name of Committee in which interested: BOARD OF ASSESSMENT CONTROL

Reason for interest: THE TIME HAS COME FOR ME TO GIVE BACK TO OUR COMMUNITY, WHICH HAS HELPED SUSTAIN ME.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

COLUMBIA NATIVE. BUSINESS OWNER 26yrs. HOME BUILDER IN RECH. CTY 26yrs.

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: 4-6 OR AS NEEDED

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including- censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

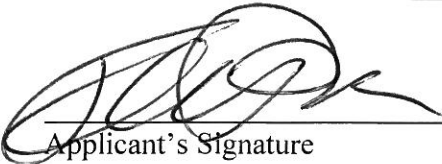
Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____


Applicant's Signature

5-29-2012
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	Item# 5

2

Richland County Council Request of Action

Subject

Business Service Center Appeals Board-1 (a CPA is needed); no applications were received

Purpose

Richland County Council Request of Action

Subject

Employee Grievance Committee-1; one application was received for the one position from Betty A. Etheredge
[PAGES 15-16]

Purpose



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Betty A. Etheredge
Home Address: 264 Nurnberg Drive, Batesburg-Leesville 29070
Telephone: (home) 803-657-7515 (work) 803-576-2161
Office Address: 2020 Hampton Street
Email Address: etheredgeb@rcgov.us
Educational Background: Associates in Art
Professional Background: 9 1/2 yrs @ Richland Co., 17 1/2 yrs @ CMCOG
Male [] Female [x] Age: 18-25 [] 26-50 [x] Over 50 []
Name of Committee in which interested: Employee Grievance
Reason for interest: I have enjoyed working on the committee in the past and would like to again.
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:
Presently serve on any County Committee, Board or Commission?
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: 4

CONFLICT OF INTEREST POLICY

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.


Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

 05-08-2012
Applicant's Signature Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	Item# 7

2

Richland County Council Request of Action

Subject

Council Member Individual Discretionary Account Motions [**PAGES 18-19**]

Purpose

The County of Richland



Office of the County Attorney

MEMORANDUM

From: Bradley T. Farrar, Deputy County Attorney

To: Rules and Appointments Committee

Date: April 23, 2012

Re: Council Member Individual Discretionary Account Motions

I have reviewed Motion No. 5 on the Individual Discretionary Account Motions matrix. There is nothing legally objectionable associated with this motion. Any actions taken relative to it if passed by Council will need to be coordinated among Council, Administration and Finance, which is contemplated in the motion.

S.C.Code Ann § 4-9-100, provides in relevant part that, "Members may (also) be reimbursed for actual expenses incurred in the conduct of their official duties." The County may wish to consider referring to such accounts as "reimbursement for actual expenses" (or "reimbursement account," etc.) rather than as individual discretionary accounts, and model their use after 4-9-100.

The Legal Department provided an attorney-client privileged memorandum dated November 16, 2011, on this subject as well that Council may wish to refer to, along with Richland County Council's Individual Expense Account Policy Guidelines (undated), attached.

Finally, S.C. Attorney General Opinion, dated November 13, 2003, generally is instructive in this area.

Richland County Council's Individual Expense Accounts
Policy Guidelines

Policy: The Individual Expense Accounts are to be used as a general government reimbursement expense fund and not for the exercise of legislative functions.

Description of Allowed Expenses:
(this list is not all-inclusive and should be used merely as a guideline)

- Cost of general business supplies not provided by the County
- Cost of general periodicals, professional journals, and reference books related to the operation of County government
- Cost of per diem and mileage involved in the conduct of County business
- Costs associated with community functions, conferences and training seminars, such as food, gas, mileage automobile rental, accommodations, tuition and materials

Categories of Non-Allowed Expenses:

- Any **legislative** function, including those already being acted on by the full Council and those not before the Council but involving traditionally legislative functions such as infrastructure, public recreation, etc.
- Using public funds for a private purpose or in furtherance of any particular religion
- Any disbursement of funds which would ordinarily be disbursed through another County process, such as the budget process, hospitality tax fund disbursements, etc.

Richland County Council Request of Action

Subject

Add to Section 4.1 of Council Rules: "No standing committees of Council shall be scheduled at the same time." [LIVINGSTON]

Purpose

Richland County Council Request of Action

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That all items currently listed at the end of the A&F and D&S Committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now
[MALINOWSKI]

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Purpose

Richland County Council Request of Action

Subject

Reviewing Committee Qualifications [**PAGES 22-28**]

Purpose

Boards and Committees with Special Requirements

Accommodations Tax Committee

State Law requires:

- Majority of the seven member committee come from the hospitality industry
- At least two member must be from the Lodging industry
- One member must represent cultural organizations

Airport Commission

- Two of the nine members must reside within one mile of the airport

Appearance Commission

- One member must be a landscape architect or landscaper
- One member must be a horticulturalist

Building Codes Board of Adjustments

- There must be a licensed electrician, architect, contractor, engineer, builder, plumber, and someone that handles gas
- The other four members must come from the fire protection industry

Business Service Center Appeals Board

- Three of the five members must be CPAs
- One member must be from the SC Bar Association
- One person must be from the business community
- Only one Richland County Employee can serve at a time

East Richland Public Service Commission

- All five members must reside or be electors of the district

Internal Audit Committee

o First Appointee

- Appointment must be a citizen of Richland County.
- Must have, at a minimum, Bachelor of Science (BS) degree in an accounting, a financial and/or a managerial discipline.
- Preference will be given to individuals with Certified Public Accountant (CPA) credentials (currently licensed in South Carolina)
- Preference will be given to individuals with at least ten or more years of experience in the accounting, finance and /or management professions of which must be in an upper management role.
- Appointment to be made by a majority vote of the County Council (per ordinance).
- Appointee will be required to sign a conflict of interest statement.
- Appointee will be required to sign a confidentiality agreement.

○ Second Appointee

- Must also be a citizen of Richland County.
- While no other qualifications are required for Appointment #2, preference may be given to individuals with some or all of the qualifications required for Appointment #1.
- Appointment to be made by a majority vote of the County Council (per ordinance).
- Appointment shall be for a one-year term, with up to three term renewals (per ordinance).
- Appointee will be required to sign a conflict of interest statement.
- Appointee will be required to sign a confidentiality agreement.

All board and committee member must be residents of Richland County

Board or Commission

Accommodations Tax Committee

- Established pursuant to S.C.Code Ann. Section 6-4-25, which provides in relevant part:

§ 6-4-25. Advisory Committee; guidelines for expenditures; annual reports; reports to Accommodations Tax Oversight Committee

(A) ...The advisory committee consists of seven members with a majority being selected from the hospitality industry of the municipality or county receiving the revenue. At least two of the hospitality industry members must be from the lodging industry where applicable. One member shall represent the cultural organizations of the municipality or county receiving the revenue. For county advisory committees, members shall represent the geographic area where the majority of the revenue is derived. However, if a county which receives more in distributions of accommodations taxes than it collects in accommodations taxes, the membership of its advisory committee must be representative of all areas of the county with a majority of the membership coming from no one area.

Airport Commission

- Established pursuant to Richland County Code of Ordinances Section 3-21, which provides in relevant part:

Sec. 3-21. Established; composition; terms; officers; meetings.

... (b) The Richland County Airport Commission shall consist of 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.

Appearance Commission

- Established pursuant to Richland County Code of Ordinances Section 2-332(i), which provides in relevant part:

(i) *Richland County Appearance Commission.*

(2) *Membership.* The Richland County Appearance Commission shall consist of at least 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.

Building Codes Board of Adjustment

- Established pursuant to Richland County Code of Ordinances Section 6-75, which provides in relevant part:

Sec. 6-75. Building codes board of appeals. (Ord. 007-11HR; 2-1-11)

(a) *Establishment.* The building codes board of appeals is hereby established and shall consist of 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. 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. (Ord. 007-11HR; 2-1-11)

Business Service Center Appeals Board

- Established pursuant to Richland County Code of Ordinances Section 2-332(l), which provides in relevant part:

(1) *Richland County Business Service Center Appeals Board.*

(2) *Membership.* The Business Service Center Appeals Board shall consist of five 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. All members must be interested citizens residing in Richland County. Not more than one member of the Appeals Board may be an employee of the County.

East Richland Public Service Commission

- Established pursuant to Richland County Code of Ordinances Section 2-332(f), which provides in relevant part:

(f) *East Richland Public Service District.* The public service district shall consist of five (5) members appointed by the governor upon the recommendation of the county council for five (5) year terms. Members shall be electors or residents of the district, and at least one member shall be a resident of each incorporated municipality within the districts. Meetings at call.

Internal Audit Committee

- Established pursuant to Richland County Code of Ordinances Section 2-332(q), which provides in relevant part:

(q) *Internal Audit Committee.*

(2) *Membership; terms.* The Internal Audit Committee shall be comprised of three members of Council (the Council Chair, the A&F Committee Chair, and the D&S Committee Chair), two citizens appointed by a majority vote of the Council at large, and an employee appointed by the County Administrator. The citizens' and the employee's terms shall be one year in length, with up to three term renewals permitted. The Council members' terms shall be for as long as they serve in the capacity of Council Chair or Committee Chair.