



Richland County Council

RULES AND APPOINTMENTS COMMITTEE

June 20, 2017 – 4:45 PM

4th Floor Conference Room

2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Bill Malinowski and Gwen Kennedy

OTHERS PRESENT: Yvonne McBride and Kimberly Roberts

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 4:45 PM.
2. **APPROVAL OF MINUTES**
 - a. June 6, 2017 – Ms. Kennedy moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. Kennedy moved, seconded by Mr. Malinowski, to adopt the agenda as published. The vote in favor was unanimous.
4. **ITEMS FOR DISCUSSION**
 - a. Review motion to fine or censure Council members who leak Executive Session information or not have Executive Session [N. JACKSON] – Ms. Kennedy stated Council members can be sanctioned, but Council cannot eliminate Executive Session.

Mr. Farrar stated Council received a presentation by Helen McFadden at a previous Council Retreat regarding this matter. The issue of censure a Council member is a gray area. The bottom line is that if you censure a member does that have the result of disenfranchising a district.

Ms. McBride commented that this is a common practice everywhere. People leak information no matter at what level (i.e. State House, White House, etc.)

Mr. Farrar stated it is a First Amendment right to speak to whomever you want, but there are consequences for the organization. As an example, if the County were covered by an insurance policy and a statement harmed the organization then the insurance company could refuse to cover the County.

Ms. Kennedy moved, seconded by Mr. Malinowski, to hold this item in committee to allow input from the maker of the motion, Mr. N. Jackson. The vote in favor was unanimous.

- b. Council Rule Change: Standing committee meetings will have starting times listed as immediately following the preceding committee meeting, but no later than one hour after the start of the preceding meeting. If the committee meeting(s) have not concluded by the time the Zoning Public Hearing is scheduled to begin, the committee meeting will be recessed until the conclusion of the Zoning Public Hearing. The starting time for the Zoning Public Hearing will be changed from 7:00 PM

to 6:00 PM [MALINOWSKI] – Mr. Malinowski stated some of the Council members have expressed their frustration when the committee meetings are short and they have to wait around for the next meeting to begin.

Mr. Malinowski withdrew his motion.

- c. It has come to my attention that some Richland County departments employ relatives in the same department in violation of Richland County rules. Direct the Administrator to research this matter, eliminate the problem through transfer, attrition, or dismissal [MALINOWSKI] – Mr. Farrar stated this is addressed in the current Employee Handbook and the County Administrator should follow-up on Mr. Malinowski's concerns.
- d. Move that the Budget Committee be changed from a standing committee of Council to an "Ad Hoc" committee that would only meet when specific items are referred to it via the Motion Period. Currently, items being placed on the Budget Committee agenda are of sufficient importance that the entire Council should be debating and voting on these [PEARCE] – Mr. Malinowski stated it is his recollection that the Budget Committee is an ad hoc committee and not a standing committee.

Ms. Roberts is to review the makeup of the Budget Committee and report back to the Rules & Appointments Committee.

- e. Move to direct staff abide by Council rules and have motion items on the proper committee agenda at the proper time with backup materials and an impartial opinion. If staff is unable to carry out the necessary tasks/duties then Council should consider hiring additional staff [N. JACKSON] – Mr. N. Jackson stated the practice is that motions made at the first meeting of the month are forwarded to committee that same month. Recently staff has not been adhering to this practice and items are getting "lost".

According to Council Rules, when a motion is made the item is to appear on the next committee agenda. If it is not ready to go forward it should at least appear as pending action.

Mr. N. Jackson moved, seconded by Ms. Kennedy, to combine Items (e) and (f) and pursuant to Council Rules that any motion made and forwarded to committee appear on the next committee agenda as either an action item or an item pending action with the status of the motion. The vote in favor was unanimous.

- f. Move that the old practice of listing items that have not been completed in all standing committees once again be listed as "Items Pending Action". This will hopefully prevent items from "disappearing" that have not had complete action taken by staff/Council [MALINOWSKI] – Mr. Malinowski recommended combining this item with item (e).

- 5. **ADJOURNMENT** – The meeting adjourned at approximately 5:12 PM.