

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA



RULES AND APPOINTMENTS COMMITTEE

June 16, 2015
4:00 PM
4th 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 4:00 PM

APPROVAL OF MINUTES

June 2, 2015 – Ms. Dixon moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

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

ITEMS FOR ACTION

- 1. Ordinance providing for the appointment of Ex Officio members to public bodies whose membership is appointed by the governing body of Richland County.**

The governing body of Richland County may appoint up to three (3) ex officio members to any board, commission, committee, entity or any other “public body” as defined in the South Carolina Freedom of Information Act whose members are appointed by the governing body of Richland County. Such ex officio members shall pursuant to Robert’s Rules of Order have all the privileges of board (or other public entity) membership, including the right to make motions and to vote and to participate in regular or special called meetings and executive sessions, but none of the obligations. Ex officio members have no obligation to participate and should not be counted in determining the number required for a quorum or whether a quorum is present at a meeting. When an ex officio member of any board, commission, committee, entity or any other public body ceases to hold the office that entitles him or her to such membership, his or her membership

Committee Members Present

Bill Malinowski, Chair
Jim Manning
Julie-Ann Dixon

Others Present:

Kelvin E. Washington, Sr.
Damon Jeter
Michelle Onley
Larry Smith
Kimberly Roberts
Frannie Heizer, Esquire

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on the public body terminates automatically [WASHINGTON] – Ms. Dixon inquired if Council liaisons would serve as Ex Officio members.

Mr. Smith stated he was not sure the role of Council liaisons has been defined anywhere.

Mr. Malinowski stated this item was moved to an action item because the committee members did not feel comfortable with Council members serving in an Ex Officio capacity whereby they do not have any obligations, but could walk into a meeting and vote.

Mr. Smith stated several months ago the Legal Department began receiving inquiries and hearing concerns from current and past liaisons about them not being allowed to participate in various discussions and/or meetings.

Ms. Dixon recommended forwarding this item to the Ordinance Review Ad Hoc Committee to draft an ordinance that addresses the duties of Council liaisons.

Mr. Smith stated the information Brad suggested, which is, if the Council is appointing a committee, Council would also have the right to appoint Ex Officio members to boards and commissions they appointed.

Mr. Manning inquired if a Council member is a liaison to a board Council appoints and the board goes into Executive Session does the Council member have the authority to be present during Executive Session.

Mr. Smith stated he is not aware of anything addressing Council member's right as a Council member to go into Executive Session of another body. Historically, Council members have been allowed to participate or attend, especially if the County's interest were being discussed.

Mr. Washington stated he has been on numerous boards/commissions/committees wherein he was allowed to participate in Executive Session and others wherein he was not included. He would like to get clarity on what authority Council members have when the boards/commissions/committees are taking up matters pertaining to the County. If the Council members are allowed to participate in Executive Session then they will be able to communicate to their colleagues the decisions and rationale for those decisions.

Mr. Manning moved, seconded by Ms. Dixon, to contact the SCAC regarding the rules and/or policies for liaison/ex officio participation. The vote in favor was unanimous.

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2. NOTIFICATION OF VACACNIES

- a. **East Richland Public Service Commission – 2** – Mr. Manning moved, seconded by Ms. Dixon, to advertise for the vacancies. The vote in favor was unanimous.
- b. **Accommodations Tax Committee – 1 (Applicant must have a background in the Cultural Industry)** – Mr. Manning moved, seconded by Ms. Dixon, to advertise for the vacancy. The vote in favor was unanimous.

DISCUSSION

- a. **CMRTA Board Terms** – Ms. Heizer when the CMRTA Board was restructured in 2011 the composition of the membership changed so that Richland County, the City of Columbia, Forest Acres became full members and Lexington County is a special member.
 - Membership is as follows: Richland County – 3 members; City of Columbia – 3 members; Forest Acres – 1 member; Lexington County – 1 member and the Delegation – 3 members.
 - Kelvin Washington, Mac Bennett, and Jennifer Harding are the current Richland County appointees
 - CMRTA Board has suggested staggering the current members' terms for Richland County and the City of Columbia; the suggestion is a one-year term; a two-year term and a three-year term.
 - The new terms would go into effect on July 1, 2015
 - The Delegation appoints pursuant to State law and not the IGA

Mr. Manning recommended retaining the current members and to have their terms limits (1-yr., 2-yr. or 3-yr.) set alphabetically (i.e. the 1-yr. term would be Mac Bennett).

Mr. Manning moved, seconded by Ms. Dixon, to retain the current members and have their term limits set alphabetically (1-year term – Bennett; 2-year term – Harding and 3-year term – Washington).

Mr. Malinowski directed Legal to draft the motion and present to Council prior to the July 7th Council meeting.

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ADJOURNMENT

The meeting adjourned at approximately 4:45 PM.

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