

ORDINANCE NO. 242.2014

**AN ORDINANCE BY KERSHAW COUNTY COUNCIL AMENDING THE AMENDED
AND RESTATED ORDINANCE BY KERSHAW COUNTY COUNCIL DETERMINING
RULES AND ORDER OF BUSINESS**

FILED FOR RECORDS
2014 OCT 06 AM 11:06
JOYCE L. DONALD
CLERK OF COURT
KERSHAW COUNTY, S.C.

WHEREAS, Kershaw County Council enacted an Ordinance by Kershaw County Council Determining Rules and Order of Business which was last amended and restated by ordinance dated April 24, 2012; and

WHEREAS, Kershaw County Council wishes to amend the restated Kershaw County Determining Rules and Order of Business to add the following provision to Article III Selection of County Council Officers, Section 3.2 Chairperson The Chairperson of Kershaw County Council shall pursuant to the rules when a vote is called and taken on any motion or matter before council require a show of hands of those member(s) voting for the matter and a show of hands of those member(s) voting opposed to the matter and shall state for the record each council member(s) voting for the matter and each council member(s) voting against the matter which shall be stated in the minutes of county council. When a member abstains and does not vote the member shall state the reason why the council member abstained.

The chairperson shall disseminate to members of county council pertinent correspondence that requests official action by county council.

NOW, THEREFORE, BE IT ORDAINED that the Kershaw County Determining Rules and Order of Business as amended is further amended to read as follows:

- 1) Article III. Selection of County Council Officers, Section 3.2 Chairperson:

Section 3.2 Chairperson

Chairperson: The chairperson is elected at large as a separate office and presides at all meetings of county council, preserves order and decorum at all meetings, and states every question, where applicable, coming before county council. The Chairperson of Kershaw County Council shall pursuant to the rules when a vote is called and taken on any motion or matter before council require a show of hands of those member(s) voting for the matter and a show of hands of those member(s) voting opposed to the matter and shall state for the record each council member(s) voting for the matter and each council member(s) voting against the matter which shall be stated in the minutes of county council. When a member abstains and does not vote the member shall state the reason why the council member abstained.

The chairperson shall preside at all regular and special meetings of the county council, shall, when required, execute, on behalf of county council, all ordinances, resolutions, directives, bonds, and other official instruments or documents as required by county council.

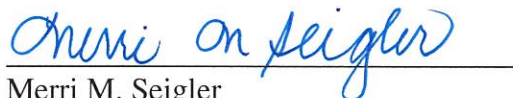
The chairperson shall disseminate to members of county council pertinent correspondence that requests official action by county council.

- 2) That except as amended the code is reaffirmed and restated as amended.
- 3) This ordinance is effective upon third reading.

KERSHAW COUNTY COUNCIL

By: 

ATTEST:


Merri M. Seigler
Clerk to County Council

First Reading: August 26, 2014
Second Reading: September 9, 2014
Third Reading: September 23, 2014

ORDINANCE NO. 242.2014

AMENDED AND RESTATED ORDINANCE BY KERSHAW COUNTY COUNCIL DETERMINING RULES AND ORDER OF BUSINESS

ARTICLE I. PURPOSE AND AUTHORITY

Section 1.1 Purpose

The purpose for this ordinance is for Kershaw County Council to adopt and determine its own rules and order of business pursuant to Section 4-9-110 of the South Carolina Code of Laws.

ARTICLE II. AGENDA

Section 2.1 Council Meeting

County Council meetings shall be scheduled and special meetings called as provided in Section 4-9-110 of the Home Rule Act South Carolina Code of Laws.

County Council meetings shall be held and conducted in accordance with the South Carolina Freedom of Information Act and the Home Rule Act and in accordance with the general law of the State of South Carolina affecting meetings of public bodies.

Section 2.2 Preparation of Agenda

The county administrator and clerk to county council shall prepare a proposed agenda which shall be compiled with supporting documentation by 1:00 p.m. on Wednesday preceding the next regular scheduled session of county council at which county council will vote on or take action on any matter coming before county council.

For special meetings the proposed matter with supporting documentation shall be provided at least twenty-four (24) hours prior to the meeting.

For special meetings the proposed agenda shall be compiled at least twenty-four (24) hours prior to the meeting.

Section 2.3 Members of County Council placing matters on the agenda

County council members may place proposed matters on the agenda by providing the agenda item to the county administrator and clerk of county council by 1:00 p.m. on Wednesday preceding the next regular scheduled council meeting at which county council will vote on or take action on any matter coming before county council together with supporting documentation.

For special meetings the proposed matter with supporting documentation shall be provided at least twenty-four (24) hours prior to the meeting.

Section 2.4 Matters to be placed on the agenda

Matters to be placed on the agenda shall include matters to be considered by county council for enactment, approval, or execution, for consideration, or for information pursuant to county council's authority and to serve the public need, or for action pursuant to county council's statutory authority or jurisdiction.

Section 2.5 Order of business

- a. The form of the agenda

The form of the agenda shall be as follows:

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Public Comments
4. Adoption of Agenda
5. Public Hearing
6. Public Presentation
7. Approval of Minutes
8. Ordinances for Consideration
9. Old Business
10. New Business
11. Council Briefings
12. Administrator's Briefing
13. Legal Briefing
14. Future Agenda Items
15. Adjournment

- b. Adoption of agenda

The agenda shall be adopted by council. Deletions at adoption can be made by majority vote. Additions to the agenda at adoption require a vote of two-thirds and items can be added at adoption only in case of emergency or deadline considerations.

ARTICLE III. SELECTION OF COUNTY COUNCIL OFFICERS

Section 3.1 Officers to be selected by County Council.

Pursuant to Section 4-9-110, county council shall designate the following officers:

Section 3.2 Chairperson

Chairperson: The chairperson is elected at large as a separate office and presides at all meetings of county council, preserves order and decorum at all meetings, and states every question, where applicable, coming before county council. The Chairperson of Kershaw County Council shall pursuant to the rules when a vote is called and taken on any motion or matter before council require a show of hands of those member(s) voting for the matter and a show of hands of those member(s) voting opposed to the matter and shall state for the record each council

member(s) voting for the matter and each council member(s) voting against the matter which shall be stated in the minutes of county council. When a member abstains and does not vote the member shall state the reason why the council member abstained.

The chairperson shall preside at all regular and special meetings of the county council, shall, when required, execute, on behalf of county council, all ordinances, resolutions, directives, bonds, and other official instruments or documents as required by county council.

The chairperson shall disseminate to members of county council pertinent correspondence that requests action by county council.

Section 3.3 Vice-chairperson

Vice-chairperson: At the initial meeting in January following each general election, the county council shall select one (1) of its members to serve as Vice-chairperson for a two-year term; in the event that the chairperson shall be temporarily absent or unable to serve, the vice-chairperson shall serve as chairperson in his stead. _When the chairperson shall be temporarily absent or unable to serve, the vice-chairperson shall, when required, execute, on behalf of county council, all ordinances, resolutions, directives, bonds, and other official instruments or documents as required by county council.

ARTICLE IV. COMMITTEES

Section 4.1 Standing Committees

There shall be no standing committees of Kershaw County Council.

Section 4.2 Ad Hoc Committees

Ad Hoc Committees of Kershaw County Council may be created by the Chairman of the Kershaw County Council.

Ad Hoc Committees of Kershaw County Council created by the Chairman of the Kershaw County Council shall be for a specified task or limited purpose and for a limited duration or until the specified task or limited purposed is completed.

All appointments to Ad Hoc Committees created by and established by the Chairman of the Kershaw County Council shall be made by the Chairman of the Kershaw County Council.

ARTICLE V. APPOINTMENTS BY KERSHAW COUNTY COUNCIL TO BOARDS, COMMISSIONS, AND COMMITTEES

Section 5.1 Appointments by County Council to Boards, Commissions, and Committees

Appointments by county council to boards, commissions, or committees provided by state law, provided by Kershaw County Code or provided by action of County Council, shall be made by county council for the term specified.

Section 5.2 Notification of appointments

The county administrator and the Clerk of Kershaw County Council shall notify the county council in the agenda of pending appointments or vacancies caused by resignation or expiration of terms.

Notification of appointments to be made shall be placed in the agenda under Future Agenda Items at least one regularly scheduled meeting prior to placement of the appointment on the agenda under Appointments.

Section 5.3 Identification of candidates

Persons desiring to be appointed shall submit their application as designated by the county administrator which shall be contained in the agenda package together with any other persons proposed by any member of Kershaw County Council or any recommendation from the boards, commissions, or committee for which appointments are to be made. Members of Kershaw County Council need not submit an application to be eligible for appointment where otherwise eligible.

Section 5.4 Eligibility for appointment

No person shall be eligible for appointment to a board, commission, or committee unless his/her name is proposed by application, by request of a county council member, or proposed by the board commission or committee and the person's application is placed in the agenda package for consideration of county council prior to appointment.

Section 5.5 Prior Appointments

Appointments made by Kershaw County Council for committees and officers provided for in this ordinance during 2009 and prior to the effective date hereunder are ratified and confirmed.

Section 5.6 Effective Date

This ordinance is effective upon third reading.

KERSHAW COUNTY COUNCIL

By: 

ATTEST:



Merri M. Seigler
Clerk to County Council

First Reading: August 26, 2014
Second Reading: September 9, 2014
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