

ORDINANCE NO. 184.2011

**SECOND 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.

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KERSHAW COUNTY, S.C.
CLERK OF COURT
JENNIFER L. JOHNSON

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
3. Pledge of Allegiance
4. Public Comments
5. Adoption of Agenda
6. Public Hearings
7. Ordinances for Consideration
8. Old Business
9. New Business
10. Council Briefings
11. Administrator's Briefing
12. Legal Briefing
13. Future Agenda Items
14. 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 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.

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.

Section 3.4 Presiding Officer

In the event the Chairperson and the Vice-chairperson shall be temporarily absent or unable to serve, then Council shall select a council member as presiding officer to preside at the meeting as Chairperson at that meeting.

ARTICLE IV. COMMITTEES

Section 4.1 Standing Committees

There shall be two standing committees of Kershaw County Council which are the finance committee and the recreation committee.

Finance Committee: The finance committee shall consist of three (3) members of Kershaw County Council.

Recreation Committee: The recreation committee shall consist of three (3) members of Kershaw County Council.

The standing committees shall each adopt rules and procedures and establish times and places for meetings.

Section 4.2 Ad Hoc Committees

County council may create such ad hoc committees with specified duties as county council may determine.

Section 4.3 Appointment to Committees

Appointments to standing committees shall be made for two year terms no later than the second meeting in January following each general election. Any vacancy upon a committee will be filled for the unexpired term.

The chairperson may make recommendations for consideration by county council as to committee appointments. Appointments to committees shall be made by vote of 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

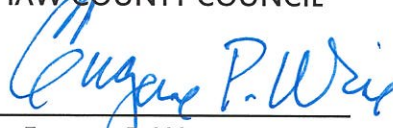
Appointments made by Kershaw County Council for committees and officers provided for in this ordinance during 2009 and prior to the effective date hereunder are ratified and confirmed.

Section 5.6 Effective Date

This ordinance is effective upon third reading.

KERSHAW COUNTY COUNCIL

By: _____

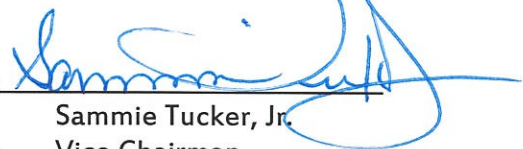


Eugene P. Wise

Its: _____

Chairman

By: _____

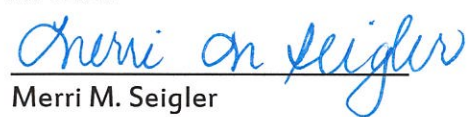


Sammie Tucker, Jr.

Its: _____

Vice Chairman

ATTEST:



Merri M. Seigler

Clerk to County Council

First Reading: September 13, 2011

Second Reading: September 27, 2011

Third Reading: October 11, 2011