

**ORDINANCE NO. 343.2020**

**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. The agenda shall be published by 1:00 p.m. on Friday.

For special meetings, the agenda with supporting documentation shall be published 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.

FILED FOR RECORD  
2020 MAR 13 PM 2:59  
JANET C. PACTY  
CLERK OF COURT  
KERSHAW COUNTY, S.C.

## **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/Pledge of Allegiance
3. Public Comments
4. Adoption of Agenda
5. Public Hearings
6. Proclamations
7. Public Presentations
8. Approval of Minutes
9. Ordinances
10. Resolutions
11. New Business
12. Council Briefings
13. Administrator's Briefings
14. Legal Briefings
15. Future Agenda Items
16. Executive Session
17. 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. The order of business on the agenda may be varied if required by the chairman.

- c. Rules as to Public Hearings and Public Presentations may be varied by vote of county council

## **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, and may vary the order of business on the agenda as required, the Chairman shall, and 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 acts as parliamentarian and rules on parliamentary and procedural issues while presiding at meetings and rules on points of order and delineates points of order. When a challenge is made as to the ruling by the chair as to a point of order and after an explanation is made as to the challenge of a ruling by the chair, and after the chair rules on the point of order made, then any appeal from the ruling by the chair is debatable subsequent to which council votes on the appeal with the chair breaking a tie.

Motions to reconsider a matter already decided must be made at the next meeting of council as an agenda item and the motion must be made by a member on the prevailing side of the prior matter.

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**

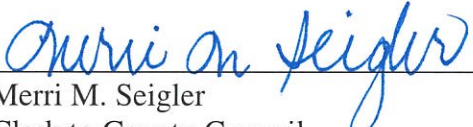
This ordinance is effective upon third reading.

KERSHAW COUNTY COUNCIL

By: \_\_\_\_\_



ATTEST:

  
\_\_\_\_\_  
Merri M. Seigler  
Clerk to County Council

First Reading:        November 12, 2019  
Second Reading:     January 14, 2020  
Third Reading:        January 28, 2020

# **APPENDIX I**

## **PUBLIC HEARING GUIDELINES**

### Rules as to Public Hearings

1. Prior to the public hearing persons wishing to speak should sign up to speak.
2. Immediately prior to the public hearing, it shall be announced that persons wishing to speak must identify that they wish to speak.
3. When the public hearing is opened, that persons be notified as to how many people have signed up, and identified, and in what order.
4. Persons will speak in the order in which they signed up, and identified, and in the order they have identified themselves as wishing to speak.
5. Each person can speak a maximum of ten minutes.
6. Comments at public hearings should be germane to the matter subject to the public hearing which should be liberally construed.

## **APPENDIX II**

### **PUBLIC PRESENTATION GUIDELINES**

#### Rules as to Public Presentations

These rules may be varied by county council by a single vote at the time of the presentation.

1. A "public presentation" as an agenda item is limited to non-governmental organizations that wish to make requests or present information to County Council involving matters which are within the purview or statutory scope of County Council's authority.
2. A public presentation is limited to no more than three per meeting. The maximum time allotted for a public presentation is 20 minutes. No action is taken by County Council as a result of a public presentation.
3. Governmental entities, agencies of Kershaw County, or boards of Kershaw County can likewise present a public presentation as an agenda item. Governmental entities, agencies of Kershaw County, or boards of Kershaw County or entities that have a contractual relationship with Kershaw County can likewise request to be put on the agenda under New Business.
4. A request to be put on the agenda as a public presentation, or new business (if applicable) shall be accompanied by a written request which shall state the nature of the public presentation and the substantive content of the proposed presentation.
5. Individuals or representatives of organizations that wish to express concerns to County Council or to comment as to public matters are more appropriate to present their concerns or comments during the "public comment" section on the Council agenda.