RULES OF GREENVILLE COUNTY COUNCIL

The Rules of Greenville County Council are hereby adopted as follows:

SECTION I. OFFICERS OF THE COUNCIL

(A) Chairman

At its first meeting in January following each general election, the Council, as specified by law, shall elect one of its members to serve as Chairman for a term of two years. The Chairman shall preside at all meetings of the Council. With the County Administrator, he shall, on behalf of the Council, execute all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents unless execution is otherwise directed by ordinance or other Council action. The Chairman shall also have such other duties and perform such other functions as these rules specifically set forth or as the Council specifically directs. If the office of Chairman is vacated, the Vice-Chairman will serve as Chair for the remainder of the current term. Council, at its next meeting following the occurrence of the vacancy, shall choose one of its members to serve as Vice-Chairman.

(B) Vice-Chairman

At its first meeting in January following each general election, the Council shall select one of its members to serve as Vice-Chairman for a term of two years. The Vice-Chairman shall preside at meetings of the Council when the Chairman is absent or unable to preside.

(C) Chairman Pro Tempore

If at any time both the Chairman and the Vice-Chairman are absent or vacancies exist in both offices, the Council member with the most years of uninterrupted service on the Council shall serve temporarily as Chairman until a new Chairman can be elected or until the existing Chairman (or Vice Chairman) is able to resume his duties.

(D) Election Procedure

When three or more candidates are nominated for the position of Chairman or Vice-Chairman, once a vote is held that produces two candidates who have received the most votes, then only those two top candidates shall stand for election on the next ballot.

SECTION II. EMPLOYEES OF COUNCIL

(A) County Administrator

As provided by Section 4-9-620 of the Code of Laws of South Carolina, 1976, as amended, ("S.C. Code Ann.") the Council shall employ a person who is not a member of Council as the County Administrator. The County Administrator shall be the administrative head of the County government having such powers and duties as are set forth in S.C Code Ann. Section 4-9-630 *et seq*. The County Administrator shall serve at the pleasure of the Council.

(B) Clerk to Council

As provided by S.C. Code Ann. Section 4-9-110, the Council shall employ a person who is not a member of Council to serve as Clerk. The Clerk shall record all proceedings of the Council, keep a journal of those proceedings, and perform such other duties as the Council may direct or may be required by State statutes. The Clerk shall serve at the pleasure of the Council.

(C) County Attorney

The Council shall employ a person licensed to practice law in the State of South Carolina and who is not a member of Council to serve as the County Attorney. The County Attorney shall perform such legal and related tasks as the Council may direct. The County Attorney shall serve at the pleasure of the Council.

(D) Other County Employees

Except for the three (3) employees referred to in this section, the Council employs no other person. Except for the purposes of investigations as authorized by the Council, Council members shall deal with County officers and employees solely through the County Administrator. Neither the Council nor its members shall give orders or instructions to any such officer or employee. Nothing herein shall prevent the Council from contracting from time to time with such other persons as it deems appropriate.

SECTION III. MEETINGS OF THE COUNCIL

(A) Meetings

The Council shall ordinarily hold its regular meetings for the transaction of official business on the first and third Tuesdays of each month at such time and place as the Chairman may specify. Either the Chairman or a majority of the members of the Council may call special meetings, which may be held after twenty four hours public notice, which specifies the hour, date, and place of the special meeting and

its agenda. No item may be considered at the special meeting unless it appears on this agenda. For all meetings of Council, members must be physically present in order to be counted as part of a quorum and to participate in discussions and voting.

(B) Notice to Members

All members of Council should be furnished copies of all requests requiring Council action in their agenda packets for upcoming meetings, including motions to reconsider. This notice shall include complete copies of each proposal to be considered. Copies of proposed ordinances at second and third readings shall appear as amended at any previous readings. This notice requirement shall not apply to items presented to the Council by standing Council committees as long as those items appear on the published agenda of the committee for the meeting at which the committee voted on the item presented.

(C) Quorum

Seven (7) members of Council shall constitute a quorum for the transaction of business.

(D) Conduct of Meetings

(1) Recognition of a Member -- Before making a motion or addressing the Council, a member must first address the presiding officer by saying, "Mr. (or "Madam") Chairman", and be recognized. When addressed by a member, the Chairman shall name the member by using the appropriate title, "Mr., Mrs., or Miss."

(2) Decorum in Speaking -- When speaking, no Council member may indulge in personalities, use personally offensive language, arraign the motives of other Council members, charge deliberate misrepresentation, or use language tending to hold Council or a member of the Council in contempt. The members shall confine themselves to the question under consideration.

(3) Decisions of the Chair -- All questions of order shall be determined by the Chairman without debate. Any member may appeal to the Council from the decision of the Chair. The motion to appeal is debatable. The Chairman, in his/her discretion, may require any member to reduce a motion to writing and read it before debate begins.

(4) **Debate** -- All motions except motions to adjourn, to recess, to close debate and to lay on the table, shall be debatable. No motion shall be debated until the Chair has stated that motion for debate.

(5) **Interruption of Debate** -- When a question is under debate, the Chair may entertain no motions other than those to adjourn or recess, to lay on the table, to close debate, to postpone, to commit or recommit, and to amend.

(6) **Roll Call Votes** -- Any member may request a roll call vote on any question prior to the vote. When ordered, the Clerk shall call the roll and enter in the minutes the names of each member and whether that member voted in favor of the question or against it. The Clerk shall make known the order of roll call votes that will be taken during any meeting of Council by placing a copy of the roll in the agenda package for the coming meeting. The roll will be a rotating list that varies the order in turn before each regular meeting.

(7) **Recording of Votes** -- Votes of members shall be recorded for roll call votes. Any member may have his vote recorded on any question.

(8) **Required Abstentions --**

(a) Any member of the Council who has a substantial interest in any business that contracts with the County for the sale or lease of land, materials, supplies, equipment, or services, or who personally engages in such matters shall make known that interest and refrain from voting upon or otherwise participating as a member of Council in matters relating thereto.

(b) All Council members affected by any other County Ordinance or by State Law relating to this matter shall also recuse themselves and abstain from any involvement with the matter under consideration as required by the ordinance or State Law.

(9) **Motions to Reconsider** -- When a question has been decided, a member who voted on the prevailing side of the question, at the same meeting of the Council, or at the next consecutive regular meeting of the Council, may move for reconsideration. If the Council shall refuse to consider, or upon reconsideration, shall affirm its initial decision, the motion shall not be in order for a period of one year except by a three fourths vote of those members present and voting. For all meetings subsequent to the meeting at which a

question was decided, proper notice must be given of a Council member's intent to move for reconsideration.

(10) **Council Requests** -- Without the approval of Council, no Council member may make any request of a Council employee if fulfilling the request would require more than a *de minimis* expenditure of County funds or require more than a reasonable amount of any County employee's time.

(11) **Parliamentary Procedure not specified in these Rules** -- In all particulars not specifically set forth in these rules or by Acts of the South Carolina General Assembly describing rules or procedures to be guided by the County Council, the presiding officer shall be guided by the most recent edition of Mason's Manual of Legislative Procedure.

(E) Requests to be Heard

For thirty (30) minutes prior to each regularly scheduled Council meeting, members of the public wishing to address the Council on a matter of County business will have an opportunity to register to speak. Prior to Council's consideration of any item of business listed on the agenda, members of the public registering to speak on any item of business listed on the agenda for that night's Council meeting will speak in the order in which they register, except that priority will be given to those persons indicating a desire to speak about an item on the agenda for final consideration. Presentations shall be limited to three (3) minutes per person, not to exceed the thirty-minute period. Following the conclusion of Council's consideration of the business items listed on the agenda, those members of the public who registered to speak prior to the regularly scheduled Council meeting concerning items not listed on that night's agenda shall have an opportunity to speak about those matters not listed on that night's agenda. Presentations shall be limited to three (3) minutes per person with all presentations not to exceed a total period of thirty minutes minus time used by citizens to speak on items listed on the agenda. The Chairman may permit additional time for speakers who have signed up before the meeting.

No speaker may use language that is obscene, disruptive, scurrilous, or recklessly defamatory. Following any presentation from anyone addressing Council, no person other than a member of Council will be recognized to question the speaker or to make any other statement unless a member of Council requests comment from a member of the staff for clarification. The Chairman may schedule additional opportunities for presentations by the public as he deems appropriate and the above rules for registration and time limits will apply.

(F) Matters Outside the Council's Jurisdiction

No matter shall be entered on the agenda or be heard by Council unless it is within Council's authority or jurisdiction, except that the Council may entertain resolutions and consider requests that it make recommendations to other governmental bodies, departments, or agencies.

(G) Matters Previously Heard at Public Hearing

Notwithstanding any other provision of these rules, no person may address the Council about any matter Council has previously heard at a duly called public hearing, as long as Council or a Committee of Council has the item on its agenda, including tabled or held items; however, a person may appear before a Committee which is considering the item with the permission of the Committee Chairman. Additionally, a person may address a matter previously heard at a duly called public hearing appearing on an agenda if 1) that matter has been materially amended after the public hearing or 2) where more than three (3) months have passed since First Reading of the matter.

SECTION IV. ORDINANCES, RESOLUTIONS, AND OTHER MATTERS

(A) In General

The Council shall approve ordinances, resolutions, and other matters as required by these rules or by statute. Prior to introduction of any proposed ordinance, the County Attorney shall review the form and draftsmanship of the proposal. Except for emergency ordinances, or by two-thirds vote of Council, Council will consider no matter prior to its consideration by the appropriate committee.

(B) Readings

Except for emergency ordinances, all proposed ordinances shall be read at three public meetings of the Council on three separate days with an interval of at least seven days between second and third readings. A verbatim reading of a proposed ordinance shall not be required unless a member specifically requests it.

(1) **First Reading** -- Any member or committee may introduce an ordinance for first reading at any meeting of the Council. No vote shall be taken and no debate or amendment shall be in order. The Chairman shall refer the proposed ordinance to an appropriate committee unless the proposed ordinance was introduced by a committee.

All ordinances presented to Council for First Reading shall substantially set forth its subject matter in the body of said ordinance. Ordinances may be presented for First Reading just by title/caption only upon the approval of the Chairman and with prior Council notice of the reason for omitting the body of said ordinance.

(2) **Second Reading** -- Committee reports on a proposed ordinance ordinarily shall be presented at the next consecutive regular meeting following introduction and first reading, but second reading may be deferred by the Committee. If the ordinance is defeated on second reading, there shall be no third reading.

(3) **Third Reading** --

(a) On third reading, the question shall be the adoption of the ordinance as passed on second reading, and no amendment shall be in order unless permitted by a majority vote of Council Members. If Council agrees to the introduction of an amendment on third reading, it will be considered at the next regularly scheduled meeting and its passage shall be governed by the provisions of Subsection 4 below. Amendments permitted at Third Reading must strictly pertain to the subject matter of the ordinance as passed at Second Reading.

(b) Council can approve a motion at second reading to allow for the introduction of amendments at third reading. If the motion to allow amendments is approved, then amendments are eligible for immediate consideration when the ordinance comes up for third reading.

(4) **Votes Required for Passage**

(a) A Majority of all Council Members shall be required to pass ordinances, amendments, and resolutions, except as provided herein.

(b) A vote of two-thirds (2/3) of the Members of Council shall be required for passage of:

- (i) Any ordinance or amendment authorizing a supplemental appropriation
- (ii) Authorization for the issuance of general obligation bonds,
- (iii) Any increase in the tax levy for Greenville County or any special purpose district or political subdivision which requires Council approval
- (iv) Approval of rezoning a property or text amendment to the zoning ordinance wherein action of council is contrary to the recommendation of the Planning Commission or the Planning and Development Committee.

(c) Any matter receiving a tie vote fails.

(d) Abstentions shall be counted as positive votes unless a written statement of a conflict is given to the Chairman.

(C) Consent Agenda

Several items of business may be considered together by County Council and/or County Council committees. Such items, to be considered together, must be listed on the agenda under the general heading "Consent Agenda". Any item placed on the Consent Agenda shall be removed and considered as a separate matter upon the request of any Council or Committee member, otherwise all items on the Consent Agenda will be voted on with one motion.

(D) Emergency Ordinances

To meet public emergencies affecting life, health, safety, or the property of the people, Council may adopt emergency ordinances as authorized by S.C. Code Ann. Section 4-9-130, but such ordinances shall not levy taxes, grant, renew, or extend a franchise, or impose or change a service rate. Every emergency ordinance shall be designated as such and shall contain a declaration that an emergency exists and shall describe the emergency. Every emergency ordinance shall be enacted by the affirmative vote of at least two thirds of the members of Council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirement, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment.

(E) Codification

As provided by S.C. Code Ann. Section 4-9-120, all ordinances adopted by Council shall be compiled, indexed, codified, published by title and made available for public inspection at the office of the Clerk of Council. The Clerk shall maintain a permanent record of all ordinances adopted and shall furnish a copy of such record to the Clerk of Court for filing in that office.

(F) Standard Codes or Technical Regulations

The Council may adopt any standard code or technical regulation by reference thereto in the adopting ordinance. Copies of any adopted code or technical regulations shall be made available by the Clerk for distribution or for purchase at a reasonable price.

(G) Public Hearings

Public hearings upon giving reasonable public notice shall be held before final Council action to:

(1) Adopt annual operational and capital improvement budgets;

(2) Make appropriations, including supplemental appropriations;

(3) Adopt building, housing, electrical, plumbing, gas and all other regulatory codes involving penalties;

(4) Adopt zoning and subdivision regulations;

(5) Levy taxes;

(6) Sell, lease, or contract to sell or lease real property owned by the County; and

(7) Adopt other matters as determined by the Council.

Each public hearing shall last for a maximum of one hour with thirty minutes allotted to speakers in favor of and thirty minutes allotted to those opposing the proposal. Speakers at public hearings must register to speak according to the procedures for appearances at Council meetings and must indicate when they register whether they favor or oppose the proposal. Each speaker shall be limited to three minutes. This does not apply to zoning matters.

SECTION V. COMMITTEES

(A) Standing Committees

Council shall have five standing committees and the names and jurisdictions are as follows:

(1) Committee on Finance

(a) Taxation and assessment over which Greenville County has oversight
(b) Appropriations and expenditures of which Greenville County has oversight
(c) Collection, receipt, allocation, and disbursement of County funds from whatever source derived
(d) Acquisition, leasing, and disposition of real and personal property, materials, supplies and equipment
(e) Budgeting and accounting methods and procedures
(f) Capital Improvement Programming and Financing
(g) Bonds and other indebtedness
(h) Purchasing policies and procedures
(i) Economic Development Matters
(j) Internal Auditing
  (i) Accounting systems and procedures
  (ii) Departmental and management operations
  (iii) Financial reports and accounting statements

(iv) Budget controls and documentation
(v) Fund disbursement methods, procedures and policies
(vi) Agency audits and expenditure analyses

(k) Establishment of policies affecting the selection, appointment, compensation, qualification, tenure, seniority, retirement, and other matters affecting employment of County officers and employees

(l) Special Tax District Creation

(2) Committee on Planning and Development

(a) Planning
(b) Subdivision and Land Development Regulations, and Management
(c) Zoning Adoption, Amendment, and Process
(d) Official map adoption
(e) Comprehensive Plan Implementation
(f) Corridor Plans
(g) Area Plans
(h) Transportation Planning, GPATS, GTA
(i) Demographics
(j) Keep Greenville Beautiful
(k) Clean Air Act

(3) Committee on Public Safety and Human Services

(a) Health
(b) Human Relations
(c) Welfare
(d) Social Services
(e) Law Enforcement
(f) Fire Protection
(g) Courts
(h) Probation and Parole
(i) Correctional facilities
(j) Clerk of Court
(k) Criminal Justice Support Department
(l) Solicitor
(m) Public Defender
(n) Coroner
(o) Medical Examiner

(4) Committee on Public Works and Infrastructure

(a) County/State/Private Roads, Bridges, Sidewalks, Maintenance and Infrastructure Management
(b) Traffic Calming
(c) Engineering
(d) Solid Waste Collection and Disposal
(e) Building Codes Adoption and Enforcement
(f) Stormwater Management, Clean Water Act, Soil & Water Commission
(g) Animal Care Services

(h) Floodplain Management
(i) Greenville County Redevelopment Authority
(j) All fire districts and fire service areas
(k) SCTAC and Greenville Airport Commission
(l) Recreation
(m) Public Utilities
(n) All special tax districts and all special purpose districts not otherwise assigned
(o) Property Management – Supervision/Maintenance of all County buildings and property, grounds, and parking facilities

(5) Committee of the Whole

This committee shall be composed of each member of Council and the Chairman of County Council shall serve as Chair.

(a) Council Rules
(b) Exercising Power of Eminent Domain
(c) Boards and Commissions Policy nominations to: Alcohol and Drug Abuse Commission; Board of Tax Assessment and Appeals; Disability and Special Needs Board, Human Relations Commission; Redevelopment Authority; and Planning Commission; and nominations to boards submitted from other standing committees

(B) <u>Committee Matters</u>

Except by referral from the Council, no committee shall consider in the same or substantially the same form any item that is currently before the Council or has been addressed by Council in the preceding year or that does not by these rules lie within the jurisdiction of that committee. The Chairman of Council shall ensure compliance with this restriction.

(C) <u>Appointment to Standing Committees</u>

(1) Not later than the second regular Council meeting in January following each General Election, the Chairman of Council shall appoint: five (5) Council members to the Committee on Planning and Development; five (5) Council members to the Committee on Public Works and Infrastructure; five (5) Council members to the Committee on Public Safety and Human Services; and up to six (6), but not less than five (5) Council members to the Committee on Finance. The Chairman of County Council shall appoint the Chairman for each Committee. The Chairman of each Committee shall appoint the Vice-Chairman for his or her respective Committee.

(2) Members and Officers of Standing Committees shall serve until the second of January following the next General Election of Council. Provided, however, that during the course of the two year term, the Chairman may change committee membership as merited; and make such additional appointments as needed due to the inability of any Council member to attend meetings.

(D) Members

Except for the Committee of the Whole and Finance, each standing committee shall consist of five persons.

(E) Chairman

The Chairman of each standing committee shall be a voting member of that committee.

(F) Committee Reports and Recommendations

(1) If a matter properly before a committee cannot be resolved in committee, that committee, by a majority vote, may submit a "no recommendation" report to Council with a specific request for consideration by the full Council.

(2) All zoning matters properly referred to the Planning and Development Committee must be reported to full Council in a timely manner with a recommendation for approval, denial, approval as modified, or "no recommendation"

(3) Matters before committees shall be reported to full Council only if approved, approved as modified, or with "no recommendation". When the question before a committee is for approval or approval as modified, a tie vote fails and the matter (other than a zoning matter) is defeated. The Chairman of a standing committee shall report upon the activity of the committee at each regular County Council meeting, and the agenda of every regular meeting shall provide a time for committee chairman to make these reports.

(G) Committee Meetings

A committee meeting may be held on the call of the Chairman at any time except on Sunday or holidays, or at such time as the Council is in session. All notice provisions set forth in Section III (B) above shall apply to meetings of committees. A quorum of a committee shall be a majority of its members. In order to be counted as part of a quorum and to participate in discussion and voting, a committee member must be physically present at the committee meeting.

(H) Recall of Ordinance or Resolutions

Any ordinance or resolution that has been referred to Committee may be recalled by an affirmative vote of two thirds of the members of the Council.

(I) Special Appointments

Except as otherwise provided herein, the Chairman of Council shall make such appointments of Council members to boards, commissions, committees, and other governmental bodies as may be required by law or agreement. These appointments must observe the rules of each board, commission, or body as to its particular eligibility and length of service requirements. The Chairman may also appoint such additional temporary Council committees as he or the Council deems appropriate.

SECTION VI. AMENDMENT OR SUSPENSION OF RULES

(A) Amendment

Certain of these rules are provisions of South Carolina statutory law and cannot be amended. Except for those provisions, two-thirds of the members of Council may vote to amend these rules at any regular meeting if notice of the proposed amendment is given at the previous regular meeting.

(B) Suspension

Rules stated in a South Carolina statute and rules governing quorum and vote requirements cannot be suspended. Notice requirements can be suspended by two-thirds of the members of Council. Rules relating to priority of business or to procedure may be suspended by a majority vote of the members of Council. A motion to suspend the rules may not be amended nor may it have any subsidiary motions applied to it. A motion to suspend shall specify which rule or rules are to be suspended.

SECTION VII. ADOPTION OF RULES AND CONTINUANCE

In the year following a General Election, Council may adopt rules and rule changes. Should Council take no action on rules by the Third Tuesday in February following a General Election, these rules shall remain in full force and effect unless they are amended pursuant to Section VI.

DONE AND RATIFIED this the 24th day of January, 2017.

Herman G. Kirven, Jr., Chairman
Greenville County Council

ATTEST:

Theresa B. Kizer
Clerk to Council

Joseph Kernell
County Administrator