

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2023- 1867

COUNTY OF LANCASTER

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~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO AMEND THE LANCASTER COUNTY CODE, RELATING TO PARLIAMENTARY PROCEDURES FOR COUNCIL MEETINGS TO REINSTATE CERTAIN STANDING COMMITTEES AND PROVIDE FOR PROCEDURE RELATIVE TO SAME IN ORDER TO COMPORT WITH EXISTING LANCASTER COUNTY PRACTICES AND PROCEDURES.

WHEREAS, the Lancaster County Council wishes to amend the ordinance which organized and set forth the rules and regulations for the transaction of business of the Lancaster County Council

NOW, THEREFORE, BE IT ORDAINED by the Council of Lancaster County, South Carolina:

Section 1. Chapter 2, Article II, is hereby amended to add the following Section 2-61, 2-62 and 2-63 as follows:

Section 2-61. Standing Committees.

- (a) Appointment. All committees, including any ad hoc committees which become necessary, shall be appointed by the council chair and the chair of the individual committee shall be appointed by the council chair. The committee may, at its discretion, elect a vice-chair and such other officers as it may choose.
- (b) Standing Committees. Standing committees of the County Council shall be as follows:
 - (1) A Committee of Administration which shall consist of no less than three (3) members.
- (c) Committee of the Whole. At the discretion of the council chair or upon the majority vote of council, any committee may sit as a committee of the whole made up of all members of council. A Committee of the Whole may also be convened by the council chair, and include all members of council, to receive information regarding unique, special or complex matters.

Section 2-62. Standing Committee Assignments and Procedure.

- (a) Assignment of County government functions to a committee; committee structure/committee assignments. The council chair shall provide a list of the various county divisions, departments, boards and commissions and other activities that are assigned to any standing committee established. These assignments may be changed, as necessary, by the council chair, with the advice of the county administrator. Any change in the committee assignment of various government functions shall not become effective until it is announced at a regularly scheduled meeting of the county council and the administrator has been notified in writing by the council chair
- (b) Member assignments. After consulting with council members regarding their preferences for committee assignments, the council chair shall appoint council members to any standing committee established. Committee assignments shall be made for a period of two (2) years beginning with the first regularly scheduled council meeting in each January. The council chair may, from time to time, make changes to committee assignments for any of the following reasons:
 - (1) To fill a vacancy;
 - (2) To accommodate a new council member;
 - (3) To respond to a formal request from a council member to change committees;
 - (4) To solve a schedule conflict; or
 - (5) To make changes in the committee chair.
- (c) Chairpersons. The council chair, in exercising the duties under Section 2-61(a) may make changes to committee chair assignments as is seen fit, but must make the initial and any subsequent changes to committee chair assignments at a public meeting of the county council. The council chair will make committee chair assignments for two (2) year terms.
- (d) Council attendance. All council members may attend any committee meeting, but a member may cast a vote on a matter only if he or she is a voting member of that committee. If a member of council is in attendance at a committee meeting where he or she is not a voting member, that member may participate in the meeting upon approval of the committee chair. Committee members not in attendance at committee meetings may not cast a vote by proxy.
- (e) Quorum. A quorum for each committee shall consist of a majority of its members. If a quorum is not met at any scheduled committee meeting, the matters scheduled to be discussed will be forwarded to the full council and clearly marked "forwarded without recommendation." If a particular item does not receive a majority vote, it will be forwarded to the full council and clearly marked "forwarded without recommendation." The committee chair shall be the presiding officer over committee meetings. The committee, by majority vote, may designate one (1) of its members to serve as vice-chair

of the committee. In the absence of the committee chair, the committee vice-chair shall fulfill the duties of the committee chair. Committees shall follow all the parliamentary and procedural rules of the county council.

- (f) Meeting schedule. Committees shall meet as necessary to conduct the work of the committee. The chair of each committee shall schedule committee meetings at a time decided by majority vote of the committee members. The chair of each committee shall schedule special meetings of the committee as necessary. Committee schedules will be approved by the council chair in order to ensure that meeting schedules do not conflict. A scheduled committee meeting may be canceled by the chairman of the committee with at least twenty-four (24) hours notice to the committee members.
- (g) Agenda process. The agenda process for committee meetings shall be as follows:
 - (1) The suggested format for committee agendas will be set forth by the council chair.
 - (2) Proposed committee agenda will be prepared by the administrator or a designee and submitted to the chair of each committee at least five (5) working days prior to the scheduled committee meeting. Committee agendas will be approved by the appropriate committee chair and the council chair.
 - (3) Once the committee packet is in final form, it will be distributed to each committee member at least three (3) working days (not including the meeting date) prior to the meeting. A copy of the agenda only (not including any backup materials) will be distributed at the same time to each council member not on the committee.
- (h) Administrative and staff reports. The county administrator and the appropriate staff will report to the committee on any matter in which the committee may have an interest or of which the committee may need to be made aware.
- (i) Committee reports. The chair of a standing committee shall report upon the activities of the committee at each regular council meeting, and a time for such reports shall be deemed to be included in every agenda. Each committee shall function as an advisory committee to the county administrator when the administrator so requests and to the county council. Each committee shall investigate, gather information, make inquiries, and study the issues under its jurisdiction with a purpose of keeping council fully informed. Committees shall make reports to council with or without recommendations for action by the council. Action taken by any committee shall not be construed as action by the council until the subject matter of the committee's action has been presented at a regular or special meeting of county and acted upon by the council in accordance with its rules of procedure.

- (j) Minutes. Minutes of a committee meeting will be taken by either a qualified person assigned to the regular staff or a division or by the clerk to council, as the chairman of the committee chooses.

Section 2-63. Ad Hoc Committees.

The council chair may appoint ad hoc committees composed of council members, a combination of council members and citizens, or citizen members only to study and advise council on a specific issue. Such committees shall function for a specific time period and shall be dissolved at the end of the time period or when their business is finished, whichever is earliest. The time period for the existence of such committees may be extended for a time certain by action of county council.

Section 2. If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 3. To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code, other County ordinances, or the adopted bylaws and rules of procedure for existing boards and commission, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 4. This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper
Chair, County Council

Billy Mosteller
Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: August 14, 2023
Second Reading: August 28, 2023
Third Reading: September 11, 2023

Approved as to form:

Virginia L. Merck-Dupont, County Attorney