SPARTANBURG COUNTY COUNCIL

Council Rules and Procedures

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Jack Mabry
H. David Britt
Justin McCorkle
Bob Walker
Vacant

B. Cole Alverson, County Administrator
Earl Alexander, Deputy County Administrator
Debbie Ziegler, Clerk to Council
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RULES OF PROCEDURE

SPARTANBURG COUNTY COUNCIL

SPARTANBURG COUNTY COUNCIL DESIRING TO CONDUCT THE PUBLIC'S BUSINESS IN A FORTHRIGHT MANNER THAT CAN BE CLEARLY UNDERSTOOD BY EVERYONE INVOLVED, DOES HEREBY ADOPT AND PROMULGATE THE FOLLOWING RULES OF PROCEDURE WHICH SHALL GOVERN THE CONDUCT OF MEETINGS OF COUNCIL AND OTHER MATTERS PROVIDED THEREIN:

ARTICLE ONE
RULES

1-1. The following set of rules shall be in effect upon adoption by the Spartanburg County Council. (4-9-110) These rules shall pertain to all meetings and proceedings. These rules shall take precedence over other rules of the Council. Items not specifically covered in these rules or other applicable ordinance or state law shall be decided in accordance with Robert's Rules of Order.

1-2. All committees of Council or advisory boards and commissions shall adopt and enforce rules of procedure and decorum consistent with the rules of Council.
ARTICLE TWO
OFFICERS

2-1. CHAIRPERSON: As provided by Section 4-9-90, the Chairperson of the Spartanburg County Council is elected at large as a separate office. The Chairperson shall preside at all meetings of the Council and may execute on behalf of the Council all official instruments or documents. The Chairperson shall preserve order and decorum at all meetings, and shall state every question coming before the Council, announce the decision of the Council and decide questions of order. Any Council member may appeal the decision of the Chairperson on a question of order and a majority vote of the Council shall conclusively determine such question of order.

2-2. VICE-CHAIRPERSON: At the first meeting of the Council in January each year, the Council shall select one of its members to serve as Vice-Chairperson for a one-year (1) term. (4-9-110) In the event that the Chairperson is absent or unable to serve, the Vice-Chairperson shall serve as Chairperson. In the event that the office of Chairperson is vacated, the Vice-Chairperson shall succeed to that office, and another member shall be elected by Council to serve as Vice-Chairperson until the vacancy of Chairperson is filled in the next general election or by special election if the vacancy occurs 180 days or more prior to the next general election. (4-9-90) When the Chairperson is absent from a regular or special meeting of the Council, or unavailable at the time execution on behalf of the Council is necessary, the Vice-Chairperson shall execute on behalf of the Council all official instruments or documents.

2-3. COUNTY ADMINISTRATOR: The Council shall employ an Administrator, not a member of Council, who shall be the Administrative Executive of the County Government and shall be responsible for the administration of all the departments of the County Government which the Council has the authority to control. The Administrator shall be employed
with regard to executive and administrative qualifications only, and need not be a resident of the County at the time of the employment. The term of employment may be for a definite term, or at the pleasure of the Council. Before the Administrator may be removed from office, the Council shall deliver to the Administrator a written statement of the reasons for the proposed removal, and the Administrator's right to a hearing at a public meeting of the Council. Within five (5) days after delivery of the notice of removal, the Administrator may file with the Council a written request for a public hearing. This hearing shall be held by Council not earlier than twenty (20) days nor later than thirty (30) days after the request is filed. The Administrator may file with the Council a written reply not later than five (5) days before the hearing. The removal of the Administrator shall not be effective until after the decision of Council following the public hearing. (4-9-620)

2-3.1 **POWERS AND DUTIES:** The powers and duties of the Administrator shall include, but not be limited to, the following:

a. To serve as the Chief Administrative and Executive Officer of the County Government;

b. To execute the policies, directives and legislative actions of the Council;

c. To direct and coordinate operational agencies and administrative activities of the County Government;

d. To supervise expenditure of appropriated funds;

e. To prepare annual, monthly, and other reports for Council on finances and administrative activities of the County;

f. To be responsible for the administration of County personnel policies including salary and classification plans approved by the Council;

g. To be responsible for employment and discharge of personnel in those departments in which the employment authority is vested in the County Council, but this authority shall not extend to any personnel employed in departments or agencies under the direction of an elected official nor to personnel appointed by the Council;
h. To prepare annual operating and capital improvement budgets and submit them to the Council at such time as the Council determines, including with the submission a statement describing the important features of the proposed budget including all sources of anticipated revenue and the amount of tax revenue required to meet the financial requirements of the County. The Administrator shall affix a certification stating that, in the Administrator's opinion, the proposed budget does not exceed anticipated revenues for the period concerned and he shall assure that there is full compliance with Section 4-9-140;

i. To execute on behalf of the Council all official instruments or documents;

j. Take all actions to provide for the County's compliance with applicable laws and regulations, and to maintain the physical properties of the County in good and safe state of repair and operation; and

k. To perform such other duties as may be required by the Council. (4-9-140)

2-3.2 **NO AUTHORITY OVER ELECTED OFFICIALS:** With the exception of organizational and administrative policies established by the Council, the County Administrator shall exercise no authority over any elected official of the county whose offices were created by the Constitution or by the general law of the State. (4-9-650)

2-3.3 **COUNCIL TO DEAL WITH EMPLOYEES THROUGH ADMINISTRATOR:** Except for the purposes of official Council inquiries and investigations, the Council shall deal with County officers and employees who are subject to the supervision of the County Administrator solely through the Administrator, and neither the Council nor its members shall give orders or instructions directly to any such officers or employees. (4-9-660)

2-3.4 **ABSENCE OR DISABILITY:** During the extended absence or disability of the County Administrator, the Council shall designate another person to serve as acting Administrator.
2-3.5 **THE RELATIONSHIP TO COUNCIL:** The Administrator shall maintain high standards of integrity and confidence and adhere to the highest ethical and moral principles in the execution of duties. It shall be the Administrator's duty to continue to keep abreast of advances and developments in County Government administration. When the Council has established a policy in reference to any matter, the County Administrator is directed to execute and supervise that policy without further action by Council. In the event that any policies established by Council shall need changes or further definition it shall be the duty of the County Administrator to recommend to County Council in writing the proposed changes or definitions. It shall be the duty of the County Administrator to promulgate, implement and execute administrative policies for the management of operational functions of county government, and to propose necessary legislative and public policies for adoption by Council in order that such policies shall be executed without further action by the Council.

2-3.6 **ACTIVITY REPORT:** The County Administrator is authorized and directed to develop and require the submission of activity reports from all departments and agencies at such intervals and in such form as the County Administrator shall determine. (4-9-620(4))

2-3.7 **OUTSIDE EMPLOYMENT:** The County Administrator will devote his full time to the administration of the County Government. Outside employment is prohibited unless approved by a majority of the members of Council.

2-4. **CLERK:** The Council shall appoint a Clerk for an indefinite term. The Clerk shall record all proceedings of the Council and keep a journal of proceedings which shall be open to public inspection; deliver copies of the minutes of each Council meeting to all members prior to the next regular meeting; keep a register of all Ordinances and Resolutions, assigning them
a number and arranging them in order of introduction, and shall assist in their indexing and codification; attest the signature of the Chairperson, Vice-Chairperson or County Administrator on official instruments or documents. During the disability or extended absence of the Clerk, the Council may designate an acting Clerk. (4-9-110)

2-5. **DEPUTY CLERK:** The Council may appoint a Deputy Clerk for an indefinite term. In the absence or unavailability of the Clerk, the Deputy Clerk shall be empowered to act for the Clerk in executing or attesting official instruments, ordinances or other documents. For the purpose of attesting such documents the County Administrator shall be empowered to appoint or designate an ad hoc Deputy Clerk when necessary or convenient to a particular transaction.

2-6. **COUNTY ATTORNEY:** At the recommendation of Council, the County Administrator shall employ the County Attorney(s) and such deputies and/or assistants as Council may provide for by appropriation who shall attend and act in the absence or unavailability of the County Attorney(s). The County Administrator shall supervise the County Attorney(s) on behalf of County Council. The County Attorney(s) shall prepare or review all drafts of ordinances or resolutions as authorized by Council for legal sufficiency, advise Council on legal matters, and provide such other legal assistance to County departments and agencies as the Council may authorize. The County Attorney(s) shall attend all regular and special meetings of Council. The County Attorney(s) are not required to attend Committee meetings unless requested to do so by the Committee Chairperson.

2.7. **INDIVIDUAL COUNCIL MEMBER REQUESTS:** All council members shall be made aware of any requests made by an individual council member to any administrative personnel or to the county attorney to research any topic or issue in depth, to render an opinion on
any matter or to draft any written document. The results of any research, any oral or written opinion, or any other written document produced in response to any such request by a council member shall be provided to all council members.

ARTICLE THREE
MEETINGS

3-2. MEETINGS, REGULAR

3-2.1 Regular meetings of the Council shall be held at least once each month, but may meet more frequently in accordance with a schedule prescribed by Council and made public. The Council may vary the schedule upon concurrence of a majority with proper Notice as required by South Carolina FOIA. (4-9-110)

3-2.2 Requests for agenda matters and supporting materials shall be provided to the County Administrator no later than 12:00 o'clock p.m. on Monday two weeks prior to the regular meeting. This requirement shall be for all internal and external requests for agenda matters. Council member requests shall not be subject to this Rule. Publication of the agenda shall be on the Monday prior to the regular meeting, and the agenda shall be posted on the bulletin board of the County Administrative Office Building and the County website no less than twenty-four (24) hours before the meeting.

3-3. MEETINGS, SPECIAL

3-3.1 The Chairperson or a majority of the members of Council may call special meetings of the Council.

3-3.2 All council members shall be given written notice, which shall include electronic communications, of a special meeting that specifies the subject matter to
be discussed. Only those items mentioned in the notice or on the accompanying agenda shall be considered at a special meeting.

3-3.3 Twenty-four (24) hours' notice must be given for a special meeting and the agenda posted on the bulletin board of the County Administrative Office Building and the County website no less than twenty-four (24) hours before the meeting.

3-4. **MEETINGS, EMERGENCY** (4-9-120; 4-9-130)

3-4.1 The Chairperson, or in his absence the Vice Chairperson, may call an emergency meeting.

3-4.2 An emergency meeting notice must be supported by documentation of the emergency.

3-4.3 Only the items specified as constituting the emergency shall be considered at an emergency meeting.

3-4.4 Notice to the Council of an emergency meeting may be by telephone or other means, including electronic communication, not less than four (4) hours before the meeting.

3-5. **MEETINGS, BRIEFINGS AND WORK SESSIONS**

3-5.1 The Chairperson may call a Briefing Meeting or Work Session or such meeting may be scheduled at a regular Council meeting.

3-5.2 All Council members shall be given written notice, which shall include electronic communications, of a Briefing or Work Session Meeting that specifies the subject matter to be discussed at least two (2) working days before the meeting. Only those items mentioned in the notice or on the accompanying agenda shall be discussed at the meeting. The
agenda shall be posted on the bulletin board of the County Administrative Office Building and the County website no less than twenty-four (24) hours before the meeting.

3-5.3 The primary purpose of a Briefing or Work Session meeting shall be to present in-depth information and to provide an opportunity for the Council to raise questions for the purpose of making more informed decisions on complex issues that would take undue time from a regular meeting.

3-6. **MEETINGS, PUBLIC HEARING**

3-6.1 The Council shall hold public hearings for those matters required by law and may hold public hearings for any purpose the Council deems appropriate. Public hearings shall be held before final action is taken to:

1. Adopt annual operational and capital improvement budgets;
2. Make appropriations, including supplemental appropriations;
3. Adopt a building, housing, electrical, plumbing, gas, and other regulatory codes involving penalties;
4. Adopt zoning and subdivision regulations;
5. Levy taxes; and
6. Sell, lease or contract to sell or lease real property owned by the County.

3-6.2 Such public hearings shall be advertised as required by law. If there is no applicable law, public hearings shall be advertised in a newspaper of general circulation in the community at least fifteen (15) days prior to such hearing with notices and agenda posted on the bulletin board of the County Administrative Office Building and the County website no less than twenty-four (24) hours before the hearing.
3-6.3 A public hearing is understood to be a forum for people interested in the subject matter to present information to the Council for their consideration as they deliberate an issue. It is not a forum for opponents and proponents to debate their differences and neither is it a forum for debate or argument between members of Council and opponents or proponents, or each other.

3-6.4 Each speaker shall be limited to five (5) minutes unless the Council authorizes one (1) extension of three (3) minutes.

3-6.5 The presiding officer may terminate a presentation that is covering the same information as presented by a previous speaker. Such speakers shall be encouraged to simply state their agreement with a previous speaker and bring new information to the subject.

3-6.6 In addition to verbal presentation, written material may be submitted to the Council for their consideration.

3-6.7 Proponents and opponents will be limited to a total of thirty (30) minutes for formal presentations on any agenda item. Notwithstanding the time limitation in Section 3-6.4, the proponents or opponents may opt to devote their entire time allocation to one or more speakers with the total time of all speakers not exceeding thirty (30) minutes. The presiding officer shall determine if this approach will be used by either side prior to recognizing the first speaker.

3-7. **EXECUTIVE SESSION**

3-7.1 The Council may hold an executive session only for a purpose permitted by the Freedom of Information Act as amended from time to time.
These purposes are generally limited to:

a. Discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, or a person regulated by a public body, or the appointment of a person to a public body.

b. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against said agency of a claim.

c. Discussion regarding the development of security personnel or devices.

d. Investigative proceedings regarding allegations of criminal misconduct.

e. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of an industry or other businesses in the area served.

3-7.2 To hold an executive session, a motion must be made, seconded, and adopted to go into executive session for a permitted purpose.

3-7.3 No vote shall be taken in executive session.

ARTICLE FOUR
QUORUM

4-1. QUORUM: A majority of the members of the Council shall constitute a quorum for the transaction of official business.

ARTICLE FIVE
ORDER OF BUSINESS

5-1. ORDER OF BUSINESS
The Council shall address itself to three (3) major items of business during a regular meeting: the policy agenda, the public comment period, and miscellaneous Council matters. The order of business for each meeting shall be noticed in compliance with South Carolina FOIA in the published agenda which will shall be posted on the bulletin board of the County Administrative Office Building and the County website no less than twenty-four (24) hours before the meeting.

5-1.1 A public comment period shall be limited to thirty (30) minutes. Each speaker shall be limited to three (3) minutes unless the Council authorizes one (1) extension of three (3) minutes. Preference shall be given to those persons who have notified the Clerk of Council in advance of their desire to speak.

5-1.2 The policy agenda will be set by the County Administrator with the consent and input of the Council Chairman. Items on the policy agenda are presented to the Council for action or discussion and shall be accompanied by supporting data and recommendations, if any, in the appropriate form for action - i.e.: Resolutions, Ordinances, etc.

5-1.3 Any Councilmember desiring to place an item on the agenda shall notify the Clerk to Council and County Administrator of such item by the close of business on the Monday prior to the Council Meeting date. Any item added after this time shall be by majority consent except for those items that are added after a meeting begins and those items can only be added to the agenda in compliance with South Carolina FOIA.

5-1.4 A miscellaneous council matters period shall be limited to thirty (30) minutes. During this period, any member of Council or the Administrator may initiate discussion of any item pertaining to the business of Spartanburg County and its Council which may be information or items for the next or subsequent Council meetings. The discussion of any item shall be limited to a total of five (5) minutes.
The County Council shall by majority vote determine if an issue or concern of a member of County Council is to be the subject of research or other staff or committee work. All issues are to be presented to and approved by Council before staff spends time to research or otherwise pursue an issue.

5.2. **MATTERS NOT WITHIN COUNCIL'S JURISDICTION:** No matter shall be entered on the agenda or heard by Council unless it is within Council's authority or jurisdiction except that Council may entertain requests that it make recommendations to other governmental bodies, departments, or agencies.

**ARTICLE SIX**
**DECORUM AND DEBATE**

6-1. When a measure is before the Council for consideration, the presiding officer shall recognize the appropriate individual to present the case.

6-2. When two (2) or more members wish to speak, the presiding officer shall decide and recognize such members in turn.

6-3. No member of Council shall interrupt another while speaking, except to make point of order or make a point of personal privilege.

6-4. The presiding officer shall not be obligated to recognize any Council member for a second comment on a subject or amendment until every Council member wishing to speak has been allowed a first comment.

6-5. No member shall speak more than five (5) minutes on any subject or amendment. Such member may use his/her time in any combination, in separate speech or comments totaling five (5) minutes. Council members shall also have the right to yield a portion of their time to another member.
6-6. Any member wishing to speak more than five (5) minutes on any question or on any amendment to the question shall be accorded the privilege without objection or upon motion supported by two-thirds of the Council members present.

6-7. The Council may agree to limit debate on any item of business before it. That agreement may be formalized by a majority vote of the Council.

6-8. The presiding officer shall not entertain any dilatory motions.

6-9. No Council member shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use other language tending to hold a member of Council or the public up to contempt or ridicule.

6-10. If a member is speaking or otherwise transgressing the rules of the Council, the presiding officer shall, or any Council member may, call him or her to order. In such case, he or she shall immediately be quiet unless permitted to explain. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he/she shall be at liberty to proceed, but not otherwise.

6-11. Any member found in violation of the rules of Council by a majority vote of Council shall be liable to censure or such other punishment as the Council may deem proper.

ARTICLE SEVEN
VOTING

7-1. A member must be present in person to cast his/her vote. If a member does not record a vote in the negative or declare that they are not voting, he/she shall be recorded as voting in the affirmative.

7-2. Any member may request a roll call vote at any time.
7-3. No member shall vote on any question where his/her private interest in the matter presents a conflict of interest. Members shall declare their conflict of interest in an issue and refrain from participating in the discussion or vote on the issue by physically leaving the Council Chamber or any other place where voting on the issue might occur.

7-4. Except in a case of a conflict of interest, all members shall vote on all questions with the exception of the Council Chairman who shall vote only on those matters where his/her vote would affect the outcome (to break a tie vote or to create a tie vote). The Council Chairman shall vote on all questions in his/her role as a member of a Committee.

ARTICLE EIGHT

COUNCIL DECISIONS

8-1. The members of Council have the responsibility to establish policy, make Council decisions, and adopt ordinances which in the majority view will be in the best interests of Spartanburg County and all its citizens. Council members thus have an obligation to expect differences of opinion and to respect the views of each individual member of Council. At the same time, individual members should recognize that when the Council has made a decision, the issue has been decided whether or not they were in the majority or the minority.

ARTICLE NINE

ORDINANCES AND RESOLUTIONS

9-1. **ORDINANCES AND RESOLUTIONS IN GENERAL (4-9-120):** The Council shall take legislative action by ordinance. Resolutions shall not have the force of law, but shall express the opinion of Council concerning a particular matter.

9-2. **READINGS:** With the exception of emergency ordinances, all ordinances shall be read at three public meetings of the Council on three separate days with an interval of not
less than seven days between the second and third reading. If all members are provided with a copy of an ordinance, no verbatim reading is required.

9-3. **FIRST READING:** An ordinance may be introduced for first reading in the appropriate Committee in fully prepared form only. Upon majority vote of the Committee, the Ordinance may be reported out for first reading to County Council.

9-4. **SECOND READING:** After the proposed ordinance shall have been read, amendments shall be in order, but shall not be considered unless they are germane to the proposed ordinance. Any member of the Council may require that amendments be in writing. After all amendments and privileged motions, if any, are disposed of, the question shall be, shall the ordinance receive second reading. If the ordinance is defeated for any reason including, but not limited to, failure to receive a second to move to a vote, there shall be no third reading and the ordinance will be required to be brought again by proceeding with a first reading.

9-5. **THIRD READING:** After the ordinance has been given second reading, and a public hearing has been held if required by law or determination of Council, it shall be given third reading on a subsequent public meeting and amendments may be offered on third reading the same as on second reading. After all amendments and privileged motions, if any are disposed of, the question shall be passage of the ordinance.

9-6. **VOTES REQUIRED FOR PASSAGE:** No ordinance or amendment shall be adopted unless at least a majority of the members present shall have voted for its passage on second and third readings. The repeal or amendment of ordinances shall follow the same procedures set forth for adoption.

9-7. **EMERGENCY ORDINANCES (4-9-130):** To meet public emergencies affecting life, health, safety of the property of the people, Council may adopt emergency
ordinances, 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. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirement, or public notice. Such ordinances shall expire automatically as of the 61st day following enactment. (4-9-120)

9-8. **CODIFICATION:** All ordinances shall be compiled, indexed, codified, published by title and made available to 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 to the Clerk of Court for filing in that office.

9-9. **EFFECTIVE DATE OF ORDINANCES:** Ordinances shall take effect on the day of the ordinance is given third reading unless another date is specified in the ordinance.

9-10. **RESOLUTIONS:** A resolution shall require only one reading for its adoption, and may be adopted at either a regular or special meeting by a majority vote of the members present at the meeting.

9-11. **STANDARD CODES OR TECHNICAL REGULATIONS:** The Council may adopt any standard code or technical regulation by reference. Copies of any adopted code or technical regulation shall be made available by the Clerk for distribution or for purchase at a reasonable price. (4-9-130)

**ARTICLE TEN**
**ELECTION AND APPOINTMENT**
**BOARDS AND COMMISSIONS**

10-1. **IMPELLING VACANCIES:** The Clerk to Council shall post via the County website and report to Council at each regularly scheduled meeting via a report all
impending vacancies occurring within 30 days from such meeting on County Boards and Commissions which the Council has the legal responsibility to fill.

10-2. **NOMINATIONS AND APPOINTMENTS:** At the meeting at which the appointment is to be made, nominations for appointments shall be made by motion of Councilmember(s) for those candidates who have submitted complete information for consideration and who meet the necessary qualifications as outlined by Ordinance or other governing documentation. Following such motion, the appointment shall be confirmed by a majority vote of Council.

10-3 **COUNCIL MEMBER APPEARANCES BEFORE APPOINTED BOARDS AND COMMISSION:** As the Council appoints board and commission members, members of Council shall not appear before such boards and commissions in their official capacity. Members of Council are further cautioned against appearing before such boards and commissions in their private capacity as a citizen or business owner/business person. Any appearance of a Council member before such boards and commissions in their private capacity as a citizen or business owner/business person should be limited to those issues/concerns/matters which impact the Council member on a personal or business level in order to avoid the appearance of any impropriety due to the dual nature of a member of Council’s standing within the County. Further, any appearance by a Council member before any appointed Board should be opened with a disclaimer that the member is not appearing on behalf of the Council, nor as a Council member, but only as a private citizen or business owner/business person with a specific interest in the matter currently before the board or commission. No mention of the Council member’s position as a member of Council or any action such member of Council would take regarding any matters
pending before such boards and commissions if or when the matter comes before Council shall be allowed when appearing as a citizen or business owner/business person.

**ARTICLE ELEVEN**

**COMMITTEES**

11-1. **APPOINTMENT TO STANDING COMMITTEES:** All members of Council shall be appointed to serve on at least one of the Council standing committees. Standing committee appointments shall be made by the Chairperson no later than the regularly scheduled monthly meeting of council in January, and the Chairperson shall also designate the respective Chairperson of each committee. Members of standing committees shall serve until the next January, unless they are removed by their consent or cease to be members of Council. Each standing committee shall consist of not less than three members.

11-2. **STANDING COMMITTEES:** Standing committees of the Council shall be as follows:

11-2.1. A Personnel and Finance Committee which shall consist of not less than three members of the County Council.

11-2.2. A Committee on Public Works, Buildings and Grounds which shall consist of not less than three Council members.

11-2.3. A Committee on Public Health and Human Services which shall consist of not less than three Council members.

11-2.4. A Committee on Public Safety and Judiciary which shall consist of not less than three Council members.

11-2.5. A Committee on Livability which shall consist of not less than three Council members.
11-2.6. A Committee on Economic Recruitment and Development which shall consist of not less than three Council members.

11-2.7 A Committee on Land Use and Development which shall consist of not less than three Council members.

11-3. **ADHOC COMMITTEES:** Upon the authorization of Council, the Chairperson may appoint adhoc 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 the earliest. The time period for the existence of such committees may be extended for a time certain by action of the Council.

11-4. **COMMITTEE MEETINGS AND REPORTS:** Committee meetings shall be held on the call of the Chairperson of the committee upon two days' notice of such meeting to each committee member, unless all of the members of the committee waive such notice and agree upon an earlier time for such meeting. A quorum for each committee shall consist of a majority of its members. The Chairperson 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 when the subject matter of the report has previously been referred to the committee. 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 the Council fully informed. Committees may make reports to the 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 the Council and acted upon by the Council in accordance with these rules. Any member of Council who is not a member of the Committee may attend a Committee Meeting. Any member of Council who is not a member of the Committee may participate in Committee Meetings upon approval of the Committee Chairman. Any member of Council not a member of the Committee shall not be allowed to vote in the Committee.

11-5. **RECALL OF REFERRED MATTERS:** Any matter which has been referred to a committee may be recalled by an affirmative vote of the majority of the members of Council in attendance of a Council meeting.

**ARTICLE TWELVE**
**PARLIAMENTARY PROCEDURE**

12-1. **PRIVILEGE OF COUNCIL MEMBERS:** A Council member shall have the privilege of having an abstract of that member's statement on any subject under consideration by the Council entered in the Minutes.

12-2. **STATEMENT ON BEHALF OF COUNCIL:** No Council member shall make or issue any statement which purports to speak on behalf of the entire Council or the Council as a body at any time unless the issue in question has been duly adopted by the Council. The Chairperson shall thereupon be the official spokesman for Council unless the Chairperson has recommended and the Council has approved another person to serve as the spokesman on a particular issue.

12-3. **WHEN MOTIONS ARE DEBATABLE:** All motions, except motions to adjourn, to recess, to lay on the table, and questions of order or privilege, shall be debatable. No
motion shall be debated until it shall have been stated by the Chairperson. All questions of order shall be decided by the Chairperson without debate, subject to an appeal to the Council.

12-4. **MOTIONS TO RECONSIDER**: A motion to reconsider any action taken by the Council may be made only on the day such action was taken or at the next Regular Council Meeting. Such motion must be made by a Council member voting on the prevailing side, but may be seconded by any other Council member, and may be made at any time.

12-5. **MOTIONS THAT INTERRUPT A SPEAKER**: Only the following motions shall be permitted to interrupt a speaker:

12-5.1. A question of order. This question is to the effect that the rules of Council are not being adhered to. It is not debatable and does not require a second.

12-5.2. A question of privilege. This question relates to the rights and privileges of a member of Council, i.e., charges made against the official character of a member; that the member has not been furnished with pertinent information available to other members of Council; that the member did not hear or understand a statement presented to Council, etc. It does not require a second.

12-5.3. A motion to adjourn. This motion is not debatable but does require a second.

12-6. **MOTIONS THAT CANNOT INTERRUPT A SPEAKER BUT MAY INTERRUPT THE PROCEEDINGS**: The following motions cannot interrupt a speaker without the speaker's consent but may interrupt the proceedings and shall be received during debate:
12-6.1. A motion to lay on the table. This motion removes the subject from consideration until the Council votes to again consider the subject. It is not debatable but it does require a second.

12-6.2. Reserved.

12-6.3. A motion to adjourn debate to a subsequent meeting. The effect of this motion is to postpone the subject to the time specified in the motion and until which time it cannot be taken up except by majority vote of the Council. It is debatable and does require a second.

12-6.4. A motion to commit or recommit. The effect of this motion is to refer the subject to a committee. It is debatable and requires a second.

12-6.5. A motion to amend. This motion is debatable and requires a second.

The above motions shall have precedence in the order listed.

12-7. MOTIONS THAT DO NOT REQUIRE A SECOND: The following motions do not require a second:

12-7.1. Inquiries of any kind.

12-7.2. Leave to withdraw a motion.

12-7.3. Nominations.

12-7.4. Point of order.

12-7.5. Question of privilege.
ARTICLE THIRTEEN
DOCUMENTS

13-1. DOCUMENTS OF THE COUNTY ADMINISTRATOR: No member shall take any books or papers from the possession of the County Administrator, without first acquainting the Administrator, and giving a written receipt to return the same in a reasonable time, or on the Administrator's request.

13-2. DOCUMENTS OF THE COUNTY: All documents, files, correspondence, reports, records, and other written or printed material or information pertaining to the business of Spartanburg County or to any of its departments or personnel, prepared, received or used by the County Administrator or any other County official or employee in the course of County employment shall be the property of Spartanburg County. No such material or information shall be removed from the custody of Spartanburg County at any time.

13-3. PERSONNEL FILES: Personnel files are confidential information and shall be available to Council members only as a part of an official inquiry or investigation authorized by Council.

ARTICLE FOURTEEN
SEAL

14-1. SEAL OF THE COUNTY OR COUNCIL: The Seal of Spartanburg County or of the Spartanburg County Council shall not be required upon execution or attestation of any document.
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ARTICLE FIFTEEN
SUSPENSION OF RULES

15-1. SUSPENSION OF RULES: Any of these rules may be suspended, except those which are matters of law, upon an affirmative vote of a majority of the members of the Council.

ARTICLE SIXTEEN
AMENDMENT OF RULES

16-1. AMENDMENT OF RULES: Amendment of these rules shall be by majority vote of the members of Council.

Adopted January 22, 2007; Amended February 19, 2007; Amended December 19, 2011; Amended December 7, 2012; Amended April 15, 2013; Amended August 18, 2014; Amended December 15, 2014; Amended January 26, 2015; Amended April 18, 2016; Amended January 23, 2017; Amended March 18, 2019; Amended April 15, 2019; Amended January 25, 2021.

SPARTANBURG COUNTY COUNCIL

By: [Signature]
A. Manning Lynch, Chairman

ATTESTED:
[Signature]
B. Cole Alverson
County Administrator

Rev. 01/25/21