

RESOLUTION

ADOPTING THE RULES OF PROCEDURE FOR THE TOWN OF BLUFFTON MAY RIVER WATERSHED ACTION PLAN ADVISORY COMMITTEE

WHEREAS, the Town of Bluffton May River Watershed Action Plan Advisory Committee was established by Town Council Resolution on May 8, 2012 (Establishing Resolution), and further defined by an amended Town Council Resolution on December 12, 2017 (Amended Resolution), for the purpose of offering guidance and assistance to the Town of Bluffton Town Council on matters impacting the environmental health of the Town of Bluffton and the May River Watershed Action Plan; and

WHEREAS, the May River Watershed Action Plan Advisory Committee shall adopt these Rules of Procedure by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF BLUFFTON MAY RIVER WATERSHED ACTION PLAN ADVISORY COMMITTEE AS FOLLOWS:

1. The May River Watershed Action Plan Advisory Committee hereby adopts the Rules of Procedure which are attached and incorporated as "Exhibit A" hereto.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.

SIGNED, SEALED AND DELIVERED AS OF THIS 22ND **DAY OF** MARCH,
2018.


Chair

ATTEST:

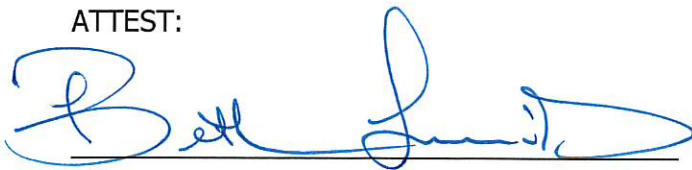

Secretary

Exhibit A

Town of Bluffton May River Watershed Action Plan Advisory Committee

Rules of Procedure

Section 1. Establishment.

The Town of Bluffton May River Watershed Action Plan Advisory Committee (Committee) was established by Town Council Resolution on May 8, 2012 (Establishing Resolution), as amended by Town Council Resolution on December 12, 2017 (Amended Resolution), for the purpose of offering guidance and assistance to the Town of Bluffton Town Council on matters impacting the environmental health of the Town of Bluffton and the May River Watershed Action Plan.

Section 2. Rules.

The Committee is adopting these Rules of Procedure by Resolution.

Section 3. Membership.

A. Appointment. The Committee shall consist of seven (7) voting members comprised of six (6) at-large members and one (1) Town of Bluffton Town Council Member appointed by Town Council in accordance with the Amended Resolution. A vacancy in membership must be filled for the unexpired term by Town Council appointment. Committee members shall serve without compensation. No at-large member of the Committee shall hold any other public office or elected position in the Town, other municipalities within Beaufort County, or Beaufort County.

B. Officers. The Chair and Vice-Chair shall be elected annually in July, or as soon thereafter as possible, by a majority vote of members present and qualified to vote who shall perform the following duties:

1. The Chair shall be a voting member of the Committee and shall:

- i. Call meetings of the Committee to order;
- ii. Call Special Meetings of the Committee;
- iii. Preside at meetings and hearings;
- iv. Sign documents for the Committee;
- v. Have decisions of the Committee delivered to parties; and
- vi. Perform other duties approved by the Committee.

2. The Vice-Chair shall preside over the meeting or hearing and perform the required duties set forth in Section 3.B.1 of these Rules of Procedure in the absence of the Chair. In the absence of the Chair and Vice-Chair, an acting Chair shall be elected by a majority vote of members present and qualified to vote.

C. Secretary. The Watershed Management Division Manager, or their designee, shall serve as Secretary and shall perform the following duties:

1. Provide notice of meetings and Public Hearings;
2. Assist the Chair and Staff in preparation of agenda and supporting material;
3. Keep minutes of meetings and hearings;
4. Maintain Committee records as public records;
5. Attend to Committee correspondence;
6. Deliver decisions of the Committee to parties; and
7. Perform other duties normally carried out by a Secretary.

- D. Removal. A member shall notify the Secretary of an absence 24 hours before the scheduled meeting. Town Council may remove any member after written notice in accordance with Code of Ordinances of the Town of Bluffton Chapter 3, Section 3.2(d).

Section 4. Education and Training.

- A. Town Manager Boards and Commissions Training. The Town Manager may develop and implement such periodic training sessions as may be reasonable and appropriate for members of Boards, Commissions, Committees, and Staff liaisons. Such training may include basic provisions of parliamentary procedure, the role of municipal government in the regulatory context, the extent of authority delegated to Boards, Commissions, and Committees by Town Ordinances, and other topics the Town Manager deems appropriate. Attendance by members of Boards, Commissions, Committees, and Staff liaisons shall be mandatory. Failure to attend Town sponsored training without an excused absence for just cause may be cause for removal.
- B. Yearly Boards and Committee Updates. Not less frequently than once annually, the Town Manager may convene a meeting of all Chairs of the Boards, Commissions, and Committees for purposes of allowing the Chairs to share experiences in addressing issues of process and procedure. Not less frequently than once annually, the Engineering Director, or their designee, shall present an update to Town Council of the Committee's activities for the previous 12 months at a regularly scheduled Town Council meeting.

Section 5. Voting/Quorum.

- A. Quorum. A majority of the members of the Committee shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.
- B. Voting. A member must be present to vote. Each member shall vote on every question unless disqualified by law. The Committee may deliberate and make final disposition of a matter by a majority vote of members present and qualified to vote. Deliberating and voting shall be done in public.

Section 6. Ethics.

- A. Ethics Reform Act. The Committee and its members shall adhere to the *South Carolina Ethics Reform Act*, (S.C. Code of Laws, Title 8, Chapter 13).

- B. Disqualification. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, provide the Secretary with a completed Recusal Form, have it placed in the minutes, and refrain from deliberating or voting on the question in any way.
- C. Ex Parte Contact. Any ex parte contacts with applicants, opponents, or other parties of interest in a matter to come before the Committee shall be reported at the earliest opportunity to the Chair. It shall be considered the duty of Committee members to conduct themselves in a manner that will discourage such contact.
- D. Expressions of Bias. Committee members shall avoid all situations and circumstances that may lead to bias or prejudice in manners presented to the Committee. No Committee member shall offer expressions of individual opinion regarding any matter of consideration by the Committee prior to the meeting.

Section 7. Meetings.

- A. Robert's Rules of Order. The current edition of *Robert's Rules of Order* shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.
- B. Meeting Schedule. The Committee shall adopt an annual meeting schedule. Each November, the Committee shall adopt, publish, and post its schedule of meetings for the next calendar year. Meetings shall be held at the Theodore D. Washington Municipal Building located at 20 Bridge Street, or a designated public building, and shall be open to the public. Meetings may be cancelled by the Director of Engineering if there is no business before the Committee.
- C. Agendas. The Secretary shall post the meeting agenda at least five (5) days prior to each regular meeting by notice delivered to the local news media, interested citizens and posting at Town Hall. Special meetings may be held at the call of the Chair or a majority of the Committee upon twenty-four (24) hours by notice delivered to the local news media, interested citizens and posting at Town Hall.
- D. Agenda Amendment. Items may only be added to the agenda at a meeting pursuant to the regulations set forth in the *South Carolina Code of Laws Title 30 Chapter 4 Freedom of Information Act*.
- E. Conduct of Meeting. In matters brought before the Committee for public meeting, the normal order to hear the agenda item, subject to modification by the Chair, shall be:
 - 1. Statement of matter to be heard;
 - 2. Presentation by Staff or Invited Speaker;
 - 3. Staff Remarks;
 - 4. Committee Comments and Questions;
 - 5. Final Staff Remarks; and
 - 6. Motion, 2nd to the motion, discussion of the motion, and vote of the Committee.
- F. Public Comment. Members of the public desiring to be heard by the Committee during the Public Comment agenda item or during a Public Hearing must provide written notice to the Secretary before the start of the meeting. Members of the


public shall be recognized by the Chair before stating their business and shall be limited to three (3) minutes. Members of the public shall avoid disrespect to the Committee, Town Staff, and other members of the meeting.

- G. Recess. A recess may be called by the Chair or by a majority vote of members present and qualified to vote. The Chair shall state the duration of the recess and time the meeting will recommence before the recess begins. The recess start and end time shall be recorded in the minutes.
- H. Executive Session. The Committee may enter Executive Session as set forth in the *South Carolina Code of Laws Title 30 Chapter 4 Freedom of Information Act*. The Committee may request the attendance of non-members as they deem appropriate. All proceedings of Executive Sessions are confidential and attendees are honor bound not to divulge the proceedings.
- I. Workshops. The Committee may periodically hold workshops to discuss issues and general policies and procedures to determine the necessity for future action. No formal action shall be taken at the workshop. Workshop sessions shall be open to the public.
- J. Stakeholder Involvement Public Meetings. The Committee may be involved in public meetings that provide opportunities for stakeholder involvement in updating the May River Watershed Action Plan.
- K. Minutes. The Secretary shall prepare minutes of each meeting showing the vote of each member upon each question, and if members are absent or failing to vote. The minutes shall also document the Committees examinations and other official actions. The minutes shall be approved by a majority vote of members present and qualified to vote at the next regular meeting. Minutes shall be maintained as public records in the Department of Engineering.
- L. Decisions of the Committee in Writing. All final decisions of the Committee must be in writing which may include recommendations forwarded to Town Council, letter, or other documents issued by the Engineering Director. Decisions shall be permanently filed in the Department of Engineering as a public record.

Section 8. Amendment and Adoption.

These Rules may be amended at any regular meeting of the Committee by a majority vote of members present and qualified to vote at least seven (7) days after the written amendment is delivered to the members.

These rules were adopted by a majority vote of members present and qualified to vote at a regular public meeting on March 22, 2018.



Chair

ATTEST: 

Secretary

CODE OF ORDINANCES FOR THE TOWN OF BLUFFTON

Chapter 3. Boards, Committees and Commissions Terms, Appointments and Qualifications

Section. 3.1. Definitions.

Board: A body established by the Town of Bluffton or laws of the state of South Carolina to advise council and its staff in appropriate matters as set forth by its charter, and/or perform such other functions granted to the group by the enabling statute or ordinance and any other amendments thereto.

Committee: An ad hoc group established to advise Council in matters for which the group is organized.

Commission: An organization with authorities, limitations and responsibilities as specified by the laws of the South Carolina.

Section. 3.2. Membership.

(a) Number of members

- 1) The Board, Committee or Commission shall have odd number of voting members of no less than three, nor more than nine unless modified by individual charter. The Board, Committee or Commission may also include one nonvoting member serving ex-officio as designated by the Town Manager or Town Council.

(b) Term

- 1) Terms shall apply to those Boards, Committees or Commissions for which Town Council has established terms lengths.
- 2) Board, Committee or Commission members shall serve at the pleasure of Town Council for a whole-year term of 3 years.
- 3) Any partial term in excess of one-half plus one day of a full term shall not be considered as a full term.
- 4) Any partial term less than half the full term shall be considered a full term.
- 5) Members shall serve until their successors are appointed and qualified.

- 6) No reappointment can be considered less than 30 days prior to the expiration of a particular term.
 - 7) Board, Committee or Commission terms as established by Town Council begin July 1 and end June 30.
 - 8) Establishment of a new Board, Committee or Commission will start with staggered terms of one year, two years and three years divided evenly as possible between the new members starting July 1 and ending June 30 for each term.
- (c) Selection criteria.
- 1) Town Council shall appoint Board, Committee or Commission members with consideration for demographic representation and the following:
 - 2) Knowledge and experience relevant to the needs of the particular Board, Committee or Commission;
 - 3) Diverse representation of backgrounds, professions and viewpoints;
 - 4) Diverse geographic representation of the Town; and
 - 5) Potential dual membership on more than one Board, Committee or Commission.
- (d) Removal from Board/Committee/Commission.
- 1) The Town Council has the absolute authority to remove a member, with or without cause, upon a majority vote of Town Council
 - 2) A member shall be removed automatically for:
 - i. Absence from more than 1/3 of the Board, Committee or Commission meetings per annum whether excused or unexcused;
 - ii. Failure to attend any three consecutive regular meetings;
 - iii. Violation of subsection (e) below.
- (e) Conflict of interest.
- 1) Conflicts of interest and disqualifying economic interests shall, in the first instance, be governed by the South Carolina

Ethics Reform Act of 1991, as amended. Conflict of interest shall be handled in the following way.

- 2) Upon making application for membership on a Board, Committee or Commission, all members shall certify they do not have a conflict of interest.
 - 3) Upon appointment, members shall disqualify themselves from voting or otherwise participating in any particular issue, which may arise, in which they have a conflict of interest or disqualifying economic interest, as required by S.C. Code Section 8-13-700(B).
 - 4) A member, who has an actual or known potential conflict of interest, shall take such action as is required by the South Carolina Ethics Reform Act of 1991, as amended and abstain from voting and discussing the issue, which is the subject of a conflict.
- (f) Registered voter.
- 1) Board, Committee or Commission members shall hold a valid voter registration card in Beaufort County.
- (g) Quorum.
- 1) Quorum means a simple majority of the members serving.

Section. 3.3. Chairman and Vice Chairman.

The Board, Committee or Commission shall elect a chairman and a vice chairman, by simple majority of the voting members during their first meeting in July. The chairman and the vice chairman shall serve for one year and shall be eligible for re-election to serve in that post for as long as that individual remains a member of that Board, Committee or Commission.

Section. 3.4. Compensation.

Members of Boards, Committees or Commission shall serve without pay. However, they may be reimbursed for expenses incurred in the discharge of their duties, with prior approval of the Town Manager, subject to the provisions of their respective charter.

Section. 3.5. Support.

Town staff and resources shall be provided to any Board, Committee or Commission on an ongoing basis, or on a case-by-case basis, at the sole discretion of the Town Manager.

Section. 3.6. Compliance.

Boards, Committee or Commission covered by the Municipal Code of the Town of Bluffton or laws of the state of South Carolina must follow the Town of Bluffton policies that may be implemented or adopted from time to time.

Section. 3.7. Minutes.

The Chairman of each Board, Committee or Commission shall keep or cause to be kept activities of each body, including minutes of all meetings.

(Ord. No. 2012-01, 2-20-2012; Ord. No. 2012-08, 11-13-2012)