

RICHLAND COUNTY COUNCIL SOUTH CAROLINA



RULES AND APPOINTMENTS COMMITTEE

October 20, 2015
4:00 PM
4th Floor Conference Room

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Malinowski called the meeting to order at approximately 4:02 PM

APPROVAL OF MINUTES

October 12, 2015 – Mr. Manning moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Ms. Dixon moved, seconded by Mr. Manning, to adopt the agenda as published. The vote in favor was unanimous.

INTERVIEWS

Board of Zoning Appeals – 1 – Mr. Shane Ousey was interviewed.

Mr. Patrick E. Pinckney's interview will be rescheduled for the next Rules and Appointments Committee meeting.

Ms. Onley informed the committee that Mr. Aaron Dupree withdrew his application.

Ms. Dixon moved, seconded by Mr. Malinowski, to hold in committee until all applicants have been interviewed. The vote in favor was unanimous.

NOTIFICATION OF VACANCIES

- a. **Music Festival Commission – 1** – Ms. Dixon moved, seconded by Mr. Manning, to forward this item to the Ordinance Review Committee. The vote in favor was unanimous.
- b. **Accommodations Tax Committee – 1 (Applicant must have a background in the Cultural Industry)** – Mr. Manning moved, seconded by Ms. Dixon, to re-advertise for the vacancy. The vote in favor was unanimous.

Committee Members Present

Bill Malinowski, Chair
Julie-Ann Dixon
Jim Manning

Others Present:

Monique McDaniels
Kimberly Roberts
Michelle Onley
Brad Farrar

Ms. McDaniels stated that Mr. David Edmonds has requested to provide additional background information that will verify his qualifications for the Accommodations Tax vacancy.

Mr. Malinowski inquired as to what qualifies as having a background in a particular industry (i.e. past or present).

Mr. Farrar stated his recommendation is to aspire to have someone with those qualifications, but allow some flexibility unless the requirements are outlined in State law.

Mr. Malinowski requested the Clerk's Office to research if the requirements are contained in State law or only in a County ordinance, which could be amended.

Mr. Manning moved, seconded by Ms. Dixon, to reconsider this item and to hold this item in committee to research the requirements for the Accommodations Tax Committee. The vote in favor was unanimous.

ITEMS FOR ACTION

- a. **Ordinance providing for the appointment of Ex-Officio members to public bodies whose membership is appointed by the governing body of Richland County. The governing body of Richland County may appoint up to three (3) ex-officio members to any board, commission, committee, entity or any other "public body" as defined in the South Carolina Freedom of Information Act whose members are appointed by the governing body of Richland County. Such ex-officio member shall pursuant to Roberts Rules of Order have all the privileges of board (or other public entity) membership, including the right to make motions and to vote and to participate in regular or special called meetings and executive sessions, but none of the obligations. Ex-officio members have no obligation to participate and should not be counted in determining the number required for a quorum or whether a quorum is present at a meeting. When an ex-officio member of any board, commission, committee, entity or any other public body ceases to hold the office that entitles him or her to such membership, his or her membership on the public body terminates automatically [WASHINGTON]** – Mr. Manning moved, seconded by Ms. Dixon, to defer this item to obtain information from legal. The vote in favor was unanimous.
- b. **Modify the Rules of Council to allow Council to respond to citizens during the Citizens' Input portion of Council meetings [PEARCE]** – The committee re-affirmed their recommendation from the September 15th Rules and Appointments Committee meeting, which was as follows: (1) The Clerk's Office will have available for the public the Council's contact information, as listed on the County's website; and (2) to allow the Chair to advise citizens to speak with staff.
- c. **Employee Grievance Committee** – Mr. Farrar stated the way the Employee Grievance Committee was set up was as a "peer review" committee. There were no lawyers for either side. The policy is to encourage the matter to be resolved in on an informal level. If the County is represented by an attorney, then the other side should also have the opportunity to be represented by an attorney. If there are attorneys on both sides the County would basically be encouraging disgruntled employees to talk to lawyers.

Mr. Malinowski stated the Rules and Appointments Committee was concerned there was no oversight by Richland County Government of the Employee Grievance Committee.

Mr. Manning inquired how the other 45 counties handle their Employee Grievance Committees.

Mr. Farrar is not aware how the committee is handled by the other counties.

Mr. Farrar stated the committee was set up as an independent entity without a lot of oversight and influence. The procedure is once the Employee Grievance Committee has made a decision, then their decision goes through an appeal process by Administration and ultimately County Council.

Mr. Manning moved, seconded by Ms. Dixon, to table this item and maintain the current policy outlined in the Employee Handbook. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 4:51 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council