

**GREENVILLE COUNTY COUNCIL
POLICY FOR BOARD AND COMMISSION APPOINTMENTS**

Section I 1: Application Cycles

Twice a year, County Council shall fill or recommend to be filled all vacancies on commission or boards which County Council has the legal responsibility to either fill or make recommendations to be filled. The process to fill vacancies in the “Spring Cycle” for those terms beginning on June 1 shall begin on January 1 of the same year. The process to fill vacancies in the “Fall Cycle” for those terms beginning on December 1 shall begin on July 1 of the same year.

Section II 2: Posting Vacancies on the County’s Website

The Clerk to Council (“Clerk”) shall post on the County’s website all vacancies on commission or boards which County Council has the legal responsibility to either fill or make recommendations to be filled. Vacancies to be filled during the Spring Cycle shall be posted by December 15. Vacancies to be filled during the Fall Cycle shall be posted by June 15. The Clerk shall also post the duties of board members, qualifications for serving on certain boards, and the regularly scheduled meeting times of the boards and commissions.

The County’s Governmental Affairs Coordinator is assigned to work with various community organizations and/or news outlets to inform the public of the upcoming application cycle.

Section III 3: Applications

The Clerk shall make available two application forms, one for county-wide boards and one for special purpose/special tax district boards. These applications shall be available on the County’s website. Applications may be submitted by U.S. Mail, facsimile, hand delivered to the Clerk to Council’s Office, or electronically submitted via the County’s website.

The Clerk shall accept applications for vacancies to be filled during the Spring Cycle during the month of January. The office of the Clerk to County Council shall accept applications for vacancies to be filled during the Fall Cycle during the month of July.

It is the responsibility of the applicants to ensure their applications have been received by the Clerk to Council’s Office. The Clerk has no responsibility for any application not received.

The Clerk shall notify County Council members on a weekly basis of the applications received during the period when applications are accepted.

Section IV 4. Requirements for Applicants

Applicants must be registered to vote in Greenville County.

Applicants must reside in the district for which they are seeking a position.

Applicants may apply for only one board or commission at a time.

Applicants must comply with all State laws regarding dual office holding.

Section V 5. Prohibitions on Board and Commission Members (County Code §2-83)

Applicants must follow County Code (§2-83) provisions on personal interests which are stated as follows:

“(A) No board or commission member, no family member of a board or commission member, and no business with which a board or commission member is associated:

(1) Shall have an economic interest in a contract with the board or commission they represent for the sale or lease of land, materials, supplies, equipment, or services; nor

(2) Shall currently elect to receive services from any entity governed by the board or commission they represent.

(B) For purposes of this section, the phrase *elect to receive services* shall not include compliance with a governmental regulation or mandate. Violation of this section with the express or implied knowledge of the board or commission member, family member, or business with which the board or commission member is associated shall render the contract or sale void and result in the removal of the board or commission member.”

Section VI 6. Review of Applications, Interview Process, and Nominations

A: Special Tax Districts and Special Purpose Districts Boards and Commissions (Special District Boards)

The Clerk shall forward for review all applications to serve on Special District Boards to the Council Member representing the District which the Special District Board serves. Where a Special District serves more than one Council District, the Clerk shall forward applications to the members of Council for those Districts being served by the Special District. Council member(s) shall elect whether to interview these applicants regarding their qualifications, but interviews are not mandatory.

County Council Members may nominate an applicant to serve on a Special District Board at the first regularly scheduled meeting of the Committee of the Whole in April for the Spring Cycle and October for the Fall Cycle.

B: County-Wide Boards and Commissions

The Clerk shall forward for review applications received for county-wide boards as follows:

Committee of the Whole: (all 12-member boards and commissions and the Planning Commission)

- Alcohol and Drug Abuse Commission
- Board of Tax Assessment and Appeals Board
- Disabilities and Special Needs Board
- Human Relations Commission
- Redevelopment Authority
- Planning Commission (9 members)

Finance Committee:

- Accommodations Tax Advisory Commission
- Arena District Commission
- Greenville Area Development Corporation
- Greenville County Economic Development Corporation
- Research and Technological Development Corporation

Public Works and Infrastructure Committee:

- Greenlink
- Library Board of Trustees
- Museum Commission
- Recreation District
- SCTAC

Public Safety and Human Services Committee:

- Airport Commission
- Airport Environs Planning Commission
- Greater Greenville Sanitation District
- Metropolitan Sewer Subdistrict

Planning and Development Committee:

- Construction Board of Adjustments and Appeals
- Historic Preservation Commission
- Zoning Board of Appeals

Each Committee is responsible for interviewing and nominating applicants for the boards and commissions as assigned above, but applicants are not required to interview.

On an “as needed” basis and with the consent of the chairperson of each affected Committee, the Chairman of County Council may delegate the responsibility to interview and nominate applicants for a particular board or commission to a non-assigned Committee. Prior to the Committees interviewing and nominating applicants, the Committee Chairmen shall convene to establish a standardized process for interviewing applicants at the Committee level.

Each Committee shall nominate a number of applicant(s) equal to vacant seats to serve on county-wide boards and commissions at ~~the first a~~ regularly scheduled meeting of the Committee of the Whole in April for the Spring Cycle and October for the Fall Cycle. Committee nominations are to be made by ballot vote. After committee nominations have been made, individual members of Council have the ability to nominate applicant(s) to serve on county-wide boards and commissions during the Committee of the Whole meeting, regardless of whether the member serves on the committee assigned to review the applicants for a county-wide board. Nominations must be made from the applicants received during the application cycle. Additional nominations will not be accepted for those county-wide boards and commissions assigned to the Committee of the Whole.

Section VII 7: Voting Process

County Council shall vote on nominated applicants at the ~~in April after nominations have been made for the Spring Cycle and October for the Fall Cycle.~~ second next regularly scheduled County Council meeting ~~at the April or October meeting~~ by vote of acclamation. Boards or commissions with equal or fewer nominated applicants than vacancies may be appointed ~~at the April or October meeting~~ by vote of acclamation. When the number of nominated applicants exceed the number of vacancies, a ballot vote of all Council members shall be required, which shall not be secret.

Ballots shall be prepared by the Clerk and distributed to County Council members on the Friday prior to the ~~for the Spring Cycle and October for the Fall Cycle.~~ second regularly scheduled County Council meeting ~~in April following nominations~~ in April following nominations. Council members shall mark and sign their ballots and turn them into the Clerk at the beginning of the Committee of the Whole meeting who will confirm that all Council members have voted and signed their ballots. The Clerk will then tally the votes. The results of the ballot vote will be announced at the full County Council meeting.

In the event of a tie vote between applicants, run-off election will be held with a limit of up to three subsequent votes to break the tie in the same evening. Any board election requiring more than three tied ballot votes will be carried over until the next regular scheduled County Council meeting, where the run-off voting may resume until the tie is broken.

Section VIII 8: Chairman’s Appointments

For those boards and commissions where the Chairman of County Council has the authority to appoint member(s), the Chairman of County Council will announce his

appointments at the second regularly scheduled County Council meeting in April for the Spring Cycle and October for the Fall Cycle.

Section IX 9. **Notification of Applicants**

The Clerk shall notify each applicant of their status within one week of Council's appointments. The Clerk shall also notify the chairperson of the board or commission of their new and/or reappointed members. The Clerk to Council shall also make required notifications to the Clerk of Court and to the Governor's Office.

Section X 10: **Applications to be Held Over for Vacancies**

The Clerk shall hold the applications of those applicants who were not chosen to fill a designated seat and who express a desire to have their applications held over until the beginning of the next board and commission cycle in the event a new seat opens on that same board or commission for which the applicant applied.

Section XI 11: **Vacancies due to Death or Resignation**

The chairperson of the board or commission shall notify the Clerk of the resignation or death of a member of the board or commission. Notification must be made in writing to the Clerk. The vacancy will not be acknowledged until proper notification has been received.

Section XII 12: **Emergency Application Process**

In the event that a vacancy results in a board or commission not being able to meet due to lack of quorum, or if the County loses representation on a jointly represented board, the County Council, by majority vote, shall open an Emergency Application Period to receive applications for that board or commission for ~~fifteen (15)~~ **ten (10)** days. County Council shall vote on all qualified nominees with applications received during the Emergency Application Period at the next regularly scheduled County Council meeting after the ~~15~~ **10** day period closes.

Section XIII 13: **Vacancies Due to Unexpired Terms**

Where County Council fills vacancies due to unexpired and expired terms on the same board or commission in the same appointment cycle, the newly appointed board member serving the unexpired term shall be, first, a new appointee from the same district as the former board member creating the unexpired term, and, after that, a new appointee drawn at random by the Clerk from those board members appointed by County Council in the most recent appointment cycle.

Section XIV 14: Vacancies Occurring During the Application Period

In the event that the Clerk to Council's Office becomes aware of a vacancy during the period when applications are being accepted, the Clerk **of to** Council's Office may post the vacancy during the first fifteen (15) days after the application period begins. The Clerk to Council's Office may receive applications for the newly posted vacancy, but the period in which applications are accepted will not be extended.

Section XV 15: Residence in Council Districts (County Code §2-84)

The County's current Council District residency policy for appointees is as follows:

“(A) Appointments by County Council. Insofar as possible, the Greenville County Council shall appoint only 1 member from each Council district to 12-member county boards or commissions or to the governing bodies of special purpose districts whose appointments are made by County Council. In the event that a member ceases to reside in the house or Council district from which he or she was appointed by County Council, his seat shall then be vacated and another resident of the (same) district shall be appointed to serve for the remainder of the unexpired term.

(B) Appointments by Governor. Insofar as possible, the Greenville County Council shall nominate and recommend only 1 member from each Council district to the governing bodies of 12-member boards, commissions or special purpose districts whose appointments are made by the Governor.

(C) Ex officio members. The residency of ex officio members of boards and commissions and the governing bodies of special purpose districts shall not be considered in determining the district representation of other members of such bodies.

(D) Appointments to boards consisting of fewer than 12 members. Insofar as possible, Greenville County Council shall appoint or nominate only 1 member from each Council district to the governing bodies of those boards, commissions, or special purpose districts consisting of fewer than 12 members whose appointments are made by County Council or the Governor.”

Section XVI 16: Unfilled Vacancies

Any seat left vacant after a board election shall be held over until the next Board Cycle. In the event the seat is occupied but no successor is named, the member holding that seat may serve for up to an additional sixty (60) days if the vacancy is eligible to be filled by the Emergency Application Process.

Section XVII 17: Board Member Removal

By majority vote of County Council, board and commission members may be removed from their appointed positions for the following reasons:

- a. Conviction of driving under the influence of alcohol (DUI)
- b. Reported excessive absences (more than three consecutive meetings and/or 25% of all meetings for the year).
- c. Relocation outside of the board's jurisdictional boundaries.

County Council reserves the right to remove or recommend removal of a board or commission appointee for actions deemed by a majority of all County Council members to be detrimental to that board or commission.

Section XVIII 18: Waiver or Extension of Deadlines; Newly Created Boards, Temporary and Interim Boards

Any timeline set forth in this Policy may be waived or extended by a two-thirds (2/3) vote of County Council. By two-thirds (2/3) vote of County Council, any and all requirements of this Policy may be waived or modified in order to nominate or appoint members to fill newly created boards, or temporary and/or interim boards.

Section XIV: One Year Review

~~County Council shall review this policy one year after its adoption.~~