

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

**Section 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 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 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 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 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 shall participate in board action or vote on any contract involving the sale or lease of land, materials, supplies, equipment, or services in which the board or commission member, or any family member of the board or commission member, or individual with whom the board or commission member is associated, or a business with which a board or commission member is associated, has an economic interest.

(B) In the event an action or vote on a transaction regulated under Subsection (A) comes before a board or commission, the covered member shall:

(1) Prepare a written statement describing the matter requiring an action or decision and the nature of his or her potential conflict of interest with respect to the action or decision; and

(2) Furnish a copy of the written statement to the presiding officer of the board or commission who shall cause the statement to be printed in the minutes and shall require the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists. The presiding officer of the board or commission shall have a copy of the member’s written statement along with a copy of the minutes of the board or commission meeting forwarded to the Greenville County Clerk to Council’s Office.

(C) A violation of this section by any board or commission member can result in a contract, sale, or lease entered into by the Board or Commission being voided and may result in removal of the member by Greenville County Council. Upon notice of a violation, the board or commission shall, by majority vote, make a determination:

(1) Whether an act or failure to act was made in violation of this section; and

(2) Whether a violation of this section warrants voiding the contract, sale or lease entered into by the board or commission. In making this determination, the Board or Commission may consider, among other factors, whether the benefit received was direct or indirect, incidental, remote or insignificant so as to not reasonably be regarded as capable of influencing the member and body.

The board or commission shall transmit its determination on the matter to County Council within thirty days. County Council may, within its discretion, uphold or overturn a determination made by a Board or Commission pursuant to this subsection. In the absence of action by a board or commission, County Council reserves the ability to undertake its own determinations under this subsection.

(D) No board or commission member or family member of a board or commission member shall currently elect to receive direct services from any entity governed by the board or commission they represent. For purposes of this section, the phrase ‘elect to receive services’ shall not include compliance with a governmental regulation or mandate.”

**Section 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~~ Thrive Upstate (formerly DSN)

Greenville Technical College Area Commission

Human Relations Commission  
Redevelopment Authority  
Planning Commission (9 members)

Finance Committee:

Accommodations Tax Advisory Commission  
Arena District Commission  
Greenville Area Development Corporation (*terms to begin July 1<sup>st</sup>*)  
~~Greenville County Economic Development Corporation~~  
~~Research and Technological Development Corporation~~

Public Works and Infrastructure Committee:

Greenlink  
Library Board of Trustees  
Museum Commission  
Parks, Recreation and Tourism Advisory Board  
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. It is preferable that new applicants appear before the Committee to be interviewed; incumbents have the option of appearing. 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 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 7: Voting Process**

County Council shall vote on nominated applicants at the next regularly scheduled County Council meeting after nominations have been made. Boards or commissions with equal or fewer nominated applicants than vacancies may be appointed 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~~ **no later than** the Friday prior to the regularly scheduled County Council meeting 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 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~~ **no later than** the second regularly scheduled County Council meeting in April for the Spring Cycle and October for the Fall Cycle.

**Section 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 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 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 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 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 10 day period closes.

**Section 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 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 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 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 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 17: Attendance**

Greenville County relies on volunteers to help conduct the business of the County. Boards and commissions are comprised of volunteers that are an integral and necessary part of local government. It is important that board and commission members make every effort to attend all called meetings of the board or commission to which the member is appointed. Excessive absences can affect the board or commission’s ability to form a quorum or effectively conduct business. Board and commission members may be removed for excessive absences pursuant to Section 18 below.

The Clerk to Council shall inquire as to board and commission member attendance and periodically report to County Council to allow attendance problems to be identified and addressed in a timely manner. At least quarterly, the chairperson of the board or commission shall provide to the Clerk to Council a signed copy of all approved minutes which shall reflect the names of those members present and absent. Additionally, the Clerk to Council shall request that chairpersons report attendance using a form approved by the Clerk’s Office which will note whether meetings are special called or regular scheduled meetings. In reporting absences to the Clerk to Council, chairpersons of boards and commissions may not excuse an absence. The Clerk shall report to Council on any absences in violation of this Policy along with any explanation provided by the board or commission member.

The provisions of this Section shall apply to all boards and commissions appointed by County Council except where a conflicting provision appears in State law or in County ordinance, in which case the specific State law or ordinance shall apply. To the extent this Section applies to a board or commission, Sections 17 and 18 of this Policy (Attendance and Board Member Removal) shall be incorporated into the bylaws of the board or commission, and a copy provided to the Clerk to Council's Office.

**Section 18: 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) while serving on a board or commission.
- b. Excessive absences.
  - i. For boards and commissions meeting four (4) or more times per calendar year, excessive absences shall be defined as three (3) consecutive regularly scheduled meetings and/or 25% of all meetings for the calendar year.
  - ii. For boards and commissions meeting fewer than four (4) times per calendar year, excessive absences shall be addressed on a case-by-case basis taking into consideration whether the absence affects the board or commission's ability to form a quorum and/or effectively conduct business.
- 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 19: 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.