


**2021000295**  
 ORDINANCE FOR LAURENS COUNTY  
 RECORDING FEES \$10.00  
 PRESENTED & RECORDED:  
**01-13-2021 12:03 PM**  
**K MICHELLE SIMMONS**  
CLERK OF COURT  
 LAURENS COUNTY, SC  
 BY: CLERK 4 CLERK  
**BK: ORD 19**  
**PG: 9 - 17**

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The above space is reserved for recording information.

STATE OF SOUTH CAROLINA )

COUNTY OF LAURENS )

**ORDINANCE #888**

**AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 177 AND ORDINANCE 571 SO AS TO CONSOLIDATE, RESTATE, CLARIFY, AND ESTABLISH THE PROCESS AND PROCEDURE FOR THE APPOINTMENTS AND FUNCTIONS OF ALL COUNTY BOARDS, COMMISSIONS, AND COMMITTEES OVER WHICH LAURENS COUNTY COUNCIL HAS APPOINTMENT OR TERM AUTHORITY.**

**SEE THE ATTACHED ORDINANCE, DATED JANUARY 13, 2021.**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LAURENS )

ORDINANCE #888

**AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 177 AND ORDINANCE 571 SO AS TO CONSOLIDATE, RESTATE, CLARIFY, AND ESTABLISH THE PROCESS AND PROCEDURE FOR THE APPOINTMENTS AND FUNCTIONS OF ALL COUNTY BOARDS, COMMISSIONS, AND COMMITTEES OVER WHICH LAURENS COUNTY COUNCIL HAS APPOINTMENT OR TERM AUTHORITY.**

**Whereas**, Laurens County Council is vested with the authority, duty and responsibility to establish such boards, commissions, and committees as may be necessary to provide services of local concern and public purpose as set forth in Title 4, Chapter 9, Sections 30(6) and 170, Code of Laws of the State of South Carolina, 1976, as amended; and

**Whereas**, the Laurens County Council has appointment and term authority over many boards, commissions, and committees that currently exist, however the process and procedures for filling these seats is in need of revision; and

**Whereas**, Ordinance 177, enacted in 1983 served its purpose well and as this Ordinance 888 is passed, Ordinance 177 can and should be repealed and replaced; and

**Whereas**, Ordinance 571, enacted in 2003 outlines the modification of terms and appointments, the amendments, revisions and clarifications set forth in this Ordinance 888, upon passage, will repeal and replace Ordinance 571.

**NOW, THEREFORE, BE IT ORDAINED IN COUNCIL DULY ASSEMBLED,**

1. **PURPOSE:** The stated purpose of this Ordinance is to repeal and replace Ordinances 177 and 571 so as to consolidate, restate, clarify and establish new processes and procedures for the functions of and appointments to the various boards, commissions, and committees over which the Laurens County Council has appointment and term authority. Further to enact this Ordinance 888 to repeal and replace Ordinances 177 and 571.
2. **ACTIONS AND DIRECTIVES:** Following the effective date of this Ordinance 888, the following process and procedures shall be in force and effect:
  - a. **The boards, commissions, and committees are:** (see synopsis on attached Exhibit A)
    - i. Laurens County Airport Commission
    - ii. Laurens County Alcohol and Drug Abuse Commission
    - iii. Laurens County Board of Assessment Appeals
    - iv. Laurens County Construction Board of Appeals
    - v. Laurens County Library Board
    - vi. Laurens County Parks, Recreation, and Tourism Commission
    - vii. Laurens County Planning Commission
  - b. **The appointment process is:**
    - i. Each council member shall have one (1) appointment to each of the boards, commissions, committees list in 2a above, unless otherwise expressly prohibited by other County Ordinance or by state law.
    - ii. Every appointee must reside in Laurens County.


- iii. While it is preferable that appointees reside in the district of the council member making the appointment so as to maintain diverse representation, if the council member is unable to find a willing qualified appointee, the appointment and selection of a qualified citizen residing outside of the council member's district is permissible, provided however there shall not be more than two (2) appointees residing in the same district.
  - iv. All candidates for appointment and any appointees currently serving as of the effective date of this Ordinance, shall complete and provide a background data sheet on a form approved by the County Administrator and the County Attorney.
  - v. All existing appointees and all future appointees' terms shall expire and terminate at midnight, December 31 of the final year of the appointee's council member's term of service. New appointments shall be made as of January 1 of the first year of the council member's new term of service and not later than the fourth Tuesday of January.
  - vi. In the event a new appointment has not been made to a board, commission, or committees by the fourth Tuesday in January, the existing appointee(s) may continue to serve for a period not to exceed ninety (90) days after that date or until a new appointee or replacement is made, whichever occurs first.
  - vii. Existing appointees may be reappointed on January 1 of the year following the expiration their term, provided, however, no appointee may serve more than two (2) consecutive terms.
  - viii. No current or future appointee shall serve on more than one (1) board, commission, or committee at the same time.
- c. **The board, commission, or committee processes, duties, responsibilities and functions are:**
- i. Each board, commission, or committee shall consist of seven (7) members, unless otherwise directed by law.
  - ii. Each board, commission, or committee is advisory to the county council. Recommendations of the board, commission, or committee shall be presented to the county council in written form by the chair or vice-chair. No recommendation of any board, commission, or committee shall become effective or have any force or effect unless or until formal approval is enacted by the county council.
  - iii. The county administrator shall meet with the members of each board, commission, or committee and delineate their defined duties and responsibilities. The county council may, as permitted by law, change the directives, duties and responsibilities from time to time so as to best meet the needs of the county.
  - iv. All appointees shall be required to attend a council approved training session regarding the procedures for proper governance as well as the functions, duties and responsibilities of the board, commission, or committee. All appointees shall be required to take an oath of responsibility.
  - v. Each board, commission, or committee shall annually elect a chairperson, a vice chairperson and a recording secretary from its members.
  - vi. Minutes of each meeting of the board, commission, or committee shall be recorded and the approved minutes shall be posted on the Laurens County website.
  - vii. At the beginning of each fiscal year (July 1) the chairperson or vice chairperson of a board, commission, or committee shall submit an annual report summarizing the actions, meeting accomplishments and recommendations of the board, commission, or committee.


- viii. Participation and attendance for appointees is important. Any appointee that is absent from three (3) consecutive meeting shall be removed and replaced by the council member that originally made the appointment or by a majority vote of the county council. An appointee may be removed or replaced by the appointing council member, at will.
  - ix. All boards, commissions, and committees shall adhere to and comply with the laws of the State of South Carolina. These boards, commissions, and committees are subject to the South Carolina Freedom of Information Act. Appointees are generally defined as public officials and are therefore subject to the South Carolina Ethics Act. It shall be the responsibility of each appointee, individually and collectively to become familiar with the provisions of these acts and conduct themselves accordingly.
3. **AUTHORITY:** This Ordinance is adopted pursuant to the authority and process granted by the Code of Laws enacted by the South Carolina General Assembly and by the Constitution of the State of South Carolina. Jurisdiction shall be exclusively in Laurens County.
  4. **APPLICABILITY:** The provisions and actions taken shall apply only to all boards and commissions under the direct authority and control of the Laurens County Council.
  5. **LANGUAGE:** The language used in this Ordinance, if used in the present tense, shall include the future tense. Words used in the singular include the plural, and the plural the singular, unless, however, the context clearly indicated to the contrary. The use of the word "shall" is mandatory and the word "may" is permissive.
  6. **EFFECTIVE DATE:** The effective date of this Ordinance shall be upon three (3) readings as required by law.
  7. **SEVERABILITY:** Should any paragraph, clause, phrase, or provision of this Ordinance be judged invalid or held unconstitutional by a Court of competent jurisdiction, such declaration shall not affect the validity of any other section of the Ordinance as a whole or in part or provision thereof, other than the part so decided to be invalid or unconstitutional. All meanings, enforcement, and interpretations shall be pursuant to the laws of the State of South Carolina.

(signature page follows)

AND IT IS SO ORDAINED this 12<sup>th</sup> day of January, 2021.

LAURENS COUNTY COUNCIL:

  
W. Brown Patterson, Jr., Council Member

  
Jeffrey Carroll, Council Member

  
Diane B. Anderson, Council Member

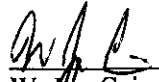
  
Garrett C. McDaniel, Council Member


  
Kemp Younts, Council Member

  
David Tribble, Council Member

  
Luke Rankin, Council Member

ATTEST:

  
W. Jon Caime, Administrator  
Laurens County, South Carolina

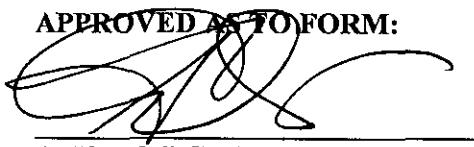
  
Betty C. Walsh, Clerk  
Laurens County Council  
Laurens County, South Carolina

First Reading: November 10, 2020  
Second Reading: December 8, 2020  
Third Reading: January 12, 2021  
Public Hearing: January 12, 2021

VOTE: 7-0

	FOR	AGAINST	ABSTAIN	ABSENT
Patterson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carroll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McDaniel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Younts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rankin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED AS TO FORM:

  
A. "Sandy" Cruickshanks, IV  
Laurens County Attorney

**EXHIBIT A**

**LAURENS COUNTY COUNCIL**  
**APPOINTED BOARDS/COMMISSIONS**

**LAURENS COUNTY AIRPORT COMMISSION**

History: The Laurens County Airport Commission was established in 1962 by legislative act 2-375.

Purpose: The purpose of this Commission is to oversee, advise, and direct the activities and operations of the Laurens County Airport.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.

**LAURENS COUNTY COMMISSION ON ALCOHOL AND DRUG ABUSE**

History: The Laurens County Commission on Alcohol and Drug Abuse was created by Ordinance 99, amended by Ordinance 305 (1989) and Ordinance 571 (2003).

Purpose: The purpose of this Commission is to oversee, advise, and direct the actions and operations of the Laurens County Gateway Center.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.

LAURENS COUNTY BOARD OF ASSESSMENT APPEALS

History: The Laurens County Board of Assessment Appeals was created by legislative act in 1968 and modified by Ordinance 346 (1991) and Ordinance 571 (2003).

Purpose: The purpose of this Board is to review taxpayer applications for adjustments in the valuation and assessment of real property and improvements.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.

LAURENS COUNTY CONSTRUCTION BOARD OF APPEALS

History: The Laurens County Construction Board of Appeals was established by legislative act Title 9.

Purpose: The purpose of this Board is to oversee, advise, and assist in hearing appeals related to compliance with building and construction codes

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.

LAURENS COUNTY LIBRARY BOARD

History: The Laurens County Library Board was established by legislative act 4-9-35 in 1978 and amended by Ordinance 571 (2003).

Purpose: The purpose of this Board is to advise and direct the operations of the Laurens County Library and its branches.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.

LAURENS COUNTY PARKS, RECREATION, AND TOURISM COMMISSION

History: The Laurens County Parks, Recreation, and Tourism Commission was established in 1958 by legislative act 737 and originally consisted of five (5) members. Ordinance 293B (July 1989) revised the Commission, which now consists of seven (7) members. Also see Ordinance 571.

Purpose: The purpose of this Commission is advisory and primarily is for the disposition of tourism funds designated to Laurens County.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.



LAURENS COUNTY PLANNING COMMISSION

History: The Laurens County Planning Commission was created by Ordinance 245 (1987), amended by Ordinance 252 (1987), Ordinance 434 (1997), and Ordinance 574 (2003).

Purpose: The purpose of the Planning Commission is to periodically prepare and revise a comprehensive plan and program for recommendation to the Laurens County Council for the physical, social, and economic growth of the unincorporated areas of Laurens County in order to promote public health, safety, prosperity, and general welfare of its citizens; to recommend the development and/or make and publish maps, plans, and reports for consideration by the Council, and such other powers as may be necessary to enable it to perform its functions and promote planning in its political jurisdiction. Duties and responsibilities are outlined in 6-29-310, et. seq. of the Code of Laws of South Carolina, 1976, as amended.

Membership, Appointment, and Term: The Commission shall be composed of seven (7) members to be appointed by County Council consisting of a representative cross section of Laurens County. Each council member shall be entitled to one (1) appointment. An appointee of Council shall be a registered elector residing in Laurens County and may be from the district of the council member making the appointment or from any other are of the County, at the sole discretion of the council member making such appointment. All appointees must be from the unincorporated areas of the county, except however an appointee residing in an incorporated town or municipality that does not have a planning commission may serve. An appointee shall serve a term consisting of four (4) years. The term of an appointee shall expire at midnight on December 31<sup>st</sup> of the year of the appointing council member's term expiration. In the event a vacancy occurs, the council member for whom the appointee serves shall fill such vacancy for the unexpired term of the appointee.