

Mayor
Peggy Bing-O'Banner
Mayor Pro Tempore
Matthew Garnes
Town Administrator



Council Members
Alfred Washington
Stacy Pinckney
David Paul Murray

Agenda Item

Subject: Consideration of a Resolution Adopting the Initial Rules of Procedure for the Town of Yemassee Planning Commission [Resolution 23-15]

Department: Administration

Submitted by: Matthew Garnes, Town Administrator

Attachments:

	Ordinance	✓	Resolution		Other
✓	Support Documents	✓	Motion		

Summary: The Planning Commission has drafted and approved its initial set of Rules of Procedure. Staff request the Town Council formally adopt the Rules of Procedure for the Planning Commission.

Recommended Action: Adopt Resolution 23-15.

Council Action:

- Approved as Recommended
- Approved with Modifications
- Disapproved
- Tabled to Time Certain
- Other

RESOLUTION 23-15
A RESOLUTION OF THE TOWN OF YEMASSEE, SOUTH CAROLINA, TOWN
COUNCIL ADOPTING THE INITIAL RULES OF PROCEDURE FOR THE
TOWN OF YEMASSEE PLANNING COMMISSION

WHEREAS, in accordance with the South Carolina Local Government Comprehensive Planning Act of 1994, the Town of Yemassee is authorized to establish a Planning Commission; and,

WHEREAS, a Planning Commission was established pursuant to Chapter 5 of the Code of Ordinances of the Town of Yemassee and appointed in 2022; and,

WHEREAS, Town Council appoints members of the Planning Commission and as such, the Town determined that it is in its best interest for the Town Council to approve the Rules of Procedure for the Planning Commission by Resolution after review and approval by the Planning Commission; and,

WHEREAS, the Planning Commission drafted and reviewed the proposed Rules of Procedure at their June 6, 2023, Planning Commission meeting; and

WHEREAS, by adopting Rules of Procedure the Planning Commission, its appointed members and Staff have a set of written guidelines governing the operation of its Commission.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yemassee, SC, The Town Council hereby adopts the initial Rules of Procedure as drafted and recommended by the Town of Yemassee Planning Commission, which are attached and incorporated as “Attachment A” hereto.

PASSED AND ADOPTED by the Town Council of the Town of Yemassee, SC this 13th day of June 2023.

Colin J. Moore
Mayor

ATTEST: Matthew E. Garnes
Town Administrator

(Seal)

Town of Yemassee
Planning Commission
Rules of Procedure

Section 1. Establishment

The Town of Yemassee Planning Commission is established under the provisions in the Code of Ordinances for the Town of Yemassee, South Carolina.

Section 2. Rules

The Commission is adopting these Rules of Procedure by Resolution in accordance with the South Carolina Local Government Comprehensive Planning Act of 1994. S.C. Code Ann. § 6-29-790.

Section 3. Membership

- A. Appointment: The Board shall consist of five (5) members appointed by the Town Council in accordance with the Code of Ordinances for the Town of Yemassee, South Carolina. A vacancy in membership must be filled for the unexpired term by Town Council appointment. Commission members shall serve without compensation. No member of the Commission shall hold any other public office or elected position in the Town, other municipalities within Beaufort or Hampton County, or Beaufort or Hampton County.
- B. Officers: The Chair and Vice-Chair shall be elected annually by a majority vote of the members present and qualified to vote and shall perform the following duties:
 - a. The Chair shall be a voting member of the Commission and shall:
 - i. Call meetings of the Commission to order.
 - ii. Call Special Meetings of the Commission.
 - iii. Preside over meetings and hearings.
 - iv. Sign documents for the Commission
 - v. Have orders of the Commission served on parties.
 - vi. Perform other duties approved by the Commission.
 - b. The Vice-Chair shall preside over the meeting or hearing and perform the required duties set forth in Section 3.B.(a) of these Rules and Procedures in the absence of the Chair. In the absence of the Chair and Vice-Chair, an acting Chair shall be elected by a majority of the members present and qualified to vote.

- C. Secretary: The Town Administrator or their designee, shall serve as the Secretary and Staff Liaison to the Committee and shall perform the following duties:
1. Provide notice of the Meetings and Public Hearings
 2. Assist the Chair in preparation of the agenda.
 3. Keep minutes of the meetings and hearings
 4. Maintain Commission records as public records.
 5. Attend to Commission correspondence.
 6. Serve orders of the Commission on parties
 7. Perform other duties normally carried out by a Secretary.

Section 4. Education and Training

- A. State Boards and Commission Member Training: Members of Boards, Commissions, Committees, and Staff liaisons are required to attend mandatory training pursuant to Article 9 of the South Carolina Local Government Comprehensive Planning Act of 1994. Failure to complete the mandatory training by the required date may result in removal.

Section 5. Voting / Quorum

- A. Quorum: A majority of the members present shall constitute a quorum. A quorum shall be present before and business is conducted other than rescheduling the meeting.
- B. Voting: A member must be present at the meeting or attending by telephone or virtual conference to vote. The Commission 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 Commission 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 the disqualification,

- provide the Secretary with an executed 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 Commission shall be reported at the earliest opportunity to the Chair. It shall be considered the duty of the Commission members to conduct themselves in a manner that will discourage such contact.
 - D. Expressions of Bias: Commission members shall avoid all situations and circumstances that may lead to bias or prejudice in manners presented to the Commission.

Section 7. Meetings

- A. Roberts Rules of Order: The current edition of Roberts Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.
- B. Meeting Schedule: Meetings of the Commission must be scheduled at least once (1) per month. Each December, the Commission shall adopt their annual meeting schedule and forward it to the Town Council for adoption by Resolution. Meetings shall be held at the Yemassee Municipal Complex, Council Chambers, 101 Town Cir, Yemassee, SC 29945-3363 at 3:00PM, unless otherwise noticed. All meetings are open to the public. Meetings may be cancelled by the Town Administrator if there is no business before the Commission.
- C. Agendas: The Secretary shall notify the Chair of items for inclusion on the agenda. Agendas shall be published no later than twenty-four (24) hours prior to the meeting date and time. Special Meetings may be held at the call of the Chair or a majority of the Commission upon twenty-four (24) hours by notice delivered to the local news media, interested citizens and posting at the Town Hall.
- D. Agenda Amendment: Items may be added to the agenda at a meeting by a majority vote of members present and qualified to vote.
- E. Public Comment: Members of the public desiring to appear before the Commission must complete the prescribed form and provide it to the Secretary no later than five (5) minutes prior to the meeting's start time. Public Comment is limited to two (2) minutes and individuals making comments should address the attending commission, public and Staff with respect.

- F. Workshops: The Commission may periodically hold workshops to discuss issues and general policies to determine the necessity for future action. No formal action shall be taken at the workshop.
- G. Minutes: The Secretary shall maintain the minutes of the meeting, present draft minutes for approval, and upon approval, post the minutes of the meeting to the Town website.

Section 8. Public Hearing

- A. Public Hearing Notice: Public Notice of Public Hearings shall be posted in a newspaper of general circulation at least fifteen (15) days prior to the Public Hearing date, on the town website and town sign board. In the case of an Annexation, the property shall be posted. In the case of a Zoning Map Amendment, the property shall be posted and certified mail notice to adjacent property owners notifying them of the meeting date and time shall be mailed.

Section 9. Appeals of Commission Decisions

Appeals of Commission Decisions shall be in accordance with the provisions set forth in the South Carolina Local Government Comprehensive Planning Act of 1994.

Section 10. Amendment and Adoption

Once initially adopted by the Commission and approved by Resolution by the Town Council, these rules may be amended at any regular meeting of the Commission by a majority vote of members present and qualified to vote at least seven (7) days after the written amendment is delivered to members.

These rules were adopted by vote of a majority of members present and qualified to vote at a regular public meeting on _____, 2023.

Attest: _____

Secretary

Chair