

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2016-17**

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE OCONEE COUNTY AGRICULTURAL ADVISORY BOARD; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Oconee County, South Carolina (the "County") is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized by the provisions of Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, to establish such boards, commissions, and committees in the County as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge, or abolish any such agencies, departments, boards, commissions, and positions; and,

**WHEREAS**, the County enjoys a rich agricultural heritage; and

**WHEREAS**, agriculture is a major economic engine for the County; and

**WHEREAS**, the agricultural interests and concerns in the County are diverse and evolving; and

**WHEREAS**, the preservation and growth of agriculture in the County is a matter of vital concern.

**NOW THEREFORE**, be it ordained by the Oconee County Council (the "Council"), in meeting duly assembled and voting, with quorum present and acting by, through, and on behalf of Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina, and upon third and final reading, the following:

**Section 1: Establishment of Oconee County Agricultural Advisory Board.**

There is hereby established the Oconee County Agricultural Advisory Board (the "Board"), purposed to aid and advise the County on all matters related to agriculture in order to ensure that the diverse agricultural interests in the County are supported and developed, that communication and cooperation among the varied agricultural concerns in the County are fostered, and that agriculture's vital role in the economy and character of the County is both maintained and developed.

**Section 2: Membership.**

The Board shall consist of seven members appointed by the Council in accordance with the following requirements and recommendations:

1. The Board shall consist of seven (7) members, selected and appointed by a majority vote of Council, with one (1) member selected from each of the five (5) council districts and two (2) members selected at-large, without regard to district of residence. Council may receive recommendations for the two at-large seats from the County Planning Commission.
2. Each Board member's primary residence shall be located in Oconee County; and
3. Council shall endeavor to appoint, but not require candidates to be appointed from, the following:
  - a. A member of the Bee Keepers' Association;
  - b. A member of the Fruits and Vegetable Growers (Clemson Extension);
  - c. A member of the Oconee Cattlemen's Association;
  - d. A member of the Oconee Poultry Growers; and
  - e. An Oconee Soil and Water Conservation District Commissioner or designee.
4. All appointed board members shall have a demonstrated background, experience, and interest in agriculture and actively participate in one of the following areas of agriculture:
  - a. Agri-tourism
  - b. Certified organic farming
  - c. Poultry farming
  - d. Cattle farming
  - e. Fruits and/or Vegetable farming
  - f. Bee Keeping
  - g. Silviculture & Forestry operations
  - h. Aquaculture
  - i. Agri-business
  - j. Or another agricultural pursuit, as that term is commonly understood.
5. Interested candidates for the Board will be requested to complete the "Questionnaire for Board/Commission" and submit it to the Clerk to Council for distribution to Council. Council is not required to select a member from the submitted questionnaires; members of Council may directly solicit a candidate for any appointment by the Board. However, all potential candidates, whether those submitting questionnaires on their own or those solicited for appointment by members of Council, must complete the "Questionnaire for Board/Commission" and submit it to the clerk to Council for distribution to Council before being appointed to any county board or commission by any member of Council.
6. All appointments to the Board will be made upon recommendation by a Council member and an affirmative vote by full Council.

### **Section 3: Term of Members.**

1. The length of the regular term served by each member shall be four (4) years, beginning on January 1<sup>st</sup> of the year of appointment.
2. For the purposes of implementing the standards of this section and thereby establishing a reappointment/replacement schedule of the membership of the Board to staggered terms, the following shall apply:
  - a. All members appointed by Council district shall serve for the same length as the remaining term of the Council member who appointed them, after which the term of such Board members shall be equal to and coincide with the term of the Council member appointing or reappointing them, with all terms or parts thereof beginning January 1<sup>st</sup> of the year of appointment or reappointment.
  - b. The first at-large member appointed by Council after adoption of the restatement of this section shall serve for four (4) years, and the second such at-large member shall serve for two (2) years, after which the term of each such at-large member shall be four years following appointment/reappointment, with all terms or parts thereof beginning January 1<sup>st</sup> of the year of appointment or reappointment.
  - c. In the event the regular term of a member in good standing expires prior to reappointment or replacement by Council, said member shall continue to serve until his or her replacement is appointed and qualified. The date of reappointment or replacement, however, in no way alters the scheduled length of the term.

### **3. Removal.**

- a. A member who is absent from three (3) consecutive meetings or who fails to attend at least fifty (50%) of the regularly scheduled meetings of the Board within any twelve (12) calendar month period without adequate excuse, such as documented illness, shall be reported by the chairperson of the Board to Council and is subject to replacement by Council.
- b. Any member may be removed or replaced at will by majority vote of Council upon the motion of the appointing Council member, at any time, unless appointment is required by or regulated by state or federal law.
- c. Should any member of this Board move or establish residence outside the County where such member was residing at the time of the appointment to this Board, such relocation shall constitute a resignation by the member, and a replacement member shall be appointed to fill the unexpired term of such resigned member.

### **Section 4: Organization, Meetings, Officers.**

1. **Officers:** The Board shall organize itself, electing one (1) of its members as chairman and one (1) as vice-chairman, whose terms must each be for one-year (1). The chairman and vice-chairman shall have the right to vote. The Board may appoint a secretary, who may be a member of the Board or an employee of the County. If the secretary is a member of the Board, he or she shall also have the

right to vote. Vacancies in such offices by reason of death, resignation, or replacement shall be filled for the unexpired term of the officer whose position becomes vacant, in the same manner as the original election or appointment.

2. **Meetings:** The Board shall establish a meeting schedule during its first meeting of the calendar year. The Board shall meet at least once per month.
3. **By-laws:** In addition, the Board shall duly adopt such By-Laws as may be necessary for the orderly performance of its duties and functions. Any By-Laws which may be adopted by the Board for the orderly performance of its duties shall comply with all provisions of the general law of the State of South Carolina and of this Ordinance, and of all other Ordinances of Oconee County, including but not limited to the Freedom of Information Act.
4. **Staff Liaison:** The Board shall have a staff liaison to be designated by the County Administrator. The staff liaison may serve as secretary should that be the wish of the Board. It is the responsibility of the staff liaison to notify the Clerk to Council regarding resignations and/or vacancies on any board. It is also the responsibility of the staff liaison to monitor the appointment schedule and inquire and report to the Clerk to Council if current members wish to be considered for reappointment or replacement.
5. The Board shall comply with the provisions of the South Carolina Freedom of Information Act ("FOIA") and the requirements set forth in the Code of Ordinances and subsequent ordinances concerning freedom of information and the conduct of public meetings.

## **Section 5: Powers and Duties.**

The responsibilities and duties of the Board shall be as follows:

1. To serve in an advisory role to Council on any matter concerning agriculture in order to ensure that the diverse agricultural interests in the County are supported and developed, that communication and cooperation among the varied agricultural concerns in the County are fostered, and that agriculture's vital role in the economy and character of the County is both maintained and developed;
2. To formulate plans and recommend their implementation to Council, including, but not limited to, ways to bolster agri-business, agri-tourism, and agriculture in general;
3. To make policy recommendations, through the Planning Commission, to Council regarding agricultural land use;
4. To coordinate policy development with other jurisdictions and agencies to better promote the agricultural industry; and

5. To serve as an educational and public awareness forum for agriculture-related topics.

The Board shall report directly to Council, or other appropriate advisory boards, commissions, and/or committees as appropriate and necessary in order to carry out the foregoing functions.

**Section 6: Salaries and Funding.**

Members of the Board shall not receive any salary or reimbursements related to serving on the Board.

**Section 7: Severability.**

Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof.

Passed and approved this 21<sup>st</sup> day of June, 2016.

OCONEE COUNTY, SOUTH CAROLINA

By: Paul A. Cain  
Paul Cain, Chairman of County Council  
Oconee County, South Carolina

ATTEST:

By: Elizabeth Hulse  
Elizabeth Hulse, Clerk to County Council

Oconee County, South Carolina

First Reading:	May 3, 2016 [title only]
Second Reading:	May 17, 2016
Public Hearing:	June 7, 2016
Third Reading:	June 7, 2016 [tabled]
Third Reading:	June 21, 2016

# Oconee County Agricultural Advisory Board Rules of Procedure (By-Laws)

## Article I Organization

### Section 1. Rules

These rules of procedure are adopted pursuant to S.C. Code § 6-29-790 for the Oconee County Agricultural Advisory Board which consists of seven (7) members appointed by the Oconee County Council.

### Section 2. Officers

The officers of the Board shall be a chairman and vice-chairman for one (1) year terms at the first meeting of the Board in each calendar year. The Board shall appoint a member of the staff of the Oconee County Community Development Department as secretary of the Board.

### Section 3. Chairman

The chairman shall be a voting member of the Board and shall:

- a. Call meetings of the Board;
- b. Preside at meetings
- c. Act as spokesperson for the Board;
- d. Sign documents for the Board;
- e. Perform other duties approved by the Board.

### Section 4. Vice-Chairman

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, an acting chairman shall be elected by the members present.

### Section 5. Secretary

The secretary shall:

- a. Provide and publish notice of meetings;
- b. Assist the chairman in preparation of agenda;
- c. Keep recordings and minutes of meetings;
- d. Maintain Board records as public records;
- e. Attend to Board correspondence; and

- f. Perform other duties normally carried out by a secretary.

## **Article II Meetings**

### **Section 1. Time and Place**

An annual schedule of regular meetings shall be adopted, published and posted at the Oconee County Community Department office in December of each year. Special meetings may be called by the chairman upon twenty four (24) hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.

### **Section 2. Agenda**

A written agenda shall be furnished by the secretary to each member of the Board and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by majority vote.

### **Section 3. Quorum**

A majority of the members of the Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

### **Section 4. Rules of Order**

Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

### **Section 5. Attendance**

Members shall make every reasonable effort to attend all Board meetings. In the event that a member is absent from more than one third (1/4) of the regularly scheduled meetings within any one-year period, or is absent from more than 3 consecutive meetings, the Secretary shall inform the Chairman of the attendance record. If the Chairman deems the member's chronic absences unjustified, or does not find sufficient evidence that the member's attendance will improve, the Board shall, upon a simple majority vote, recommend the member's removal by the County Council.

## **Article III Ethical Conduct**

### **Section 1. Conflict of Interest**

All Board members shall at the earliest opportunity notify the Chairman of any conflict of interest regarding any issue to come before the Board. Any member with a conflict of interest shall seek abstention or recusal from all matters regarding the issue. An abstaining member shall not be required to leave his/her seat during the vote. Abstention by a member in one matter shall not limit said member's full participation in other Board matters.

### **Section 2. Ex Parte Contact**

Any ex parte contacts with applicants, opponents, or other parties of interest in a matter to come before the Board shall be reported at the earliest opportunity to the Chairman. It shall be considered to the duty of each Board member to conduct himself/herself in a manner that will discourage such contact.

### **Section 3. Expressions of Bias**

Members shall avoid all situations and circumstances that may lead to bias or prejudice in matters presented to the Board. No member shall offer expressions of individual opinion regarding any matter of consideration by the Board prior to the hearing.

### **Section 4. Violation of Ethical Standards**

Violation of any of the ethical standards put forth in Article 5 shall be considered cause for removal from the Board. In the event that a member is found to have violated any of the stated ethical standards, the remaining members of the Board shall, subject to a simple majority vote, recommend the removal of the aforementioned member to the County Council.

## **Article IV Records**

### **Section 1. Minutes**

The secretary shall record all meetings and hearings of the Board on tape which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the Board the next regular meeting. Minutes shall be maintained as public records.



**Section 2. Orders and Documents**

The secretary shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary evidence, orders and forms shall be maintained as public records.

**Article V  
Adoption and Amendment**

**Section 1. Adoption**

These rules were adopted by vote of a majority of the members of the Board at a regular public meeting on November 14, 2016.

**Section 2. Amendment**

These rules may be amended at any regular meeting of the Board by majority vote of the members of the Board at least seven (7) days after the written amendment is delivered to all members.

<b>2017 Planning Schedules</b>		
<b>PC</b>	<b>BZA</b>	<b>AAB</b>
1/2/2017		1/9/2017
1/16/2017	1/23/2017	
2/6/2017		2/13/2017
2/20/2017	2/27/2017	
3/6/2017		3/13/2017
3/20/2017	3/27/2017	
4/3/2017		4/10/2017
4/17/2017	4/24/2017	
5/1/2017		5/8/2017
5/15/2017	5/22/2017	
6/5/2017		6/12/2017
6/19/2017	6/26/2016	
7/3/2017?		7/10/2017
7/17/2017	7/24/2017	
8/7/2017		8/14/2017
8/21/2017	8/28/2017	
9/4/2017		9/11/2017
9/18/2017	9/25/2017	
10/2/2017		10/9/2017
10/16/2017	10/23/2017	
11/6/2017		11/13/2017
11/20/2017	11/27/2017	
12/4/2017		12/11/2017
12/18/2017	12/25/2017	

\*meetings scheduled for the 2nd Monday of each month as necessary