



Richland County TRANSPORTATION PENNY

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

CALL TO ORDER

The meeting was called to order at approximately 5:00 p.m.

Contact List: Mr. Livingston requested that the members verify their contact information.

ELECTION OF OFFICERS

Chair: Mr. Hayes Mizell was elected as Chair.

Vice Chair: Mr. Derrick Huggins was elected Vice Chair

Secretary: Ms. Virginia Sanders was elected Secretary.

ESTABLISHMENT OF RULES AND PROCEDURES FOR THE CONDUCT OF BUSINESS

ARTICLE I – ORGANIZATION

Section 1 – Membership

The Transportation Penny Advisory Committee shall consist of fifteen members. The members shall be appointed by Richland County (7 members), City of Columbia (3 members), Town of Arcadia Lakes (1 member), Town of Blythewood (1 member), Town of Eastover (1 member), City of Forest Acres (1 member), and the Town of Irmo (1 member). The initial appointments shall be staggered, follows: Natalie C. Britt, Jennifer D. Bishop, Todd Avant and Robert E. Williams, Jr. (3 year term); Melvin Hayes Mizell, James T. McLawhorn, Dorothy A. Sumter, DeTreville (Trevor) Frank Bowers, III, Bill Wiseman, James Faber, and Carol Kososki (4 year term); Elise Bidwell, Derrick E. Huggins, Virginia Sanders, and Bob Brown (5 year term). Each member appointed thereafter shall serve a five year term.

Members shall not serve more than two (2) consecutive terms; provided, however, that upon service of two (2) consecutive terms a member may be eligible for reappointment after one day of non-service. Notwithstanding any other provision, members may continue to serve until such time as an advertisement has appeared in the local newspaper and a successor has been duly appointed.

Transportation Penny Advisory Committee

May 13, 2013

Page Two

Richland County Council Chairman shall appoint two Council members to serve as Honorary Members. Such members shall have the right to speak at any meeting, but shall not have the right to make a motion nor vote on any item and shall not be counted for purposes of a quorum.

Section 2 – Officers

The officers of the Committee shall be a Chairman, Vice-Chairman, and Secretary elected for one-year terms at the first meeting of the Commission each calendar year.

Section 3 – Chairman

The Chairman shall be a voting member of the Committee and shall:

- (a) Call meetings of the Committee;
- (b) Preside at meetings and hearings;
- (c) Acts as spokesperson for the Committee;
- (d) Sign documents for the Committee;
- (e) Represent the Committee before County Council to address any concerns or questions that the Council may have. In the event that the Chair cannot attend a required County Council meeting, the Vice-Chair shall attend in his/her stead; and
- (f) Perform other duties as determined by the Committee and County Council.

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 appointed by the members present.

Section 5 – Secretary

The Secretary shall coordinate with the Administration, Public Information Office, and the Clerk of Council to ensure that:

- (a) Adequate public notice of the meetings is provided;
- (b) Proper public record of the meetings is made;
- (c) Minutes of the meetings are produced in a timely manner; and
- (d) Other such duties as may be periodically requested by the Committee are completed.

Section 6 – Removal of Officers

Commission officers may be removed for cause from office prior to the expiration of their term by the Party appointing such member.

ARTICLE II – FUNCTIONS, DUTIES, AND POWERS

Section 1 – Authority

The Transportation Penny Advisory Committee shall have such powers, duties, and responsibilities as prescribed by the Richland County Council.

Section 2 – Functions, Duties, and Power

The function of the Committee is to review, comment on, and provide recommendations on the Transportation Penny to Richland County Council. The Committee shall have the powers and duties prescribed by the Richland County Council, as follows:

- (a) The Committee shall provide a recommendation on any modification to the projects list not consistent with the generic description of the project(s) (i.e., the addition of new projects not currently on the projects list; etc.). Any modifications to the projects list consistent with the generic description of the project(s) shall not require a recommendation of the TPAC. (i.e., minor revisions to a project on the projects list not impacting the overall scope of the project)
- (b) The Committee shall recommend any reordering of the prioritization (if applicable) of the projects list
- (c) The Committee shall provide quarterly reports to each respective jurisdiction from which they are appointed
- (d) The Committee will review the proposed Scope of Services for the Request for Proposals (RFP) for the Program Management Team and make recommendations as needed.
- (e) The Committee will make recommendations for a financial review of the Transportation Penny as needed. (Note: A financial audit will be undertaken annually.)
- (f) The Committee is authorized to make recommendations to the CMRTA Board, and to any other governing body with regards to the Transportation Penny.
- (g) The Committee shall perform all other additional duties as assigned by the Richland County Council.

ARTICLE III – MEETINGS

Section 1 – Time and Place

The Committee shall meet on the third Monday of each month. An annual schedule of regular meetings shall be adopted, published, and posted on the Richland County Calendar as soon as practicable after the first meeting of each calendar year. Such annual schedule shall be mailed to: (1) anyone who has

Transportation Penny Advisory Committee
May 13, 2013
Page Four

requested notice, (2) the local news media, (3) other news media that have requested notice. Special called meetings may be called by the Chairman, with the concurrence of at least two members upon 24 hours' notice, posted and transmitted to all members and local news media. Meetings shall be held at the time and place stated in the notices, unless a room conflict occurs, and shall be open to the public. If a room conflict occurs, the new place of the meeting will be clearly identified for interested parties.

Section 2 – Agenda

The Chairman shall work with the Transportation Director to create an Agenda prior to each meeting. Such Agenda shall include, at a minimum, any items directed to the Committee from County Council. The Agenda shall be forwarded to Secretary and the Clerk of Council for publication and dissemination to the Committee and the public.

Section 3 – Quorum

A quorum of the Committee shall consist of eight (8) members. A quorum shall be present before any business requiring a vote, other than rescheduling the meeting, is conducted.

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 – Voting

- (a) A member must be present to vote.
- (b) Each member shall vote on every motion, unless recused as described in Section 6, below.
- (c) All actions requiring a vote by the Committee shall require a majority vote. A vote on a motion resulting in a "tie-vote" shall mean that the motion fails.

Section 6 – Conflicts of Interests

Pursuant to the requirements of Section 8-13-700 of the SC Code of Laws, each member who is required to taken an action, or make a decision, that affects an economic interest of himself/herself, a member of his/her immediate family, and individual with whom he/she is associated, or a business with whom he/she is associated shall recuse himself/herself by notifying the Chairman and asking that the Chairman note the recusal in the minutes of the meeting.

Section 7 – Freedom of Information Act

The Committee is a public body as defined by Section 30-4-20(a) of the SC Code of Laws (Freedom of Information Act) and shall conform to the requirements thereof.

Section 8 – Procedure

The following procedures shall be followed regarding the notification of the Committee's meetings:

- (a) The Chairman shall have the right to limit discussion on any agenda item, except that reasonable opportunity should be provided to all wishing to speak and that redundant comments should be minimized;
- (b) Any citizen wishing to speak before the Committee shall sign in before the meeting, providing name, address, and item on the Agenda on which he/she should like to speak. Citizens may only speak on an item on the Agenda and shall be limited to two minutes per person;
- (c) When the Commission discussion is concluded, the Chairman or a Committee member may call the question and the vote shall be taken in public.

Section 9 – Executive Session

Subject to the requirements described below, the Committee may choose to go into an executive session, i.e., a private meeting off the public record:

- (a) Pursuant to the requirements of Section 30-4-70(2) of the SC Code of Laws, any such executive session shall be limited to:
 - (1) Receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim, or other matters covered by the attorney-client privilege; or
- (b) Before going into executive session, the Committee shall vote to go into session in public. If the vote is positive, the Chairman shall announce the specific purpose of the executive session
- (c) No action shall be taken in executive session, except to adjourn and return to public session
- (d) Committee members shall not commit to any course of action nor poll the members regarding a proposed action while in executive session.

Section 10 – Attendance

If a Committee misses 50% of the Committee meetings within one calendar year, the Chairman shall notify the County Council Chairman in writing, of such absences. The County Council Chair shall notify the appropriate appointing party. Section 2-328 of the Richland County Code of Ordinances shall not apply to this Committee as it is not wholly appointed by the Richland County Council.

Section 11 – Minutes

- (a) The Clerk of Council shall record all meetings of the Committee on audio-tape that shall be preserved, at a minimum, until Committee final action is taken on all matters presented and any relevant reconsideration period has elapsed.
- (b) The Secretary, with the assistance of the Clerk of Council, shall prepare minutes of each meeting for approval by the Committee at the next regular meeting.

ARTICLE IV – RULES ADOPTION & AMENDMENT

Section 1 – Adoption

These rules were adopted by vote of a majority of the members of the Transportation Penny Advisory Committee at a regular public meeting on _____ and are effective immediately.

Section 2 – Amendment

These Rules may only be amended at a regular meeting of the Committee by a majority vote of the members of the Committee.

ETHIC BRIEFING

- ✿ The Ethics, Government Accountability and Campaign Reform Act of 1991, codified in Title 8 of the SC Code of Laws.
- ✿ A public member is defined in the SC Code as “an individual appointed to a non- means an individual appointed to a noncompensated part-time position on a board, commission, or council.
- ✿ All public employees, public officeholders, and public members are expected to adhere to and follow the Rules of Conduct as outlined in the Ethics Reform Act. Anyone is found guilty of violating these rules is subject to prosecution by the State Ethics Commission and the Attorney General’s Office.
- ✿ A public official, public member, or public employee may not knowingly use his official office, membership, or employment to influence a government decision to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated.
- ✿ A person may not directly or indirectly give, offer, or promise anything of value to a public official, public member, or public employee with intent to influence the public official’s, public member’s, or public employee’s official responsibilities, nor is the public official, public member,

or public employee to ask, demand, solicit, or accept anything of value for himself or for another person in return for fulfilling his official responsibilities or duties.

- ✿ A public official, public member, or public employee may not receive anything of value for speaking before a public or private group in his/her official capacity. A meal can be accepted if provided in conjunction with the speaking engagement where all participants are entitled to the same meal and the meal is incidental to the speaking engagement. A public official, public member or public employee may receive payment or reimbursement for actual expenses incurred.
- ✿ No public official, public member, or public employee may disclose confidential information gained as a result of his responsibility as a public official, public member, or public employee that would affect an economic interest held by himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.
- ✿ A public official, public member, or public employee of a county or municipality, may not knowingly represent a person before any agency, unit, or subunit of that county or municipality.

SCHEDULING OF NEXT MEETING

The Committee recommended meeting the 3rd Monday of each month.

ADJOURN

The meeting adjourned at approximately 6:05 PM.