

Greater Greenville Sanitation District Commission By-Laws

SECTION I. AUTHORITY

The Greater Greenville Sanitation Commission (the Commission) is a special purpose district and a corporate body with those powers specifically authorized by, and in compliance with, Act 1543 of 1968 and Act 761 of 1971 (the Act), as amended.

SECTION II. MISSION

The Commission shall provide for the collection and transportation of refuse, garbage, trash, recyclables, and yard waste within and outside the geographical district, as defined by and provided for by the Act and/or these Bylaws, and may otherwise engage in the operation of dumps or landfills for the orderly disposal of refuse, garbage, trash, recyclables, and yard waste for the benefit of Greenville County citizens and others who may contract to utilize the Commission's services.

SECTION III. POLICIES OF THE COMMISSION

The Commission, consistent with the availability of revenues, personnel and equipment, shall use its best efforts to provide administration and financial oversight, in support of Commission's collection operations, as authorized under the Act, these Bylaws, and in accordance with Commission's Policies and Procedures.

SECTION IV. MEMBERS OF THE COMMISSION

- A. The number of Commission members shall be five (5). Commissioners shall serve terms of five (5) years and until his/her successor is appointed and qualified. Commissioners may only serve two consecutive terms at a time.
- B. Ethical considerations, conflicts of interest, etc., shall be governed by the Ethics, Government Accountability, and Campaign Reform Act, Rules of Conduct, Code of Laws of South Carolina, 1976, Section 8-13-700, *et. seq.*, as amended.

SECTION V. NEPOTISM

- A. No employee shall be supervised by a family member nor is an employee permitted to work in a position where work compensability, salary, evaluation of performance or other terms or conditions of employment can be influenced by a family member.
- B. A family member is defined as a member of a commissioner's or employee's immediate family which includes but is not limited to a spouse, parent, brother, sister, child, grandparent, grandchild, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other member of the individual's immediate family.

- C. If an employee or applicant for employment would be, is, or becomes in a situation which would fall within this policy, said affected person is required to immediately report all circumstances to the Executive Director.
- D. Implementation of this policy shall be effectuated by the Executive Director or his/her designee, consistent with this policy.

SECTION VI. OFFICERS OF THE COMMISSION

A. Chairperson

At its initial meeting in January of each year, the Commissioners shall elect one of its members to serve as Chairperson for a term of one (1) year. The Chair shall preside at all meetings of the Commission. S/he shall, along with the Executive Director of Greater Greenville Sanitation District ("Executive Director"), execute all resolutions, directives, deeds, bonds, contracts and other official instruments or documents. The Chair, and Vice-Chairperson, shall have authority to sign checks. The Chair shall also fulfill duties and perform such other functions as set forth in these By-Laws or as the Commission specifically directs.

B. Vice-Chairperson

At its initial meeting in January of each year, The Commissioners shall elect one of its members to serve as Vice-Chairperson for a term of one (1) year. The Vice-Chair shall preside at meetings of the Commission when the Chair is absent or unable to preside. If the office of Chair is vacated, the Vice-Chair shall assume the Office of Chair for the remainder of the Chair's unexpired term. A new Chair and Vice-Chair shall be chosen by the Commissioners at its next January meeting following the occurrence of the vacancy or at such other time as the Commission decides to elect a new Chair and Vice-Chair.

C. Chairperson Pro Tempore

If at any time both the Chair and Vice-Chair are absent or vacancies exist in both offices, the Commission member with the most years of uninterrupted service on the Commission shall serve temporarily as Chair until a new Chair can be elected or until the existing Chair (or Vice-Chair) is able to resume his/her duties.

D. Vacancies

In the event a Commission seat is vacated prior to the expiration of the applicable term, the Commission may seek and Greenville County Council may appoint a new Commissioner to fill the vacant seat.

SECTION VII. MEETINGS OF THE COMMISSION

A. Meetings

The Commission shall hold its regular meetings for the transaction of official business on the fourth Tuesday of each month at the District office at such time as the Chairman may specify. The Commission shall give written public notice of its regularly scheduled meetings. An agenda for a regular meeting, shall be posted at the Commission's offices

at 1600 West Washington Street at least twenty-four (24) hours prior to the meeting. Either the Chairman or a majority of the members of the Commission may call special meetings, which may be held after twenty-four (24) hours public notice specifying the hour, date, and place of the special meeting and its agenda, by posting at the Commission's offices at 1600 West Washington Street.

The Commission may move its regular meeting on the 4th Tuesday of each month to another date as long as the public is notified at least twenty-four (24) hours before the rescheduled meeting by the placement of a notice of change and agenda on the District's website and by placing notice of the change and the placing of a copy of the agenda on the public bulletin board in the lobby of the meeting place located at 1600 West Washington Street, Building A, Greenville, South Carolina 29601.

Executive sessions may be used for the following reasons:

- discussions concerning employment matters
- discussions of contract and/or lease negotiations
- receipt of legal advice and matters concerning attorney-client privilege
- discussions of security personnel or devices
- discussions concerning investigative proceedings regarding allegations of criminal misconduct
- discussions of matters concerning proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the Commission

Executive sessions shall be by motion in open session and with a statement of purpose for the session.

B. Quorum

Three (3) members of the Commission shall constitute a quorum for the transaction of business.

C. Attendance

In the event a Commissioner is absent from more than four (4) regular or called special meetings in a year, the Chair may recommend to Greenville County Council that the Commissioner be replaced.

D. Conduct of Meetings

1. Recognition of a Member of the Public

Before making a motion or addressing the Commission, a member of the public must first address the presiding officer by saying "Mr. (or Madam) Chair." When addressing a member of the public, the Chair shall refer to the member using the appropriate title, *e.g.* "Mr., Mrs., Dr., etc."

2. Decorum in speaking

When speaking, no Commissioner or member of the public speaking during the period provided for Public Comments may indulge in personalities, use offensive language, question the motives of other Commissioners, rant, charge deliberate misrepresentation, use language tending to hold the Commission or a Commissioner in contempt, or otherwise engage in disruption of the Commission meeting. Commissioners shall confine themselves to the question under consideration.

3. Decisions of the Chair

All questions of order shall be determined by the Chairman without debate. Any Commissioner may appeal to the Commission from the decision of the chairman.

4. Debate

All motions and appeals except motions to adjourn, to recess, to close debate and to table, shall be debatable. To debate a motion must be made and seconded.

5. Interruption of Debate

When a question is under debate, the Chair may entertain no motions other than those to adjourn or recess, to close debate and to table.

6. Votes Required for Passage; Proxy Votes

A majority of the Commissioners shall be required for approval of a matter. Proxy votes are not allowed. Any matter receiving a tie vote fails.

7. Chair's Vote

The Chair may vote, as all other Commissioners, on all matters before the Commission.

8. Required Abstentions

Any member of the Commission who has a substantial interest in any business that contracts with the District for the sale or lease of land, supplies, equipment, or services, or who personally engages in such matters, shall prepare a written statement describing the matter requiring action or discussions and the nature of the potential conflict of interest with respect to the action or decision. The statement shall be printed in the minutes and shall require that the Commissioner be excused from any votes, deliberations, and/or other actions on the matter which the potential conflict of interest exists shall cause the disqualification and the reasons for it to be noted in the minutes.

9. Minutes

Minutes of Commission meetings shall be kept in compliance with the South Carolina Freedom of Information Act. The Chairman shall designate a Greater Greenville Sanitation staff member to keep the minutes for the Commission and any committee meetings.

10. Order of Business

The following order of business shall be observed at all regular meetings so far as practicable:

- a. Calling to order;
- b. Reading, correction and approval of minutes of previous meetings;
- c. Public Comment on Agenda items: (limited to five (5) minutes per person not to exceed a total of thirty (30) minutes per subject; note that no “passing” of time is allowed, *i.e.* each speaker may only speak for a total of five minutes at each meeting), subject to the provisions of Section VIII(D)11 below.
- d. Reports of officers or committees;
- e. Unfinished Business; and
- f. New Business.
- g. Public comments on items other than agenda items (limited to five (5) minutes per person not to exceed a total of thirty (30) minutes per subject; note that no “passing” of time is allowed, *i.e.* each speaker may only speak for a total of five minutes at each meeting), subject to the provisions of Section VIII(D)11 below.

11. Public Comments at Commission Meetings

Persons residing within the Commission’s geographic region of service, the District, or representatives of contracted service recipients, shall have priority to address the Commission at regular, special, or called meetings, subject to the direction of the Chair; for the purpose of providing information to the Commission regarding the Commission’s performance or administration. The Chair shall provide procedures for Public Comment in such manner as s/he determines, in his/her discretion, that is most conducive to the effectiveness of Commission meetings. The Chair shall post any requirements for Public Comment in the same manner as special meeting notices. The Chair may also provide for public input by submission of written statements or receipt by third parties. The Public Comment period is provided so that the public may address the Commission regarding Greater Greenville Sanitation District business matters (*i.e.* service issues, fee issues, customer concerns, and the like) and is not a period of debate, nor is it a question and answer session. The Commission will not “debate” an issue with a member of the public during a Commission Meeting. Rather, the Commission will take all public comments under advisement and will respond, if appropriate, in a timely manner. No member of the public may directly address the Commission during the Public Comment period regarding a threatened or disputed legal matter in which the speaker or his/her agent is adverse to Greater Greenville Sanitation District Commission.

12. Parliamentary Procedure not specified in these By-Laws

In all matters not specifically set forth in these By-Laws in the State law, the Chair shall be guided by the most recent edition of Robert’s Rules of Order Newly Revised.

SECTION VIII. SUBCOMMITTEES

A. There shall be subcommittees for:

- Recycling

- Legal/Property
- Operations
- Equipment
- Public Relations
- Medical
- Human Resources
- Safety

At the initial meeting in January of each year, the newly-elected Chair shall appoint a Commissioner to head each of the referenced subcommittees. As the number of subcommittees exceed the number of Commissioners, a Commissioner, including the Chair, may be appointed to chair no more than two subcommittees. The appointed subcommittee chair may appoint another Commissioner to the subcommittee and/or a senior member of the Commission's staff and shall meet as deemed necessary and appropriate to address pertinent issues and shall report to the Commission every month as to its activities and recommendations.

- B. The Chair of the Legal/Property subcommittee shall act as the Parliamentarian. In the event of questions concerning the proper deliberative or voting procedure, or other appropriate matters pertaining to these Bylaws or to Commission's procedures or policies, the Parliamentarian shall determine all matters of priority of procedure in meetings of the Commission. The Parliamentarian shall have the obligation to perform other duties and functions as set forth in these Bylaws or as the Commission specifically directs.
- C. The Human Resources subcommittee shall review changes of benefits, wage assessments, and other matters related to employees as needed within the scope of the Commissioners' duties as provided in the enabling legislation.
- D. The Chair may appoint *ad hoc* subcommittees for such terms and purposes as he deems in the best interests of the Commission and the District.

SECTION IX. MISCELLANEOUS

Three Commissioners may vote to amend these By-Laws at any regular, rescheduled, or special meeting if notice of the proposed amendment is given at the previous regular, rescheduled, or special meeting.

Rules governing quorum and vote requirements cannot be suspended. Rules relating to priority of business or to procedure may be suspended by a majority vote of the members of the Commission.

Ratified on the day of Nov. 22, 2016

Thomas M. Gistrop
Chairman

ATTEST:

Ray C. Jansen II
Vice-Chairman