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LANCASTER, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1322

AN ORDINANCE

TO AMEND CHAPTER 18 OF THE LANCASTER COUNTY CODE, RELATING TO THE LIBRARY SYSTEM, SO AS TO DELETE ARCHAIC AND DUPLICATIVE LANGUAGE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) certain sections of Chapter 18 of the County Code need amending to delete archaic language;
- (b) certain sections of Chapter 18 of the County Code are duplicative of state law; and
- (c) as a general rule the County Code should not simply restate state law.

Section 2. Chapter 18 – Library System.

Chapter 18 of the Lancaster County Code is amended to read:

Sec. 18-1. Established.

Pursuant to the provisions of Act 564 of 1978, codified as Section 4-9-35 et seq., South Carolina Code of Laws of 1976, there is hereby established the Lancaster County library system.

Sec. 18-2. Applicability of certain state law.

- (a) All state laws and regulations relating to county public library systems shall apply to the library system created pursuant to Section 18-1.

(b) All employees of the county public library system shall be subject to the grievance provisions of S.C. Code 1976, Section 4-9-30(7) and shall be county employees and subject to the county's personnel policies; provided, however the Library Director shall be selected by the library board. Notwithstanding the above, the library board may set the employee working hours and holidays so long as they comply with all federal and state laws.

Sec. 18-3. Funding.

The county public library system shall be funded by annual appropriations by the county council plus aid provided by the state and federal governments and other sources.

Sec. 18-4. Fiscal procedures; budget.

(a) Annually, at a time designated by the county finance director, the library board shall submit a budget for the ensuing fiscal year adequate to fund the operation and programs of the library system. Such budget shall list all funds which the board anticipates will be available for the operation of the library system. All funds appropriated, earned, granted or donated to the library system or any of its parts shall be used exclusively for library purposes. All funds appropriated, earned, granted or donated to the library system, including funds appropriated by the county council, shall be deposited into a designated account maintained and controlled by the Lancaster County Finance Director. Expenditures from the library system's designated account are to be approved by the Library Director.

(b) All financial protocols relating to the library system including audits shall conform to the procedures established by the county council.

(c) The library system shall comply fully with Lancaster County Procurement Code. So as to insure the library system's compliance with the Lancaster County Procurement Code, the library board shall appoint one member whom, along with the library director, shall serve as liaisons with the Administrator and Procurement Director to better coordinate budgetary issues.

(d) All expenditures or contractual arraignments by the library system that exceed a budgeted category as approved by the council must be submitted to the County Administrator for his review and approval prior to the expenditure or the execution of the contractual arraignment.

(e) All financial procedures relating to the library system, including employee payroll, shall be administered by and through the county's finance department. In transferring this responsibility from the library system to the county finance department, the library system's information technology personnel and the library system's payroll and bookkeeping personnel shall be subject to reassignment within the county as determined by the County Administrator.

Secs. 18-5—18-20. Reserved.

Sec. 18-21. Composition; terms.

(a) The county library system shall be controlled and managed by a board of trustees, known as the county library board. The board shall be composed of nine (9) members appointed by the county council. One (1) member shall be appointed from each of the seven (7) county council districts, upon recommendation of the council member elected from that district; provided, however, residency in the council member's district is not required. Two (2) members shall be appointed at-large by the county council.

(b)

(1) The term of office for all board members is four (4) years. All terms end on June 30. A person who has served two (2) consecutive terms on the board is ineligible for appointment for an additional term unless a period of at least two (2) years has elapsed since the expiration of the person's last term; provided, however, upon a two-thirds vote of the county council members, a person may be reappointed to the board notwithstanding the term limitation. Time served in filling a vacancy is not included in the term limitation. Members serve until their successors are appointed and qualified. Vacancies must be filled for the unexpired term in the same manner as the original appointment.

(2) A member of the board who misses three (3) consecutive meetings of the board during any fiscal year or a total of five (5) meetings in any fiscal year vacates the office to which the member is appointed. The vacancy in the office exists as of the end of the meeting missed by the member that triggers the vacancy and the vacancy shall be filled in the same manner as other vacancies. When a vacancy occurs pursuant to this item, the board chair or the chief administrative officer of the commission shall notify the clerk to council in writing as soon as possible.

(3) Any member of the board may be removed at any time by county council.

(c) Within one (1) year of the member's appointment and at such other times as may be required by county council, the member shall attend a training session provided by the county on the topics of fiduciary duties, county fiscal and personnel policies, and other responsibilities and duties of a board member.

Sec. 18-22. Officers; meetings.

(a) Each year, the board shall elect a chair, vice-chair, secretary, treasurer and such other officers as it deems necessary, and may make rules and regulations for the conduct of its business. The board shall meet not less than four (4) times each year and at other times as called by the chair, or upon the written request by a majority of the members.

(b) All members serve without compensation, but may be reimbursed for actual expenses and mileage pursuant to county policy after approval by the board chair and the county administrator.

Sec. 18-23. Powers; duties; functions.

The library board shall be authorized to exercise powers as to the policies of the county library which shall not be inconsistent with the general policies established by the county council and, pursuant to that authority, shall be empowered to perform the duties as found in sections 4-9-36 and 4-9-37 of the South Carolina Code of Laws, as may be amended from time to time.

Sec. 18-24. Annual report.

(a) The library board shall annually make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the Clerk to Council for the county and copies shall be furnished to each member of the county council.

(b) The county shall include the board in the annual independent audit of the financial records of the county.

Sec. 18-25. Freedom of information.

The Lancaster County Library Board is a public body within the meaning of Section 30-4-10 et seq. of the Code of Laws of South Carolina of 1976, as amended, also known as the Freedom of Information Act and, as such is required to give public notice of its meetings and agendas and attempt to notify the press thereof as required by the Act. Meetings may be closed only in accordance with statutory procedures in the Act.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance shall become effective upon Third Reading. All reasonable and necessary steps required by the County Administrator, Human Resources, the Finance Director, the Library Director and the Library Board shall be implemented without delay so that a complete and final transition of all aspects of the directives and amendments outlined in this ordinance will be operational on July 1, 2015.

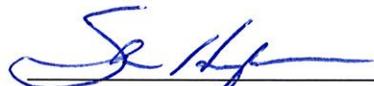
AND IT IS SO ORDAINED

Dated this 9th day of March, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

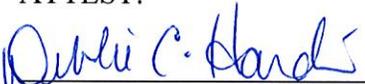


Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading:	January 12, 2015	Tabled
Second Reading:	January 26, 2015	Referred
Third Reading:	February 9, 2015	
	February 23, 2015	
	March 9, 2015	