

AN ORDINANCE

TO AMEND ORDINANCE NO. 2378, AS AMENDED, TO ESTABLISH A BOARD OF DIRECTORS OF THE GREENVILLE COUNTY DISABILITIES AND SPECIAL NEEDS BOARD; TO DEFINE THE MEMBERSHIP, TERMS, AND APPOINTMENT OF BOARD MEMBERS; AND TO PROVIDE FOR THE DISSOLUTION OF THE INTERIM BOARD OF DIRECTORS.

WHEREAS, in light of concerns regarding the provision of services to citizens with special needs and disabilities, Greenville County Council has set out to update the governance structure of the local disabilities and special needs agency known as the Greenville County Disabilities and Special Needs Board (“GCDSNB”);

WHEREAS, County Council is charged with the responsibility of setting up a local board of disabilities and special needs pursuant to Section 44-20-375 of the Code of Laws of South Carolina, as amended, to serve as the local public body administering, planning and coordinating, or providing services within Greenville County for persons with intellectual disabilities, related disabilities, head injuries, or spinal cord injuries;

WHEREAS, to allow County Council time to assess the delivery of disability and special needs services in Greenville County, County Council created an Interim Board of Directors to ensure that the GCDSNB fulfilled its purpose;

WHEREAS, the Interim Board of Directors has performed its duties with a high level of professionalism, achieving its intended outcomes for clients, and has operated in an effective, efficient, and ethical manner, becoming a model for a permanent governance structure; and

WHEREAS, County Council is ready to adopt a permanent Board of Directors for the GCDSNB so as to move disability and special needs services forward in Greenville County for the coming decades.

NOW, THEREFORE, BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

Section 1. Amendment. Ordinance No. 2378, as amended, is hereby amended to add Section 4 as follows:

“Section 4. Board of Directors of the GCDSNB.

(A) Creation of the Board of Directors. The Board of Directors of the GCDSNB is hereby created and appointed in compliance with S.C. Code Ann. §§ 44-20-375 and 378. The Board of Directors shall ensure that the GCDSNB fulfills its purposes and obligations as set forth in S.C. Code Ann. § 44-20-375 through § 44-20-385, as may be amended from time to time, and that the GCDSNB achieves intended outcomes for clients, and operates in an effective, efficient, and ethical manner. Once the initial members of the Board of Directors are appointed and qualified pursuant to subsection (B), the Interim Board established pursuant to County Ordinance No. 4493 will be dissolved.

(B) Composition of the Board. The Board of Directors shall be composed of seven (7) resident electors of Greenville County. The Board shall be appointed by the Governor of the State of South Carolina upon the recommendation of Greenville County Council. Candidates with a demonstrated interest and background in special needs and disabilities and/or human services shall be recommended for appointment. Furthermore, the Board of Directors of the GCDSNB is specifically exempted from Section 2-83(D) of the Greenville County Code of Ordinances, and County Council may appoint up to two (2) members of the Board who have immediate family members that are consumers receiving direct services from the GCDSNB.

(C) Terms. The terms of the members of the Board of Directors shall be for three (3) years and until their successors are appointed and qualify except that of the first appointed: three (3) members shall be appointed for one (1) year and thereafter successors will serve three (3) year terms; two (2) members shall be appointed for two (2) years and thereafter successors will serve three (3) year terms; and two (2) members will be appointed for three (3) year terms.

(D) Vacancies. Vacancies for any unexpired terms shall be filled in the same manner as original appointments. Any member may be removed by the appointing authority for neglect of duty, misconduct or malfeasance in office after being given a written statement of reasons and an opportunity to be heard, or for missing three (3) consecutive meetings.”

Section 2. Severability. Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect upon its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2013.

GREENVILLE COUNTY COUNCIL

Bob Taylor, Chairman
Greenville County Council

ATTEST:

Theresa B. Kizer
Clerk to Council

Joseph M. Kernell
County Administrator

