

AN ORDINANCE TO CREATE THE GREENVILLE COUNTY MENTAL RETARDATION BOARD AS MANDATED BY STATE LAW; TO DESIGNATE THE EXISTING GREENVILLE COUNTY MENTAL RETARDATION BOARD TO SERVE IN THIS CAPACITY; TO PROVIDE THE METHOD OF APPOINTMENT OF ITS MEMBERSHIP; TO REQUIRE INSURANCE COVERAGE FOR EMPLOYEES AND BOARD MEMBERS; TO ESTABLISH THE SEPARABILITY AND SEVERABILITY OF THIS ORDINANCE; AND TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

SECTION 1. AUTHORITY. This Ordinance is adopted pursuant to authority and mandate established by Sec. 44-20-375 of the 1976 Code of Laws of South Carolina, as amended.

SECTION 2. BOARD. There is hereby created the Greenville County Mental Retardation Board with the powers, duties, responsibilities, and functions set forth herein.

The entity heretofore known as the Greenville County Mental Retardation Board, created by Act No. 8 of the 1971 Acts and Joint Resolutions of the General Assembly of the State of South Carolina, as amended, is hereby designated as the Greenville County Mental Retardation Board mandated by state law and herein created.

SECTION 3. PURPOSE. It is the purpose of the Greenville County Mental Retardation Board to develop, provide, coordinate, improve and operate community-based programs serving persons with mental retardation or other related disabilities with a view toward developing their respective mental, physical and social capacities to their fullest potential.

SECTION 4. MEMBERSHIP. The Board shall be composed of twelve (12) resident electors. The Board shall be appointed by the Governor of the State of South Carolina upon the recommendation of Greenville County Council. Persons with a demonstrated interest and background in mental retardation and/or human services shall be recommended for appointment.

The terms of the members shall be for four (4) years and until their successors are appointed and qualify except that of the first appointed: three (3) shall be appointed for one (1) year; three (3) shall be appointed for two (2) years; three (3) shall be appointed for three (3) years and three (3) shall be appointed for four (4) years. Vacancies shall be filled for any unexpired terms 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 5. DUTIES. The Board shall:

- A. Be the administrative, planning, coordinating, evaluative, and reviewing body for services to persons in Greenville County who are mentally retarded or have other related disabilities; the Board shall be funded in part or in whole by appropriations from the South Carolina Department of Mental Retardation.
- B. Submit an annual plan and projected budget to the South Carolina Department of Mental Retardation for approval and consideration of funding.
- C. Review and evaluate on at least an annual basis county mental retardation and related disability services provided pursuant to this ordinance and report its findings and recommendations to the South Carolina Department of Mental Retardation and Greenville County Council.
- D. Promote and accept local financial support for the Greenville County program from funding sources, such as businesses, individuals, industrial and private foundations, voluntary agencies, governmental and other lawful sources and promote public support from municipal and county sources.
- E. Employ personnel and expend its budget for the direct delivery of services or contract with those service vendors necessary to carry out county mental retardation or related disability service programs, which shall meet those specifications prescribed by the South Carolina Department of Mental Retardation.
- F. Plan, arrange, and implement working agreements and contracts with other human service agencies, both public and private, and with educational and judicial agencies.
- G. Provide the South Carolina Department of Mental Retardation and Greenville County Council such records, reports, and access to its sponsored services as the South Carolina Department of Mental Retardation and Greenville County Council may require and submit its sponsored services and facilities to licensing requirements of the South Carolina Department of Mental Retardation or the licensing requirements of other state or local agencies having such legal authority.
- H. Buy, sell, mortgage, pledge, encumber, lease, rent, and contract with respect to real and personal property, and

borrow money, provided the obligation to repay same is payable out of any revenues of the County Mental Retardation Board, and shall not obligate the full faith, credit, and taxing power of Greenville County.

- I. Provide a public forum to which individuals or groups may present any concerns or appeal a dispute or disagreement with a provided agency or service.

SECTION 6. MEETINGS AND REQUIREMENTS. The Board shall open all regular meetings to the general public in accordance with the South Carolina Freedom of Information Act. No fewer than four (4) meetings per year shall be held. Special meetings may be called, with reasonable notice given to other members.

The Board will establish its own bylaws. On an annual basis, it will elect a chairperson, vice-chairperson, a secretary and a treasurer.

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 which is not itself void or invalid.

SECTION 8. INSURANCE. The Board will maintain at all times, workers compensation insurance on its employees and a policy of liability insurance in the amount of \$1,000,000 covering all employees and board members. The premiums for this coverage shall be the responsibility of the Board. Greenville County shall be listed as an insured under the policy of liability insurance. The Board shall furnish a copy of the current insurance policies to the Clerk to County Council and will keep current copies of the policies on file at all times.

SECTION 9. EFFECTIVE DATE. This Ordinance shall become effective upon the date of its adoption.

DONE IN REGULAR MEETING THIS 16th DAY OF JUNE, 1992.


Robert W. Leach, Chairman
Greenville County Council

ATTEST:


Elizabeth M Hanzey
Clerk to Council


William J. Estabrook
County Administrator