Policy

**AGENDA**

*Code* **BEDB** *Issued* **1/19**

Purpose: To establish the basic structure for board preparation of and adherence to its meeting agenda.

The director, in cooperation with the board chairman, will prepare the agenda for the regular meetings. The agenda will include references to the board’s policies, where appropriate.

Items of business may be suggested by board members, staff members, or citizens of the district. The director and board chairman may decide whether or not to include those items. The agenda will, however, allow time for the remarks of persons who have requested to appear before the board.

The board will follow the order of business set by the agenda unless the order is altered by a majority vote of the members present. The board will follow the order of business set by the agenda, unless the order is altered by a majority vote of members present. The board may amend the agenda during any meeting by a two-thirds vote of the members present if the matter is a discussion item. If the matter is one in which final action will be taken without prior notice to the public, the agenda may only be amended by a two-thirds vote and a finding via a vote that an emergency or exigent circumstance exists.

The director will distribute the agenda and supporting materials to the board, along with the notice of the meeting and agenda. The materials will include minutes of the past regular meeting, any past special meetings, updated financial reports, and reports and proposals to be considered by the board.

Materials distributed to the board which reflect staff recommendations in their final form are open to the public unless exempt from disclosure by law or are of a personal nature such that public disclosure thereof would constitute unreasonable invasion of personal privacy.

Adopted 3/18/85; Revised 11/25/02, 10/15/18, 1/22/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:

1. Section 30-4-80 - South Carolina Freedom of Information Act; posting of agendas.
2. S.C. Cases:
3. *Atkins v. Wilson*, 417 S.C. 3, 788 S.E.2d 228 (S.C. Ct. App. March 9, 2016, revised June 29, 2016).
4. *Brock v. Town of Mount Pleasant*, 415 S.C. 625, 785 S.E.2d 198 (2016).
5. *Donohue v. City of North Augusta*, 412 S.C. 526, 773 S.E.2d 140 (2015).
6. *Lambries v. Saluda County Council*, 409 S.C. 1, 760 S.E.2d 785 (2014).
7. Attorney General’s Opinion:
8. Op. S.C. Att’y Gen., 2018 WL 3326902 (June 28, 2018) Changing the order of items on a meeting agenda during a meeting may require formal amendment in compliance with the South Carolina Freedom of Information Act, including a 2/3 vote and, in the case of action items, a finding of emergency.
9. Op. S.C. Att’y Gen., 2018 WL 4385558 (September 5, 2018) Definition of emergency/exigent circumstance; statutory deadlines cannot be deemed emergencies.