



Charleston County Community Development Department
Community Development Advisory Board
By-Laws

Authority: Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5300-5320); Section 7 (d), Department of Housing and Urban Development Act (42 U.S.C. 3535 (d)) require that Charleston County create an Advisory Committee to plan and execute programs under these Acts.

ARTICLE I – ESTABLISHMENT

- Section 1 -** Charleston County Council by adopting these By-Laws creates an advisory body called the Charleston County Community Development Advisory Board, hereafter known as the CDAB.
- Section 2 -** The CDAB’s jurisdiction includes all incorporated and unincorporated areas within Charleston County, with the exception of the City of North Charleston and the City of Charleston.
- Section 3 -** The Community Development Advisory Board is established through a Participating Jurisdiction (PJ) partnership and Certification of Cooperative Agreement entered into by the Chief Elected Officials of the Towns of Awendaw, Hollywood, Lincolnville, McClellanville, Meggett, Mount Pleasant, Ravenel, Sullivan’s Island, James Island and the City of Isle of Palms. The Community Development Advisory Board members represent the Participating Jurisdictions along with the County of Charleston in the oversight of distribution of U.S. Department of Housing and Urban Development (HUD) funds on an annual basis.

ARTICLE II - PURPOSE

- Section 1 -** The Board’s mission is to improve the quality of life for low and moderate income citizens. Through improved affordable housing and revitalization of the physical and economic infrastructure.
- Section 2 -** The Board is an advisory board to Charleston County Council on the expenditure of funds received by the Charleston County Government from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Home Investment Partnership Program Grant (HOME) programs. Any plan or program prepared and adopted by this Board will have no binding effect on the governing body of any political subdivision.
- Section 3 -** The purpose of the Community Development Advisory Board is to review all incoming grant applications that have been submitted to the Community Development Department. After careful review of HUD’s regulations, status of former Subrecipients, and staff’s scoring, it shall formulate a formal recommendation to County Council for consideration.

ARTICLE III – AUTHORITIES AND RESPONSIBILITIES

- Section 1 -** The Board will provide guidance for respective activities and services provided under the Housing and Community Development Act of 1974.
- Section 2 -** The Board will make recommendation to County Council on matters affecting the Consolidated Plan and other related matters as the common interest of the participating governments may dictate.
- Section 3 -** The Board will be responsible for, but not limited to:
- A. Revising the By-Laws;
 - B. Recommending subrecipients for County Council approval;
 - C. Reviewing staff program and financial reports;
 - D. Supervising Board officers to ensure that they do their duties properly;
 - E. Holding meetings at times and places, it thinks proper; and,
 - F. Appointing ad hoc committees on relevant subject.

ARTICLE IV - MEMBERSHIP

- Section 1 -** The Board is composed of representatives of the following Participating Jurisdictions. Each participating jurisdiction is entitled to a representative on the Board according to the following schedule:

Government Partners		Non-Government Partners
Charleston County	Town of Ravenel	Financial Representative
Town of Mount Pleasant	Town of Hollywood	Legal Representative
City of Isle of Palms	Town of Meggett	Construction Representative
Town of Sullivan's Island	Town of Awendaw	Community-Based Representative
Town of Lincolnville	Town of McClellanville	
Town of James Island		

Members shall receive no compensation for their service as members.

- Section 2 -** Board members must be appointed by the Chief Elected Official (CEO) of the Participating Jurisdictions. Charleston County Council will be the appointing authority of the Non-Governmental Partners. Not less than twenty-five percent of the Board will consist of minority members. County Council may change this representation.
- Section 3 -** Appointed members will have a four-year term; however, the Chief Elected Official may elect to change this representation at any time. The non-governmental members will be appointed for four-year terms. Terms begin on the first day of July and end on the last day of June in each year. Successor must be appointed by May 30th. Members representing Participating Jurisdictions are appointed by and serve at the pleasure of the Chief Elected Official of the appointing participating jurisdiction.

ARTICLE V – MEETINGS

- Section 1 -** The Board will hold meetings as necessary to fulfill the requirements set forth by HUD and the County's Urban Entitlement program. All meetings at which official actions are taken will be open to the public.
- Section 2 -** Members are expected to attend all Board meetings. Members must notify the staff if circumstances will prevent their attendance.
- Section 3 -** A written notice of each meeting will be forwarded electronically prior to the meeting date unless another mode of communication is requested by a Member.
- Section 4 -** The Chairperson may call Special Board meetings. Staff, at the request in writing of any six Board members, shall issue a call for a special meeting to consider a specific topic. Such meetings will be held at a reasonable location designated by those who call the special meeting and the Board will transact no business other than what is specified in the topic(s). Staff will give a three (3) working day notice prior to the Special Board Meeting. Such notice shall be in writing, will state the place, date and time of the meeting and include the matters proposed to be discussed and acted upon at the meeting. With email notification, the member to be contacted will acknowledge personal receipt of the email notice by a return message or telephone call within twenty-four hours of the first email.
- Section 5 -** A majority of the Board present will constitute a quorum for the transaction of business. In no event shall a quorum consist of fewer than five (5) members. In the Chairperson's or the Vice-Chairperson's absence, the quorum present may choose a meeting chairperson.

ARTICLE VI - VACANCIES

- Section 1 -** Board vacancies will be filled within 30 days of the vacancy's occurrence.
- Section 2 -** Should the Chairperson or Vice-Chairperson offices become vacant; the Board will elect a successor for the unexpired office term at the next regular meeting.
- Section 3 -** Any member may resign upon giving written notice to the Chairperson or the Vice Chairperson. Notice will be provided to the CEO of the Participating Jurisdiction and a copy of said notice will be provided to the Community Development Department.
- Section 4 -** The Participating Jurisdiction is responsible for giving written notice to Charleston County's Deputy County Administrator for Finance when removal of a representative who sits on the Board is implemented by that jurisdiction.

ARTICLE VII - OFFICERS

Section 1 - There shall be a Chair and Vice Chair of the Board. Any Board member may serve in this capacity.

Section 2 - The Chairperson and Vice-Chairperson will be elected biennially at the Board's First annual meeting. They will hold office for two years or until their successors is elected. In any given year, the Chairperson and Vice-Chairperson will not be from the same governmental unit.

Staff designated by the Deputy County Administrator for Finance will serve as the Secretary and will be an "ex officio" non-voting member of the Council and its board. The duties of Treasurer are a governmental function and as such, no board member will serve as Treasurer.

Duties of the Chair:

2a - The Chair shall preside at all meetings of the Board, shall preserve order and decorum, and chair all meetings called by the Board.

2b - Unless the Board specifies otherwise, the Chair is empowered to appoint members to special committees formed by the Board.

Duties of the Vice Chair:

2c - In the absence of the Chair, the Vice Chair shall preside at meetings of the Board, if the Chair is unable to complete his or her term of office, the Vice Chair shall serve as Chair until the Board appoints a new Chairperson.

2d - In the absence of both the Chair and Vice Chair, the members shall select by motion a member to preside over the meeting.

Section 3 - The Board will adopt By-Laws, rules of procedures and rules for the conduct of its business, including provision for hearings and notice thereof.

Section 4 - Any officer may be removed by the Board at any time. Any officer may resign at any time by giving written notice to the Board Chairperson, Vice-Chairperson or Secretary. Resignations will take effect on the notice's receipt date. The acceptance of such resignation will not be necessary to make it effective.

Section 5 - In case of Chairpersons' resignation or death, the Vice-Chairman will perform duties as are imposed on the Chairperson until such time as the Board will appoint a new Chairperson.

Section 6 - The Secretary will certify and keep the original of these By-Laws as amended or otherwise altered to date; a book of minutes of all Board meetings; a membership book containing the name and address of all members; and, if applicable, meeting of Boards recording therein the meeting's time and place, whether regular or special, how call, how notice was given, the names of those present or represented at the meeting. Charleston County Community Development Department oversees the Consolidated Plan's financial status/accounts and makes reports to Board members and ensures that all notices are given under the provisions of these By-Laws or as required by law. The Secretary will exhibit, at reasonable times to any Committee member, on request, the By-Laws, the membership book and the minutes of the Committee's proceedings.

ARTICLE VIII – CONFLICT OF INTEREST

Section 1 - Whenever a Board member or Community Development staff member has a financial or personal interest in any matter coming before the Board, the affected person shall a) fully disclose the nature of the interest and b) withdraw from discussion, lobbying, and voting on the matter. Such a conflict would arise in the following situations:

- 1) When the individual, any member of the individual's immediate family, the individual's partner, or an organization that employs, or is about to employ, any of the above, has a financial or other interest in the firm or organization selected for an award;
- 2) When the individual is involved with the organization applying for HUD funding (i.e., is a Board member or employee of the organization, etc). However, if the Board member represents a city/town applying for funding, they are permitted to discuss and vote on the matter as long as they are not in conflict with (1) above.

Recusal of Self – Any Board member may recuse himself or herself at any time from involvement in any decision or discussion in which the Board member believes he or she has or may have a conflict of interest.

Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested Board members determine that it is in the best interest to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

In the event a potential conflict of interest is raised by a Board member, the Board Chairperson shall have the authority to deem the potential conflict non-prohibitive in the Board member's participation in the discussion, lobbying, and voting of the particular matter.

Section 2 - Any occurrence that may be considered a violation of Section I will be reported to the Board's Chairperson. Any individual identified in Section I will also report any contact by a contractor/applicant or prospective contractor/applicant that could be considered inappropriate as defined in Section 1, Article VIII.

Section 3 - All individuals identified in Section I, Article VIII will be required to sign, annually, a Conflict of Interest Statement adopted by the Board.

ARTICLE IX – FINANCES

Section 1 - The Board will recommend to County Council a program and proposed budget for each fiscal year. The fiscal year will be understood to mean the period beginning July 1 and ending on June 30, the following year.

ARTICLE X – AMDENDMENTS

Section 1 - The Board By-Laws will be amended only with a majority of the Board at a regular or a special meeting. No such amendment will be adopted unless at least five working days written notice thereof has been previously given to the Board members.

Henrietta J. Woodward

Print Name and Title [Board Chair]

Henrietta J. Woodward

Signature

February 11, 2020

Date