

# Rules and Procedures

BEAUFORT COUNTY COUNCIL

*As Amended On December 8, 2025*



[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Beaufort County Council  
Office of the Chairman  
Administration Building  
100 Ribaut Road  
P.O. Drawer 1228  
Beaufort, SC 29901-1228  
[beaufortcountysc.gov](http://beaufortcountysc.gov)  
843-255-2000

**RESOLUTION 2025/79**

**A RESOLUTION REPEALING AND REPLACING THE RULES AND PROCEDURES OF BEAUFORT COUNTY COUNCIL**

**WHEREAS**, South Carolina Code of Laws, Section 4-9-110 provides that Council shall determine its own rules and order of business; and

**WHEREAS**, on September 25, 1989, Beaufort County Council first adopted the Rules and Procedures of Beaufort County Council; and

**WHEREAS**, the Rules and Procedures which were originally adopted on September 25, 1989, have been amended, in piecemeal fashion, many times over the years since 1989; and

**WHEREAS**, Council has devoted many hours and much effort to reviewing and revising, in a comprehensive manner, its Rules and Procedures over the past several years and believes that the Rules and Procedures which are attached hereto as Exhibit "A" accurately restate and set forth the rules it wishes to follow and the manner in which Council wishes to conduct its business.

**NOW, THEREFORE, BE IT RESOLVED**, that Beaufort County Council does hereby repeal the Rules and Procedures of Beaufort County Council, which were originally adopted in 1989 and which have been amended to date, and replaces them with the Rules and Procedures as set forth in Exhibit "A."

Adopted this 8th day of December 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Alice Howard, Chair

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council

# CODE OF ETHICS FOR BEAUFORT COUNTY OFFICIALS

## **Ethical Principles**

Properly administer the affairs of Beaufort County. Promote decisions which only benefit the public interest. Actively promote public confidence in County government.

Keep all funds and other properties of Beaufort County safe.

Conduct and perform the duties of the office diligently and promptly dispose of the business of the County.

Maintain a positive image to pass constant public scrutiny.

Evaluate all decisions so the best service or product is obtained at a minimal cost without sacrificing quality fiscal responsibility.

Inject the prestige of the office into everyday dealings with the public, employees and associates.

Maintain a respectful attitude toward employees, other public officials, colleagues and associates.

Effectively and efficiently work with governmental agencies, political subdivisions, and other organizations in order to further the interests of the County.

Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

Respect and comply with the standards of the Council-Administrator form of government adopted in Beaufort County.

The ethical Beaufort County official should **not**:

Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.

Improperly influence, or attempt to influence, other officials to act in his or her own benefit.

Accept anything of value from any source which is offered to influence his or her action as a public official.

**The ethical County official accepts the responsibility that his or her mission is that of servant and steward to the public.**



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## Historical Background

*Section 4-9-100, Code of Laws of South Carolina, 1976, as amended.*

*Repealed and Replaced on December 8th, 2025*



*Chapter One*

## OFFICERS OF COUNCIL

Council shall elect a Chair and Vice Chair, for terms as hereinafter set forth on the first business day in January following each General Election.

### **A. CHAIR**

Council shall elect one of its members to serve as Chair-for a two-year term on the first business day in January following each County General Election. Nominations for Chair must be made by a Council member. Nominations will be reviewed in the order nominated. Six votes shall be required to elect.

The Chair shall preside at all regular and special meetings of Council, shall execute, on behalf of Council, all ordinances, resolutions, directives, deeds, bonds, contracts, and other official instruments or documents, and shall have such other duties and perform such functions as above set forth in these Rules and in the State Code. The Chair shall serve as an *ex-officio* member of each standing committee of Council and shall be entitled to vote but whose presence shall not be counted towards a quorum.

### **B. VICE-CHAIR**

On the first business day in January following each County General Election, Council shall also elect one of its members to serve as Vice Chair for a two-year term. Election of Vice Chair shall be in the same manner as set forth above for election of Chair. In the event the Chair shall be temporarily absent or unable to serve, the Vice Chair shall

serve as Chair in his stead.

### **C. RESIDENCY REQUIREMENTS**

Section 4-9-90 of the *Code of Laws of South Carolina, 1976*, as amended, provides generally for the election of members of County Council and for the replacement of members who do not serve a full term. Section 4-9-610, which is the provision for the Council-Administrator form of government, further provides that a County Council member must be a qualified elector of the County. The Code defines a qualified elector as one who is a resident in the district or the County in which he votes.

### **D. PARLIAMENTARIAN**

The Chair shall appoint one member of Council to serve as Parliamentarian. Absent an appointed parliamentarian, the Chair shall determine all parliamentary questions subject to appeal by any member of the body.

### **E. ADMINISTRATOR**

The Council shall employ an Administrator, not a member of Council, who shall be the administrative head of the County Government and shall be responsible for the administration of all the departments of the County Government which the Council has the authority to control. The Administrator shall be employed with regard to executive and administrative qualifications only, and need not be a resident of the County at the time of signing the contract with Council, but must be a resident within 2 months of that time. The term of employment of the Administrator shall be at the pleasure of the Council. If the Council determines to remove the County Administrator, the Administrator shall be given a written statement of the reasons alleged for the proposed removal and the right to a hearing thereon at a public meeting of the Council. Within five (5) days after the notice of removal is delivered to the Administrator, the Administrator may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than twenty (20) days nor later than thirty (30) days after the request is filed. The Administrator may

file with the Council a written reply not later than five (5) days before the hearing. The removal shall be stayed pending the decision after the public hearing.

1. **Powers and Duties:** The powers and duties of the Administrator shall include, but not be limited to the following:

- to serve as the chief administrative officer of the County Government;
- to execute the policies, directives, and legislative actions of the Council;
- to direct and coordinate operational agencies and administrative activities of the County Government;
- to prepare annual operating and capital improvement budgets for submission to the Council and in the exercise of these responsibilities the Administrator shall be empowered to require such reports, estimates and statistics on an annual or periodic basis as the Administrator deems necessary from all County departments and agencies;
- to supervise the expenditure of appropriated funds;
- to prepare annual, monthly and other reports for Council on finances and administrative activities of the County,
- to be responsible for the administration of County personnel policies, including salary and classification plans approved by Council,
- to be responsible for employment and discharge of personnel subject to the provisions of subsection (7) of Section 4-9-30 of the 1976 South Carolina Code of Laws, as amended, and subject to the appropriation of funds by the Council for that purpose;
- to perform such other duties as may be directed by the Council.

2. **Review:** The County Administrator shall be evaluated annually by the members of County Council. This process will be accomplished by the County Administrator and members of County Council, concluding with an executive session conference between these individuals to review performance and establish goals for the following year.

3. **Authority over Elected Officials:** With the exception of organizational policies established by the Council, the County Administrator shall exercise no authority over any elected officials of the County whose offices were created either by Constitution or by the general law of the state.

4. **No Direct Dealing with Employees:** Except for the purposes of official Council inquiries and investigations, the Council shall not deal with County officers and employees who are subject to the supervision of the County Administrator. Council Members shall deal solely through the Administrator, and neither the Council nor any of its members shall give orders or instructions to any such officers or employees.

5. **Absence or Disability:** During the extended absence due to illness or disability of the County Administrator, the Council shall designate another person to serve as acting County Administrator.

## F. CLERK TO COUNCIL

Council shall appoint a person, not a member of Council, to serve as Clerk for an indefinite term. The Clerk to Council shall keep a journal in which shall be recorded the minutes of Council's proceedings, which shall be open to public inspection. (Section 4-9-110 of the *Code of Laws of South Carolina*, 1976, as amended.)

## Chapter Two

# MEETINGS AND AGENDAS

### A. REGULAR / SPECIAL / COMMITTEE MEETINGS

Council shall give written notice of its regular meetings at the beginning of each calendar year. This should include the dates, times, and places of each meeting (Section 4-9-110 of the *Code of Laws of South Carolina*, 1976, as amended).

Agendas, committee meetings, and emergency meetings frequently pose problems for conforming with notice requirements. The agenda shall be posted as required by the South Carolina Freedom of Information Act (FOIA) at least 24 hours prior to meetings.

Council shall hold its regular meetings for the transaction of official business at least once each month in accordance with the schedule adopted by Council. Council members may attend committee or council meetings virtually. Council members are responsible for ensuring video and audio quality.

When attending virtually, the following rules shall apply:

1. Council members must have their video on at all times.
2. Council members must be visible throughout the duration of the meeting. Council members that are having technical difficulties must make the Clerk to Council aware.
3. Due to liability concerns, council members shall not operate motor vehicles while attending meetings.

Special meetings may be called by the Chair of Council, but no special meetings shall be held unless all members are notified at least 24 hours in advance of such meeting.

## **B. WORKSHOP SESSIONS**

1. The Chair and/or Committee Chair may call a workshop session, or such meeting may be scheduled as part of a regular council meeting.
2. All council members shall be given written notice of a workshop session that specifies the subject matter to be discussed at least five (5) business days before the meeting, except in emergency situations. Only those items mentioned in the notice or on the accompanying agenda shall be discussed at the workshop.
3. The primary purpose of a workshop session shall be to present in-depth information and to provide an opportunity for the council to raise questions for the purpose of making more informed decisions on complex issues that would take excess time during a regular meeting. No vote on any subject shall be taken during a workshop session.
4. Notice requirements of Rule 4 (SCAC) above for regular meetings shall be observed for Workshop Sessions, and all such workshop sessions shall comply with the requirements of FOIA. A quorum of Council or the committee members must be present to conduct the workshop.

## **C. EXECUTIVE SESSION**

1. The council may hold an executive session for any purpose permitted by FOIA, as amended from time to time. Members of the body participating in executive session are expected to keep the deliberations confidential and may face ethical violations or censure for breaches of confidentiality of executive session.
2. To hold an executive session, a motion must be made stating the purpose for which the executive session is to be had, seconded, and adopted to go into executive session for a permitted purpose. An Executive session shall end by consensus of the members present or

by the Chair's announcement at the end of executive session. Following the executive session, a public announcement should be made as to the general nature of the executive session.

3. No vote may be taken in executive session. When action is to be taken because of an executive session, it shall be taken by motion, second, and a majority vote of members present and in open session.

## **D. CONDUCT AT MEETINGS**

### **1. Pledge of Allegiance**

Every regularly scheduled Council meeting shall open with the Pledge of Allegiance to the Flag and follow with an invocation.

### **2. Decorum in Speaking**

Every member, when recognized by the Chair to speak, shall address the Chair and, in speaking, avoid disrespect to Council and any personalities and shall confine him/herself to the question under consideration. In debate, each member has the right to speak twice on the same question on the same day (except on an appeal) but cannot make a second speech on the same question if any member who has not spoken on that question desires the floor.

### **3. Censure**

The Chair or a Council Member can make a motion to penalize another member (including the Chair) only after the behavior has been noted in the record. The Council Member making the motion must include in the motion the reason(s) for the motion and proposed penalty. The motion must receive a super majority vote of present Council Members at the County Council meeting for approval. Penalties, when not specifically prohibited by law or ordinance, may include but are not limited to:

- A motion that the member apologize; and
- A motion to censure the member; and

- A motion that the member leave the chamber and not participate further during the remainder of the meeting.

#### **4. Addressing the Chair**

The Chair, when addressed by a member, shall recognize the member by name, using no title but that of “Mr.,” “Mrs.,” “Miss,” “Ms.,” “Councilman,” “Councilwoman,” or “Councilmember”. The member first recognized shall be first heard; and if several address the Chair at the same time, the Chair shall decide who is first to speak and shall recognize such member.

#### **5. Public Comment**

An opportunity for public comment is provided by the Chair and shall be limited to thirty (30) minutes.

- People desiring to participate during the public comment segment shall notify the Clerk to Council of their intention before or at the meeting's scheduled time of commencement. The clerk shall be provided with the speaker's name, and the topic of discussion. Time before council shall be allocated on a first-come first served basis.
- A speaker shall be permitted no more than three (3) minutes to complete their comments to council.
- There shall be no predetermined number of people permitted to address council during the public comment segment. Council may extend the public comment period based on a motion and vote.
- This rule is not applicable to and does not restrict the public's right to comment during the public hearing segment of council's consideration of a specific ordinance.
- Giving a speaker's time to another is not allowed.
- Council will listen during public comment but not respond.

#### **6. Recognition of Person(s)**

When any person, including employees of Council and the

County, are heard, that person, when they have completed their presentation, shall be seated, and no person other than a member of Council will be recognized to make any statement on such matter unless requested to do so by Council or by any member of Council through the Chair.

#### **7. Items Added After a Posted Agenda**

- A two-thirds vote of the members present and voting shall be required to add an item to an agenda after the agenda has been posted.
- A two-thirds vote and a finding of exigent circumstances is required before final action can be taken on an item which is added to an agenda after an agenda is posted. The exigent circumstances cannot be of Council's creation.

11 votes - 8 required

10 votes - 7 required

9 votes - 6 required

8 votes - 6 required

7 votes - 5 required

6 votes - 4 required

#### **E. PARLIAMENTARY PROCEDURE**

Meetings of Council shall be conducted in accordance with *South Carolina Association of Counties Model Rules of Parliamentary Procedures followed by Robert's Rules of Order Newly Revised*.

#### **F. AGENDA**

Every public meeting shall have an agenda. The clerk to council, will compile the agenda at the direction of the council chair and or committee chair in consultation with the Administrator. The agenda shall be posted, pursuant to Rule 4 (*SCAC Model Rules of Parliamentary Procedure*) and as required

by FOIA, at least 24 hours prior to meetings. A copy of the agenda shall be provided as part of the notice given to any person, organization, or news media requesting notification of county council meetings. The agenda will designate the time and location of the meeting and the type of meeting such as council session, committee meeting, public hearing, public comment, workshop, or emergency session.

A single council member may submit matters for consideration by the full council by providing the appropriate documentation at least seven (7) calendar days prior to the council meeting in question. The requirement for appropriate documentation is not necessary for matters which impact a particular district only. The Chair of the county council has the sole discretion to determine whether an item as submitted meets the requirements of these rules. The agenda for any committee meeting committee Chair has the sole discretion to determine whether an item as submitted meets the requirements of these rules. To place an item on the agenda, unless referred to the committee by council or the Chair of council.

## **G. MATTERS NOT WITHIN COUNCIL'S JURISDICTION**

All matters entered on the agenda or heard by council must be within council's authority or jurisdiction, except that council may entertain a request to make recommendations to other governmental bodies, departments, or agencies. Council may entertain requests to make recommendations to other governmental bodies, departments, or agencies.

## **H. CONSENT AGENDAS**

Consent agendas (called a consent calendar in RONR) are used to more quickly dispose of routine business by allowing the council to approve more than one item at the same time, and without debate, amendment, or individual motions. The council Chair may present a consent agenda at the beginning of council meetings. Only routine or

noncontroversial items are listed under a consent agenda. If a council member requests discussion about a particular item, that item must be removed from the consent agenda and placed on the regular agenda to be discussed later in the meeting. Removing an item from the consent agenda should be done prior to approving the agenda at the beginning of the meeting.

A council member who has a question about a consent agenda item should request the information before the meeting. An item shall not be removed from the consent agenda just to answer a question. Clarification should be provided to all council members to ensure each one has the same information before the meeting.

### **1. Agenda Package**

Packages are prepared and distributed no later than the Friday immediately preceding the council meeting. Background information pertaining to agenda items shall be included in the package. Council members are expected to review agendas and agenda backup item materials. No additional information may be handed to the Clerk the day of the meeting.

### **2. Potential Agenda Items**

The Clerk to Council shall maintain a log of potential agenda items for upcoming meetings, particular reference being made to Ordinance readings.

### **3. Request for Agenda Time**

Any person requesting agenda time, including Council members, must submit their request to the Chair, County Administrator, or Clerk to Council, plus backup material, 5 business days prior to the Council meeting.

# I. APPOINTMENTS TO AGENCIES, BOARDS, COMMISSIONS AND AUTHORITIES

## 1. Notification

The Clerk to Council shall notify all Council members thirty (30) days prior to the expiration date of any Board member's term or within ten (10) days after receipt of a Board member's resignation. Council members will have thirty (30) days to provide names and appropriate documentation (application and resume) for consideration to the appropriate Standing Committee. The thirty (30) days will begin on the date the Clerk to Council has notified Council of the vacancy.

## 2. Nominations

- The Executive Committee shall review all applications on file and select nominee(s) to be submitted to full Council. Interviews shall be scheduled at the request of the Chair of the Executive Committee. Some situations require technical or other special qualifications are required within the Charter for appointment, the Executive Committee will review and analyze the technical qualifications of the applicant(s) and will recommend and forward to Council only those names of qualified candidates.
- The Executive Committee shall nominate at a subsequent full council meeting, the candidate(s) for membership. Once the floor is open for nominations, any Council member may place a name in nomination.

*Chapter Three*

**APPEARANCES,  
PRESENTATIONS, AND  
PETITIONS TO COUNCIL**

**A. PRESENTATIONS AND PETITIONS**

Any person desiring to present to Council may do so by submitting a written request to be heard to the Clerk to Council no later than one week (5 business days) prior to the meeting. A time limit of 10 minutes per presentation will be enforced.

1. In the event a presentation should be made on behalf of an organization or group of persons, the organization or group will designate one spokesman to make the presentation.

*Chapter Four*

## **STANDING COMMITTEES AND AD HOC COMMITTEES**

### **A. SCHEDULING MEETINGS**

All members of Council are welcome to attend any committee meeting. Non-committee members shall be able to participate in the discussion and vote but they do not count towards the quorum.

### **B. ASSIGNMENTS**

All committees, subcommittees, chairmanship, and tasks shall emanate from the Chair. Upon approval by the Chair, the County Administrator may assign to a Committee or Ad Hoc Committee specific requests and/or tasks which emerge either from Council discussions, incoming correspondence, or memoranda. Each assignment shall be added to the appropriate committee's work-in-progress and completed status report.

### **C. REPORTING**

From each committee meeting, complete minutes shall be produced, posted on the county website, and distributed to all Council members.



## *Chapter Five*

# ORDINANCES

Legislative actions of Council are called ordinances. An ordinance may be introduced by any member (§4-9-120). Except for Emergency Ordinances (reference paragraph G) all ordinances must be read at three public meetings of Council on three separate days, with an interval not less than seven days between the second and third readings. When substantive modifications or amendments to an ordinance are proposed after second reading, the Chair shall remand the ordinance for an additional reading. All Council proceedings must be recorded, and ordinances adopted by Council must be compiled, indexed, codified, published, and made available for public inspection at the Office of County Council (§4-9-130). Public hearings or notice must be held in certain instances: adoption of standard codes or technical regulations and furnishing copies thereof, emergency ordinances (§4-9-110).

### **A. NEED FOR PUBLIC HEARING**

Public hearings are the method required by the Home Rule Act for county council to gain input from the public at large. Members of council should refrain from making comments during the public hearing and should neither enter debate with the public nor with other council members during the public hearing. Public hearings are required before final action is taken to:

1. Adopt annual operations and capital budgets;
2. Make appropriations, including supplemental appropriations;

3. Adopt building, housing, electrical, plumbing, gas, and all other regulatory codes;
4. Adopt zoning and subdivision regulations;
5. Levy taxes
6. Sell, lease, or contract to sell or lease real property owned by the county;
7. Impose ad valorem property taxes upon a fire service area;  
or
8. Provide for the distribution of assets following the abolishment of a special purpose tax district.

Final action for any of the first six matters must be in the form of an ordinance. A minimum of 15-days' notice of the time and place of the hearing must be published in at least one newspaper of general circulation in the county prior to conducting a public hearing for any of the previously discussed categories of ordinances.

Items 7 and 8 are addressed by S.C. Code §§ 4-19-20 and 4-9-85. Notice for item 7 must be provided once a week for three successive weeks in a paper of general circulation in the county, and the hearing must not occur fewer than 16 days following the first notice. Item 8 requires at least two public hearings within 10 days prior notice to be published in a newspaper of general circulation prior to each meeting. Following the abolishment of a special purpose district located within the county, two public hearings are required prior to distributing assets and/or refunding taxes.

Ordinances not dealing with one of the eight enumerated subjects do not require a public hearing.

## **B. NOTICE OF PUBLIC HEARING**

No less than fifteen days' notice of the time and place of such hearings shall be published in at least one newspaper of general circulation in the County.

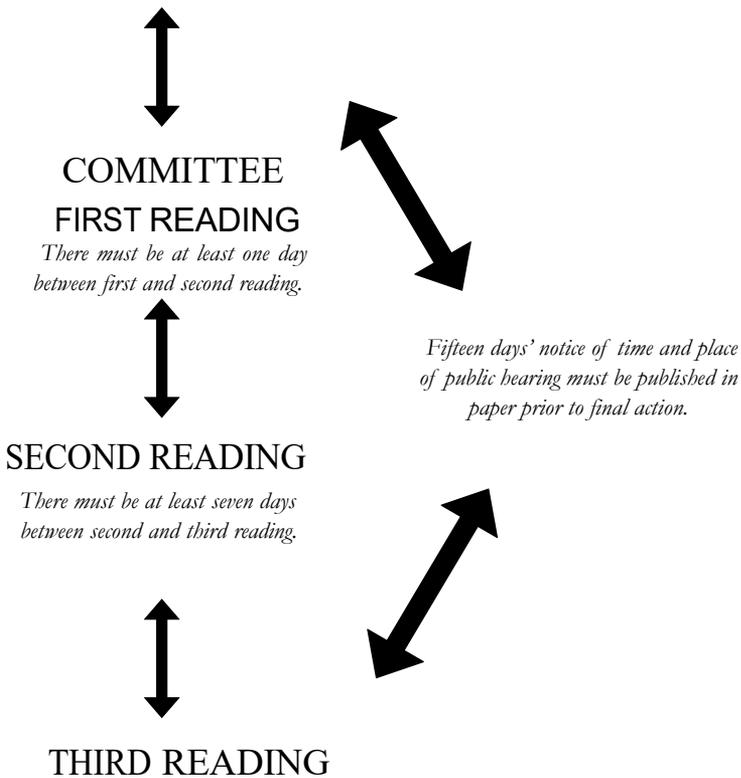
**C. HANDICAP ACCESSIBILITY**

All public hearings shall be held at locations accessible to the handicapped.

**D. SCRIVENER’S ERRORS**

Motions to correct scrivener’s errors may be made to an existing ordinance and/or approved minutes with 8 votes of Council.

**E. FLOW CHART OF ORDINANCE PASSAGE**



## **F. PASSAGE OF EMERGENCY ORDINANCES**

To meet public emergencies affecting life, health, safety, or the property of the people, Council may adopt Emergency Ordinances. They may not, however, be used to levy taxes, grant, renew or extend a franchise, or impose or change a service rate.

1. Every Emergency Ordinance shall be designated as such and shall contain a declaration that an emergency exists and describe the emergency.
2. Every Emergency Ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of Council present.
3. An Emergency Ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements.
4. Emergency Ordinances shall expire automatically as of the 61<sup>st</sup> day following the date of enactment.



## *Chapter Six*

# CONFLICT OF INTEREST

1. Any member of Council who has a substantial interest in any business which contracts with the County for sale or lease of land, materials, supplies, equipment, or services, or who personally engages in such matters, shall make known that interest and refrain from voting upon or otherwise participating in his/her capacity as a member of Council in matters related thereto.

2. No member of Council and no business with which a member of Council is associated shall enter into any contract with a governmental agency or department which is to be paid in whole or in part out of government funds unless the contract has been awarded through a process of public notice and competitive bidding.

### **Recusal**

3. Any member of Council who has a business interest in any matter before Council, or who has a business or ownership interest in any property or business that will be or may be directly affected by any ordinance or action item pending by Council, shall fully disclose on the record such business or ownership interest prior to casting any vote on the matter.

4. Complete and submit the “Beaufort County Statement of Conflict of Interest” form and file it with the Clerk to Council.

## *Chapter Seven*

# TRAVEL AND EXPENSE REIMBURSEMENT

## A. POLICY

Attendance of Council members at seminars, conferences, etc. is encouraged. Advance permission must be secured from the Chair. Reimbursement will be made only upon presentation of a County requisition form to the Finance Department along with supporting receipts and statements. The Finance Department shall maintain a list of mileage to various locations from Beaufort and reimburse only the mileage for the shortest distance on their list. All mileage claims must be submitted within 30 days from the month prior to be eligible for reimbursement.

## B. TRAVEL

### 1. **Private Automobile**

Council shall be reimbursed mileage equal to the rate established by the Internal Revenue Service (IRS). When two or more Council members travel in the same vehicle, only the individual owner of the vehicle being used shall be reimbursed mileage.

### 2. **Commercial**

- **Airplane-** The County shall pay round-trip economy class fare for Council Members attending County-related functions. In the event that economy class fare is not available on any reasonable travel schedule, the County shall pay the entire cost of the lowest fare available.

- **Bus and Train-** The County shall pay the total round-trip fare for Council attending County related functions.
- **Additional Expenses-** The County shall pay for the actual cost of the trips from airports to hotel/motel and return; hotel/motel to place of function (if not the same) and return.

### C. EXPENSES

- **Registration-** The County will pay the registration costs for authorized conventions, conferences, and seminars.
- **Per Diem-** Council members traveling outside the county on county business shall receive reimbursement for meals and County-related expenses in accordance with the U.S. General Services Administration (GSA)
- **Official County Meetings-** Reimbursement for official County conferences or meetings must be approved by the Chair prior to attendance of the conference or meeting.

### D. PAYMENTS

Documentation required by the Finance Department must be presented to the Finance Department within five (5) working days after return.

