DAUFUSKIE ISLAND COUNCIL

BYLAWS CHANGE OPTION 4

Enhanced Vote for Major Policy Actions

Fact Sheet - 80% standard, $100,000 public-funds threshold, and draft bylaw language

What is being proposed?

If the Council is reduced to five members, most ordinary Council action could be taken by three affirmative votes when a quorum is present. This option would require broader agreement for specified Major Policy Actions while leaving routine Council business under the ordinary voting rule.

Core safeguard: A Major Policy Action would require at least 80% of all Council Members then holding office, but never fewer than four affirmative votes. With a five-member Council, that means four votes.

Why define “Major Policy Action” objectively?

Terms such as “important issue” or “major decision” can invite disagreement. The proposed language therefore uses objective triggers where possible. The $100,000 public-funds threshold supplies a clear financial test, while additional categories cover highly consequential changes that may not have a single easily identified dollar amount.

Actions that would trigger the enhanced vote

- a Daufuskie-related public project, program, proposal, governmental action, or related undertaking involving $100,000 or more in County, State, Federal, or other public funds;
- creation or material increase of a tax, fee, assessment, or similar governmental charge affecting Daufuskie residents, businesses, or property owners;
- a substantial change in ferry service, public transportation, roads, public infrastructure, emergency services, or another significant governmental service; or
- another governmental policy or action reasonably expected to have a substantial island-wide financial, operational, or community impact.

Routine administrative matters, requests for information, ordinary communications with governmental officials, procedural motions, and other actions outside the definition would remain subject to the ordinary voting requirements.

DRAFT NEW BYLAW LANGUAGE

4.7A Major Policy Actions; Enhanced Vote Requirement.

(a) Notwithstanding Section 4.7 or any other provision of these bylaws, a Major Policy Action shall require the affirmative vote of at least eighty percent (80%) of all Council Members then holding office, but in no event fewer than four (4) affirmative votes. If fewer than four (4) Council Members are then holding office, the Council may discuss a Major Policy Action but may not adopt, endorse, oppose, or formally recommend it until at least four (4) Council Members are holding office.

(b) For purposes of this section, a "Major Policy Action" means a formal Council resolution, endorsement, opposition, or recommendation concerning: (1) any single project, program, proposal, governmental action, or series of related actions reasonably constituting one undertaking, involving an expenditure of one hundred thousand dollars ($100,000) or more in County, State, Federal, or other public funds and primarily intended to serve, affect, or be implemented on Daufuskie Island; (2) the creation or material increase of any tax, fee, assessment, or similar governmental charge affecting Daufuskie Island residents, businesses, or property owners; (3) a substantial change in ferry service, public transportation, roads, public infrastructure, emergency services, or another significant governmental service provided to Daufuskie Island; or (4) another governmental policy or action reasonably expected to have a substantial island-wide financial, operational, or community impact on Daufuskie Island.

(c) Routine Council business, administrative matters, requests for information, communications with governmental officials, procedural motions, and other actions not meeting the definition of a Major Policy Action remain subject to the ordinary voting requirements of these bylaws.

(d) If the applicability of this section to a proposed Council action is disputed, a determination that the proposed action is not a Major Policy Action shall require at least four (4) affirmative votes.

Why subsection (d) is included

Without a classification rule, a simple majority could potentially avoid the enhanced standard by first declaring that a disputed item is not a Major Policy Action. Subsection (d) prevents that result by requiring four members to agree that the enhanced standard does not apply when the classification itself is disputed.

Source Documents / Legal Framework

Daufuskie Island Council Bylaws, especially Section 4.7; Daufuskie Island Council Articles of Incorporation; South Carolina Nonprofit Corporation Act, including provisions permitting bylaws to establish a greater voting requirement for directors.