

SAMPLE RULES OF PROCEDURE

RULE 1

CONVENING THE BOARD

There shall be at least four (4) regular meetings of the Board of County Commissioners (Board) each year. Such regular meetings shall be held at the time, day and place set by resolution of the Board. Should an emergency or other condition arise, such as inclement weather, such that a meeting cannot be held on the designated day, the Board shall reschedule the meeting by [FILL IN WITH PROCEDURE TO RESCHEDULE MEETING]. Notification of the members for regular meetings shall be left to the discretion of the Chairperson and County Clerk.

RULE 2

QUORUM

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Board. Vacancies shall not be included in determining the membership of the Board.

RULE 3

ORDER OF BUSINESS

1. Call to order by Chairperson. In the absence of the Chairperson, the Chairperson Pro Tempore shall preside. In the absence of both the Chairperson and Chairperson Pro Tempore, the County Clerk shall call the meeting to order, and the Board shall then appoint a temporary Chair to run the meeting.
2. Invocation and Pledge to the Flag
3. Roll call
4. Reading and approval of the minutes
5. Public Comment Period
6. Resolutions for special recognition, memorials, etc.
7. Elections, appointments and confirmations
8. Reports - county officials, standing and special committees

9. Unfinished business
10. New business
11. Announcement and statements
12. Adjournment

RULE 4

PUBLIC COMMENT PERIOD

A 30-minute time period will be set aside for citizen comment at each regularly scheduled and special-called meeting. Those interested in participating should sign up (name, address and phone number) to speak prior to the meeting. A sign-up sheet will be placed on the podium 30 minutes prior to the beginning of the meeting. Requests to speak will be honored in the order in which they appear on the sign-up sheet. Should more than ten (10) individuals sign up to speak, the 30-minute time period will be evenly divided among all speakers. Comments will be limited to three (3) minutes per person or group. If there is more than one person speaking to the same subject, they should designate a spokesperson for the group. No personal attacks will be permitted, and no votes will be taken on any non-agenda items that meeting. The Chairperson shall have the right to rule any person out of order when, in the Chair's discretion, the speaker's comments are deemed to be inappropriate.

RULE 5

GENERAL

5A. WHO MAY ADDRESS THE BOARD: It is a commissioner's right to address the Chairperson and the Board at any appropriate time after proper recognition by the Chairperson. It may be allowable for non-commission members to address the Board outside of the public comment period if a majority of the membership votes to allow such participation. The Chairperson may set a limit on the time a non-commission member may be allowed to speak.

5B. GAINING THE FLOOR: In all cases, the member who shall first rise and address the Chairperson shall be entitled to speak first; but when two or more members shall rise and address the Chairperson at the same time, the Chairperson shall name the member who shall speak first.

5C. SPEAKING: When any member is about to speak in debate, discussion or deliver any address on any matter whatsoever to the Board, the member shall rise and respectfully

address the Chairperson and shall, after being recognized by the Chairperson proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities.

5D. CONSENT TO YIELD: While a member is speaking, they are not to be interrupted, except for a question by another member. If the speaker declines to yield the floor for a question, then they shall not be interrupted, but shall yield to questions at the end of the presentation.

5E. POINTS OF ORDER: If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairperson shall, or any member may, call to order, in which case the member so called to order shall immediately sit down. When the point of order has been decided by the Chairperson, the member having the floor can proceed, subject to the decision made.

5F. APPEAL ON RULING: Any member of the Board may appeal to the Board from the ruling of the Chairperson, and a majority vote of the members present shall decide the appeal.

RULE 6

MOTIONS

6A. INTRODUCTION AND DEBATE: Motions may be made only by members. No motion shall be debated until the same is seconded and stated by the Chairperson.

6B. MOTIONS IN WRITING: When a motion is made and seconded, it shall be reduced to writing by the County Clerk and read by the Chairperson prior to any debate or vote.

6C. REQUIRING ROLL CALL: Motions shall be put to the Board for a voice vote, by the Chairperson; provided however, any three members of the Board may require a roll call by raising of hand or indicating otherwise.

RULE 7

RESOLUTIONS

7A. INTRODUCTION: Any proposed resolution may be introduced only by a member of the Board, and the County Clerk or Chairperson shall not receive or file any resolution that is not reduced to writing and signed by at least two members of the Board.

7B. AUTHOR: A resolution may have as many signatures as there are members of the Board. However, the first two signatures on the resolution shall be deemed the authors for the purpose of debate.

7C. ROLL CALL VOTE: Resolutions shall be put to the Board for a roll call vote by the County Clerk. Each member shall vote "yes" or "no" on its passage when the County Clerk calls his/her name.

7D. CHANGING VOTE: Any member of the Board may change their vote before the results of a roll call are announced by the County Clerk. It shall be the duty of the County Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if anyone who has voted wishes to change his/her vote. Then, the results shall be announced by the County Clerk.

7E. SUCCESSFUL RESOLUTIONS: All successful resolutions shall be submitted to the Chairperson for his/her signature and attested by the signature of the County Clerk. The resolution along with the vote of the members shall then be submitted to the County Mayor, within five days of its passage, for their consideration.

RULE 8

ELECTIONS AND APPOINTMENTS

8A. ELECTIONS AND NOMINATIONS FROM THE FLOOR: When the Chairperson is to receive nominations from the floor, a member may nominate only one person. The floor will be kept open until every member has had an opportunity to make nominations or until a motion has been made and seconded that nominations cease and a majority of those present so vote.

8B. APPOINTMENTS AND CONFIRMATIONS: When the Board is called upon to appoint someone from a list of nominees (such as a county medical examiner) or to confirm an appointee of the County Mayor (such as a department head) then the name or names of those being considered for the position shall be read to the membership and discussion of each such appointee shall follow.

8C. ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by voice vote as each member's name is called by the County Clerk. If the vote is on confirmation of an appointee each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the full Board is required for election or confirmation.

8D. SECOND BALLOT: If no one is elected on a given ballot, the nominee receiving the smallest number of votes will be dropped and the vote will be taken again until a nominee is elected by the required majority of the membership.

RULE 9

COMMITTEE MEMBERSHIP

NOMINATING COMMITTEE: The Chairperson shall, at the _____ meeting, appoint a nominating committee from the membership of the Board. It shall be the duty of this nominating committee to recommend Board members for appointment to the standing committees of the Board. This committee shall make its report and recommendations to the full Board at the _____ meeting. However, members of the Board may also make committee nominations from the floor. All standing committees shall be elected annually at the regular _____ meeting.

RULE 10

APPROPRIATION REQUESTS

REQUESTS FOR APPROPRIATION: Requests for appropriations in addition to those within the annual budget shall be submitted in the following manner:

- The request shall be submitted in writing to the appropriate committee of the Board and shall reflect the estimated cost which shall be attached to the proposed resolution.
- All requests for appropriations falling in this area shall be summarized and submitted in writing to each member of the Board at least seven days prior to the regular or called meeting such request is to be submitted.
- The committee to which the request has been referred shall in open meeting of the Board, assume one of the following positions: (1) Adoption recommended (2) Rejection recommended or (3) Submitted to the Board without recommendation.
- The budget committee chairperson or a member designated by them shall advise the Board as to fund availability before a vote is taken on appropriations in any amount which are in addition to those of the annual budget.
- The resolution requesting such appropriations shall be voted upon by membership of the Board as provided by Rule 7 of these rules.

RULE 11

SUSPENDING THE RULES

Any rule or rules may be suspended by a majority vote of the Board.

RULE 12

ROBERT'S RULES OF ORDER

All matters not covered herein shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition.

RULE 13

THE CHAIRPERSON

13A. ELECTION: Annually, at its September regular meeting the Board shall elect a Chairperson and a Chairperson Pro Tempore. The Chairperson may be a member of the Board or the County Mayor. If the Board elects as its Chairperson the County Mayor and they accept the position, then the County Mayor shall relinquish their veto power.

13B. VOTING BY THE CHAIRPERSON: The County Mayor Chairperson may vote only in the case of a tie. A Member Chairperson may vote on all issues coming before the body, just as any other member.

13C. CALL TO ORDER: The Board shall be called to order by the Chairperson. In the absence of the Chairperson, the Chairperson Pro Tempore shall preside. In the absence of the Chairperson Pro Tempore, the Board shall be called to order by the County Clerk, and the Board shall elect one of its members to preside over the deliberations.

13D. SPEAKING: Should the Chairperson desire to speak upon any subject in the negative or the affirmative, they may do so, provided they vacate the chair. Whereupon the Chairperson Pro Tempore shall preside until the matter under consideration is disposed of by the Board. However, the Chairperson may answer questions, provide information, and give explanations from the chair, the Board not objecting.

13E. PRESERVE ORDER: The Chairperson shall preserve order and decorum. The Chairperson may speak to points of order in preference to other members, rising from their seat for that purpose. The Chairperson shall decide questions of order, subject to an appeal to the Board of any member.

13F. ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject the Chairperson shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

13G. MOTIONS: Once a motion has been made and duly seconded, the Chairperson shall state the motion so that debate on the motion may begin.

13H. CLARIFICATION: The Chairperson shall rise to state or put a question and shall clearly state the question before the Board before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.

13I. AGENDA: The Chairperson shall forward to each member of the Board the agenda of the next Board meeting not less than five days prior to meeting date. The County Clerk shall publish the agenda on the county's website at least forty-eight (48) hours prior to the meeting.

RULE 14

THE COUNTY CLERK

14A. NOTICE: The County Clerk shall notify each member of the Board of any special or called meetings not less than five days in advance thereof. Notification of regular meetings shall be within the discretion of the County Clerk and the Chairperson.

14B. MINUTES: The County Clerk shall reduce the minutes of each Board meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes shall be prepared within ten (10) business days after said meeting and be maintained by the County Clerk and available for public inspection. A copy of the minutes of the last meeting shall be forwarded to each board member with the prepared agenda or meeting notice.

14C. RESOLUTIONS: A copy of all resolutions approved by the Board shall be submitted to the County Mayor, within five days after such approval, for their consideration and signature.

14D. ROLL CALL: In all instances involving authorization to expend public funds, the County Clerk shall call the roll for "yes" and "no" votes. In all instances where the roll is called for any vote, the County Clerk shall make such roll call and the vote of each member a part of the record of the meeting and include it in the official minutes.

14E. CHANGE OF VOTE: It shall be the duty of the County Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any member who has voted wishes to change his vote. Subsequently, the County Clerk shall announce the results.

RULE 15

SHERIFF

The Sheriff or a designated deputy shall attend each session of the Board. That officer shall preserve order and carry out orders of the presiding officer of the Board.

RULE 16

COUNTY ATTORNEY

The County Attorney shall, as legal consultant, attend all meetings of the Board. It shall be the duty of the County Attorney to voice their negative opinion when, in their opinion, the Board is in the process of acting outside of its jurisdiction, or in any manner proceeding illegally, and to give his/her legal opinion on any subject where such guidance is requested by the Chairperson.

RULE 17

COMMITTEES

All committees, standing and temporary, shall meet and elect from their membership a Chairperson and a Secretary to record the minutes of the committee meetings. All committee chairpersons shall contact the County Attorney on matters appearing to warrant legal evaluation prior to presentation to the Board. Should questions arise as to jurisdiction of any committee, it shall be referred to the Board Chairperson and/or to the County Attorney for determination, subject to an appeal to the Board at its next regular meeting.

The following procedure shall be followed for committee reports and related action:

1. The committee chairperson or a member designated by them shall make the presentation in an open meeting of the Board.
2. Upon completion of a report the speaker shall yield to questions.
3. There shall be a vote on the proposition when discussion is complete and when there is a call for the question by the Board.

If for any reason the chairperson of a committee fails or refuses to call a meeting, the Chairperson of the Board, or a majority of the committee membership may do so.

RULE 18

CONFLICT WITH LAW

In the event any of the foregoing rules are determined to be in conflict with statutory provisions, then that part in conflict shall be deemed null and void.