

Rules of Procedure Houston County Commission

I. Scope of Rules.

A. The following Rules of Procedures were duly adopted by the Houston County Commission as required by the Alabama Open Meetings Act (Act 2005-40) and shall govern the conduct of the meetings of the County Commission beginning on the 1st day of October 2005 and as amended and approved by the Commission from time to time.

B. The following Rules of Procedure may be amended by affirmative vote of a majority of the members of the Commission. Provided; however, such changes in the Rules of Procedure shall not take affect until the next regular meeting of the Commission following the adoption of such change.

II. Access to Meeting Facilities.

A. Meetings Open to Public. All regular meetings of the Commission shall be open to the public as required by the Alabama Open Meetings Act (Act 2005-40).

B. Accessibility. All regular meetings of the Commission will be conducted in a building, which is open to the public.

C. Signs, Placards, Banners. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures shall be allowed in County Commission meeting rooms. Other signs, placards, banners, shall not disrupt meetings or interfere with others' ability to observe the meeting.

III. Quorum.

A. Quorum. A majority of the members of the Commission shall constitute a quorum. No ordinance, resolution, policy, or motion shall be voted on and approved by the Commission unless a quorum is present in the meeting chamber while the vote is taken and the matter is approved by an affirmative vote of the majority of the members present and voting, unless otherwise required by Alabama law or these rules of procedure.

B. Remaining in Chamber. During a Commission meeting, Commissioners should remain in the Chambers at all times unless an emergency or illness should occur. A member of the Commission who leaves the meeting chamber shall not be included in the determination of quorum.

C. Abstaining from Voting. Any member of the Commission who is present in the meeting chamber may, when he or she determines it to be necessary, abstain from voting or otherwise participating in the proceedings related to a particular matter. Such commissioner who abstains but remains in the chamber shall be deemed to be present for the purpose of constituting a quorum but he or she shall not be deemed to be "present and voting" for the purpose of determining whether a motion has received an adequate number of affirmative votes for passage.

D. Loss of Quorum. In the event that a Commissioner departs a Commission meeting prior to adjournment, and the departure causes a loss of quorum, no further official action may be taken until or unless a quorum is restored, except to vote on a vote to adjourn. If, after a reasonable time not to exceed 15 minutes, the commission still lacks a quorum of its members, the meeting shall be automatically adjourned.

E. Failure to Obtain Quorum. Should no quorum attend within 30 minutes after the time appointed for the beginning of the meeting of the Commission, the Chair or the Vice Chair, or in their absence, another Commissioner, in order of seniority, shall announce that no quorum was present and that the meeting is cancelled. The names of the members present for the meeting shall be recorded in the minutes of the next meeting of the commission.

IV. Presiding Officer.

A. Chairman. The Presiding Officer is the Chairman of the County Commission. The Chairman presides at all meetings of the Commission. The Chairman's responsibilities shall include, but not be solely limited to:

1. Call the meeting to order and ascertained that a quorum is present at the proper time.
2. Recognize all Commissioners, the County Administrator, the County Engineer and the County Attorney, who seek the floor pursuant to these procedures. All questions and comments are to be directed through the Chairman and restated by him or her as may be deemed necessary or helpful by the Chairman. The Chairman shall repeat every motion and state every question coming before the Commission, call for the vote and announce the decision of the Commission on all matters coming before it.
3. Preserve decorum and order, and in case of disturbance or disorderly conduct in the Commission Chambers, may cause the same to be cleared or cause any disruptive individual to be removed.
4. Call to order any member of the Commission who violates any of these procedures.
5. Expedite business in every way compatible with the rights of the members.
6. The Chairman must remain objective and may only vote as provided in these Rules of Procedures.
7. Declare the meeting adjourned when the Commission so votes, when a quorum is no longer present or at any time in the event of an emergency affecting the safety of those present.

B. Acting Chairman. In the absence of the Chairman or in the event of the Chairman's inability to serve, the Chairman may designate an acting Chairman who shall perform the duties and functions of the Chairman until the Chairman's return.

V. Order of Business.

A. Official Agenda. There shall be an official agenda for every meeting of the Commission, including special and emergency meetings. As provided in Alabama law, the official agenda for special and emergency meetings shall include only those items necessitating the holding of the special or emergency meeting.

The agenda for regularly-scheduled meetings shall identify the items to be considered and determine the order of business to be conducted at the meeting. All proceedings and the order of business at all meetings of the Commission shall be conducted in accordance with the official agenda. The agenda for the regularly-scheduled meeting shall be established at the Administrative Meeting held on the Thursday prior to each regularly-scheduled meeting. These procedures may be amended or altered by the County Commission, but such changes shall not take effect until the next regularly-scheduled meeting of the County Commission.

B. Agenda Format for Regularly-Scheduled Meetings. The official agenda for a regularly-scheduled Commission meeting shall be in substantially the form as set forth below:

1. Call to Order, Establish that Quorum is present, and Welcome
2. Invocation and Pledge of Allegiance
3. Announcements and Public Comment from Chairman and Commissioners.
4. Awards and Presentations
5. Consent Agenda
6. Regular Agenda
7. Reports from Staff:
 - a. County Administrator
 - b. County Engineers
 - c. County Attorney
 - d. Other
8. Any Scheduled Public Hearings
9. Adjourn

C. Consent Agenda. On the portion of the agenda designated as "Consent," all items contained therein may be voted on with one motion. Consent items are only those items considered to be routine in nature, non-controversial and that do not deviate from past Commission direction or policy. However, any member of the Commission, including the Chair, may withdraw an item from the consent agenda. An item removed from the "Consent" agenda as provided herein shall be moved to the "Regular Agenda" portion of the agenda and it shall then be considered individually.

D. Public Comment from Citizens and Other Elected Officials. Citizens and other elected officials who wish to be heard by the Commission on items of a general nature shall be afforded such opportunity during the Administrative Meeting held on Thursday in advance of the Official Commission Meeting. The Administrative Meeting is held for the purpose of establishing the Official Meeting Agenda. There shall be no debate and no action by the County Commission during this portion of the Administrative Meeting agenda. If no Administrative Meeting is held in advance of the Official Meeting, the comment period shall be held on the day of the Official Meeting but before the Official Meeting is called to order.

Citizens who wish to be heard by the Commission on Official Meeting agenda items shall be afforded such opportunity when discussion is requested on each agenda item. All comments shall conform to the requirements of decorum and order that apply to the members of the commission and the Chairman shall take whatever steps are necessary (including the removal of any citizen or other elected official) to preserve such decorum and order. Comments shall be addressed to the County Commission and shall not include any personal or other comments addressed at any member of the County Commission or commission employee.

E. Reports from Staff. The senior staff members shall make reports to the County Commission as directed by the Chairman. The Commission may, by unanimous vote of those members in attendance at the meeting, take action on any items contained in the report of the staff members.

F. Scheduled Public Hearings. The County Commission may conduct any public hearings during this portion of the commission meeting. Any notice required by law prior to the conduct of the public hearing shall be given by the County Commission.

Individual speakers are required to adhere to a five (5) minute time limit when speaking on issues scheduled for public hearing. The Commission may, by majority vote, either extend or reduce time limits, based on the number of speakers. The comment shall conform to the requirements of decorum and order that apply to the members of the commission and the Chairman shall take whatever steps are necessary (including the removal of any citizen or other elected official) to preserve such decorum and order. Comments shall be addressed to the County Commission and shall not include any personal or other comments addressed at any member of the County Commission or commission employee.

G. Departure from Order of Business. Any departure from the order of business set forth in the official agenda shall be made only upon unanimous consent of all the members of the Commission present at the meeting.

H. Additions, Deletions, or Technical Corrections to Agenda. Deletions or technical corrections to the agenda may be considered by the Commission and adopted by the passage of a single motion approved by majority vote of those members in attendance at the meeting. Additions to the agenda shall only be made by unanimous affirmative vote of all the members of the Commission present at the meeting.

I. Announcing Agenda Items. The Chairman shall announce each item on the agenda. The County Administrator, County Engineer, County Attorney or other appropriate staff member shall then be called to present the item to the Commission, when appropriate.

VI. Rules of Debate.

A. Decorum.

1. Every Commissioner desiring to speak should address the Chairman, and upon said recognition by the Chairman, should confine discussion to the question under debate, avoiding all personalities and unprofessional language.
2. Commissioners shall refrain from: attacking a member's motives; speaking on a prior motion not pending; speaking while the Chairman or other Commission members are speaking; speaking against their own motions; and disturbing the Commission.
3. A member once recognized should not be interrupted when speaking unless said member is being called to order. The member should then cease speaking until the question of order is determined, without debate, by the Chairman. If in order, said member shall be at liberty to proceed.
4. A member shall be deemed to have yielded the floor when he or she has finished speaking. A member may claim the floor only when recognized by the Chairman.

B. Motions.

1. A motion and a second to the motion is to precede any action or debate on an agenda matter unless there are speakers (who are not members of the Commission) to be heard on the agenda matter or it requires clarification.
2. All motions shall be made and seconded before debate may proceed.
3. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except motions to: adjourn, to lay on the table (table), to postpone, to carry over, to substitute, or to amend which shall have preference in the order in which they are listed.
4. Motions to "lay on the table" or "table" are made to end debate on a matter and to "remove" it from consideration by the body. The adoption of a motion to "lay on the table" has the affect of defeating the original motion and that item shall not be considered again during the same meeting unless a motion to "reconsider" is adopted as provided herein.
5. Motions to "postpone" or "carry over" must be made by stating the date or time for which the item shall be postponed or carried over. Should such a motion be adopted, the matter will be back before the commission under "Regular Agenda" at the regular meeting of the Commission designated in the motion or following the expiration of the time for which it was postponed or carried over.
6. Motions to "substitute" or "amend" a motion are used to make changes or revisions in the original motion. Such motions are made only after the original motion has received a second but prior to the adoption of the original motion. If the motion to "substitute" or "amend" is approved, the Commission then must the take a second vote to approve the motion "as substituted" or "as amended", as the case may be. The maker of the original motion, if not in agreement with the substitute or amendment, may withdraw his motion.

7. Any Commissioner may move to close, or end, debate and “call the question” on the motion being considered. This motion to “call the question” shall be non-debatable. A successful vote on the motion to “call the question” will end discussion of the item and a vote on all pending motions shall be taken immediately without the offering of any other motions. The Commissioner moving the adoption of the original motion shall have the privilege of making closing remarks (of not more than one minute) before the vote on the motion to “call the question” is taken.

8. Only those persons who represent a district on the Commission may make a motion or offer a second. The Chairman or acting Chairman may not make or second a motion.

9. The following motions are not debatable and must be voted upon without debate: to adjourn; to lay on the table (table); and to call the question.

C. Motions to Amend. An amendment to a motion must be germane, that is, it must relate to the substance of the main motion. An amendment may not introduce an independent question, and an amendment may not serve as the equivalent of rejecting the original motion.

D. Motions to Reconsider. A motion to reconsider any vote or proceeding of the Commission may only be made and seconded by a Commission Member who had previously voted on the prevailing side. Such motion must be made before the conclusion of the meeting during which the original motion was made and approved. A motion to reconsider must be adopted by a majority of those members of the Commission present and voting.

VII. Voting.

A. Voice Vote. Unless otherwise directed by the Chairman or requested by a member of the Commission, all votes shall be taken by voice and the result shall be announced by the Chairman, whose decision shall be final. Such ruling may not be appealed. No vote may be taken by secret or paper ballot.

B. Tabulating the Vote. Should a roll call vote be directed by the Chairman or requested by a member of the Commission, the Chairman or the person designated by the Chairman shall call the Commissioners, in numerical order of their district numbers, for the purpose of each Commissioner announcing his or her vote. The Chairman shall announce the results. Upon any roll call, there shall be no discussion by any Commissioner after the roll call has begun.

C. Voting. Every member in the Commission meeting room or chamber when the question is put must give his or her vote, unless the member has publicly stated that he or she is abstaining.

D. Voting by Chairman. The Chairman or Acting Chairman of the Houston County Commission shall only vote in those cases when his or her vote would break a tie vote, unless otherwise authorized by law.

E. Majority Vote; Extraordinary Majority Vote; Tie Vote. The passage of any motion, policy, ordinance or resolution shall require the affirmative vote of at least the majority of the members of the Commission who are present and voting. If an extraordinary majority vote is required by Alabama law or by these rules of procedure, this shall require the affirmative vote of an

extraordinary majority of the members of the Commission who are present and eligible to vote. In the case of a tie in votes on any proposal, the proposal fails.

VIII. Public Input: Addressing the County Commission.

A. Public Input. The Commission recognizes the importance of allowing citizens, including other elected officials, to express their opinions on the operation of County government and encourage public participation in the local government process. The Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete County business in a timely manner. Public Input during the Commission meeting, from both citizens and other elected officials, shall only be given during the time provided for discussion of an agenda item and only within the procedures set out herein. Citizens or other elected officials shall not address the commission at any time other than as specifically provided herein.

B. Procedure for Public Input

1. At regularly scheduled County Commission meetings, the Commission provides comment opportunity for citizens and other elected officials to speak and to offer input and comments on items pending before the commission. The remarks of each speaker shall be limited to no more than five (5) minutes, unless the Chairman extends the time, and no more than three (3) speakers on each side of an issue may be heard on each subject unless authorized by affirmative vote of all members of the commission who are present.

2. A form may be provided for those citizens who wish to make comments. Each person wishing to speak should sign this form prior to the beginning of the meeting.

3. Any citizens wishing to make written comments may provide those to the County Administrator before the conclusion of the meeting. A copy of the written comments will then be provided to the members of the commission.

4. Members of the public are encouraged to communicate directly with their Commissioner prior to or after the commission meeting.

C. Addressing the Commission.

1. When the person's name is called, the person shall step up to the speaker's lectern and shall give the following information in an audible tone of voice for the minutes:

(a) name;

(b) place of residence or business address;

(c) if requested by the Chairman, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization, and whether the person is being compensated by the organization.

2. All remarks shall be addressed to the Commission as a body and not to any member thereof.

3. No person, other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the

Commission, without permission of the Chairman. No question may be asked except through the Chairman.

4. Speakers should make their comments concise and to the point, and present any data or evidence they wish the Commission to consider. No person may speak more than once on the same subject unless specifically granted permission by the Chairman.

D. Decorum.

1. Whether at a Regular Commission meeting or Administrative meeting, order must be preserved. No person shall, by speech or otherwise, delay or interrupt the proceedings or the peace of the Commission, or disturb any person having the floor. No person shall refuse to obey the orders of the Chairman or the Commission. Any person making irrelevant, impertinent, or slanderous remarks or who becomes boisterous while addressing the Commission shall not be considered orderly or decorous. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chairman and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned shall be barred from making any additional comments during the meeting by the Chairman, unless permission to continue or again address the Commission is granted by the majority of the Commission members present.

2. If the Chairman declares an individual out of order, he or she will be requested to relinquish the podium. If the person does not do so, he or she is subject to removal from the Commission Chamber or other meeting room.

3. Any person who becomes disruptive or interferes with the orderly business of the Commission may be removed from the Commission Chambers or other meeting room for the remainder of the meeting. Disruptive individuals may be prohibited from addressing the Commission in future meetings.

IX. Executive Session.

The Commission is authorized to enter into executive session as provided in The Alabama Open Meetings Act (Act 2005-40).

X. Committees.

The Chairman, with the consent of the Commission, may appoint committees as may be needed to assist in the business of the Commission. The meetings of the Committees shall be governed by the Rules of Procedures. All such committees shall be provided a formal charge and shall report to the Commission its findings and recommendations, unless otherwise directed. The Chairman shall designate the Chairman for each committee appointed. Agendas for committee meetings shall be furnished to all members of the Commission.

XI. Adjournment.

No meeting should be permitted to continue if a quorum is not present. The commission may adjourn by majority vote.