

Hickman County Tennessee
Resolution No. 12-06

REGARDING MODIFICATIONS TO THE COMMISSION RULES OF
PROCEDURE

Whereas, the 'Rules Committee' of the County Commission was created by Resolution 11-45; and

Whereas, the 'Rules Committee' has met in duly authorized public meetings; and

Whereas, the 'Rules Committee' has reviewed all existing rules, has reviewed the existing committees, and has reviewed and discussed the manner in which the committees are appointed; and

Whereas, the Hickman County Board of Commissioners is desirous to be complete with its meetings and procedures.

Whereas, the committee has unanimously voted to recommend to the full County Commission changes to the Commission Rules of Procedure.

Now, Therefore, Be It Resolved, by the Board of County Commissioners of Hickman County, Tennessee, meeting in regular session this 26th day of March, 2012, that;

Section 1: That the 'Rules of Procedure' be amended for rules numbered as delete:7-6, change: 1-2, 5-3, 6-3, 7-3, 7-5, 8-1D, 12-2 & 12-4.

Section 2: A complete listing of the Rules of Procedure as amended is hereby attached.

Section 3: This resolution shall take effect September 1st, 2012, the public welfare requiring it.

Sponsors:

Wayne Thomasson, 3rd District Commissioner

Keith Nash, 4th District Commissioner

Board Action: _____ Aye _____ Nay _____ Pass _____ Absent

Adopted:

Attest:

Steve Gregory, Chairman

Casey Dorton, County Clerk

Approved/Disapproved:

Steve Gregory, County Mayor

Date: _____

RULES OF PROCEDURE FOR MEETINGS OF THE HICKMAN COUNTY LEGISLATIVE BODY

RULE 1: CONVENING THE BOARD

- 1-1: The Hickman County Legislative Body, hereafter called the Board, shall meet at the Hickman County Justice Center on the fourth (4th) Monday of each month at 7:00 p.m. in order to take up duly authorized business of the county.
- 1-2: Should any prescribed meeting date fall on a legal holiday, or should an emergency arise, the Board shall meet on the following Monday at 7:00 p.m.
- 1-3: These meetings shall be regular meetings of the Board and may be called off by the Chairman in the lack of sufficient business. However, the Board shall meet during the months of January, April, July and October, as prescribed by law.
- 1-4: Notification of the members for regular meetings shall be left to the discretion of the Chairman and the County Clerk.

RULE 2: QUORUM

- 2-1: 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 Board membership.

RULE 3: ORDER OF BUSINESS

3-1: The business of the Board shall be presented by the Chairman in the following manner:

- A) Call to order by Chairman. In the absence of the Chairman, the Chairman Pro-Tempore shall preside.
- B) Roll call by Clerk
- C) Prayer & Pledge
- D) Approval of Agenda
- E) Approval of minutes of previous meeting(s)
- F) Resolutions for special recognitions, memorials, etc.
- G) Elections, appointments and confirmations
- H) Reports - county officials, standing committees or special committees, etc.
- I) Unfinished business
- J) New business
- K) Announcements and statements
- L) Adjournment

3-2: The order of business may be changed by a majority vote of the members present.

RULE 4: GENERAL POLICIES

- 4-1: WHO MAY ADDRESS THE BOARD: It is a commissioner's right to address the Chairman of the Board at any appropriate time after proper recognition by the Chairman. It may be allowable for non-members to address the Board if there is no objection by the Board or if a majority of the members vote to allow such participation. The Chairman may set a limit on the time a non-commission member may be allowed to speak. The person addressing the Commission shall use the public address system, where available.
- 4-2: GAINING THE FLOOR: In all cases, the member who shall first address the Chairman shall be entitled to speak first; but when two or more members address the Chairman at the same time, the Chairman shall name the member who shall speak first.
- 4-3: SPEAKING: When any member is about to speak in debate, discussion or deliver any address on any matter whatsoever to the Board, after being recognized by the Chairman, they shall proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities.
- 4-4: CONSENT TO YIELD: While a member is speaking he/she is not to be interrupted, except for a question by another member. If the speaker declines to yield the floor for a question, then he/she shall not be interrupted, but shall yield to questions at the end of the presentation.
- 4-5: POINTS OF ORDER: If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairman shall, or any member may, call to order, in which case the member so called to order shall immediately stop speaking. When the point of order has been decided by the Chairman, the member having the floor can proceed, subject to the decision made.
- 4-6: APPEAL ON RULING: Any member of the Board may appeal to the Board from the ruling of the Chairman and a majority vote of the members present shall decide the appeal.

RULE 5: MOTIONS

- 5-1: INTRODUCTION AND DEBATE: Motions may only be made by members of the Board. No motion shall be debated until same is seconded and stated by the Chairman.
- 5-2: MOTIONS IN WRITING: When a motion is made and seconded, it shall be reduced to writing by the Clerk, and read by the Chairman prior to any debate or vote.
- 5-3: REQUIRING ROLL CALL: Motions involving spending money requires a roll call vote, otherwise Motions shall be put to the Board for a voice vote by the Chairman; provided however, any member of the Board may require a roll call vote by the raising of their hand or indicating otherwise.

RULE 6: RESOLUTIONS

- 6-1: INTRODUCTION: Any proposed resolution may be introduced only by a member of the Board, and the Clerk or Chairman shall not receive or file any resolution that is not reduced to writing and signed by at least two members of the Board. In addition to the Resolution Number, the Chairman shall read the caption of the Resolution before discussion may commence.

- 6-2: 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.

- 6-3: ROLL CALL VOTE: Resolutions shall be put to the Board for a roll call vote by the Clerk. Each member shall vote "yes" "no" or "pass" on its passage when the Clerk calls his/her name. The County Clerk shall devise a method whereby such votes shall be taken so as no member votes first at any two consecutive meetings.

- 6-4: CHANGING A VOTE: Any member of the Board may change his/her vote before the results of a roll call is announced by the Clerk. It shall be the duty of the 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 Clerk and shall be entered as such into the minutes.

- 6-5: SUCCESSFUL RESOLUTIONS: All successful resolutions shall be submitted to the Chairman for his/her signature and attested by the signature of the Clerk. The resolution, along with the vote of the members, shall then be submitted to the County Mayor within five (5) days of its passage (if the County Mayor is not the Chairman), for his/her consideration.

RULE 7: ELECTIONS AND APPOINTMENTS

- 7-1: ELECTIONS AND NOMINATIONS FROM THE FLOOR: When the Chairman 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 is made and seconded that nominations cease and a majority of those present so vote.
- 7-2: 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 or such appointee shall follow.
- 7-3: ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by voice vote as each member's name is called by the Clerk. If the vote is on confirmation or an appointee, each member shall vote either "yes" "no" or "pass" on the confirmation. A majority of the members of the full Board is required for election or confirmation.
- 7-4: 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 shall be taken again until a nominee is elected by the required majority of membership.
- 7-5: ELECTION OF BOARD COMMITTEES: During election years when the full County Commission is up for election and/or re-election, the following procedure shall be utilized in forming the Nominating Committee of the Commission.
- A) A Nominating Committee of the Board is hereby established. Said Committee shall consist of the Commissioner from each of the seven (see 7-5D) districts who received the highest number of votes in the district during the preceding election. For the following years: The Committee for the second year will be comprised by the Commissioners receiving the second highest number of votes. The Committee for the third year will be comprised by the Commissioners receiving the third highest number of votes. The Committee for the fourth year will be comprised by the Commissioners receiving the highest number of votes.

- B) The Commissioner who received the most votes in each category for the rotation year shall chair the Nominating Committee.

- C) The Nominating Committee shall meet on the first Thursday of September prior to the Board's regular September meeting to prepare a slate of Committee members. Such slate of proposed members thereof shall be presented to the Board during the regularly scheduled September meeting for the Board's approval.

- D) This procedure is based on SEVEN (7) districts with THREE (3) Commissioners for each district, and may change after any subsequent redistricting as may be adopted. If the number of districts or commissioners in each district changes, the similar rotation process will be utilized.

- E) This procedure shall also apply, unless otherwise prohibited, to appointments to any other Committee, Board or Commission established by the Board of County Commissioners.

RULE 8: APPROPRIATION REQUESTS

8-1: REQUESTS FOR APPROPRIATIONS: Appropriation requests, in addition to those within the annual budget, shall be submitted in the following manner:

- A) 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.
- B) All requests for appropriations falling in this area shall be summarized and submitted in writing to each member of the Board at least seven (7) days prior to the regular or called meeting such request is submitted.
- C) 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
 - 3. Submitted to Board without recommendation
- D) The finance director, or a person designated by him/her, shall advise the Board as to fund availability before a vote is taken on appropriations in any amount which is in addition to those in the annual budget.
- E) The resolution requesting such appropriations shall be voted upon by membership of the Board as provided in Rule 6 of these rules.

RULE 9: SUSPENDING THE RULES

9-1: Any rule or rules may be suspended by a two-thirds (2/3) majority vote of the members present.

RULE 10: ROBERT'S RULES OF ORDER

10-1: All matters not covered herein shall be governed by Robert's Rules or Order (revised), as contained in the latest copyrighted edition.

RULE 11: THE CHAIRMAN

- 11-1: ELECTION: Annually, at its September regular meeting, the Board shall elect a Chairman and a Chairman Pro-Tempore. The Chairman may be one of the members of the Board or the County Mayor. If the Board elects as its Chairman the County Mayor and he/she accepts the position, then the County Mayor shall relinquish his/her veto power.
- 11-2: VOTING BY THE CHAIRMAN: The County Mayor Chairman may vote only in the case of a tie (when all members are present and voting). A member Chairman may vote on all issues coming before the Board, just as any other member.
- 11-3: CALL TO ORDER: The Board shall be called to order by the chairman. In the absence of the Chairman, the Chairman Pro-Tempore shall preside. In the absence of the Chairman Pro-Tempore, the Board shall be called to order by the Clerk and shall then elect one of its members to preside over the deliberations.
- 11-4: SPEAKING: Should the Chairman desire to speak upon any subject either in the negative or the affirmative, he/she may do so, provided he/she vacates the chair, whereupon the Chairman Pro-Tempore shall preside until the matter under consideration is disposed of by the Board. However, the Chairman may answer questions, provide information, and give explanations from the chair, the Board not objecting.
- 11-5: PRESERVE ORDER: The Chairman shall preserve order and decorum. He/she may speak to points or order in preference to other members, and shall decide questions of order, subject to appeal to the Board by any member.

- 11-6: ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject, the Chairman shall inquire if there is another member who has not spoken on that subject and who wishes to speak.
- 11-7: MOTIONS: Once a motion has been made and duly seconded, the Chairman shall state the motion so that debate on the motion may begin.
- 11-8: CLARIFICATION: The Chairman 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.
- 11-9: AGENDA: The Chairman will forward to each member of the Board the tentative agenda of the next board meeting not less than five days prior to the meeting date.

RULE 12: THE CLERK

- 12-1: NOTICE: The Clerk shall notify each member of the Board of any special or called meeting not less than five (5) days in advance thereof. Notification of regular meetings shall be within the discretion of the Clerk and the Chairman.
- 12-2: MINUTES: The 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 five (5) days after said meeting and placed in a well bound book for public inspection after Board approval. A copy of the minutes of the last meeting shall be forwarded to each Board member with the next prepared agenda or meeting notice.

- 12-3: RESOLUTIONS: A copy of all resolutions approved by the Board shall be submitted to the County Mayor (if the County Mayor is not Chairman), within five (5) days after such approval, for his/her consideration and signature.
- 12-4: ROLL CALL: In all instances involving authorization to expend public funds, the Clerk shall call the roll for "yes" "no" or "pass" votes. In all instances where the roll is called for any vote, the 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.
- 12-5: CHANGE OF VOTE: It shall be the duty of the 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. The Clerk shall also inquire of those who voted, if anyone desire to change their vote. Then, the Clerk shall announce the results.

RULE 13: COMMITTEES

- 13-1: All committees, standing and temporary, shall meet and elect from its membership a chairman. The election of a secretary shall be optional in the absence of a specific mandate of the Board.
- 13-2: Standing committee chairman shall report to and confer with the Chairman on all pertinent matters to be presented at the next meeting of the Board.
- 13-3: All committee chairmen shall contact the County Attorney on matters appearing to warrant legal evaluation prior to presentation to the Board.
- 13-4: Should questions arise as to the jurisdiction of any committee it shall be referred to the Chairman and/or County Attorney for determination, subject to an appeal to the Board at its next regular meeting.

13-5: The following procedures shall be followed pertinent to committee reports and related action:

- A) The committee chairman, or a member designated by him/her, shall make the presentation in an open meeting of the Board.
- B) Upon completion of a report, the speaker shall yield to questions.
- C) There shall be a vote on the proposition when discussion is complete and there is a call for the question by the Board.

13-6: 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 members, may do so.

13-7: All committees shall submit their meeting minutes to the Chairman for inclusion in the mailing for the next regular meeting of the Board where they shall be noted and included in the official Board minutes.

RULE 14: PARLIAMENTARIAN

14-1 All issues of Parliamentary procedures shall be decided by the Parliamentarian who shall be elected by a majority of the Board annually at the September meeting. The Parliamentarian's ruling may be overridden by a majority vote of the Board to suspend the rules.

RULE 15: CONFLICT WITH LAW

15-1: In the event any of the foregoing rules are determined to be in conflict with statutory provisions, that part in conflict shall be null and void.

Originally Adopted on September 18, 2000

Amended 10-15-2001 – Amended Rule 6-1 Concerning Resolution Submission (Resolution No. 01-34)

Amended 09-16-2002 – Added Rule 14-1 Providing for a Parliamentarian (Voice Vote of Board)

Amended 05-19-2003 – Amended Rule 7-5 Providing for a Nominating Committee (Resolution No. 03-23)

Amended 12-18-2006 – Amended Rule 7-5 With Respect to the Nominating Committee (Resolution No. 06-70)

Amended 04-27-2004 – Changed County Executive to County Mayor (Public Chapter 568, Acts of 2004)

Amended 06-16-2008 – Changed Meeting Date to from 3rd Monday to 4th Monday (Voice Vote of Board)

Amended 06-16-2008 – Added Section 13-7 with Respect to Committee Minutes (Voice Vote of Board)

Amended 02-28-2011 – Added Voting Procedure to Section 6-3 (Resolution No. 11-04)

Amended 03-26-2012 – Amended Rules delete:7-6, change: 1-2, 5-3, 6-3, 7-3, 7-5, 8-1D, 12-2 and 12-4 by Resolution No. 12-06