

**RULES OF PROCEDURE, CONDUCT AND DECORUM  
AT MEETINGS OF THE  
COUNTY COMMISSIONERS COURT**

- I. All Regular, Special, Emergency and Executive Session Meetings of the Loving County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.
- II. Regular, Special and Emergency Meetings of the Loving County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, the press or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Session.
- III. The Loving County Commissioners Court meets in Regular Session on the second and ~~first~~ Mondays of each month. In order for a matter or issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners Court, a request must be filed with and approved by at least one member of the Commissioners Court and/or the County Judge by 12:00 p.m. (noon) on the Wednesday immediately preceding the next Regular Meeting of the Commissioners Court.
- IV. The business of Loving County is conducted by and between the members of the Loving County Commissioners Court and by those members of the County staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observers unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue (or issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County clerk prior to the time the agenda item (or items) is addressed by the Court. A sample of the Loving County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
  - A. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.
  - B. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items), shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular agenda item (or items), then only the first six (6) speakers will be recognized. To the extent possible, the six (6) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items).

- C. In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.
- D. It is the intention of the Court to provide an open access to the citizens of Loving County to address the Commissioners Court and express themselves on issues of County Government. Members of the public are reminded that the Loving County Commissioners Court is a Constitutional Court, with both judicial and legislative powers, created under Article V, Section 1 and Section 18 of the Texas Constitution. As a Constitutional Court, the Loving County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code. Accordingly, members of the public in attendance at any Regular, Special and/or Emergency Meeting of the Court shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's Order and/or continued disruption of the meeting may result in a Contempt of Court citation.
- E. It is not the intention of the Loving County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member or members of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:
1. cancellation of a speaker's remaining time;
  2. removal from the Commissioners Courtroom;
  3. a Contempt Citation; and/or
  4. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
- V. The County Judge is the presiding officer of the Loving County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the senior member of the Commissioners Court (in terms of total number of years as an elected representative) present at the Regular, Special, Emergency Meeting or Executive Session, shall serve as the Judge Pro-Tem of the Court. However, nothing herein shall prevent the senior member of this Commissioners Court from delegating this

duty to another member of the Commissioners Court.

- VI. The County Judge (or the designated Judge Pro-Tem of the Commissioners Court), as presiding officer of the Commissioners Court, is responsible for conducting all meetings and members of the public who have properly completed a Public Participation Form and submitted same to the County Clerk must wait to be recognized before they will be allowed to address the Court.
- VII. Special Rules for the Press and Media:
- A. No media personnel or equipment, including lights, cameras or microphones will be located on the Commissioners Court bench nor closer than five feet 5') in front of the Commissioners Court bench.
  - B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc. in such a manner as to not disrupt the Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.
  - C. Interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
  - D. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of any Regular, Special, Emergency and/or Executive Session Meeting of the Court.
- VIII. The Sheriff of \_\_\_\_\_ County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special and Emergency Meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's Department, and the Commissioners Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, then in such event, the Court shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.
- IX. From time to time, the Commissioners Court shall conduct town meetings and public hearings. These rules of procedure, conduct and decorum shall also apply to such town meetings and public hearings, however, the Commissioners Court may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.
- X. These Rules of Procedure, Conduct and Decorum at Meetings of the \_\_\_\_\_ County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.

ADOPTED BY THE UNANIMOUS VOTE OF THE Loving COUNTY  
COMMISSIONERS COURT on this the 11th day of February, 2013.

Aleet Lee Jones  
County Judge

Harb Hopper  
Commissioner, Pct. 1

Tom Jones  
Commissioner, Pct. 3

Ysidro Bentura  
Commissioner, Pct. 2

Bill Warr  
Commissioner, Pct. 4

Attest:

Marcella Carr  
County Clerk

FILED FOR RECORD  
AT 5:00 O'CLOCK PM

FEB 11 2013

COUNTY CLERK  
LOVING COUNTY, TX  
BY M. Carr, CLERK

**COUNTY COMMISSIONERS COURT**

**Public Participation Form**

**Instructions:** Fill out all appropriate blanks. Please print or write legibly.

**NAME** \_\_\_\_\_

**HOME ADDRESS:** \_\_\_\_\_

**HOME TELEPHONE:** \_\_\_\_\_

**PLACE OF EMPLOYMENT:** \_\_\_\_\_

**EMPLOYMENT TELEPHONE:** \_\_\_\_\_

**Do you represent any particular group or organization?** \_\_\_\_\_

**If you do represent a group or organization, please state the name, address and telephone number of such group or organization.**

\_\_\_\_\_

\_\_\_\_\_

**Which agenda item (or items) do you wish to address?** \_\_\_\_\_

\_\_\_\_\_

**In general, are you for or against such agenda item (or items)?**

\_\_\_\_\_

**Signature:**

\_\_\_\_\_

NOTE: This Public Participation Form must be presented to the County Clerk prior to the time that the agenda item (or items) you wish to address are discussed before the Court.

## BY-LAWS

### Of The County Judges And Commissioners Association Of Texas

No. 1: This Association shall not endorse or recommend any candidate for political office, nor shall politics or political candidates be discussed on the floor of any of its meetings.

No. 2: No officer or member of this Association shall use the Association as a means for furthering any personal, political or other aspiration for himself or any other person, and the Association as a whole shall not take part in any movement which is not in keeping with the purposes of this Association.

No. 3: The President of the Association shall appoint any and all committees with the approval of the other State Officers at any time for the purpose of carrying out the objectives of the Association.

No. 4: The First Vice-President of this Association,

with the advice and consent of the Executive Board, should direct all funds to be placed in a depository, including investments, for the purpose of carrying out the financial activities of this Association.

No. 5: The President of the Association shall be an Ex-Officio member of all committees appointed.

No. 6: The Executive Board may be reimbursed for any expense incurred in performing their duties while serving as a member, on behalf of the Association, provided that the Board approves such reimbursement.

No. 7: The President and Executive Board should prepare an annual budget immediately following the annual business meeting. A status report on the budget should be provided to the Executive

Board quarterly.

No. 8: No amendment shall be offered to these By-Laws at any regular annual session unless same has been prepared and read on the floor of the Association at least one day prior to its being offered to the Association for its action.

No. 9: This Association shall purchase an Indemnity Bond for the First Vice-President. The Executive Board may purchase a General Liability Policy or other policies as deemed necessary.

No. 10: Any suggestion or proposition made at any meeting of this Association calling for the expenditure of money, shall be referred to and handled by a quorum of the Executive Board, together with the Officers of this Association in accordance with the budget.

## COMMISSIONERS COURT DECORUM

No legal requirement obligates Commissioners Court meetings to be conducted under a formal parliamentary procedure. According to Attorney General Opinion DM-228: "A Commissioners Court may adopt reasonable rules that are consistent with relevant provisions of law to govern the conduct of its meetings. If the court wishes to use *Robert's Rules of Order* or some other formal rules, the method chosen must be consistent with law, adopted by a majority vote of the court and applied to all court members."

The Opinion refers to Sections 81.005 and 81.006 of the Local Government Code which address the time, location, and quorum requirements of Commissioners Court meetings.

In addition, the Opinion states: "The court is also subject to the Open Meetings Act, but we have found no statute setting out comprehensive procedures for the conduct of Commissioners Court meetings."

Legal requirements aside, some counties have decided that it is in their best interest to formally adopt rules of procedure, conduct and decorum for meetings of the County Commissioners Court.

These can be helpful when correcting com-

mon misconceptions of the public. For instance, people often think the Commissioners Court meeting is a public hearing. The public is allowed to come and watch but does not have the authority to speak. However, counties may allow members of the public to appear before the court, if the county so chooses, in which case a set of procedures governing public participation is advisable.

Trinity County adopted such procedures regarding public participation. For example, those who make an appearance are allowed five minutes and must guard their language and manner of speaking.

Another misconception some people have is that they can call the county office and have something put on the agenda, said Bell County Judge Jon Burrows.

"This sometimes occurs when someone has an issue with another elected official and wants to air it in court," Burrows said.

Issues such as public participation and the meeting agenda are addressed in a model set of rules of procedure, conduct and decorum for meetings of the County Commissioners Court, recommended by Jim Allison, general counsel to the

County Judges and Commissioners Association of Texas.

"Rules of procedure and decorum are very important for an efficient, productive Commissioners Court meeting," Allison said. "The rules provide a framework for the transaction of business and inform the public on the proper procedure for presenting comments to the meeting."

Williamson County passed its own set of procedures several years ago.

"With the growing number of people who are requesting to address the court, in an effort to be fair we felt it necessary to have a set of rules that was published," said Williamson County Judge Dan A. Gattis. "This allows everyone to be aware in advance of how the meeting would be conducted."

Those wishing to address the court in Williamson County are required to complete a Public Participation Form, as stated in the adopted rules.

During Bell County meetings Burrows said he strives to maintain a light-hearted atmosphere coupled with "firm/business-like control."

"You have to realize that you're in control," said Andrews County Judge Richard H. Dolgener. "You're the presiding officer."

Counties interested in adopting an official policy on Commissioners Court meeting procedures, conduct and decorum may want to consider the following sample document provided by Jim Allison, general counsel to the County Judges and Commissioners Association of Texas.

### **RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETINGS OF THE COUNTY COMMISSIONERS COURT**

- Approve  
Adopt
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# RobertsRules.org | Robert's Rules of Order - Summary Version

## For Fair and Orderly Meetings & Conventions

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies require all questions to be thoroughly discussed before taking action!

The assembly rules - they have the final say on everything!  
Silence means consent!

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate can not begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!
- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!



# The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own)
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session -

exception: the motion to reconsider can be made this session

- **Previous Question:** Closes debate if successful - may be moved to "Close Debate" if preferred
- **Informal Consideration:** Move that the assembly go into "Committee of the Whole" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

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