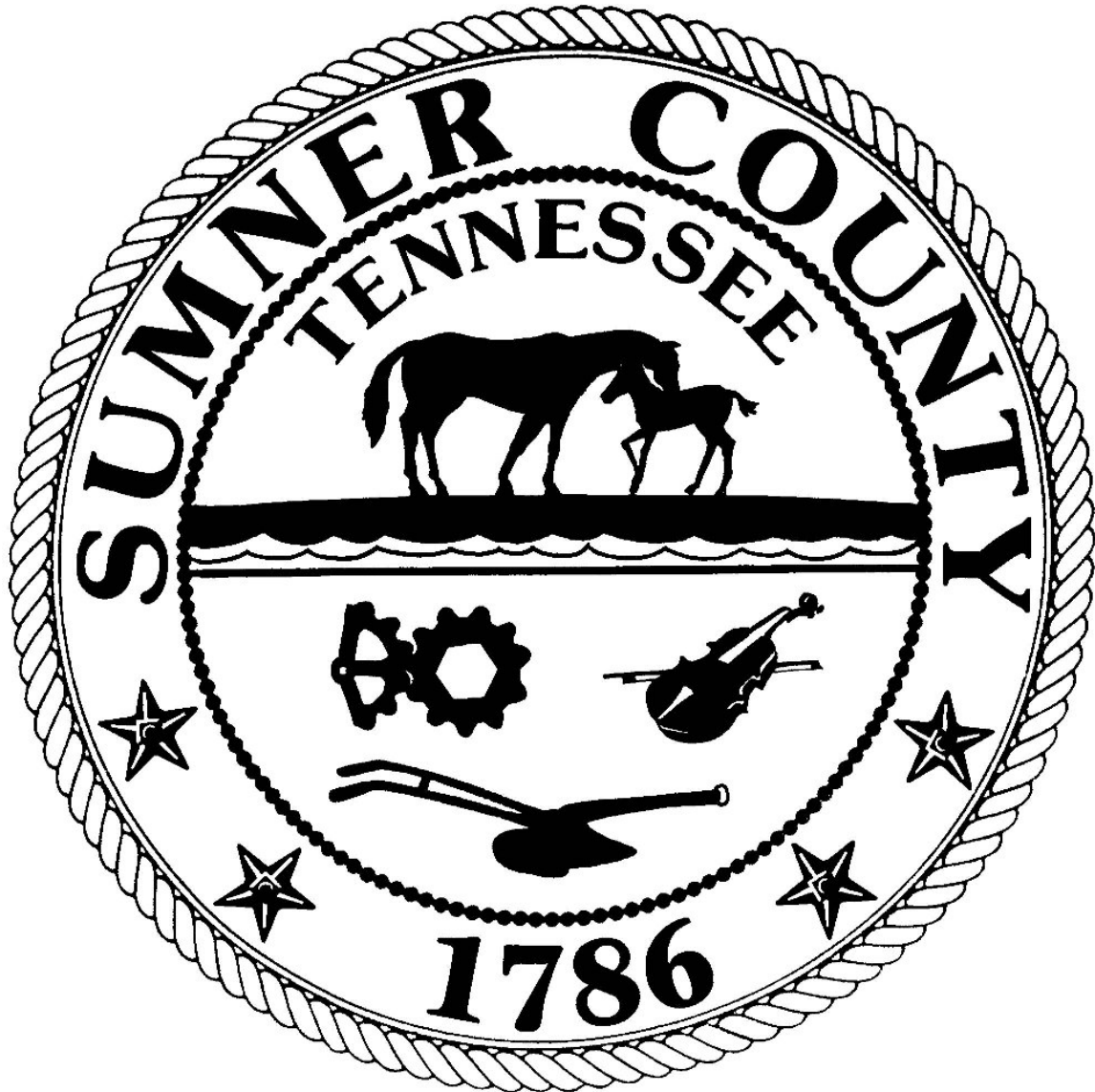


**Sumner County  
Board of County Commissioners**

Standing Rules and Procedures



Adopted June 15, 2015 & Updated November 22, 2016

## **STANDING RULES AND PROCEDURES**

### **SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS**

#### **I. COMMISSION MEETINGS**

**A. Regular Meetings:** The Commission shall convene on the third Monday of each month at 7:00 p.m. at the Sumner County Administration Building. Meeting time and location may be changed by a majority vote of the Commission, and appropriate, legal, public notice of such changes shall be given.

#### **B. Quorum and Attendance**

- i. A quorum for the transaction of business shall be a majority of the duly elected and acting Commissioners. Vacancies in attendance shall not be included in determining the membership of the Commission for that meeting.
- ii. Commissioners who anticipate an absence from a Commission meeting shall attempt to notify the Commission Chair in advance of such absence.

#### **C. Order of Business**

- i. **Call to Order** by the Commission Chair
- ii. The **Commission declared open** by the Sheriff
- iii. **Invocation**
- iv. **Pledge of Allegiance**
- v. **Roll call** by County Clerk
- vi. **Approval of the Regular Agenda**
  1. Agenda items may be added, deleted, or amended prior to the approval of the Agenda, if such changes are approved by two-thirds (2/3rds) majority vote of the Commission.
  2. Items may be moved from the Regular Agenda to the Consent Agenda by unanimous vote of the Commission. Any one Commissioner may move an item from the Consent Agenda to the Regular Agenda prior to the approval thereof. Any appropriation from the Budget Committee authorizing an expenditure in excess of \$25,000.00 must be considered by a vote of this body during the regular agenda and not be placed upon the consent agenda.
  3. Once added to the Agenda, new items shall be considered to be a part of the Agenda, as originally distributed. Disposition of such items shall require the same voting majorities as hereinafter provided, as if they had appeared on the printed and distributed Agenda.
- vii. **Approval of the Minutes**
- viii. **Recognition of the Public**
  1. **Addressing the Commission:** The public may address the Commission concerning any matter on the Agenda as approved for the current meeting of the Commission.
  2. **Signing up to speak:** The signup sheet for public comment shall be placed in the Commission Chambers on the podium by noon on the day of a Commission meeting. Any person wishing to speak must personally sign the sheet.
  3. **Prohibitions:** No citizen shall speak in an inflammatory or offensive manner concerning any Commissioner, other elected officials, or citizen. The Commission Chair shall warn the offending citizen to refrain from further inappropriate comments. If such warning is not heeded, the Commission Chair shall ask the citizen to return to his/her seat.
  4. **Time limit:** The Commission Chair is authorized to impose a time limit of five (5) minutes per speaker during public comment.

5. **Redundant comments:** The Commission Chair may warn a citizen to offer original information when a citizen repeatedly makes comments on a topic that have already been offered by the same speaker or a previous speaker.
- ix. **Reports of the Chair**
  1. Announcements from the Chair
  2. Presentations
  3. Consent Agenda: Items that are noncontroversial may be placed on the Consent Agenda. All items on the Consent Agenda shall be considered and voted on together. If any item on the Consent Agenda requires approval by a two-thirds (2/3rds) majority vote, then the Consent Agenda must be approved by a two-thirds (2/3rds) majority vote. If a two-thirds (2/3rds) majority vote is required and the Consent Agenda is not approved by such vote, each item on the Consent Agenda shall then be separately considered and voted upon.
- x. **Reports of the County Officials**
  1. Written reports to be filed by county officials
  2. Notary applications
  3. Correspondence
- xi. **Reports of Standing Committees** (and action on recommendations)
  1. Committee on Committees
  2. Education Committee
  3. Highway Commission
  4. General Operations Committee
  5. Emergency Services Committee
  6. Legislative Committee
  7. Budget Committee
  8. Other Reports
- xii. **New Business**
- xiii. **Adjournment**

## **II. ORGANIZATION OF THE COMMISSION**

### **A. The Commission Chair**

- i. The Commission Chair shall:
  1. Be elected annually in the first Commission meeting held after August 1<sup>st</sup>, except in commission election years where the Commission Chair shall be elected in September.
  2. Preserve order and decorum, enforce these Rules, and oversee the operation of the Commission to ensure the expeditious and orderly conduct of its business.
  3. Be consulted and resolve any questions concerning the preparation of the Agenda.
  4. Sign the Agenda to indicate approval thereof before distribution by the Clerk. The County Executive is also granted the power to sign the Agenda.
  5. Serve as a voting member of the Legislative Committee. In addition to this Committee, the Commission Chair shall be a voting member of such Committees, Sub-Committees, Boards, or Commissions to which s/he is hereinafter named as a member. The Commission Chair shall also serve as a non-voting, *ex officio* member of all other Standing Committees, Sub-Committees, and Boards created by the Commission.

- ii. The Commission Chair may:
  - 1. Call special meetings of the Commission and appropriate, legal, public notice thereof shall be given.
  - 2. Answer questions and give explanations of issues from the Chair. However, before speaking in favor of or in opposition to any questions before the Commission, the Commission Chair must yield the Chair to the Commission Chair *pro tempore*.
  - 3. Represent the Commission in presentations, recognitions, and public events.
  - 4. Vote on all matters coming before the Commission, except if the Commission Chair is the County Executive, then s/he may vote only in the case of a tie.

**B. The Commission Chair *pro tempore***

- i. The Commission Chair *pro tempore* shall be elected annually in the first Commission meeting held after August 1<sup>st</sup>, except in commission election years where the Commission Chair *pro tempore* shall be elected in September.
- ii. Commission Chair *pro tempore* shall fulfill the duties of the Commission Chair in the event of absence, inability to serve, or if the Commission Chair must yield his/her chair to debate an issue.
- iii. Should the Commission Chair permanently yield the Chair, the Commission Chair *pro tempore* shall serve as Commission Chair only until such time as the Commission elects a new Chair.

**C. The Clerk**

- i. The County Clerk serves as the Clerk for the Commission.
- ii. The Clerk shall:
  - 1. Call the roll of the Commission when requested by the Commission Chair.
  - 2. Maintain complete and accurate minutes of the proceedings of the Commission. Copies of these minutes shall be published electronically.
  - 3. Assist in execution of votes on motions at Commission meetings.
  - 4. Prepare an Agenda for consideration by the Commission – subject to approval by the Commission Chair or the County Executive.
  - 5. Provide secretarial or clerical assistance to Commissioners when required for the performance of their official duties.
  - 6. Provide notices of meeting, hearings, and other scheduled activities of the Commission to the Commissioners, the press, and the public.
  - 7. Maintain minutes of meetings of all Committees, Sub-Committees, and Boards of the Commission.

**D. Committees**

- i. **Election**
  - 1. Annually, no later than at its September meeting, the Commission shall elect members to serve on all Standing Committees except the Committee on Committees.
  - 2. The Committee on Committees shall nominate members for each Committee. Nominations will also be accepted from the floor prior to any Committee election.
  - 3. In Commission election years, the Commission Chair shall arrange the slate of Commissioners to be considered for election to the several Committees.
- ii. **Member Terms:** All Committee appointments shall be for one (1) year except in the case of Committees, Sub-Committees, Boards, or Commissions whose by-laws, statutes, or private acts require otherwise.
- iii. **Time and Place:** At the initial meeting of a committee, members shall set a time and place for its regular meetings. The Clerk shall be immediately advised of the regular meeting time and place of such meetings.

- iv. **Committee Officers:** Upon election, the members of the Committee shall meet for the election of a Chair and a Vice-Chair.
  - 1. The Committee Chair shall conduct Committee meetings, maintain decorum, and oversee the activities of the Committee to ensure the expeditious and orderly conduct of its business; call special meetings of a Committee when required, and notify each Committee member and the Commission Chair of the meeting; work to prepare the Agenda for the meetings of the Committee; report to the County Commission resolutions that are recommended by the Committee.
  - 2. The Vice-Chair shall perform the duties of the Committee Chair in their absence.
  - 3. In the event that the Committee Chair and Vice-Chair are not available, the Committee shall elect an acting Chair from the members for that meeting by a majority vote of those members present.
  - 4. At each meeting of the Commission, the Chair of each Committee shall report to the Commission from his/her seat in the form of a recommendation any proposed resolutions of that Committee.
- v. **Member absence:** A member who anticipates his/her absence from a meeting shall notify the Committee Chair in advance of the meeting. If the Committee Chair anticipates his/her absence from a meeting, the Committee Chair shall notify the Vice-Chair of the anticipated absence.
- vi. **Ex officio Members:** The Commission Chair and the County Executive serve as non-voting, *ex officio* members of all Committees, Sub-Committees, Boards, or Commissions appointed by the Commission, except in such cases as they are granted voting powers herein or by law.
- vii. **Committee Vacancies:** If one or more members of any Committee vacate their position, the Commission shall fill such vacancies for the remainder of the unexpired term in the same manner used in first electing members to the Committee.
- viii. **Vote:** A quorum of the Committee members is required for business to be conducted and before any vote may be taken. Motions before a Committee shall require a majority vote of those members present at the meeting.
- ix. **Failure to Meet:** If the Committee Chair fails to call a meeting for a period exceeding two months, the Commission Chair, or any three (3) members of the Committee, may call a meeting of that committee.
- x. **Ad hoc and Sub-Committees:** The Commission or a Committee may appoint *ad hoc* and/or Sub-Committees, as required. Such committee shall perform their assigned duties and shall work within the jurisdiction of that Committee. Resolutions or recommendations of such *ad hoc* or Sub-Committees shall first be presented to the creating body for consideration and presentation to the Commission.
- xi. **Standing Committees and Sub-Committees**
  - 1. **Committee on Committees**
    - a. Membership: Five (5) Commissioners elected annually upon nominations from the floor. This election shall be in July, except in Commission Election years where such election shall be in September.
    - b. Purpose/Duties: To make recommendations and nominations to the Commission for membership on all Committees, Sub-Committees, Boards, etc. whose members are elected by the Commission and for all other positions that are filled through election by the Commission.

2. **Education Committee**
  - a. Membership: Seven (7) Commissioners
  - b. Purpose/Duties: Request and obtain any information necessary to review and evaluate the performance and progress of the Sumner County School System; to receive and study requests of the Board of Education and Director of Schools; to study and convey to the Budget Committee any appropriation requests for education and present the proposed budget for education funding; and to coordinate and communicate needs and concerns between the Commission and the Board of Education and the Director of Schools.
3. **Highway Commission**
  - a. Membership: Five (5) Commissioners, the County Executive, the Road Superintendent, and one (1) citizen
  - b. Purpose/Duties: Address any matters concerning the road and right-of-way needs of the County.
4. **General Operations Committee**
  - a. Membership: Seven (7) Commissioners
  - b. Purpose/Duties: Responsible for: all non-school, County properties, buildings, equipment, and services; studying long and short-range planning regarding space assignment and allocation within County buildings; maintenance, construction, and improvement of necessary facilities; the Airport Authority; utilities; and the study of the equipment needs of all County departments.
5. **Emergency Services Committee**
  - a. Membership: Seven (7) Commissioners
  - b. Purpose/Duties: Provide general oversight of the law enforcement, emergency medical and emergency management agencies of the County, as well as the Health department, and any other public or private agencies dedicated to the public safety, health or welfare of our citizens; study budget and appropriation requests of said agencies, as well as the volunteer fire departments, for recommendations to the Budget Committee.
6. **Legislative Committee**
  - a. Membership: Chair of all Standing Committees and the Commission Chair. The Legislative Committee may elect as its Chair a Commissioner who is *not* the Chair of a Standing Committee.
  - b. Purpose/Duties: Responsible for drafting rules and procedures for the body; docketing miscellaneous items to the Commission Agenda; study proposed legislation affecting Sumner County; consider proclamations, resolutions, or memorials honoring Sumner County citizens, as well as take referrals from the Planning Commission.
  - c. All matters originating in the **Planning Commission** shall first be referred to the Legislative Committee. The Legislative Committee shall then schedule the matter for consideration by the Commission. Once notice of a public hearing and meeting is given, no change of the meeting date shall be made without the consent of a majority of the Commissioners.
    - i. A **zoning reclassification** shall be presented before the Commission in the following manner: (1) the public notice shall be read and the Commission Chair shall open the public hearing; (2) prior to the hearing, individuals desiring to be heard shall sign up and speak regarding the matter to be considered; (3) the owner, or designee of the owner, of

property being considered for reclassification shall speak, and where appropriate, then be given an opportunity to address and answer only those questions raised during the hearing; (4) the hearing shall then be declared closed by the Commission Chair; (5) the Legislative Committee Chair shall then report the vote of the Planning Commission and place the motion before the Commission; (6) each Commissioner representing the district in which the property is located may be heard if so desired; and (7) the Commission shall then debate and vote upon the issue.

7. **Financial Management Committees**

a. **2002 Financial Management**

- i. Membership: Four (4) Commissioners, the County Executive, the Road Superintendent, the Director of Schools, and the Finance Director shall serve as the non-voting, *ex officio* secretary
- ii. Purpose/Duties: Establish and approve policies, procedures and regulations in addition to the specific provisions of the enabling Private Act for implementing a sound and efficient financial system for administering the funds of Sumner County; the enabling Private Act authorizes the Financial Management Committee to assume the functions of the **Investment Committee** and the **Purchasing Committee**.

b. **2012 Financial Management**

- i. Membership: Four (4) Commissioners or citizens, the County Executive, the Road Superintendent, the Director of Schools, and the Finance Director shall serve as the non-voting, *ex officio* secretary
- ii. Purpose/Duties: Establish and approve policies, procedures and regulations in addition to the specific provisions of the enabling Private Act for implementing a sound and efficient financial system for administering the funds of Sumner County; the system shall include budgeting, accounting, purchasing, payroll, cash management, and other financial matters necessary to an efficient system; the enabling Private Act authorizes the Financial Management Committee to assume the functions of the **Investment Committee** and the **Purchasing Committee**, as well as coordinate with the Board of Education for creation of the ERP system.

8. **Budget Committee**

- a. Members: Seven (7) Commissioners and the Finance Director as non-voting, *ex officio* Secretary
- b. Purpose/Duties: Establish and approve policies, forms and documents, procedures and regulations necessary for the preparation of the annual operating and capital improvement budgets; study funding requests and recommendations as received from other Standing Committees; consider the fiscal impact of any resolution presented to the Committee and report its findings to the Commission; recommend to the Commission a proposed tax rate; approve property tax refunds and budget transfers; and recommend the sale of delinquent tax properties.

**9. Audit Committee**

- a. Members: Two (2) Commissioners, the Commission Chair, the Budget Committee Chair, and the Financial Management Committee Chair
  - b. Purpose/Duties: Provide independent review and oversight of the County's financial reporting processes and internal controls; review the external auditor's report; follow up on management's corrective action, if needed in relation to the auditor's report, and police compliance with all laws, rules, ethical guidelines, and regulations that affect the County.
10. **Other Statutory Committees or Commissions:** There are numerous committees, sub-Committees, boards, commissions, etc. that are created by statutory directives. These groups shall meet in accordance with the laws, statutes, resolutions, policies, or procedures, etc. that dictate their creation. All such groups are to provide a copy of their operating budget to the Commission, if requested; the Commission may additionally request membership information, regularly scheduled meeting time and location, as well as any other information as may be needed by the Commission.

**III. PROCEDURES**

**A. Addressing the Chair:** A Commissioner, the County Executive, the Law Director, and the Clerk may address the Commission Chair after being recognized. Except during recognition of the public, others wishing to address the Commission must first be approved by a two-thirds (2/3rds) majority vote of the Commission.

**B. Gaining the Floor:** Any Commissioner desiring to speak shall be placed in the queue to speak and be recognized by the Commission Chair in the order in which they entered the queue. In the event the queue is inoperable, the Commission Chair will recognize the first Commissioner who stands. However, no Commissioner is entitled to speak twice to the same subject until all other Commissioners have had the opportunity to speak.

**C. Speaking**

- i. Remarks should be addressed to the Commission Chair. No Commissioner shall direct remarks or comments to another Commissioner.
- ii. No Commissioner will speak in a sarcastic or critical manner concerning another Commissioner or call the name of another Commissioner.
- iii. A Commissioner shall confine his/her comments to the merits of the matter on the floor at the time.
- iv. The Committee Chair presenting a recommendation of his/her Committee, or the author of a resolution under consideration by the Commission, may speak as often as required concerning the recommendation or resolution.
- v. When the Commission Chair duly recognizes a Commissioner wishing to speak, all other Commissioners will remain quiet and attentive to the comment of the Commissioner who has the floor.
- vi. If any Commissioner transgresses these Rules, the Commission Chair shall first warn the Commissioner and cite the Rule being violated. Should a Commissioner continue to violate these Rules after being so warned, the Commission Chair shall call the Commissioner to order, in which case the Commissioner shall immediately sit down and refrain from further remarks.



**D. Resolutions**

- i. A Commissioner seeking consideration of a resolution shall first submit the same to the appropriate Committee Chair for study and recommendation. If one is unsure which Committee should properly study a resolution, s/he shall forward such resolution to the Legislative Committee to make that determination.
- ii. In order to appear on the Agenda for the next regular meeting of the Commission, resolution subject matter shall be presented to the Law Director by the first Monday of each month. From the matters requested in a timely manner, the Law Director will research, draft, and coordinate all matters with the appropriate Committee Chair, and create the monthly agendas for all non-budgetary committees.
- iii. Budgetary matters, as well as other financially related resolutions requiring the input of the Finance Director, shall be forwarded to the Finance Director for the creation of the Budget and Financial Management agendas by the second Monday of the month.
- iv. Resolutions received after the monthly deadline will be placed on the next month's agenda. In the event of an emergency, a Committee can allow a matter to be placed on an agenda after the deadline by two-thirds (2/3rds) majority vote of that committee.
- v. After all monthly Committee meetings, the Law Director will forward written resolutions to the Clerk by noon on the Wednesday before the regularly scheduled Commission Meeting.
- vi. Any resolution requiring action by the General Assembly shall require a two-thirds (2/3rds) majority vote of the Commission for passage, unless a simple majority is all that is required by the legislation or request of the General Assembly.
- vii. Any resolution requiring an appropriation or authorizing expenditure of County funds shall include the expenditure and be submitted to the Budget Committee for study.
- viii. Any resolutions appropriating or expending any funds, which were not included in the adopted budget for the current fiscal year, shall require approval by the Commission on readings at two (2) meetings on different dates. However, approval by two-thirds (2/3rds) majority vote of the Commission on the first reading shall waive the requirement of a second reading.

**E. Motions**

- i. No item may be debated until a motion is duly made and duly seconded.
- ii. The Commission Chair shall rule the following motions out of order:
  1. Dilatory motions: Motions obviously intended to delay or obstruct the matter before the Commission.
  2. Moot or frivolous motions: Motions which have no consequence or of a frivolous nature.
  3. Redundant motions: A motion that has the same effect as a motion previously considered, unless a motion to reconsider has been properly made.
  4. Motions in conflict with law
  5. Contradictory motions to amend: An amendment contradictory to the main motion.
  6. Premature motion to adjourn: A motion to adjourn cannot be considered until the Agenda, as adopted, has been completed; unless said adjournment follows a motion to suspend the Rules, which is made, seconded, and approved by a two-thirds (2/3rds) majority vote.
- iii. Reconsider: After a question has been put to a vote, any Commissioner who voted on the prevailing side may move for reconsideration of the question. If properly seconded, by any Commissioner, the motion to reconsider must be approved by a

majority of the body before a second vote can be taken on the matter to be reconsidered. The motion to reconsider shall be in order only during the same meeting as the vote of the question being reconsidered.

- iv. Refer: A motion to refer (i.e., postpone an item and stop debate on it immediately) has no debate and requires a two-thirds (2/3rds) majority vote of the body.
- v. Defer: A motion to defer (i.e., to postpone an item but debate that action) is debatable and only requires a simple majority vote.
- vi. Table: A motion to table has no debate and requires a two-thirds (2/3rds) majority vote of the body and shall specifically include the length of time the matter is to be tabled and the Committee to which the matter is to be sent.
- vii. Call for the Question: A call for the question (i.e., vote to end debate on a motion then, if successful, vote for said motion with no further debate) can be made by a speaker in the queue but not called out from the floor.

#### **F. Voting**

- i. Votes of the Commission are taken electronically, recorded, and made a part of the official minutes.
  - ii. After debate, if any, ends and after restating the motion on the floor for a vote, the Commission Chair shall call for the vote and announce the outcome when the vote becomes final.
  - iii. Before a vote becomes final, the Clerk shall inquire if anyone wishes to change his/her vote.
  - iv. A Commissioner may change his/her vote on any matter during the course of the meeting. But once the meeting has been adjourned, no changes can be made to a vote.
  - v. Voice Votes: Votes may be voice votes unless otherwise required by statute or requested by the Commission Chair.
  - vi. Division of Assembly: If any Commissioner doubts the outcome of a voice vote as announced by the Commission Chair, s/he may call for a division of assembly. Upon such call for division, the Commission Chair shall require a show of hands to verify the outcome of a voice vote or require an electronic vote.
  - vii. After the announcement of the outcome of any vote, a Commissioner may request that the Clerk record his/her vote in the minutes.
  - viii. All Commissioners shall declare a direct or indirect conflict pursuant to state law.
- G.** The Procedures outlined above also serve as procedures for the Committees, where applicable.

#### **IV. MISCELLANEOUS RULES**

- A. Adoption:** These Rules shall first be adopted by a majority vote of the Commission at its first meeting after September 1<sup>st</sup> in Commission election years. After such adoption, these Rules shall remain in full force and effect unless and until repealed, amended, or revised by a two-thirds (2/3rds) majority vote of the Commission.
- B. Amendments:** Amendments may be made to these Rules and Procedures by a two-thirds (2/3rds) majority vote of the Commission.
- C. Robert's Rules of Order:** The latest copyrighted edition of *Robert's Rules of Order* shall govern matters not addressed herein.
- D. Conflict with Law:** In the event that any of these Rules are determined to be in conflict with statutory provisions, such part shall be null and void; however, such a conflict shall not render null and void the remainder of these Rules and Procedures.

**E. Rule Disputes**

- i. The Commission Chair shall decide a dispute regarding the application or enforcement of these Rules, subject to an appeal to the Commission.
- ii. If any Rule appears to be in conflict with another, the Commission Chair will refer the issue to the Legislative Committee for study and recommendations.

**F. Written Reports from County Officials:** Reports that are to be submitted by County Officials shall be submitted to the County Clerk by noon on the second Monday of each month for distribution of reports to the Commission.

**G. Tax Rate Passage:** There shall be seven (7) calendar days between any Budget Committee meeting and any meeting of the Commission to consider or vote upon the annual tax rate.

**H. Agenda Notice:** Beginning with the October 2016 meeting cycle, all county commission committee agendas shall be emailed to all county commission members when sent to the members of that particular committee. *[added Sept. 19, 2016]*