

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

RESOLUTION # 2020-03-678

**RESOLUTION TO ADOPT RULES OF PROCEDURE OF THE
HARTSVILLE/TROUSDALE COUNTY COMMISSION**

WHEREAS, the Hartsville/Trousdale County Commission has need to operate in an orderly fashion carrying out the various legislative duties of the Commission; and

WHEREAS, the existing rules regulate the procedures of the Hartsville/Trousdale County Commission are in need of revision.

NOW THEREFORE BE IT RESOLVED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION that the attached document entitled "Rules of Procedure of the County Commission" in addition to the latest revised edition of "Roberts' Rules of Order" shall govern the Hartsville/Trousdale County Commission effective March 1, 2020 in all cases to which that are applicable and in which they are not inconsistent with the Charter of Hartsville/Trousdale County and any special rules of order the Hartsville/Trousdale County Commission may adopt.

Motion to approve: Bill Fergusson

Roll Call Vote

Second motion: Gary Walsh

YES 16 NO 4 ABSENT 0

APPROVED AND ADOPTED FEBRUARY 24TH, 2020

APPROVED:

ATTEST:


Dwight Jewell
Commission Chair


Rita Crowder
County Clerk

RULES OF PROCEDURE OF THE COUNTY COMMISSION

HARTSVILLE/TROUSDALE COUNTY TENNESSEE

1. The Legislative body of Hartsville/ Trousdale County, Tennessee a combined metropolitan form of government, shall consist of twenty (20) members, two (2) from each of the ten (10) voting districts, and be referred to collectively as the County Commission. Members of the County Commission of Hartsville/ Trousdale County, Tennessee shall be referred to as Commissioners, Squires or members.
2. The Commission shall meet at 7:00 p.m. on the fourth (4) Monday of each month of the year. Should the fourth (4) Monday fall on a legal holiday, the Commission shall meet at the same hour of the day on the following Tuesday. If an emergency need shall arise a meeting can be called at the discretion of the Chairman. Notification of the members will be left to the discretion of the Chairman, County Mayor and/or the Clerk of the Commission. *Tradition is to not meet in December.*
3. A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Commission, and where a vacancy or vacancies exist in the Commission the same shall not be included in determining the membership of such Commission.
4. In the absence of a rule upon any subject not specifically provided for in these rules, the Commission will be governed by Robert's Rules of Order. The adopted rules of order shall govern procedures of this body until such time as the same are amended, suspended or repealed by the affirmative vote of two-thirds (2/3) of the legal membership of this body.
5. Each Hartsville/Trousdale County Commissioner shall receive compensation, as prescribed by Ordinance, for attendance of meetings of the Commission and Committees. Any increases or changes in this compensation will only take effect following the next election of Commission members.
6. If any County Commissioner misses two or more consecutive committee meetings without cause, the Commissioner may be removed from their committee position by the Chairman of the committee, with the approval of the County Commission Chairman.
7. The Agenda of the Commission shall be set by the Chairman, in conjunction with the Mayor, to include any legislation sent forward from the Chairman, Steering Committee, Mayor, Boards or Commissions, or other standing committees.
8. A copy of the Agenda, attachments and the notice calling each Commission meeting shall be mailed (postmarked), or e-mailed, to each Commission member and the County Attorney seven (7) working days before the Commission is to meet. A copy of the Agenda and notice calling each Commission meeting shall be mailed, or emailed, to all licensed commercial radio stations in the county, and one (1) copy to all newspapers published for sale and distribution to the general public at the same time the aforementioned is mailed, or e-mailed, to the Commission members.
9. A copy of the Agenda, attachments and notice shall be posted on the Hartsville/Trousdale County website at the same time such information is mailed to County Commissioners, to remain on the website for a minimum of twenty-four (24) months.

10. The Commission shall be presided over and called to order by the County Commission Chairperson. In the absence of the County Commission Chairperson, the Chairman Pro-Tempore shall preside. In the absence of the Chairman Pro-Tempore, the Commission shall be called to order by the Clerk and shall elect one of the members to preside. The Chairman for matter of brevity, shall be referred to in these rules as "He" regardless of sex or gender, this in no way excludes the chairman from being female.
11. As provided by Resolution the County Commission Chairman and in their absence, Chairman Pro-Tempore are authorized to sign checks and necessary documents for county operations in the absence of the Mayor, or Chairman.
12. The County Commission Chairperson shall preserve order and decorum, seeking advice from the County Attorney when necessary. He may speak to points of order in preference to other members, as he sees necessary for that purpose. He shall decide questions of order, with the advice of the County Attorney, subject to an appeal to the Commission by any member.
13. Except as otherwise provided by law, no person other than members of the Commission may address the Commission with the following exceptions:
 - (a) A member of the Commission may introduce a nonmember and move for permission for such non-member to address the Commission, which motion shall be undebatable and shall pass upon affirmative vote of the majority of the members present.
 - (b) The County Mayor, at his discretion, may call upon nonmembers to address the Commission for the purpose of giving information and advice on matters before the Commission.
 - (c) County officers who by statute or Commission rules are required to present reports.
 - (d) Members of the Public may address the Commission upon Matters on the adopted agenda, by first signing in with their name and agenda item, when instructed to do so by the chairman. They may be limited in the amount of time allotted to speak at the Chairman's discretion. They are to address the Commission not the audience, and answer any questions by the members, not the audience. They will remain standing at the podium until dismissed by the chair and will not be able to speak again unless instructed to do so by the chairman.
14. No person except members of the Commission, the Mayor and County Officers shall be admitted within the bar during the sessions of the Commission unless invited by the County Commission Chairperson.
15. County Officials, Boards and Committees required to make reports to the Commission are, the Director of Schools (quarterly) and the Road Superintendent. Also, other officials, departments, boards, committees and commissions shall report to the Commission when requested by the Steering Committee, or Commission Chairman.
16. Reading of the minutes may be dispensed with a motion to accept, which shall be undebatable, and which shall require the unanimous vote of the members present. Prior to the call for a motion on the minutes, the County Commission Chairperson shall call for any corrections to the minutes. In the event the reading of the minutes is so dispensed with, the minutes as previously provided and signed by the County Commission Chairperson and the County Clerk shall become official.

17. Minutes of County Officers and Chairmen of standing and special committees shall be presented in writing to the Commission. No report from any department, commission, committee, etc. shall be heard without the maker of the report being present for questioning. All minutes and reports shall be submitted in a timely manner to the County Clerk, Mayor, and Commission Chairman within one (1) week or seven (7) calendar days of any meeting. All reports and minutes shall be typed (either paper or electronic; absolutely no handwritten) when submitted. An attendance sign in sheet must be provided for the record, on all Boards and Committee meetings, to be submitted along with the minutes.
18. All Ordinances, Resolutions and Amendments shall be filed with the Chairman, the Mayor, and the Clerk in writing before the same can be entertained by the Commission for action. Each appropriation resolution shall include a statement of the reason for and purpose of the appropriation. All simple motions must be reduced to writing by the clerk before voting ensues. The County Commission Chairman shall in all cases state clearly the motion under consideration before action is taken.
19. The County Mayor or Commission Chairman shall refer all proposed Resolutions and Ordinances to the Steering Committee. The Chairman of the Steering Committee shall convene the Committee prior to the next regular meeting of the Commission for the purpose of considering such resolutions and recommendations as have been referred to their Committee. They shall decide whether and to which committee or committees proposed legislation will be reviewed by and shall duly make their report to the Commission at the next regular meeting of the Commission. However, the failure of the Steering Committee to act upon said legislation shall not prevent the consideration by the Commission.
20. New business not on the Agenda at the opening of the regular meeting of the Commission may be presented by a Commission member to the Commission Chairman with the majority consent of the Commission members present at the meeting to which the new business is presented. Provided, however, that this section shall not apply to new business and resolutions which amend the budget and appropriate funds drawn against unencumbered fund balance. This does in no way prohibited the reallocation or classification of funds that do not result in additional appropriations.
21. Any member wishing to address the Commission, speak in debate, or present any matter may (preferably) rise from his/her seat, or signify with raised hand, and respectfully address the County Commission Chairperson and await notice to speak. The County Commission Chairperson shall designate such member by name and no member shall proceed to speak until so recognized.
22. Any member gaining the floor without recognition from the County Commission Chairperson must yield the floor immediately and wait until all members desiring to speak on the impending questions have had an opportunity to so speak. Upon consideration of any matter before the Commission, the first person to be recognized by the County Commission Chairperson shall be the member who introduced the resolution or motion, and the second person to be recognized shall be the Chairman or other spokesman of the Committee to which the matter has been referred. The author of the resolution shall have the option of speaking last, if desired.
23. Any member shall speak no more than once on the same subject, until all members have had an opportunity to speak on it, and for no more than five (5) minutes, except that the maker of the motion or resolution and the Chairman of the Committee to which the matter has been referred shall each have the right to speak ten (10) minutes. This restriction may be waived at the discretion of the Chairman in special circumstances, such as to answer a direct question or needed clarification of the members present.

24. When the County Commission Chairperson is putting any question, or any person is addressing the Commission, no person shall engage in private conversation above a whisper or walk across the room between the County Commission Chairperson and the person speaking, or in any manner disturb the proceedings of the Commission.
25. Should the County Commission Chairperson desire to speak upon any subject either in the negative or the affirmative, he may do so, provided he vacates the chair whereupon the Chairman Pro-Tempore shall preside until the matter under consideration is disposed of by the Commission. However, the County Commission Chairperson may answer questions, provide information, and give explanations from the chair, the Commission not objecting.
26. Each member while speaking shall confine himself/herself to the question under debate and avoid all personal, insulting, profane, or sarcastic language.
27. Once a motion has been made and duly seconded, the County Commission Chairperson will state the motion so that discussions on the motion may begin.
28. Whenever a motion or resolution has been presented to the Commission and an amendment, or amendments, to the original motion have been offered and a motion to table is then made, and properly seconded, then the motion to table shall be acted upon first with discussion to cease after the motion to table is made, except that one proponent of the motion or resolution may speak to the subject, as well as the maker of the motion to table. There shall be no further discussion before the vote is taken on the motion to table.
29. No motion or resolution can be rescinded except by two thirds (2/3) vote of the legal membership of the Commission.
30. No motion to reconsider a vote on any motion or resolution shall be entertained unless the maker of the motion to reconsider voted with the prevailing side. Any member may second the motion to reconsider. The motion to reconsider must be made before the next order of business.
31. On all questions coming before the Commission, the County Commission Chairperson shall take a voice vote of ayes and nays. If any doubt exists as to the vote, the Chairman can ask for a show of hands, the Chairman or any member may ask that a roll call be taken by the Clerk and the results ascertained in that manner. On all appropriations measures a roll call vote shall be taken.
32. When a roll call vote is being taken, any member when his/her name is called, may "abstain". Every member shall be entitled to vote or change his/her vote at any time prior to the official announcement by the County Commission Chairperson of the final vote tally.
33. When the County Commission Chairperson is to receive nominations from the floor, a member may nominate one other person for each position. The floor will be kept open until every member has had the opportunity to nominate a person if he desires before nominations are closed.
34. The ballots are cast by voice and a majority of the legal membership is required for election, except when the Commission is electing a replacement for an unexpired term of any elected official, when the elections shall be conducted by a paper ballot delivered to the County Clerk. The County Commission Chairperson, County Clerk and Chairman Pro-Tempore shall then tally and certify the results. In all balloting, the votes, if signed, of each individual member shall be recorded.
35. Before the Hartsville/Trousdale County Commission votes or considers any motion or resolution regarding the elected position to be filled, the Chairman of the Hartsville/Trousdale County Commission shall allow registered voters of the county an opportunity to submit names to the County legislative body for consideration. The names may be submitted in writing to the Chair

prior to the meeting or may be submitted in person at the meeting. For a name to be considered, a member of the County legislative body must subsequently nominate the person. Members of the County legislative body may also nominate a candidate or candidates to fill the office or vacancy without the name being submitted by a voter. Nominations do not require a second. If the person nominated is not present at the meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the position if appointed.

After nominations cease, the Commission may discuss the nominations and may, at the discretion of the Chairman of the County Commission, interview nominees or allow nominees the opportunity to address the Commission. Upon motion passed by majority of the members, the vote to make the appointment may be postponed to a subsequent meeting, provided that adequate public notice of the meeting is given in accordance with State law.

To receive an appointment, a nominee must receive the votes of a majority of the members of the County legislative body eligible to vote on the appointment.

36. Except as may be otherwise prohibited by the Charter or law, the County Commission Chairman shall appoint all committees of the Commission, shall fill all vacancies, shall be an ex-officio member of all committees and sub-committees. The Mayor shall appoint members to all boards, committees, and commissions related to County Government subject to final approval of the County Commission and shall be an ex-officio member of all Committees as specified in the Charter. The Mayor shall have the responsibility for care, custody and control of all County-owned property and buildings. Except that which has been designated to other Elected officials by Charter or Law, such as the Jail is the responsibility of the sheriff.
37. There shall be two (2) types of committees-standing (permanent) and special (temporary). The Commission or County Commission Chairperson may create such special committees, as the circumstances require. No special committee shall be created for any purpose when there is a standing committee on the same subject.
38. Committees have any and all authority necessary to request the assistance of county, regional, State and Federal government departments, commissions and agencies. Committees cannot obligate the County in any contract, or any matter involving money without approval of the Commission.
39. The role and jurisdiction of a Commission committee other than that required by law is to investigate and study matters, provide information and to present recommendations to the Commission, as generally described in these rules. Questions regarding jurisdiction or authority of any committee shall be referred to the Steering Committee for determination, subject to the appeal to the Commission at its next regular meeting.
40. All committee meetings are open to the general public. A "Public Comment" provision shall be added to the Agenda for all committee meetings. During this Public Comment period, citizens of Hartsville/Trousdale County may address the committee about any concern within the stated purpose and purview of the committee, with any individual presentation not to exceed three (3) minutes. Questions asked of the committee and the responses to the questions are included as part of the three (3) minute time limit. At any time, the Committee Chairman may refer the citizen to another committee if in their opinion the discussion is out of order.

41. There shall be no verbal assaults or confrontations with the committee members. Proper decorum shall be observed at all times. Should this rule be violated, in the Chairperson's opinion, the Chairperson may close the Public Comment portion of the meeting, noting his reason(s) in the minutes. The committee is not obligated to take any action on any request made during the Public Comment portion during that meeting of the committee. The time allowed for the Public Comment portion of the Agenda may be increased or decreased by a majority vote of the committee, after a proper motion and second. Prior to the beginning of the Public Comment portion of the Agenda, the Committee Chairman will read a prepared statement advising those present of the rules on participation in the Public Comment portion of the Agenda. The Agenda for each Hartsville/Trousdale County Commission committee meeting will be placed on the Hartsville/Trousdale County, Tennessee government website within three (3) to five (5) days prior to the specific meeting. It shall be the responsibility of the Chairman of each committee, or his/her designee, to relay the Agenda information to the Mayor's office or person designated to update the web site. Adequate notice as required by law shall be provided the public. The date, time, stated reason, and place of any committee meeting shall be placed as provided by law, such as newspaper, public places, radio, etc....
42. The minutes of all Commission committee meetings shall contain the day, time and place the Commission committee convenes, the members present, members absent, a summary of matters considered and record of voting on the action taken on each recommendation to the Commission, the time of adjournment and date of next scheduled meeting if announced.
43. Committee reports shall be given to the Commission as directed by the Chairman. Upon completion of his report, the speaker shall yield to questions and questions related thereto shall be heard. Before discussion, there shall be a motion and a second passed, to entertain further discussion, and it shall be so stated by the County Commission Chairperson.
44. Minutes of committees, commissions and department reports shall be kept on file for a period of no less than two (2) years, or in accordance with the State of Tennessee Public Records Act.
45. The County Clerk and/or County Mayor shall, upon request, provide secretarial assistance to the Commission, or committees of the Commission during regular scheduled hours of the Mayor or Clerk's office, provided it does not interfere with the normal duties of their offices.
46. The County Attorney shall be accessible to any members of the Commission as needed.
47. Any and all travel to attend any meetings, conferences, forums, or conventions that Commission members desire to attend, must have prior written permission to attend by the Commission Chairman, reimbursement shall be in accordance with the adopted Hartsville/Trousdale County travel policy for Elected officials and employees. Subject to the funds allocated and available for this purpose.
48. The County Clerk shall furnish one or more of the pages of Commission and committee minutes to the general public, upon request, in accordance with the schedule for reasonable charges according to the State Public Records policy or any policy subsequently adopted by Hartsville/Trousdale County.

49. The standing committees of the Commission shall be: Steering Budget Purchasing Oversight Audit Insurance Employee/Personnel Education Law Enforcement Parks and Recreation County Buildings Codes and Zoning Communication Emergency Services Solid Waste Economic Development Professional Services Selection and any others specified by Charter or Specific Ordinance. They shall be reviewed annually at the start of the physical year by the County Commission Chairman, combined, eliminated or added to, members assigned as needed, subject to approval of the Commission. All committees shall meet in a reorganizational meeting to elect officers annually prior to the beginning of each year, consisting of Committee Chairman, Vice Chairman, and Secretary.
50. In the interest of maintaining proper decorum and order while any committee, board, commission of the Hartsville/Trousdale County government is in session, all signs, either hand held or posted, in support of, or opposition to, an issue to be considered are prohibited inside the room where deliberations are being conducted. It is the responsibility of the Chairman, Sheriff or designated officer, or sergeant at arms to enforce and maintain order for the safety and security of all in attendance.
51. Any and all weapons, knives, guns and anything that can be used as a weapon of assault are prohibited from any County Commission meeting, committee, board, or commission at the discretion of the Sheriff or any presiding officer. This does not apply to any LEO on or off duty, any member of the body, with prior knowledge and approval of the Sheriff and Chairman, nor anything contrary to existing laws.
52. Committee agendas are to be created and distributed by the chair or the secretary of that committee to all committee members. Agenda needs to be made available to clerk and Mayor for publication a minimum of 3 days in advance of scheduled Committee meeting. Please provide minutes from previous meeting and any supporting documentation for action items on the agenda.
53. Commissioners must be ever mindful of your words and conduct both at meetings and on any media, outlet including social media. Words and actions are easily misconstrued and misrepresented and once they are out, they can never be undone. Please refrain from the temptation to take sides, or "stir the pot" but seek answers or give concise factual comments, and always defer to others more involved with a subject if possible.