

JAN 09 2023



JOHNSON COUNTY County Clerk, Johnson County Texas
BY AF **DEPUTY**
COMMISSIONERS COURT

Christopher Boedeker County Judge
Rick Bailey Commissioner Precinct 1
Kenny Howell Commissioner Precinct 2
Mike White Commissioner Precinct 3
Larry Woolley Commissioner Precinct 4

THE STATE OF TEXAS §
COUNTY OF JOHNSON § **ORDER 2023-01**
§

**2023 RULES OF DECORUM AND PROCEDURE FOR THE
JOHNSON COUNTY COMMISSIONERS COURT**

The Commissioners Court of Johnson County, Texas hereby establishes these Rules of Decorum to promote the efficient, professional, and transparent conduct of all meetings of the Court, including Regular, Special, Emergency, and Executive Session (Closed) meetings. These Rules may be amended by future Order of the Court.

Notice, Agenda Placement, and Meetings of the Commissioners Court

1. All meetings shall be called, noticed, and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code.
2. Meetings, other than Executive Sessions, are open to the public, including representatives of the press. Executive Sessions will be open only to the members of the Court and to persons necessary for the conduct of the Executive Session. If action on an item discussed in Executive Session is necessary, the action, decision, or vote will be made in an open session.
3. Regular meetings of the Court will be conducted at 9:00 A.M. on the second and fourth Monday of each month in the Commissioners Courtroom located in the Johnson County Courthouse. Items may be placed on the agenda by any one member of the Commissioners Court. Items will only appear on an agenda if the Agenda Placement Form is approved by at least one Commissioner or the County Judge and provided to the County Judge's Office no later than 12:00 P.M. (noon) on the Tuesday immediately preceding the next Regular Meeting. If the County Judge calls a special meeting, the Judge may designate a deadline for agenda placement that provides adequate time for court members to place an item on the agenda. The Agenda Placement Form is attached to these Rules as Exhibit A. The person designated on the Form as the presenter shall be present at the Meeting unless the item is listed on the Consent Agenda.

Public Participation

4. Members of the public are invited to attend meetings of the Commissioners Court as discussed above. However, members of the public shall not be permitted to participate in the meetings except in accordance with these Rules. Interfering with or disrupting a meeting may be grounds for a Contempt Citation as set forth in these Rules.
5. Procedure for Public Participation:
 - a. A member of the public wishing to address the Court must complete the Public Participation Form and provide it to the Court Clerk prior to the meeting being called to order by the presiding officer. A copy of the Public Participation Form is attached to these Rules as Exhibit B.
 - b. Public Participation will be heard before any action items on the agenda unless the presiding officer designates otherwise.
 - c. Each member of the public who signs up to speak will be called on by the presiding officer. The participant must wait to speak until the presiding officer has invited the participant to do so.
 - d. A participant will have three (3) minutes to address the Court. The presiding officer shall be charged with keeping time and shall indicate when the time has expired. The participant may finish his or her sentence and then must be seated.
 - e. If the participant's issue is not on the agenda, the members of the Commissioners Court may not respond or address the participant. If appropriate, the presiding officer may provide factual information to the participant, recite existing policy, and may instruct County staff to meet with the participant. If a court member wishes to place the item on a future agenda, he or she may so state.
 - f. The maximum amount of time for public participation on any one item shall be limited to eighteen (18) minutes. The Commissioners Court, by majority vote, may extend this time in extraordinary cases. If more than six (6) speakers wish to address an item, the total time shall be divided equally amongst the speakers.
 - g. Participants are permitted to criticize the actions of the Commissioners Court. However, participants are not permitted to insult the honesty and/or integrity of the Court or its members. Participants are not permitted to insult the honesty and/or integrity of any other member of the public or any County employee or official. The use of threats, profane language, or racial, ethnic, or gender slurs, or epithets are prohibited. A participant violating these Rules will forfeit his or her remaining speaking time and may be subject to further penalty set forth in these Rules.

6. Rules of Decorum for Members of the Public:
 - a. Members of the public are reminded that the Commissioners Court is a Court created by the Texas Constitution. As such, it has the authority to hold a person in contempt for violating these Rules pursuant to Texas Local Government Code Section 81.024.
 - b. Members of the public must conduct themselves with proper respect and decorum when present in the Commissioners Courtroom.
7. A person who violates these Rules may be ordered to leave the Meeting and may be subject to contempt. A person held in contempt may be fined, confined, or both in accordance with Local Government Code Section 81.023.

Rules for Members of the Press

8. No press personnel or equipment will be located beyond the bar in the Courtroom without specific permission from the presiding officer.
9. Press personnel are required to structure their movements and equipment to minimize any disruption of the meeting. Personnel or equipment that interferes with the conduct of the meeting, the presentations to the court, or the public's ability to see, hear, and participate in the proceeding will be ordered to be moved.
10. Interviews shall not be conducted inside the Commissioners Courtroom while the Court is in session, including in executive session.
11. Interviews conducted outside the Commissioners Courtroom must be conducted in a manner that does not disrupt the Court's proceedings.

Procedures of the Commissioners Court

12. Presiding Officer. The County Judge is the presiding officer of the Commissioners Court. The Judge is also a fully participating member of the Court. The Judge, at the Judge's discretion, may appoint a Judge Pro Tem to preside in the absence of the Judge. In the event of the absence of the Judge and the Judge Pro Tem, the senior member of the Court (as determined by number of consecutive years of service as a Commissioner) shall be the presiding officer. For convenience or efficiency, the presiding officer may designate another member to preside over a meeting, session, or item.
13. These Rules are adapted from Robert's Rules of Order. These Rules may be modified by a majority vote of the Commissioners Court, and deviations from these Rules may be permitted in accordance with Robert's Rules of Order in the interest of effectively conducting the meetings of the Commissioners Court.
14. The presiding officer shall be responsible for conducting all meetings of the Commissioners Court. The presiding officer is also responsible for resolving any issues of decorum or procedure, subject to be overturned by a majority vote of the Commissioners Court.

15. The County Judge's Office will be responsible for preparing and posting all meeting agendas. The Judge's Office may assign items on the agenda to the "Consent Agenda" if the items are noncontroversial and unlikely to require public discussion. Any member of the Court or any member of the public may request that an item placed on the Consent Agenda be removed from the Consent Agenda and discussed in full.
16. The Court will typically proceed through the meeting agenda in the order in which items are posted on the agenda. However, as long as each item on the agenda is addressed at the meeting, the presiding officer has complete discretion regarding the order in which the items are addressed.
17. The Court will typically use the following order of proceedings, which differ from Robert's Rules of Order, unless the presiding officer designates another procedure:
 - a. The item will be read into the court record by agenda number and title by the presiding officer.
 - b. The presiding officer will then invite the official or employee presenting the item to the podium to present the item.
 - c. If applicable, the presiding officer will open the item for public hearing.
 - d. At the close of the presentation (or public hearing if necessary), the presiding officer will open the floor for questions from the Commissioners Court. The presiding officer will yield the floor to one court member at a time to ask questions. Questions should be directed to the presenter, applicant, or County staff. When that member's questions (and follow-up questions) have been answered, the member will yield the floor back to the presiding officer. This process will continue until no further questions remain.
 - e. The presiding officer will open the floor for discussion and yield the floor to the entire court. Members are permitted to speak directly to one another without acknowledgement from the presiding officer. However, members should speak one at a time and into their microphones so that the public can understand the discussion.
 - f. When there is no further discussion, the presiding officer will call for a motion. Upon receiving a motion, the presiding officer will repeat the motion and clarify any confusion. Then, the presiding officer will call for a second.
 - g. If a motion receives a second, the presiding officer will call for a vote and announce the results of the vote.
18. The following preferred motions shall be used if applicable. If another motion is necessary, the movant shall state the intended action clearly in plain language to facilitate the public's understanding of the discussion.

- a. Motion to Approve as Presented.
 - b. Motion to Approve with the Following Conditions. The movant must clearly list all conditions contained in the motion.
 - c. Motion to Deny.
 - d. Motion to Postpone to a Date Certain. The movant must state the date of the Regular Meeting on which the item will be considered again. If the item was a public hearing, the presiding officer should re-open the public hearing and continue it to the future date.
 - e. Motion to Take No Action. Alternatively, the presiding officer may pass an item without taking action so long as no court member objects.
 - f. Motion to Adjourn. There will be no discussion on this motion. Alternatively, the presiding officer may adjourn the meeting without a motion so long as no court member objects.
 - g. Motion to Recess. There will be no discussion on this motion. Alternatively, the presiding officer may recess the court without a motion so long as no item is currently pending.
19. The Sheriff of Johnson County, Texas (or his designee) shall serve as the bailiff of the Commissioners Court at all meetings. If the Sheriff is absent, unwilling or unable to serve, or has a conflict that prevents the Sheriff from serving, the Commissioners Court may appoint any peace officer to serve as the bailiff of the Court. If the Sheriff is excluded from an Executive Session, the Commissioners Court may appoint a temporary bailiff if the Court deems it necessary.
20. These Rules apply to all meetings of the Commissioners Court, including publicly-posted town halls or forums. The Commissioners Court may adopt additional procedures for any special meeting, if necessary.

Effective Date

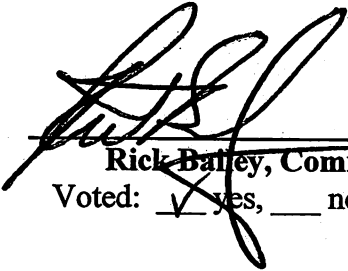
21. These Rules shall be effective immediately and shall remain in effect until modified by a majority vote of the Commissioners Court.

SO ORDERED IN OPEN COURT THIS 9TH DAY OF JANUARY, 2023.



Christopher Boedeker, Johnson County Judge

Voted: yes, ___ no, ___ abstained



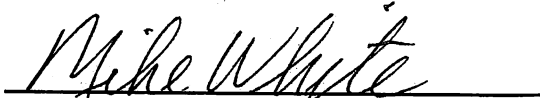
Rick Bailey, Comm. Pct. 1

Voted: yes, ___ no, ___ abstained



Kenny Howell, Comm. Pct. 2

Voted: yes, ___ no, ___ abstained



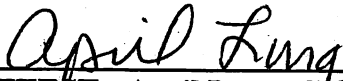
Mike White, Comm. Pct. 3

Voted: yes, ___ no, ___ abstained



Larry Woolley, Comm. Pct. 4

Voted: yes, ___ no, ___ abstained



ATTEST: April Long, County Clerk



Exhibit A

AGENDA PLACEMENT FORM

(Submission Deadline – Tuesday, 12:00 PM before Regular Court Meetings)

Date: _____

Meeting Date: _____

Submitted By: _____

Department/Office: _____

Signature of Director/Official: _____

Agenda Title: _____

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary): _____

_____ (May attach additional sheets if necessary)

Person to Present: _____

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC _____ CONFIDENTIAL _____

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: _____ minutes

Session Requested: _____ (Action Item, Workshop, Consent, Executive)

Check All Departments Requiring Notification:

County Attorney _____ IT _____ Purchasing _____ Auditor _____

Personnel _____ Public Works _____ Facilities Management _____

Other Department/Official (list) _____

Exhibit B

**JOHNSON COUNTY COMMISSIONERS COURT
PUBLIC PARTICIPATION FORM**

NAME: _____

HOME ADDRESS: _____

PHONE: _____

GROUP OR ORGANIZATION REPRESENTED: (If Any) _____

AGENDA ITEM: (If Any) _____

(circle one): **SUPPORT** **OPPOSE**

ADDITIONAL COMMENT OR CONCERN: _____

Signature: _____

NOTICE: This Form must be presented to the Court Clerk (or designated Court Assistant) prior to the presiding officer calling the Meeting to order. Failure to timely return this form will prevent you from participating in the Meeting.