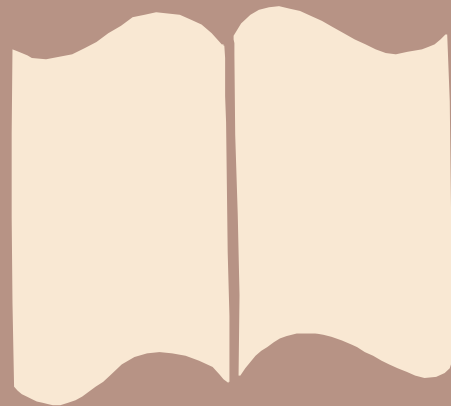


MOHAVE COUNTY RULES OF ORDER



ADOPTED: January 21, 2003
UPDATED: March 1, 2010

MOHAVE COUNTY BOARD OF SUPERVISORS

RULES OF ORDER

I MEETINGS

The Arizona Open Meeting Law A.R.S. 38-431 shall govern meetings of the Board. All meetings of any County public body, official or advisory committee shall be public and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

- A) **Regular:** Regular meetings of the Board shall be held in the County on a working day or days of each month. Normally the Board meets on the first and third Mondays of each month. The Board shall notify the public of the location, day and time of each meeting as provided by law.
- B) **Special:** Special Meetings may be called by the Chairperson or by a majority of the Board. Notice of a Special Meeting shall be given to any member not joining in the call at least five calendar (5) days prior to the meeting.
- C) **Emergency:** Emergency Meetings may be called by the Chairperson as provided by A.R.S. 38-431.02 only in the event of an actual emergency.
- D) **Executive Sessions:** Executive Sessions are permitted under ARS 38-431.03.
 - 1) The purposes for which an Executive Session discussion may be held are the following: Personnel matters involving a specific individual; confidential records, legal advice; discussion of pending or contemplated litigation; instruction of designated representatives concerning negotiations with employee organizations; instruction of designated representatives concerning negotiations for the purchase of real property and as otherwise provided by law.
 - 2) Executive Sessions are attended by the Board Members, County Attorney, County Manager and the Clerk of the Board.
 - 3) The Board may call upon an Elected Official, Deputy Co. Attorney, Department Head, and/or other experts having data pertinent to the particular item. At the conclusion of that item the attendance of the Executive Session shall return to its original membership.
 - 4) All matters discussed in an Executive Session must be kept confidential by those attending except minutes shall be made available to members of the Board who are unable to attend or to appropriate State agencies.

- E) The Board of Supervisors Meeting Room shall be the designated meeting place provided, however, meetings may be held from time to time at any location in the County as designated by the Board. Meetings may be adjourned to another time and/or location as determined by the Board of Supervisors.

II ORDER OF BUSINESS

- A) The presiding officer of the Board shall be the Chairperson who shall be elected and whose term shall be established by the membership. The Vice-Chairperson shall be elected and the term established in the same manner. The Chairperson or, in his/her absence, the Vice-Chairperson shall be responsible for calling meetings to order and maintaining proper protocol and decorum during all meetings. All motions, comments, and questions shall be made through the Chairperson.

When a vote of the Board is required, the precedent shall be in order of seniority. The Board member who is not Vice Chair shall vote first, followed by the Vice Chair and voting last is the Chairperson.

- B) The Chairperson may continue or withdraw any item with the consensus of the membership without a vote.

C) **Public Participation In Board Meetings**

- 1) The policy of the Board is to permit public participation in Board meetings. Pursuant to A.R.S. 38-431, all meetings of any public body official or advisory committee shall be public and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. However, it should be understood that Arizona Open Meeting Law does not establish "a right" for the public to participate in the discussion or the ultimate decision. (Arizona Attorney General Opinion 78-1.¹)

Request To Speak Form

- 2) Individuals may address the Board on a public hearing or regular agenda item or at the discretion of the Chairperson. In the interest of maintaining order a member of the audience, wishing to address the Board on a specific Board Agenda Item must fill out a Request to Speak Form. The form should be turned in to the Clerk prior to the meeting. If an agenda item is set for a specific time, a written Request to Speak form must be filed at least five minutes prior to that specified time. Speakers shall familiarize themselves with the Board Rules and Proper Decorum Guide, printed on the Requests to Speak Form, prior to speaking. Speakers shall strictly adhere to Board Rules and Decorum during their speaking time. A copy of the Request to Speak Form is attached hereto.

Speaking Considerations For Individuals And Groups

- 3) The Chairperson may limit the time for presentation and the number of persons who may address the Board on any agenda item. The general policy of the Board regarding public participation is as follows: three minutes per person or such other time as may be designated by the Chairperson or a majority of the Board. If a citizens group wishes to speak on the same subject, the group should choose a representative to deliver the message. The Chairperson may set a limit for organized group presentations and may set limits for each side when many persons request to speak on an agenda item.

DECORUM IN DEBATE

This is a public meeting convened by the Mohave County Board of Supervisors. As mentioned above in Item....C1, members of the public are permitted to attend and listen, but Arizona Open Meeting law does not establish “a right” for the public to participate in the discussion or the ultimate decision. If a person or persons in the audience engages in disruptive behavior and is asked to cease that behavior and does not comply and or refuses to leave the meeting room when directed by the Board, law enforcement officials may take any necessary steps within their discretion in accordance with Arizona laws, including but not limited to disorderly conduct (ARS 13-2904), criminal trespass (ARS 13-1502), and/or obstructing government operations (ARS 132402).

No deadly or dangerous weapons of any type that could cause injury are permitted in the building. Arizona Weapons Law will be strictly enforced and prosecuted. Also, no flags, signs, placards are permitted in the building. However, demonstrative aids used by officially recognized parties during scheduled agenda items and public hearings may be used.

Dress Code

- 4) All participants and attendees shall be dressed appropriately for a Board meeting. Dress which is disturbing and distracting is inappropriate. Clothes and appearance must be safe and not disruptive to the Board.

This Dress Code includes, but is not limited to, the following guidelines:

- a) Midriff/Stomachs are to be covered at all times.
- b) No halter-tops, tank-tops or muscle shirts are to be worn. Backs are to be covered at all times.
- c) No mini skirts or short-shorts allowed.
- d) With religious and medical exception, no hats, headscarves, headbands, or kerchiefs may be worn.
- e) Shoes must be worn at all times.

- f) No exposed underwear.
- g) Clothing that advertises substances (drugs, alcohol, tobacco products) or language or writing that is otherwise inappropriate or offensive (sex, profanity, racial or ethnic slurs, gang-related attire, etc.) may not be worn. Tattoos that display language, writing or caricatures of the items listed above must be covered.

No Personal Attacks Allowed

- 5) The Chair shall not allow debate to digress to personal attacks. No speaker shall arraign the motives of a member, a staff member or other speakers. However, the specific issue under question may be condemned in strong terms. It is not the person, but the measure of the issue under question, that is the subject of debate. In the same spirit Board or Commission members will not personally disparage each other or the public presenters.

Debate Restricted To The Immediate Question

- 6) Compliance with the Arizona Opening Meeting Law requires that no debate shall be allowed on any issue other than the immediate question under consideration before the Board. If any Board Member, the Parliamentarian, or County Manager reasonably believes that a speaker has strayed from the immediate question, a "point of order" may be called. The Chairperson may caution the speaker to speak to the immediate question only, or the Chairperson may direct the speaker to relinquish the floor and be seated.

Sponsored Groups, Board, And Committees

- 7) The Chairperson of a County Board, Commission, sponsored group, or Committee is the sole official spokesperson for the group unless this responsibility is delegated, in writing or otherwise established by majority vote of the group, and communicated in writing to the Chairperson of the Board of Supervisors. Five minutes may be allowed for such presentations unless the Chairperson, or a majority of the Board, deems circumstances warrant additional time. If there is a minority report, the Chairperson may allocate up to three minutes for such presentation. The Chairperson shall have discretion in setting time limits, and may allow longer presentations, time permitting, for staff reports on strategic, business planning or other official business.

Meeting Discipline And Orderly Conduct

- 8) In the event that any meeting of the Board is interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chairperson may recess the meeting or order the person, group or groups of persons interrupting the meeting to leave the meeting or be removed from the meeting. Placards, banners, signs, flags, or other large objects which could interrupt or disrupt the orderly conduct of the meeting will not be permitted in the Chambers.

Restoring A Meeting To Order

- 9) In the event that any meeting is interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of such person, or persons, the Chairperson may recess the meeting and continue the session at a later time and date. Only matters appearing on the posted agenda may be considered in such a session.
- D) Modifications to the order of the agenda may be made by the Chairperson provided that the rearrangement does not violate the spirit or letter of the Open Meeting Law.
- E) No other business will be considered by the Board other than those items placed on the agenda.
- F) All items, regular and consent, to be included on the agenda, shall be filed in the Clerk of the Board of Supervisors office at least ten (10) days prior to the meeting. Elected officials and/or Department Heads submitting requests after the ten (10) day deadline must request that the Chairperson allow the agenda be revised to include the items. Board members will submit their own requests and citizens requests must be presented through their respective Board members. Some backup material must be submitted with each item.
- G) All Contracts, Intergovernmental Agreements, Addendums, Service Enhancement Requests as well as any other documents, must be submitted to the County Manager for approval, executed (Approved As to Form) by the County Attorney or his/her Deputy prior to submitting the item to the Clerk of the Board's office for Board approval and execution.
- H) Items that require funding approval must be verified that funds are available by the Mohave County Financial Services Director and/or his/her designee.
- I) Items that require personnel action must be pre-approved by the Human Resources Director and/or his/her designee, that the position is available and within the proper range.

III READING OF THE MINUTES

If the Clerk has furnished each member with a copy of the minutes of a previous meeting, the reading of the minutes may be dispensed with and approved as most recently drafted.

IV MOTIONS (PRECEDENCE OF MOTIONS)

Motions During Meetings Of The Board Of Supervisors

- A) Board actions shall be made by way of a formal motion. Any Board member may propose a motion for any item on the official agenda. Such a motion, if seconded by any Member, shall be on the floor and must be considered. If a

motion is not seconded, the motion fails for lack of a second, and shall be so declared by the Chairperson.

Debate Requires A Second To The Motion Of Any Member

- B) Before any subject is open to discussion debate it is necessary; 1) that a motion be made by a member who has obtained the floor; 2) that it be seconded, and 3) that the question it be stated by the Chairperson. The fact that a motion has been made and seconded does not put it before the Board, as the chair alone can do that. He must either rule it out of order, or state the question on it so that the Board may know what is before it for consideration and action, that is, what is the "immediately pending question".²

Discussion And Call To Question

- C) After a motion has been seconded, any Member may discuss the subject of the motion. At any time after a motion has been seconded, any Member who has the floor may say, "I Move the Previous Question." The effect of "I Move the Previous Question" is to close debate immediately.³ The Chairperson will then call for the vote. When no Member wishes to discuss the motion further, the Chairperson shall call for a vote on the motion. The Chairperson may recognize public speakers that have signed a Request to Speak Form. The Chairperson may also call for the vote if it appears that further discussion will be repetitious.

Withdrawing A Motion

- D) A motion may be withdrawn by its maker at any time before adoption or rejection, with the consent of the second. Absent the consent of the second, the motion shall remain on the floor. The second to a motion may be withdrawn by the second at any time before adoption or rejection of the motion. Upon withdrawal of the second, the motion will be lost for lack of a second and so declared by the Chairperson unless seconded by another Member.

Amending A Motion

- E) A motion on the floor may be amended by motion at any time before adoption or rejection. If the motion to amend fails, the original motion will be voted upon. If the motion to amend passes, the amendment is adopted and, thereafter, the original motion, as amended, will be voted upon. An amendment to a motion must be germane to the subject of the motion, but it may not achieve the opposite effect of the motion. The motion may be amended only twice, provided that each amendment is voted on and carried by the majority or unanimous vote.

Motion To Reconsider

- F) A motion to reconsider the vote on an agenda item may be made at the meeting at which the item was acted upon, or any adjourned session of the same meeting. Only a Member who voted on the prevailing side of the agenda item sought to be reconsidered may make the motion. No question

can be twice reconsidered unless it was amended after its first reconsideration.

- G) A motion to continue an item must be passed by a majority vote and takes precedence over all other motions except for a "Point of Order."
- H) A motion to "lay an item on the table" shall be decided without debate and must be passed by a majority vote.
- I) A call for a "point of order" shall have precedence.
- J) No other motion can be made while there is a motion pending.
- K) A verbal vote will be taken on all motions. A roll call vote shall be taken on motions requiring a unanimous vote or as requested by the Chairperson or any member.
- L) Abstentions are appropriate only when there is a legal impediment to voting.
- M) A motion to adjourn shall always be in order except when a member is addressing the Chair, or when there is a motion on the floor.

V PARLIAMENTARY PRACTICE

In the spirit of these rules, the Chairperson may refer to Robert's Rules of Order, as amended, when they are not inconsistent with Arizona Revised Statutes.

The County Attorney or his designee shall act as parliamentarian.

VI SUSPENSION OF RULES

These rules may be suspended upon an affirmative vote of a majority of the members present.

VII ABSENCE FROM MEETING

Every member of the Board about to leave the County for a period of one week or more, shall notify the Chairperson of the Board, the County Manager or the Clerk of the Board.

VIII RECORDS

It is the duty of the Clerk of the Board to make full entries of each member's vote on every question when there is a division or at the request of any member present on all resolutions, decisions and actions taken by the Board at each Meeting.

The Clerk of the Board shall not allow any original paper or record of the County to be taken from his/her custody without the knowledge and permission of the Board.

DEFINITIONS:

1. **Meeting:** The Gathering of a quorum of members of a public body to propose or take legal action including any deliberations with respect to such action.
2. **“Call for the Question”:** A member is ready for a vote.
3. **“I move the previous question”:** A member is ready for a vote and wishes to foreclose further discussion.
4. **“Immediate Question:** the specific agenda item under discussion.
5. **Point of Order:** A member believes the discussion is in error or not germane to the issue.
6. **Quorum:** A majority of all members elected to the Board.

Enclosure One: Mohave County’s Request to Speak Form

Adopted:	January 21, 2003	Mohave County Board of Supervisors
Updated:	May 15, 2006	Mohave County Board of Supervisors
Updated:	March 1, 2010	Mohave County Board of Supervisors

¹ Arizona Attorney General, Agency Handbook, Revised May 2001, p. 7-20, item 7.1.10

² Roberts Rules of Order, Newly Revised, 9th, Edition, pg. 31-32.

³ Roberts Rules of Order, op.cit., pg.63-64.

Mohave County’s Request to Speak Form

Members of the public who desire to speak on a public hearing or regular agenda item must complete Section 1 below and be familiar with the Mohave County Board of Supervisors Meeting Rules and Mohave County Board of Supervisors Proper Decorum Guide, an excerpt of which is included in Section 2.

SECTION 1:

Name: _____ <div style="text-align: center; font-size: small;">(Please Print Clearly)</div> Address: _____ <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> City State Zip </div> Telephone No: _____ I would like to address the Board, regarding agenda No: _____ <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> In Favor <input type="checkbox"/> Opposed </div>

SECTION 2:

Mohave County Board of Supervisors Meeting Rules

1. Arizona Open Meeting Law requires that you limit your comments to the specific agenda item. If you address any subject not specifically relevant to the agenda item, you may be ruled “out of order” and will lose your allotted time.
2. Proper decorum is required for all speakers as outlined in the Proper Decorum Guide below.

Mohave County Board of Supervisors Proper Decorum Guide

1. Speaker’s shall approach the podium, address the Chairperson and clearly state their name and place of residence.
2. Speakers shall first announce their support or opposition to the numbered agenda item by saying:
 - a. “I am in favor of the current question” or
 - b. “I am opposed to the current question.”
3. Speakers shall not verbally attack nor impugn the motives of Board Members, staff, or other speakers.
4. This is a public meeting convened by the Mohave County Board of Supervisors. Members of the public are permitted to attend and listen, but Arizona Open Meeting law does not establish “a right” for the public to participate in the discussion or the ultimate decision. If a person or persons in the audience engages in disruptive behavior and is asked to cease that behavior and does not comply and or refuses to leave the meeting room when directed by the Board, law enforcement officials may take any necessary steps within their discretion in accordance with Arizona laws,

including but not limited to disorderly conduct (ARS 13-2904), criminal trespass (ARS 13-1502), and/or obstructing government operations (ARS 132402).

5. No deadly or dangerous weapons of any type that could cause injury are permitted in the building. Arizona Weapons Law will be strictly enforced and prosecuted. Also, no flags, signs, placards are permitted in the building. However, demonstrative aids used by officially recognized parties during scheduled agenda items and public hearings may be used.
6. All participants and attendees shall be dressed appropriately for a Board meeting. Dress which is disturbing and distracting is inappropriate. Clothes and appearance must be safe and not disruptive to the Board.
7. The general policy of the Board regarding public participation is as follows: three minutes per person or such other time as may be designated by the Chairperson or a majority of the Board.
8. If a large citizens group wishes to speak on the same subject, please choose a representative to deliver the message.