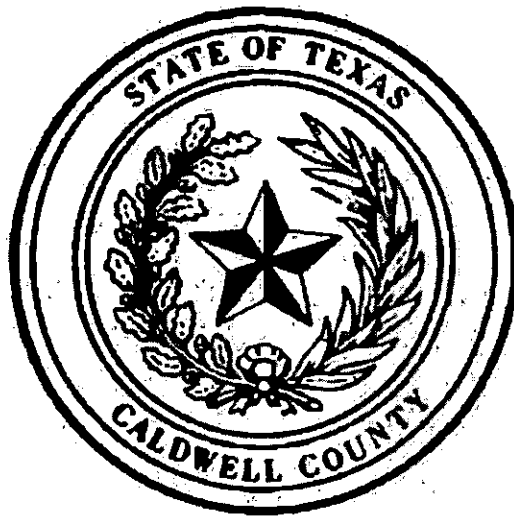


CALDWELL COUNTY COMMISSIONERS COURT



Rules Of

Procedure, Conduct, and Decorum

For All Commissioners Court Meetings

Amended January 24, 2023

ARTICLE I

MEETINGS OF THE COMMISSIONERS COURT

- 1.00 All Regular, Special, Emergency and Executive Session Meetings of the Caldwell County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act. Chapter 551, Texas Government Code.
- 1.01 The Open Meeting Act, codified as Chapter 551 of the Texas Government Code, provides that all Regular, Special and Emergency Meetings of the Caldwell 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. Executive Sessions only allows for those individuals expressly requested or ordered to be present.

Regular Meetings

- 1.02 The Caldwell County Commissioners Court meets in Regular Session at 9:00 a.m. on the second, and fourth Tuesdays of each month. The Commissioners Court may change the day of the week for meetings once each year. [See §81.005 (a) of the Local Government Code where in the Court by Order sets the day of the week the Court will meet at the last regular meeting of the Court each fiscal year]

Special Meetings

- 1.03 A Special meeting of the Commissioners Court may be held at any time called for by the Court or by the County Judge. Either the County Judge or three (3) Commissioners acting together may call a Special meeting of the Commissioners Court. (§81.005 (b), Local Government Code.)

Regular Meeting Places

- 1.04 At the first regular term of each calendar year, the Commissioners Court may select, on no less than seven (7) days' notice, a new site at which the Court's terms are to be held that year subject to §81.005 (d) of the Local Government Code.

Special Meeting Places

- 1.05 Special meeting locations may be held at venues different from where the Regular meetings of the Court are held.

presiding officer of the Court.

- 2.04. At the first meeting in January of each year of the Commissioners Court the Court shall choose by majority vote the Judge Pro-Tem of the Court for the balance of the calendar year.

ARTICLE III

AGENDA ITEMS, PREPARATION AND POSTING OF AGENDA

- 3.00 Only a member of Commissioners Court (County Judge or County Commissioner) may submit an Agenda Item for consideration by Commissioners Court. Any citizen of Caldwell County who wants to bring an item of business before the Commissioners Court must get it submitted as an Agenda Item by a member of Commissioners Court.
- 3.01 For an item including budget amendment to be placed on the Agenda by a member of Commissioners Court, the item must be submitted to the County Judge's Office by 5:00 p.m. on the Tuesday immediately preceding the next Regular meeting of the Commissioners Court and the following information must be submitted in writing.
- A. Regular Commissioners Court Agenda Items must use form labelled "Caldwell County Agenda Item Request Form" See Exhibit A
 - B. Agenda Item Request Form must be sent to County Judge, Executive Assistant, and Judicial Assistant.
 - C. All backup materials will be due to the County Judge's office 5 business days before the next Commissioners Court meeting by 5:00 pm. If there are no backup materials it must be noted. Anything missing will cause the Agenda Item to be held over to the next Regular meeting.
- 3.02 The Agenda shall be prepared by the County Judge and/or staff and shall be filed with the County Clerk, as soon as possible thereafter. The Agenda shall be posted on the County's website at <http://www.co.caldwell.tx.us>. The agenda is also posted at the location of the Regular meeting. The County Judge or a Commissioner shall have the right to add additional items after the 5:00pm Tuesday deadline, subject to approval by County Judge.

- 4.09. The Commissioners Court will not respond to the comments made by a Citizen speaker except to clarify any statement of fact. Speakers are reminded not to attempt to engage County staff or members of the Court while speaking.

Public Hearings

- 4.10 It is the intention of the Court to start any Public Hearings at 9:30 a.m or as otherwise required by law. This allows the Court to get the meeting started and allows for Citizen Comments prior to beginning a Public Hearing.
- 4.10 During a Public Hearing the Court will take testimony from any member of the public who wishes to comment.
- 4.11 Each speaker will be allowed to speak for a total of four (4) minutes. Each speaker will submit a Caldwell County Commissioners Court Participation Form (Exhibit B) and Oath for Testimony (Exhibit C) to County Clerk prior to starting their public comments.
- 4.12 Speakers may not donate their time to any other person.
- 4.13 While the Court asks that speakers not be repetitive, the Court will hear all public speakers prior to closing the public hearing.
- 4.14 When conducting a public hearing, town meetings, study sessions, or any such Court gathering, these Rules of Procedure, Conduct and Decorum shall apply; however, the Commissioners Court may adopt such additional and supplemental rules for such meeting as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

Citizen Observation at Regular & Special Meetings

- 4.15 Other than the specific Agenda Item for Citizen Comments, it is the intention of Commissioners Court to provide a meeting room for the open observation of all meetings of Commissioners Court except Executive Sessions.
- 4.16 Public comments will not be allowed on any individual Agenda Items unless the Agenda Item is Citizen Comments or Public Hearing except with approval from the presiding officer.
- 4.17 Texas Attorney General Opinion No. M-220 in 1968 stated:

Open to the public does not mean that the public may choose the items to be discussed or that they may discuss subjects on the agenda. It merely means that the public may attend the meetings.

- 5.04 Proper attire for men, women, and children is mandatory. You will not be allowed to enter the Courtroom hearing wearing the following inappropriate clothing: Shorts, miniskirts, or short dresses; hats, bandanas, hair curlers or sunglasses, halter or tube tops, graphic/vulgar T-shirts, muscle shirts, see through tops, flip flops, clothing that exposes your midriff, cleavage, tattoos, or underwear, ripped, torn or cut off jeans, baggy pants that fall below your waist, or any clothing that depicts or promotes violence, sex acts, illegal drug use or profanity. 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.
- 5.05 Any attempt by any person in attendance at any meeting of the Court who attempts to disrupt the meeting or is disrupting the meeting may be removed from the meeting and/or cited with Contempt.
- 5.06 Extensive clapping, shouting, or other disruptive behavior will not be tolerated in the Court.
- 5.07 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.

ARTICLE VI

BAILIFF

- 6.00 The Sheriff of Caldwell 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 his designee, 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, the Court shall appoint such other commissioned peace officers to serve as bailiff as may be necessary.

- 8.03 The forms of oaths to be administered for sworn testimony are attached hereto as Exhibit C.
- 8.04 All oaths shall be administered by the Bailiff or County Clerk.
- 8.05 Commissioners Court reserves the right to request that any testimony be given under oath.

ARTICLE IX

CELL PHONE & ELECTRONIC DEVICES IN COURTROOM

- 9.01 **All cell phones and Electronic devices must be placed on vibrate, silent or turned off prior to entering the courtroom.**

ARTICLE X

PARLIAMENTARY PROCEDURES

Agenda Order

- 10.01 **Agenda Order** – The County Judge or presiding officer may take Agenda Items out of order to accommodate agenda speakers and requests from the Commissioners Court. No vote or further authority is needed however once an Agenda Item is addressed, it must be concluded.

Recess

- 10.02 **Recess** – The County Judge or presiding officer in his/her absence may recess the meeting for up to two (2) hours without a motion or vote. For Commissioners Court to recess for longer than two (2) hours a “move to recess until a specific time” is required along with a “second”. This motion may be debated before a vote is called. The maximum extension of any recess shall only be until a specific time the very, next day.
- 10.03 This recess order or motion would normally be acceptable only when an Agenda Item is not being addressed. However, if the Court needs to leave the Courtroom to physically view an Agenda Item for better understanding then it would be acceptable.

Court. This motion or amendment requires a "second" and may be debated before a vote is taken. This motion or amendment would be handled just like a regular action motion or amendment as described above. A successful motion to refer will be placed on a future Agenda once the research and/or review is completed.

- 10.06 **Motion to Reconsider** – This motion may be made at any time during a meeting to reconsider an Agenda Item already approved or disallowed earlier in the agenda.
- 10.07 **Motion to Adjourn** – "Move to adjourn" is a motion that may be made when an Agenda Item is not being addressed. This motion requires a "second" and may be debated before a vote is taken.