

Revised 15 July 2024



RULES OF ORDER

OF THE GILES COUNTY TN COMMISSION

ADOPTED AS AMENDED 15 JULY 2024

RULE I - BOARD SESSIONS

1.1 The County Commission shall meet on the third Monday of each month except for June which will be on the last Thursday of the month; there will be no regularly scheduled meeting in December. Should the third Monday fall on a legal holiday, the Chairman or Clerk shall adjourn the Board over until the following day, making proper records on the minutes.

1.2 The County Commission shall meet at 5:00pm for the months April through September and 9:00am for the months October through March.

RULE II - ORDER OF BUSINESS

- (a) Call to order by the Chairman
- (b) Roll Call
- (c) Meeting opened by Sheriff
- (d) Prayer and Pledge
- (e) Minutes of previous meeting
- (f) EDC Update
- (g) Public Comments
- (h) The Chairman may present any recommendations, communications and reports to the Board
- (i) Elections
- (j) Report of County Officials, Boards and Committees and immediate action thereon by the Board of Commissioners
- (k) Unfinished Business
- (l) New Business
- (m) Announcements
- (n) Adjourn

RULE III - CHAIRMAN, PRO-TEM

3.1 The Commissioners at their September meeting, and annually thereafter, shall elect a Chairman and a Chairman Pro-Tem. The Chairman may, if so elected by the Commissioners, be the County Executive Officer and the Chairman Pro-Tem shall be elected from the members of the Board. In the absence of the Chairman, the Chairman Pro-Tem shall preside, and his duties shall be the same as those of the Chairman insofar as the meeting of the Board is concerned.

RULE IV - DECORUM OF COMMISSIONERS

4.1 If any Commissioner refuses to be in order, the Chairman shall have the right to call upon the Sheriff or any officer waiting upon the meeting to seat such Commissioner, and if such Commissioner refuses to be seated, or to come to order, the Chairman shall have the right to declare such Commissioner in contempt and order this detention, and such Commissioner

declared in contempt cannot be reinstated until he has made public apology in open session to the remaining Commissioners and the same has been accepted by them.

4.2 The Chairman has the right to ask the Sheriff to remove unruly spectators.

4.3 No Commissioner shall be recognized, or his vote counted except he is at his seat. Commissioners absenting themselves from the meeting with permission of the Chairman shall not be allowed a per diem.

RULE V - ADDRESSING MEETINGS

5.1 Any Commissioner wishing to address the meeting shall address the Chairman or Chairman Pro-Tem as Mr./Madam Chairman, and no Commissioner shall proceed to speak until recognized by the Chairman.

RULE VI - SPEAKING

6.1 With the exception of a committee chair, no commissioner shall speak more than once for not more than ten minutes until all of the commissioners desiring to speak shall have had an opportunity to do so. After all commissioners that so desire have spoken, any commissioner that has previously spoken may then speak for an additional three minutes.

6.2 A committee chair shall have the right to speak as often as recognized by the Chair.

RULE VII - ADDRESSES BY PERSONS OTHER THAN COMMISSIONERS AND ELECTED OFFICIALS:

7.1 The Chairman may call upon other elected officials or department heads at any time to brief the Commission on agenda business or answer commissioner questions.

7.2 During the public comment portion of the meeting, any Giles County citizen shall be allowed to speak on any agenda item listed for the current meeting. For the sake of public record, those speaking shall sign the speaking log found at the lectern. Individual citizens making public comment shall be limited to five (5) minutes duration; any remaining time may not be transferred to another individual.

7.3 Legal names (first and last) are required before speaking at committee and subcommittee meetings to properly identify the person speaking within the meeting minutes. When asked, if the speaker does not provide their legal name, they shall not be recognized by the Chair, and anything they say will be stricken from the record.

RULE VIII - QUORUM AND VOTING

8.1 A quorum shall be a majority of the legally constituted legislative body. This body being composed of 21 Commissioners, if 11 Commissioners are present they may proceed to conduct lawful business.

8.2 A majority of the Commission's 21-member body (i.e. 11 votes), and not merely a majority of the quorum in attendance, shall be required in making all decisions coming before the Commission in regular or special sessions. Likewise, decisions requiring a 2/3 super-majority shall require 14 votes for passage.

8.3 If the Commission is equally divided 10-10 upon any question coming before them upon which they may lawfully act, then and only then, the County Executive serving as Chair may cast a deciding 11th vote.

8.4 If the person serving as Commission Chair is a regular member of the county legislative body, such person may not break a tie vote in the capacity of Chair, but may cast a vote in the first instance as a regular member of the body.

RULE IX - MOTIONS TO TABLE

9.1 When any resolution or motion has been presented to the Board, and amendment or amendments to same have been offered, and after such amendments a motion to table is made, such motion to table shall not take with it the original resolution or motion.

9.2 All discussion must cease after a motion to lay on the table is made and such motion has been properly seconded, except that the proposer of the resolution may speak to the subject. A vote must be had immediately on such motion to lay on the table.

RULE X - SPEAKING TO BOARD BY CHAIRMAN

10.1 Should the Chairman of the Board desire to speak upon any subject he/she shall have the right to do so, provided he/she shall designate some member of the Board to act as Chairman Pro-Tem. The same rules that apply to members of the Board when speaking shall apply to the Chairman. However, this rule shall not preclude the Chairman from answering questions concerning the subject, or from expressing his/her views thereon.

RULE XI - ELECTIONS

11.1 When an officer is to be elected or appointed by the Board or a vacancy filled, it is the duty of the Board to hold an open election admitting all citizens the privilege of offering candidates, except such as are prohibited by the constitution or law of the state. If a majority vote of eleven (11) votes is not received, then the candidate with the least number of votes

shall be disqualified and the two (2) remaining candidates shall continue until one receives a majority vote of eleven (11) votes.

11.2 All elections shall be by a roll call vote.

RULE XII - VOTING

12.1 All election, budget appropriations, and resolutions shall be decided by a roll call vote, by machine or the Clerk calling the roll.

12.2 For all other motions the Chair may use discretion in determining the voting method in accordance with Robert's Rules. However, if a roll call is called for by five (5) or more Commissioners it shall be so ordered by the Chair.

RULE XIII - RESOLUTIONS AND AMENDMENTS

13.1 All proposed resolutions or amendments shall be reduced to writing and be filed with the Clerk before the same can be entertained by the Commission. Unless a resolution or amendment is time-critical they shall first be considered through the appropriate committee before being added to the full Commission agenda.

13.2 To ensure adequate public notice and agenda consideration for the next scheduled full Commission meeting, Committee Chairs and Department Heads must forward agenda items to the Commission Chair and County Clerk at least ten (10) calendar days prior to the scheduled meeting. Proposed resolutions and amendments shall be submitted to the Clerk at least seven (7) calendar days prior, thus ensuring the Clerk can include those materials in commissioner packets.

13.3 All approved resolutions must be filed in duplicate and signed by a Commissioner. Upon the filing of an approved resolution, the Clerk will immediately forward the duplicate thereof to the Chairman and mail a copy of the same to all Commissioners with his report.

13.4 The sponsor of proposed resolutions shall bring it before the full Commission. If the sponsor is unavailable to present the resolution, any Commissioner may present it to the Commission.

RULE XIV - REPORTS

14.1 The reports of all administrative boards and Commissioners for the next proceeding quarter shall be in the hands of the Clerk in duplicate five (5) days before the Board meets. The Clerk shall promptly transmit a copy to the Chairman. The Clerk will keep a record showing the filing of said reports and the time thereof. A copy shall be sent to each Commissioner at the close of business on the 5th day next proceeding the next Board session. No report shall be read in open session, but the maker thereof shall be at the meeting for examination thereon.

RULE XV - COMMITTEES

15.1 Protocols

- a. Committee Chairs shall convene committee meetings such time as they elect, or at the request of the majority of the committee.
- b. The Chair of the committees may enter discussion and vote as a member of the committee. A committee may be called together by a majority of the members if the Chair is absent or declines to specify a meeting date. The Chief Executive Officer may, when deemed necessary in the interest of the County, call a special meeting of any committee after having first advised the committee chair.
- c. In the absence of a committee member, the committee chair may appoint a substitute commissioner from the same district. If the regular member is late, and the substitute has already assumed their position on the committee, the substitute will yield the seat and the regular member will assume their appropriate role on the committee.
- d. Committees will commence at the time of the publicized agenda, starting with a prayer and pledge to the American flag.
- e. Committee Chairs will ensure committee concurrence with the agenda prior to conducting business.
- f. Committee Chairs will ensure a period of public comment prior to voting on any issue.

15.2 Committee Elections

- a. WHEREAS, this Legislative Body finds that it would be more appropriate for all committees to be appointed by the Giles County Commission as the elected governing body, including those provided by statutory enactment to be elected by the Board, with said appointments by the Legislative Body serving the best interests of the constituents of each voting district and of Giles County citizenry in entirety. The process by which committees are to be nominated and selected will be determined by the commission and shall be as follows:
 - b. If the members of the district cannot decide on a member to serve on the committee, a two-year term would apply when the individual has already served on the committee. The two-year term shall require a commissioner to step down from that committee after two years but does not require the commissioner to serve two years on a committee. If the members of the district still cannot decide on a member to serve on the committee and the two-year term does not apply, the decision shall be voted on by the full Legislative Body of Giles County, with the winning candidate receiving at least majority vote (11 votes). If a majority vote is not received then the candidate with the least number of votes shall be disqualified and the two (2) remaining candidates shall continue until one receives a majority vote.
 - c. In the selection of committees, each committee shall have at least one member from each of the seven (7) districts. That members from each district shall decide on what committees individual members from that district shall sit.

d. If such committee assignments from a district does not receive majority vote then the Legislative Body shall set the assignments during the same meeting.

e. That each district shall be voted on separately by the Legislative Body of Giles County, Tennessee regarding selections to the committee and assignments to the standing committees.

f. After each standing committee is established, said committee shall elect, by majority vote, a Chairperson, Vice Chairperson and a Recording Secretary.

g. That the Chairman of any standing Committee shall have the authority to create an Ad-Hoc committee for necessary and related activities on behalf of the standing committee. The Ad-Hoc committee shall consist of a number less than one-half (1/2) of the standing committee number and must be given a specific mandate for its purpose. Additionally, the chairman of the standing committee, upon appointing the Ad-Hoc committee, shall impose a time limit for its existence to perform the specific mandate. The Ad-Hoc members shall receive the same monetary compensation as members of the standing committee when it meets to conduct its work. It shall be the responsibility of the standing committee chairman to report the Ad-Hoc committee meetings for the appropriate compensation.

h. The commission must appoint committee members at the September meeting. During election year, all committees will begin a new term with the two-year rule not applying until two years have been served by the commissioner. The Clerk shall be furnished with the names of the members of such committees and such names shall appear in the minutes of the meeting. The Clerk shall furnish the commissioners with a list of the committee members.

i. Any and all committee vacancies shall be filled in a like manner by the Legislative Body with appointment and announcement of the new committee member at the next regularly scheduled meeting of the Body. Also, in case of a vacant seat in the commission, all three commissioners including the newly appointed one will get together as a group and decide the committee assignments. The newly appointed member will not automatically assume the old members committee assignments.

j. The life of the committees shall run from the 3rd Monday of September until the following year on the 3rd Monday of September. The life of any committee shall be for not more than one (1) year.

15.3 Commission Notifications & Minutes

a. Full Commission meetings and its minutes will be filed with the County Clerk's office. The Clerk will promptly transmit a copy to the County Executive and to the Budget Office. The Clerk will notify all Commissioners by mail of said notifications and minutes of meetings at least five (5) days prior to the meeting.

b. It will also be the duty of the County Clerk's office to maintain all committee minutes in such as manner that the records shall always, during normal business hours, be available for public inspection. Committee Chairs will coordinate commission notifications of their meetings through the Office of the County Executive.

RULE XVI - AMENDMENTS TO RULES

16.1 None of the foregoing rules of order shall be amended or revised except by affirmative vote of two-thirds (2/3) of the members of the Board. However, a 2/3 consent asked for and granted shall take precedence and the Board shall have the right to proceed in accordance with the 2/3 consent and may suspend the rules.

16.2 When making a motion to suspend the rules, the motion must include the rule being suspended and the topic being allowed to be discussed during the suspension. Other topics not included in the original suspension of rules motion will not be allowed to be discussed.

RULE XVII - ROBERT'S RULES OF ORDER

17.1 In the absence of a rule upon any subject not specifically provided for in these rules, the Board will be governed by Roberts' Revised Rules of Order.

RULE XVIII - REQUIRED REPORTS

18.1 County Officials, Boards and Committees required to make quarterly reports to the Board are as follows: County Executive, Superintendent of Schools, Highway Commissioner and Health Department. All other Boards and Committees shall make an annual report at the July term of the Board.

RULE XIX - ELECTIVE OFFICES AND COMMITTEES

County Officers, Boards and Committees to be elected by the Commission are as follows:

19.1 Agricultural Committee, County Attorney, Beer Board, Coroner, Equalization Board, County Historian, Library Board, Regional Library Board, Medical Examiner and Veteran Service Officer.

19.2 The elective process for the County Attorney is as follows: Candidates are allowed a presentation of their qualifications for up to five (05) minutes, followed by the availability of questions put by the Commission. The election shall be held at the conclusion of all presentations.

RULE XX - APPOINTIVE OFFICERS AND COMMITTEES

20.1 Committees to be appointed by the Commissioners are as follows: School, Highway, Law Enforcement/Safety, Public Service, Environmental, Emergency Services, Budget, Audit, Legislative, Building Committee, County Financial Management Committee and Insurance Committee.

RULE XXI - CHARITABLE AND NON-PROFIT ORGANIZATIONS

- 21.1 Giles County will adhere to all rules set for in Tennessee Code Annotated §5-9-109.
- 21.2 Applications will be accepted From April 1st through May 1st.
- 21.3 Giles County Executive's office will advertise these dates in the local newspaper and online at www.gilescountytn.gov.
- 21.4 Applicants must use the current year's application as approved by the full Legislative Body which can be obtained from Giles County website www.gilescountytn.gov.
- 21.5 Applicants must submit 10 copies of their completed application to the County Executive's office by four o'clock (4:00) p.m. on May 1st. If the 1st falls on a non-business day, then the application deadline will be the next business day following the 1st.
- 21.6 Consideration of funding will only occur during the normal budget process.
- 21.7 If the rules of this court are not followed the application WILL NOT be considered.

MISCELLANEOUS - GENERAL QUALIFICATIONS FOR COUNTY OFFICIALS

- M.1 Citizen of the United States, resident of the State twelve (12) months and the County six (6) months and a minimum age of eighteen (18) years.
- M.2 Commissioners of the County Legislative Body and Committee, whose compensation is fixed by law on a per diem basis, are not entitled to receive the per diem compensations unless they have actually attended the meeting.