

## 2019 BOARD OF SUPERVISOR MEETINGS RULES OF PROCEDURE

### RULE 1. MEETINGS

a. Regular Meetings. Beginning in the Month of May 2019, the Madison County Board of Supervisors shall generally meet in regular session the second and fourth Tuesday of every month at 10:00 a.m., unless the meeting falls on a legal holiday designated by the Board of Supervisors.

b. Special Meetings. The Madison County Board of Supervisors may, by motion made at a prior meeting or by the determination of the chairperson of the Board of Supervisors, determine to hold a special board meeting on a day other than a regular session meeting on a Tuesday, for consideration of or action upon particular business. The purpose of such special meeting and the nature of the business to be considered or acted upon shall be stated in the motion for special meeting or by writing in the publication of the written notice.

Upon the call of order of a special meeting by the presiding officer, if a quorum is present, the board may officially conduct a meeting. The reading of minutes shall be considered at a subsequent regular meeting and there acted upon. The board may dispense with the consideration of claims and limit the receiving of communications, petitions, or protests to those pertinent to the subject of the meeting or purpose adjournment. Upon approving the agenda for the meeting, the Board of Supervisors shall proceed in accordance therewith and the order of business established therein.

Notice of the time and place of special meetings shall be given to public in accordance with the requirements of Chapter 21 of the Iowa Code.

c. Study Session & Department Head Meeting. A Study Session and Department Head meeting with the Board of Supervisors, where no official action will be taken, shall be held at 9:00 a.m. prior to every Board of Supervisors regularly scheduled meeting.

All meetings shall be open to the public, unless the Board of Supervisors, by an affirmative vote determines that closed session consideration of some particular topic would be in the public interest pursuant to Iowa Code Chapter 21.

d. All Meetings to be Open. All meetings shall be held in the downstairs meeting room at the Madison County Annex located at 201 West Court, Winterset, Iowa, unless there is a published or posted notice designating another location.

All meetings shall be open to the public, unless the Board of Supervisors, by an affirmative vote determines that closed session consideration of some particular topic would be in the public interest pursuant to Iowa Code Chapter 21.

Only those topics identified in Chapter 21 of the Iowa Code, Official Meetings Open to Public, Section 21.5, shall be considered in closed session. The Board of Supervisors shall go into closed session only upon motion identifying the general nature of the topic to be considered in closed session. The Auditor or designee shall tape record all closed session meetings of the Board of Supervisors and shall preserve such recordings for at least one year, together with the

minutes thereof. Tape recordings of closed sessions dealing with pending litigation shall be preserved by the Auditor until such litigation has been resolved. Closed Sessions shall be posted and occur between the scheduled study session and regular board meeting unless indicated on the study session agenda.

## **RULE 2. PRESIDING OFFICER AND ANNUAL RULES AND PROCEDURE REVIEW**

At the first meeting in January, the Board of Supervisors, by affirmative vote, shall designate a member of the board to serve as Chairman/Chair Person (Presiding Officer) for the year to preside at the meetings of the Board of Supervisors. If the Chairman/Chair Person is unable to serve at a meeting of the board, the two members present shall determine on the record who will serve as temporary chair and presiding officer for the duration of said meeting.

The presiding officer shall preserve strict order and decorum at all meetings of the Board of Supervisors, shall state every question coming before the board, shall announce the decision of the board on all subjects, and shall decide all questions of order, subject to an appeal of the board, in which event a majority vote of the Board of Supervisors shall govern and conclusively determine such questions of order.

At the first meeting in January, the Board of Supervisors shall review the Board of Supervisors' Meeting Rules of Procedure, to determine if any changes are necessary. If any member of the board wishes to make changes to the Board of Supervisors' Meeting Rules of Procedure, then the Board of Supervisors shall take the appropriate action to place it as an agenda item on the following meeting to be considered by the entire board.

## **RULE 3. ORDER OF BUSINESS**

At the hour appointed for meeting, the members shall be called to order by the Chairman/Chair Person of the Board of Supervisors or presiding officer. The Auditor or designee shall call the roll, note the absentees and announce whether a quorum is present. Upon the appearance of a quorum, the board shall proceed to business which shall be conducted in the following order.

1. Call to Order
2. Roll Call
3. Consent Agenda
  - a. Approval of Minutes and Agenda
  - b. Receive and File items
  - c. Board Appointments
4. Public Hearings
5. Ordinances for Board Consideration
6. Resolutions for Board Consideration
7. Applications for Permits and Cancellations
8. Citizen Requests to be Heard
9. Other Business:
  - a. by Board members - new and old business, Reports
  - b. by the public – new and old business
10. Adjournment

#### **RULE 4. AGENDA FOR REGULAR MEETING**

The Auditor, or designee, shall prepare a written agenda for each regular meeting in the order established in Rule 3, Order of Business.

All matters to be included in the agenda for submission to the board shall be filed with the Auditor not later than 4:00 p.m. on the Thursday five (5) days prior to the board meeting at which consideration is desired. In unusual circumstances, an item may be accepted after the deadline upon the approval of the Chairman/Chair Person of the Board of Supervisors.

Except for minor matters, no item of business shall be considered for action by the board which does not appear on the agenda for the meeting, except for ministerial matters, or matters of urgent business which requires immediate action and is so determined by a majority of the board, may be considered by the board. The Board of Supervisors will hear all reasonable citizen petitions, requests, and statements; however, such items which do not specifically appear on the agenda may be deferred to a future meeting for careful consideration and study if board action, other than filing, is required or requested.

The Board of Supervisors shall be provided with a copy of the agenda, minutes of the previous meeting, and any other reports and information pertinent to the agenda at least 24 hours prior to each regular meeting.

#### **RULE 5. MINUTES**

The County Auditor shall keep a record of all Board of Supervisor meetings. Unless a reading of the minutes of a board meeting is requested by a member of the Board of Supervisors, such minutes may be approved without reading if each member has previously been provided a copy. The board may, by motion carried by an affirmative vote, amend the minutes. Such amending motion shall become a part of the minutes of the subsequent meeting.

#### **RULE 6. RULES OF ORDER**

a. Robert's Rules of Order, newly revised, 2000, shall be accepted as an authority on parliamentary practice on matters not specifically covered and, in case of a conflict, these rules shall govern.

b. Every member desiring to speak shall address the chair or presiding officer and, upon recognition, shall confine himself/herself to the question under debate, avoiding all personalities and indecorous language.

c. A member, once recognized, shall not be interrupted when speaking, unless it is to call him/her to order or to vote on a motion to close a debate, or as herein otherwise provided. If a member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined and, if in order, he/she shall be permitted to proceed.

d. A motion to reconsider any action taken by the Board of Supervisors must be made at the meeting at which such action was taken or at the next regular meeting of the board, and must be made by a member of the board who voted with the prevailing side or who was not present at the time of the vote, provided that if such motion to reconsider is passed, then the parties

entitled to notice on the original action shall be notified, and the reconsideration of the action shall be taken at the original meeting or regular meeting following passage of the motion to reconsider.

e. A member of the Board of Supervisors may request through the presiding officer the privilege of having an abstract of his/her statement on any subject under consideration by the board, or the reason for his/her dissent from or support of any action of the board, entered in the minutes. Such a request may be made at the time of said action or consideration or at the time of the adoption of said minutes. Unless the board, by motion, objects such statements shall be entered in the minutes.

f. Cell Phones. Any member of the general public attending a meeting of the Board of Supervisors shall turn off or switch to silent mode all cell phones and/or other electronic communication devices prior to the start of any board meeting.

## **RULE 7. VOTING**

When a roll call vote is taken, a board member must use one of three options when voting. Those options are:

1. a vote in favor of what is being proposed;
2. a vote against what is being proposed; or
3. abstention.

If a board member determines that he or she must abstain on an issue, that board member shall notify the rest of the board of said determination, either in writing or in an open board meeting. Said notice shall state in a general nature the reason for the need to abstain. So as to avoid any appearance of impropriety, once a board member has determined that he or she must abstain on an issue, said board member shall refrain from any further public comment on the issue at the board meeting.

## **RULE 8. PUBLIC PARTICIPATION - MAINTAINING DECORUM AND ORDER**

Any person desiring to address the Board of Supervisors shall first secure the permission of the presiding officer.

Each person addressing the Board of Supervisors shall approach the podium, if physically able, and provide his/her name and address in an audible tone for the record and, unless further time is granted by the presiding officer, shall limit his/her address to three (3) minutes, except at a public hearing when the limit shall be ten (10) minutes. All remarks should be addressed to the Board of Supervisors as a body, and not to any particular board member, any staff member, or any other member of the public. No person other than the board and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Board of Supervisors, without the permission of the presiding officer. No question shall be asked of a board member or of any member of the administrative staff except through the presiding officer.

The presiding officer may, with the acquiescence of a majority of the Board of Supervisors, require any member of the public to yield the floor, to discontinue his/her remarks, or to cease given activity, if in the judgment of the board that person's actions or remarks may unduly disrupt the decorum of the proceedings, create the risk of public disturbance, or determines that the comments being made are duplicative or repetitive. All comments must be cumulative and non-repetitive to previous public comments. If any such person refuses to obey the presiding officer's

directive, the presiding officer may order the person to leave the board meeting and the courthouse.

At Study Session and Department Head meeting, public comments and questions are not allowed during a Study Session unless a majority of the Board invites a member of the public to speak. This is a work session to prepare for the Board of Supervisor's regular meeting and is open to the public unless a closed session is called pursuant to Iowa Code Chapter 21.

## **RULE 9. ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS**

a. Ordinances, resolutions and other matters or subjects requiring action by the board shall be introduced by the presiding officer, a member of the Board of Supervisors, County Auditor, or County Attorney.

b. Every ordinance and resolution shall be presented in writing. Upon the vote on ordinances, resolutions and motions, the ayes and nays shall be recorded. Upon the request of any member of the board, the vote shall be by roll call of all members of the Board of Supervisors as provided under Rule 2: Presiding Officer. A majority vote of the members of the Board of Supervisors shall be required for the passage of all ordinances, motions, resolutions, cancellations of permits and licenses.

c. Readings and Amendment of Ordinances. All proposed ordinances shall have a separate consideration on three different days unless there is a motion to dispense with the second and/or third consideration and an affirmative vote of the Board of Supervisors. Actual reading of the ordinance shall not be required if written copies are available or unless two members request it. An ordinance may be amended after first or second consideration and before voting thereon. After voting for placing the ordinance on third and final consideration or for dispensing with the second and/or third consideration, the ordinance may not be amended, but shall be voted on for final passage unless tabled, postponed, or referred to a committee. Any proposed ordinance not voted on for final passage must be returned to a second consideration status if it is to be amended. However, if it is determined that an amendment to an ordinance will lessen its impact on the citizen, an ordinance may be so amended and passed into law.

d. All ordinances and resolutions shall be filed with the County Auditor and made a part of the minutes. Reports, petitions, and correspondence shall be filed with the County Auditor and made a part of the minutes by reference.

e. All comments made by the public shall be limited to three (3) minutes and must be related to the agenda item only. Comments should be cumulative and non-repetitive to other public comments made on the same agenda item. Non-agenda comments or items will be addressed at the end of the printed agenda and are also limited to three (3) minutes pursuant to Rule 8: Public Participation – Maintaining Decorum and Order.

If a member of the public desires to provide any documents or exhibits to the Board of Supervisors, said member of the public shall request that their item be placed on file so that the Board of Supervisors may vote to accept or reject it. Items received and filed shall be kept with the permanent record of the board meeting and shall not be returned.

## **RULE 10. PUBLIC HEARINGS**

Public hearings shall be conducted by the presiding officer addressing the public and asking for a vote by the Board of Supervisors to open the public hearing. After an affirmative vote to open a public hearing, the presiding officer shall state for the record:

**“THIS IS THE TIME AND PLACE FOR A PUBLIC HEARING, AS ADVERTISED, ON THE MATTER OF (Read the Public Hearing Notice as published)”**

The presiding officer then asks the County Auditor, or designee:

“IS PROOF OF PUBLICATION ON FILE?”

HAVE ANY WRITTEN PROTESTS BEEN RECEIVED?”

Then the presiding officer asks the public:

“IS THERE ANYONE WISHNG TO SPEAK ON THIS MATTER?”

IF SO, PLEASE COME FORWARD TO THE PODIUM AND GIVE YOUR NAME AND ADDRESS FOR THE RECORD.”

All members of the public desiring to participate in the public hearing shall step forward to the podium, if physically able, and clearly state their name and address for the record. Comments made by the public shall be limited to ten (10) minutes and must be related to the public hearing topic only. Comments should be cumulative and non-repetitive to other public comments made on the public hearing topic. Any non-public hearing items or comments will be addressed at the end of the printed agenda and be limited to three (3) minutes pursuant to Rule 8: Public Participation – Maintaining Decorum and Order.

If a member of the public desires to provide any documents or exhibits to the Board of Supervisors, said member of the public shall request that their item be placed on file so that the Board of Supervisors may vote to accept or reject it. Items received and filed shall be kept with the permanent record of the public hearing and shall not be returned.

When the public hearing has concluded, the presiding officer shall ask for a motion and a second to close the public hearing and then call the vote.

#### **RULE 11. WAIVER**

By an affirmative vote of the members of the Board of Supervisors, these rules may be waived or suspended. Amendments to Rules of Procedure may be made by an affirmative vote of the Board of Supervisors.

#### **RULE 12. ADJOURNMENT**

A motion to adjourn shall always be in order, shall be considered only after a second, and shall be decided by majority vote.