

# Jefferson County Commission

## Rules of Procedure

1 **A RESOLUTION TO ADOPT RULES REGULATING THE PROCEDURES OF THE BOARD OF COUNTY**  
 2 **COMMISSIONERS OF JEFFERSON COUNTY, TENNESSEE**

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 4 **WHEREAS**, the Jefferson County Board of County Commissioners has need to operate in an  
 5 orderly fashion carrying out the various legislative duties on the Commission; and

6 **WHEREAS**, the existing rules regulating the procedures of the Jefferson County Board of  
 7 County Commissioners are in need of revision;

8 **NOW THEREFORE, BE IT RESOLVED** by the Jefferson County Legislative Body  
 9 meeting in regular session in Dandridge, Tennessee, on this 15<sup>th</sup> day of January 2007 that the  
 10 following rules regulating the procedures of the Board of County Commissioners of Jefferson County  
 11 are adopted, superseding “Rules Regulating Board of County Commissioners, Resolution 81-17.”  
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### 13 **Rule I -- Meetings**

- 14 A. **Regular Meetings Day / Dates / Times** - The Board of Commissioners shall meet at 6:30  
 15 p.m. on the third Mondays of any month in which they meet. They shall adopt a Schedule  
 16 of Meeting Months at the April Regular Meeting of the preceding fiscal year. Should a  
 17 Monday fall on a legal holiday, the Commission shall meet on the following day or on a  
 18 date agreed to by the majority. The June meeting may be scheduled to accommodate the  
 19 fiscal year – end Budget Process.
- 20 B. **Committee Meetings** – Standing and Special Committees shall meet as needed.  
 21 Committee meeting dates will be published in a timely manner and also posted on the  
 22 County website.
- 23 C. **Work Sessions** – If the Commission also approves Work Sessions as a part of the  
 24 Schedule of Meeting Months, then the Commission shall meet at 6:30 p.m. on the  
 25 Monday of the week prior to any Regular Meeting for the sole purpose of information  
 26 dissemination and discussion on agenda items. No enactment of legislation or votes will  
 27 be taken on any items of business.  
 28 The Commission Chair/County Clerk shall prepare and distribute an agenda listing the  
 29 items of business in their proper order, along with a complete packet of supporting  
 30 informational documents, by 4:00 p.m. on Friday of the week preceding a Work Session.  
 31 These items shall include a listing of the committees, boards, and commissions scheduled  
 32 to report with the names of those who will present the report; elections to be held; and  
 33 resolutions/motions under old business and new business. For items to be included on the  
 34 Work Session agenda, they must be submitted to the County Clerk by 12:00 noon on the  
 35 Thursday preceding the Work Session. During the Work Session, County Commissioners  
 36 may add items to the agenda for consideration at the Regular Meeting. The Commission  
 37 Chair/County Clerk shall distribute the final agenda to Commissioners within 48 hours of  
 38 the conclusion of the Work Session.
- 39 D. **No Work Session** – If the Commission does not approve Work Sessions as part of the  
 40 Schedule of Meeting Months or if a scheduled Work Session cannot be held prior to a

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41 Regular Meeting, the Commission Chair/County Clerk shall prepare and distribute an  
 42 agenda listing the items of business in their proper order, along with a completed packet  
 43 of supporting informational documents, by 4:00 p.m. on the sixth (6<sup>th</sup>) business day prior  
 44 to the Regular Meeting. These items shall include a listing of the committees, boards, and  
 45 commissions scheduled to report with the names of those who will present the report;  
 46 elections to be held; and resolutions/motions under old business and new business. For  
 47 items to be included on the Meeting Agenda, they must be submitted to the County Clerk  
 48 by 12:00 noon on the seventh (7<sup>th</sup>) workday preceding the Regular Meeting.

- 49 E. **Election of Chairman** - The Commission shall elect a Chairman and a Chairman Pro  
 50 Tempore at its first meeting on or after the first of September. This chairman shall  
 51 preside over sessions of the Board
- 52 F. **Called Meetings / Special Meetings** -- Called Meeting may be called by the Mayor or by  
 53 a majority request of the commission submitted in writing to the Chairman. All called  
 54 meetings will be held at the time specified in the public notice.
- 55 G. **Place of Meetings** – All meetings of the Board shall be held at the Jefferson County  
 56 Courthouse, Dandridge, Tennessee, unless otherwise specified.
- 57 H. **Quorum** -- A quorum for the transaction of business shall be a majority (11) of the duly  
 58 qualified and acting members of the Board of County Commissioners. Vacancies shall  
 59 not be included in determining the membership of the Board.
- 60 I. **No Quorum** – Should no quorum attend within 30 minutes after the hour appointed for  
 61 the meeting of the Commission, or upon a meeting where a quorum shall have been lost,  
 62 the Chair shall adjourn the meeting. The names of the members present and their  
 63 attendance at such meeting shall be recorded in the minutes by the Clerk.

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 65 *(Sections J, K, L below were added by amendment action on March 16, 2009)*

- 66 J. **Cancellation of Meetings for Weather Conditions** - The Chairperson may cancel any  
 67 meeting for severe weather or weather in which travel may place a person at risk of  
 68 personal injury or jeopardize public safety. Such cancellation would be based on the  
 69 chairman's consultation with local law enforcement officials and the current weather  
 70 advisory forecast published by the local office of the National Weather Service.

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 72 In such case, the Chairperson or a designee shall give notice of the cancellation of the  
 73 meeting to all Commission members by phone or e-mail; notify the press and general  
 74 public with as much advance notice as possible thru public notice announcements on local  
 75 media outlets and the county website.

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 77 In the case of a meeting cancelled for overnight occurrence of snow or ice conditions, or  
 78 fast development of any severe weather, notice shall be given at the earliest practical time.

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 80 K. **Cancellation of Meetings for Non-weather Causes** - In the event a meeting is  
 81 cancelled for non-weather related reasons such as hazmat incident, power outages, or

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82 other catastrophic events; the decision to cancel will be made by the Chairman in  
 83 consultation with the Chairman Pro Tempore and the County Emergency Management  
 84 Director.  
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- 86 **L. Rescheduling of a Cancelled Meeting** - A meeting cancelled for climatic conditions or  
 87 other causes will be rescheduled as early as possible, allowing for public notice of all  
 88 interested parties. Should the duration of the severe weather persist beyond one week,  
 89 additional rescheduling information will be provided to commission members and the  
 90 general public.  
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### 92 **Rule II -- Order of Business:**

93 **A. Call to Order** – In the absence of the Chairman and Chairman Pro Tempore, the County  
 94 Clerk shall call the meeting to order for the purpose of a roll call and the election of a Chairman  
 95 Pro Tempore to serve as moderator for that meeting.

96 **B. Roll Call**

97 **C. Prayer D. Pledge of Allegiance**

98 **E. Public Hearing** – *In the event there is an item of business which requires a public hearing of any kind,*  
 99 *said public hearing shall be held at this point in the order of business. At the conclusion of the public*  
 100 *hearing, the meeting will reconvene in regular session of the Commission.*

101 **F. Approval & Corrections of the Agenda** –

102 **Work Session Held** - The final agenda derived from the Work Session shall be presented  
 103 to the Commission for approval as the Regular Meeting agenda. Any Commissioner  
 104 wanting to bring a matter before the Commission that was not included in the Work  
 105 Session final agenda can rise to a Point of Privilege, and request that a matter be placed  
 106 on the agenda. Commission shall allow the item to be discussed and acted upon under  
 107 new business if addition of the item is approved by a two- thirds majority vote of fourteen  
 108 (14) Commissioners.

109 **No Work Session Held** – The agenda provided as part of the Regular Meeting packet  
 110 will be presented to the Commission for approval as the Regular Meeting agenda. Any  
 111 Commissioner wanting to bring a matter before the Commission that was not included in  
 112 the presented agenda can rise to a Point of Privilege, and request that a matter be placed  
 113 on the agenda. Commission shall allow the item to be discussed and acted upon under  
 114 new business if addition of the item is approved by a two-thirds majority vote of fourteen  
 115 (14) Commissioners.

116 **G. Approval of the Minutes**

117 **H. Appearance of Citizens** – *The purpose of this portion is to provide citizens an opportunity to address*  
 118 *their government for items of concern that may or may not be on the agenda. Citizens must follow Rule IX*  
 119 *in order to speak. Commission will not take any action at this time other than to refer the item to a*  
 120 *committee or, by a vote of 2/3 majority, place it on the agenda under New Business.*

121 **I. Proclamations / Courtesy Resolutions (if any)** - *Courtesy or Honorary Proclamations shall be*  
 122 *distributed to commissioners for information only.*

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123 **J. Approval of Notaries & Bonds K. Election of Committees, Boards & Commissions /**  
 124 **Nominating Committee**

125 **L. Reports from Elected Officials, Departments Heads, Others**

- 126 1. County Mayor  
 127 2. Other Elected Officials  
 128 3. County Attorney  
 129 4. Department / Director Reports  
 130 5. Reports of Committees, Boards & Commissions – *Reports may be*  
 131 *presented in writing or orally by the Committee Chair. During this time, only motions*  
 132 *relative to the item in the committee report may be offered.*

133 **M. Old Business**

134 **N. New Business**

135 **O. Announcements**

136 **P. Adjourn** -- *No meeting should be permitted to continue beyond 11:00 p.m. without the approval of a*  
 137 *majority of the Commission. A new time limit must be established before taking a Commission vote to extend the*  
 138 *meeting. No new item shall be introduced later than 10:30 p.m.*

139 **Rule III - Rules of Debate A.**

140 **Decorum.**

- 141 1. Every Commissioner desiring to speak shall address the Chairman, and upon said  
 142 recognition by the Chairman, shall confine discussion to the question under debate, and  
 143 shall avoid taking up any personal arguments, or the use of indecorous language.  
 144 2. Commissioners shall refrain from: attacking a member's motives; speaking adversely on a  
 145 prior motion not pending; speaking while the Chairman or any Commissioner is speaking.  
 146 3. A member once recognized should not be interrupted when speaking unless said member  
 147 is being called to order. The member should then cease speaking until the question of  
 148 order is determined, without debate, by the Chairman. If in order, said member shall be at  
 149 liberty to proceed.  
 150 4. A member shall be deemed to have yielded the floor when he or she has finished  
 151 speaking. A member may claim the floor only when recognized by the Chairman.  
 152 5. No member of the Commission shall speak more than once or more than six consecutive  
 153 minutes on the same motion – except the Chairman of the Committee or the maker of a  
 154 motion, who shall have the right to answer questions. The maker of the motion shall have  
 155 the right to make closing comments prior to taking the vote on such motion. However, by  
 156 majority vote, Commission may extend the length of time and the number of times a  
 157 member may speak on a given motion.  
 158 6. Appeals on Rulings that were made by the Chairman may be made by any Commissioner.  
 159 A majority vote of the members present shall decide the appeal.  
 160 7. Any elected official, county department head, or person appointed by the Board of  
 161 Commissioners shall be allowed to address the Board in response to commission  
 162 questions as needed for clarification, without suspension of the rules.

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8. Observers in Commission Chambers shall have the right to address the board at the time designated for “Citizen Input” if they have complied with Rule IX. The Chairman may rule out of order any speaker failing to adhere to this rule. Observers may have the right to address the Commission during the meeting upon suspension of the rules by the Commission for this purpose.
- B. Motions.**
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1. A motion and a second to the motion are to precede any vote on an agenda item.
  2. Any motion shall be made and seconded before it is opened for debate.
  3. Any motion, not coming from committee, which fails to receive a second is not open to debate. The lack of a second indicates only one person of the commission favors the issue and it does not merit the time of the full body.
  4. A Motion coming from a committee needs no second, but is immediately open to debate until such time comes for the question.
  5. **Motions in Writing** – When a motion is made and seconded, it shall be reduced to writing by the Clerk or by the maker of the motion, and repeated by the Chairman prior to any debate or the taking of a vote.
  6. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to: adjourn, to lay on the table, to postpone, to substitute, or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned.
  7. **Call for the Question** - Any Commissioner, once recognized by the Chairman, may move to close debate and call the question on the motion being considered which shall be nondebatable. A successful vote on the motion to close debate will end discussion of the item. The Commissioner moving the adoption of an ordinance, resolution or motion shall have the privilege of closing the debate.
  8. If the Chairman wishes to put forth or second a motion, he or she shall relinquish the Chair to the Chairman Pro Tempore until the main motion, on which he or she spoke, has been disposed.
  9. The following motions are not debatable: to adjourn; to lay on the table; to take from the table; to call the question.
- C. Motions to Amend.**
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1. An amendment to a motion must be germane, that is, it must relate to the substance of the main motion. An amendment may not introduce an independent question, and an amendment may not serve as the equivalent of rejecting the original motion.
  2. **A Commissioner may amend** the main motion in either of the following two ways:
    - i. By Consent of the Members. The Chairman, or another Commissioner through the Chairman, may ask for certain changes to be made to the main motion. If there are no objections from the maker of the motion, the motion shall stand as amended.

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204 ii. Formal Amendment. An amendment may be presented formally by moving to amend  
205 the motion in some way. If it is in the form of a formal motion to amend, a second  
206 shall be required and discussion shall follow on the amendment. If an amendment  
207 passes, the main motion shall be the motion as amended. If an amendment fails, the  
208 motion shall be the motion as it was before the amendment was presented.

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### 210 Rule IV – Resolutions

211 **A. Introduction:** Any proposed resolution may be introduced only by a member of the Board, and  
212 the Clerk or Chairman shall not receive any resolution that is not reduced to writing and signed  
213 by at least two (2) members of the Board. In the absence of two signers to a resolution, a motion  
214 and second for adoption of the resolution shall satisfy this requirement. A resolution requiring  
215 the appropriation of funds from county resources shall not be introduced unless it has been  
216 reduced to writing and met the Appropriation requirements set forth in Rule VIII.

217 **B. Author:** A resolution may have as many signatures as there are members of the Board.  
218 However, the first two signatures on the resolution shall be deemed the authors for the purpose of  
219 debate.

220 **C. Roll Call Vote:** Resolutions shall be put to the Board for a roll call vote by the Clerk. If more  
221 than one resolution is introduced in the same meeting, each should be voted on independently.  
222 Successful resolutions require a majority of the Commission body voting in favor of the  
223 resolution.

224 **D. Successful Resolutions:** All resolutions which are passed by the Board shall be submitted to the  
225 Chairman of the Board for his signature and attested by the signature of the Clerk.

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227 **If the County Mayor does not preside,** the resolution along with the vote of the Commissioners  
228 shall then be submitted to him/her, within five (5) days of its passage, for his/her consideration in  
229 accordance with law. If the Mayor signs it, the resolution shall become effective immediately or  
230 on the date specified in the resolution.

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232 **If the County Mayor vetoes the resolution,** he shall return it to the Board of Commissioners for  
233 action on his veto, by transmitting the disapproved resolution to the Clerk, together with any  
234 written veto message the County Mayor chooses to provide. The Clerk shall thereafter  
235 immediately provide the Chairman of the Board and each Commissioner with a copy of the  
236 resolution so disapproved by the Mayor, together with whatever written veto message  
237 accompanies it. Any matter vetoed by the County Mayor shall automatically be placed on the  
238 Agenda of the next regularly scheduled meeting of the Board of Commissioners to consider such  
239 vetoed resolution. A motion to “override” the County Mayor’s veto shall be the appropriate  
240 motion to such matter before the Board of Commissioners. As with all resolutions it must be  
241 seconded, but shall not be subject to amendment. It shall require a Majority Vote of the full  
242 Board of Commissioners to override a veto by the County Mayor. Such veto override must take  
243 place within twenty (20) days of the Clerk’s receiving the written message of veto for the County  
244 Mayor, or at the next regular meeting of the Commission, whichever is later. If the County

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245 Mayor fails to either sign or to veto a resolution and to report his action to the Board of County  
 246 Commissioners as herein prescribed within ten (10) days after the resolution is submitted to him,  
 247 the resolution shall become effective without his signature upon the expiration of the ten (10) day  
 248 period or at a later date if the resolution so provides. The veto may not be exercised with respect  
 249 to specific items or parts of items in the annual county budget, and may only be exercised with  
 250 respect to the whole.

251

### 252 **Rule V - Duties of the Chair**

- 253 **A.** The Board shall be called to order by the Chairman. In the Chair's absence, the Chair Pro  
 254 Tempore shall preside. In the Chair Pro Tempore's absence, the Commission shall be called to  
 255 order by the Clerk for the purpose of electing one of its members to preside.
- 256 **B.** Should the Chairman desire to speak on any subject on the floor to debate, he may do so,  
 257 provided he vacates the chair. The Chair Pro Tempore shall preside until the matter under  
 258 consideration is disposed of by the Commission. However, the Chair may answer questions,  
 259 provide information, and give explanations from the chair, the Board not objecting.
- 260 **C.** The Chairman shall preserve order and decorum. He shall decide questions of order, subject to  
 261 an appeal to the Board by any member.
- 262 **D. Points of Order** –If any member, speaking or otherwise, transgresses the rules of the  
 263 Commission, the Chairman or any member shall call him to order, in which case the member so  
 264 called to order shall immediately cease his debate or action. The point of order shall at once be  
 265 decided by the Chairman, the member having the floor may proceed, subject to the decision  
 266 made.
- 267 **E.** Once a motion has been made and seconded, the Chairman shall state the motion so that debate  
 268 on the motion may begin.
- 269 **F.** The Chairman shall clearly state to the Commission the question under consideration before the  
 270 vote on the question is taken. A member may ask for clarification of the question up until that  
 271 time at which the result of the vote is announced.
- 272 **G.** The Chairman will present at the Work Session or in a pre-meeting packet a copy of each  
 273 resolution to be presented to and the tentative agenda of the next regular meeting.
- 274 **H.** The Chairman shall refer to committee any matter he deems necessary, subject to majority  
 275 approval by the Board.

276

### 277 **Rule VI - Committee Structure and Elections & Appointments and Confirmations**

#### 278 **A. Committee Structure and Elections**

- 279 1. **Every four years**, after the County Commissioners have been elected and take office, but prior  
 280 to the regularly scheduled September meeting, the Chairman, if re-elected, or the Chairman Pro  
 281 Tempore, in his absence and if re-elected, or in his absence, the County Clerk shall convene  
 282 Commission to select a Nominating Committee and to conduct any other business deemed  
 283 necessary. All Standing and Special committees shall serve a 2 year term. 2. **The Nominating**  
 284 **Committee** shall be composed of one member from each Commission District. Members will

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- 285 serve two years in each four-year term and will only serve longer with the consent of the other  
 286 member from the same district. It shall be the duty of the Nominating Committee to recommend  
 287 members for all Commission appointments to committees, boards, and commissions.
- 288 3. **The Nominating Committee** will make recommendations for identified vacancies or  
 289 rotations as needed for any statutory, standing, and special committee memberships unless the  
 290 appointment or nomination is within the domain of the County Mayor or stipulated by  
 291 statutory law. The recommendation of the names of new appointments will be made at the  
 292 October meeting or upon the first meeting following the vacancy.
- 293 4. All committee memberships, boards, and commissions will be subject to a majority vote of  
 294 the Commission at the October Quarterly Meeting or upon the first meeting following the  
 295 vacancy.
- 296 5. **Committee Officer Election and Duties:** Upon election of a Committee, the members of the  
 297 committee shall convene and elect a Chairman, Vice-Chair, and Secretary from its  
 298 membership. The Committee Chairman is responsible for adequate and timely public notices  
 299 of committee meetings. The Chairman of the committee is responsible for filing a copy of  
 300 any minutes rendered to the County Clerk's Office.
- 301 6. **Minutes shall be maintained** for all committee meetings by an elected secretary (optional) or  
 302 the Committee Chairperson. Minutes shall be given to the County Clerk and included as an  
 303 addendum to regular Commission minutes appropriate to the time frame in which the  
 304 committee meeting(s) and regular commission meetings were held.
- 305 7. **Jurisdiction of a committee** should be identified for statutory committees from TCA; for  
 306 Standing Committees by definition as adopted by the County Commission; for Special  
 307 Committees as prescribed in the "charge to the Committee" at its formation. Questions of  
 308 committee jurisdiction will be referred to the Chairman and/or County Attorney for  
 309 determination, subject to an appeal to the Board at its next regular meeting.
- 310 8. **Report and Referrals:** The committee to which a request or resolution has been referred  
 311 shall make a report at the next regular meeting after the referral unless the Board has specified  
 312 otherwise in its request or resolution. It is the responsibility of the Chairman of the  
 313 Committee to see that this is listed on the agenda.
- 314 9. **Committee Reports** will be made by the Committee Chairman or his designee in an open  
 315 meeting of the Board. Upon completion of a report, the speaker will yield to questions &  
 316 discussion.
- 317 10. **Committee Recommendations** that call for Board action should be presented to the Board as  
 318 a Motion or Resolution per the procedures heretofore specified. Committee recommendations  
 319 do not need a second and will be open for debate until there is a "Call for the Question" by the  
 320 Board.
- 321 11. **Committee Member Attendance** is expected at all meetings. However, should a committee  
 322 member be unable to attend a committee or board meeting on which every district is  
 323 represented, he/she may send the other/another commissioner from his/her District to serve as  
 324 his/her proxy for that meeting. The proxy representative would have the same voting and  
 325 representation privileges as the named member of said committee.

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- 326 12. **Committee Quorum** is defined as no less than three (3) members present or a majority of the  
 327 membership, whichever is greater.  
 328 13. **Failure to Meet:** If for any reason a Committee Chair fails or refuses to call a meeting, the  
 329 Chairman of the Board, or a majority of committee membership may do so.

### 330 B. Appointments & Confirmations

- 331 1. **When the Board is required or requested to confirm an appointee** of the County Mayor  
 332 then the name of such proposed appointee of those being considered for the position shall be  
 333 read to the membership and discussion of each such appointee shall follow. In the event  
 334 nominations are submitted for more than one position on the same board or committee, where  
 335 the incumbent board or committee members serve until their successor is appointed and  
 336 confirmed, the appointing authority shall designate the name of each nominee separately and  
 337 shall indicate which incumbent he/she will be replacing or shall otherwise clearly indicate  
 338 which specific opening on the board or committee for which the person is being nominated.  
 339 2. **Election or Confirmation:** All ballots for election or confirmation shall be cast by roll call  
 340 vote as each member's name is called by the Clerk. If the vote is on confirmation of an  
 341 appointment, each Board Member will vote either "Yes" or "No" on the confirmation. A  
 342 majority of the membership of the full board is required for election or confirmation.  
 343

### 344 Rule VII - Voting

- 345 A. **Stating the Motion:** Prior to any vote, the Chairman shall read the motion as rendered by the  
 346 maker of the motion and ask if everyone understands the motion.  
 347 B. **General Consent** - Business can be expedited greatly by avoiding the formality of motions  
 348 and voting in routine business (*as in approving minutes & other reports*) and on questions of  
 349 little importance, the chair assuming general (unanimous) consent until some one objects. If at  
 350 any time objection is made with reasonable promptness, the chair ignores what has been done  
 351 in that case even if he has announced the result, and requires a regular vote.  
 352 C. **Voice Vote** -- All votes shall be taken by voice unless otherwise directed by the Chairman.  
 353 D. **Roll Call Vote** -- A roll call vote shall be taken if any one of the members so moves, and in  
 354 all instances involving authorization to spend public funds, and in all elections and  
 355 appointments coming before the Board. The Clerk shall call the roll of "Yes" and "No" votes  
 356 on any Roll Call Vote and in all instances involving authorization to expend public funds.  
 357 Upon any roll call, there shall be no discussion by any commissioner prior to voting, and each  
 358 commissioner shall vote "Yes" or "No." A Commissioner may ask for a clarification or  
 359 restatement of the question until such time the vote results are announced.  
 360 E. **Tabulating the Votes** -- It shall be the duty of the Clerk, at the end of each roll call vote, to  
 361 inquire of all those who passed or were absent from chambers when the roll was called if they  
 362 desire to vote. The Chairman and Clerk shall tabulate the votes and the Chairman shall  
 363 announce the results.  
 364 F. **Voting Required** - Every member who was in the Commission Chambers when the question  
 365 was put must give his or her vote, unless the member has publicly stated that he or she is

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- 366 abstaining from voting due to a conflict of interest pursuant to Tennessee Code as defined in  
 367 T.C.A. 12-4-101.
- 368 G. **Abstaining based on Personal Preference** - While it is the duty of every member who has  
 369 an opinion on the question to express it by his vote, yet he cannot be compelled to do so. He  
 370 may prefer to abstain from voting, though he knows the effect is the same as if he voted on  
 371 the prevailing side.
- 372 H. **Abstaining based on Personal Interest** – Any Commissioner who abstains for cause, as  
 373 defined in T.C.A. 12-4-101, or otherwise determined by state law, on any motion coming to a  
 374 vote before the Commission shall not be counted in determining the number of votes needed  
 375 for a simple majority, a 2/3 majority or a ¾ majority.
- 376 I. **Tie Votes** – Should a tie vote occur, the motion is lost. Action on the immediate motion ends.  
 377 The motion may be restated and introduced again as a new motion with a proper second and  
 378 debate, then move forward under a new vote.
- 379 J. **Enactment** -- A simple majority of the Board shall be required for the enactment of most  
 380 legislation; to elect county officials, boards, and committees; to fix salaries and to appropriate  
 381 money. In some instances, enactment of legislation may require a two-thirds or three-fourths  
 382 majority vote, if such a majority vote is stipulated in the statute or resolution.

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### 384 **Rule VIII - Appropriations Request**

- 385 A. All requests for appropriations in addition to those within the annual budget and all proposed  
 386 amendments to the annual budget shall be submitted to the Budget Committee which shall  
 387 consider the request and recommend appropriate action to the County Commission.
- 388 B. All requests for appropriations in the various funds of the county which are not itemized in  
 389 the original fiscal year budget document shall indicate the total dollar expenditure requested  
 390 for the current fiscal year and the source of revenue or reduction of expenditure to offset the  
 391 appropriation. If the request is of a recurring nature over more than one fiscal year, estimates  
 392 for the next two full fiscal years expenditures shall be given in the appropriation resolution.
- 393 C. Request for expenditures requiring the use of fund balance reserves to fund the appropriation,  
 394 which were not included in the original budget appropriation, shall not be effective unless  
 395 approved by a majority vote of the commission.

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### 397 **Rule IX - Citizen Input: Addressing the Board**

- 398 A. **Citizen Input.** The Board recognizes the importance of protecting the right of all citizens to  
 399 express their opinions on the operation of County government and encourage citizen  
 400 participation in the local government process. The Board also recognizes the necessity for  
 401 conducting orderly and efficient meetings in order to complete County business in a timely  
 402 manner.
- 403 B. **Citizen Input Card** – Citizens wishing to make public comments to the Board at the  
 404 prescribed agenda time should complete a “**Citizen Input Card**” prior to the meeting “Call to  
 405 Order” and present the card to the Chairman or Clerk.

Updated on 3/19/2007  
 Amended on 10/18/2010  
 Amended on 3/21/2011  
 Amended on 07/19/21

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- 406 C. **Time Allowed to Speak** - Citizens speaking will be allowed up to three (3) minutes for their  
 407 comments. The Chairman has the discretion to either extend or reduce time limits, based on  
 408 the number of speakers and the will of the Commission.
- 409 D. **Addressing the Commission** - When a person's name is called, the person shall step to the  
 410 speaker's floor lectern and shall give the following information in an audible tone of voice for  
 411 the minutes provided:
- 412 a. Name
  - 413 b. Place of Residence or Business address
  - 414 c. Make note if they speak as an individual, for a group, or represent a third party
- 415 E. **All remarks shall be addressed to the Commission** as a body and not to any individual  
 416 member thereof.
- 417 F. **No person**, other than a member of the Commission, and the person having the floor, may be  
 418 permitted to enter into discussion without permission of the Chairman.
- 419 G. **Speakers should make their comments concise and to the point**, and present any data or  
 420 evidence they wish the commission to consider. No person may speak more than once on the  
 421 same subject unless granted permission by the Chairman.

### 422 **Rule X - Sheriff**

423 The Sheriff or his designee should attend all Board of Commissioners meetings, and shall attend  
 424 committee meetings upon request of the committee Chairman. If any person becomes disorderly or  
 425 refuses to be in order, the Chairman shall call upon the Sheriff, Deputy Sheriff, or officer for  
 426 assistance. If such person refuses to come to order or to be seated, the Chairman shall declare such  
 427 person disorderly and order his or her detention until such time as the Chairman deems that said  
 428 person is willing to be orderly. Any Committee Chairman may invoke the same authority.  
 429  
 430

### 431 **Rule XI – County Attorney**

- 432 A. The County Attorney shall attend all meetings of the Board and prepare resolutions for action  
 433 of the Board and respond to questions of the Board as well as perform such duties as the  
 434 Board, County Mayor, or other County Officials require. The County Attorney shall further  
 435 represent the County in all litigation pursuant to his arrangement with the County and on the  
 436 authority of the Board of Commissioners, except when prevented by a conflict of interest or  
 437 other ethical considerations.
- 438 B. No person shall be confirmed to serve as County Attorney unless he is a duly licensed  
 439 attorney. If a parliamentarian is not elected from the Commission membership, the County  
 440 Attorney will serve as the parliamentarian.
- 441 C. Except for opinions pertaining to matters under current or threatened litigation, any advisory  
 442 opinion issued by the County Attorney at the request of any county official shall be filed with  
 443 the County Clerk and be available for public inspection.  
 444  
 445

# Jefferson County Commission

## Rules of Procedure

446 **Rule XII – The County Clerk shall be responsible for:**

- 447 A. **Notifying all Commission members and the press** of all meetings in the manner prescribed
- 448 by law. Notification should be in a timely manner, but no less than five (5) days in advance
- 449 of the meeting.
- 450 B. **Preparation and distribution of minutes** of Commission meetings and meeting packets as
- 451 defined in Rule I-D & Rule II-F. The Clerk will maintain files of minutes of all standing and
- 452 special committees.
- 453 C. **Resolutions:** A copy of all resolutions approved by the Board shall be submitted to the
- 454 County Mayor by the Clerk after such approval, for his/her consideration and signature.
- 455 D. **Maintain official records** of the county legislative body
- 456 E. Other duties as defined by TCA 18-6-101 and other TCA references.
- 457

458 **Rule XIII – Robert’s Rules**

- 459 A. All matters not covered in these rules or state law, shall be governed by the latest edition of
- 460 Robert’s Rules of Order.
- 461 B. The Board shall elect a parliamentarian. The parliamentarian shall either be a member of the
- 462 Commission or the County Attorney. If the parliamentarian is a Commissioner, the
- 463 parliamentarian shall be allowed the same rights to debate and vote on motions as any
- 464 Commissioner.
- 465

466 **Rule XIV -- Rule Repeal & Suspension of Rules**

- 467 A. The foregoing Rules of Procedures may be amended or repealed by a vote of 2/3 majority of
- 468 Commission. Rules shall be effective at the next meeting after approval.
- 469 B. A rule may be temporarily suspended by a vote of 2/3 majority vote of the Commission.
- 470

471 **Rule XV -- Private Acts**

472 All proposed Private Acts forwarded to the Tennessee General Assembly for passage must be

473 previously approved by the County Commission by a two-thirds (2/3) majority vote prior to

474 being sent to the General Assembly, the County Commission must subsequently approve the

475 Private Act again at a regular or special called meeting, after approval by the General

476 Assembly, by a two-thirds (2/3) majority vote prior to the implementation of the Private Act.

477

478 **Rule XVI -- Rescind Actions**

479 Motions to rescind or amend something adopted at a previous meeting require a 2/3 majority

480 vote by the Commission for approval, unless prior notice has been provided by having it in a

481 committee report or placing it on the agenda by noon on the Tuesday of the week preceding

482 the meeting that it will be voted on, in which case a majority of the commission can approve

483 or placing it on the agenda in accordance with Rule I of the Rules of Procedure.

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# Jefferson County Commission Rules of Procedure

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**Rule XVII – Renewal Actions**

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Motions to renew a defeated motion from a previous meeting may be made by any

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Commissioner if the topic has been properly included on the agenda in accordance with

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Rule I of these Rules of Procedure. However, a defeated item may not be included on the

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agenda of the next meeting. Furthermore, an item that is defeated twice may not be included

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on the agenda for 6 months. Each defeat thereafter will preclude the item from inclusion on a

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meeting agenda for another 6 months. However, nothing in this section will limit a

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Commissioner’s privilege under Rule II, Item F.

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**Rule XVIII – Conflict with Statutory Provisions Clause**

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In the event any of the foregoing rules are determined to be in conflict with statutory

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provisions, then only that part in conflict shall be null and void. The remainder shall remain

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in full force and effect.