

PUBLIC NOTICE

CALL FOR A SPECIAL MEETING OF THE BLOUNT COUNTY BOARD OF COMMISSIONERS TO BE HELD AT THE BLOUNT COUNTY COURTHOUSE IN MARYVILLE, TENNESSEE, ON WEDNESDAY, SEPTEMBER 1, 2010, AT 11:00 A.M.

Pursuant to and in accordance with the authority vested in me by Tennessee Code Annotated § 5-5-105, I hereby call the Board of County Commissioners of Blount County, Tennessee, to meet in special session on the 1st day of September, 2010, at 11:00 A.M. at the Blount County Courthouse in Maryville, Tennessee, to consider and act upon the following:

1. Election of Commission Chairman.
2. Election of Commission Chairman Pro Tem.
3. Election of Commission Parliamentarian.
4. Appointment of nominating committee.

August 23, 2010

APPROVED:

ATTEST:

STEVE SAMPLES
Commission Chairman

ROY CRAWFORD, JR.
County Clerk

JERRY G. CUNNINGHAM
County Mayor

**RULES REGULATING THE PROCEDURES OF THE BOARD OF COUNTY COMMISSIONERS OF
BLOUNT COUNTY, TENNESSEE.**

RULE 1

CONVENING THE BOARD

The Board shall meet at the County Courthouse, 7:00 P.M. on the third Thursday in each month. Should any prescribed meeting date fall on a legal holiday or if an emergency should arise, the Board shall meet at 7:00 P.M. on the following day. Special meetings may be called by the County Mayor, the Chairman, or a majority of the members of the Board at any time with a five day public notice given.

At the discretion of the County Mayor, the Chairman, and the County Clerk, special meetings may be held at locations other than the County Courthouse.

RULE 2

QUORUM

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Board of County Commissioners. Vacancies shall not be included in determining the membership of the Board.

RULE 3

ORDER OF BUSINESS

1. Opening of the Commission by the Sheriff or his designated deputy. The Chairman shall preside, but in absence of the Chairman, the Chairman Pro Tempore shall preside. In absence of the Chairman Pro Tempore, the Clerk shall preside until the Board elects one of its members to preside over the deliberations.
2. Roll call.
3. Setting of agenda.
4. Approval of consent calendar.
5. Public input on items on the agenda.
6. Elections, appointments, and confirmations.
7. Unfinished business.
8. New business.
9. Announcements and statements.
10. Public input on items not on agenda.
11. Adjournment.

The order of business may be changed by the Chairman or Chairman Pro Tempore to accommodate the audience or guest speakers.

RULE 4

GENERAL

4A. **WHO MAY ADDRESS THE BOARD:** It is a commissioner's right to address the Chairman and the Board at any appropriate time during the meeting after proper recognition by the Chairman. The Chairman may ask for public comment before each item is debated by the Board. Comments by non-commission members shall be limited to three minutes, however the limit may be extended at the discretion of the Chairman. A podium for use by non-commission members shall be provided at each meeting. The Chairman shall ask non-commission members to identify themselves and stand before the podium when addressing the Board.

4B. **GAINING THE FLOOR:** In all cases, the Chairman shall name the member who shall speak first.

4C. **SPEAKING:** When any member is about to speak in debate, discussion, or deliver any address on any matter whatsoever to the Board, after being recognized by the Chairman, the member shall pro-

ceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities.

4D. CONSENT TO YIELD: While a member is speaking, they shall not be interrupted, but shall yield the floor to questions at the end of the presentation.

4E. POINTS OF ORDER: If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairman shall, or any member may, call to order, in which case the member so called to order shall immediately sit down. When the point of order has been decided by the Chairman, the member having the floor can proceed, subject to the decision made.

4F. APPEAL ON RULING: Any member of the Board may appeal to the Board from the ruling of the Chairman and a majority vote of the members present shall decide the appeal.

RULE 5

MOTIONS

5A. INTRODUCTION AND DEBATE: Motions may only be made by members. No motion shall be debated until the same is seconded and stated by the Chairman.

5B. MOTIONS IN WRITING: When a motion is made and seconded, it shall be reduced to writing by the Clerk, and read by the Clerk prior to any debate or vote.

5C. REQUIRING ROLL CALL: Motions shall be put to the Board for a vote by the Chairman using the electronic voting system. At the discretion of the Chairman, voice vote may be allowed on items that are not elections, appointments, or the expenditure of public funds. If the Chairman allows a voice vote, any member of the Board may request an electronic vote. If the electronic voting system is malfunctioning, the Chairman may allow roll call or voice votes.

5D. STATEMENTS FOR THE MINUTES: a request to add written or oral statements to official commission minutes shall require a majority vote by the members. Oral statements must be reduced to writing before a vote to include the statement may be taken.

RULE 6

RESOLUTIONS

6A. INTRODUCTION: Any proposed resolution may be introduced only by a member of the Board, and the Clerk or Chairman shall not receive or file any resolution that is not reduced to writing. All resolutions shall be typed. The resolution shall have a line for the Commission Chairman to certify the action, a line for the County Clerk to attest, and a line for the County Mayor to approve or veto the resolution. All resolutions must have all necessary supporting documentation attached prior to inclusion in the agenda for the meeting in which the proposed resolution is to be considered. Resolutions conforming to the above form shall be submitted to the Clerk at least (5) working days prior to the date of the meeting. If there is a legitimate reason that a resolution cannot be submitted to the Clerk by the specified deadline, the Chairman by written notice may allow the introduction of the resolution. After receipt of the written resolution, the Clerk shall assign a number to the resolution for identification purposes.

6B. SPONSOR: A resolution may have as many signatures as there are members of the Board. However, the first signature on the resolution shall be deemed the sponsor for the purpose of debate. Any resolution, including committee or sub-committee resolutions, must have a sponsor's name on the heading of the resolution or signatures of said sponsors before debate or vote is allowed.

6C. SUCCESSFUL RESOLUTIONS: All successful resolutions shall be submitted to the Chairman for his signature and attested by the signature of the Clerk. The resolution shall then be submitted to the County Mayor for consideration within five working days of its passage.

RULE 7

ELECTIONS AND APPOINTMENTS

7A. ELECTIONS AND NOMINATIONS FROM THE FLOOR: When the Chairman is to receive nominations from the floor, a member may nominate only one person. Persons nominated must receive a second. The floor will be kept open until each member has had an opportunity to make nominations or

until a motion has been made and seconded that nominations cease and a majority of those present so vote.

7B. APPOINTMENTS AND CONFIRMATIONS: When the Board is called upon to appoint someone from a list of nominees or to confirm an appointee of the County Mayor then the name or names of those being considered for the position shall be read to the membership and discussion of each such appointee shall follow. The names shall be supplied by written notice from the County Mayor to Board members at least five working days prior to the meeting.

7C. ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by the electronic voting system. If the vote is on confirmation of an appointee each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the full Board is required for election or confirmation. If there is more than one nominee for a position, the vote shall be cast by roll call. Each member shall vote for a nominee when the Clerk calls the roll. If the electronic voting system is malfunctioning, the Chairman shall allow a roll call vote.

7D. SECOND BALLOT: If no one is elected on a given ballot, the nominee receiving the smallest number of votes will be dropped and the vote will be taken again until a nominee is elected by the required majority of the membership.

RULE 8

8 A. SETTING OF AGENDA: After a motion is made to set the agenda, any item that is not addressed shall fail for a lack of a motion.

8 B. CONSENT CALENDAR: Non-controversial routine agenda items may be bundled under the consent calendar on the agenda. Items shall be removed from the consent calendar on the request of any one member. Items not removed may be adopted by one vote of the Board. Removed items may be taken up either immediately after the consent calendar or placed later on the agenda at the discretion of the Chairman.

RULE 9

APPROPRIATION REQUESTS

Requests for appropriations in addition to those within the annual budget shall be submitted in the following manner:

9A. The request shall be submitted in writing to the Budget & Finance Committee of the Board and shall reflect the estimated cost which shall be attached to the proposed resolution. All requests for appropriations shall be accompanied by corresponding sources of revenue.

9B. All requests for appropriations falling in this area shall be summarized and submitted in writing by the Director of Accounts and Budgets to each member of the Board at least five working days prior to the regular or called meeting of the Board at which such request is to be submitted.

9C. The Director of Accounts and Budgets shall state in the summary the committee's decision of (1) Adoption recommended (2) Rejection recommended or (3) Submitted to the Board without recommendation.

9D. The Director of Accounts and Budgets shall advise the Board as to the fund availability before a vote is taken on appropriations in any amount which are in addition to those of the annual budget.

9E. The resolution requesting such appropriations shall be voted upon by membership of the Board as provided by Rule 6 of these rules.

RULE 10

SUSPENDING OR CHANGING THE RULES

Any rule or rules may be suspended or changed by a two-thirds (2/3) majority vote of the total membership.

RULE 11

ROBERT'S RULES OF ORDER

All matters not covered herein shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition.

RULE 12

AGENDA COMMITTEE MEETINGS

An agenda committee meeting may be held on the week prior to meetings subject to the discretion of the chairman, the county mayor, and the county clerk. The committee shall be composed of all the members of the Board of County Commissioners. The duties of the agenda committee shall be to discuss items and vote to send or not send items to the agenda of the Board of County Commissioner's meeting. The committee may also refer the item to other committees.

RULE 13

THE CHAIRMAN

13A. **ELECTION**: Annually, at its September meeting the Board shall elect a Chairman and a Chairman Pro Tempore. The Chairman may be one of the membership of the Board or the County Mayor. If the County Mayor is elected and accepts the position as Chairman, the County Mayor relinquishes veto power. The Chairman Pro Tempore shall be a member of the Board.

13B. **VOTING BY THE CHAIRMAN**: The County Mayor Chairman may vote only in the case of a tie, a member Chairman may vote on all issues coming before the body, just as any other member.

13C. **PRESIDING OFFICER**: The Chairman shall act as the presiding officer. In the absence of the Chairman, the Chairman Pro Tempore shall preside. In the absence of the Chairman Pro Tempore, the Clerk shall preside until the Board elects one of its members to preside over the deliberations.

13D. **SPEAKING**: Should the Chairman desire to speak either in the affirmative or negative upon any subject under debate, he shall vacate the chair. The Chairman Pro Tempore shall then preside until the matter under consideration is disposed of by the Board. However, the Chairman may answer questions, provide information, and give explanations from the chair, the Board not objecting.

13E. **PRESERVE ORDER**: The Chairman shall preserve order and decorum. The Chairman may speak to points of order in preference to other members, rising from his seat for that purpose. The Chairman shall decide questions of order, with the advice of the Parliamentarian, subject to appeal to the Board of any member. Any and all signs/handouts must be removed from the Commission Room prior to the beginning of the meeting and to eliminate all poles for sign display.

13F. **ORDER OF RECOGNITION**: Before a member is allowed to speak twice on the same subject, the Chairman shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

13G. **MOTIONS**: Once a motion has been made and duly seconded, the Chairman shall state the motion so that debate on the motion may begin.

13H. **CLARIFICATION**: The Chairman **may** ask the Clerk to clearly state the question before the Board before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.

13I. **FACILITATION OF COMMISSION ACTIONS**: A committee composed of the County Commission Chairman, the County Mayor, the Budget Director, **the Chairman Pro Tempore, and the County Clerk** will meet as necessary, on the call of the Chairman of the Commission, to facilitate the implementation of actions of the commission.

13J. **AGENDA**: The Chairman will forward to each member of the Board the tentative agenda of the next Board meeting not less than five days prior to the meeting date. No items will be added to the agenda after this notice.

RULE 14

THE CLERK

14A. NOTICE: The Clerk shall notify each member of the Board of any special or called meetings not less than five days in advance thereof. Notification of regular meetings shall be within the discretion of the Chairman.

14B. MINUTES: The Clerk shall reduce the minutes of each Board meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes shall only reflect the official actions of the body. The minutes shall be prepared within five days after said meeting and placed in a well bound book for public inspection. A copy of the minutes of the last meeting shall be forwarded to each commission member with the prepared agenda or meeting notice.

14C. RESOLUTIONS: A copy of all resolutions approved by the Board shall be submitted to the County Mayor, within five working days after such approval, for his consideration and signature.

RULE 15

SHERIFF

The Sheriff or a designated deputy shall attend each session of the Board. The Sheriff or a designated deputy shall open each session, preserve order, and carry out orders of the presiding officer of the Board.

RULE 16

COMMITTEES

16A. All committees, standing and temporary, shall meet and elect from its membership a Chairman and Vice Chairman. The election of a Secretary shall be optional in the absence of a specific mandate of the Board.

16B. All minutes of committee meetings shall be submitted to the Clerk within 5 working days after the meeting. Along with the minutes, notice shall be given by the committee chairman or secretary to the Chairman or Clerk of any matter that will require action at the next Board meeting. Upon request of a Board member, the Clerk shall distribute to the requesting Board member minutes of any committee meetings.

16C. The following procedure shall be followed pertinent to committee reports and related action:

1. The committee Chairman or a member designated by him shall make the presentation in an open meeting of the Board.
2. Upon completion of a report the speaker shall yield to questions.
3. There shall be a vote on the proposition when discussion is complete and when there is a call for the question by the Board.
4. All Committee Chairmen shall operate with the same rules and regulations as the Commission Chairman.

16D. If for any reason the chairman of a committee fails or refuses to call a meeting, the Chairman of the Board, or a majority of the committee membership may do so.

RULE 17

CONFLICT WITH LAW

In the event any of the foregoing rules are determined to be in conflict with statutory provisions, that part in conflict shall be null and void.