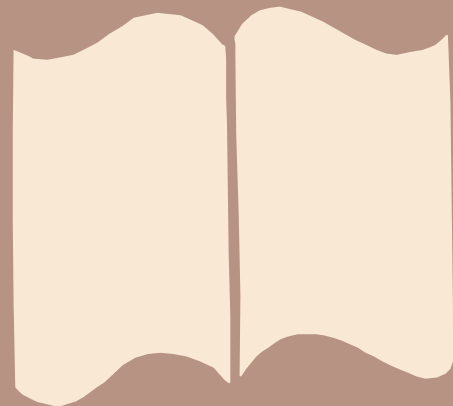


MOHAVE COUNTY RULES OF ORDER



ADOPTED: January 21, 2003
UPDATED: March 1, 2010
UPDATED: January 21, 2014
UPDATED: June 17, 2019
UPDATED: July 17, 2023

MOHAVE COUNTY BOARD OF SUPERVISORS

RULES OF ORDER

I MEETINGS

The Arizona Open Meeting Law A.R.S. 38-431 shall govern meetings of the Board. All meetings of any County public body, official or advisory committee shall be public and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

- A) **Regular:** Regular meetings of the Board shall be held in the County on a working day or days of each month. Normally the Board meets on the first and third Monday of each month. The Board shall notify the public of the location, day and time of each meeting as provided by law.
- B) **Special:** Special Meetings may be called by the Chairperson or by a majority of the Board. Pursuant to ARS § 11-214, Notice of a Special Meeting shall be given to any member not joining in the call at least five calendar (5) days prior to the meeting.
- C) **Emergency:** Emergency Meetings may be called by the Chairperson as provided by A.R.S. 38-431.02 only in the event of an actual emergency.
- D) **Executive Sessions:** Executive Sessions are permitted under ARS 38-431.03.
 - 1) The purposes for which an Executive Session discussion may be held are the following: Personnel matters involving a specific individual; confidential records, legal advice; discussion of pending or contemplated litigation; instruction of designated representatives concerning negotiations with employee organizations; instruction of designated representatives concerning negotiations for the purchase of real property and as otherwise provided by law.
 - 2) Executive Sessions are attended by the Board Members, County Attorney, County Manager and the Clerk of the Board.
 - 3) The Board may call upon an Elected Official, Deputy County Attorney, Department Head, and/or other experts having data pertinent to the particular item. At the conclusion of that item the attendance of the Executive Session shall return to its original membership.
 - 4) All matters discussed in an Executive Session must be kept confidential by those attending except minutes shall be made available to members of the Board who are unable to attend or to appropriate State agencies.

- E) The Board of Supervisors Meeting Room shall be the designated meeting place provided, however, meetings may be held from time to time at any location in the County as designated by the Board. Meetings may be adjourned to another time and/or location as determined by the Board of Supervisors.

II ORDER OF BUSINESS

- A) The presiding officer of the Board shall be the Chairperson who shall be elected and whose term shall be established by the membership. The Vice-Chairperson shall be elected and the term established in the same manner. The Chairperson or, in his/her absence, the Vice-Chairperson shall be responsible for calling meetings to order and maintaining proper protocol and decorum during all meetings. All motions, comments, and questions shall be made through the Chairperson.

- B) The Chairperson may re-order or withdraw any item on an agenda with a vote of the membership.

C) **Public Participation In Board Meetings**

- 1) The policy of the Board is to permit public participation in Board meetings. Pursuant to A.R.S. 38-431, all meetings of any public body official or advisory committee shall be public and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. However, it should be understood that Arizona Open Meeting Law does not establish "a right" for the public to participate in the discussion or the ultimate decision. (Arizona Attorney General Opinion 78-1.1)

Call to the Public Request to Speak Form

- 2) Pursuant to ARS 38-431.01(H) a public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

In the interest of maintaining order, a member of the audience, wishing to address the Board at the Call to the Public, must fill out a Call To The Public Request To Speak Form. The form shall be turned in to the Clerk prior to the meeting. Speakers shall familiarize themselves with the Board Rules and Proper Decorum Guide, printed on the Call to The Public Request To Speak Form, prior to speaking. Speakers shall strictly adhere to the Board Rules and Decorum during their speaking time. A copy of the Call To The Public Request To Speak Form is attached hereto.

Agenda Item Request To Speak Form

- 3) Individuals may address the Board on a public hearing or regular agenda item or at the discretion of the Chairperson. In the interest of maintaining order a member of the audience, wishing to address the Board on a specific Board Agenda Item must fill out an Agenda Item Request to Speak Form and submit the form to the Clerk of the Board prior to the start of the agenda item. Speakers shall familiarize themselves with the Board Rules and Proper Decorum Guide, printed on the Agenda Item Request to Speak Form, prior to speaking. Speakers shall strictly adhere to Board Rules and Decorum during their speaking time. A copy of the Request to Speak Form is attached hereto.

Speaking Considerations For Individuals And Groups

- 4) The Chairperson may limit the time for presentation and the number of persons who may address the Board on any agenda item. The general policy of the Board regarding public participation is as follows: three minutes per person or such other time as may be designated by the Chairperson or a majority of the Board. If a citizens group wishes to speak on the same subject, the group should choose a representative to deliver the message. The Chairperson may set a limit for organized group presentations and may set limits for each side when many persons request to speak on an agenda item.

<h2>DECORUM IN DEBATE</h2>

This is a public meeting convened by the Mohave County Board of Supervisors. As mentioned above in Item.C1, members of the public are permitted to attend and listen, but Arizona Open Meeting law does not establish “a right” for the public to participate in the discussion or the ultimate decision. If a person or persons in the audience engages in disruptive behavior and is asked to cease that behavior and does not comply and or refuses to leave the meeting room when directed by the Board, law enforcement officials may take any necessary steps within their discretion in accordance with Arizona laws, including but not limited to disorderly conduct (ARS 13-2904), criminal trespass (ARS 13-1502), and/or obstructing government operations (ARS 13-2402).

Dress Code

- 5) All participants and attendees shall be dressed appropriately and clothes and appearance shall not be disruptive to the proceedings.

This Dress Code includes, but is not limited to, the following guidelines:

- a) Shirt and shoes must be worn at all times.
- b) In accordance with FCC Guidelines regarding airing of questionable language during prime-time broadcasting, profane language on clothing will be prohibited

No Personal Attacks Allowed

- 6) The Chairman and/or Parliamentarian shall not allow debate to digress to personal attacks. No speaker shall arraign the motives of a member, a staff member or other speakers. However, the specific issue under question may be condemned in strong terms. It is not the person, but the measure of the issue under question, that is the subject of debate. In the same spirit Board or Commission members will not personally disparage each other or the public presenters.

Debate Restricted To The Immediate Question

- 7) Compliance with the Arizona Opening Meeting Law requires that no debate shall be allowed on any issue other than the immediate question under consideration before the Board. If any Board Member, the Parliamentarian, or County Manager reasonably believes that a speaker has strayed from the immediate question, a "point of order" may be called. The Chairperson may caution the speaker to speak to the immediate question only, or the Chairperson may direct the speaker to relinquish the floor and be seated.

Sponsored Groups, Board, And Committees

- 8) The Chairperson of a County Board, Commission, sponsored group, or Committee is the sole official spokesperson for the group unless this responsibility is delegated, in writing or otherwise established by majority vote of the group, and communicated in writing to the Chairperson of the Board of Supervisors. Five minutes may be allowed for such presentations unless the Chairperson, or a majority of the Board, deems circumstances warrant additional time. If there is a minority report, the Chairperson may allocate up to three minutes for such presentation. The Chairperson shall have discretion in setting time limits, and may allow longer presentations, time permitting, for staff reports on strategic, business planning or other official business.

Meeting Discipline And Orderly Conduct

- 9) In the event that any meeting of the Board is interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chairperson may recess the meeting or order the person, group or groups of persons interrupting the meeting to leave the meeting or be removed from the meeting.

Restoring A Meeting To Order

- 10) In the event that any meeting is interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of such person, or persons, the Chairperson may recess the meeting and continue the session at a later time and date. Only matters appearing on the posted agenda may be considered in such a session.

- 11) No other business will be considered by the Board other than those items placed on the agenda.
 - a) All items, regular and consent, to be included on the agenda, shall be filed in the Clerk of the Board of Supervisors office at least ten (10) days prior to the meeting. Elected Officials and/or Department Heads submitting requests after the ten (10) day deadline must request that the Chairperson allow the agenda be revised to include the items. Board members will submit their own requests and citizens requests must be presented through their respective Board members. Some backup material must be submitted with each item.
 - b) All items to be presented for Board action must be submitted to the County Attorney no later than 10:00 a.m. for legal review.
 - c) Items that require funding approval must be verified that funds are available by the Mohave County Financial Services Director and/or his/her designee.
 - d) Items that require personnel action must be pre-approved by the Human Resources Director and/or his/her designee, that the position is available and within the proper range.
 - e) County Manager approval will be obtained by the Clerk of the Board.

III READING OF THE MINUTES

If the Clerk has furnished each member with a copy of the minutes of a previous meeting, the reading of the minutes may be dispensed with and approved as most recently drafted.

IV MOTIONS (PRECEDENCE OF MOTIONS)

Motions During Meetings Of The Board Of Supervisors

- A) Board actions shall be made by way of a formal motion. Any Board member may propose a motion for any item on the official agenda. Such a motion, if seconded by any Member, shall be on the floor and must be considered. If a motion is not seconded, the motion fails for lack of a second, and shall be so declared by the Chairperson.

Debate Requires A Second To The Motion Of Any Member

- B) Before any subject is open to discussion debate it is necessary; 1) that a motion be made by a member who has obtained the floor; 2) that it be seconded, and 3) that the question it be stated by the Chairperson. The fact that a motion has been made and seconded does not put it before the Board, as the chair alone can do that. The Chairperson must either rule it out of order, or state the

question on it so that the Board may know what is before it for consideration and action, that is, what is the "immediately pending question".²

Discussion And Call To Question

- C) After a motion has been seconded, any Member may discuss the subject of the motion. At any time after a motion has been seconded, any Member who has the floor may say, "I Move the Previous Question." The effect of "I Move the Previous Question" is to close debate immediately.³ The Chairperson will then call for the vote. When no Member wishes to discuss the motion further, the Chairperson shall call for a vote on the motion. The Chairperson may recognize public speakers that have signed a Request to Speak Form. The Chairperson may also call for the vote if it appears that further discussion will be repetitious.

Withdrawing A Motion

- D) A motion may be withdrawn by its maker at any time before adoption or rejection, with the consent of the second. Absent the consent of the second, the motion shall remain on the floor. The second to a motion may be withdrawn by the second at any time before adoption or rejection of the motion. Upon withdrawal of the second, the motion will be lost for lack of a second and so declared by the Chairperson unless seconded by another Member.

Amending A Motion

- E) A motion on the floor may be amended by motion at any time before adoption or rejection. If the motion to amend fails, the original motion will be voted upon. If the motion to amend passes, the amendment is adopted and, thereafter, the original motion, as amended, will be voted upon. An amendment to a motion must be germane to the subject of the motion, but it may not achieve the opposite effect of the motion. The motion may be amended only twice, provided that each amendment is voted on and carried by the majority or unanimous vote.

Motion To Reconsider

- F) A motion to reconsider the vote on an agenda item may be made at the meeting at which the item was acted upon, or any adjourned session of the same meeting.
- G) Only a Member who voted on the prevailing side of the agenda item sought to be reconsidered may make the motion. No question can be twice reconsidered unless it was amended after its first reconsideration.
- H) Reconsideration of an item from a previous meeting can only be made by a Member who voted on the prevailing side of the agenda item sought to be reconsidered.
- I) A motion to continue an item must be passed by a majority vote and takes precedence over all other motions except for a "Point of Order."

- J) A motion to "lay an item on the table" shall be decided without debate and must be passed by a majority vote.
- K) A call for a "point of order" shall have precedence.
- L) No other motion can be made while there is a motion pending.
- M) A verbal vote will be taken on all motions. A roll call vote shall be taken on motions statutorily requiring a unanimous vote or as requested by the Chairperson or any member.
- N) Abstentions are appropriate only when there is a legal impediment to voting.
- O) A motion to adjourn shall always be in order except when a member is addressing the Chair, or when there is a motion on the floor.

V PARLIAMENTARY PRACTICE

In the spirit of these rules, the Chairperson may refer to Robert's Rules of Order, as amended, when they are not inconsistent with Arizona Revised Statutes.

The County Attorney or his designee shall act as parliamentarian.

VI SUSPENSION OF RULES

These rules may be suspended upon an affirmative vote of a majority of the members present.

VII ABSENCE FROM MEETING

Every member of the Board about to leave the County for a period of one week or more, shall notify the Chairperson of the Board, the County Manager and the Clerk of the Board.

VIII RECORDS

It is the duty of the Clerk of the Board to make full entries of each member's vote on every question when there is a division or at the request of any member present on all resolutions, decisions and actions taken by the Board at each Meeting.

The Clerk of the Board shall not allow any original paper or record of the County to be taken from his/her custody without the knowledge and permission of the Board.

DEFINITIONS:

1. **Meeting:** The Gathering of a quorum of members of a public body to propose or take legal action including any deliberations with respect to such action.
2. **"Call for the Question":** A member is ready for a vote.
3. **"I move the previous question":** A member is ready for a vote and wishes to foreclose further discussion.

4. **“Immediate Question:** the specific agenda item under discussion.
5. **Point of Order:** A member believes the discussion is in error or not germane to the issue.
6. **Quorum:** A majority of all members elected to the Board.

Enclosure One: Mohave County’s Request to Speak Form/Call to the Public

Updated: January 7, 2013 Chairman Watson/Attorney Ekstrom
 Adopted: January 21, 2014 Mohave County Board of Supervisors
 Updated: July 17, 2023 Mohave County Board of Supervisors

Enclosure Two: Mohave County’s Request to Speak Form

Adopted: January 21, 2003 Mohave County Board of Supervisors
 Updated: May 15, 2006 Mohave County Board of Supervisors
 Updated: March 1, 2010 Mohave County Board of Supervisors
 Updated: January 7, 2013 Chairman Watson/Attorney Ekstrom
 Updated: January 21, 2014 Mohave County Board of Supervisors
 Updated: July 17, 2023 Mohave County Board of Supervisors

¹ Arizona Attorney General, Agency Handbook, Revised May 2001, p. 7-20, item 7.1.10

² Roberts Rules of Order, Newly Revised, 9th, Edition, pg. 31-32.

³ Roberts Rules of Order, op.cit., pg.63-64.

Mohave County's Request to Speak Form Consent / Call To The Public

Members of the public wishing to address the Board regarding items on the Consent Agenda and/or matters not on the Board Agenda shall fill out and submit to the Clerk a Consent / Call To The Public Form PRIOR to the start of the meeting.

SECTION 1:

<p>Name: _____ <div style="text-align: center; font-size: small;">(Please Print Clearly)</div> </p> <p>Address: _____ <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> City State Zip </div> </p> <p>Telephone No: _____</p> <p>I would like to address the Board, regarding _____ _____</p>

Section 2:

**Mohave County Board of Supervisors Proper Decorum Guide:
Consent Agenda / Call To the Public**

1. Speaker's shall approach the podium, address the Chairperson and clearly state their name and the items they are addressing.
2. Speakers shall not verbally attack nor impugn Board Members, staff, or other speakers; speaking privileges may be terminated if speaker fails to comply.
3. All participants and attendees shall be dressed appropriately; clothes and appearance shall not be disruptive to the proceedings.
4. The general policy of the Board regarding public participation is as follows:
We welcome and encourage public participation but in the interest of efficiency, request that comments be limited to three minutes per person or such other time as may be designated by the Chairperson or a majority of the Board.
5. If a large citizens group wishes to speak on the same subject, please choose a representative to deliver the message.

ARS §38-431.01(H)

H. A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

Mohave County’s Request to Speak Form Public Hearings / Regular Agenda

Members of the public who desire to speak on a Public Hearing or Regular Agenda Item must complete Section 1 below and be familiar with the Mohave County Board of Supervisors Meeting Rules and Mohave County Board of Supervisors Proper Decorum Guide, an excerpt of which is included in Section 2.

SECTION 1:

<p>Name: _____</p> <p style="text-align: center; font-size: small;">(Please Print Clearly)</p> <p>Address: _____</p> <p style="text-align: center; font-size: small;">City State Zip</p> <p>Telephone No: _____</p> <p>I would like to address the Board, regarding agenda No: _____</p> <p style="text-align: center;"> <input type="checkbox"/> In Favor <input type="checkbox"/> Opposed </p>

SECTION 2:

Mohave County Board of Supervisors Meeting Rules

1. Arizona Open Meeting Law requires that you limit your comments to the specific agenda item. If you address any subject not specifically relevant to the agenda item, you may be ruled “out of order” and may lose your allotted time.

Mohave County Board of Supervisors Proper Decorum Guide

1. Speaker’s shall approach the podium, address the Chairperson and clearly state their name.
2. Speakers shall not verbally attack nor impugn the motives of Board Members, staff, or other speakers; speaking privileges may be terminated if speaker fails to comply.
3. This is a public meeting convened by the Mohave County Board of Supervisors. Members of the public are permitted to attend and listen, but Arizona Open Meeting law does not establish “a right” for the public to participate in the discussion or the ultimate decision. If a person or persons in the audience engages in disruptive behavior and is asked to cease that behavior and does not comply and or refuses to leave the meeting room if directed by the Board, law enforcement officials may take any necessary steps within their discretion in accordance with Arizona laws to maintain order.
4. All participants and attendees shall be dressed appropriately; clothes and appearance shall not be disruptive to the proceedings.
5. The general policy of the Board regarding public participation is as follows: We welcome and encourage public participation but in the interest of efficiency, request that comments be limited to three minutes per person or such other time as may be designated by the Chairperson or a majority of the Board.
6. If a large citizens group wishes to speak on the same subject, please choose a representative to deliver the message.