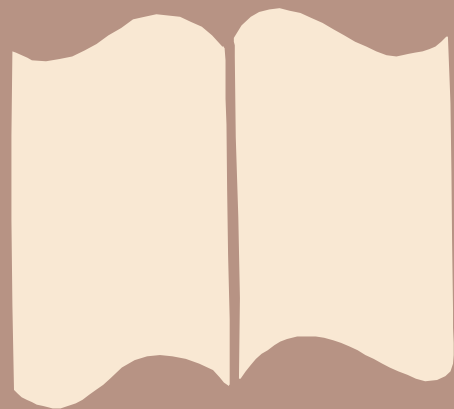


MOHAVE COUNTY RULES OF ORDER



ADOPTED: January 21, 2003
UPDATED: March 1, 2010
UPDATED: January 21, 2014
UPDATED: June 17, 2019
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UPDATED: July 17, 2023
UPDATED: December 23, 2024
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**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 of Supervisors (“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 the first and third Monday of each month. A majority vote of the Board may alter the schedule of regular meetings. 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 vote of the Board. Pursuant to A.R.S. § 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 A.R.S. § 38-431.03.
 - 1) Executive sessions may be held for any of the purposes specified in A.R.S. § 38-431.03(A).

 - 2) Members of the Board, Attorney(s) from the County Attorney's Office, County Manager, and the Clerk of the Board constitute the original membership for purposes of the executive session and may attend the meeting.

 - 3) The Board may call upon elected officials, outside legal counsel, department heads, county employees, and/or other experts having data pertinent to the particular item to attend the executive session. 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 and may only be disclosed as allowed by law.

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- E) The Board of Supervisors Auditorium at 700 W. Beale St., Kingman, Arizona, shall be the designated meeting place; however, meetings may be held from time to time at any location in the County as voted upon by a majority of the Board. Meetings may be adjourned to another time and/or location upon a majority vote of the Board.
- F) Consent Agenda: These items, including resolutions, which are routine or administrative in nature, will be approved in a single motion, except that any Board member may request that any consent agenda item be removed and voted upon separately.
- G) Board members should make reasonable efforts to attend all Board meetings in person; however, any supervisor may participate in all or part of a Board meeting using remote video or telephone conference call. The Clerk of the Board or their designee shall prepare and maintain the permanent record of all Board meetings. The Clerk's recordation shall be considered the official record of the meeting.
- H) All meetings shall be conducted with an Agenda, properly noticed as required by the Arizona Open Meeting Laws. The agenda shall list the specific matters to be discussed, considered, or decided at the meeting. The public body may discuss, consider, or make decisions only on matters listed on the agenda and other matters related thereto. The procedure for submitting items to the agenda shall be as follows:
- 1) Except as outlined herein, only elected officials and county employees (through their department supervisors) may submit items for consideration on the Board's Agenda. All items, regular and consent, to be included on the agenda at regular board meetings, shall be filed in the Clerk of the Board of Supervisors' office at least ten (10) or twelve (12) days prior to the meeting. Items submitted after the eleven (11) day deadline may be rejected for addition to the upcoming Agenda at the sole discretion of the Chairperson. Citizens wishing to submit Agenda requests must submit them through their respective Board members. Board members have the sole discretion whether to submit or deny submission of a citizen's agenda request.
 - 2) For special meetings, only elected officials and county employees (through their department supervisors) may submit items for consideration on the Board's agenda, and such items shall be submitted no later than forty-eight (48) hours prior to the special meeting.
 - 3) Agenda items placed on the agenda and continued will be placed back on the agenda for the Supervisors to act upon and may only be removed by the Chairman. Motions to continue should have a set date or event to be proper. Indefinite or undefined motions to continue cannot exceed past the term of the current Board. Any such motion shall be considered dead upon the seating of the new Board.

II) CHAIRPERSON AND VICE-CHAIRPERSON

- A) The presiding officer of the Board shall be the Chairperson who shall be elected by the Board annually at a December regular meeting. The Chairperson's term shall begin on January 1 following the December election, and shall continue for one year, ending on December 31. The Vice-Chairperson shall be elected and the term established in the same manner.
- B) 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. The Chairperson shall decide all points of order and procedure, subject to appeal by a majority vote of the Board. The Vice-Chairperson shall act as outlined in these Rules when the Chairperson is not present or otherwise not available.
- C) The Chairperson shall have the authority to limit the time for debate on any topic or item by a member of the Board, but not the ability to eliminate debate. The Chairperson shall make every effort not to allow debate to digress to personal attack. It is not the person, but the measure, issue, or item under question, which is the subject of debate. In the same spirit, other Board members should not disparage each other, county employees, or presenters.
- D) With the exception of Call to the Public held at the end of the meeting, the Chairperson may re-order any item on an agenda, and may withdraw any item on an agenda upon request of the item's sponsor or with a majority vote of the membership.
- E) The Chairperson shall have the authority to limit or expand the extent of or amount of time to speak, or suspend public comment or call to the public, for any meeting but shall provide an explanation for the membership. The decision may be reversed by a majority vote of the Board.
- F) The Chairperson may order recess(es) and breaks during the meeting in his or her discretion.

III) PUBLIC PARTICIPATION IN BOARD MEETINGS

- A) While the public is permitted to attend and listen to deliberations and proceedings of the Board, the Open Meeting Law does not establish a right for the public to participate in the discussion or in the ultimate decision of the public body. *See Arizona Attorney General Agency Handbook, Chapter 7, section 7.10.1.*
- B) For agenda items, the public may only be permitted to speak on the items when one or more of the following circumstances exists:
 - 1) When state or federal law authorize public participation in the item;
 - 2) When called upon by the Chairperson of the Board;

- 3) When called upon following a majority vote of the Board; or
 - 4) When a member of the public submits a Request to Speak form prior to the start of the agenda item, subject to these Rules.
- C) When speaking on an agenda item, the public shall limit comments to no more than three minutes. The Chairperson is authorized to interrupt or interject if the speaker strays off topic, or if the speech is becoming too repetitive. Further, the Chairperson may insist that speakers only address the agenda item currently on discussion. The Chairperson may modify the amount of time a speaker may speak.
- D) The Chairperson may impose reasonable measures to curb speech that disrupts, disturbs or otherwise impedes the orderly conduct of the meeting. If a person or persons in the audience engages in disruptive behavior that impedes the orderly conduct of the meeting, and if after asked to cease that behavior does not comply and/or refuses to leave the meeting room when directed by the Board, county officials may take any necessary steps to remove the person and/or initiate criminal charges within their discretion and 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).
- E) The public may submit comments in writing, which the Clerk shall forward to the Board upon request.
- F) Call to the Public:
- 1) Pursuant to ARS 38-431.01(I), 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. Speakers shall familiarize themselves with the Board Rules prior to speaking. Speakers shall strictly adhere to the Board Rules during their speaking time. Speakers must check a box on the Public Request to Speak Form that they have read and understand these rules.

- 2) Call to the Public shall be held at the end of the meeting, after the county business on the Agenda.

G) Agenda Item Request to Speak Form

- 1) In the interest of maintaining order, a member of the public 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 prior to speaking. Speakers shall strictly adhere to Board Rules during their speaking time.

H) Speaking Considerations for Individuals and Groups:

- 1) The Chairperson may limit the time for presentation and the number of persons who may address the Board on any agenda item. If a citizens group wishes to speak on the same subject, the Chairperson may have the group choose a representative to deliver the message. The Chairperson may set a limit for the number of persons speaking for a group, alter the amount of time a group representative may speak for a group, and may set time limits when many persons request to speak on an agenda item.

IV) Hearings

A) Public Hearings Generally

- 1) When the law requires a public hearing, the Board shall use the below process.
 - a) The Chairman shall open the public hearing.
 - b) The proponent of the application shall be able to speak.
 - i) The Board may ask questions of the proponent during their presentation.
 - b) Members of the public may speak following the proponent.
 - c) If the Board has more questions for the proponent, the Board may call them to answer questions.
 - d) Following all questions and presentations, the Chairman will then close the public hearing and open the floor for debate.

B) Conduct of a public hearing on zoning and special use permit applications.

- 1) If the public hearing is for an item relating where a member of the public is the applicant, the applicant shall speak first.
- 2) The applicant shall have up to nine minutes to present their case as to why the project request should be granted by the Board. Should the applicant opt not present on their item they may indicate on a form provided by the Clerk of the Board.
- 3) The form shall include the option for the applicant to state the following:
 - a) Name of the Applicant;
 - b) Business address;
 - c) If the applicant is represented by an agent, the name of the agent;
 - d) If the applicant wishes to present their project;
 - e) If the applicant wishes to answer questions in lieu of a presentation.
- 4) The form shall be transmitted to the chairman of the board prior to the beginning of the Board meeting as practicable.

C) Hearing for Appeal

- 1) When an ordinance requires, a member of the public may appeal a department's decision to the Board.
- 2) The Board shall sit in a quasi-judicial manner and observe the following procedures.
 - a) The appellant shall have 8 minutes to present their case-in-chief.
 - b) The County shall have 10 minutes to present its case-in-chief.
 - c) The appellant shall have 2 minutes to rebut the case made by the County.
- 3) The Arizona Rules of Evidence do not apply.
- 4) The Board may ask questions of either party during the time of a party's case-in-chief. The time shall continue to run if the Board ask questions.
- 5) Following the closing of a party's presentation the board may deliberate on the facts presented and render a decision via majority vote.
- 6) Following the vote, the Clerk of the Board shall send each party a written disposition of the Board's final decision.
- 7) If an attorney represents the Appellant the County Attorney may then represent the County.
- 8) Members of the public not related to the appeal may not speak or otherwise participate in the hearing.

II) DISCUSSION AND MOTIONS DURING THE MEETING**A) Debate Restricted to The Immediate Question**

- 1) No debate shall be allowed on any issue other than the immediate question under consideration before the Board. If any Board Member reasonably believes 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.

B) Meeting Discipline and Orderly Conduct, Recessing and Restoring the Meeting

- 1) 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.
- 2) 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 to a later time on the same day, or at a later date and time. Only matters appearing on the posted agenda may be considered in such a session.

- 3) Upon a majority vote of the Board, the Chairperson may recess the meeting and continue the session at a later date and time. Only matters appearing on the posted agenda may be considered in such a session.
- C) All board actions at the meetings 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.
 - D) Once the Chairperson has acknowledged a seconded motion, any Board member may call for debate, and any member may discuss the subject of the motion. At any time during the discussion, any Board member who has the floor, or the Chairperson, may say, "I Move for a Vote on the Motion." The effect of "I Move for a Vote on the Motion" is to close debate immediately, except that if the Chairperson believes further discussion is necessary, the Chairperson may allow for further discussion. The Chairperson will then call for the vote. The Chairperson may also call for the vote if it appears that further discussion will be repetitious. Once the Chairperson has called for the vote, all debate on the item ends, except that Board members are permitted to briefly explain the reasoning for their vote.
 - E) 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.
 - F) 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.
 - G) Motion To Reconsider Items on the Agenda
 - 1) 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.
 - 2) Only a Board 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.
 - 3) 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. In the event the previous item failed because of a tie vote, the prevailing party is defined as the party who voted no on the item.

- 4) If the Board votes to reconsider an item that had a public hearing, the item shall be set for a public hearing before it may be acted upon again.
 - 5) A Board member may only bring a motion for reconsideration within fourteen days of the original action taken by submitting a request to the Clerk of the Board
- H) In the case of a tie vote on an item, the item shall be considered defeated.
- 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) No member may interrupt another member except to raise a "point of order" or to correct a mistake. A "point of order" is proper when a Board member believes the discussion is in error, has strayed from the item up for discussion, or is not germane to the issue before the Board. A call for a "point of order" shall have precedence.
- K) No other motion can be made while there is a motion pending.
- L) A verbal vote will be taken on all motions. A roll call vote shall be taken as required by law or as requested by any member of the Board.
- M) Abstentions are appropriate only when there is a legal impediment to voting.
- N) 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. No motion to adjourn shall be necessary following the conclusion of each item on the agenda.

III) PARLIAMENTARY PRACTICE

- A) 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.
- B) The Chairperson shall be the Parliamentarian, and shall decide all parliamentary rules, procedures, and questions, except that a majority vote of the Board may override any parliamentary rulings of the Chairperson.

IV) COMPLIANCE WITH FEDERAL COMMUNICATIONS COMMISSION GUIDELINES

In accordance with the Federal Communications Commission (FCC) guidance regarding the airing of inappropriate content on broadcast TV between 6 am and 10 pm, no person shall use or display obscene content, indecent content, or profane content, as defined by the FCC, during the Board meetings.

V) VI SUSPENSION OF RULES

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

Enclosure One: Mohave County's Request to Speak Form**Enclosure Two: Mohave County's Public Hearing Applicant Form**

Adopted:	January 21, 2003	Mohave County Board of Supervisors
Updated:	May 15, 2006	Mohave County Board of Supervisors
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