

## RULES OF PROCEDURE

### Clay County Commissioners Court Rules of Procedure, Conduct and Decorum

1. All Regular, Special, Emergency and Executive Session Meetings of the Clay County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.
2. Regular, Special and Emergency Meetings of the Clay County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, the press or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.
3. The Clay County Commissioners Court meets in Regular Session on the second and fourth Mondays of each month. In order for a matter or issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners Court, a request must be filed with and approved by at least one member of the Commissioners Court and/or the County Judge by 12:00 p.m. (noon) on the Wednesday immediately preceding the next Regular Meeting of the Commissioners Court.
4. The business of Clay County is conducted by and between the members of the Clay County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts and members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observees unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue (or issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County Clerk prior to the time the agenda item (or items) is addressed by the Court. A sample of the Clay County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
  - A. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five minutes to make his/her remarks. Time for

each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.

- B. In matters of exceptional interest, the Commissioners Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public or the amount of time allocated for all agenda items or a specific agenda item.
- C. It is the intention of the Commissioners Court to provide open access to the citizens of Clay County to address the Commissioners Court and to express themselves on issues of county government. Members of the public are reminded that the Clay County Commissioners Court is a Constitutional Court, with both judicial and legislative powers, created under Article V, Section 1 and Section 18 of the Texas Constitution. As a Constitutional Court, the Clay County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Local Government Code §81.023. Accordingly, all members of the public in attendance at any Regular, Special or Emergency meeting of the Commissioners Court shall conduct themselves with proper respect and decorum in speaking to, or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Commissioners Court's order or continued disruption of the meeting may result in a Contempt of Court Citation.
- D. It is not the intention of the Clay County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and integrity of the Court, as a body, or any member or members of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Commissioners Court or any person in the Court's presence or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:
  - 1. cancellation of a speaker's remaining time;
  - 2. removal from the Commissioners Courtroom;

3. a Contempt Citation; and
  4. such other civil and criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
5. The County Judge is the presiding officer of the Clay County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the senior member of the Commissioners Court (in terms of total number of years as an elected representative) present at the Regular, Special, Emergency meeting or Executive Session, shall serve as the Judge Pro-Tem of the Court. However, nothing shall prevent the senior member of this Commissioners Court from delegating this duty to another member of the Commissioners Court.
6. The County Judge (or the designated Judge Pro-Tem of the Commissioners Court), as presiding officer of the Commissioners Court, is responsible for conducting all meetings and members of the public who have properly completed a Public Participation Form and submitted it to the County Clerk must wait to be recognized before they will be allowed to address the Court.
7. Special rules for the press and media:
  - A. No media personnel or equipment, including lights, cameras or microphones will be located on the Commissioners Court bench nor closer than five feet in front of the Commissioners Court bench.
  - B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc., in such a manner as to not disrupt the Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.
  - C. Interview shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
  - D. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of any regular, special, emergency or executive session of the court.
8. The Sheriff of Clay County, Texas, or his designated deputy, shall serve as the bailiff at all regular, special, and emergency meetings of the Commissioners Court. However, if: the Sheriff is absent; there is a conflict of interest between the Sheriff,


any member of the Sheriff's department, and the Commissioners Court; or there is an executive session of the Court in which the Sheriff is not an authorized participant, then the Court shall appoint another commissioned peace officer to serve as bailiff.

9. From time to time, the Commissioners Court may conduct town meetings and public hearings. These rules of procedure, conduct and decorum shall also apply to town meetings and public hearings; however, the Commissioners Court may adopt additional and supplemental rules for a town meeting or public hearing as may be necessary and appropriate to conduct the meeting or hearing in an orderly, efficient and proper manner.
10. These Rules of Procedure, Conduct and Decorum at Meetings of the Clay County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.

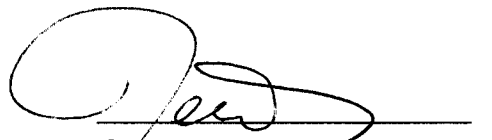
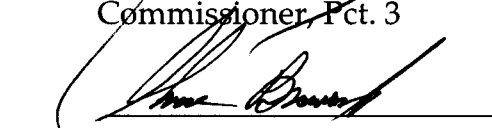
ADOPTED BY THE UNANIMOUS VOTE OF THE CLAY COUNTY COMMISSIONERS COURT on this the 9th day of January, 2023.

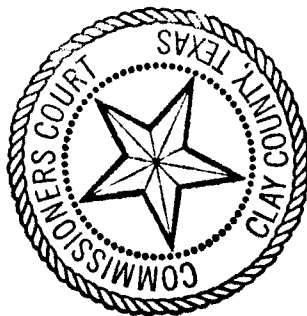
  
County Judge

\_\_\_\_\_  
Commissioner, Pct. 1

  
Commissioner, Pct. 2

Attest:   
County Clerk

  
Commissioner, Pct. 3  
  
Commissioner, Pct. 4



**Exhibit A**

**PUBLIC PARTICIPATION FORM**

NOTE: This Public Participation Form must be presented to the County Clerk prior to the time the agenda item (or items) you wish to address are discussed before the Court.

**Clay County Commissioners Court  
Public Participation Form**

Instructions: Fill out all appropriate blanks. Please print or write legibly.

NAME: \_\_\_\_\_

HOME ADDRESS:  
\_\_\_\_\_

HOME TELEPHONE:  
\_\_\_\_\_

PLACE OF EMPLOYMENT:  
\_\_\_\_\_

EMPLOYMENT TELEPHONE:  
\_\_\_\_\_

Do you represent any particular group or organization? Yes No (circle one)  
If you do represent a group or organization, please state the name, address and telephone number of such group or organization.

\_\_\_\_\_  
\_\_\_\_\_

Which agenda item (or items) do you wish to address? \_\_\_\_\_  
\_\_\_\_\_

In general, are you for or against such agenda item (or items)? \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_