

Resolution 09-013

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA PROVIDING FOR AN ORDINANCE FOR THE ESTABLISHMENT OF PROCEDURES AND GUIDELINES FOR THE PROPER FORM OF MINUTES, DECORUM, PUBLIC PARTICIPATION IN COMMISSION MEETINGS AND AMENDMENTS THERETO AND TO REPEAL PRIOR INCONSISTENT RESOLUTIONS; AND FOR OTHER PURPOSES**

**BE IT RESOLVED** by the **BOARD OF COMMISSIONERS** of Clay County, Georgia, in a meeting duly assembled, and it is hereby resolved by the authority of same to amend the Code of Ordinances by inclusion a chapter as follows:

**TITLE III  
CHAPTER 30 - DIVISION 4  
BOARD OF COMMISSIONERS**

**Sec.30-15 Purpose.**

This article has been enacted procedures and guidelines for the proper form of minutes, decorum and public participation for the meetings of the Board of Commissioners meetings.

**Sec.30-16 Minutes.**

(a) The clerk of the board shall promptly record the minutes for each board meeting. The minutes serve as the official written record of the board meeting and shall be open for public inspection once approved as official by the board but in no case later than immediately following the next regular meeting of the board. The minutes shall specify the following:

- The name of the meeting (i.e., Clay County Board of Commissioners Regular Meeting)
- The place the meeting is being held (i.e., Commission Chambers, Fort Gaines, GA)
- The date and time of the meeting
- The names of commissioners present at the meeting
- A description of each motion or other proposal made at the meeting, the commissioner who proposed each motion, the commissioner who seconded the motion and a record of all votes. In the case of a roll-call vote, the name of each commissioner voting for or against a proposal shall be recorded. It shall be presumed that a commissioner has voted in the affirmative unless the minutes show otherwise
- Presentations, guest speakers and comments from the public will be recorded by name and subject
- More detailed information may be included in the minutes at the request of the board
- Comments by Commissioners shall be recorded by name and subject and other information as may be requested

(b) The board must approve the minutes before they can be considered as an official record of the board. A copy of the minutes from the previous meeting shall be distributed to the commissioners at least one business day before the following meeting. The minutes of the previous meeting shall be corrected and approved by the board at the beginning of each meeting. A majority vote is required for approval. Conflicts about the content of the minutes shall be decided by majority vote. Upon being approved, the minutes shall be signed by the chairman and attested to by the clerk of the board of commissioners. A copy of the final signed minutes shall be distributed to each commissioner.

**Sec. 30.17 Decorum - Commissioners.**

All commissioners must conduct themselves in a professional and respectful manner. No derogatory or insulting remarks shall be made to or toward another commissioner, county administrator, county attorney, clerk, or other county employees in attendance at the meeting. All comments made by a commissioner shall address the business that is being discussed. The chairman shall enforce these rules of decorum. If a commissioner believes that a rule has been broken, he can raise a point of order. A second is not required. The chairman can rule on the question or he can allow the board to debate the issue and decide the issue by majority vote.

**Sec. 30.18 Public Participation.**

Public participation in meetings of the board of commissioners shall be permitted in accordance with the provisions of this section.

- (1) *Public comments.* Public Comments shall be reserved for any citizen in attendance to address the board. All members of the public who wish to address the board at this time must be recognized by the chairman and state their name for the record. These individuals will be allotted five minutes to make their comments and must observe the rules of decorum set forth below. These limits can be waived by a majority vote of the board.
- (2) *Decorum - Public.* Members of the public shall not make inappropriate or offensive comments at a board meeting and are expected to comply with rules of decorum that are established for commissioners. Individuals who violate any rules of the board may be ruled out of order by the chairman or on a point of order made by a commissioner. A majority vote of the board will rule on the point of order. An individual who violates the rules of decorum may be removed from the meeting at the direction of the chairman.
- (3) *Public hearings--Generally.* The board may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the board. Hearings may be held immediately prior to or following a meeting of the board or at such other places and times as the board may determine.

**Sec. 30.19 Amendments to rules.**

Any amendments to the rules of order must be submitted by a commissioner in writing to the county administrator three business days before a regular meeting of the board. The proposed amendment shall be included in the agenda for that meeting and distributed to all board members. All amendments require a majority vote of the board to be adopted.

**Sec. 30.20 Suspending the rules of order.**

Rules of order may be suspended in the case of an emergency. A motion to suspend the rules requires a second, is debatable and requires a majority vote of the board. Compliance with state law may not be suspended.

**Sec. 30.21 Visual and sound recordings.**

Visual and sound recordings shall be permitted for all public meetings.

PASSED AND ADOPTED after first and only reading this 7th day of July, 2009.

COUNTY OF CLAY, STATE OF GEORGIA

BY: David Shivers  
David Shivers, Chairman

Yea  Nay

BY: Barry Waters  
Barry Waters, Vice Chairman

Yea  Nay

BY: James Davenport  
James Davenport

Yea  Nay

BY: Walt Killingsworth  
Walt Killingsworth

Yea  Nay

BY: Radar Fair  
Radar Fair

Yea  Nay

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Clay County, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Commissioners of Clay County in public meeting assembled on July 7th, the original of which resolution has been entered in the official records of said political subdivision under my supervision and is in my official possession, custody and control.

Adria Williams  
Adria Williams, County Clerk

All resolutions and parts of resolutions in conflict hereof being hereby expressly repealed and amended hereby.


OFFERED FOR ADOPTION, AS INITIATED BY THE BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA, ON THIS 21 DAY OF JULY, 2009.

THIS ARTICLE SHALL BECOME EFFECTIVE UPON APPROVAL.



DAVID SHIVERS  
CHAIRMAN

ATTEST:

  
CLERK