

SANPETE COUNTY
BOARD MEETING RULES OF ORDER AND PROCEDURE POLICY

SECTION A EFFECTIVE DATE AND FREQUENCY OF REVIEW

1. The effective date of this policy is March 7, 2023.
2. This policy should be reviewed annually, but not less than every five years by the Board.
3. This policy will also be reviewed any time that changes to laws or rules governing the rules of procedure of board meetings of interlocal agencies are amended or recommendations are made by the Board of County Commissioners which would require review and update to this policy.
4. Failure to review this policy in the frequency stated shall not nullify, void, limit or waive this policy or any action taken under this policy.
5. This policy is considered to be amended at the time any new federal or state law becomes effective which conflicts with this policy, but only to the extent necessary to come into compliance with new law.

SECTION B PURPOSE

1. This policy outlines the Rules of Procedure of meetings of the Board in accordance with Utah Code Ann. §11-13-404(3)(b)(i).
2. The purpose of having formal written rules of procedure is to assure efficiency and compliance in all meetings conducted by the Board.

SECTION C AUTHORITY

1. The Board has authority to implement this policy.

SECTION D APPLICABILITY AND SCOPE

1. This policy applies to all Meetings of the Board when acting as a Public Body.
2. Meetings of the Board will include Meetings held in person and electronically. Meetings held electronically will also comply with the policies and procedures identified in the Electronic Meeting Policy of the Board.
3. All meetings of the Board will be held in compliance with the Utah Open and Public Meetings Act (OPMA) and any procedure of this policy in conflict with OPMA shall be considered modified to the extent necessary to comply with OPMA.

SECTION E DEFINITIONS

1. Agenda: means the properly noticed list of items for discussion, deliberation or action of a meeting of the Board.
2. Board: the Sanpete County Commissioners.
3. Chair: the individual conducting a meeting of the Sanpete County Commissioners.
4. Clerk: the individual taking the minutes of a meeting of the Board.
5. Meeting: a meeting as defined in OPMA.
6. Public Body: the meaning as defined in OPMA.
7. OPMA: the Utah Open and Public Meetings Act.

SECTION F POLICY STATEMENTS

1. These rules of procedure shall be made available to the public at each meeting of the Board and on the Sanpete County Clerk website.
2. The individual Board member who chairs a meeting of the Board shall assure these rules of procedure are adhered to during the meeting.
3. The Board considers agenda items such as Other Business, Open Forum or Public Comment not to meet the intent of OPMA's requirement for each agenda item to provide "reasonable specificity" of the item to be discussed or acted upon.
4. The Board interprets the Open Public Meetings Act to provide a right to the public to "observe" its meetings and record meetings if done in a non-disruptive manner. The Board does not consider the right to "observe" a meeting to include a right to speak at a meeting. The right to speak, "participate", is provided during a public hearing of the Board. Such right shall be provided for with reasonable limits on time and manner of participating. The right to participate only extends to the public speaking on the issue which the public hearing is convened for. A person speaking to issues not on the agenda of a meeting or hearing will be considered to be disrupting the meeting or hearing.

SECTION G PROCEDURES AND RESPONSIBILITIES

The Board has adopted a code of conduct for its meetings which follows three basic rules of conduct:

1. Courtesy is required at all times;
2. Discussion of other member's motives is never allowed; and

3. No one may speak on a motion a second time until everyone who wishes to do so has spoken once.
4. The Chair of a meeting shall conduct each meeting and hearing in an orderly fashion, and shall limit discussion to items specifically identified on the agenda or public hearing notice. The Chair shall have discretion to remove an individual from a meeting or hearing if the person is disrupting the orderly conduct of the meeting. If the disruptive person is a Board member, the Chair may ask for a vote of the members to remove the Board member from the meeting, which will require a two-thirds vote of the members in attendance at the meeting.

The following rules of procedure shall be used for each meeting of the Board:

5. The Chair of a meeting of the Board shall call the meeting to order at or as soon as practical after the time shown in the notice of each such meeting when a quorum of the Board is present.
6. The roll of members present at each meeting shall be recorded in the minutes. Members absent shall be recorded in the minutes as an excused absence or unexcused absence.
7. The Chair shall conduct the meeting in an orderly, efficient and civil manner, and in accordance with all requirements of OPMA.
8. The Chair shall assure no deliberation or action is taken on an item which was not properly noticed on the agenda with reasonable specificity.
9. The Chair shall open each item on the Agenda for discussion, deliberation and/or action, in the order shown on the properly noticed Agenda, unless the order of the Agenda has been modified by action of the Board. The Board may authorize the Chair to take agenda items out of order.
10. No person attending the Meeting, either in person or through electronic means, shall address the Board until they have been recognized by the Chair. A person recognized shall surrender the floor when asked by the Chair to do so.
11. The Chair shall not unreasonably refuse to recognize a member of the Board when the Board member requests to be recognized for purposes of discussion or making a motion on an item on the Agenda.
12. The Chair shall have discretion to recognize staff, invited guests and the public to provide information or answer questions of the Board on items noticed for action or discussion on the agenda. The Chair shall have discretion to limit time provided to staff, invited guests and the public when they are recognized to speak on an item.

13. A member of the Board who has been recognized by the Chair may make a motion to take action on an item that the Chair has opened for discussion on the Agenda, unless the motion for action is beyond the scope of the properly noticed Agenda item.
14. The Chair shall solicit a second on a motion made by a member of the Board. If no member of the Board seconds the motion, the Chair shall announce the motion failed for lack of a second.
15. If a motion is made and seconded, the Chair shall solicit further discussion of the Board on the motion.
16. A member of the Board seconding a motion may request a friendly amendment to the motion prior to seconding the motion. If the member of the Board who made the motion agrees to the friendly amendment, the Chair shall move forward with the amended motion.
17. A friendly amendment may be made by a member of the Board who is not the maker or second of a motion. The Chair shall confirm the maker and second of a motion are in favor of the friendly amendment before the motion is amended.
18. A motion made and seconded when a motion that has been seconded is pending, shall be voted on prior to the previously pending motion.
19. If a motion fails for lack of a second, or fails upon a vote of the Board, a new motion may be made by any member of Board on the item, once they have been recognized by the Chair.
20. A member of the Board who believes further discussion on a motion is not needed may call the question to have a vote taken on the motion.
21. The Chair shall call for a vote on the motion when satisfied there is no further discussion necessary, or the question has been properly called.
22. The Chair shall call for a vote on a motion by repeating or having the Clerk repeat the motion and asking for all those in favor to signify by specific sign, and all those opposed to signify by specific sign. During an electronic meeting, at the Chair's discretion, a vote may be taken by first asking for all those opposed to signify by specific sign to determine if support is unanimous.
23. If the vote on a motion is not unanimous, the Chair shall conduct a roll call vote to assure the vote of each member of the Board is documented in the minutes of the meeting. A member choosing to abstain from a vote shall specifically state so at the time of the vote.
24. When all business to be conducted on the Agenda has been acted upon, the Chair shall solicit, or a member of the Board may offer, a motion to adjourn the meeting. If a second is made on a motion to adjourn, the Chair shall adjourn the meeting without debate.

SECTION H REVISION HISTORY

SECTION I APPENDICES

1. There are no appendices to this policy.