

#17 2131

JUL 25 2023

Commissioners Court-Regular Meeting

TO: Montgomery County Commissioners Court

DATE: 07/25/2023

SUBJECT: Consider, discuss and take appropriate action related to the Rules of Procedure and for Public Comment for the Montgomery County Commissioners Court.

Attachments

RULES OF PROCEDURE

JUL 25 2023

MONTGOMERY COUNTY COMMISSIONERS COURT RULES OF PROCEDURE AND RULES
FOR PUBLIC COMMENT

Public testimony or comment during an open session of Commissioners Court is allowed pursuant to Section 551.007 of the Texas Government Code and these Montgomery County Commissioners Court Rules of Procedure and Rules for Public Comment (the "Rules"). All Regular, Special, and Emergency Meetings of the Montgomery County Commissioners Court (also referred to herein as "Court") will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code and the Rules.

I. General Rules:

1. Regular, Special and Emergency Meetings/Sessions of the Montgomery 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, ordered to be present, or allowed by law to be present are allowed to attend Executive Sessions.
2. The Montgomery County Commissioners Court meets in Regular Session as set forth on the court date calendar adopted by the Commissioners Court which is generally on every other Tuesday of each month. The Commissioners Court agenda is controlled by the Commissioners Court. An agenda item may only be placed on the Commissioners Court agenda by a member of Commissioners Court or by a County department sponsored by a Commissioners Court member. To be included on the Commissioners Court agenda, a request should be made in writing by 10:00 a.m. on the Wednesday immediately preceding the next Regular Meeting of the Commissioners Court and sponsored (allowed) by a member of the Court.
3. Regular, Special and Emergency Sessions of Commissioners Court, as applicable, are the forum for conducting the official business of Montgomery County. It is the policy of the Commissioners Court to conduct orderly and efficient Commissioners Court sessions in compliance with the Texas Open Meetings Act and other applicable laws.
4. The County Judge is the presiding officer of the Montgomery 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 of the county) present at the Regular, Special or Emergency Session, shall serve as the Judge Pro-Tem of the court and preside at the meeting. However, nothing herein shall prevent the senior member of this Commissioners Court from delegating this duty to another member of the Commissioners Court.
5. 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 persons desiring to speak during public comment or testimony must wait to be recognized by the presiding officer before addressing the Court.
6. Each member of the public who appears before the Commissioners Court on a specific agenda item or items shall be limited to a maximum of three (3) minutes to make his/her remarks. Time for each speaker shall be maintained by the Judge Pro Tem or senior most court member present. No speaker is permitted to accumulate speaking time from another person.

7. Maximum discussion on any specific agenda item shall be limited to thirty (30) minutes regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items).
8. By the majority vote of the members of Commissioners Court present, the Court may either shorten or lengthen the time allocated for public comment for all agenda items and/or a specific agenda item.
9. It is not the intention of the Montgomery 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 an elected official, employee or member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, any member or members of the Court, individually or collectively, any elected or appointed official or County employee. Accordingly, to the extent allowed by law, profane, insulting, demeaning or threatening language directed towards the Court, any person in the Court's presence, any elected or appointed official, County employee, or persons, and/or racial, ethnic or gender slurs or epithets will not be tolerated. Violation of these rules by any speaker may result in the following sanctions:
 - a. be ordered to leave the session and removed from the session if they do not comply with the order,
 - b. have the speaker's remaining time to speak cancelled,
 - c. held in civil contempt of court, or
 - d. be subject to such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
10. The Montgomery County Commissioners Court was created under Article V, Section 1 and Section 18 of the Texas Constitution as a Constitutional Court, with both judicial and legislative powers. As a Constitutional Court, the Montgomery County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.023 of the Texas Local Government Code. Accordingly, all persons in attendance at any Regular, Special and/or Emergency Meeting of the Court should conduct themselves with respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court.
11. The Sheriff of Montgomery County, Texas, or his designated deputy, shall serve as the bailiff at all Regular, Special and Emergency meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's department, and the Commissioners Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, the Court shall appoint such other commissioned peace officers to serve as bailiff as may be necessary.

II. Special Rules For The Press And Media:

1. No media personnel or equipment, including lights, cameras or microphones, will be located on the Commissioners Court bench nor closer than six (6) feet in front of the Commissioners Court bench.

2. Reporters and media technicians are required to structure their movements, equipment setup and takedown 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.
3. Interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
4. 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, or emergency and/or executive session of the court.

III. Effective Date:


1. These Rules shall become effective beginning at the next immediate meeting of the Commissioners Court following adoption, and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.
2. 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 such town meetings and public hearings; however, the Commissioners Court may adopt such additional and supplemental rules as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

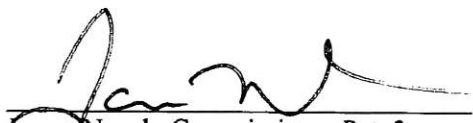
PASSED AND APPROVED this 25 day of July, 2023.

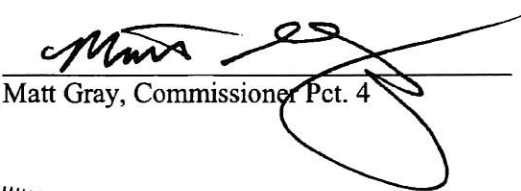
MONTGOMERY COUNTY, TEXAS



Robert Walker, Commissioner Pct. 1


Mark J. Keough, County Judge


Charlie Riley, Commissioner Pct. 2


James Noack, Commissioner Pct. 3


Matt Gray, Commissioner Pct. 4

Attest:

Brandon Steinmann, County Clerk

