

**RULES OF PROCEDURE, CONDUCT AND DECORUM AT  
MEETINGS OF THE COUNTY COMMISSIONER'S  
COURT**

- I. All Regular, Special, Emergency and Executive Session Meetings of the Hamilton County Commissioner's Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.
- II. Regular, Special and Emergency Meetings of the Hamilton County Commissioner's Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioner's 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.
- III. The Hamilton County Commissioner's Court meets in Regular Session on the second and fourth Monday 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 Commissioner's Court, a request must be filed with and approved by at least one County Commissioner or the County Judge by 9:00 a.m. the Friday immediately preceding the next Regular Meeting of the Commissioner's Court.
- IV. The business of Hamilton County is conducted by and between the members of Hamilton County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts and/or members of the public requested to participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Session), the public's participation therein is limited to that of observers unless a member or members are (1) recognized to speak during the public comments portion of the agenda, (2) requested to address the Commissioners Court on a particular issue or issues or (3) unless the member or members of the public has completed a Public Participation Form to submit to the County Clerk at the appointed time directed by the agenda of the Commissioner's Court in which an agenda item or items of interest are scheduled for discussion. A sample of the Hamilton County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
  - A. Each member of the public who appears before the Commissioner's Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioner's Court.
  - B. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioner's Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular

agenda item (or items), then only the first six (6) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items).

- C. In matters of exceptional interest, the 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 and/or the amount of time allocated for all agenda items and/or a specific agenda item.
  
- D. It is the intention of the Court to provide an open access to the citizens of Hamilton County, to address the Commissioners Court, and to express themselves on issues of county government. Members of the public are reminded that the Hamilton 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 Hamilton County Commissioner's Court also possesses the power to issue a Contempt of Court Citation under Section 81.023 of the Texas Local Government Code. Accordingly, all members of the public in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper 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. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's order and/or continued disruption of the meeting may result in a Contempt of Court Citation.
  
- E. It is not the intention of the Hamilton County Commissioner's 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 (members) of the public to insult the honesty and/or 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 Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not 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/or
  - 4. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

- V. The County Judge is the presiding officer of the Hamilton County Commissioner's Court and is a fully participating member thereof. In the event of the absence of the County Judge, the senior member of the Commissioner's 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 herein shall prevent the senior member of this Commissioner's Court from delegating this duty to another member of the Commissioner's Court.
- VI. 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 same to the County Clerk must wait to be recognized before they will be allowed to address the Court.
- VII. 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 (5') 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. Interviews 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 or Emergency Meeting and/or Executive Session of the Court.
- VIII. The Sheriff of Hamilton 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, then in such event, the Court shall appoint such other commissioned peace officers to serve as bailiff as may be necessary.
- IX. From time to time, the Commissioners Court shall conduct town meetings and 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 for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

- X. These Rules of Procedure, Conduct and Decorum at Meetings of the Hamilton County Commissioner's 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 Commissioner's Court.

ADOPTED BY THE UNANIMOUS VOTE OF THE

HAMILTON COUNTY COMMISSIONERS COURT on this the 10<sup>th</sup>

day of January, 2003 and revised on the 23<sup>rd</sup> day of May 2011.

\_\_\_\_\_  
Randy Mills, County Judge

\_\_\_\_\_  
Jim Boatwright, Commissioner, Pct. 1

\_\_\_\_\_  
Mark Tafel, Commissioner, Pct. 2

\_\_\_\_\_  
Jon Bonner, Commissioner, Pct. 3

\_\_\_\_\_  
Dickie Clary, Commissioner, Pct. 4

Attest:

\_\_\_\_\_  
Debbie Rudolph, County Clerk

**EXHIBIT "A"**

COUNTY COMMISSIONER'S 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? \_\_\_\_\_

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:

\_\_\_\_\_

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

Hamilton County Commissioner's Court  
Regular Session  
Monday, April 11, 2011  
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, April 11, 2011 at 9:00 A.M. with the following members present: County Judge Randy Mills, Commissioners Jim Boatwright, Mark Tafel, Jon Bonner and Dickie Clary.

Judge Mills called the meeting to order and opened with prayer.

There were two public comments. (Recorded in Commissioner's Court Papers Book 38 Page 839)

Damon Chumney addressed the public information sheet questioning why we were changing the format and why now? Also inquired about the U.S. Script contract and asking why we didn't run this through the local pharmacies. Continuing he addressed the FEMA debacle and suggested that the next time that we get something in writing.

David Patillo, owner of Jordan's Pharmacy asked about the U S Script contract. Mr. Patillo stated that he knew that the county had used this company for several years; but not sure why they had used this company. Jordan's Pharmacy has not filled a prescription in the last two years for the county jail/inmates.

Erma Mayben commended the recycling which occurred on the previous Saturday within the county. She believed that it went excellent but did recommend that signage to the recycling center would be very helpful for any future events held.

A motion was made by Tafel and seconded by Clary to table the action approving the agreement between US Script and Hamilton County for the purpose of providing pharmacy and medication services for indigent and inmate participants. The motion carried unanimously. The agreement did not include the exhibits for review and approval.

A motion was made by Bonner and seconded by Boatwright to approve the minutes of March 21, 2011 and March 28, 2011 Commissioner's Court. The motion carried unanimously.

Ardell Ray of the Texas Department of Protective and Regulator Services (TDPRS) gave a presentation concerning reimbursement to the Hamilton County Child Welfare Board for expenses incurred on children within TDPRS. Hamilton County is now operating under a non-financial contract. (Recorded in Commissioner's Court Papers Book 38 Page 841)(Revised Agreement-Dates modified Recorded in Commissioner's Court Papers Book 39 Page 2)

A motion was made by Boatwright and seconded by Bonner to approve the following budget amendments: Precinct Two from Road Materials and Supplies, Mileage and Emergency Safety Repairs to Temporary Employee and FICA taxes, Precinct Two from Equipment Repair and Maintenance to Unemployment and from Partial per diem to Water, Juvenile Probation from Court Reporter to Law Enforcement Liability, Sheriff's Office from Health Insurance to Law Enforcement Liability, Sheriff's Office-Jail from Electricity to Overtime, District Court from Law Enforcement Liability to Witness Fees, Precinct Three from Non Capital to Water, and Non-departmental from autopsy to unemployment. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 902)

A motion was made by Clary and seconded by Boatwright to approve the payment of \$91,004.69 amount of bills submitted for payment. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 39 Page 919)

A motion was made by Bonner and seconded by Clary to appoint Colin Melton to the Site Features Advisory Committee for the purpose of assisting the Commissioner's Court relating to the review, acceptance and screening of appropriate site location of landscape features. The motion carried unanimously.

A motion was made by Bonner and seconded by Clary to approve the order exempting Hamilton County from Texas Health and Safety code 829 relating to animal Control Officer Training as provided in 829.0015 of the same code. This order benefits the cities within the county. The motion carried unanimously.

A motion was made by Clary and seconded by Tafel to approve the modification for the Public Participation Form for Commissioner's Court from:

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

To

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

The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 931)

Judge Mills also presented to the court the new agenda format. (Recorded in Commissioner's Court Papers Book 38 Page 932)

The courthouse restoration continues and Judge Mills stated that they had the ceramic floor tiles. Some of the windows broke out of the courthouse from last night's storm. The next owner's meeting is scheduled for Wednesday, April 20, 2011.

Judge Mills presented during the departmental reports a summary of the Regional Capital Public Defender's Briefing which he attended; regarding a plan which is based in Lubbock developing across the state which they are calling "murder insurance". The program is dedicated entirely to the defense of indigent defendants charged with capital offenses. The plan is partially funded by the Task Force on Indigent Defense and is broken into five year increments for disbursements based on percentages:

First Year.....	\$100%
Second Year.....	\$ 80%
Third Year.....	\$ 60%
Fourth Year.....	\$ 40%
Fifth Year.....	\$ 0% -County funds all \$4,500.00

This topic will be discussed at a future meeting of the court. (Recorded in Commissioner's Court Papers Book 38 Page 932)

A motion was made by Boatwright and seconded by Bonner to approve the departmental reports which were submitted to the court. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 941)

A motion was made by Boatwright and seconded by Bonner to approve the contract between Hamilton County and the Department of Family and Protective Services for Hamilton County's staff contribution. The contract expires October 1, 2011. The motion carried unanimously.

A motion was made by Tafel and seconded by Boatwright to adjourn. The motion carried unanimously.

Randy Mills  
County Judge

Attest: [Signature]  
County Clerk