

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2009- 206

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED SPECIFICALLY PART II CHAPTER 2 ARTICLE 2 SECTION 2-35 THRU 2-35-05 BY DELETING IT IN ITS ENTIRETY AND SUBSTITUING A NEW SECTION 2-35 THRU 2-35-05 ENTITLED MEETINGS ORGANIZATION, AGENDA, DUTIES OF PRESIDING OFFICER, ETC; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE OF THHIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Article 9, section 2, paragraph I (a) et seq. of the Constitution of Georgia empowers the governing authority of Clayton County with the legislative power to adopt reasonable ordinances and /or resolutions relating to its, property, affairs and local government for which no provision has been made by general law and which are not inconsistent with the Constitution of Georgia; and

WHEREAS, well-organized meetings allow a board of commissioners to reach decisions in a fair and organized manner; and

WHEREAS, parliamentary procedure is the framework for organizing and conducting meetings; and

WHEREAS, parliamentary procedure provides the rules by which a board debates an issue and then comes to a decision; and

WHEREAS, the Board of Commissioners desires to amend the Code of Clayton County, as amended, specifically Part II Chapter 2 Article 2 Section 2-35 thru 2-35-05 by deleting it in its entirety and substituting a new section 2-35 thru 2-35-05.

NOW, THEREFORE, BE IT ORDAINED that all meetings of the Board of Commissioners of Clayton County, Georgia shall be conducted in accordance with the provisions of this meetings procedure Ordinance.

Section 1. The Board of Commissioners hereby amends the Code of Clayton County, Georgia as amended, specifically Part II Chapter 2 Article 2 Section 2-35 thru 2-35-05 by deleting it in its entirety and substituting a new Section 2-35 thru 2-35-05 as follows:

Sec. 2-35 Agenda, Duties of the Presiding Officer, Minutes, Quorum, Public Comment.

Section 2-35-01. Agenda. The Clerk of the Board of Commissioners shall prepare an agenda for each regular and called meeting of the Board. The regular monthly meetings shall consist of three business meetings.

(a) Preparation of the Agenda for Regular Meetings. Any Commissioner wishing to place an item on the agenda may do so and should submit a Resolution or Ordinance approved by the County Attorney, or a memorandum with any supporting documents to the Clerk by the close of business on the Wednesday before the next meeting. Items submitted after that time will be placed on the agenda for the meeting immediately following the next meeting.

(b) Department heads wishing to place an item on the agenda. Any department head may submit an item to the Chair of the Board of Commissioners for consideration as an agenda item. If approved, the Chair will so notify the Clerk and supply supporting documents by close of business on the Wednesday before the next meeting. Items submitted after that time will be placed on the agenda for the meeting immediately following the next meeting.

(c) Preparation and publication of the Agenda. The Clerk shall prepare the Agenda by the close of business on the Thursday preceding the meeting. Nothing further can be placed on the Agenda by the Clerk after Thursday. The Agenda shall be published to the full Board and the public by close of business on the Friday before the meeting.

(d) Adding items to the Agenda during a meeting. Adding during the meeting is disfavored and should only occur for urgent business matters that need to be addressed at that meeting. Adding an item requires three affirmative votes. A motion must be made, seconded and carried to add each item to the agenda.

(e) Removing an item from the Agenda prior to adoption. After the meeting has been called to order and before the Agenda is adopted, any Commissioner may call for its removal. If the Chair hears no objection, the item is removed. If an objection is heard, the Chair will treat the Commissioner's call for removal of the Agenda item as a main motion and call for debate. After the item is debated, the Chair will call for a second and if seconded the Chair will call for a vote. Three affirmative votes are required to remove an item after an objection.

(f) Changes to an adopted Agenda. Once the Agenda is adopted, items can only be added if the subject matter is so urgent that immediate action of the Board is required in the best interest of the public.

(g) Consent Agenda. The Board of Commissioners will use a consent agenda which lists items of routine nature such as renewal of grants, refund request, and other similar matters. Any items of business that are expected to receive unanimous approval and for which debate is not expected, should be placed on the consent agenda. Items may be removed from the consent agenda for further discussion by any commissioner. The consent agenda is adopted with one motion.

(h) Agendas for other meetings of the Board. Agendas for other meetings of the Board sitting as the Zoning Board or otherwise, shall be prepared in a like manner with the last date for adding items to the agenda to be four working days prior to the call of the meeting. The Clerk is to finalize and publish the Agenda no less than 72 hours prior to the call of the meeting.

Section. 2-35-02 Presiding officer.

(a) The Chairman of the Board of Commissioners, or in his absence the Vice-Chair, shall be the presiding officer at all meetings of the Board of Commissioners.

(b) The Presiding Officer is responsible for the orderly conduct of the meeting. In order to ensure a fair, orderly and efficient meeting, the Chair must enforce the meeting procedures adopted by the Board of Commissioners. For any event not covered by these meeting procedures, Roberts Rules of Order Newly Revised shall control.

(c) The Presiding Officer shall rely on the County Attorney for guidance on these meeting procedures and any other parliamentary issues.

(d) By virtue of his or her election to the Board of Commissioners, the Presiding Officer shall retain the right to debate any matter that comes before the Board and to vote on any such matter.

Section 2-35-03. Minutes. The Clerk is responsible for recording the Minutes of the meeting. The Minutes shall not be a verbatim transcript of the meeting. The Minutes shall follow the Agenda. The Minutes shall include the names of the Commissioners present at the meeting, a description of each proposal or motion made, and a record of all votes. If the meeting was called with less than 24 hours' notice, the Minutes must reflect the reason or special circumstance that lead to holding the meeting with less than 24 hours' notice. If the

Board goes into executive session, the Minutes must record the vote and reason for the executive session. Also, an affidavit from the Presiding Officer certifying that the executive session was limited to exempt topics must be attached to the Minutes. Minutes will not be kept of an executive session, except for meetings convened to discuss the accusation of real property where Minutes must be made but will remain confidential until the property in question is purchased or abandoned. Public comment will be noted but not transcribed.

Section 2-35-04. Quorum. Upon call to order by the Presiding Officer, the presence of at least three Commissioners, including the presiding officer, constitutes a quorum and all business on the Agenda can be handled.

Section 2-35-05. Public Comment. The Board welcomes public comment; however to manage available time, public comment will be limited to two minutes per speaker at each regular business meeting of the Board of Commissioners. Public comment will come at the end of the regular meeting but before the executive session, unless otherwise determined by the Board. Any member of the public wishing to make comments must sign up with the Clerk prior to the call of the meeting.

Section 2. In the event any section, paragraph, subpart, sentence, clause, phrase, or word of the Ordinance shall be declared or adjudged unconstitutional or invalid by any Court, such declaration or adjudication shall not affect the remaining portions of this Ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

Section 3. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this ordinance are hereby repealed.

Section 4. This Ordinance shall become effective following its approval by the Board of Commissioners.

SO ORDAINED, this the 15th day of December 2009.

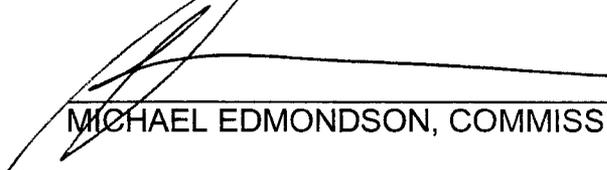
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

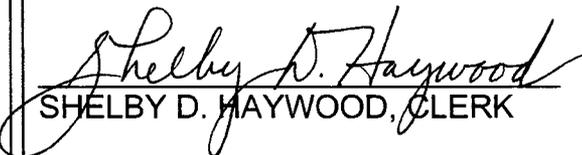

WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK