

Ordinance No. 12 - 2008

**AN ORDINANCE REGARDING THE RULES OF ORDER FOR VOLUNTEER  
ADVISORY COMMITTEES APPOINTED BY THE SAN JUAN COUNTY COUNCIL**

**BACKGROUND**

The San Juan County Council desires to adopt uniform rules of order to be used boards, committees and advisory bodies appointed by the County Council.

A draft of the proposed rules of order have been circulated to the existing advisory bodies and the Charter Implementation Committee of the County Council has received and considered the comments of these advisory bodies.

The County Council conducted a duly advertised public hearing and has received public testimony on March 18, 2008.

NOW, THEREFORE, BE IT ORDAINED by the County Council of San Juan County, State of Washington, as follows:

Section 1 NEW SECTION. Applicability. These rules of order shall apply to all advisory bodies of the County, and may be supplemented by additional rules adopted by the County Council.

Section 2. NEW SECTION. Meetings Open to Public. All meetings shall be open to the public, except where a meeting is properly closed for executive session, as provided in RCW 42.30.110 and SJCC 2.10.020.

Section 3. NEW SECTION. Call to Order

A. The chair may call the meeting to order if a quorum of the advisory body is present. Without a quorum, the meeting is not qualified to conduct business. If there is no quorum present within fifteen minutes following the scheduled starting time of a meeting, the chair of the advisory body may call the meeting to order, in order to satisfy any requirement that said advisory body meet, and then announce the absence of a quorum and adjourn the meeting. Alternatively, the chair may call the meeting to order, and then entertain either a motion to recess, which enables the members to try to obtain a quorum, a motion to set the time to adjourn, which allows the members to set another date and time to meet and is considered a continuation of the current meeting, a motion to take measures to obtain a quorum, or a motion to adjourn, which would immediately end the meeting.

B. If the chair is absent from a meeting, the vice-chair shall preside over the meeting. In the absence of both the chair and the vice-chair, the advisory body, if a quorum is present, shall designate an acting chair to preside at that meeting only.

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Section 4. NEW SECTION. Agenda.

A. The written agenda shall be prepared by the chair prior to the meeting. Agenda items should ordinarily appear in the order as set forth in these Rules of Order.

B. The advisory body may add to or delete items from the agenda and may change the order of presentation, as it deems advisable. This power should be used only when necessary, as proper functioning of the advisory body requires advance planning.

C. When possible, changes to the agenda should be done by acquiescence of all advisory body members. A formal vote on the agenda is necessary only when it appears to the chair that there is disagreement among the members.

D. Copies of the agenda shall be available for distribution to members of the public attending the meeting.

Section 5. NEW SECTION. Minutes of Meetings

A. The minutes need not be read aloud, but they should be entered into the advisory body's official record. The minutes of a previous meeting are not the official minutes of the advisory body until the advisory body votes to accept them.

B. The minutes are prepared by either the secretary or by some other person appointed by the advisory body to act as the recording secretary. Any advisory body member may suggest changes to the minutes before the advisory body adopts them. Any suggested change should be set forth in the minutes for the record, and then the advisory body should adopt or reject such changes.

C. The minutes should state precisely each motion considered by the advisory body, and identify the advisory body members voting in favor, against, or abstaining, and whether the motion was carried. Minutes need not reflect comments made, except in those instances where the advisory body desires to make a specific record. It is not necessary, appropriate or recommended for the advisory body to set forth comments made or discussion related to a specific motion. However, any advisory body members dissenting from a vote may have their reasons fully stated in the minutes if they so desire.

D. When possible, changes to the minutes and adoption of the minutes should be done by consent of all advisory body members. A formal vote on the minutes is necessary only when it appears to the chair that there is disagreement among the members.

E. The advisory body should not prepare minutes of those portions of meetings conducted in executive, or closed, session, except where the law permits the advisory body to make decisions in closed sessions.

Section 6. NEW SECTION. Officer or Committee Reports

- A. Any committees of the advisory body or officers of the advisory body may report their findings or recommendations to the advisory body.
- B. The full report should be presented, and then each advisory body member, in turn, may ask questions or comment. It is not appropriate to make motions or discuss items of business during this portion of the meeting. This time should also be used for any presentations to be made to members of the public by the advisory body or its officers.

Section 7. NEW SECTION. Open Forum.

- A. Although not required by law, an advisory body may, where appropriate, provide an open forum for members of the public to speak about any concerns they have that are relevant to the business of the advisory body.
- B. Time limitations should be imposed by the chair, and these limitations should be enforced. Each member of the public should address the chair and shall speak courteously and to the point.
- C. Advisory body members may question any member of the public about any problem or concern raised. Other members of the public are not entitled to be recognized or to comment on or question the speaker, except with the permission of the chair.
- D. Once the open forum period is closed, members of the public are not allowed to participate in the meeting, and may not seek to be recognized, unless the advisory body specifically requests input or information from a particular member of the public. This restriction should be strictly enforced because the purpose of the advisory body meeting is for the advisory body members to conduct business, and this cannot be done if there are interruptions from members of the public. Any disruptions by members of the public shall be addressed by the chair, and repeat violators shall be removed from the meeting.

Section 8. NEW SECTION. Old and New Business

- A. All items that were tabled during previous meetings should be revisited during the business portion, unless otherwise voted by the advisory body.
- B. The advisory body may vote to postpone consideration of any old business, or it may remove an item from consideration.
- C. Except in the case of emergency business, all new items of business are heard only after all of the old items have been addressed by the advisory body, either by adopting or rejecting a motion on those items, or by postponing or removing the items from consideration.

D. All business shall be conducted in the form of motions or resolutions adopted by a majority vote of those present (see Motions and Discussions, below).

E. Any emergency matters decided by the advisory body between advisory body meetings should be discussed and ratified at the next subsequent meeting.

Section 9. NEW SECTION. Executive (or Closed) Session

A. When executive, or closed, sessions are permitted by law, the advisory body should move into executive session only after the regular business is conducted, but before formal adjournment. All members of the public shall be asked to leave, except for those who, at the request of the advisory body, have reason to participate in the executive session.

B. Only the statutory exceptions set forth in RCW 42.30.110 are grounds for moving into executive session. The advisory body should announce to the members of the public the purpose of the executive session before moving into executive session.

C. Except as permitted by applicable law, no decisions, resolutions, or motions may be made in executive session. All business shall be conducted in an open portion of the meeting.

D. The advisory body should not take minutes of any executive session, except where the law permits the advisory body to make decisions in executive session.

Section 10. NEW SECTION. Adjournment Upon motion carried by the advisory body or upon the conclusion of the agenda, the chair shall announce the meeting is adjourned and the minutes shall reflect the time of adjournment.

Section 11. NEW SECTION. Discussion

A. The chair's role is to facilitate deliberations and to assist the advisory body in conducting its business in a fair and efficient manner.

B. When an item of business is to be discussed, the chair shall announce the item to be discussed and open the floor to discussion.

C. The chair, as a member of the advisory body, is entitled to make motions, debate motions and vote on all matters that come before the advisory body. However, the chair has the responsibility for providing each member of the advisory body with an equal and fair opportunity to be heard.

D. No advisory body member may speak until recognized by the chair. No advisory body member may interrupt the speaker who has the floor.

E. The chair may choose to impose reasonable time limitations on advisory body members who have the floor. All time limitations shall be uniformly imposed upon all of the

advisory body members. The speaker should be given a warning before time runs out. Time limits imposed by the chair may be extended by a majority vote of the members present.

F. The chair is to recognize each advisory body member in turn. Discussion shall be limited to the item of business at hand, and the chair shall have the authority to take the floor from a speaker who does not limit discussion to the item of business at hand. No advisory body member may speak to an issue for a second time until all other advisory body members have had the opportunity to speak to it for a first time. Likewise, no advisory body member may speak to an issue for a third time until all other advisory body members have had the opportunity to speak to it for a second time.

G. A member of the public or an invited guest may be recognized to speak only if an advisory body member wishes to obtain input from that person and the advisory body agrees. When possible, allowing a member of the public to participate in the deliberations should be done by acquiescence of all advisory body members. A formal vote on the question is necessary only when it appears to the chair that there is disagreement among the members.

H. When it appears to the chair that all advisory body members have had the opportunity to fully discuss the matter at hand, the chair should announce that the item of business is ready for a vote.

#### Section 12. NEW SECTION. Main Motions

- A. There are three main motions for each item of business:
1. A motion to adopt a specific action;
  2. A motion to table an item to another meeting, including assigning the matter to a fact-finding person or committee; and
  3. A motion to remove an item from consideration.
- B. The advisory body is limited to voting on one item of business at a time, but there are no limits to the number of motions that may be considered as to how to dispose of that item of business.
- C. After each advisory body member has had the opportunity to discuss each motion presented for consideration, the chair will call each motion presented to a vote. Those motions adopted affirmatively by a majority of the advisory body members present are carried.
- D. The fact that a motion has been adopted or failed does not prevent the item of business from being added to the agenda in the future, and all motions may be reconsidered at any time by the advisory body.
- E. In the event that an advisory body member believes that an action by the advisory body is unlawful, contrary to the power and authority of the advisory body, or not in the best interests of the public, that advisory body member may make an oral or written dissent explaining the reasons why he or she believes that a dissent is necessary. The oral or written dissent shall become part of the minutes.

Section 13. NEW SECTION. Procedural Motions

A. Procedural Motions Made During Discussion

1. Motion to Amend or Withdraw a Motion. Only the member who made the original motion may amend or withdraw his or her motion. Other advisory body members may amend a motion by presenting it in the form of their own motion.

2. Motion to End Discussion and Vote. This is not a true motion, but is in the nature of a request to the chair that the motion under discussion be brought to a vote. If the chair refuses the request, the member may appeal the decision of the chair (see Motion to Appeal Decision of the Chair, below).

B. Procedural Motions Made Anytime

1. Motion to Appeal Decision of the Chair. Any member may appeal a decision of the chair. The matter then shall be brought to a vote before the advisory body.

2. Motion to Suspend the Rules. Any member may make a motion to suspend these rules, which motion shall include the reasons why the advisory body should suspend the rules in the particular case.

C. Handling Procedural Motions

1. If there is general acquiescence of all advisory body members to the motion, then the motion may carry without a formal vote.

2. If there is disagreement about the procedural motion, the matter shall be taken to a vote of the advisory body. Once the advisory body has ruled on a procedural motion, there is no right to reconsider or to repeat the motion.

3. There are no Parliamentary Inquiries, Questions of Privilege or Points of Order. All procedural questions are merged into the Motion to Appeal Decision of the Chair.

4. No person other than advisory body members may make any motion, including procedural motions.

Section 14. NEW SECTION. Discipline and Order

A. In the event an advisory body member fails to comply with a decision of the chair or any of these rules, the chair may declare the member out of order

B. With respect to a member who is out of order, the following discipline may be imposed at the discretion of the chair:

1. the member may be warned without sanction;
2. the member may be excluded from discussion on the item of business at hand;
3. the member may be excluded from discussion of all items of business; or
4. for gross interference with the meeting, the member may be removed from that meeting.

C. A member who is declared out of order has the right to appeal the decision of the chair both as to the question of whether the member was out of order and as to the question of discipline. The advisory body shall approve or deny the appeal by a majority vote of those

present, except that the extreme sanction of removal from a meeting shall be upheld only by the vote of at least 2/3 of the members of the advisory body.

D. If the advisory body upholds the declaration that the member is out of order or the discipline, the member has the right to dissent for the record before the imposition of sanctions.

E. These sanctions should be used sparingly and only to the extent necessary to keep order.

F. In the event a member is repeatedly out of order or whose actions are disruptive and counterproductive, a two-thirds majority of the advisory body may request that the County Council replace this member.

Section 15. Effective Date.

This Ordinance is effective on the 10<sup>th</sup> working day after adoption.

Section 16. Codification.

Sections 1 through 14 shall be codified.

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**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

ATTEST: Clerk of the Council

By:           Signed            
Valarie Graham – Deputy Clerk  
Date:

REVIEWED BY COUNTY  
ADMINISTRATOR

          Signed            
Pete Rose                      Date:

APPROVED AS TO FORM ONLY  
RANDALL K. GAYLORD

By:           Signed            
Date

          Signed            
Howard Rosenfeld, Chair  
District 3, Friday Harbor

          Signed            
Bob Myhr, Member  
District 6, Lopez/Shaw

          Signed            
Kevin M. M. Ranker, Member  
District 1, San Juan South

          Signed            
Rich Peterson, Member  
District 2, San Juan North

          Signed            
Alan Lichter, Member  
District 4, Orcas West/Waldron

          Signed            
Gene Knapp, Vice-Chair  
District 5, Orcas East