Revised 12/22/2025

# RULES OF PROCEDURE, CONDUCT AND DECORUM
# AT MEETINGS OF THE
# MASON COUNTY COMMISSIONERS COURT

I. All Regular, Special, Emergency and Executive Session Meetings of the MASON County Commissioners 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 MASON 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 or ordered to be present are allowed to attend Executive Session.

III. The MASON County Commissioners Court meets in Regular Session on the SECOND AND FOURTH MONDAY of each month UNLESS otherwise noted on the approved Terms of Court dates for the current year. For a matter or issue to appear as an agenda item on the agenda of any Regular Meeting of the Commissioners Court, a request must be filed with and approved by at least one Commissioner or the County Judge by 12:00 p.m. (noon) on the Tuesday immediately preceding the next Regular Meeting of the Commissioners Court. Change in due date is subject to holiday schedule.

Texas Open Meetings Act does not require the notice to specify whether a matter will be considered in an open or closed session; however, items that are likely to be discussed in Executive Session may be grouped on the agenda with an indication under which provisions of the Texas Open Meetings Act the Executive Session will be heard.

IV. The business of MASON County is conducted by and between the members of the MASON 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 be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observers unless a member of the public is invited to address the Commissioners Court on a particular issue or unless the member of the public completes a Public Participation Form and submits same to the County Clerk prior to the time the agenda item is addressed by the Court. The Court will make every reasonable effort to accommodate requests for interpreters but may need advanced notice to be able to accommodate such requests. A sample of the MASON County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".

A. Each member of the public who appears before the Commissioners 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 Administrative Assistant to the Court or such other designated representative of the Commissioners Court. Members of the public, who have properly completed a Public Participation Form and submitted same to the County Judge, must wait to be recognized before they will be allowed to address the Court.

B. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item shall be limited to thirty (30) minutes. If more than six (6) members of the public wish to address a particular agenda item, then time allocated to members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item and those members of the public wishing to speak against the agenda item.

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 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 MASON County to address the Commissioners Court and express themselves on issues of County Government. Members of the public are reminded that the MASON 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 MASON County Commissioners Court also possesses the power to issue a Contempt of Court Citation under §81.023 of the Texas Local Government Code. Accordingly, 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. Those members of the Public, 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 MASON 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 a member (or 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 be tolerated. These Rules do not prohibit public criticism of the Commissioners Court, including criticism of any act,

omission, policy, procedure, program, or service. 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. All members of the Court and public are expected to conduct themselves in a manner that demonstrates respect towards others and the Court itself. Behavior that impedes or disrupts the business of the Commissioners Court while Court is in session is prohibited and unlawful pursuant to Texas Penal Code § 42.05. It is the intention of MASON County Commissioners Court to attend to County business effectively and efficiently, without undue interruption. All cell phones and other mobile communication devices should be in "silent" mode at all times while Court is in session.

VI. The County Judge is the presiding officer of the MASON County Commissioners Court and is a fully participating member thereof. In the absence of the County Judge, the senior member of the Commissioners Court (in terms of total number of years as an elected representative) present at the Regular, Special, Emergency Meeting or Executive Session, shall preside over of the Court meeting. However, nothing herein shall prevent the senior member of this Commissioners Court from delegating this duty to another member of the Commissioners Court.

VII. The presiding officer of the Commissioners Court is responsible for conducting all meetings in accordance with these Rules of Decorum and Procedure. The presiding officer shall conduct the meeting in the following manner:

A. When an individual member of the Commissioners Court wishes to make a motion, the presiding officer shall first recognize the individual's right to speak. The individual may then make the motion. A second is then required prior to any discussion or debate on the matter before the Court.

B. Only after the motion and second, the presiding officer repeats the motion and opens the floor to discussion of the motion. The maker of the motion speaks first, and the presiding officer allows proponents and opponents to alternate speaking if possible. A member who has not yet spoken has precedence over those who have already voiced an opinion. The presiding officer has the authority to end discussion if it becomes too personal or too longwinded by calling for a vote.

C. Motions are limited to those listed in Exhibit B, "Motions at a Glance." A member may only make one motion at a time. The presiding officer may decline to allow more than three motions (one main, two secondary) on the floor at one time; for example, one substantive motion and two motions to amend. When multiple motions are on the floor, the last motion made should be the first voted on.

D. The presiding officer at the officer's discretion but in keeping with these rules, makes procedural rulings. The body may overrule the presiding officer's procedural ruling with a motion, second, and majority vote to do so.

E. Three members of the Court constitute a quorum unless the Court is levying taxes, in which case four members constitutes a quorum or unless the Court is canvassing an election, in which case only two members of the Court constitutes a quorum. If a quorum is present, the Judge shall take a vote by asking for the "ayes" and "nays". Silence shall indicate an "aye" vote. Abstentions should be stated on the record. Approval of a motion is attained by a majority vote of all the votes cast when a quorum is present. The presiding officer shall announce the result of the vote and each member's vote verbally to ensure a complete record.

VIII. 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 feet (5') 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, Emergency and/or Executive Session Meeting of the Court.

IX. The Sheriff of MASON 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 Office, 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.

X. From time to time, the Commissioners Court shall 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 for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient, and proper manner.

XI. These Rules of Procedure, Conduct and Decorum at Meetings of the MASON County Commissioners 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 Commissioners Court. These Rules may be temporarily suspended by majority vote of the Court in a manner that does not conflict with the Texas Open Meetings Act.

ADOPTED on this the 22 day of December, 2025.

Sheree Hardin

Sheree Hardin, County Judge

Reggie Loeffler, Commissioner, Pct. 1

Fred Estes, Commissioner, Pct. 2

Buddy Schuessler, Commissioner, Pct. 3

Dave Underwood, Commissioner, Pct. 4

Attest:

County Clerk

**Exhibit A**

**COUNTY COMMISSIONERS COURT**

**Public Participation Form**

*Instructions: Fill out all appropriate blanks. Please print or write legibly.*

NAME: _____

MAILING ADDRESS (optional):

_____

_____

HOME TELEPHONE (optional): _____

EMAIL ADDRESS (optional): _____

Are you requesting an interpreter? _____

Do you represent any particular group or organization? _____

If you do represent a group or organization, please state the name, mailing 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 Judge prior to the time that the agenda item (or items) you wish to address are discussed before the Court.

## Exhibit B
## MOTIONS AT A GLANCE
## Procedural Motions

The following procedural motions (main and subsidiary motions) may be needed by a commissioners court to conduct its business. They are presented in descending order of precedence.

**Basic Motion:** The basic motion puts forward a decision for the court's consideration. It is made after information is received. If seconded, the subject of the motion may move into debate and discussion.

**Motion to appeal the procedural ruling:** If the presiding officer makes a procedural ruling that a member of the court disagrees with, they can immediately appeal that ruling by stating, "I appeal the Judge's ruling." A second is required to move the appeal to a vote. If the body passes the motion, the procedural ruling is overturned. This motion may be made without being recognized to speak by the presiding officer and it cannot be ruled out of order.

**Motion to adjourn:** This motion proposes the meeting end and takes precedence over all other motions if it passes. It may not be made during a presentation of information or the discussion of a pending substantive issue and may only be brought by an individual after he or she has been recognized by the chair to have the floor. There is no debate on the motion to adjourn, so after the motion and second a vote must be held.

**Motion to recess:** This motion, which cannot be debated, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote. Note, however, that the presiding officer may call a brief recess at any time without a motion.

**Call to follow the agenda:** If a member of the court believes the court has veered away from the properly noticed agenda items, they can use this motion to attempt to get the court back on track. This motion may be made without being recognized to speak and is debatable. For a formal vote, this motion requires a second.

**Motion to go into closed/executive session:** This motion coincides with the law regarding the Open Meetings Act, Government Code §551.071, et. seq. If during a meeting the court needs to go into closed session for one of the limited purposes listed in the statute, a member may make this motion to go into closed session.

**Motion to leave closed session:** This motion allows the court to return from a closed session into an open meeting, to take a vote in open court, as required, conclude any business, or simply to adjourn the open meeting.

**Motion to Table:** Often used when one or more members wants additional information, this motion puts the discussion of an agenda item on hold. Best practice is to have a time certain at which the discussion will resume to ensure the matter is taken back up in the future, if that is the desire of the court. The motion could specify, for example, "...until after executive session and consultation with our attorney" or "until the court receives the committee report on xx date."

**Motion to end/limit debate:** If one or more members of the court feels the discussion has gone on long enough, and typically only after all members have had the opportunity to speak at least once, a member may "Move the previous question." If all members have not had an opportunity to speak, the presiding officer may rule the motion is out of order. The motion may also seek to impose a time limit on the discussion or debate. This motion does require a second but is not debatable. A presiding officer may choose to treat this motion informally and simply ask if there is any more debate or if everyone is ready to vote. If everyone is not on the same page, a formal second and vote should be taken to determine if more debate is necessary. The practical effect could mean that you then discuss the need for more discussion.

**Motion to Refer a Matter to a Committee:** If the court believes it would be better served to let a committee first consider, debate, or gather more information on the topic of the substantive motion, it may move to refer to committee, assuming the county has a suitable committee for such consideration. Under Robert's Rules, this motion does not require a second, but in the context of county government and for the sake of simplicity, this guide suggests all motions require seconds. The substantive motion may set out a specified period of time in which the committee shall report back to the court, such as sixty days.

**Motion to amend:** If a member wants to change a basic motion that is before the body in some related and not substantively different way, they move to amend. It is best practice to allow full discussion of the original motion before offering an amendment. This ensures each member has a chance to be heard before taking the discussion in another direction. Once a motion to amend is made, discussion should turn only to that amendment and not revert to discussion on the original motion. Since only three motions can be pending at any given time, only two amendments may be on the floor at one time; the first motion to amend changes the original motion, and the second motion to amend must relate to the first amendment. Motions to amend must then be voted on in reverse order as needed; the second motion to amend will be voted on, then the first motion to amend, then the original motion if necessary. See the above example on page 10 under section "Who's on First?"

**Motion to reconsider:** This motion allows an issue considered earlier in the meeting to be reconsidered. Typically, this would only happen if some relevant information became available after the initial vote that changes the mind of a member of the court. To ensure finality, the motion may only be made by someone who voted with the majority and must occur in the same meeting as the original vote. * Any member may second the motion, regardless of their prior vote on the matter. If a motion to reconsider passes, a new original motion should be made and the standard procedures of a second, debate, and vote should be followed as if it is the first time the matter is before the court.

* A meeting continued by adjournment to a time and place certain is considered to be the same meeting for purposes of motions to reconsider.

**Withdraw the motion:** The person who made the motion may interrupt the speaker to withdraw his or her motion at any time during discussion or before it is amended, whichever comes first. Motions to amend may only be withdrawn by the person moving to amend and only in the order in which the motion would go to vote. For example, if there is a motion to amend and a motion to amend the amendment, neither the original motion nor the first motion to amend may be withdrawn while the second motion to amend is pending. If a motion to withdraw receives a second, the motion is withdrawn without the need for a vote.

## Points of Privilege

As discussed above, procedural motions are used to accomplish the business of the court. However, sometimes other issues and needs of the court and its members need to be addressed with some priority. In these circumstances, the court members can declare "points" to address the needs within the structure of proper procedure. These points do not require a motion, second, debate, or vote. Points should be of high importance and urgency. As such, a member of the court can interrupt the speaker to raise the point.

**Point of inquiry:** If a member of the court is confused as to the intent or substance of a motion, or as to the pragmatic effect of an aye or nay vote, the court member may raise a point of inquiry to seek clarification. The individual must first be recognized by the presiding officer.

**Point of privilege:** Points of privilege are used if an individual needs to interrupt because there is an urgent need to address something (i.e., noise, heat, cold, technical difficulty) that is interfering with the general atmosphere of the meeting. An interruption that a door should be closed because of outside noise would be an example.

**Point of order:** An individual may also interrupt the speaker because the meeting is being conducted inappropriately in some way. For example, if a third motion to amend is made, and only two are permitted, the individual would say "point of order", and the presiding officer would then say, "state your point".

## Examples:

## PROCEDURE FOR HANDLING A MAIN MOTION

**NOTE:** Nothing goes to discussion without a motion being on the floor and a second.

Obtaining and Assigning the Floor

- A commissioner raises hand when no one else has the floor
- The presiding officer recognizes the commissioner by name.

How the Motion is Brought Before the Assembly

- The commissioner makes the motion: "I move that" (or "to").
- Another commissioner (or the presiding officer, if necessary) seconds the motion: "I second the motion" or "I second it." or "Second."
- The presiding officer states the motion: "It is moved and seconded that ... the floor is open for debate."

Consideration of the Motion

1. Commissioners and the judge can debate the motion.
2. Before speaking in debate, commissioners obtain the floor.
3. Customarily, the maker of the motion has first right to the floor first, if desired.
4. The presiding officer should ensure that debate is confined to the merits of the motion.
5. Debate can be closed upon motion, second, and majority vote of the commissioners court or by the presiding officer if no one seeks the floor for further debate.

The Presiding Officer Puts the Motion to a Vote

1. The chair asks: "Are we ready to vote?" If no one rises to claim the floor, the presiding officer proceeds to take the vote.

2. The presiding officer repeats the motion and says: "All in favor, say 'Aye'." (Pause for response.) "Those opposed, say 'Nay'." (Pause for response.) "Are there any abstentions?" (If necessary.)

The Chair Announces the Result of the Vote

1. "The ayes have it, the motion carries, and ..." (indicating the effect of the vote)or
2. "The nays have it and the motion fails."

WHEN DEBATING YOUR MOTIONS:

1. Listen to the other side
2. Focus on issues, not personalities
3. Avoid questioning motives
4. Be polite

## HOW TO ACCOMPLISH WHAT YOU WANT TO DO IN MEETINGS

### Main Motion

You want to propose an action related to the current agenda item

- After recognition, make a main motion.
- Commissioner (or Judge, if necessary): "I move that ."

Amending a Motion

You want to change some of the wording that is being discussed.

- After recognition, "Judge, I move that the motion be amended by adding the following words."
- After recognition, "Judge, I move that the motion be amended by striking out the following words ."
- After recognition, "Judge, I move that the motion be amended by striking out the following words, and adding in their place the following words."

Refer to a Committee

You feel that an idea or proposal being discussed needs more study and investigation.

- After recognition, "Judge, I move that the question be referred to a committee made up of members Smith, Jones and Brown."

Postpone the Vote to Gather More Information

You want the membership to have more time to consider the question under discussion and you want to postpone it to a definite time or day, and have it come up for further consideration.

- After recognition, "Judge, I move to postpone the question until ."

Previous Question

You think discussion has gone on for too long and you want to stop discussion and vote.

- After recognition, "Judge, I move the previous question/we take a vote."

Limit Debate

You think discussion is getting long, but you want to give a reasonable length of time for consideration of the question.

- After recognition, "Judge, I move to limit discussion to two minutes per speaker." Or "Judge, I move we debate until 11:45."

Recess

You want to take a break for a while.

- After recognition, "Judge, I move to recess for ten minutes."

Adjournment

You want the meeting to end.

- After recognition, "Judge, I move to adjourn."

Permission To Withdraw a Motion

You have made a motion and after discussion, are sorry you made it.

- After recognition, "Judge, I ask permission to withdraw my motion."

Suspending the Rules

The rules of procedure your court has adopted allow 5 minutes for public comment. However, a member of the public has come before the court with a particularly relevant or important topic. Their five minutes are up but you really want to hear what else they have to say or feel that they deserve to be heard. Note that you cannot suspend the laws such as The Open Meetings Act but a court can set aside its own rules temporarily with a motion, second, and majority vote to do so.

- After recognition, "Judge, I move we suspend the rules and allow the speaker to continue."

Point of Personal Privilege

The noise outside the meeting has become so great that you are having trouble hearing.

- Without recognition, "Point of personal privilege."
- Judge: "State your point."
- Commissioner: "There is too much noise, I can't hear."

Closed/Executive Session

You are going to get advice on pending litigation from your county attorney and are ready to go to executive session.

- After recognition, "Judge, I move that we go into executive session."

Point of Order

It is obvious that the meeting is not following proper rules.

- Without recognition, "Point of order."

Point of Information

You are wondering about some of the facts under discussion, such as the number of vehicles in the county's fleet.

- Without recognition, "Point of information."

Appeal From the Decision of The Chair

Without recognition, "I appeal from the decision of the chair."