



Rules of Procedure, Conduct, and Decorum At Meetings of the Guadalupe County Commissioners Court

1. All Regular, Special, Emergency, and Closed Meetings (Executive Sessions) of the Guadalupe County Commissioners Court will be called and conducted in accordance with the provisions of the Government Code, Section 551.
2. The members of the Guadalupe County Commissioners Court are the County Judge and the County Commissioners. Tex. Loc. Gov't Code § 81.001.
3. The Guadalupe County Commissioners Court meets in Regular Session at 10:00 AM on Tuesdays as set forth during the preceding year and posted on the Commissioners Court website.
4. In order for any matter or issue to appear as an agenda item on the Agenda of any meeting of the Commissioners Court, an online Agenda Item Request must be submitted through the Peak Agenda portal at <https://guadalupe.granicus.com>. Prior to submitting the online Agenda Item Request, the following procedures must be followed:
 - A. Contracts, grants, resolutions, interlocal agreements, memorandums of understanding, deeds, or other documents requiring a signature must first be reviewed by the Office of the County Attorney **prior** to submitting an Agenda Item Request. The Commissioners Court Attorney is the point of contact for the review of all legal documents going before the Commissioners Court. All individuals submitting an Agenda Item Request must designate in the online form whether a legal review was required and, if so, whether approval was obtained.
 - B. Following attorney approval, if the document requires the signature of a party other than a Guadalupe County Official, the signature(s) of any other party must be obtained prior to submitting the Agenda Item Request.
 - C. Only the County Judge and the County Commissioners have the authority to place an item on the agenda for consideration. Approval to add an item to the Agenda must be obtained by at least one member of the Commissioners Court prior to submitting the Agenda Item Request. All individuals submitting an Agenda Item Request are required to designate which member of the Commissioners Court approved the addition of the agenda item.
 - D. All online Agenda Item Requests with attached paperwork, if applicable, must be submitted through the online portal before 12 PM (Noon) on the Wednesday immediately preceding the next meeting of the Commissioners Court.
 - E. Agenda Item Requests that are not submitted through the online portal before the 12 PM (Noon) deadline OR that are submitted without the required approvals, signatures, and paperwork are barred from inclusion on the following Tuesday's agenda.
 - F. Access to the online Peak Agenda portal requires a username and password to submit an Agenda Item Request. To have an account created, the Department Head must email a request containing the name and title of the individual requiring access to a Commissioners Court staff member.

5. The business of Guadalupe County is conducted by and between the members of the Guadalupe County Commissioners Court and by those of the County staff, elected officials, department heads, consultants, experts, or members of the public requested to be present and participate.
6. Three members of the Commissioners Court constitute a quorum for conducting County business except the levying of a county tax. A county tax may be levied at any regularly scheduled meeting of the Court when at least four members of the Court are present. Tex. Loc. Gov't Code § 81.006.
7. Regular, Special, and Emergency Meetings of the Guadalupe 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. Only those individuals expressly requested or ordered to be present are allowed to attend Executive Session.
8. 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 requested to address the Commissioners Court on a particular issue or unless the member of the public sign-in prior to the convening of the Regular Session of Commissioners Court.
 - A. Each member of the public who appears before the Commissioners Court shall address the Court from the podium and 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 Commissioners Court.
 - B. Maximum public discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items), shall be limited to thirty (30) minutes.
 - 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 or all members of the public and the amount of time allocated for all agenda items or a specific agenda item.
 - D. It is the intention of the Court to provide the citizens of Guadalupe County open access to address the Commissioners Court and express themselves on issues of County Government. Members of the public are reminded that the Guadalupe County Commissioners Court is a Constitutional Court with both judicial and legislative power, created under Article V, Section 1 and Section 18 of the Texas Constitution. The Guadalupe County Commissioners Court possesses the power to issue Contempt of Court citations. Tex. Loc. Gov't Code § 81.023. Accordingly, members of the public in attendance at any Regular, Special, or Emergency Meeting of the Court shall conduct themselves with proper respect and decorum when addressing the Court, while 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 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 or continued disruption of the meeting may result in a Contempt of Court citation.
 - E. It is not the intention of the Guadalupe 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 of the public to insult the honesty and integrity of the Court, as a whole, or any members of the Court, individually or collectively. Accordingly, profane, insulting, or threatening language directed toward the Court or any person in the Court's presence and racial, ethnic, or gender

slurs or epithets will not be tolerated. Violation of these rules may result in one or more of the following sanctions: (1) Cancellation of a speaker’s remaining time; (2) Removal from the Commissioners Courtroom; (3) A Contempt Citation; and (4) Such other civil and criminal sanctions as may be authorized under the Constitution, Statutes, and Codes of the State of Texas.

9. The County Judge is the presiding officer of the Guadalupe County Commissioners Court and is a fully participating member thereof. At the first regular meeting of the Commissioners Court in each calendar year, the members of the Court shall select by a majority vote one of the County Commissioners to preside over meetings in the absence of the County Judge. The County Judge (or the designated Commissioner), as the presiding officer of the Commissioners Court, is responsible for conducting all meetings. Members of the public who have properly signed in to participate must wait to be recognized before they will be allowed to address the court. **No one shall address the Court at any time without first being recognized by the presiding officer.**
10. A member of the Court, after obtaining the floor or the County Judge, may make a motion on the particular subject of discussion or a procedural point as permitted. A “Second” to the motion, if required, must be made by a Court member who did not make the motion within a reasonable but brief time period. A motion or a “Second” merely implies that the maker of the motion and the person who “Seconds” agree that the motion should come before the meeting and not that he/she necessarily favors the motion. Without a “Second,” if required, the motion dies.
11. There are three (3) categories of motions: Meeting Conduct Motions, Disposition Motions, and Main Motions. In reference to the chart below, when any motion is pending, a motion listed higher on the chart than the pending motion is proper and may be considered. Alternatively, a motion listed lower on the chart than the pending motion is improper and, therefore, out of order.

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair	Vote Required to Pass
Meeting Conduct Motions						
Point of Privilege	Yes	No	No	No	Yes	N/A
Point of Procedure/Order	Yes	No	No	No	Yes	N/A
To Appeal a Ruling	No	Yes	Yes	No	No	Majority
To Recess	No	Yes	Yes	Yes	No	Majority
Disposition Motions						
To Withdraw	Yes	No	No	No	Yes	N/A
To Postpone Consideration of an Item	No	Yes	Yes	Yes	No	Majority
To Table a Motion (Take from the Table)	No	Yes	Yes	Yes	No	Majority
To Refer	No	Yes	Yes	Yes	No	Majority
To Amend	No	Yes	Yes	Yes	No	Majority
To Limit or Extend Debate	No	Yes	Yes	Yes	No	Majority
To Close Debate or “Call the Question”	No	Yes	No	No	No	Majority
Main Motions						
To Reconsider	Yes	Yes	If original motion was debatable	No	No	Majority
To Take Action	No	Yes	Yes	Yes	No	Majority

- A. **Point of Privilege.** A point of privilege, sometimes called a point of personal privilege, is a communication from a member of the Court to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Court member(s). In essence, it is a call to the presiding officer for the purpose of ensuring a Court member's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention of, and action by, the presiding officer, it cannot be debated or amended, and no vote is taken.
- B. **Point of Procedure or Order.** A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer inquiring into the manner of conducting business or raising a question about the propriety of a particular procedure. It is simply an inquiry resolved by correction or clarification from the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of, and action by, the presiding officer, a second is not required; it cannot be debated or amended, and no vote is taken.
- C. **To Appeal a Ruling.** Decisions or rulings of the presiding officer on questions of procedure are final, except that any ruling by the presiding officer can be appealed to a vote of the Court. Whenever a Court member questions the appropriateness or essential fairness of the presiding officer's ruling, that member can appeal the ruling to a vote of the entire Court. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given, etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of three (3) Court members is required.
- D. **To Recess.** A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, amendable, and requires a majority vote.
- E. **To Withdraw.** Only the maker of the motion can make a motion to withdraw the motion. It is essentially a communication to the presiding officer that the maker is withdrawing their proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Court member can make a similar motion later, a withdrawal motion is not subject to debate, amendment, or vote. The presiding officer should state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand—or a new issue.
- F. **To Postpone Consideration of an Item.** This motion may arise from a need for further information, a matter of convenience, or any other reason that will enable the Court to deal with the issue more effectively during the same meeting or at a later time. Unless otherwise

specifically provided in the motion itself, a motion to postpone can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable (particularly as to postponement timing), and an affirmative vote of three (3) Court members is required.

- G. **To Table a Motion (Take from the Table).** A motion to table can only be made while a motion is before the Court for consideration, i.e., a motion followed by a second. To bring the tabled motion back before the Court for consideration, a motion to take from the table must be made during the same meeting the motion was tabled. If a motion to take a motion from the table does not receive a favorable majority vote prior to adjourning the same meeting in which the motion was tabled, the tabled motion dies. A motion to table and take from the table each requires a second, is undebatable and unamendable, and requires a majority vote.
- H. **To Refer.** A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes of the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of three (3) Court members is required.
- I. **To Amend.** A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, and then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments are thus in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of three (3) Court members is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
- J. **To Limit or Extend Debate.** Because the extent to which an issue is discussed rests primarily with the discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit or extend debate is, therefore, an overruling of the presiding officer's determination. A motion to limit or extend debate is debatable, amendable, and requires a majority vote.
- K. **To Close Debate or "Call the Question."** A motion to close further debate on a motion is the same as a motion to "call the question." Following a required second, a motion to close debate is debatable, unamendable, and requires a majority vote. If passed, no further discussion on the issue is allowed, and the presiding officer must take a vote on the motion.
- L. **Motion to Reconsider.** Allows a main motion to be brought back before the Court for consideration. This motion may only be made during the same meeting at which the vote to be reconsidered was taken. It may be made and seconded by any two members of the Court. It can be made while any other question is pending, even if another member has the floor. A motion to

reconsider is debatable if the original motion was debatable, unamendable, and requires a majority vote to pass. A motion may only be reconsidered twice. If the reconsideration is moved while another subject is before the Court, it cannot interrupt the pending business, but as soon as the pending business has been disposed of, the motion to reconsider has the preference over all other main motions and general business of the agenda. In such a case, the County Judge does not state the question on the reconsideration until the immediately pending business is completed.

M. **To Take Action: Main Motions.** Main motions state proposed policy or action on a substantive issue being considered by the Court. As such, the motion is an initial call to take a particular action. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Court are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of three (3) Court members is required unless the Constitution or Laws of the State of Texas prescribe a greater vote.

12. Elected officials, employees appointed by the Court, staff members, or anyone else, in making presentations to Commissioners Court at a meeting of the Court, shall restrict their presentations to five (5) minutes, excluding responses to questions by the County Judge and/or Commissioners. Time can be extended by the presiding officer with the unanimous consent of the members present – no vote is required unless there is an objection.

13. Special Rules for the Press and Media:

- A. 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.
- B. Interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
- C. Media interviews conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb the proceedings of any Regular, Special, Emergency, or Executive Session Meeting of the Court.

14. The Sheriff of Guadalupe County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special, and Emergency Meetings of the Commissioners 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.

15. From time to time, the Commissioners Court may conduct other meetings and public hearings. These rules of procedure, conduct, and decorum shall also apply to such meetings and public hearings; however, the Commissioners Court may adopt additional and supplemental rules for such

meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient, and proper manner.

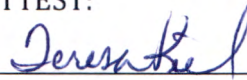
16. These Rules of Procedure, Conduct, and Decorum at Meetings of the Guadalupe County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.

ADOPTED BY THE UNANIMOUS VOTE OF THE GUADALUPE COUNTY COMMISSIONERS COURT ON THIS 15 DAY OF **OCTOBER 2024.**

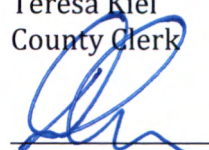
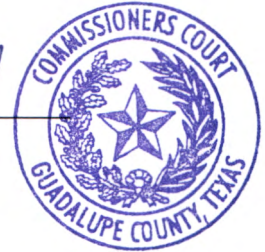
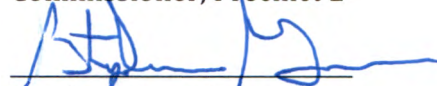
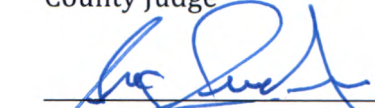


Kyle Kutscher
County Judge

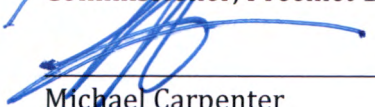
ATTEST:



Teresa Kiel
County Clerk


Drew Engelke
Commissioner, Precinct 2
Stephen Germann
Commissioner, Precinct 4

Greg Seidenberger
Commissioner, Precinct 1



Michael Carpenter
Commissioner, Precinct 3