

# SARPY COUNTY PERSONNEL POLICY BOARD MEETING RULES

These Meeting Rules shall be in full force and effect at all meetings of the Sarpy County Personnel Policy Board unless otherwise provided.

## I. Objectives

- A. The objectives and purpose of the Sarpy County Personnel Policy Board (Board) are in the County Civil Service Act as set forth in Nebraska State Statutes §§23-2517 – 23-2533 as amended.

## II. Notice

- A. Notice of the Board meetings will be given by posting the meeting times and an agenda onto the Sarpy County website. Notice will also be given by sending an email to Sarpy County employees when an agenda for the meeting is set.
- B. The Board will hold its meetings in the Sarpy County Boardroom, 1210 Golden Gate Dr, Papillion, NE 68046 unless otherwise indicated.

## III. Agenda

- A. The Personnel Officer (hereinafter referred to as Human Resources Director) shall maintain the agenda for all meetings of the Board. Advance public notice of meeting dates and times shall be given as directed above.
- B. Items shall be scheduled on the Board agenda in accordance with the Board Meeting Rules, the Sarpy County Personnel Rules and Regulations and the County Civil Service Act as amended.
- C. During a Board meeting, the Chair, or in the absence of the Chair, the Vice Chair may alter the sequence of the agenda items in order to expedite the Board meeting.
- D. When the Sarpy County Personnel Rules and Regulations (Personnel Rules) are scheduled on the Board's agenda, the following statement shall also appear on the agenda: "Prior to commenting on the Personnel Rules a request must be made to the Human Resources Director before the start of the meeting at which the Personnel Rules will be discussed".

## IV. Meetings

- A. The Board shall meet at such time and place as shall be specified by call of the Chair or the Human Resources Director. At least one meeting shall be held quarterly.

- B. A quorum is required to be present in order to hold a meeting. Three members shall constitute a quorum for the transaction of business, except that no business shall be transacted unless one of the members appointed by the board of county commissioners or the elected department heads and one of the members appointed by the classified employees who are covered by the county personnel system are present at the meeting. If a quorum is not convened within fifteen minutes of the published meeting time, said meeting will be canceled.
- C. All meetings shall be subject to and comply with the Open Meetings Act.

V. Meeting Participation

A. Meeting participation when approving or amending the Sarpy County Personnel Rules and Regulations for the Classified Service (Personnel Rules)

- 1) The following individuals may address the Board on agenda items related to the Personnel Rules: County employees, county employee associations, and the heads of all departments, agencies or institutions affected by the Personnel Rules, the county attorney, an attorney for the Board, or representatives of any of the above. Other individuals may participate upon a majority vote of the Board then voting.
- 2) Prior to commenting on the Personnel Rules a request must be made to the Human Resources Director before the start of the meeting at which the Personnel Rules will be discussed.
- 3) Late requests for comments will be approved or denied at the will of the Board Chair.
- 4) Individuals commenting shall adhere to the meeting participation rules for all individuals

B. Meeting participation for the general public

- 1) Public participation at any meeting of the Board for any particular agenda item shall be allowed when required by law, when granted by the Chair, or upon vote of a majority of the Board then voting.
- 2) The public shall adhere to the meeting participation rules for all individuals.

C. Meeting participation rules for all individuals

- 1) In addressing any particular agenda item, comments shall be made during the time designated by the Chair. After the Chair ends the time for comment, participation can only be made upon a vote of the majority of the Board then voting, at the discretion of the Chair, or in answer to a direct question from a Board member.
- 2) All individuals addressing the Board on an agenda item shall state their name. When the agenda item under consideration has a named proponent or

opponent, a representative of the proponent or opponent shall be designated. When there is no named proponent or opponent, the Chair, in his or her discretion, may recognize a spokesperson for an interested group as the opponent or proponent.

- 3) Participation or testimony provided to the Board shall be limited as hereinafter provided:
  - a. Ten (10) minutes for any representative or spokesperson of an interested group.
  - b. Two (2) minutes each for any other individuals who wish to speak in favor, or against, or comment in a neutral fashion on the proposed action. This time cannot be yielded or reserved for another speaker.
  - c. Once the time for taking public testimony has passed, the matter may be debated by the members of the Board. The Board Members may question any person desired as a part of this debate, without the requirement of rebuttal. There shall be no time limit for this debate.
  - d. These time limits may be modified if the modification is approved by a majority of the Board Members then voting.
  - e. There shall be no time limit for staff comments or discussion on any matters before the Board.
- 4) No person shall address the Board, unless and until first recognized by the Chair of the Board. No person shall address the Board on a topic other than that shown on the agenda for the meeting. Nothing in this Rule shall prevent the Board, by a majority vote of the Board Members then voting, from suspending this Rule, to allow the Board to take up a matter, or to allow debate on an item which does not appear on the agenda, if an emergency exists.
- 5) Should an individual depart from the topic set forth in the agenda during his or her presentation, the Chair shall bring this departure to the attention of the individual. Should the individual persist in departing from the agenda item, the Chair shall announce that the speaker has forfeited any remaining time to address the Board, and shall thereafter proceed to allow those with an opposing view address the Board, should those individuals have any time remaining under these Rules, or, should there be no time left for such a presentation, proceed to close the meeting participation segment of the Board meeting.
- 6) Should any person or persons disturb, disrupt, or otherwise interfere with the proceedings of the Board, at the request of any member of the Board, or on his or her own motion, the Chair shall warn the person or persons against further interference. Should the person or persons persist in disturbing, disrupting, or otherwise interfering with the proceedings of the Board, the Chair shall direct that law enforcement officers present, for security of the Board and those

attending such meeting, to remove the persons from the meeting place, and/or may, at the request of any member of the Board, or on the Chair's own motion, declare a recess until order has been restored.

## VI. Action

- A. The Board may only take action on matters properly placed on the agenda for a duly called meeting, and by the wording of the agenda provides notice that action, rather than discussion, may be taken.
- B. Action shall be taken by a vote of the Board. Motions may be made for approval, approval with changes, disapproval or table. Motions must be supported immediately by a second or the motion dies. The Chair may make motions or second a motion.
  - 1) Motions shall be restated by the Chair prior to any vote.
  - 2) Once a motion is made and seconded, discussion may be had on the motion, but no other business shall be taken until a vote is taken upon the motion, or the motion is withdrawn by the movant and the second.
  - 3) Once a motion is made and seconded, it can only be altered with the consent of the movant and the second. Absent said consent, the motion may be amended by a motion to amend the motion.
- C. A motion to "Call the Question" is always proper once a motion has been made and seconded for an agenda item. Upon a duly made motion to "Call the Question" and second, no further discussion may take place until a vote is made on the motion to "Call the Question". If a motion to "Call the Question" is approved by a majority of those voting, a vote on the pending matter or motion shall be had without further discussion. If a motion to "Call the Question" fails, discussion may continue.
- D. A motion to "Move the Agenda" is in order after the Chair has opened proceedings on a particular agenda item until such time as the Chair has closed proceedings on a particular agenda item or has moved to a different agenda item. All discussion and action must cease once a motion to "Move the Agenda" is made and seconded until the motion is voted on. If approved, a motion to "Move the Agenda" will cause discussion or action on the agenda item to immediately cease, and shall begin again only at such point in the Board's agenda as is specified in the motion, or at the end of the agenda if there is no specified point.
- E. A "Point of Order" is a question directed to the Chair or acting Chair regarding procedure. A "Point of Order" is always in order and must be addressed by the Chair before further action or discussion is had. A "Point of Order" may only be made by a member of the Board, the Human Resources Director, or the Acting Secretary, the County Attorney, or the Attorney representing the Board. (See also, Other Rules of Procedure, below).
- F. A record of votes cast by individual members shall be kept as part of the minutes. A majority of those voting shall be required for the passage of any motion.

## G. Conflict of Interest

- 1) A member who is legally required to abstain from a vote because of a conflict of interest shall not count toward the quorum requirement.
- 2) A member who abstains but is not legally required to abstain shall count toward the quorum requirement.
- 3) When a declaration of a conflict of interest results in the lack of a quorum: No member of the Board, nor the Chair or Acting Chair at the meeting shall be allowed to "Abstain", "Pass", or otherwise refrain from voting unless and until the particular member, Chair or Acting Chair, shall declare on the record in open session if he or she has an actual conflict of interest. In the event that such abstention results in the lack of a quorum, the declaring member shall confer with the County Attorney or the Attorney representing the Board to determine if the abstention is required by law, as opposed to avoiding an inappropriate appearance or declining to vote. The County Attorney or the Attorney representing the Board shall make a statement for the record, which shall appear in the meeting minutes, regarding the effect of the abstention on the quorum. If there is no quorum, the Chair shall proceed to the next agenda item.

## VII. Minutes of the Meeting

- A. The Board shall cause minutes to be kept of all meetings.
- B. The meeting minutes must include the following: the time and place of the meeting, members present and absent, substance of all matters discussed. Additionally, any action taken shall be in open session, by roll call vote or any electronic voting device which allows the yeas and nays of each member to be seen by the public. The minutes shall state how each member voted or if the member did not vote or was absent.
- C. All minutes of open meetings, evidence and documentation received or disclosed in open session shall be public records and open to the public during normal business hours.
- D. The draft minutes shall be written and made available to the public within ten (10) working days of the meeting or prior to the next meeting, whichever is earlier.
- E. All requests for minutes shall be placed in writing and directed to the Human Resources Director and will be processed as any other public record request.
- F. Persons requesting transcripts of the Board proceedings must obtain the services of a court reporter at their own expense to transcribe the proceedings from audiotapes or audio files.

## VIII. Officers

- A. The Board Officers shall be a Chair, Vice Chair, and Secretary.
- B. The Chair shall preside at all meetings and hearings of the Board and shall have the following additional duties as listed below.
  - 1) Call all meetings to order and preside over all meetings.
  - 2) Approve all meeting agendas.
- C. In the absence of the Chair, the Vice Chair shall act for the Chair.
- D. The Secretary and executive head of the Personnel Policy Board shall be the Human Resources Director who shall perform the duties normal to that office and perform other such duties as are incidental to the office or as assigned by the Chair.

## IX. Election of Officers

- A. The election of officers shall be held at the first meeting of each calendar year.
- B. The election of the Chair shall be held first with the election of the Vice Chair immediately following.
- C. Officers shall serve a term of one (1) calendar year or until their successors take office. Officers shall be eligible for re-election.
- D. Vacancy of Chair or Vice Chair
  - 1) A vacancy occurs when that member of the Board is no longer a member of the Board for any reason.
  - 2) If the Chair or Vice Chair is unable to attend meetings for an extended time period due to illness or tragedy, that member may give up their office of Chair or Vice Chair without relinquishing their membership to the Board by submitting a letter to the Board stating they no longer wish to serve as Chair or Vice Chair. An election shall take place according to Article IX E below.
  - 3) If the Chair position becomes vacant during the term of office, the Vice Chair shall automatically become the new Chair for the remainder of the term and a mid-term election for Vice Chair shall be held. The newly elected Vice Chair shall only serve for the remainder of the term.
  - 4) If the Vice Chair position becomes vacant during their term of office an election shall be held. The newly elected Vice Chair shall only serve for the remainder of the term.

#### E. Election Process.

- 1) Election of officers shall be by written ballot, preceded by the nomination of candidates, unless there is only one nominee, then the election may be had by roll call vote.
- 2) The acting Chair shall open the floor for nominations. Nomination of candidates for each officer position shall be made by a motion and a second from the Board members. In order to be a candidate for one of the officer positions, a motion and a second shall be required.
- 3) Once no further nominations are made for the officer position, the acting Chair shall close the floor for nominations.
- 4) The acting Chair shall call for the vote and each Board member shall vote by writing the name of one of the candidates onto the written ballot, unless there is only one nominee, then the election may be had by roll call vote.
- 5) The candidate with the majority of votes shall be declared elected. If there is a tie between two candidates an additional vote shall be held between the two candidates until one candidate has a majority of the votes. The total votes for each candidate must be stated in the minutes.
- 6) In the case of the first election for a Chair and Vice Chair, the Human Resources Director shall call for the nominations.

#### X. Other Rules of Procedure


- A. The Chair shall make all rulings regarding the application of these Meeting Rules. The ruling of the Chair may only be overruled by a vote of a majority of the Board members present and voting. A request by a Board member for a vote to overrule a procedural ruling of the Chair shall be addressed immediately, and no further business shall be conducted until said vote is taken. The Chair may, at his or her discretion, consult with legal counsel or staff before making any ruling. Roberts Rules of Order are not applicable to these proceedings.
- B. These Meeting Rules may not be altered, revised, amended, or suspended, or stricken unless a majority of the members of the Board vote in favor of such alteration, revision, amendment, suspension or striking.
- C. Copies of these Meeting Rules shall be available to the public at the Human Resources Department during normal business hours, and shall be available to the public in the Board's Meeting Room during meetings.
- D. While videotaping, televising, photography, broadcasting or recording of Meetings is specifically authorized, such activities shall not interfere with the right of the public to see and hear the proceedings of the Board. Therefore, given the physical layout of the Board's Meeting Room, microphones shall not be placed so as to obstruct the view of the Board members, the speaker nor of the speaker's view of the Board members.

Furthermore, all videotaping equipment, television cameras, and photographers shall be restricted to the side aisles or to the last row (farthest from the Board member's dais), so as to allow the right of the public to see and hear the proceedings.

XI. Conflict

- A. These Meeting Rules are intended to be a complete revision of any existing meeting rules and all previous meeting rules or parts of rules on said subjects herein or in conflict with the provisions of these Meeting Rules are hereby repealed. These Meeting Rules specifically do not amend the Personnel Policy Board Hearing Procedures.

ADOPTED ON THE 7<sup>th</sup> DAY OF February, 2018.

  
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Board Chair