ORIGINAL

RESOLUTION NO. 2010-04

A RESOLUTION TO ADOPT RULES REGULATING THE PROCEDURES OF THE BOARD OF COUNTY COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE

WHEREAS, the Weakley County Board of County Commissioners has need to operate in an orderly fashion carrying out the various legislative duties on the Commission; and

WHEREAS, the existing rules regulate the procedures of the Weakley County Board of County Commissioners are in need of revision; and

NOW THEREFORE, BE IT RESOLVED by the Weakley County Legislative Body meeting in regular session in Dresden, Tennessee, on this 21st day of September 2009 that the following rules regulating the procedures of the Board of County Commissioners of Weakley County be adopted, to wit:

RULES REGULATING THE PROCEDURES

OF THE BOARD OF COUNTY COMMISSIONERS

FOR WEAKLEY COUNTY, TENNESSEE

RULE 1

CONVENING OF THE BOARD

The Board shall meet at the County Courthouse in Dresden, Tennessee at 5:30 p.m. on the third Monday in March, May, September and November. Additional regular meetings shall be held on the last Monday in January, June, and July. Should any prescribed meeting fall on a legal holiday or if any emergency should arise, the Board shall meet at 5:30 p.m. on the following day. Notification to the members of the regular meeting shall be made by the chairman and/or the clerk using first class mail. Special meetings of the Board shall be as prescribed by law. The members of the county legislative body shall be compensated at one-half of the compensation of county road board members whose term begins on or after September 1, 2008 for each regular and special session attended. Compensation for attending duly authorized committee meetings shall be held at one-half of the regular meeting rate as provided by Section 5-15-107, Tennessee Code Annotated.

RULE 2

QUORUM

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Board of County Commissioners. Vacancies shall not be included in determining the membership of the Board.

RULE 3

ORDER OF BUSINESS

1. Call to order by Chairman. In the absence of the Chairman the Chairman Pro Tempore shall preside.

2. Invocation

3. Pledge to the Flag

4. Roll Call

5. In the event there is an item of business which requires a public hearing of any kind, said public hearing shall be held at this point in the order of business. At the conclusion of the public hearing, the meeting will reconvene in regular session of the County Commission.

Upon reconvening, the order of business shall continue as follows:

6. Reading and approval of minutes

7. Resolutions for special recognition, memorials, etc

8. Elections, appointments and confirmations (including notaries public).

9. Reports - county officials and standing committees

10. Unfinished business

11. New Business

12. Miscellaneous announcements and statements

13. Adjournment

RULE 4

GENERAL

A. WHO MAY ADDRESS THE BOARD: It is a commissioner's right to address the Chairman and the Board at any appropriate time after proper recognition by the Chairman. It may be allowable for non-commission members to address the Board if there is no objection by the

Board or if a majority of the membership votes to allow such participation. The Chairman may set a limit on the time a non-commission member may be allowed to speak.

B. GAINING THE FLOOR: In all cases, the member who shall first ask for recognition and address the Chairman shall be entitled to speak first; but when two or more members shall ask for recognition and address the Chairman at the same time, the Chairman shall name the member who shall speak first.

C. SPEAKING: When any member is about to speak in debate, discussion, or deliver any address on any matter whatsoever to the Board, the member shall respectfully address the Chairman and shall, after being recognized by the Chairman proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities.

D. CONSENT TO YIELD: While a member is speaking he/she is not to be interrupted, except for a question by another member. If the speaker declines to yield the floor for a question, then he/she shall not be interrupted, but shall yield to questions at the end of the presentation.

E. POINTS OF ORDER: If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairman shall, or any member may, call to order, in which case a member so called to order shall immediately cease speaking. When the point of order has been decided by the Chairman, the member having the floor may proceed, subject to the decision made.

F. APPEAL ON RULING: Any member of the Board may appeal to the Board regarding the ruling of the Chairman and a majority vote of the members present shall decide the appeal.

RULE 5

MOTIONS

A. INTRODUCTION AND DEBATE: Motions may only be made by members. No motion shall be debated until the same is seconded and stated by the Chairman.

B. MOTIONS IN WRITING: When a motion is made and seconded, it shall be reduced to writing by the Clerk, and repeated by the Chairman prior to any debate or vote.

C. REQUIRING ROLL CALL: All motions shall be voted upon as by law required. Motions shall be put to the Board by a voice vote or roll call vote, when called for by these rules, by the Chairman; provided however, that any three members of the Board or the member offering the motion may require a roll call by a showing of hands or indicating otherwise. A roll call vote may also be authorized at the discretion of the Chairman. Successful motions require a plurality of members voting in order to be adopted.

RULE 6

RESOLUTIONS

A. INTRODUCTION: Any proposed resolution may be introduced only by a member of the Board, and the Clerk or Chairman shall not receive or file any resolution that is not reduced to writing and signed by at least two (2) members of the Board. In the absence of two signers to a resolution a motion and second for adoption of the resolution shall satisfy this requirement. A resolution requiring the appropriation of funds in the various county funds shall not be introduced unless it has been reduced in writing and met the requirements of Rule 9 contained herein.

B. AUTHOR: A resolution may have as many signatures as there are members of the Board. However, the first two signatures on the resolution shall be deemed the authors for the purpose of debate.

C. ROLL CALL VOTE: Resolutions shall be put to the Board for a roll call vote by the Clerk. Each member shall vote "yes" or "no" on its passage when the Clerk calls his/her name, or otherwise appropriately signifying his/her vote. Upon motion approved by the Board, a single roll call vote may be held on two or more resolutions, provided discussion is permitted on each resolution. When two or more resolutions are voted upon with one roll call vote, failure of the question will require another roll call vote on each resolution. Successful resolutions require a majority of the full Board of County Commissioners voting in favor of the resolution.

D. CHANGING VOTE: Any member of the Board may change his/her vote before the results of a roll call is announced by the Clerk. It shall be the duty of the Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if anyone who has voted wishes to change his/her vote. Then, the results shall be announced by the Clerk.

E. SUCCESSFUL RESOLUTIONS: All resolutions which are passed by the Board of Commissioners shall be submitted to the Chairman of the Board for his signature and attested by the signature of the Clerk.

If the County Mayor does not preside, the resolution along with the vote of the Commissioners shall then be submitted to him/her, within five (5) days of its passage, for his/her consideration in accordance with law. If the County Mayor signs it, the resolution shall become effective immediately or at a later date if the resolution so provides.

If the County Mayor vetoes the resolution, he shall return it to the Board of Commissioners for action on his veto, by transmitting the disapproved resolution to the Clerk, together with any written veto message the County Mayor chooses to provide. The Clerk shall thereafter immediately provide the Chairman of the Board and each Commissioner with a copy of the

resolution so disapproved by the County Mayor, together with whatever written veto message accompanies it. Any matter vetoed by the County Mayor shall automatically be placed on the Agenda of the next regularly scheduled meeting of the Board of Commissioners to consider such vetoed resolution. A "motion to override" the County Mayor's veto shall be the appropriate motion to bring such matter before the Board of Commissioners. As with all resolutions, it must be seconded, but shall not be subject to amendment. It shall require a Majority Vote of the full Board of Commissioners to override a veto by the County Mayor. Such veto override must take place within twenty (20) days of the Clerk's receiving the written message of veto from the County Mayor, or at the next regular meeting of the Board of Commissioners, whichever is later. If the County Mayor fails to either sign or to veto a resolution and to report his action to the Board of County Commissioners as herein prescribed within ten (10) days after the resolution is submitted to him, the resolution shall become effective without his signature upon the expiration of the ten (10) day period or at a later date if the resolution so provides. The veto may not be exercised with respect to specific items or parts of items in the annual county budget, and may only be exercised with respect to the whole.

RULE 7

ELECTIONS

A. FILING VACANCIES IN COUNTY OFFICES: The county legislative body shall make an appointment to fill a vacancy within one hundred and twenty (120) days of receiving notice of the vacancy unless during that time period there is a general election scheduled in the county and there is sufficient time for the vacancy to be placed on the ballot in accordance with this section. Any appointment to fill a vacancy by the county legislative body shall be made in accordance with title 5, chapter 5, part 1.

B. NOTICE: Whenever an office is required to be filled, or a vacancy occurs in any office required to be filled, by the county legislative body, the county clerk shall provide notice to every member of the county legislative body of the need to fill the office or vacancy. If the office of county clerk is vacant, such notice shall be provided by the county clerk's deputy. If, in addition, there is no deputy county clerk, notice shall be provided by the acting chair of the county legislative body. In accordance with §8-48-108, the formal notice to members is directory and may be waived by the members of the county legislative body if all members have constructive notice of the vacancy or opening through other sources of information.

In addition the notice above to the county legislative body, the presiding officer of the county legislative body shall cause public notice to be given in a newspaper of general circulation in the county at least seven (7) days prior to the meeting of the body at which the office is to be filed, notifying the public of the vacancy or opening and specifying the office or offices to be filled at the meeting.

C. NOMINATIONS: Before the county legislative body votes or considers any motion or resolution regarding the position to be filled, the chair shall allow registered voters of the county an opportunity to submit names to the county legislative body for consideration. Such names may be submitted in writing to the chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the county legislative body must subsequently nominate the person. Members of the county legislative body may also nominate a candidate or candidates to fill the office or vacancy without such name being submitted by a voter. Nominations do not require a second. If the person nominated is not present at this meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the position if appointed.

D. NOMINATION OF MEMBERS: Should a member of the county legislative body accept a nomination for a position or vacancy to be filled by the county legislative body, the member shall be prohibited from voting on the appointment or any motions or resolutions relative to making the appointment until the position is filled. For the purpose of determining a majority, the membership of the county legislative body shall be reduced to reflect any member or members prohibited from voting on the appointment. If a member of the county legislative body is subsequently appointed to the position such member shall immediately resign from the county legislative body upon accepting the appointment. If the member does not receive the appointment, the member shall not be required to resign and may continue the member's duties on the county legislative body upon the conclusion of the vote of the appointment.

E. DISCUSSION OF NOMINATIONS: After nominations cease, the county legislative body may discuss the nominations and may, at the discretion of the chair, interview nominees or allows nominees the opportunity to address the county legislative body. Upon motion passed by majority of the members, the vote to make the appointment may be postponed to a subsequent meeting, provided the adequate public notice of the meeting is given in accordance with title 8, chapter 44.

F. APPOINTMENT: To receive an appointment, a nominee must receive the votes of a majority of the members of the county legislative body eligible to vote on the appointment. No secret balloting shall be permitted. Each member's vote regarding the appointment process shall be recorded by the clerk and entered on the minutes of the county legislative body. A tie vote of the county legislative body regarding an appointment may be broken in the same manner that other tie votes of the body may be broken.

G. SUBSEQUENT BALLOT: In no one is elected on a given ballot, the nominee receiving the fewest number of votes will be dropped and the ballot will be cast again until a nominee is elected by the required majority of the membership. In the event of a tie among the persons receiving the fewest number of votes and leaving only one other person with votes, but without a majority, then a vote shall be taken excluding the

person with the greatest number of votes in order to break the tie among those with the fewest votes. Voting will thus continue until one person is elected.

RULE 8

APPOINTMENT OF BOARD MEMBERS, OFFICES, AND DIRECTORS

A. NOMINATIONS: To aid in the selection of nominees for positions, which must be filled by the Commission, the Rules Committee shall serve as the nominating committee. Other nominations may be offered from the floor after the nominating committee announces its nominee(s). When the Chairman is to receive nominations from the floor, a member may nominate only one per person. The floor will be kept open until every member has had an opportunity to make nominations or until a motion has been made and seconded that nominations cease and a majority of those present so vote.

B. APPOINTMENTS AND CONFIRMATION: When the Board is required or requested to confirm an appointee of the County Mayor (such as department head) then the name of such proposed appointee of those being considered for the position shall be read to the membership and discussion of each such appointee shall follow. In the event nominations are submitted for more than one position on the same board or committee where the incumbent board or committee members serve until their successor is appointed and confirmed, the appointing authority shall designate the name of each nominee separately and shall indicate which incumbent he/she will be replacing or shall otherwise clearly indicate which specific opening on the board or committee the person is being nominated.

C. ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by voice vote as each member's name is called by the Clerk. If the vote is on confirmation of an appointment each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the full Board is required for election or confirmation.

D. COUNTY SERVICE DIRECTOR: The county service office is created for the purpose of advising veterans of all wars and their dependents of all rights, privileges, immunities, and benefits to which they may be entitled under state and federal law. The County Commission shall appoint annually at its regular meeting in September a County Service Director as provided for in Section 58-3-109, TCA. The nomination and subsequent appointment of this position by the County Commission shall be for a term of one (1) year.

E. YOUTH SERVICES OFFICER: Youth Services Officers receive and examine complaints and allegations of delinquency for the purpose of considering whether proceeding against the juvenile should commence; make investigations, reports, and recommendations to the court and make predisposition studies and submit reports and recommendation to the court. The

nomination and subsequent appointment of this position by the County Commission shall be for a term of four (4) years.

F. COUNTY SAFETY DIRECTOR: The County Safety Director performs safety inspections and conducts safety committee meetings and report activities of the committee to the Commission of Labor and Workforce Development. The Safety Director will assist officials in the investigation of occupational accidents or illnesses and maintain OSHA and Committee records as required by the plan. The County Commission shall appoint annually at its regular meeting in September a County Safety Director. The nomination and subsequent appointment of this position by the County Commission shall be for the term of one (1) year.

RULE 9

COMMITTEE STRUCTURE OF BOARD

A. RULES COMMITTEE: 1. At its July meeting, the Board of County Commissioners shall elect nine (9) members of the Board of Commissioners to serve as a Rules Committee. No more than one member can be selected from any commission district.

2. This Committee may recommend, at the first meeting of the Board of Commissioners held on or after September 1st of each year, the nominations for chairman and chairman pro tempore of the Weakley County Commission. If no recommendations are made, nominations for these positions shall be made from the floor. The Committee shall also make nominations for each Standing and Other Committees and to fill other positions as required by law and these rules. Nominations may also be made from the floor and the Board of Commissioners shall vote on the nominations. The person nominated for chairman, chairman pro tempore and persons nominated for each committee or other position receiving the highest number of votes shall serve for one year or until their successors are elected.

3. The Rules Committee shall also have responsibility to consider and recommend a reapportionment plan for Weakley County to insure that the county legislative body, the board of education, and the highway commission are properly and legally apportioned as required by law. The committee shall recommend a plan based on the most recent federal census data available no later than December 31 of the year this information first becomes available. The committee may also recommend a reapportionment plan to the full commission at other times as deemed necessary and appropriate by the committee or at the request of the full commission. A request from the full commission shall be made by majority vote of the full membership of the commission.

B. STANDING COMMITTEES: The following standing committees are hereby established for the Board of County Commissioners, and said committees shall have authority to recommend to the County Commission on the following general areas of County government as well as such other matters as shall be assigned to them by the County Mayor or by the Board of Commissioners by special action:

1. FINANCE, WAYS AND MEANS - This committee shall deal with all fiscal matters including, but not limited to budgeting and appropriation of funds, purchasing, study and recommend ways and means of financing county programs, recommend an annual property tax rate, study and make recommendations on delinquent taxes, investment of available county funds and to study and make recommendations on any and all other fiscal matters which the citizens and the government of Weakley County should be concerned. This committee shall serve as the budget committee, investment committee, and purchasing committee under T.C.A. Section 5-21-105, being special committees authorized under the County Financial Management Act of 1981. This committee shall be responsible for the oversight of the Debt Service Fund. This committee shall consist of six (6) members.

2. PUBLIC SAFETY - This committee shall have the duty and authority to consider all matters concerning public safety in the County, especially with reference to the budget allocation to various departments of government dealing with public safety, including the operation of the Sheriff's department, the requirements of law enforcement and maintenance of the County Jail, and the needs of the County for places of incarceration of prisoners; long range needs of the County in the fields of public safety; the activities of constables and other law enforcement personnel and agencies within the County; cooperation with the Office of the District Attorney General and other law enforcement officials not directly under the control of Weakley County; and, any and all other matters dealing with or pertaining to the budget, allocation of funds to the various agencies responsible for public safety, ambulance service, administration of justice, care of prisoners, fire prevention, civil defense, emergency management, and animal control. This committee will also act as liaison to the Emergency Management 911 Board for Weakley County. This committee has the responsibility to oversee capital projects pertaining to the county jail. This committee shall consist of six (6) members.

3. PUBLIC WORKS - This committee shall deal with all public works, including, but not limited to, highways, bridges, waterways, sanitation and solid waste, litter and trash control. This committee shall have oversight of the Highway Fund and Solid Waste Fund and shall consist of six (6) members.

4. HEALTH, EDUCATION AND ECONOMIC DEVELOPMENT - This committee shall have authority to consider all matters concerning public health, education, and any matter dealing with the general operation of the county, especially with reference to the budget allocation to various departments of government dealing with these matters including the health department, the various social, cultural and recreational services, economic and community development services, agricultural and natural resources, veteran's services, elections, libraries and all operations of the Weakley County School System. This committee shall have the duty and authority to approve and oversee the construction, remodeling or purchasing of county buildings and property except roads, bridges, and the county jail. This committee shall the authority to approve and oversee maintenance of all county buildings, except the county jail and public works facilities. The committee shall have oversight of all school system activities and shall consist of six (6) members.

5. NURSING HOME - This committee shall have the duty and authority to consider all matters concerning the Weakley County Nursing Home. This committee shall consist of six (6) members.

6. PERSONNEL, LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS - This committee shall have the duty and authority to consider all matters concerning personnel including a study of job benefits, retirement, sick leave, advancement, hiring policies, job promotion and protection and qualifications for all employees of Weakley County.

This committee shall also have the duty and authority to review bills being considered by the state legislature and make recommendations to the Commission regarding the need to pass, defeat or support legislation, including private acts, which affect Weakley County. This committee shall review any interlocal agreements between Weakley County and other county or municipal governments. This committee shall consist of six (6) members.

C. OTHER COMMITTEES: The Rules Committee shall nominate and the County Commission shall appoint members to other committees as required by public or private act or as determined necessary by the County Commission. The following committees are established for the purpose specified.

1. FINANCIAL MANAGEMENT - This committee shall establish and approve policies, procedures, and regulations for implementing a sound and efficient financial system for administering the funds of the county. Such system must include budgeting, accounting, purchasing, payroll, cash management, and such other financial policies and procedures necessary to an efficient system as provided by the County Financial Management Act of 1981. The committee shall appoint a director of finance. The committee may dismiss the director subject to the approval of the county legislative body.

This committee shall be the liaison with the County Attorney on legal matters in which the County government may from time to time become involved. The Chairman of the Financial Management Committee shall confer with the County Attorney about such matters and convene the full committee when he deems it to be necessary. The Financial Management Committee shall recommend a person to serve as County Attorney at the regular January meeting of the Commission.

The County Commission shall elect four (4) persons at its regular September session of each year or at any subsequent session, as members of the county financial management committee, to serve along with the County Mayor, Highway Supervisor, and the Director of Schools. The four (4) elected members need not be members of the county legislative body. The committee elects its own chairman from its membership. The Director of Finance shall serve as ex officio secretary of the committee. The term of the members of the financial management committee elected by the county legislative body is one (1) year. The terms of the remaining members are coextensive with the terms of their respective offices. This

committee shall have primary responsibility to review and respond to comments and findings contained in the annual audit of Weakley County.

2. COUNTY BEER BOARD - This board has the authority to administer the laws relating to the sell of beer and like beverages in the county. The county beer board serves at the will and pleasure of the county legislative body which has the power to discharge the board and replace its members. The county beer board may grant, deny or revoke permits to sell beer within the limits of the authority granted by the statutes. This Board shall consist of five (5) members of the county legislative body or citizens of the county.

3. WEAKLEY COUNTY MUNICIPAL ELECTRIC SYSTEM BOARD - The County Commission may appoint seven (7) members to the Weakley County Electric System Board, five (5) of said members shall be persons from among the property holders of Weakley County and have resided therein for not less than one (1) year next preceding the date of such appointment. Two (2) of those appointed need not be property holders and residents of Weakley County, but must be and have been a customer of the Electric Service owned and operated by said County. Should any such non-resident member so appointed cease to be a customer of such Electric System, he shall thereby vacate such office, and a successor may be appointed as herein provided to fill such vacancy. Members shall be appointed for a term of four (4) years. In addition to the members so appointed, the County Commission may designate a member of said Commission to serve as an eighth (8th) member of the Board. Such member so appointed from the County Commission shall be for a term of four (4) years, but in no event to extend beyond his term of office as a member of the County Commission. Should a vacancy occur due to death, resignation or non-residency of a current member, the successor will be appointed to fill the remaining term of the retiring member.

A representative of the Board of WCMES or its General Manager shall give annually at the September Commission meeting a general activity report as well as a written financial report to the commission.

4. JOINT ECONOMIC DEVELOPMENT BOARD OF WEAKLEY COUNTY: Weakley County will be represented by five (5) citizens on the Weakley County Economic Development Board. Members of the Board representing the County must be full time residents of the County; nominated by the Health, Education and Economic Development Committee of the Commission and approved by a majority of the Board of County Commission at the regular June meeting of each odd numbered year. Members shall serve staggered terms of four (4) years. Three (3) members shall be appointed in June 2007 and two (2) members shall be appointed in June 2009.

5. EVERETT STEWART REGIONAL AIRPORT BOARD: Weakley County will be represented by three members on the Everett Stewart Regional Airport Board. Members of the Board representing the County must be full time residents of the County; nominated by the Chairman of the County Commission, after consulting with the County Mayor and confirmed by the County legislative body. One (1) of the County's appointees will have an initial one year term and the other two (2) members will have two year terms. At the end of

the first one year term, new appointees will have two year terms, thus creating staggering terms. One of the members must be a member of the County Commission.

D. LEGAL EVALUATION: All committee chairmen shall contact the County Attorney on matters appearing to warrant legal evaluation prior to presentation to the Board.

E. COMMITTEE JURISDICTION: Should questions arise as to jurisdiction of any committee it shall be referred to the Chairman and/or to the County Attorney for determination, subject to an appeal to the Board at its next regular meeting.

F. COMMITTEE PROCEDURES: The following procedure shall be followed pertinent to committee reports to the full Board of Commissioners and related action:

1. The Committee Chairman or a member designated by him/her shall make the presentation in an open meeting of the Board.

2. Upon completion of a report the speaker shall yield to questions.

3. Any items originating in a committee which requires action by the Board of Commissioners shall be handled as a motion or resolution per the procedures heretofore specified.

4. Each member of the Board of County Commissioners shall serve on one or more of the standing committees listed under B of this Rule, unless a member chooses not to serve.

G. OFFICER ELECTION AND DUTIES: Upon election of a Committee, the members of the Committee shall convene and elect a Chairman, Vice-Chairman, and Secretary from its membership and formulate rules for its operation not covered under general regulations pertaining to all committees. If a committee does not carry out the aforementioned requirement within forty-five (45) days the Chairman of the Board of Commissioners shall call the Committee into session before the next regular meeting date of the Board and serve as temporary Chairman until the Committee elects a Chairman and proceeds with its required business. The committee chairman is responsible for adequate and timely public notices of committee meetings. Secretary of the committee is responsible for keeping a record of minutes of all committee meetings. Such minutes, after approval, must be filed in the County Clerk's office.

H. COMMITTEE MEETINGS OPEN TO ALL BOARD MEMBERS: All committee meetings shall be open to the Board membership. Only duly elected members of the committee may be recognized by the Chairman; however non-members of the Committee upon request of a Committee member and an affirmative majority vote of the committee members present may appear before the committee.

I. AUTHORITY OF COMMITTEE: The role and jurisdiction of a Committee, other than is required by law, is to investigate and study matters, provide information, and present recommendations to the Board as generally described in the title of the committee and is more specifically defined in the subject areas listed under the title. Requests and recommendations pertaining to the subject areas are to be studied and reviewed by the committee charged with the responsibility for these before being presented to the Board of Commissioners. Any request or recommendations by a committee to the full commission must be passed by a majority of the committee membership.

J. VACANCIES ON COMMITTEES: Should for any reason one or more members of the committee vacate their position the Board shall fill those vacancies in the same manner as the original members at its next meeting.

K. REPORT AND REFERRALS: The committee to which a request or resolution has been referred shall make a report at the next regular meeting after its referral unless the Board has specified otherwise in its request or resolution. It is the responsibility of the Chairman of the Committee to see that this is listed on the agenda.

L. CALLED MEETING: If for any reason the Chairman of the Committee fails to call a meeting, the County Chairman of the Board of County Commissioners or any three (3) members of a committee may do so.

RULE 10

APPROPRIATION REQUESTS

All requests for appropriations in addition to those within the annual budget and all proposed amendments to the annual budget shall be submitted to the Finance, Ways and Means Committee which shall consider and recommend appropriate action to the County Commission. All requests for appropriations in the various funds of the county which are not itemized in the original fiscal year budget document shall indicate the total dollar expenditure requested for the current fiscal year and the source of revenue or reduction of expenditures to offset the appropriation. If the request is of a recurring nature over more than one fiscal year, estimates for the next two full fiscal years expenditures shall be given in the appropriation resolution. Requests for expenditures requiring the use of fund balance reserves to fund the appropriation, which were not included in the original budget appropriation, shall not be effective unless approved by a majority vote of the commission.

RULE 11

SUSPENDING THE RULES

Any rule or rules may be suspended by a two-thirds majority vote of the members of the Commission.

RULE 12

ROBERT'S RULES OF ORDER

All matters not covered herein shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition.

RULE 13

THE CHAIRMAN

A. ELECTION: Annually, at the first meeting held on or after September 1st, the Board shall elect a Chairman and a Chairman Pro Tempore. The Chairman may be one of the membership of the Board or the County Mayor. If the Board elects as its Chairman the County Mayor, and he/she accepts the position, then the County Mayor shall relinquish his/her veto power.

B. VOTING BY THE CHAIRMAN: The Chairman may vote only when authorized by law.

C. CALL TO ORDER: The Board shall be called to order by the Chairman. In the absence of the Chairman, the Chairman Pro Tempore shall preside. In the absence of the Chairman Pro Tempore, the Board shall be called to order by the County Clerk, and shall elect one of its members to preside over the deliberations.

D. SPEAKING: Should the Chairman desire to speak upon any subject either in the negative or the affirmative, he/she may do so, provided he/she vacates the chair. Whereupon the Chairman Pro Tempore shall preside until the matter under consideration is disposed of by the Board. However, the Chairman may answer questions, provide information, and give explanations from the chair, the Board not objecting.

E. PRESERVE ORDER: The Chairman shall preserve order and decorum. He/she may speak to points of order in preference to other members. He/she shall decide questions of order subject to an appeal to the Board of any member.

F. ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject the Chairman shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

G. MOTIONS: Once a motion has been made and duly seconded, the Chairman shall state the motion so debate on the motion may begin.

H. CLARIFICATION: The Chairman shall clearly state the question before the Board before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.

I. AGENDA: The Director of Finance will forward to each member of the Board the tentative agenda of the next meeting not less than five (5) days prior to meeting date.

RULE 14

THE CLERK

A. NOTICE: The Clerk shall notify each member of the Board of any special or called meeting not less than five (5) days in advance thereof. Notification of regular meetings and other notices required by law shall be made by the Clerk in the fashion prescribed by law.

B. MINUTES: The Clerk shall reduce the minutes of each Board meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes shall be prepared after each meeting and before the next scheduled meeting shall be placed in a well bound book for public inspection. A copy of the minutes of the last meeting shall be forwarded to each board member with the prepared agenda or meeting notice. The Clerk will maintain files of minutes of all standing and special committees.

C. RESOLUTIONS: A copy of all resolutions approved by the Board shall be submitted to the County Mayor by the Clerk after such approval, for his/her consideration and signature.

D. ROLL CALL: In all instance involving authorization to expend public funds, the Clerk shall call the roll for "yes" and "no" votes. In all instances where the roll is called for any vote, the Clerk shall make such roll call and vote of each member a part of the record of the meeting and include it in the official minutes.

E. CHANGE OF VOTE: It shall be the duty of the Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote. The Clerk shall also ask if any member who has voted wishes to change his/her vote. After allowing sufficient time for members to vote or change their vote the Clerk shall announce the results.

RULE 15

SHERIFF

The sheriff or a duly authorized deputy shall attend each session of the Board. That officer shall preserve order and carry out the orders of the presiding officer of the Board.

RULE 16

COUNTY ATTORNEY

The County Attorney, as an employee of the County, shall attend all meetings of the Board and prepare resolutions for action of the Board and respond to questions of the Board as well as perform such other duties as the Board, County Mayor, or other county officials require. The County Attorney shall further represent the County in all litigation pursuant to his arrangement with the County and on the authority of the Board of Commissioners, except when prevented by a conflict of interest or other ethical considerations. Annually at the first meeting of each year, the County Commission shall elect a County Attorney for a term of one year, or until his successor shall be duly elected and qualified, provided that no person shall be elected to said office of County Attorney unless he is a duly licensed attorney. The County Attorney shall also serve as parliamentarian for the County Commission. Except for opinions pertaining to matters under current or threatened litigation, any advisory opinion issued by the County Attorney at the request of any county official or any other person for which he/she is compensated with county funds shall be filed with the County Clerk and available for public inspection.

RULE 17

CONFLICT WITH LAW

In the event any of the foregoing rules are determined to be in conflict with statutory provisions, that part in conflict shall be null and void, but the remaining unaffected provisions shall remain in full force and effect.

RULE 18

AMENDMENT OF RULES

These rules may be altered, amended or repealed and new rules may be adopted by the County Commission only after the suggested change or modification is presented in writing to a regular meeting of the County Commission for consideration at the next following scheduled regular meeting of the County Commission, at which time it shall be voted upon and a majority is required for approval of such change or modification. Clerical defects, spelling, punctuation and other minor alterations may be made in the form of the resolution effecting such change or modification between the meeting at which the change or modification is first introduced and the next following regular meeting of the County Commission at which the change or modification is voted upon. Rule changes or modification may be acted upon only at regular meetings. Nothing herein shall be construed

to in any way affect the right of the Commission in session to suspend the rules upon two-thirds vote.

BE IT FURTHER RESOLVED, that if any section, clause or portion of this resolution should be declared invalid by any court of competent jurisdiction such action shall not affect the validity of the remaining portions of this resolution, but shall remain if full force and effect.

BE IT FURTHER RESOLVED, that all resolutions of this Board in conflict with this resolution are expressly recinded insofar as this Board has power to act, and that this resolution take effect upon passage, the public welfare requiring it.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:

SPONSORED BY:

ACKNOWLEDGED AND APPROVED:

Chairman, Rules Committee

Motion made by Commissioner Westbrook that the foregoing resolution be adopted:

Motion seconded by Commissioner Jones.

Upon being put to a roll call vote, Motion carried by a vote of 17 Yeas, 0 Nays, 0 Passed and 1 Absent.

ATTESTED:

Pat Scarbrough, County Clerk

APPROVED:

Richard Phebus, Chairman

This the 21st Day of September 2009.

APPROVED:

Houston W. Patrick, County Mayor

DATE: 09-22-09

VETOED:

Houston W. Patrick, County Mayor

DATE: