

**RULES OF PROCEDURE, CONDUCT, AND DECORUM AT  
MEETINGS OF THE  
SMITH COUNTY COMMISSIONERS COURT**

- I. All Regular, Special, Emergency, and Executive Session Meetings of the Smith County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meeting Act, Texas Government Code, Chapter 551.
- II. The Smith County Commissioners Court normally meets in the courtroom on the first floor of Smith County Courthouse Annex on Tuesdays at 9:30 a.m. Each meeting notice will be approved by the County Judge and posted at the Smith County Courthouse and on [www.smith-county.com](http://www.smith-county.com) pursuant to the procedures listed in the Texas Open Meetings Act, Texas Government Code, Chapter 551.
- III. With the exception of executive sessions (*i.e.* "closed meetings"), all meetings of the Smith County Commissioners Court are open to the public and to representatives of the media. Executive sessions of the Commissioners Court are not open to the public or media and only individuals requested or ordered to attend are allowed to attend.
- IV. The business of Smith County is conducted by and between the members of the Smith 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 open meetings of the Commissioners Court, participation is limited to that of observer unless a member(s) of the public is requested to address the Commissioners Court on an issue(s) or unless a Public Participation Form has been completed and submitted to Commissioners Court staff prior to Court. Public comment is limited to comments about an item or items on the Commissioners Court agenda for that particular meeting. The individual or individuals may comment either before or during the body's consideration of the item. However, the Commissioners Court may only discuss issues that are properly posted on the agenda.
  - A. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of three (3) minutes to make his/her remarks. The Commissioners Court staff or such other designated representative of the Commissioners Court shall maintain time for each speaker.
  - B. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Court shall be limited to thirty (30) minutes.
  - C. In matters of exceptional interest, the Court, by majority vote may suspend the time allocation.
  - D. While it is the intention of the Court to provide open access to citizens of Smith

County, members are advised that the 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 Smith County Commissioners Court possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code. Any member of the public shall conduct themselves with proper respect in speaking before the Court. Proper attire is mandatory when appearing before the Court. Any member of the public who does not conduct themselves according to these guidelines 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. Members of the public who desire to provide public comment allowed under these Rules of Decorum and require the assistance of an interpreter should contact Commissioners Court staff in person or by telephone at 903-590-4600 in a reasonable timeframe prior to the meeting to make such a request. The Commissioners Court, upon receipt of a request for an interpreter for public comments, will take reasonable steps to try and accommodate timely requests made by members of the public for an interpreter for the purpose of making public comments, but cannot guaranty that an interpreter will be available for all requests.
- F. The Smith County Commissioners Court is not a forum to publicly demean any group or individual. The Court will not 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. Any 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 the criticism of any act, omission, policy, procedure, program, or services. Proper attire for men, women and children is mandatory. Inappropriate attire includes, but is not limited to, items such as cutoffs, tank tops, shorts, suggestive or offensive t-shirts. 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 until such time as they comply with the Court's directive. 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. The County Judge is the presiding officer of the Smith County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the senior member of the Commissioners Court (in terms of number of years as

an elected representative) present at the Regular, Special, Emergency Meeting, or Executive Session, shall serve as the Judge Pro-Tem of the Court. However, nothing herein shall prevent the senior member of the Commissioners Court from delegating this duty to another member of the Commissioners Court. The County Judge or designated Commissioner, as presiding officer of the Court, is responsible for conducting all meetings.

VI. Special Rules for the Press and Media

- A. During all open Commissioners Court meetings, no media personnel utilizing equipment including lights, cameras, or microphones should be located on the Commissioners Court bench or in front of the bar, unless specially permitted by the County Judge, or presiding officer. The Press and Media have a designated area to the rear of the room, behind the last bench, where cameras may be set up. 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 should be conducted outside the Commissioners Courtroom 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.

VII. The Sheriff of Smith County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special, and Emergency Meeting of the Court. In the event of the absence of the Sheriff or a conflict of interest the Court shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.

VIII. At the discretion of the Commissioners Court, town meetings and public hearings may be conducted. The above rules of procedure, conduct and decorum shall apply to such meetings. Supplemental rules may be adopted at the discretion of the Commissioners Court in order to conduct such meetings in an orderly, efficient, and proper manner.

IX. These Rules of Procedure, Conduct, and Decorum at Meetings of the Smith 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.

**APPROVED THIS THE 23<sup>rd</sup> DAY OF MARCH, 2021.**

Nathaniel Moran

NATHANIEL MORAN  
COUNTY JUDGE

Neil Franklin

NEIL FRANKLIN  
COMMISSIONER, PRECINCT 1  
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Cary Nix

CARY NIX  
COMMISSIONER, PRECINCT

Terry Phillips

TERRY PHILLIPS  
COMMISSIONER, PRECINCT 3

Joann Hampton

JOANN HAMPTON  
COMMISSIONER, PRECINCT 4

ATTEST: Karen Phillips  
KAREN PHILLIPS, COUNTY CLERK