
ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY

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EPC BOARD POLICY – Number 1997-01

SUBJECT: EPC Rules of Order
EFFECTIVE DATE: January 17, 2008
SUPERSEDES: January 29, 1992 and March 20, 1997

Purpose: To provide a smooth and orderly functioning of the EPC Board meetings.

Policy: See attached.

Approved by: EPC Board

Approval date: December 13, 2007

**RULES OF ORDER
ENVIRONMENTAL PROTECTION COMMISSION**

- Rule 1. INTRODUCTION.** The purpose of these rules is to provide for the smooth and orderly functioning of the business of the Environmental Protection Commission and to provide a basis for resolving questions of procedure when they arise.
- Rule 2. STANDING RULES OF ORDER.** "The Roberts Rules of Order, Newly Revised," 1990 edition, are adopted as parliamentary authority for the conduct of all meetings of the Environmental Protection Commission except when they are inconsistent with these rules of order or any other provisions of law which apply to this Commission.
- Rule 3. QUORUM.** A quorum is the number of Commission members necessary to legally transact business. Four (4) Commissioners shall constitute a quorum. In the absence of a quorum, the following action may be taken:
- (1) adjournment;
 - (2) fix time to which to adjourn (continuance);
 - (3) take steps to obtain quorum.
- Rule 4. SEATING ARRANGEMENT OF COMMISSION MEMBERS.** The Chairman of the Commission shall be seated in the center seat of the dais, with the Vice Chairman seated at the immediate right of the Chairman to facilitate smooth transferal of the gavel when necessary. With the exception of seating for the Chairman and Vice Chairman, the balance of seating for the Commission will rotate according to the rotation of the Board of County Commissioners.
- Rule 5. PRESIDING OFFICER.** The Chairman shall preside at all meetings of the Commission. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of either the Chairman or Vice-Chairman, the Chaplain shall preside. In the absence of the Chair, Vice Chair, and Chaplain, a presiding officer shall be selected by majority vote of those Commissioners present. The Chairman and Vice-Chairman, and Chaplain shall be selected annually at the Board of County Commissioner's organizational meeting.

The presiding chairman of the Commission shall have the following functions:

- (a) determining that a quorum is present.
- (b) opening the meeting and calling the meeting to order.
- (c) recognizing members of the Commission to speak.
- (d) recognizing members of the general public or staff to speak.
- (e) putting to vote all questions which come before the Commission as motions.
- (f) deciding all questions of order.
- (g) refusing to recognize frivolous or dilatory motions.
- (h) refusing to recognize motions out of order.
- (i) adjourning meetings when there is a sudden emergency affecting the safety of the Commission and others.

The decision of the presiding chairman shall stand unless reversed by a majority vote of the members present after the proper motion has been made and seconded to reverse such decision.

Where matters of policy or position are concerned, the title "Chairman, Environmental Protection Commission" of Hillsborough County shall only be affixed by the Chairman on items where the Board has taken official action. The Chairman, or Vice Chairman in the

absence of the Chair, or Chaplain in the absence of the Chairman and Vice Chairman, is authorized to sign any documents approved by the Commission.

Rule 6. VOTING. Voting shall be done electronically. In case of electric failure, voting shall be done by voice. The Clerk will officially record the votes.

Rule 7. ABSTENTION. No Commissioner may abstain from voting on any matter before the Commission upon which official action is to be taken unless there is or appears to be a possible conflict of interest under the provisions of applicable laws. In such cases, said Commissioner shall comply with the disclosure requirements of State law.

If a Commissioner has a conflict with an item appearing on the consent portion of the Environmental Protection Commission agenda, that Commissioner does not have to pull the item for the purpose of abstention if prior to the vote on the consent agenda the Commissioner:

- (a) publicly discloses the nature of his interest in the matter from which he is abstaining and,
- (b) notifies the Clerk of the conflict.

The Commissioner must supply the Clerk with a completed Memorandum of Voting Conflict form within 15 days after the vote occurs.

Rule 8. MOTIONS. No matter may be officially acted on by the Commission unless a motion has been made by a Commissioner to take such action, and the motion has been seconded by another Commissioner. Motions require a majority vote of those members present for passage.

When a motion has been made and seconded, the presiding chairman shall conduct debate on the merits of the motion. The presiding chairman shall first recognize Commissioners to speak on the question, and then shall recognize members of the staff and general public to speak on the question. The presiding chairman shall have the authority to close debate and call for a vote on the motion as long as no other Commissioner wishes to speak. Debate can also be closed upon motion being approved by the majority of the Commissioners present.

Rule 9. SUBSIDIARY MOTIONS. These are applied to original motions in order to more appropriately dispose of the original motions. The following subsidiary motions are listed in ranked order from highest to lowest:

- (a) Lay on The Table.
- (b) Previous Question.
- (c) Limit or Extend the Limits of Debate.
- (d) Postpone To a Certain Time.
- (e) Refer or Commit.
- (f) Amend.
- (g) Postpone Indefinitely.

When such motions are made and seconded, the subsidiary motion supplements the original motion and, with the exception of the first three, must be decided by a majority vote before the original motion can be acted upon. Motions to Lay on The Table, the Previous Question, and to Limit or Extend the Limits of Debate must pass by a two-thirds vote.

Rule 10. PRIVILEGED MOTIONS. These motions are of such great importance that they take precedence over all other motions and questions and are not debatable. These motions include:

- (a) fixing a time to adjourn.
- (b) adjournment.
- (c) taking recess.

Rule 11. RECONSIDERATION. A motion to reconsider any vote or proceeding of the Commission on the same matter at the same meeting may only be made by a Commissioner who has previously voted on the prevailing side.

In the event of a tie vote any commissioner may move the matter for reconsideration at the next ensuing meeting of the same type at which all members of the Commission are present. No item may be reconsidered unless a motion has been made and seconded and a majority of the Commission votes to so reconsider.

RENEWAL. Upon motion by any Commissioner, the Commission may consider an action that did not pass in a prior meeting.

Rule 12. AGENDA AND ORDER OF BUSINESS. An agenda of matters to be discussed by the Commission shall be prepared by the Executive Director. The agenda shall be made available to the public a reasonable time before the Commission meeting. In cases of special circumstances or emergencies, those items not on the agenda may be acted upon by the Commission. However, in response to unscheduled agenda items, the Commission shall either defer the issue to the end of the agenda, or to a subsequent meeting. A portion of the agenda shall be designated as a consent agenda and all items contained therein may be voted on with one motion, except that any Commissioner may withdraw an item from the consent agenda and it shall be voted on separately. Additions, deletions, or corrections to the agenda may be considered by the Commission and adopted by the passage of a single motion.

Rule 13. SCHEDULING OF AGENDA ITEMS. The Executive Director has the primary authority and responsibility for determining subject matter appropriateness relative to the scheduling of all agenda items before the Commission. Accordingly, the Executive Director's office will screen all agenda scheduling requests. Commission members may request that items be placed on the agenda by forwarding written requests to the Chairman with copies to the Executive Director by 9:00 A.M. on or before the Tuesday-preceding the week of the next Commission meeting. Commission members shall not pull their individual items as exceptions for time certain, with all Commissioners' items being addressed in the same time frame on the agenda. Members of the Commission may raise before the Commission substantive, unscheduled agenda matters only in instances where the Executive Director has been provided with prior written notice thereof not later than 3:00 P.M. on the Friday preceding the regular Commission meeting held the following week.

Rule 14. REGULAR MEETINGS. Regular meetings of the Commission shall be on the 3rd Thursday of each month, convening at 9:00 A.M. except when a holiday conflicts.

Rule 15. SPECIAL MEETINGS. Special meetings of the Environmental Protection Commission may be called at any time by the Chairman, or by the Vice-Chairman in the absence of the Chairman. Notice of special meetings shall be in writing. The Clerk or his duly authorized representative shall serve each Commissioner with notice of a special meeting at least 24 hours before the meeting. Said notice shall state subject matter(s) to be discussed at the special meeting. No business shall be transacted at a special meeting other than the subject matter contained in the notice.

- Rule 16. EMERGENCY MEETINGS.** Emergency meetings of the Environmental Protection Commission may be called at any time by the Chairman, or the Vice-Chairman in the absence of the Chairman. Public notice given shall be that which is the most appropriate and effective under the circumstances. Minutes of emergency meetings must be kept in the same manner as those for regular and special meetings.
- Rule 17. WORKSHOP MEETINGS.** The Chairman, or Vice-Chairman in the absence of the Chairman, may call a workshop meeting to discuss items of special importance or complexity to the Commission. The purpose of a workshop is to allow staff to make presentations and to allow questions by the Commissioners. Public comment will be at the discretion of the presiding chairman, but will be no more than three (3) minutes for each person unless the presiding chairman wishes to extend the time limit. An agenda of the order of business at the workshop meeting shall be prepared by the Executive Director and made available to the public a reasonable time before the workshop meeting. Official action may be taken upon any of the items discussed at the workshop meeting and any of the items of official business that require immediate consideration and decision by the Commission.
- Rule 18. BRIEFINGS.** Briefings may be called by the presiding chairman or by a majority of the Commission present and voting. The Briefings will involve staff presentations and questions by the Commissioners. The Commissioners will take no action on any item at a Briefing and there will be no input participation from the public. Minutes of Briefings will be kept in the same manner as for regular and special meetings
- Rule 19. PUBLIC HEARINGS.** Public Hearings will be held as necessary to receive public comment on matters of special importance or as prescribed by law. Notice of Public Hearings shall be as directed by Florida Statutes and applicable law. Public comment will be limited to three (3) minutes for each person unless the presiding chairman wishes to extend the time limit or unless otherwise provided for by statute.
- Rule 20. SPECIAL SESSIONS.** Meetings pursuant to Section 286.011(8) F.S. may be called by the Chairman or the Vice-Chairman in the absence of the Chairman, upon request of the Commission's attorney during a public meeting for advice regarding pending litigation. Reasonable public notice will be given of the place, time and persons who will attend. The attorney-client session will commence at an open public meeting where the beginning will be announced, with an estimate of the length of the session and the names of those attending and will conclude at a reopening of the public meeting to announce termination of the session. The entire session shall be recorded by a certified court reporter, no part being off the record, and shall be fully transcribed within a reasonable time and made part of the public record upon conclusion of the litigation.
- Rule 21. OPEN MEETINGS.** With the exception of special attorney-client sessions, all regular, special, emergency and workshop meetings, briefings, and public hearings of the Environmental Protection Commission shall be open to the public in accordance with Chapter 286, Florida Statutes.
- Rule 22. MINUTES.** Written minutes of all meetings of the Environmental Protection Commission shall be recorded by the Clerk. These written minutes shall be open for public inspection. Minutes of previous meetings may be circulated for corrections and studying by Commissioners as long as any changes, corrections or deletions are discussed during an official meeting and are duly approved by the Commission at said meeting. Written minutes shall also

be kept for "workshop" meetings by the Clerk.

Rule 23. RESOLUTION. All resolutions shall be in writing and shall embrace only one subject matter. Four (4) affirmative votes are required for passage.

Rule 24. ORDINANCES. The Environmental Protection Commission does not have the authority to adopt ordinances, but may submit proposed ordinances to the Board of County Commissioners for consideration.

Rule 25. RULES. All rules for implementation of the Act and amendments thereto shall be adopted at a public hearing following at least 10 days published notice, excluding Sundays and legal holidays. Proposed rules and amendments shall be available at the Executive Director's offices for public inspection and copying. All adopted rules and amendments shall be filed with the Clerk who shall make them available to the public.

Rule 26. APPOINTMENTS. Appointments to various boards made by individual Commissioners shall be confirmed by a motion adopted by the Commission.

Rule 27. PUBLIC COMMENTS. This agenda item is designed to furnish a public forum for citizens to address the Commission concerning matters of personal and general interest. Each person appearing under this section of the agenda will be limited to three (3) minutes per subject matter.

In response to issues raised during the public comment section, the Commission may either refer the issue to the Executive Director, or continue the items to the end of the agenda for further discussion.

Rule 28. WAIVER OF RULES OF ORDER. Any of the above rules of order, except those required by applicable law, may be temporarily suspended for the meeting in session by a majority vote of those commissioners present at said meeting.

Rule 29. AMENDMENTS. These rules of order may be amended by action of a majority vote of the Commissioners present at a regular or special meeting of the Commission; provided, however, such amendments shall not become effective until the same have received a like vote at a Commission meeting held two weeks hence.

Rule 30. EFFECTIVE DATE. These rules shall become effective immediately upon adoption by the Commission and shall supersede all other rules of Commission procedure previously adopted by the Commission.

- Approved - January 29, 1992
- Amended - March 20, 1997
- Amended - December 13, 2007