

BOARD MEETING PROCEDURES-SMITH COUNTY EMERGENCY SERVICES DISTRICT NO. 1

(Amended August 15, 2024)

1. MEETINGS

ALL MEETINGS OF THE BOARD SHALL BE HELD AT THE LINDALE VOLUNTEER FIRE DEPARTMENT, 308. E HUBBARD ST., LINDALE, TEXAS, UNLESS THE BOARD PRESIDENT, FOR REASONS STATED IN THE NOTICE OF THE MEETING, DESIGNATES ANOTHER PLACE LOCATED IN THE DISTRICT FOR THE MEETING TO BE HELD, TIME MEET TO BE HELD, THE MEETING PLACE SHALL BE ACCESSIBLE TO THE PUBLIC AND THE MEETING ROOM SHALL BE PHYSICALLY ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES.

ALL MEETINGS OF THE BOARD SHALL BE OPEN TO THE PUBLIC, UNLESS A CLOSED SESSION IS AUTHORIZED UNDER THE OPEN MEETINGS ACT.

A. Regular Meetings. Regular meetings shall be held on the third Thursday of each month commencing at 4:00 p.m. Changed by Resolution of November 21, 2024, from 6:00 p.m. Correction posted on the SAFE-D Website on September 15, 2026

B. Called Meetings. The Board President or any two members of the Board may call a meeting to consider and act on urgent matters that should not be delayed until the next regular meeting or to hear reports and discuss matters that the Board wished to explore in great detail, including but not limited to a budget or policy workshop, or to meet with members of the Lindale Volunteer Fire Department ("Fire Department") regarding issues of concern to the Fire Department or about the Fire Department. Called meeting shall be on the date and at the time stated in the notice posted for the called meeting.

C. Emergency Meetings. The Board President or Vice President may call an emergency meeting only if immediate action is required of the Board because of: (1) an imminent threat to public health and safety, including an imminent threat described herein; or (2) a reasonably unforeseeable situation, including: (A) fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm; (B) power failure, transportation failure, or interruption of communication facilities; (C) epidemic; or (D) riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence. Emergency meetings shall be held on the date and at the time stated in the notice posted for the emergency meeting.

2. AGENDA

A. Preparing the Agenda. The Board Secretary shall prepare an agenda for each meeting. A Board member or an officer of the Lindale Volunteer Fire Department may place an item on an agenda by submitting it in writing to the Board Secretary. A District tax payer may ask a Board Member to place an item on the agenda. However, it is within the discretion of the Board member as to whether the item is placed on the agenda. Items received by the Board

Secretary at least 24 hours prior to the posting deadline shall be included on the agenda. Items received less than 24 hours prior to the posting deadline may, at the discretion of the Board Secretary, be placed on the agenda or placed on the agenda for the next meeting.

Routine matters to be decided by the Board without discussion or debate may be grouped together and designated as "Consent Agenda" items.

B. Notice.

(1). Regular and Called Meetings. Except for an emergency meeting or emergency addition to an agenda as defined in Section 551.045 of the Government Code, written notice of the date, hour, place, and subject of each meeting held by the Board shall be posted as provided herein for at least 72 hours before the scheduled time of the meeting.¹

(2). Emergency Meetings or Emergency Addition to an Agenda. A written notice of the date, hour, place, and subject of each emergency meeting or subject of each emergency addition to an agenda shall be posted as provided herein at least one hour before the meeting is convened and shall clearly identify the emergency or urgent public necessity.²

Notice of an emergency meeting or emergency item added to an agenda shall be given to a member of the news media that has filed with the Secretary of the Board a request for notice and agreed to reimburse the District for the cost of providing notice.³ The request must identify the name of the news media entity, contact person, email address and telephone number.

(3). Posting Locations. The notice shall be posted by the Board Secretary in a place readily accessible to the general public at all times, at the Lindale Volunteer Fire Department and on the District's website.

(4). Subjects. The notice shall apprise the general public of the subjects to be considered during the meeting, identifying the subjects it will consider in open session and the subjects it will discuss in a closed executive session.

C. Dissemination of Materials to Board Members. The agenda and information received by the Board Secretary on an agenda item shall be copied and delivered to each Board

¹Government Code Section 551.043

²Government Code Section 551.045

³Government Code Section 551.047

member as soon as is practical after the agenda has been posted.

3. PROCEEDINGS.

A. Presiding Officer. The President shall be the presiding officer at all meetings. Provided however, the Vice-president shall preside over a meeting in the absence of the President and the Secretary shall preside over a meeting in the absence of the President and Vice President.

B. Call to Order. The presiding officer shall call a meeting to order promptly at the hour stated for the meeting, unless a quorum of the Board is not present. If a quorum is not present for a meeting, then the meeting shall be recessed and the items on the agenda shall be placed on the agenda for the next meeting.

C. Order Agenda Items are Considered. Ordinarily the presiding officer will follow the order of the agenda, but may call an item out of order as an accommodation to an invited guest or other person in attendance or to facilitate the orderly consideration of matters before the Board.

D. Consent Agenda. Routine items designated as "Consent Agenda" items may be decided by the Board without discussion or debate. However, if a member of the Board requests discussion or debate on any individual item listed as a Consent Agenda item, then the matter shall be considered and decided separately as directed by the presiding officer.

E. Presentation of Agenda Items. The presiding officer may present an agenda item or call on another person to present the item. If someone other than a Board member is recognized to present an item, the speaker shall move to the podium, state his or her name, the agency represented, if any, and present the item from the podium. The speaker may be questioned by Board members and shall remain at the podium until excused by the presiding officer.

F. Public Participation on Agenda Items. A member of the public who desires to address the Board regarding an item on the agenda for an open meeting, shall be allowed to address the Board regarding the item. After an item is presented but before the Board discusses or votes on the item, the presiding officer shall identify members of the public who wish to address the Board regarding the item. When a member of the public is recognized by the presiding officer, he or she shall move to the podium, state his or her name, the agency represented, if any, and address the Board regarding the item. A five minute time limit will be imposed on each speaker. Provided however, if more than five members of the public wish to address the Board on an item, then each speaker shall be limited to three minutes, and if more than ten members wish to address the Board on any item, then each speaker shall be limited to two minutes. The presiding officer may ask members of the public not to repeat comments made by other members of the public. The speaker may be questioned by Board members and shall remain at the podium until excused by the presiding officer.

UNLESS RECOGNIZED BY THE PRESIDING OFFICER, A MEMBER OF THE PUBLIC SHALL NOT SPEAK NOR OTHERWISE INTERRUPT A MEETING. A MEMBER OF THE PUBLIC WHO CONTINUES TO SPEAK OR INTERRUPTS A MEETING AFTER BEING WARNED BY THE PRESIDING OFFICER MAY BE REMOVED FROM THE MEETING.

G. Action by the Board in Open Meeting. After an agenda item has been presented and members of the public have been given an opportunity to address the Board on the matter, then the presiding officer shall permit the following proceedings:

TYPES OF MOTIONS

1. Main Motion: Motion to act on the agenda item. "I move to..."
2. Motion to Amend: Amends a main motion, if there is a second. "I move to amend the motion by adding..., or striking..., or adding...and striking ..." Proceed on the amended motion, and if it is not approved then return to the main motion.
3. Motion for the Previous Question. If there is a second and approved, ends debate on a motion. "I move for the previous question." If the motion for the previous question was not the main motion, then return to the main motion.
4. Motion to Postpone: If there is a second and approved, delays a vote on a motion for a specified time. "I move to postpone until..." If the motion to postpone was not the main motion, then return to the main motion.
5. Motion to Table: Kills a motion. "I move to table the motion." If not the main motion, then return to the main motion.

EVERY MOTION HAS 6 STEPS

1. Motion: A Board member makes a motion.
2. Second: Another member seconds the motion.
3. Restate motion: The presiding officer restates the motion.
4. Debate: The members debate the motion.
5. Vote: The presiding officer restates the motion, and then first asks for affirmative votes, and then negative votes. Any member may ask for a roll call vote.
6. Announce the vote: The presiding officer announces the result of the vote and any instructions.

If the board is in obvious agreement, the presiding officer may state, "If there is no objection, we will adopt the motion to..." Then wait for any objections. Then say, "Hearing no objections, (state the motion) is adopted." And then state any instructions. If a member objects, first ask for debate, then

vote and then announce the vote.

REQUESTING POINTS. Certain situations need attention during the meeting, but they don't require a motion, second, debate or voting. It's permissible to state a point during a meeting where the presiding officer needs to handle a situation right away.

Point of Order: Draws attention to a breach of rules, improper procedure, or breach of established practices.

Point of Information: A member may bring up an additional point or additional information so that the members can make a fully informed decision.

Point of Inquiry: A member may use ask for clarification in a report or regarding a motion to make better voting decisions.

Point of Personal Privilege: A member may use Point of Personal Privilege to address the physical comfort of the setting such as temperature or noise. Members may also use it to address the accuracy of published reports or the accuracy of a member's conduct.

H. Decorum and Debate. The presiding officer is responsible for maintaining order at all times. The following rules of decorum and debate shall be observed:

Board members shall not interrupt one another or talk over each other, except to make a point of order or point of personal privilege.

The presiding officer shall allow for a full and robust debate of the issues but may impose reasonable time limits, provided each member is afforded equal time. A member may yield his time to another member.

Board members shall not use offensive language, accuse another member of wrong motives or deliberate misrepresentation, engage in name calling or hold a member up to contempt.

If a point of order is made regarding the conduct of member, the presiding officer shall call the member to order and the member shall be quiet unless permitted to explain. The Board, if appealed to, shall decide the point without debate. If the decision favors the member called to order, then the member may proceed. If not, then the member shall abide by the decision of the Board. Failure to do so may result in censure or punishment as determined by the Board.

I. Inquiry Made at Meeting. If a member of the public or a Board member inquires about a subject for which notice has not been given, then the presiding officer or a Board member recognized by the presiding officer may make a statement of specific factual information given in response to the inquiry or recite existing District policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal

to place the subject on the agenda for a subsequent meeting.⁴

J. Recordings. A person in attendance at a meeting may record all or part of an open meeting by means of a recorder, video camera, or other means of aural or visual reproduction.⁵ The recording equipment shall not be located or used in a manner that interferes with the meeting.

K. Executive Session. The Board shall convene in an open meeting before holding a closed meeting for which notice has been given. The presiding officer shall publically announce that a closed meeting will be held and identify the section or sections of the Open Meetings Act under which the closed meeting will be held.⁶ The presiding officer shall announce at the beginning and end of the closed meeting the date and time. No final action, decision, or vote shall be taken in a closed meeting.⁷

4. MINUTES OF OPEN MEETING AND CERTIFIED AGENDA OF CLOSED MEETING.

A. Minutes Required. The Board shall prepare and keep minutes of each open meeting. The minutes must identify the board members present, state the agenda item and subject of each deliberation, and indicate each vote, order, decision, or other action taken. The minutes shall reflect each motion made, who made and who seconded the motion, and the roll call vote on the motion if requested by a Board member. The minutes shall include any specific comments that a Board member directs to be included in the minutes regarding an agenda item.

The minutes should include the names of guests in attendance, the identity of each guest who speaks to an agenda item, the subject of the agenda item, and a summary of the comments made and action requested.

B. Preparation and Approval. The Board Secretary is responsible for preparing and keeping minutes of each open meeting. A draft of the minutes shall be completed within 14 days after the meeting and disseminated to each Board member. Discussion and possible approval of the minutes shall be on the agenda at the next regular or called meeting.

C. Minutes Available to the Public. The minutes of open meetings are public records and shall be available for public inspection and copying on written request to the Secretary of the

⁴Government Code Section 551.042

⁵Government Code Section 551.023

⁶Government Code Section 551.101

⁷Government Code Section 551.102

Board.⁸ Minutes of open meetings shall be published on the District's website.

D. Certified Agenda of Closed Meeting. The District shall keep a certified agenda of each closed meeting, except a private consultation with the District's attorney permitted under Section 551.071, Texas Government Code. The certified agenda shall include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and the end of the closed meeting indicating the date and time. The presiding officer shall certify that the agenda is a true and correct record of the proceedings.⁹

The certified agenda of a closed meeting shall be preserved by the District for at least two years. The certified agenda of a closed meeting is available for public inspection and copying only under a court order issued under State law.¹⁰

⁸Government Code Section 551.022

⁹Government Code Section 551.104(a) and (b).

¹⁰Government Code Section 551.104(c)