

Resolution 2022R-024

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
ADOPTING BOARD NORMS AND PROCEDURES**

WHEREAS, it is the intent and desire of the Douglas County Board of Commissioners (“Board”)¹ to conduct its business in an orderly, timely and fair manner; and

WHEREAS, there are certain basic rights of due process and opportunity to address issues with equity, fairness, and equal protection of the law; and

WHEREAS, certain parliamentary procedures have been found to be useful in order to assure that the communication and process of government are fair, reasonable, and just; and

WHEREAS, the County has a duty to proceed with the business of government in a timely, efficient and orderly fashion; and

WHEREAS, the Board desires to establish uniform norms and procedures in order to accomplish these goals (“Norms”).

NOW, THEREFORE, the Douglas County Board of Commissioners does hereby resolve as follows:

SECTION I: Act in the Public Interest

- A. Commissioners and staff shall recognize that stewardship of the public interest must be the primary concern.
- B. Commissioners will work for the common good of the people of Douglas County and not just their district or the political party or constituency that elected them.
- C. Commissioners will ensure fair and equal treatment of all persons, claims and transactions coming before the Board. Commissioners will not discriminate based on someone’s political affiliation, race, color, religion, age or handicap.

SECTION II: Advocacy

- A. Commissioners shall represent the official policies and positions of the Board when designated as delegates for this purpose.
- B. When representing their individual opinions and positions, Commissioners shall explicitly state they do not represent the Douglas County Board of Commissioners, nor will they allow the inference that they do. When Commissioners decide to communicate their individual opinions and positions, Commissioners must not use

¹ The Board of County Commissioners serves as the governing board of several agencies, including the Tahoe-Douglas Transportation District Board and any Douglas County Redevelopment Agency Boards. The terms “Commission” and “Board” refer to all of the agencies that the Board of County Commissioners serve as the governing board.

the title of "Commissioner" or refer to their position as an elected official when communicating with the public.

SECTION III: Role of the Chair

A. Authority of the Chair

1. The Chair, subject to an appeal to the full Board by a Commissioner, shall have the authority to streamline the business of the Board by either seeking clarification of motions which appear to be out of order or by ruling on any such motions. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is acting in good faith.
2. The Chair's position is as a leader among equals.

B. Chair to Facilitate Board Meetings

1. The Chair is the presiding officer at all Board meetings. In the Chair's absence, the Vice-Chair shall be the presiding officer.
2. All questions and remarks shall be addressed to the Chair.
3. The Chair shall decide all questions of order; subject, however, to an appeal to the Board.
4. As a courtesy to others and to ensure the effective use of the public's time, Commissioners, staff, and citizens desiring to speak will wait until the Chair has recognized them and has allowed them to speak. Once the Chair has recognized someone to speak, that person has the floor until they have finished their comments and turned off their microphone (the light is off) or the Chair has notified them that their time to speak has ended.
5. The Chair will allow other Commissioners to speak first on items before the Board and will then state his/her summary.
6. The Chair shall remind members of the public at the beginning of the meeting to turn off, or switch to silent mode, any electronic equipment such as pagers and cellular telephones.
7. The Chair shall make every effort to protect the dignity of citizens who wish to make comments to the Board at a public hearing. The Chair is encouraged to facilitate the public's respectful discussion of the issues and views before the Board and will discourage unauthorized remarks from the audience including applause, the stamping of feet, whistles, yells, shouting, or similar demonstrations on items that are for possible action by the Board. Citizens should have the ability to freely comment on items and projects that are brought before the Board for action without interference from other members of the public.

8. The Chair may designate a time limit for public comment. Upon the expiration of that time, the Chair shall inform the citizen that his or her time has expired and promptly move on to the next speaker or issue on the agenda. In the event a speaker is given additional time to conclude remarks, the Chair shall specify the amount of additional time given. The timer system shall be used for all public comment.
9. The Chair may call for a short recess in a Board meeting when deemed necessary. If a speaker becomes abusive, boisterous, or discourteous an immediate declaration may be made by the Chair that the Board is in recess. Upon reconvening the meeting, if the prior speaker attempts to resume speaking, the Chair may allow the speaker to complete the balance of the time granted by the Chair to comment or the Chair may inform the speaker that no further time will be granted to the speaker.
10. The Chair will represent the County and the majority opinion of the Board on all actions/positions taken by the Board.

SECTION IV: Role of the Commissioner

A. Commissioner Conduct in General

1. Commissioners shall treat everyone with courtesy and respect.
2. Inappropriate behavior is derogatory and damages the perception of the County.
3. While the Board is in session the Commissioners and County staff shall preserve strict order and decorum. No Commissioner shall delay or interrupt the proceedings of the Board or interrupt any other Commissioner, staff, or a member of the public while they are speaking. The Chair is responsible for ensuring every person has an opportunity to comment in an orderly manner.
4. Commissioners should give a signal to the Chair to indicate they want to speak. The Chair will acknowledge each Commissioner before they begin speaking and a Commissioner should not begin speaking until the previous speaker's microphone light is off and the Chair has recognized them.
5. Any Commissioner shall have the right to express dissent from, protest, or comment upon any action of the Board and have the option to enter the reason into the minutes such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."
6. Once a vote is taken on an issue, each Commissioner will individually support the law or policy made by the Board. If a Commissioner wants the issue to be reconsidered, he or she will inform the Board. When

possible, the Commissioners should attempt to reach a consensus on an issue. When this is not possible, the majority vote shall prevail. However, the Board shall respect the opinion of the minority.

7. Commissioners shall publicly share material information that they may have received from sources outside the public decision-making process that is relevant to a matter under consideration by the Board.
8. When a rumor is involved, it is that Commissioner's responsibility to not validate the rumor or repeat it to others. If a rumor affects the County, then the issue should be brought to the attention of the County Manager or Elected Official.²
9. Commissioners should allow everyone's opinion to be heard and respected, even if they do not win the vote or prevail on the issue. Strive for a win-win situation by respecting diverse opinions.
10. Commissioners will allow room for dialogue. When discussing an agenda item, Commissioners will allow the opportunity to dialogue with each other to build consensus on an item.
11. Any member of the Board may move to require the Chair to enforce the Norms and an affirmative vote of a majority of Commissioners present shall be required to do so.
12. Commissioners will dress and act professionally as representatives of Douglas County and its citizens.

B. Commissioner Conduct with One Another

1. Commissioners will value each other's time.
2. All Commissioners have the opportunity to speak and agree to disagree.
3. Commissioners will avoid negative comments that could offend other Commissioners during public meetings, in the press, or any other time.
4. Commissioners will practice civility and decorum in discussions and debate.
5. Commissioners will honor the role of the Chair in maintaining order.
6. Commissioners may disagree on issues and be on different sides of an issue, but they will always respect and value each other as individuals.

² Elected Officials are the County's constitutional officers and the other elected officers, including the Assessor, Clerk-Treasurer, District Attorney, Public Administrator, East Fork and Tahoe Justice Court Judges, Recorder, and Sheriff.

C. Commissioner Conduct with Staff

1. Commissioners should always feel free to speak directly with the County Manager on matters of interest or concern to them.
2. Commissioners shall respect and adhere to the County's form of government, which is a County, operating under a Board-Manager form of government, with the County Commissioners acting as the legislative body of the County. The Board is the visionary policy maker and staff is responsible for implementation of Board policies.
3. The Board, through a majority vote, directs the County Manager to implement Board policy decisions through the administrative functions of the County.
4. Commissioners shall treat staff professionally and be respectful of their time. Commissioners are encouraged to talk with staff, ask questions, and receive information, but will neither direct staff nor advocate that staff support the goals of individual Commissioners.
5. During public hearings, Commissioners shall allow staff to respond to questions from the Board without interruption and shall not be argumentative with staff. Commissioners may always ask for the factual basis for any recommendation staff has made to the Board, including recommendations from other agencies, such as the Douglas County Planning Commission.
6. Commissioners shall not publicly criticize an individual employee. Any criticism of staff shall be directed to the County Manager or appropriate Elected Official.
7. County Commissioners shall not get involved in administrative functions. The Board collectively establishes policies that are then implemented by the County Manager.
8. When possible, Commissioners shall seek answers to questions on an item on the agenda from the County Manager, Elected Official or Department Head prior to the meeting.
9. Commissioners will not get involved in personnel issues except during a closed session where personnel issues may be discussed. This includes labor negotiations, pay and classification issues, and all other forms of personnel matters. The single exception is the Board's performance reviews of the County Manager, which may include hiring, firing, changing compensation or benefits, disciplining, and other forms of personnel matters related to the position of County Manager.

10. If a Commissioner has a concern about a County department, County service, staff action, or an employee, the Commissioner should discuss the concern with the County Manager or appropriate Elected Official.

D. Commissioner Conduct with the Public

1. Commissioners will make the public feel welcome.
2. Commissioners shall not be partial, prejudiced, or disrespectful toward the public.
3. Commissioners should not make snappy or sarcastic comments to the public or to each other.
4. Commissioners shall treat members of the public equally and refer to citizens by their surnames or an appropriate title such as "Sir" or "Madame."
5. Commissioners must not make promises to the public on behalf of the Board.
6. Commissioners shall not debate issues with members of the public.
7. Commissioners will listen courteously and attentively to all public comments before the Board and the information presented by staff.
8. Commissioners will always clearly disclose whether they are representing the County or their own personal interests when they meet with members of the public.

E. Commissioner Conduct with Other Agencies

1. Commissioners shall clearly disclose whether they are representing the County or their own personal interests when they meet with the members of other agencies.
2. Commissioners shall project a positive image of the County when dealing with other agencies.
3. Individual Commissioners can lobby or discuss with other legislators, government officials, or developers issues that have been adopted by the Board or are Board policy. They should not represent themselves as the County if it is only an individual issue.
4. Commissioners shall show tolerance and respect for other agencies' opinions and issues and agree to disagree with them when necessary.

F. Commissioner Conduct with Committees

1. The Chair works through the committee chairs.
2. Commissioners shall treat all members of the Committees with appreciation and respect.

G. Commissioner Conduct with the Media

1. Commissioners shall never go "off the record," discuss inside information pertaining to closed session, personnel matters, potential or pending litigation, and the acquisition of any real or personal property when dealing with the media.
2. Providing background information is acceptable but Commissioners should attempt to utilize the County's Public Information Officer for any contacts with the media.

H. Obtaining the Floor

1. Members of the Board wishing to speak must first obtain the floor by being recognized by the Chair. The Chair must recognize any Commissioner who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Chair, a Commissioner holding the floor may address a question to another Commissioner and that Commissioner may respond while the floor is still held by the Commissioner asking the question. A Commissioner may opt not to answer a question while another Commissioner has the floor.
3. Once recognized by the Chair, a Commissioner shall not be interrupted while speaking unless called to order by the Chair or unless another Commissioner raises a point of order or personal privilege. If a Commissioner, while speaking, is called to order, they shall cease speaking until the question of order is determined and if determined to be in order, may proceed.

SECTION V: Role of County Staff

- A. County staff will provide written analysis and information on all agenda items prior to the Board meetings. Additionally, a copy of the materials provided to the full Board of County Commissioners, including technical reports, will be made available to the public.
- B. Staff will be available to answer questions of the Commissioners prior to and during Board meetings.

- C. Staff will respond to questions from the public during Board meetings when requested to do so by the Chair.
- D. Staff will not debate issues with the public or the Board.
- E. During Board meetings, staff shall turn off or switch any electronic equipment such as pagers and cellular telephones to a silent mode.
- F. Commissioners and staff who participate in meetings with outsiders should be apprised of any follow-up correspondence to that party, particularly if there is some controversy. The County Manager and all Commissioners should receive copies of all correspondence.
- G. Staff will remain objective on issues. Staff should not be an advocate for issues unless so directed by Commissioners but may make recommendations based on the information that is available. Staff should promote and assist the efforts of the Board.
- H. Staff will inform Commissioners as soon as possible of upcoming issues, particularly issues that will significantly impact the County and may be coming before the Board on short notice.
- I. If only one or two Commissioners feel something is controversial or a "hot" issue and it may come before the Board, the County Manager, or Elected Official will inform the Chair of the potential issue. It is up to the Chair to inform other members of the Board or provide direction to the County Manager or Elected Official.
- J. The County Manager will advise management to become more aware of and sensitive to potentially political or controversial issues coming before the Board.
- K. Staff will implement all Board policies as directed by the County Manager and staff will not implement any actions for the County without the prior approval of the Board and as directed by the County Manager.

SECTION VI: Role of the Public

- A. The Board will encourage members of the public attending the Board meetings to observe the same rules and decorum applicable to the Commissioners and staff.
- B. Members of the public desiring to speak during the public comment portion of a Board meeting may speak no more than three (3) minutes unless granted additional time by the Chair. Each person addressing the Board is given three (3) minutes to speak. Comments should be addressed to items within the jurisdiction and control of the Board of County Commissioners. The Chair may lengthen, consolidate or shorten the public comment period on action items at his or her discretion in order to conduct an efficient meeting.
- C. All speakers shall approach the podium when recognized by the Chair. Speakers shall sign in and state their name for the record. Members of the public shall only

speaking from the podium. Applause, stamping of feet, whistles, yells or shouting, and/or similar demonstrations are disruptive of the meeting.

- D. Public comments should be directed to the Chair, not to staff or the public. Members of the public shall not make any impertinent or slanderous remarks or become boisterous while addressing the Commissioners or while attending the Board meeting in a manner that impedes the Commissioners' ability to conduct an orderly meeting.
- E. Members of the public shall not be allowed to approach individual Commissioners while the meeting is in progress.

SECTION VII: Commissioner Requests

- A. All requests from Commissioners dealing with policy issues and those requests that may be construed as direction must be directed to the County Manager, except for general inquiries or questions. General inquiries or questions may be presented to the Elected Official, Department Head or key staff in the County Manager's Office. Commissioners will not direct employees or their activities.
- B. Any request from a Commissioner requiring financing or that may have an impact on the budget must go through the County Manager.

SECTION VIII: Presentations and Events

- A. Presentations by a Commissioner during a Board meeting are limited to the item or issue being deliberated. To ensure that the appropriate presentation equipment is available, Commissioners must provide the County Manager's Office with advance notice of their intent to make a presentation.
- B. When there is an accomplishment by one or two Commissioners, it is appropriate for them to be at the opening, groundbreaking, ribbon cutting, etc. to accept the recognition and acknowledgment along with County staff that worked on the project. All Commissioners will be informed of events, activities, groundbreakings, etc. and given the opportunity to attend. If it is a major event and if it is a County-wide accomplishment, particularly those that are positive and acknowledge the County's efforts, all Commissioners will be invited to be present.
- C. The Chair, County Manager, and each Commissioner may present a segment of the County's Annual State of the County Address. The presentations will be in their own style, such as a Power Point, lecture, etc.
- D. During public presentations, the Chair will be the person designated to represent the County. However, all Commissioners will be consulted prior to the presentation and may be asked to represent the County at various events and meetings.

SECTION IX: Board Agenda

- A. Any Commissioner or the Chair can place items on the agenda by contacting the County Manager.
- B. The County Manager, Commissioners, elected officials or staff can present agenda topics.
- C. To the extent possible, agenda items related to the Carson Valley portion of the County should be heard at the 1st Thursday meeting of the Board. Agenda items related to the Lake Tahoe Basin portion of the County should be heard at the 3rd Thursday meeting of the Board. There may be times when this general rule cannot be followed in order to conduct County business in the most efficient and expedient manner. Items pertaining to the entire County may be heard at either meeting, excluding planning matters or those that are required by Nevada law to occur at the County seat.
- D. Items on the consent calendar can be approved with one vote and should be agenda items that are:
 - a. Administrative in nature (follows existing rules, procedures, ordinances, regulations, or Board policy direction);
 - b. Do not require a public hearing;
 - c. Not ordinances;
 - d. Items already approved in the budget; and
 - e. Traditional and/or routine items.
- E. The County Manager will try to research ahead of time any controversial agenda item, what the issues might be, and try to avoid any “surprise” conflicts. In a democratic process it should be recognized that sometimes this is unavoidable.
- F. Commissioners will be given sufficient notice and preparation time for reviewing agenda materials. If substantial materials are presented at the time of the meeting by a proponent of the agenda item, the Board may, in its discretion and within the confines of the law, continue that agenda item until the next meeting.

SECTION X: Public Correspondence

- A. County letterhead with all Commissioners’ names will be used for responses to policy issues.
- B. County letterhead with County seal only will be utilized by individual Commissioners for responses to constituent letters, as long as it is not a policy issue, or as long as the Commissioner indicates it is his/her opinion, not the policy of the Board.
- C. Commissioners should respond to an e-mail inquiry if they are comfortable with the Board’s policy or position on the issue. If the Commissioner is not comfortable with

the Board's policy or position, the Commissioner should refer the inquiry to the County Manager.

- D. Commissioners may forward e-mails, correspondence, and phone calls and their responses to the County Manager's Office who will monitor any responses and track the request, suggestion, issue, etc.
- E. Commissioners shall be aware of and comply with the restrictions of the Open Meeting Law when e-mailing or electronically communicating with other Commissioners.

SECTION XI: Closed Session Confidentiality

- A. All proper matters discussed during Closed Sessions shall be private and confidential, and the disclosure by any person of the topics or details of such matters is expressly prohibited and may violate Nevada's Ethics in Government law.
- B. If a Commissioner feels it is necessary, then preliminary notes should be taken which should not be kept as the Board's permanent record. All Closed Session information, verbal or written, is confidential and private.
- C. Although Board meetings with the County's legal counsel to discuss labor negotiations or pending or threatened litigation may occur during a Closed Session, these meetings are exempt from the requirements of Nevada's Open Meeting Law (NRS Chapter 241) and any information obtained during these meetings must not be disclosed to any person.

SECTION XII: Compliance and Enforcement

- A. Commissioners have the primary responsibility to ensure that ethical standards are understood and met by every Commissioner and that the public can continue to have full confidence in the integrity of government. Commissioners shall abide by the terms of Nevada Revised Statutes Section 281A, Nevada's Ethics in Government law.
- B. The Chair and the Commissioners have the responsibility to intervene when the actions of any Commissioner is in violation of the Board's Norms or may be an ethical violation.

SECTION XIII: Administration

- A. The Commissioners will review and revise the Board Norms and Procedures as needed or every two (2) years.
- B. During Board discussions, deliberations, and proceedings, the Chair has been designated with the primary responsibility to ensure that the Commissioners, staff, and members of the public adhere to the Board's norms and procedures.

