

RESOLUTION 2023R-025

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 Commissioners¹ to conduct its business in an orderly, timely, respectful 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 shall work for the common good of the people of Douglas County.
- C. Commissioners shall ensure fair and equal treatment of all persons, claims and transactions coming before the Board.
- D. Transparency is crucial to the success of government and Commissioners must comply with the provisions of NRS Chapter 241, Nevada’s Open Meeting Law.
- E. Commissioners shall make all decisions in the best interests of the residents of Douglas County based upon all credible information including, but not limited to:
 - Relevant advisory board actions,
 - Facts and recommendations presented by County staff, and
 - Opinions and information provided by members of the public.

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 “Commissioner” and “Board” refer to all of the agencies that the Board of County Commissioners serve as the governing board.

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.

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 Commission 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 speak.
- 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 the speaker is given additional time to conclude his or her 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 Commission meeting when deemed necessary. If a speaker becomes abusive, boisterous, or discourteous an immediate declaration may be made by the Chair that the Commission is in recess. Upon reconvening the meeting, if the prior speaker attempts to resume, he or she can either be informed that the speaker's time has expired or will be allowed to complete the balance of the time granted by the Chair to comment.
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 allow everyone's opinion to be heard and respected, even if they do not win the vote or prevail on the issue. Commissioners should strive for a win-win situation by respecting diverse opinions.
5. When discussing an agenda item, Commissioners will allow the opportunity to dialogue with each other to build consensus on an item.

6. During a meeting of the Commissioners, 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...."
7. When a consensus on an issue is not possible, the majority vote shall prevail but the Board will respect the opinion of the minority. Once a vote is taken on an issue, each Commissioner will individually support the decision or policy made by the Board and will not criticize the Commissioners who voted with the majority or the policy decision by the Board.
8. If a Commissioner who voted in favor of a matter wants the matter to be reconsidered, the Commissioner has the duty to place the item on a future agenda for the Board's consideration within 30 days of the vote. A supermajority of the Commissioners must vote in favor of the reconsideration of the matter before it is considered by the Board.
9. 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.
10. 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
11. Any Commissioner 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.

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 derogatory comments or personal attacks of other Commissioners during public meetings, in the press, or any other time.
4. Commissioners will practice civility and decorum in discussions and debate.

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

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 act respectfully to each other.

C. Commissioner Conduct with Staff

1. Commissioners can 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 Commission-Manager form of government, with the County Commission acting as the legislative body of the County. The Board is the visionary policy maker and the County Manager is responsible for implementation of Board policies through County staff.
3. Commissioners shall not get involved in administrative functions or give direction to County staff except to the County Manager. The Board, through a majority vote, directs the County Manager to implement Board policy decisions. The County Manager is accountable to the Board collectively for the implementation of Board policy.
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 an individual Commissioner.
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. 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.
8. 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.

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

D. Commissioner Conduct with the Public

1. Commissioners will be welcoming to the public.
2. If a Commissioner holds a public event in another Commissioner's district, the Commissioner will provide a courtesy notice to their fellow Commissioner in advance of the event.
3. Commissioners shall not be partial, prejudiced, or disrespectful toward the public.
4. Commissioners should not make snappy or sarcastic comments to the public or to each other.
5. Commissioners shall treat members of the public equally and refer to citizens by their surnames or an appropriate title such as "Sir" or "Madame."
6. Commissioners must not make promises to the public on behalf of the Board.
7. Commissioners shall not debate issues with members of the public during public comment periods.
8. Commissioners will listen courteously and attentively to all public comments before the Board and the information presented by staff.
9. 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 Boards, Committees, and Commissions

1. The Chair works through the chairpersons to the advisory boards, committees, and commissions appointed by the Board.
2. Commissioners must treat all members of an advisory board, committee, or commission with appreciation and respect.

G. Commissioner Conduct with the Media

1. Commissioners shall never go "off the record," discuss confidential information, personnel matters, potential or pending litigation, or 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 Commission 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 should not advocate for issues unless directed by the Board 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 or Districts and may be coming before the Board on short notice.
- I. If only a Commissioner feels something is controversial or a "hot" issue and it may come before the Board, the County Manager, or an Elected Official, then the Commissioner will inform the Chair of the potential issue. It is up to the Chair to inform the County Manager or Elected Official of the potential issue.
- J. 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 speak 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 or the dais 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: Commission Agenda

- A. Any Commissioner can place items on the agenda by contacting the County Manager.
1. A Commissioner can discuss a potential agenda topic with the County Manager, District Attorney's Office, Department heads, or Chair at any time.
 2. Commissioners can request an agenda item "For presentation only" at the next regularly scheduled meeting of the Board.
 - a. The request should be submitted to the County Manager no later than ten business days before the next regularly scheduled meeting of the Board.
 - b. The County Manager will work with the District Attorney's Office on the language for the final agenda language consistent with Nevada's Open Meeting Law.
 - c. Any request may be used to gauge the support of the full Board for future consideration of Board action and helps direct and allocate staff time.
 3. Commissioners can request an agenda item "For possible action" at a future regularly scheduled meeting of the Board.
 - a. The request should be submitted in writing to the County Manager no later than 30 days before the next regularly scheduled meeting of the Board.
 - b. The County Manager will work with the District Attorney's Office on the final language consistent with Nevada's Open Meeting Law.
 - c. The County Manager will assist the Commissioner to provide a complete package of supporting materials to assist the Board in its decision-making process.
 - d. Deference will be given to existing processes such as Planning Commission review of revisions to Title 20, the number of required public hearings for an ordinance, etc. These may extend the timeline for the Board's final deliberations and approval.
 - e. If the requesting Commissioner does not concur with the proposed timeline, the Commissioner may submit an agenda item "For presentation only" as described above.

- B. The County Manager, Commissioners, elected officials or staff can present agenda items.
- C. 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
 - e. Traditional and/or routine items.
- D. 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.
- E. 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. 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.
- B. Commissioners shall be aware of and comply with the restrictions of the Open Meeting Law when e-mailing or electronically communicating with other Commissioners. Commissioners must avoid the use of “Reply All” in all electronic communications.

SECTION XI: Confidentiality

Commissioners may receive confidential information in their role as an elected County Commissioner. Confidential matters discussed during a closed meeting allowed under NRS Chapter 241, meetings with legal counsel to receive information regarding potential or existing litigation, and meetings related to labor negotiations which are protected from disclosure under NRS 288.220 must be kept confidential and no individual Commissioner may disclose the information provided to such Commissioner to a third party. The disclosure of the general topics or specific details of such confidential communications by a Commissioner is expressly prohibited and may violate NRS Chapter 281A, Nevada’s Ethics in Government law.

