

**DEKALB COUNTY BOARD OF ETHICS  
RULES OF ORDER AND PROCEDURE  
FOR PUBLIC MEETINGS**

**SECTION 1. OPEN MEETINGS.** All meetings of the DeKalb County Board of Ethics shall be held in accordance with the Georgia Open Meetings Law (O.C.G.A. § 50-14-1 et seq.). The public shall be granted access to all meetings at all times, except closed executive sessions and other gatherings held in accordance with legal exemptions from open meeting requirements.

**SECTION 2. QUORUM.**

- (a) *When quorum required.* A quorum must be present for conducting meetings and transacting business of the Board. It is the duty of the chair to enforce this rule.
- (b) *Definition of quorum.* A quorum is defined as four out of seven Board members. Alternate members count toward a quorum when appointed by the chair to participate in accordance with rule 8 of the Ethics Board Rules. If, after appointment of alternates, the total number of members eligible to vote on a particular item of business is five or fewer due to Board vacancies or recusals, a quorum will be the majority of that number.
- (c) *Absence of quorum.* In the event that there is no quorum present at the scheduled starting time for that meeting or motion, the chair shall wait 30 minutes to see whether a quorum will be present. If a quorum is not obtained after this waiting period, the chair shall adjourn the meeting. If, during the course of a meeting, a Board member or Board members leave such that a quorum no longer exists, the meeting may not continue. If a quorum is not re-established within 30 minutes, the chair shall adjourn the meeting.

**SECTION 3. OFFICERS.** The DeKalb County Board of Ethics shall have the following officers: Chair; Vice-Chair; and Secretary. Officers shall be elected by a majority vote of members present at a duly called meeting. Should any member holding such elected office cease being a member of the Board of Ethics, the office shall be vacated and a replacement officer shall be elected.

**SECTION 4. PARLIAMENTARIAN.** The Board's counsel shall serve as the parliamentarian for Board meetings.

**SECTION 5. PRESIDING OFFICER.** The Chair of the DeKalb County Board of Ethics shall serve as the presiding officer during Board meetings. The presiding officer is responsible for ensuring the orderly conduct of meetings and enforcing the rules of procedure adopted by the Board. In the absence of the Chair, the Vice-Chair shall preside. Where a quorum is present and neither the Chair nor Vice-Chair is present, the Board shall elect an acting presiding officer for that particular meeting from amongst those members present.

**SECTION 6. VOTING.**

- (a) *Majority.* Every member of the Board shall have the power to vote. Unless otherwise specified in the enabling legislation, the affirmative vote of a majority of members present shall be required for official action on any item.

- (b) *Motions*. All items of business which require Board approval or Board action, shall be acted upon only after a Board member makes a motion and receives a second to the motion. Each Board member, regardless of position, has the right to make or second any motion; provided that should the Chair make a motion and such motion receives a second, the Chair shall not serve as presiding officer for the duration of that particular motion.
- (c) *Debate*. Each Board member has the right to debate any and all issues which come before the Board for consideration. However, to ensure an orderly and efficient meeting, each Board member shall observe the following rules regarding debate:
- (1) The presiding officer, shall recognize a motion and call for a second.
  - (2) Once the item has been properly moved and seconded, the presiding officer shall call for discussion. If the motion is not seconded, the motion shall die for lack of a second.
  - (3) A motion that has been properly seconded shall then be open for debate or discussion. The presiding officer shall recognize each Board member who wishes to speak during this time.
  - (4) During debate, any Board member who feels that a vote should immediately be called on an item under discussion can "move to call the question" or "move the previous question"; however, this motion is out of order if it is made while another Board member has the floor or if the maker of the motion is not recognized by the chair. This is a motion that is not debatable and requires a second. If the motion has been properly made and seconded, the chair shall immediately stop debate, announce that there is a "call the question" motion on the floor and call for a vote on that motion. A two-thirds (2/3) vote is required to pass a "call the question" motion. If the motion passes, the presiding officer must immediately call for a vote on the original item. If the "call the question" motion fails, the presiding officer may allow debate on the original item to resume.
  - (5) Any motion under debate can be amended prior to final vote. The amendment must be germane to the main motion (e.g., improving or clarifying the original motion but not contrary to the original motion). A Board member wishing to amend shall make a motion to amend; however, if the maker of the main motion is agreeable to a "friendly amendment", no further formal action shall be required to cause the amendment. Otherwise, if the motion to amend is seconded, the presiding officer shall call for a vote. A simple majority is required to pass a motion to amend. If passed, the presiding officer shall declare that the main motion has been duly amended and thereafter, resume debate or vote on such amended motion.
  - (6) A motion may be tabled from being considered to a future specified meeting or postponed until a later time in the same meeting. The main motion can be brought back for consideration if a motion to resume consideration is passed by the Board during that same meeting; however, the motion will die if it is not taken up during the meeting. Debate is not allowed on a motion to table and the motion is not amendable.
- (d) *Abstention*. All members in attendance must vote for or against a motion unless he or she has a conflict of interest in which event the member shall abstain. Prior to abstaining, the

member shall disclose all relevant facts to the Chair regarding the conflict of interest. If there is any question as to the existence of a conflict of interest, the Chair shall seek advice from the Board's counsel. If Board counsel opines that there is a conflict of interest, the member shall abstain from any discussion or vote on the item. If Board counsel determines that there is no conflict of interest, the member shall proceed in the usual course.

**SECTION 7. DECORUM.** All Board members are expected to conduct themselves in a courteous and respectful manner. The Chair shall enforce the rules of decorum and if a Board member believes that a particular rule is being broken he/she shall raise a point of order when recognized by the Chair. A second on a point of order issue is not required, and the Chair may either rule on the question or allow the Board to decide the issue by majority vote. Any Board member shall have the right to express dissent from or protest against any resolution or action of the Board and have the reason entered into the minutes.

**SECTION 8. PUBLIC COMMENT.** The Board may designate a particular portion of the Agenda for public comment. Members of the public who wish to speak must first be recognized by the Chair. After being recognized, the citizen should identify himself/herself by name upon being recognized by the Chair. Members of the public are expected to adhere to the rules of decorum outlined herein and should be informed of such at the beginning of the public meeting by the chair. There should be no threatening, profane, boisterous, or other disruptive demonstrations which will disrupt the orderly flow of the meeting. Any person engaging in this type of behavior shall be ruled out of order by the Chair and subject to removal.

**SECTION 9. RULE AMENDMENTS.** Any proposed amendment to these rules shall be submitted to the Board no less than one week before a designated meeting. The proposed amendment shall be included on the Agenda for that meeting and distributed to all Board members and the Parliamentarian. All amendments require four affirmative votes by the Board for adoption.

**SECTION 10. ROBERT'S RULES OF ORDER.** Where a procedural question arises during a meeting and these rules are silent, the most current edition of Robert's Rules of Order, Newly Revised, may be consulted as a reference source. The parliamentarian shall make a recommendation for resolving the procedural question to the Board to follow.

Revised January 19, 2023