

TOWN OF FARMINGTON, MISSISSIPPI

AN ORDINANCE ADOPTING RULES OF ORDER OF THE MEETINGS OF THE BOARD OF ALDERMEN OF THE TOWN OF FARMINGTON, MISSISSIPPI

BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Farmington, Mississippi, that the following rules of Order of the Meetings of the Board of Aldermen of the Town of Farmington, Mississippi, are hereby adopted as an ordinance:

RULES OF ORDER OF THE MEETINGS OF THE TOWN OF FARMINGTON, MISSISSIPPI

I. AGENDA

- A. Town Clerk -- The Town Clerk shall maintain an Agenda according to law of the matters to be taken up at the next meeting of the Board of Aldermen.
- B. Content -- The Agenda shall be and contain a list of all items and matters to be taken u for consideration by the Board of Aldermen at their next meeting, which shall consist of: the approval or correction to and signing of minutes of preceding meetings; the financial report and list of bills to be paid from Clerk; reports of each Aldermen present, as to the affairs of their appointed positions; visitors with specific items of business; unfinished business; new business; personnel matters; and litigation.
- C. Method of Listing on Agenda -- The Mayor or Clerk or any Alderman may have placed any item on the Agenda, except for those items listed up to those of "visitors," in Paragraph I B, herein before, and the person placing such on the Agenda shall have his name listed beside same as the proponent, unless the proponent is a visitor, and the Agenda shall so specify, and the date that it is placed thereon.
- D. Time Limitation for Agenda Placement -- All items on the Agenda for Regular Monthly meetings shall be placed thereon no later than the close of the business day Monday, prior to the Regular Meeting, by contacting either the Town Clerk or the Mayor.
 1. Exceptions -- No matters not placed or sought to be placed on the agenda for a Regular Monthly meeting shall be considered, heard or taken up by the Board of Aldermen unless properly and timely placed thereon unless four-fifths (4/5) of all the Board of Aldermen approves same, and this is duly reflected thereafter in the Minutes of that meeting; otherwise, any action taken in such instances by the Board of Aldermen, Mayor or Clerk shall be void.
 2. Special Called Meetings or Recessed Meetings -- As to notice, time, and method, the Agenda or special called meetings or recessed meetings or adjourned meetings shall be set by the Clerk as required by law with all limitations and restrictions applicable thereto.

II. CONDUCT OF MEETING

A. Presiding Officer

1. Mayor – The Mayor shall be the presiding officer of each meeting of the Board of Aldermen except in the even of his absence, inability, refusal or declining so to preside.
2. Vice-Mayor – The Vice-Mayor shall act in the place of presiding officer when the Mayor is absent, unable to preside, declines or refuses to preside.
3. Other Presiding Officer – In the event of the absence, inability, refusal or declining so to preside of the Mayor and the Vice-Mayor if a quorum, being three-fifths (3/5) of all Aldermen is present, then a majority of the Aldermen present may select a presiding officer to preside over the meeting, unless a special election or appointment for Mayor is required by law therefore.
4. Not to Vote – The Presiding officer shall not vote except in the event of a tie.

- B. Time Limit – There shall be a five (5) minute limit of speaking on each matter on the Agenda by the proponent thereof, and a five (5) minute limit for all rebuttal, at which time the question on the matter shall then promptly be called by the Presiding Officer for a motion and a second, which is lacking either or both the matter shall fail to pass, but if properly moved and seconded, the matter shall be promptly called for a vote by the Presiding Officer and them promptly voted on. All votes on subjects including amendments thereto shall be deemed failed unless concluded at the most in twenty (20) minutes unless an exception is made to allow same by four-fifths (4/5) of the Aldermen present.

1. Time Keeper – The Clerk shall be the time keeper of the meeting, but in the event of the failure of the Clerk to properly keep time, call same or in the event of his/her inability, failure, refusal or declining to do so then any Aldermen or Mayor may do so, or they may vote by majority of those present to select someone else so to act.

- C. Groups – Where more than one (1) person other than the Town officials are present in a group to present the side of an issue only one (1) person, to be selected by the group as their spokesman, outside the meeting shall be allowed to speak on the subject, and that person's name shall be listed as a proponent on the Agenda unless the named proponent yields thereto.

- D. Failed Items – An item deemed failed to have passed shall not be placed on the Agenda again for two (2) months unless consented to by four-fifths (4/5) of the Board of Aldermen, nor shall a matter be placed on the Agenda more than four (4) times in any consecutive twelve (12) months unless allowed by four-fifths (4/5) of all Aldermen.

E. Persons Present at Meetings –

1. Elected Town Officials – All the elected officials of the Town may be present at meetings of the Board of Aldermen.
2. Non-elected Officials and Employees – All non-elected Town officials and employees may be present at meetings of the Board of Aldermen.
3. Persons with Business on Agenda – All persons acting as proponents with business on the Agenda may be present.
4. Visitors –
 - a. All resident visitors with no business on the Agenda of the Town of Farmington, Mississippi may be present.
 - b. Non-resident visitors with no business on the Agenda may be present.
5. Limitations of Numbers and Persons Present -- There shall be no more persons present at a meeting than is safely allowable for the premises, as may be determined by the State Fire Marshall, or by majority of the Board of Aldermen, whichever the lesser may be. In the event it shall be deemed that too many are present at a meeting then any number shall be asked to leave or removed, as is necessary, to bring the number to an amount not to exceed that safely allowable for the premises, as may be determined by the State Fire Marshall, or by majority of the Aldermen so as to peaceably conduct the meeting, whichever the lesser shall be. No exclusion of persons present shall be made, however, in violation of the Mississippi Open Meetings Laws, but when such exclusions are made they shall be in the following order: disruptive persons present; non-residents of the Town of Farmington; residents of the Town of Farmington, who are visitors, with no business on the Agenda; non-residents of the Town of Farmington with business on the Agenda, which has been conducted; and employees who have no immediate business for the rest of the meeting. Any disruptive persons as deemed by the Presiding Officer or by the Board of Aldermen may be excluded and the Power of the police may be invoked to lawfully enforce any necessary removals.

F. Adjournment – A meeting of the Board of Aldermen shall not be adjourned except on a motion, second and majority approval by the Board of Aldermen unless a three-fifths (3/5) be automatically adjourned if the lack of quorum continues uninterrupted for ten (10) minutes.

III. Conflicts – These Rules of Order shall be subordinate to any laws of the State of Mississippi, laws of the United States of America or decisions of Courts of competent jurisdiction in conflict herewith, otherwise to remain in full force and effect.

This Ordinance was passed on motion made by Alderman Martin King and seconded by Alderman Curtis Whittemore, with all Aldermen voting as follows:

NAME

VOTE

Don Harrison
Martin King
Curtis Whittemore
Charles Curtis
Sam Wiginton

Presiding Official
yes
yes
yes
yes

PASSED AND ORDAINED by the Board of Aldermen of the Town of Farmington, Mississippi, on this the 1st day of September, 1998, to be effective within thirty (30) days from the date hereof.

RAY HUGHES, Mayor

Don Harrison

DON HARRISON, Alderman and Mayor Pro Tempore

Curtis Whittemore

CURTIS WHITTEMORE, Alderman

Charles Curtis

CHARLES CURTIS, Alderman

Sam Wiginton

SAM WIGINTON, Alderman

Martin King

ATTEST:

Debora Holloway

DEBORA HOLLOWAY, Clerk

