



## **RULES OF PROCEDURE, CONDUCT, AND DECORUM AT MEETINGS OF THE CALDWELL COUNTY COMMISSIONERS COURT**

- I. All Regular, Special, Emergency, and Executive Session Meetings of the Caldwell County Commissioners Court will be called and conducted in accordance with the provisions of the [Texas Open Meetings Act, Chapter 551, Government Code](#).
- II. Regular, Special, and Emergency Meetings of the Caldwell County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, the press, or the media, and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.
- III. The Caldwell County Commissioners Court meets in Regular Session on the second and fourth Thursdays of each month. In order for a matter or issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners Court, a request must be submitted with the County Judge's Office by 5:00 p.m. on the Tuesday immediately preceding the next Regular Meeting of the Commissioners Court. In addition, the agenda item request must be approved by at least one member of the Commissioners Court or the County Judge. Since these items often require review by the Commissioner or Judge it is prudent to submit requests prior to Tuesday to ensure placement on the next agenda.
  - a. The County Judge may group routine items without controversy together on the Court's Voting Session Agenda as "Consent Items," which items may be approved by the Court on a single motion and vote.
    1. Prior to consideration of the "Consent Items" the County Judge, or presiding member of the Court, will honor any request from any Court Member that an item be removed from the Consent Items and separately considered by the Court.
    2. Each Voting Session agenda item may, after discussion, be designated as "Consent," if appropriate, and included in the consent motion of the appropriate Voting Session. However, any single Court Member may prevent an item from being included in the Voting Session consent motion.
  - b. Items that are likely to be discussed in Executive Session may be grouped on the agenda with an indication under which provisions of the Texas Open Meetings Act the Executive Session will be heard.

IV. The business of Caldwell County is conducted by and between the members of the Caldwell County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts, and/or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observers unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue (or issues) or unless the member (or members) of the public completes a Public Participation Form and Oath of Testimony and submits same to the County Clerk before the start of the meeting. A Public Participation Form and Oath of Testimony must also be submitted in order to address the Commissioners Court on any other matter. No action will be taken during Citizens' Comments, and no discussion will be had between the speaker(s) and the members of the Court. The Court does retain the right to correct factual inaccuracies made by the speaker(s) during Citizens' Comments. A sample of the *Caldwell County Commissioners Court Public Participation Form* is attached hereto as "**Exhibit A**" and the *Oath of Testimony* is attached hereto as "**Exhibit B.**"

- a. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of four (4) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.
- b. Maximum discussion on any agenda item shall be determined by the presiding officer using reasonable discretion in light of the circumstances at such time.
- c. In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for all members of the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.
- d. It is the intention of the Court to provide open access to the citizens of Caldwell County to address the Commissioners Court and express themselves on issues of County Government. Members of the public are reminded that the Caldwell County Commissioners Court is a Constitutional Court, with both judicial and legislative powers, created under *Article V, Section 1* and *Section 18* of the Texas Constitution. As a Constitutional Court, the Caldwell County Commissioners Court also possesses the power to issue a *Contempt of Court Citation* under *Section 81.023* of the Texas Local Government Code. Accordingly, members of the public in attendance at any Regular, Special, and/or Emergency Meeting of the Court shall conduct themselves with proper respect and decorum in speaking to and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women, and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting.



Refusal to abide by the Court's Order and/or continued disruption of the meeting may result in a *Contempt of Court* citation.

- e. It is not the intention of the Caldwell County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member or members of the Court, individually or collectively. Accordingly, profane, insulting, or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. These Rules do not prohibit public criticism of the Commissioners Court, including criticism of any act, omission, policy, procedure, program, or service. Violation of these rules may result in the following sanctions:
  - 1. cancellation of a speaker's remaining time;
  - 2. removal from the Commissioners Courtroom;
  - 3. a Contempt Citation; and/or
  - 4. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes, and Codes of the State of Texas.
- V. All members of the Court and public are expected to conduct themselves in a manner that demonstrates respect towards others and the Court itself. Behavior that impedes or disrupts the business of the Commissioners Court while Court is in session is prohibited and unlawful pursuant to *Texas Penal Code § 42.05*. It is the intention of Caldwell County Commissioners Court to attend to County business effectively and efficiently, without undue interruption. Cell phone usage during Commissioners Court is strictly prohibited. All cell phones, pagers, and other mobile communication devices should be in "silent" mode at all times while Court is in session.
- VI. The County Judge is the presiding officer of the Caldwell County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the designated Judge Pro-Tem of the Commissioners Court (appointed annually by vote of the Court) if present at the Regular, Special, Emergency Meeting, or Executive Session, shall preside. However, in the event that the Judge and Judge Pro-Tem are not present, nothing shall prevent the presiding officer from delegating this duty to another member of the Commissioners Court.
- VII. The presiding officer of the Commissioners Court is responsible for conducting all meetings in accordance with these Rules of Decorum and Procedure. The presiding officer shall conduct the meeting in the following manner:

- a. When an individual member of the Commissioners Court wishes to make a motion, the presiding officer shall first recognize the individual's right to speak. The individual may then make the motion. A second is then required prior to any discussion or debate on the matter before the Court.
- b. Only after the motion and second, the presiding officer repeats the motion and opens the floor to discussion of the motion. The maker of the motion speaks first, and the presiding officer allows proponents and opponents to alternate speaking if possible. A member who has not yet spoken has precedence over those who have already voiced an opinion. The presiding officer has the authority to end discussion if it becomes too personal or too longwinded by calling for a vote.
- c. A member may only make one motion at a time (*Parliamentary Procedures* are attached hereto as **Exhibit C.**) The presiding officer may decline to allow more than three motions (one main, two secondary) on the floor at one time; for example, one substantive motion and two motions to amend. When multiple motions are on the floor, the last motion made should be the first voted on.
- d. The presiding officer at the officer's discretion but in keeping with these rules, makes procedural rulings. The body may overrule the presiding officer's procedural ruling with a motion, second, and majority vote to do so.
- e. Three members of the Court constitute a quorum unless the Court is levying taxes, in which case four members constitute a quorum or unless the Court is canvassing an election, in which case only two members of the Court constitute a quorum. If a quorum is present, the Judge shall take a vote by asking for the "ayes" and "nays". Silence shall indicate an "aye" vote. Abstentions should be stated on the record. Approval of a motion is attained by a majority vote of all the votes cast when a quorum is present. The presiding officer shall announce the result of the vote.

VIII. Special Rules for the Press and Media:

- a. No media personnel or equipment including lights, cameras, or microphones will be located on the Commissioners Court bench nor closer than five feet (5') in front of the Commissioners Court bench.
- b. Reporters and media technicians are required to structure their movements, equipment set-up, and take-down and adjustments, etc., in such a manner as to not disrupt the Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.

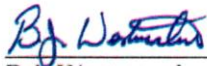


- c. Interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
  - d. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede, or disrupt the proceedings of any Regular, Special, Emergency, and/or Executive Session Meeting of the Court.
- IX. The Sheriff of Caldwell County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special, and Emergency Meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's Department, and the Commissioners Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, then in such event, the Court shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.
- X. From time to time, the Commissioners Court shall conduct town meetings and public hearings. These Rules of Procedure, Conduct, and Decorum shall also apply to such town meetings and public hearings; however, the Commissioners Court may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient, and proper manner.
- XI. These Rules of Procedure, Conduct, and Decorum at Meetings of the Caldwell County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.

**ADOPTED BY THE UNANIMOUS VOTE OF THE CALDWELL COUNTY  
COMMISSIONERS COURT on this 23<sup>rd</sup> day of September, 2025.**



Hoppy Haden  
Caldwell County Judge



B.J. Westmoreland  
Commissioner, Precinct 1



Rusty Horne  
Commissioner, Precinct 2

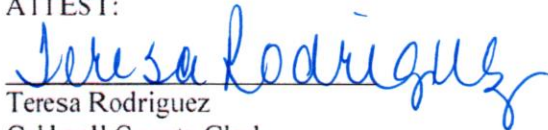
**ABSENT**

Ed Theriot  
Commissioner, Precinct 3



Dyrall Thomas  
Commissioner, Precinct 4

ATTEST:



Teresa Rodriguez  
Caldwell County Clerk



**EXHIBIT A**  
**Caldwell County Commissioners Court**  
**Public Participation Form**

Instructions: Fill out all appropriate blanks. *Please print or write legibly.*

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Home Telephone: \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Do you Represent any particular group or organization? \_\_\_\_\_

\_\_\_\_\_

Which agenda item (or items) do you wish to address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In general, are you for or against such agenda item (or items)? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

\_\_\_\_\_

NOTE: This **Public Participation Form** (along with the **Oath of Testimony, Exhibit B**) must be presented to the County Clerk before the start of the meeting.

**EXHIBIT B**  
**Caldwell County Commissioners Court**  
**Oath of Testimony**

**Have the witness choose an oath below. Witness must raise their right or left hand.**

*If unable to raise their right or left hand, ask the witness to repeat after me:*

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**Oath – Option One:**

I, \_\_\_\_\_ (*Print First and Last Name*), do solemnly,  
sincerely, and truly declare that the testimony I am about to give to this Court will be the truth, the  
whole truth, and nothing but the truth.

Signature: \_\_\_\_\_

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**Oath – Option Two:**

I, \_\_\_\_\_ (*Print First and Last Name*), do swear  
that testimony I am about to give to this Court will be the truth, the whole truth, and nothing but the  
truth, so help me God.

Signature: \_\_\_\_\_



## EXHIBIT C

### PARLIAMENTARY PROCEEDURES

#### Motions

Any member of Commissioners Court during the addressing or discussion of an action Agenda Item may "move that some type of action or inaction be taken by the Court" and another member of the Court would need to "second" the motion before it could be debated and voted upon. While a motion is on the floor and being debated, any member of Commissioners Court may make the following motions:

#### **I. Primary Motions**

- a. **Motion to Amend** – "Move that the original motion be amended" (to add new wording) and another member of the Court would need to "second" the amendment before it could be debated and voted upon. The vote would be on the amendment first. If the amendment passed, then a vote on the original motion with the amended wording would be in order. If the amendment failed, then a vote on the original motion with original wording would be in order. No more than one amendment may be on the floor at any one time.
- b. **Recommend New Wording or Friendly Amendment** – Recommend a change in the wording of the original motion and if the member of the Court who moved the original motion and the member of the Court who seconded the original motion agrees then the original motion is changed or corrected. Debate and voting would continue without any minutes, record, or mention of the original wording.
- c. **Motion to Postpone** – Move to postpone any Agenda Item to a later point in time in the current meeting. This motion needs a "second".
- d. This motion is not debatable; however, each member of the Court may quickly express their thoughts within a few seconds.
- e. **Motion to Table** – "Move to table to a date certain or if no date is given then the table will be indefinitely. This motion needs a second and is debatable before a vote is taken.
- f. **Call the Question** – Call "question" which means that member of Court is ready to vote. This statement does not require any action. It is only a readiness to vote signal.

- g. **Motion to End Debate** – “Move the question” is an action motion to stop debate and it does need a “second” from another member of the Court. This motion once seconded is not debatable. A vote must be immediate and if it passes then debate will cease and then the original motion or amendment must be voted upon. If the “move the question” motion fails, then debate will continue.

## **II. Supplemental Motions**

- a. **Motion to Refer** – “Move to refer the Agenda Item to staff or legal counsel” for further research, information, or review may be used often in Commissioners Court. This motion or amendment requires a “second” and may be debated before a vote is taken. This motion or amendment would be handled just like a regular action motion or amendment as described above. A successful motion to refer will be placed on a future Agenda once the research and/or review is completed.
- b. **Motion to Reconsider** – This motion may be made at any time during a meeting to reconsider an Agenda Item already approved or disallowed earlier in the agenda.
- c. **Motion to Adjourn** – “Move to adjourn” is a motion that may be made when an Agenda Item is not being addressed. This motion requires a “second” and may be debated before a vote is taken.

**Agenda Order:** The presiding officer may take Agenda Items out of order to accommodate agenda speakers and requests from the Commissioners Court. No vote or further authority is needed, however once an Agenda Item is addressed, it must be concluded.

**Recess:** The presiding officer may recess the meeting for up to two (2) hours without a motion or a vote. For Commissioners Court to recess for more than two (2) hours a “move to recess until a specific time” is required along with a “second.” This motion may be debated before a vote is called. The maximum extension of any recess shall be only until a specific time, the very next day. This recess order or motion would normally be acceptable only when an agenda item is not being addressed. However, if the Court needs to leave the Courtroom to physically view an agenda item for better understanding, then it would be acceptable.