

SCHEDULING YOUR MEETINGS

All public bodies formed under Title 82 of the State of Oklahoma statutes are subject to compliance with the Oklahoma Open Meeting Act (Title 25 of the Oklahoma Statutes).

Notice of Regular Scheduled Meetings

Annual Notice

- (1) All public bodies shall give notice in writing by December 15 of each calendar year of the schedule showing the date, time and place of the regularly scheduled meetings of such public bodies for the following calendar year.
- (2) All multi-county, regional, area-wide or district bodies, including, but not limited to, district boards of education shall give such notice to the county or counties served by such public body.
- (3) If any change is to be made of the date, time or place of regularly scheduled meetings of public bodies, then notice in writing shall be given to the county or counties served by such public body.
- (4) In the event any meeting is to be continued or reconvened, public notice of such action, including date, time and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting.
- (5) Special meetings of public bodies shall not be held without public notice being given in writing, in person or by telephonic means to the county clerk in the manner set forth in paragraphs 2 through 6 of the Oklahoma Open Meeting Act.
- (6) In the event of an emergency, an emergency meeting of a public body may be held without the public notice heretofore required. Should an emergency meeting of a public body be necessary, the person calling such a meeting shall give as much advance public notice as is reasonable and possible under the circumstances existing in person or by telephonic or electronic means.

THE AGENDA

Just as important as having rules that govern the conduct of your meetings, reasonable rules should also be established for the preparation, posting and use of your agenda. The procedures set out in the Oklahoma Open Meeting Act must be followed.

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the governing body shall, at least seventy-two (72) hours prior to each scheduled meeting, be delivered to the Town Clerk whereupon s/he shall immediately arrange a list of such matters according to the order of business and furnish

each member of the governing body and the city attorney with a copy of same prior to the meeting and as far in advance of the meeting as time for preparation will permit. Unless so submitted, none of the foregoing matters may be presented to the governing body except those of an urgent or emergency nature and the same shall be so presented only upon the approval of a majority of the governing body.

Suggested Procedures

Designate an individual to be responsible for the preparation of the agenda. The agenda may be prepared by a member of the board, manager, bookkeeper or some other person so designated by the governing body. (However, that person does not have the authority to censor items.) Governing Body members must be allowed to place items on the agenda. If the rules established by the board allow it, items may be requested by other persons such as the manager or a citizen.

Establish a lead time to allow the final preparation and posting of the agenda and make that time the final cut off. After that time, allow no item to be added to the agenda.

Preparing the Agenda

The Oklahoma Court of Appeals, Division No.2, has said: 'agendas (should) be worded in plain language, directly stating the purpose of the meeting, in order to give the public actual notice. The language used should be simple, direct and comprehensible to a person of ordinary education and intelligence.'

Thus the agenda items should clearly state what is the subject to be taken up and be detailed enough to give notice to a person interested in a particular item.

EXAMPLE: An agenda item, stating that the governing body intends to "discuss and interview applicants for a particular job, does not allow that governing body to employ a person at that meeting. If the governing body intends to employ a person at that particular meeting, then the agenda item should state: "To consider, interview applicants and employ a person for that particular job."

It is not sufficient for an agenda to contain a mere listing of topics or categories of business to be taken up. For example, an agenda item simply stating Contracts or Purchases or the like is insufficient. The information contained in the agenda excludes Saturdays and Sundays and holidays legally declared by the State of Oklahoma. As part of the advanced preparation, set a guideline as to the order of appearance. It is suggested, when there are controversial items to be discussed, that they are listed at the first of the meeting following the preliminary requirements.

The following sample agenda is one outline of what can be included.

Agenda for Day, Date

The board of trustees of the town of Bradley will meet at (time) on (day) (date) at (address) for a (regularly scheduled/special/emergency) meeting.

1. Order of Business (Regularly Scheduled Meeting)
2. Call to order.
3. Roll call, declaration of a quorum being present.
4. Consideration of the Consent Agenda. (The use of a consent agenda is optional. It is intended to speed up the process for considering routine items. See sample.)
5. Consideration of items removed from the Consent Agenda.

Public hearings

- a. Hearing on the creation of special assessment district No. 12.
- b. Authorizing the creation of special assessment district No. 12.

Approval of ordinances:

1. Proposed ordinance No. 22, amending the zoning ordinance to change the designation of Lots 2 and 3, Hawthorne Addition, from R-1 to R-3 use.
2. Propose ordinance No. 23, relating to the confinement of certain animals, imposing penalties for allowing certain animals to run at large.
3. Approval of resolutions:
4. A resolution commending Troop 21, Boy Scouts of America, for its waste paper collection drive.
5. Appearance or petitions from the audience. (Action may be taken on such requests if not known when the agenda was posted. Unless it is an emergency matter, the best policy may be to defer for further study.)
6. Reports of Committees, Boards, etc. (List reports to be considered.)
7. Consideration of written communications. (List reports to be considered.)
8. Unfinished business. (List items to be considered.)
9. New business. (List items to be considered.)
10. Remarks and inquiries by governing body members.
11. Adjournment.

Posting the Agenda

Display Notice of Meeting date, time, place and agenda at least 24 hours (excluding Saturday) Sunday and Holidays) prior to the meeting in a prominent public view at the principal office of the public body or at the location of said meeting if no office exists.

Presenting the Agenda

Even though an item is listed on the agenda, the governing body does not have to act at the meeting on the item. It can be postponed or deferred but must be listed on the agenda for the next meeting at which time the governing body expects to act. It is possible to

remove it from the agenda if the governing body feels it is an item that should not be discussed.

Once the Agenda has been finalized and presented to the members) then the board should work through the agenda item by item in the order listed. The order should not be changed except for very pressing reasons.

Order of Business:

1. It is suggested that each item appearing on your agenda be handled in the following order.
2. Announce the agenda item
3. Ask for or give any report on the item
4. Allow discussion on the item
5. Ask for motion
6. Ask for a second to the motion
7. Ask if there is any further discussion
8. Announce the motion and call for vote
9. Announce motion, adoption or failure
10. If the motion fails, call for a new motion and second. (Allow further discussion until a new motion is made)
11. Repeat the above steps until the item is dealt with
12. Move to next item
13. Executive Session

If the governing body goes into executive session, it must be for consideration of an item listed on the agenda unless it falls under the "new business" provision of the open meeting law.

The fact that the governing body is going into executive session should be listed on the agenda if it is known that an executive session will be held at the time an agenda is prepared.

After starting its meeting in the open, the governing body, by a vote of the majority of the quorum present, may go into executive session.

At the conclusion of the executive session, the governing body returns to an open meeting. No action can be taken in executive session. Any vote taken on the subject discussed in the executive session must be done in open meeting with the vote of each member cast and recorded in the minutes.

Consent Agenda

Place on it all items that appear to be of a non-controversial nature. Prior to consideration of the consent agenda, any member of the governing body may request that an item be

removed from the consent agenda and placed on the regular agenda. Approval of the items on the consent agenda are made by one motion.

Consent Agenda:

Agenda Item No. ___

1. All items listed under the Consent Agenda are deemed to be non-controversial and routine in nature by the governing body. They will be approved by one motion of the governing body.
2. The items on the Consent Agenda will not be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request that it be removed from the Consent Agenda and placed in its proper order on the regular agenda. It will then be considered at that time.
3. Approval of the minutes of the meeting of the governing body held on
4. Approval of payment of purchase orders numbered
5. Approval of payroll purchase orders.
6. Approval of contract for
7. Final acceptance of water line installed on Blocks 4 and 5 of New Town Addition.
8. Call for bids on the purchase of two police vehicles.
9. Approval of bonds or licenses.
10. Acceptance of reports.

MINUTES

The Oklahoma Open Meeting Act requires that minutes be kept of all meetings of public bodies subject to the Act. The Oklahoma Municipal Code further states that clerk of a city or town shall keep a journal of the proceedings for the governing body.

The minutes are the official record of the proceedings of the governing body and should be in sufficient detail to record the actions or decision of the governing body.

As a minimum, the minutes should:

1. State whether the meeting is a regularly scheduled, special or emergency meeting of the governing body. If it is an emergency meeting, the minutes should state the nature of the emergency and the reasons for declaring the emergency meeting.
2. State the time and manner of notice given of the meeting.
3. List the names of the members present and the members absent.

List in chronological order:

- The matters discussed by the governing body;
- The action taken by the governing body;
- How each member cast his or her vote on the action taken by the governing body in open meeting.

For example, the minutes on the adoption of an ordinance should contain:

1. An indication that the ordinance was on the agenda for approval;
2. A brief summary of the findings by the governing body that the ordinance was necessary (needed to mitigate anti-trust actions);
3. The name of the person making the motion adopting the ordinance and the name of the person seconding the motion;
4. The adopting motion (which should include the number and title of the ordinance adopted);
5. The vote of each member on the motion.

RESCIND AND EXPUNGE FROM THE MINUTES

On extremely rare occasions when it is desired not only to rescind action but also to express the strongest disapproval, a member may move to Rescind and Expunge from the Minutes (or the Record). Adoption of this motion requires an affirmative vote of a majority of the entire membership, and may be inadvisable unless the support is even greater. Even a unanimous vote at a meeting is insufficient if that vote is not a majority of the entire membership.

If such a motion is adopted, the secretary, in the presence of the assembly, draws a single line through or around the offending words in the minutes, and writes across them the words, "Rescinded and Ordered Expunged," with the date and his signature.

In the recorded minutes the words that are expunged must not be blotted or cut out so that they cannot be read, since this would make it impossible to verify whether more was expunged than ordered. If the minutes are published, the expunged material is omitted. Rather than expunging, it is usually better to rescind the previous action and then, if advisable, to adopt a resolution condemning the action which has been rescinded.

SUGGESTED PROCEDURES FOR THE CONDUCT OF A BOARD MEETING

CHAIRMAN: Determines if a Quorum is present.

Note: Before the presiding officer calls a meeting to order, it is his duty to determine although he need not announce that a quorum is present.

CHAIRMAN: If a quorum cannot be reached,
(1) Calls the meeting to order,
(2) Announces that a quorum has not been obtained,
(3) Entertains a motion to adjourn.

Note: The only action that can legally be taken in the absence of a quorum is to fix the time to adjourn, recess, or take measures to reach a quorum (to contact absent members would be such a measure).

CHAIRMAN: Announces in a clear voice. "The regular scheduled meeting of the Town of Bradley will come to order."

CHAIRMAN: Ascertains from Secretary. "Has public notice of meeting date, time, place and the agenda been posted 24 hours (excluding Saturdays, Sundays and Holidays) prior to meeting in prominent public view at our office or normal meeting place?"

CHAIRMAN: Directs Board Secretary to call the roll.

Note: The names of each board member are then called aloud by the secretary and recorded as present or absent in the minutes.

Procedures when Using Consent Agenda:

CHAIRMAN: "The items on the consent agenda will not be discussed." Any member of the board desiring to discuss any item on the consent agenda may request it be removed from the consent agenda and placed in its proper order on the regular agenda. It will then be considered at that time. "Are there any items to be considered for removal from the consent agenda?"

EXAMPLE:

BOARD MEMBER: "Mr. Chairman, I request that _____ be removed from the consent agenda for further discussion.

CHAIRMAN: "So noted." (The Chairman should then make a pencil note on his copy of the agenda in proper order to discuss the item removed from the consent agenda.)

CHAIRMAN: Entertains motion for approval of the Consent Agenda.

CHAIRMAN: "Would the Secretary read the minutes from our last meeting."

Note: The reading of the minutes can be dispensed with by a motion from a member of the board. The motion requires a second and a unanimous vote from the board.

CHAIRMAN: "I will now entertain a motion for the approval of the minutes."

Note:

- 1) Requires a motion from a member of the board,
- 2) Requires a second,
- 3) Requires a majority vote.

CHAIRMAN: Call for a review of the purchase orders.

CHAIRMAN: "You have reviewed the purchase orders. I will now entertain a motion for their approval."

CHAIRMAN: Entertains motion for approval of contracts.

CHAIRMAN: Entertains motion for authorization to call for bids on the purchase of

CHAIRMAN: Entertains motion for approval of bonds or licenses.

CHAIRMAN: Calls for reports of officers, boards and standing committees. (That is, permanently established.)

CHAIRMAN: Calls for reports of special (Select or Ad Hoc) committees. (That is, committees appointed to exist only until they have completed a special task.)

CHAIRMAN: Calls for appearances or petitions from the audience.

Note:

- 1) Action may be taken on such request if not known when the agenda was posted.
- 2) Unless it is an emergency matter, the best policy may be to defer for further study.

CHAIRMAN: Advises board of any written communications pending action.

Note: Items cannot be considered alone but must list subjects to be considered in detail.

CHAIRMAN: Ask for consideration of unfinished business.

Note: That is, matters previously introduced which have come over from the preceding meeting.

CHAIRMAN: Ask for consideration of new business.

Note: New business may be brought up without being listed specifically as an agenda item only if it arose within twenty-four (24) hours of meeting time. In all other cases post an amended agenda.

Executive Session:

The fact that the governing body is going into executive session should be listed on the agenda if it is known that an executive session will be held at the time an agenda is prepared.

After starting its meeting in the open, the governing body by a vote of the majority of the quorum present, may go into executive session. If the governing body goes into executive session, it must be for consideration of an item listed on the agenda unless it falls under the provision of the Open Meeting Act. At the conclusion of the executive session, the governing body returns to an open meeting. No action can be taken in executive session. Any vote taken on the subject discussed in the executive session must be done in open meeting with each members vote separately recorded in the minutes.

CHAIRMAN: Ask if there are any remarks or inquiries from the board.

CHAIRMAN: Ask for a motion to adjourn.

Terms and definitions

Parliamentary procedure--Set of rules for conducting a meeting in an organized and efficient manner". (NOTE: The knowledge of such techniques is essential to competent leadership development and vital to success of any organization)

Assembly--Gathering or group of persons for any purpose
 Majority--More than half of the votes cast
 Minutes--Records of the proceedings at a meeting
 Motion--Proposal that something be done; method of bringing a question before the assembly for consideration
 Chair--Title applied to presiding officer when performing duties
 Amend--Change the wording of a motion by adding to or taking from, by striking out or inserting, by both striking out and inserting, or by substituting
 Entertain--Chair recognizes a member for the purpose of making a motion
 Floor--Used to designate place from which a member speaks
 Commit--Refer questions or papers to a committee
 Debate--Procedure to allow expression of positive and negative views on a question
 Orders of the day--Regular order of business
 Decorum--Whatever is suitable or proper

Basic parliamentary procedure principles

1. One subject at a time
2. Full and free debate
3. Every member has rights equal to those of every other member
4. Majority rules but rights of minority are respected
5. Objective for the good of the group

Parliamentary procedures and possible meeting occurrences

PROCEDURES	POSSIBLE MEETING OCCURRENCES
Main motion	Introduce business
Postpone indefinitely	Defer a matter or kill it
Table	Defer action
Amend	Change or modify
Commit	Let a few attend to a matter
Previous question	Stop debate and order an immediate vote
Suspend the rules	Do something contrary to the by-laws or rules
Change the by-laws	
Withdraw a motion	Prevent a motion from being voted upon
Objection to consideration	Determine whether a question is in accordance with the by-laws or is relevant
Question of privilege	Ask a question or make a point of order
Adjourn	Dismiss a meeting
Fix a time to adjourn	Set a time for a further meeting
Reconsider the vote	Have an opportunity to vote a second time on a measure

Progression of a motion

1. Member rises and addresses the presiding officer. Example: "Mr. or Madame Chairman"
2. Member is recognized.
3. Member proposes the motion. Example: "I move that..."
4. Another member seconds the motion without rising or addressing the chair. Example: "I second the motion."

5. Presiding officer states the motion.
6. Assembly discusses or debates the motion.
7. Presiding officer takes a vote. Example: "Is there any further discussion? Since there is no further discussion, all in favor say 'aye' and those opposed say 'no.'"
8. Result of the vote is announced. Example: "The motion passes" or "The motion fails"

How to amend a motion

- A. Must have a bearing on the subject
- B. Say, "I move to amend the motion by..."

Duties of the chair

1. Decide the order of speakers
2. Refuse to recognize members that intend to obstruct business
3. Restrain speakers within the limits of the rules
4. Enforce good decorum
5. Appoint committees
6. Decide points of order
7. Vote in cases where the chair's vote will make or break a tie
8. Avoid influencing a vote by own comment on a motion

RULES OF CONDUCT FOR PUBLIC MEETINGS

When hearing remarks from citizens, the chairperson may limit the time of their discussion, such as 3-5 minutes. The proponents and opponents can be required to select a spokesperson. If there is only one person speaking, they can be allowed a longer time limit. As part of the pre-planning, determine which will occur first: remarks from citizens or remarks from the governing body. Hearing from citizens first gives governing body members an opportunity to think through the issue. The decorum of a meeting can be improved by addressing all persons as Mr., Mrs., Ms., or Miss.

(a) Any citizen wanting to speak before the governing body must sign the appearance request before the meeting begins. At the appropriate place on the agenda the chairperson will recognize those persons wishing to speak. Once such citizen has been recognized, s/he should state his/her name and address.

(b) All of the citizens' comments must directly pertain to the item on the agenda which is being discussed. Should any citizen's comments and conversation not pertain to the item, such citizen shall be asked to wait to make their comments when the governing body gets to that particular item on the agenda, or if no such item appears on the agenda, then their remarks shall be made when the governing body considers new business.

(c) Every citizen's conversation and comments shall be limited to five minutes discussion unless such time is extended or shortened by the chairperson.

(d) All questions and comments must be directed to the chairperson and no citizen may address and/or question any individual governing body member or staff member except with the permission of the chairperson.

(e) No gestures or activities intended to disturb the order and decorum of the governing body meeting shall be permitted.

(f) No citizen shall speak or comment so as to distract, disturb, or interrupt any other speaker but shall only make comments after the chairperson has recognized him/her and s/he has stated his/her name and address.

(g) Any citizen who shall wantonly disturb the lawful assembly of the governing body meeting shall be asked by the chairperson to leave the meeting and in the event that such citizen will not leave the public assembly and continues to disturb and disrupt such assembly, such person may be subject to removal from the chamber for disturbing the peace.

(h) No firearms are allowed inside the community building. Law enforcement officers are the only exception. (21 O.S. §1277)

(i) No intoxicating substances are allowed inside the community building. (37 O.S. §378)