

MARSHALL COUNTY COMMISSION

RULES FOR CONDUCTING PUBLIC MEETINGS

SECTION 1: GENERAL

- 1.1 SCOPE
This rule governs the public meeting of the Marshall County Commission; and supersedes and replaces any rules formerly adopted.
- 1.2 AUTHORITY
West Virginia Code §6-9A et seq and §7-1-2
- 1.3 EFFECTIVE DATE
January 1, 2021

SECTION 2: SESSIONS

- 2.1 The Marshall County Commission shall meet on the 1st Tuesday of January each year to set the date, time and place of its annual regularly scheduled meeting except when the 1st Tuesday is a holiday, then the meeting date of the 1st meeting in January shall be determined in the last meeting held in December. Said annual schedule will be posted as soon as possible after adoption on the front door of the courthouse and in the Office of the Marshall County Clerk, and sent to the news media.
- 2.2 In the event that a special meeting is necessary, the public and news media are to be notified at least 2 (two) days prior to any such meeting and will be posted at the front door of the courthouse; excluding Saturday, Sunday and Legal Holidays; and such notice shall include the time, location and purpose of the meeting, and/or a meeting agenda.
- 2.3 In the event of an emergency that requires immediate official action the notice shall be posted at the front door of the courthouse and news media shall be informed as soon as practicable, setting forth the time, location, reason for, and purpose of, the emergency meeting.
- 2.4 The Marshall County Commission will meet in regular session as determined by 2.1 above, in the event a regularly scheduled meeting falls on a Holiday, or there is some other conflict, this regularly scheduled meeting date for the meeting shall be determined at a previous meeting and posting and notice of the same will be given as previously stated.
- 2.5 All regularly scheduled meetings; special meetings and emergency meeting shall be open to the public.
- 2.6 The Commission, upon the direction of its presiding officer, may remove any member of the public from the meeting who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised.
- 2.7 The attendance within the meeting room shall be limited by applicable rules and regulations of the Fire Marshall. The Commission, when practicable, may change the venue for a meeting in the event that the meeting room is not large enough to accommodate the number of people wishing to attend or speak at the meeting. The change in meeting location shall be posted as soon as practicable in the same location as the meeting notice and agenda, and shall also be posted in the meeting room door. The start of the meeting may be delayed up to 30 (thirty) minutes to accommodate the relocation effort. When it is not practical to move the meeting, the attendance shall be permitted on a first come, first serve basis. If it is necessary to allow other persons in the room for purposes of hearing oral presentations or public comments, then the Commission shall ask for volunteers to leave the room. If there are no volunteers then the Presiding Officer may request that designated person leave the room so long as the Presiding Officer has a rational basis for this decision and states the basis on the record and directs that it be noted in the meeting minutes.
- 2.8 Executive Session during a regular, special or emergency meeting shall be in compliance With WV State Code § 6-9A-4.

SECTION3: AGENDA

- 3.1 The Marshall County Commission shall make available to the public an agenda no less than 2 (two) days in advance of a regular scheduled meeting.
- 3.2 The 2 (two) day notice period is calculated by excluding the day of the meeting as well as any preceding day which falls on a Saturday, Sunday or legal holiday; for example: the meeting is on a Tuesday, the last day to be put on the agenda is noon on the preceding Thursday, provided there are no legal holidays between the same.
- 3.3 The agenda shall be made available to the public by having copies available in the Office of the County Clerk during normal business hours, posted on the front door of the Courthouse and posted on the County website. The agenda will be available by close of business 2 (two) days before the meeting.
- 3.4 Issues which arise after the deadline for issuing an agenda has passed must be held over until the next meeting, unless an emergency which requires immediate official action by the County Commission.
- 3.5 Except for emergencies, the County Commission may not take official action on a matter which is not on the agenda. An issue raised in a public comment period which is not on the agenda, may be considered only to determine if it should be placed on the agenda of a subsequent meeting for official action.
- 3.6 Each agenda may contain a period for public comment. Anyone/group wishing to address the Commission should arrive before or at the time of the scheduled meeting.
- 3.7 Each person/group wishing to address the Commission during the public comment period may receive 5 minutes. The County Commission reserves the right to limit any person/group to a lesser amount of time.
- 3.8 Any person/group who wishes to discuss a specific issue with the County Commission must request to be put on the agenda in accordance with Section 3.2 above. The person/group on the agenda should arrive by the time the meeting begins.
- 3.9 Each person/group on the agenda to address a specific issue with the County Commission may receive 10 minutes. The County Commission reserves the right to limit any person/group to a lesser amount of time.

SECTION 4: MINUTES

- 4.1 The County Commission shall provide for the preparation of written minutes of all meetings. Such meetings may be recorded or written notes taken by the County Clerk or their designee. Official minutes shall be available to the public after the adoption of the draft minutes by the County Commission at its next scheduled meeting. Said minutes shall contain the following:
- A. date, time and place of meeting;
 - B. name of each member of the governing body who is present and absent;
 - C. all motions, proposals, resolutions, orders, ordinances and proposed measures; the name of person making motion and of the person seconding; and a record of the vote of each member by name.

Adopted the 15th Day of December 2020.

Scott G. Varner, President

John D. Gruzinskas, Commissioner

Michael T. Ferro, Commissioner