



**RULES OF THE COUNTY COUNCIL**  
**VIGO COUNTY, INDIANA**  
**2020**

**RULE 1**

The members of the County Council shall conduct the first regular meeting on the first Tuesday in January, in which business is conducted, at 5:00 p.m. or at the call of the Auditor. At the first regular meeting the members of the Council shall 1) elect, by a majority of the Council, from its members a President and a President Pro-Tem to serve until the first regular meeting of the ensuing year, 2) in the event of death or other occurrence that causes a vacancy of the office of President or President Pro-Tem, the Council shall elect, by a majority of the Council, from its members, a person to complete the term of said President or President Pro-Tem, 3) shall set the dates and times of its regular meetings for the present year, and 4) may adopt rules to super-cede these rules or may amend these rules by a majority vote of the members of the council. The Auditor of Vigo County shall serve ex-officio as Secretary to the Council. The Secretary shall attend all meetings in person or, with consent of the President, by designee, shall provide such notices of meetings as the law or these rules may require, and shall maintain the minutes of such meetings and records of the Council.

**RULE 2**

The Council shall meet on the dates and at such times set at the first meeting and at such other times as the business of the Council may require. Special meetings may be called at the

written request of the President of the Council, the Auditor, or a majority of the members of the Council.

- A. The Council may conduct in November, a review of the status, proposed updates and revisions of long-term development plans that may be proposed by the Board of Commissioners.
- B. The Council may request the Commissioners to provide a report at the meetings scheduled in March and October of improvements and maintenance in the transportation system and other facilities in the County.
- C. The Council may request the Auditor to provide a revenue forecast for an eighteen month period ending December 31<sup>st</sup> of the following year at the meeting scheduled in April.

### **RULE 3**

The Council may conduct its business upon the presence of a quorum. A quorum shall consist of the majority of all members elected to the County Council.

### **RULE 4**

During an initial portion of each regular meeting of the County Council any resident person may be permitted to address the Council on matters germane to matter within the powers of the council upon recognition by the presiding officer. The length of statement of such persons or group representative may be limited to three (3) minutes or less, except in such cases in which the presiding officer may extend additional time. Written materials submitted by such persons,

not unreasonably voluminous, may be distributed to members of the Council to supplement remarks.

## **RULE 5**

(A) There shall be three (3) standing committees of the Council, consisting of three (3) members each. Three members of standing committees, including the chair, shall be appointed, and may be removed, by the President of the Council. Two of the three members shall constitute a quorum.

(B) The Chair of the committee or President may, upon the absence of a voting member from a meeting, appoint another member of the Council as a member of the committee Pro-Tem, for the duration of the meeting. This appointment may be made in the absence of a quorum, and it may be made for the purpose of achieving a quorum.

(C) The three (3) standing committees are:

Committee on the Annual Budget

Committee on Budget Adjustments, Transfers, and Appropriations

Committee on Personnel

(D) It is the duty of the Committee on the Annual Budget to hear, investigate, and report ordinances relating to annual tax levies and annual appropriations.

(E) It is the responsibility of the Committee on Budget Adjustments, Transfers and Appropriations to, from time to time, consider and report an ordinance as might be referred to it which amends existent annual appropriation ordinances. Requests by county departments and

agencies that may be filed with the Secretary of the Council for budget corrections, appropriation adjustments, and transfers shall be maintained by the Secretary, identified by sequence number, and forwarded by the Secretary to the Committee Chair, the President, and to such other Members of the Council who may so request. The Committee shall allow on a meeting agenda within a reasonable time each requestor an opportunity to be heard before the Committee in order to allow the requestor to supplement the departments or agency's justification and rationale and respond to inquiries and concerns of the committee. The Committee may incorporate the request, with or without amendment, into its report on the ordinance under consideration proposing to amend an annual appropriation ordinance. With respect to any request considered but not included in the committee's report, any member of the committee may request of the Secretary during the course of the committee meeting that appropriate publication be made, if necessary, so that the matter may be eligible for incorporation by amendment into the subject ordinance before the Council. Upon such request by a member of the committee, the Secretary shall cause appropriate publication to be made. Any request not included in the amending ordinance nor made eligible for consideration by publication at the request of a member may be reconsidered by the committee in an amending ordinance it might later consider.

(F) It shall be the responsibility of the Committee on Personnel, from time to time, to meet, and to receive and request information, to conduct inquiries, and to make recommendations by Fiscal Policy Resolution or by proposed ordinance relating to the compensation, employee benefits, terms, and conditions of employment of employees of the County. The voting members of the committee shall serve ex-officio as members of the Personnel Committee established under Vigo County Code 20-1-2 C.

## **RULE 6**

(A) All appointments of persons which, by law or ordinance, are required to be made by the Council to any board, commission, committee, or public agency shall be made by the President. All such appointments shall be effective only upon announcement at a regular or special meeting of the Council. Any such announcement shall be made of record in the minutes of the meeting at which it is made and shall include reference to the authority in law or ordinance providing for such appointment.

(B) The President shall appoint, upon sufficient appropriation approved by the Council, an attorney licensed to practice law in Indiana to provide such legal counsel to the Council as may be appropriate. The President may appoint, upon sufficient appropriation approved by the Council, a Council Administrator to serve to assist the Council and its committees in the performance of their duties.

## **RULE 7**

For any resolution or ordinance to be adopted, it must receive the votes of the majority of all members constituting the County Council. Any member may introduce a resolution or an ordinance relating to revenues, appropriations and compensation or matters which may lawfully come before the council. It is introduced when signed by the member and filed with the Secretary. Departmental requests shall be filed with the Secretary no later than 12 pm eight (8) days prior to the regular meeting to be read for the first time by summary reference at the regular meeting. Any departmental requests filed after the deadline require the approval of the President to be included at the regular meeting. Introduced resolutions may be referred to, or withdrawn

from, a committee at any time by the President. All ordinances, resolutions or departmental request of the Council after introduction or filing with the Secretary must be read for the first time by summary reference at a regular or special meeting following its introduction.

#### **RULE 8**

(A) Honorary Resolutions may be considered and adopted by the Council at any time.

(B) Resolutions calling for declarations of policy by the Council on public controversies unrelated or not germane to the powers of the Council shall not be in order.

#### **RULE 9**

Committee meetings shall be conducted in compliance with I.C. 5-14-1.5 and may be conducted with such formality and upon such process as the chair shall determine is appropriate to the subject matter and the circumstances. All matters referred to a committee may be amended by the committee. All reports of committees shall be made in writing and shall express the approval or disapproval by number of ayes and nays of the voting members of the committee, by individual member if a roll call vote is taken. The ordinance or resolution reported unfavorably by a committee may be withheld by the President from further consideration on the Council agenda.

#### **RULE 10**

All ordinances and resolutions shall be open to amendment by the Council upon the second reading before the Council. Upon substantial amendment, a matter may on motion be made a special order of business at a subsequent meeting of the Council. A two-third (2/3) vote of all elected members, after unanimous consent of the members present to consider the ordinance, is

required to pass an ordinance or resolution on the same day or at the same meeting at which it is introduced. Any ordinance or resolution receiving a majority of votes in opposition shall be considered defeated and is precluded from further consideration for 12 months from which the request was filed with the Secretary. Furthermore, any appropriation requested as a part of the county's annual budget which was:

- 1) considered by the Committee on the Annual Budget;
- 2) deleted or removed from the annual budget by amendment as reported and submitted to the Council by the Committee on the Annual Budget; and
- 3) not included in the annual budget as adopted by the Council at its annual meeting in accordance with I.C. 36-2-3-7(b)(2);

is precluded from further consideration for 12 months from which the request was filed with the Secretary.

#### **RULE 11**

(A) Every Council member, including the President, shall be required to vote when a question is put, unless for good cause shown by announcing for the record the intent to abstain and the rationale supporting the abstention.

(B) Any roll call vote shall be made in the order designated by the presiding officer.

#### **RULE 12**

The following is the order of business of the County Council at its meetings:

1. Pledge of Allegiance
2. Calling of the roll

3. Correcting the journal of the preceding meeting if needed
4. Public comment
5. Communications from elected officials, other officials, or agencies of the County
6. Reports from standing committees
7. Reports from select committees
8. Ordinances relating to appropriations
9. Honorary resolutions
10. Resolutions relating to fiscal policies of the Council
11. First reading by summary reference of proposed ordinances and resolutions
12. Appointments
13. Adjournment

Notwithstanding the order of business set forth in these rules, all members of the council, upon request, may be extended by the presiding officer the personal privilege of addressing other members of the council on such matters and concerns such member considers appropriate.

### **RULE 13**

(A) When any member is about to speak or deliver any matter to Council, or ask a question of any member of the Council or person making a presentation to the Council, he or she shall request leave of the presiding officer, and, upon being recognized, may proceed to address the Council or ask the question.



(B) No member shall speak more than once on the same question until every member, choosing to speak, shall have spoken. A member shall speak no more than twice on the same subject without leave of the presiding officer.

(C) No member shall question the motive of another.

(D) No member shall be subject to the question of another without the member's consent to yield to such question and the leave of the presiding officer to pose the question.

#### **RULE 14**

Within sixty days after their first adoption, these rules may be amended upon a motion to amend adopted by a majority of the council. Such motion is in order at any time. Thereafter these rules may be amended upon a motion to amend adopted by a two-thirds (2/3) vote of the Council. The operation of these rules may, at the request of the presiding officer, may be suspended with respect to any matter pending before the Council with the consent of all members present.

#### **RULE 15**

No matter once passed or adopted by the Council shall be questioned or be considered invalid based upon a failure to comply with these rules.

#### **RULE 16**

Robert's Rules of Order, Revised, shall be followed on all questions of parliamentary procedure not specifically covered by these rules.

*Adopted this 7th day of January 2020.*

A handwritten signature in cursive script, appearing to read "Leon M. Mowin".

President

A handwritten signature in cursive script, appearing to read "James W. Brumby".

Secretary