

STATE OF GEORGIA
COUNTY OF BULLOCH

AMENDMENT TO THE CODE OF ORDINANCES OF
BULLOCH COUNTY, GEORGIA

BE IT ORDAINED by the Bulloch County Board of Commissioners that Sections 2-25, 2-26, 2-27, and 2-28 of Article II of Chapter 2 of the Code of Ordinances of Bulloch County, Georgia are hereby amended to read as follows:

Sec. 2-25. Board of Commissioners of Bulloch County.

(a) The county government shall consist of a chairperson and six district commissioners who are hereby constituted under the name and style of the "Board of Commissioners of Bulloch County, Georgia," and by such name they shall have such authority and power as provided by law.

(b) The term of office of all members of the board of commissioners of the county shall be four years.

(c) The board of commissioners shall consist of a part-time chairperson and six part-time district commissioners elected as follows:

- (1) The part-time chairperson shall be elected from the county at large;
- (2) The six district commissioners shall be elected from two districts, District 1 and District 2. Two commissioners shall be elected at large from District 1 and the seats shall be designated as 1-A and 1-B. Four commissioners shall be elected at large from District 2 and the seats shall be designated as 2-A, 2-B, 2-C and 2-D.
- (3) The vice-chairperson position shall be filled by each of the six district commissioners and shall serve a one year term, beginning in 1993, on a rotating basis in the following order: 1-A, 2-A, 2-B, 1-B, 2-C, 2-D, 1-A, etc.
- (4) The chairperson or his designee shall represent the county at various functions.

Sec. 2-26. Meetings.

(a) The board of commissioners shall hold regular meetings on the first Tuesday of each month and on the third Tuesday of each month at such times as the board, from time to time, may designate by resolution; provided, however, that regular meetings may be rescheduled because of conflicts or other circumstances.

(b) Special meetings may be held upon call by the chairman of the board of commissioners or any two members. Due notice of such meetings shall be in accordance with O.C.G.A. § 50-14-1(d).

(c) Meetings shall be held at the Bulloch County Courthouse Annex, 115 North Main Street, Statesboro, Georgia, or such other place as the board of commissioners designates subject to the notice provisions of O.C.G.A. § 50-14-1.

(d) At the first meeting of each calendar year, the board of commissioners shall announce for the record the ~~names~~ **name** of the vice-chairperson, ~~county manager, county attorney, and county auditor~~ for that particular year.

(e) Each year the board of commissioners shall have a planning meeting prior to commencement of the budget process. The time, place, and duration of this planning meeting shall be determined by the board of commissioners on an annual basis.

Sec. 2-27. Duty of members to attend meetings.

It shall be the duty of each member of the board of commissioners to attend each meeting of the board, unless he is prevented by some unavoidable circumstance.

Sec. 2-28. Meeting organization and public access.

(a) *Open Meetings.* All meetings of the board of commissioners shall be held in accordance with the provisions of O.C.G.A. § 50-14-1 et seq. **and as otherwise provided by law.** The public shall at all times be afforded access to all meetings other than executive sessions.

(b) *Abstentions.* A commissioner shall vote on all motions unless the commissioner has a conflict of interest which would prevent the commissioner from making a decision in a fair and legal manner. If a conflict of interest does exist, the commissioner shall state for the record the decision to abstain on any vote.

(c) *Chairman.*

(1) The chairman of the board of commissioners is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the chairman must enforce the rules of procedure that are adopted by the board of commissioners. The chairman shall be impartial and conduct the meetings in a fair manner. The chairman may not introduce motions or second a motion except that the chairman may introduce or second a motion to go into executive session as authorized by section ~~1-18~~ **2-28(k).**

(2) The chairman shall not vote except in the case of a tie vote among the other ~~six~~ commissioners, the chairman then voting to break the tie.

(d) *Agenda.*

(1) The county manager, with the advice of the chairman and the commissioners, shall prepare an agenda of subjects to be acted on for each meeting. All commissioners are encouraged to suggest agenda items as deemed appropriate. The agenda shall

be made available to the commissioners at least one business day before every board meeting.

- (2) Members of the public may request that a particular subject be placed on the agenda for the following meeting. To be considered, this request must be submitted in writing to the county manager and received at least five business days before the meeting.
- (3) The order of the agenda may be changed during a meeting by a majority vote of the board. A new subject that requires attention may be added to the agenda during a meeting by a majority vote of the board. A ~~copy of the agenda~~ **summary of the subjects acted on** and a list of those members present shall be made available to the public for inspection within two business days of the adjournment of any meeting.

(e) *Consent agenda.*

- (1) A consent agenda may be prepared by the county manager for the board to unanimously adopt motions on routine items. Any items of business that are expected to receive unanimous approval and where no debate is expected may be placed on a consent agenda.
- (2) At the appropriate time of the meeting, the chairman shall read all of the items on the consent agenda. If a commissioner objects to an item being on the consent agenda, the chairman shall move that particular item to the regular agenda. Following the reading of the consent agenda, the chairman will ask for unanimous approval of the items on the consent agenda. If there are no objections, all the items on the consent agenda will be adopted by unanimous consent.

(f) *Minutes.*

- (1) The clerk of the board shall promptly record the minutes for each board meeting. The minutes serve as the official written record of the board meeting and shall be open for public inspection once approved as official by the board but in no case later than immediately following the next regular meeting of the board. The minutes shall specify the names of commissioners present at the meeting, a description of each motion or other proposal made at the meeting, the commissioner who proposed each motion, the commissioner who seconded each motion, and a record of all votes. In the case of a roll-call vote, the name of each commissioner voting for or against a proposal shall be recorded. It shall be presumed that a commissioner has voted in the affirmative unless the minutes show otherwise. More detailed information may be included in the minutes at the request of the board.
- (2) The board must approve the minutes before they can be considered as an official record of the board. A copy of the minutes from the previous meeting shall be distributed to the commissioners at least one business day before the following

meeting. The minutes of the previous meeting shall ~~be corrected and approved~~ placed on the consent agenda for approval by the board ~~at the beginning of each meeting~~. A majority vote is required for approval. Conflicts about the content of the minutes shall be decided by majority vote. Upon being approved, the minutes shall be signed by the chairman and attested to by the clerk of the board of commissioners.

(g) *Order of business.* All regular board meetings should follow an established order of business. The order ~~is~~ may be varied or supplemented by a majority vote of the board but will typically be as follows:

- (1) Call to order.
 - (2) ~~Minutes~~ Invocation and pledge of allegiance.
 - (3) ~~Invited guests~~ Roll call.
 - (4) Presentations.
 - (5) Public hearings.
 - (6) Zoning.
 - (7) Reports from committees and departments.
 - (8) Public comments.
 - (9) Consent agenda.
 - (10) Old business.
 - (11) New business.
 - (12) ~~Public comments~~ Commission and staff comments.
 - (13) Executive session.
 - (14) Adjournment.
- (h) *Decorum.*

- (1) All commissioners must conduct themselves in a professional and respectful manner. All remarks should be directed to the chairman and not to individual commissioners, staff or citizens in attendance. Personal remarks are inappropriate. A commissioner may not speak at a meeting until he has been recognized by the

chairman. All comments made by a commissioner shall address the motion that is being discussed.

- (2) The chairman shall enforce these rules of decorum. If a commissioner believes that a rule has been broken, he can raise a point of order. A second is not required. The chairman can rule on the question or he can allow the board to debate the issue and decide the issue by majority vote.

(i) *Public participation.* Public participation in meetings of the board of commissioners shall be permitted in accordance with the provisions of this section.

- (1) *Public comments.* ~~The final agenda item of the meeting shall be reserved for comments from the public. All members of the public who wish to address the board must submit their name and the topic of their comments to the county manager at least three business days before the board meeting.~~ Public comments shall immediately precede the consent agenda. All members of the public who wish to address the board must sign up prior to the start of the meeting on sign-in sheets provided for that purpose. These individuals will be allotted five minutes to make their comments ~~and their comments must be limited to their chosen topic.~~ These limits can be waived by a majority vote of the board.

- (2) ~~Public participation on agenda items. By a majority vote, the board may allow public comment on an agenda item at the time the item is being considered by the board. These comments must be limited to the subject that is being debated. Members of the public may speak for five minutes and may only speak once. These limits can be waived by a majority vote of the board. Anyone wishing to speak at any board meeting must be recognized by the chairman before addressing the board.~~

- (3) *Decorum.* Members of the public shall not make inappropriate or offensive comments at a board meeting and are expected to comply with the rules of decorum that are established for commissioners. Individuals who violate any rules of the board may be ruled out of order by the chairman or on a point of order made by a commissioner. A majority vote of the board will rule on the point of order. An individual who violates the rules of decorum may be removed from the meeting at the direction of the chairman.

- (4) *Public hearings.* The board may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the board **or as required by law.** **Hearings Public hearings will typically be placed on the agenda immediately following presentations and immediately preceding zoning but** may be held immediately prior to, during (on announcement), or following a meeting of the board or at such other places and times as the board may determine. No official action shall be taken at any such public hearing; however, once the public hearing is closed, the board may act.

(j) *Parliamentarian.* The county ~~staff~~ attorney shall serve as the parliamentarian for board meetings.

(k) *Executive sessions.*

(1) Executive sessions of the board may be held for the purpose of conducting business excepted from public access requirements as authorized by O.C.G.A. §§ 50-14-2 and 50-14-3 **or as otherwise authorized by law.** Where a meeting of the board is devoted in part to matters within the authorized exceptions to public access requirements, any portion of the meeting not subject to any such exceptions shall be open to the public.

(2) No executive session shall be held except pursuant to a majority affirmative vote of the board of commissioners taken in a public meeting. The minutes of the public meeting shall reflect the names of the commissioners present, those voting for the executive session and the specific reasons for the executive session. ~~Minutes of the executive session may be maintained by the clerk of the board of commissioners upon a majority vote of the board. Any such minutes shall be maintained in a confidential file and shall not be subject to disclosure, except that disclosures of such portions of minutes identifying real estate to be acquired by the board may only be delayed until such time as the acquisition of the real estate has been completed, terminated, or abandoned or court proceeding have been initiated.~~ **Minutes of executive sessions shall be recorded but shall not be open to the public. Such minutes shall specify each issue discussed in executive session. In the case of executive sessions where matters subject to the attorney-client privilege are discussed, the fact that an attorney-client discussion occurred and its subject shall be identified, but the substance of the discussion need not be recorded and shall not be identified in the minutes. Such minutes shall be kept and preserved for in camera inspection by an appropriate court should a dispute arise as to the propriety of any executive session.**

(l) *Visual and sound recordings.* Visual, sound, and visual and sound recordings shall be permitted for all public meetings.

(m) Any three district commissioners, plus the chairperson of the board of commissioners, or any four district commissioners in the absence of the chairperson shall constitute a quorum at any regular or special meeting of the board.

(n) All commissioners except the chairman shall have one vote each. The chairman shall have one vote if and only if there is a tie in the votes of the other commissioners.

(o) In the absence of the chairperson, the vice-chairperson shall act on behalf of the chairperson. If the chairperson is absent from a meeting, the vice-chairperson shall preside over meetings. If the chairperson and the vice-chairperson are absent from a meeting, an acting chairperson shall be elected by majority vote of the members present at the meeting. When presiding over a meeting, the vice-chairperson or the acting

chairperson shall not vote except in the case of a tie vote among the other commissioners, the vice-chairperson or acting chairperson then voting to break the tie.

(p) An affirmative vote of a majority of the members of the board entitled to vote and present shall be sufficient to permit the conduct of all business except that for which a larger vote has been mandated by these ordinances.

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia's Open Meetings Act on the 18th day of February, 2025, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: _____
David Bennett, Chairman

Attest: _____
Venus Mincey-White, Clerk

(SEAL)