

# Robert's Rules for ESDs

presented by: Kirk Overbey, PRP

SAFE-D Annual Conference  
February 23, 2024



# Who I am

- Kirk Overbey:

- Professional Registered Parliamentarian
- Master degrees in engineering and business
- Clients include:
  - Texas State Rifle Ass'n, Texas Ass'n of School Boards, Texas Farm Bureau, Texas Ass'n of Realtors, Hochheim Prairie Mutual Insurance, Texas District/Missouri Synod . . .
- Experienced with Open Meetings Act
  - Former parliamentarian, Texas State Board of Education

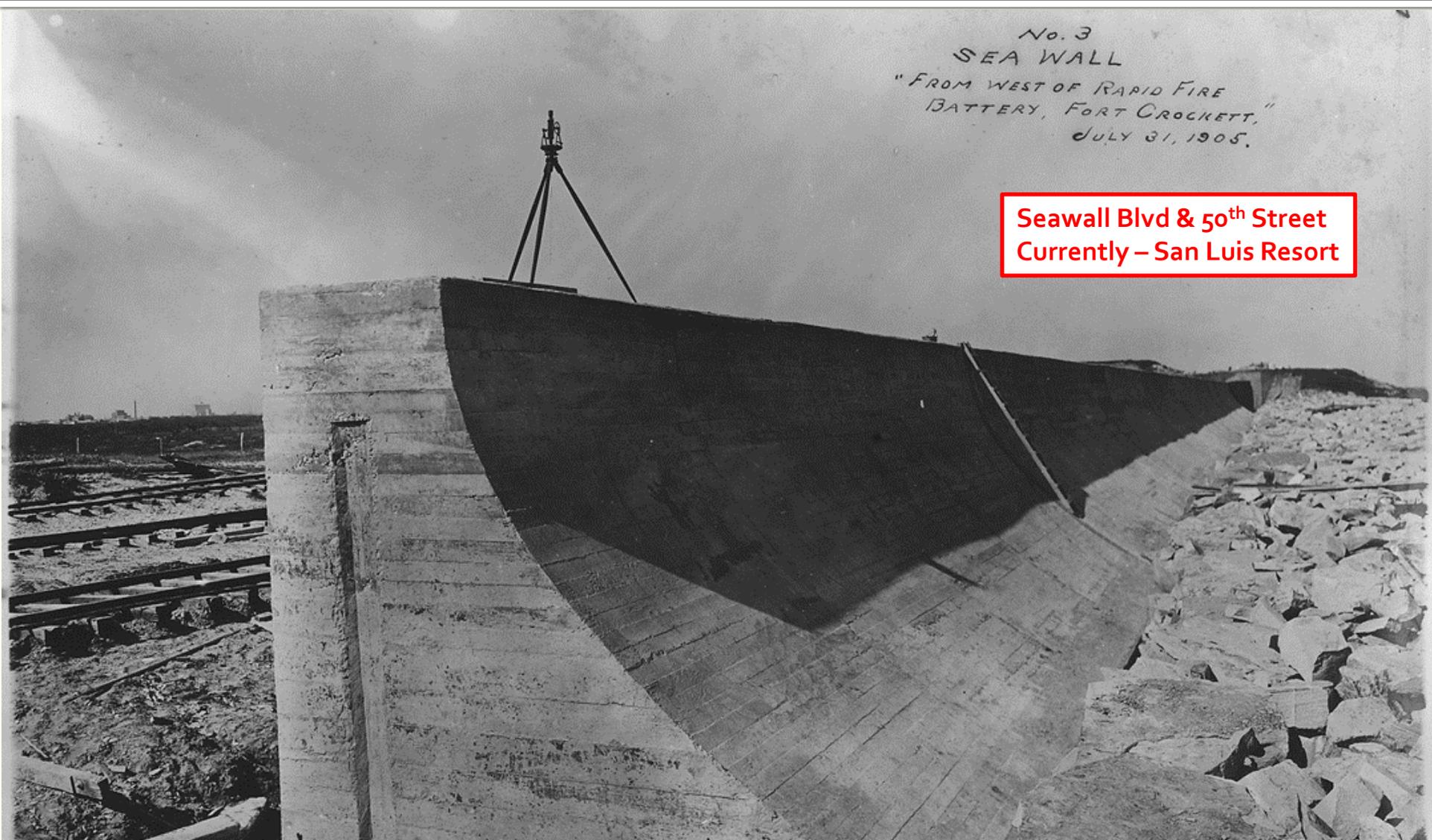
# Gen'l Henry M. Robert



# Hurricane of 1900



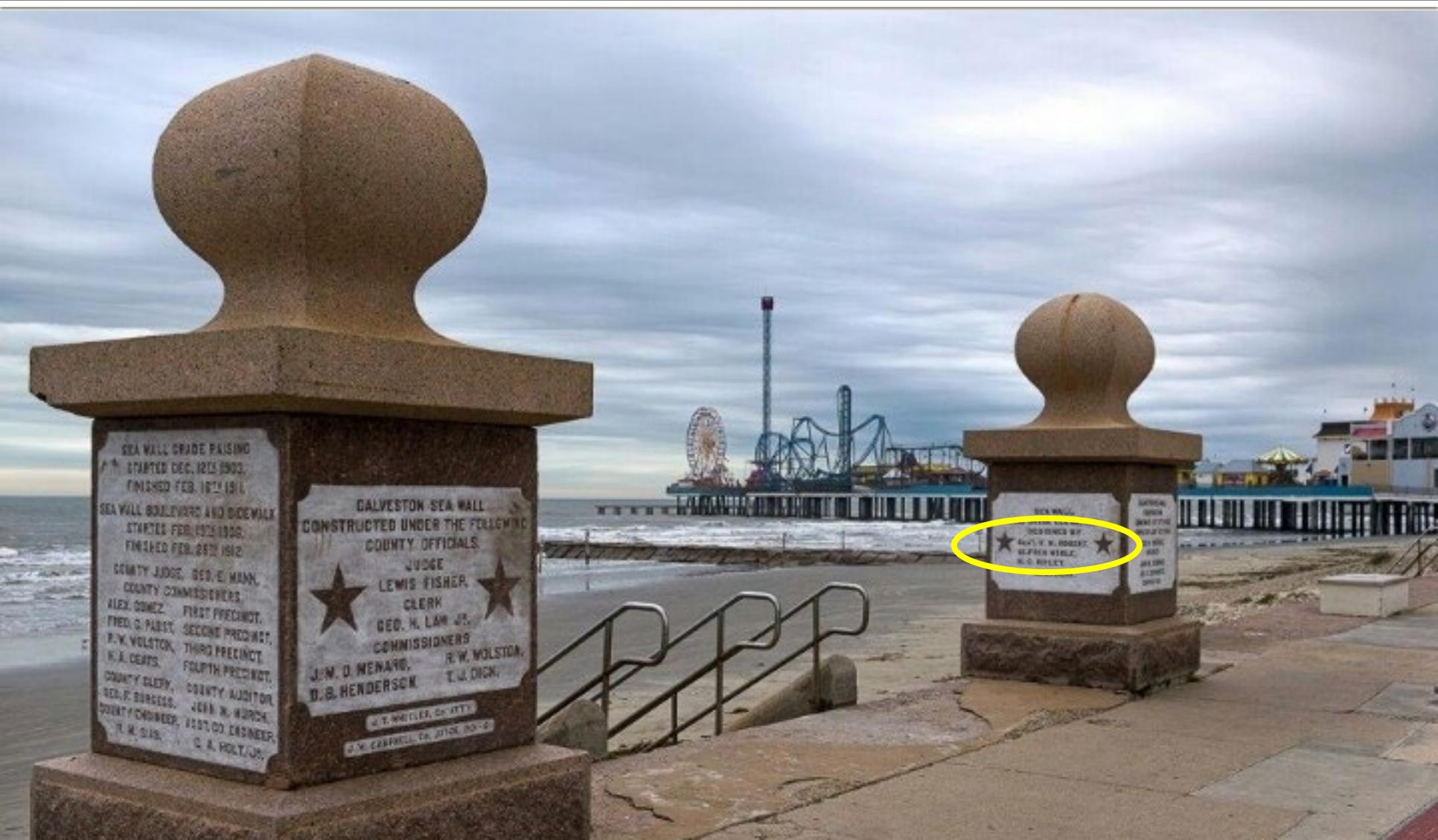
# Solution: Build a wall



No. 3  
SEA WALL  
"FROM WEST OF RAPID FIRE  
BATTERY, FORT CROCKETT,"  
JULY 31, 1905.

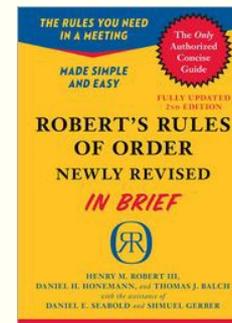
Seawall Blvd & 50<sup>th</sup> Street  
Currently – San Luis Resort

# Henry Robert, Army engineer



# Resources

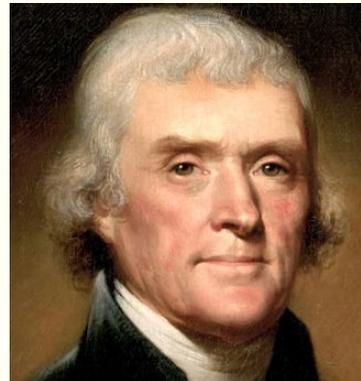
- **TX Health & Safety Code Chap. 775, TX Government Code, Open Meetings Act, your ESD policies**
  - These supersede the parliamentary manual
- **Robert's Rules of Order Newly Revised** 12th edition, 2020
  - Parliamentary manual covers general procedure
- ***Robert's In Brief***
  - Excellent introduction
  - a 'how to say it' pocketbook
- **Good Execution**
  - Practice, practice, practice . . .



# What we will cover today

- Principles and Basics
- Handling a Motion
- Minutes and Consent Agendas
- Questions

**Who wrote the first American parliamentary manual?**





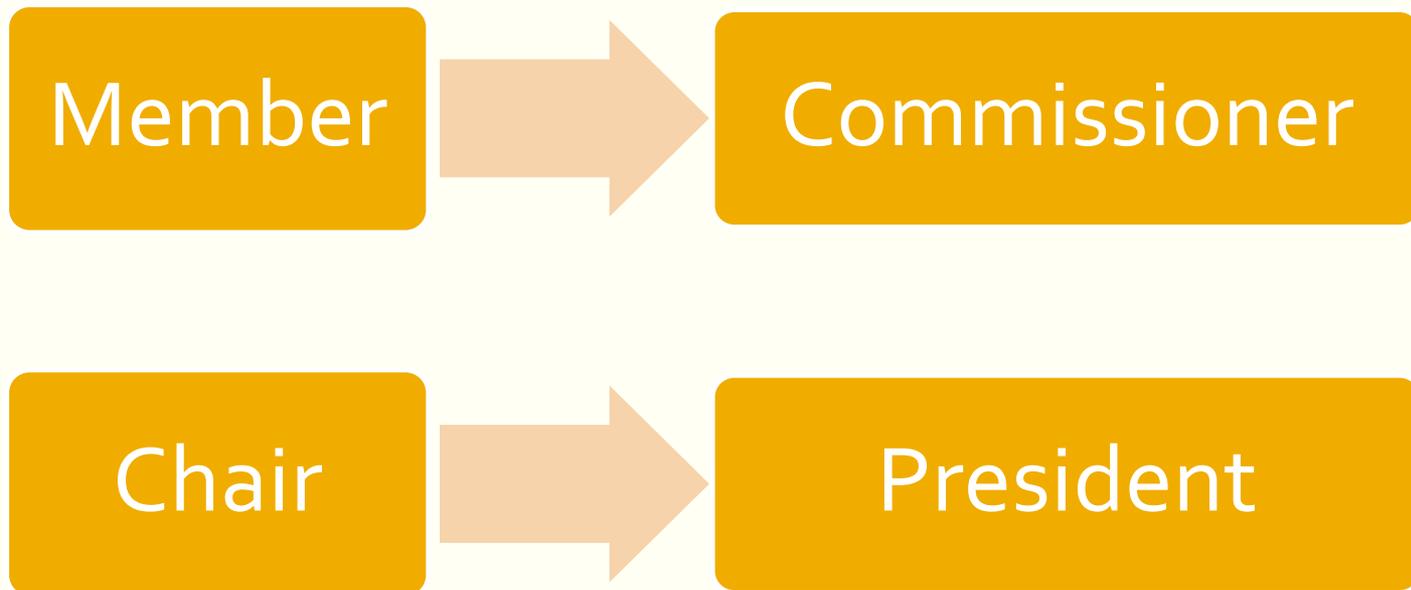
# Principles and Basics



“First, the Rules of Engagement for this meeting ...”

# Some Terminology

In this presentation and in Robert's Rules of Order:



# Principles

1. Only **one matter** of business to be considered at a time
  - Only one main motion *but higher ranking motions can be pending*
2. The **majority** rules but the following also have rights:
  - Individual *free speech: make motions, debate, and vote*
  - Minority greater than one third *hence 2/3 vote for some motions*
  - Absentees *notification of meetings and certain motions*
3. There must be free and impartial **debate** in a reasonable amount of time

# Principles – cont'd

4. Equal **justice** to all members from others and the Chair
5. **Courtesy** to and from others at all times
6. Meetings are to be conducted as **efficiently** as possible
7. The Society has the right to protect itself from unruly, obnoxious members and guests

# Decorum

- Respect the **Pending Business**
  - Confine remarks to the merits of the pending question
  - Refrain from speaking against one's own motion
- Respect **Members**
  - Refrain from attacking member's motives
  - Avoid using member's names
  - Reading of reports, quotations, etc. during debate
    - only allowed by unanimous consent
- Respect the **Chair**
  - Address all remarks through the chair
  - Take your seat when interrupted by the chair
  - Refrain from disturbing the assembly

# Handling a Motion



# Commonly Used Motions

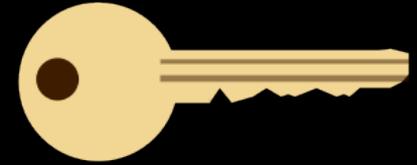
- One page crib sheet for boards
- Includes what to say
- Share it with your fellow commissioners
- See Note at bottom, regarding “Table”

# Examples

- Main motions:
  - That the District hold Citizens Education Forums on a quarterly basis.
  - That the tax rate be set at 0.0600 per \$100 value.
  - *Resolved*, that the new fire station be located at the corner of County Road 416 and Main Street.
- Secondary motions:
  - **Refer** the motion to the Citizens Advisory Committee.
  - **Amend** by striking out “0.0600” and inserting “0.0630.”
  - **Recess** for 15 minutes.



# Motions are the Key



- Business is conducted through Motions
  - Without a motion, no discussion
  - But in committees or small boards, there can be some leeway
- There are **8 steps** in handling a motion:
  - 2 steps to **Obtain the Floor**
  - 3 steps to **Introduce the Motion**
  - 3 steps to **Consider the Motion**

# The Chair is the Conductor



- 1) Member rises and addresses the chair
- 2) **Chair recognizes member**
- 3) Member moves the motion
- 4) Another member seconds it
- 5) **Chair states the question on the motion**
- 6) Members debate
- 7) **Chair puts the question to a vote**
- 8) **Chair announces the result**

# Seconding ???

- SAFE-D ESD Handbook, page 25
  - Minutes should include “A record of ALL motions made, including who made and seconded them . . .”
- Robert’s does not require a second for board meetings with less than a dozen members present (12<sup>th</sup> ed. 49:21(2))
- The name of the seconder is not placed in the minutes (12<sup>th</sup> ed. 48:5(1))
- Most legislative bodies have dropped the requirement for a second
  - U.S. Congress, Texas legislature, etc.

# Obtaining & Assigning Floor

- A member seeks recognition when no one else has the floor, addressing the chair as:
  - “Mr/Madam President,” *(or other proper title)*
  - 1. If there is an audio or video transmission, the member gives his name or identification
  - 2. The member awaits recognition by the chair
- The chair recognizes the member
  - 1. By announcing his name or title, or
  - 2. Saying “The member is recognized.”

# Introducing a Motion

1. Member makes the motion:  
“**I move** that . . .” or “**I move** the following . . .”
  2. Another member, without rising, seconds it:  
“I second the motion” or “Second!”
  3. Chair states the question on the motion:  
“It is moved and seconded that . . .  
Are you ready for the question?”
- Silence means 'no more debate, we want to vote'*

# Practice



- **Member:** Mr/Madam President
- **Chair:** The commissioner is recognized
- **Member:** I move that we approve the 2024 budget as proposed by the treasurer
- **Anyone:** Second!
- **Chair:** It is moved and seconded that we approve the 2024 budget as proposed by the treasurer. Are you ready for the question?

# Practice



- **Member:** Mr/Madam President
- **Chair:** The commissioner is recognized
- **Member:** I move that we approve the fire code fee schedule as proposed by the chief
- **Anyone:** Second!
- **Chair:** It is moved and seconded that we approve the fire code fee schedule as proposed by the chief.  
Are you ready for the question?

# Put Motions in Writing

- *Who does it help the most of all?*
- The Maker of the Motion
  - He thinks it through when writing it down
  - His motion will be stated accurately by the chair
  - Amendments are tracked
  - It provides a record for the minutes





# Considering Motion

## 1. Members can debate the motion

*(if debatable)*

- Before debating, members obtain the floor
- The maker has the right to speak first
- All remarks are addressed through the Chair
- Debate must be confined to merits of the motion

# Debate Rules



- **Length of Speeches** – if ESD has adopted Robert’s
  - No more than **10 minutes** per speech
  - Unlimited, if Robert’s is not adopted
  - An organization can adopt its own debate rule, such as “Commissioners may speak for up to five minutes.”
- **Number of Speeches** – if ESD has adopted Robert’s
  - Each member may speak **twice** to a debatable motion
  - May speak a second time after all who wish to speak a first time have done so
- **Speeches Should Alternate**
  - between pros and cons, as much as possible

# Filibustering? Never!

- Board membership: 5
- Majority: 3
- Two-thirds: 4
- Thus, 2 can force debate!
- Maximum Speeches:  $2 \times 2 = 4$
- Maximum Time:  $4 \times 10 = 40$  minutes!

# A little humor . . .



*"O.K., a few last words—but no filibuster."*

# Practice – Debate



- **Chair:** The question is on the motion to approve the contract to resurface the engine bay floor of the fire station.  
Are you ready for the question?
- **Member:** Mr/Madam President!
- **Chair:** The commissioner is recognized.
- **Member:** I rise to speak in favor of the motion.  
*or* I rise to speak in opposition to the motion.

*Another member seeks recognition, etc.*

# Considering Motion, cont'd

2. Chair **puts** the question (*puts it to a vote*)
  - “Are you ready for the question?”  
*if no one claims floor, the chair takes the vote*
  - “The question is on the adoption of the motion that ...”  
*or* “The question is on the adoption of the following resolution ...”
  - “Those in favor of the motion, say **Aye**” (*pause*)
  - “Those opposed, say **No**” (*pause*)

# Considering Motion, cont'd

3. Chair announces the result of the vote
  - “The ayes have it and the motion is adopted.  
And a new ambulance will be purchased.  
The next item of business is . . .”
  - Or “The noes have it and the motion is lost.  
The next item of business is . . .”

# Practice – Majority Vote



- **Chair:** Are you ready for the question? *(pause)*
- **Chair:** The question is on the motion to terminate the interlocal agreement with the county.
- **Chair:** Those in favor, say *Aye* *(pause)*  
Those opposed, say *No* *(pause)*
- **Chair:** The ayes have it and the agreement is terminated.
- **Chair:** The next item of business is . . .



# Voting Terms



- **Majority** means “more than half”
  - not 51 percent *(large numbers over 200 ?)*
  - not one half plus one *(rounding with odd numbers ?)*
- **Majority vote** means more than half of those present and voting
  - Abstentions are ignored because they are not a vote
- **Two-thirds vote** means “two-thirds of those present and voting”

# Voting Terms – cont'd



- **Unanimous Consent** means “no one objects”
  - Can be used to take any vote
  - Best used for routine motions, such as approval of minutes, consent agendas, and adjourning
  
- **Counted vote** means the tally is placed in the minutes
  - Example: “Motion was adopted with 3 for and one opposed.”
  
- **Roll Call vote** means the vote of each member is placed in the minutes
  - Example: “Motion was adopted with Smith, Valdez, and Jones voting in the affirmative, and Martinez in the negative.”

# Tie Votes and the Chair

- In baseball, the tie goes to the runner
- In voting, a tie loses
- When may the chair vote?
- Robert's recommends: the chair should vote after all others have voted, and then only when it makes a difference
  - In a 2-2 vote, the chair may vote yes, making it 3-2
  - In a 2-1 vote, the chair may vote no, making it 2-2
  - In either case, the chair may abstain
- As a member of the board, the chair may always vote



# Minutes



# Minutes – Common Mistakes

- A record of what was **done** by the board, not what was *said* by the members
- List the name of the maker of a motion, but do not list the name of the seconder
- On a counted vote, enter the number of votes on each side (e.g., 4-0, 3-1, 2-2, 2-1)
- On a voice vote, there are no numbers to be placed in the minutes
- On a roll call vote, enter the names of members present and how they voted

# Minutes Statement

- Actual ESD Minutes:
  - “Approval of Minutes from October 18, 2023. Commissioner A moved to accept the minutes as presented. Commissioner B seconded. The motion passed.”
- Robert’s recommends:
  - “The minutes of the October 18, 2023 meeting were approved as presented (as corrected).”

# Reading & Approval of Minutes

- **Chair:** The draft of the minutes of the previous meeting can be found on page 3 of your agenda book.  
*or* The secretary will read the minutes.
- **Chair:** Are there any corrections to the minutes? (pause)  
If there are no corrections, the minutes are approved as presented (read).  
*or* Staff will make the correction.  
  
If there are no further corrections, the minutes are approved as presented (as corrected).

*Note: use unanimous consent*

# Practice



- **Chair:** Are there any corrections to the minutes?
- **Member:** (*gets recognized*) The date for the special meeting meeting is incorrect. It should be November 16.
- **Chair:** If there is no objection, the correction will be made.  
If there are no further corrections . . .  
*(pause)*  
The minutes are approved as corrected.



# Consent Agendas



*"Well, then, it's unanimous."*

# Consent Agendas

- Consent Agenda is the exception to the rule that only one Main Motion can be considered at a time.
- Consent Agendas may be approved by unanimous consent:
  - No motion, second, debate, request for information, or vote
- A member may demand a separate vote on one or more items by “pulling” it.
- If items are pulled, approve all the other items by unanimous consent, then take up the pulled items individually.

# Practice



- **Chair:** Please turn to page 4. The following items have been placed on the Consent Agenda:  
*(reads title of all items)*  
Are there any items to be pulled?
- **Member:** I wish to pull Item #3.
- **Chair:** Item #3 is pulled.  
Are there any other items to be pulled?  
*(pause)*  
If there is no objection, the items on the Consent Agenda are approved except Item #3.  
*(take up Item #3 by itself)*

# Minutes on Adjourning

- Actual ESD Minutes:
  - “Commissioner A made a motion to adjourn. Commissioner B seconded the motion. Motion carried by a 5/0 vote in favor of. Meeting adjourned at 7:53 p.m.”
- Robert’s recommends:
  - “The meeting adjourned at 7:53 p.m.”

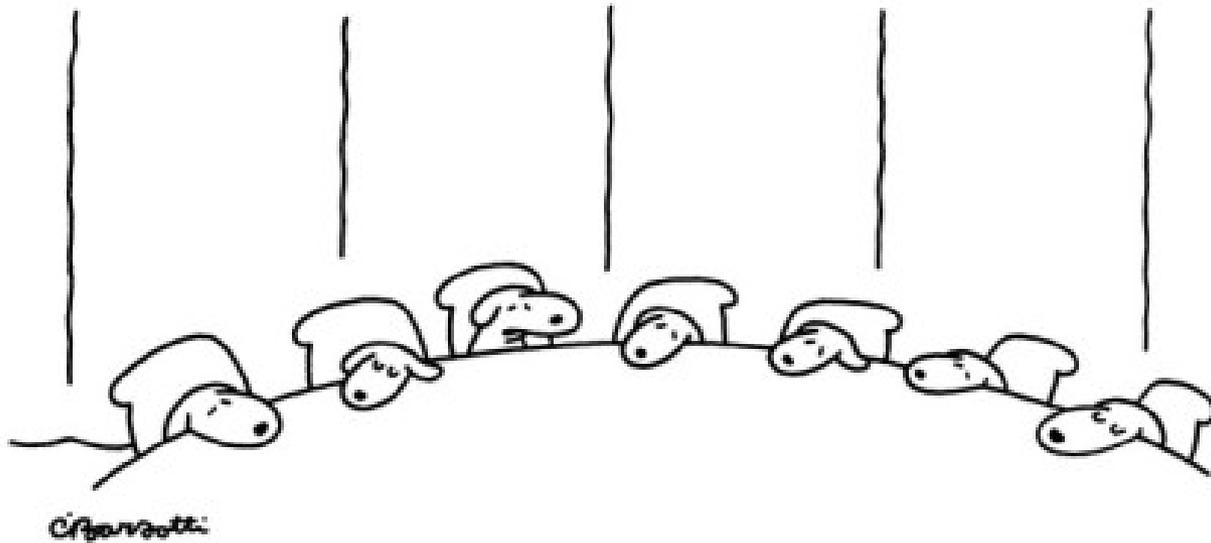
# Practice – Adjourn



- **Chair:** We have completed our agenda.  
Is there any further business to come  
before this meeting?  
*(pause)*
- **Chair:** Hearing none, the meeting is  
adjourned at 7:53 p.m.  
Our next regular meeting will be on  
Tuesday, March 14 at 7:00 p.m.

# A little humor

It is moved that we adjourn for an afternoon nap.  
Is there a second?

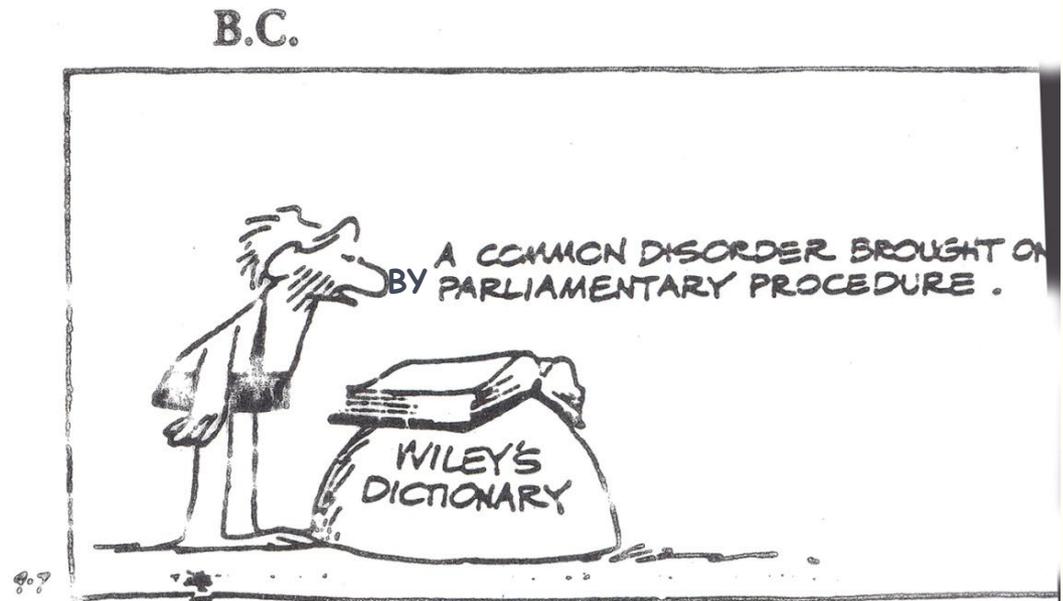
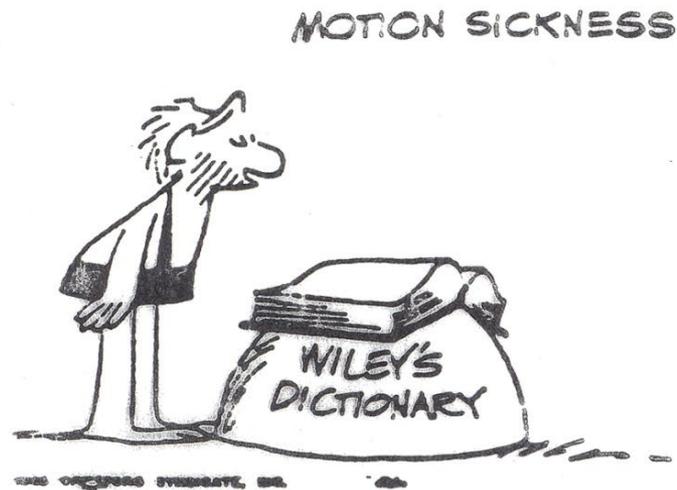


# Motions

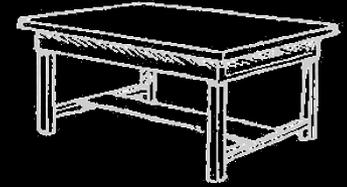
## Motion Sickness

A common disorder brought on by parliamentary procedure

- Johnny Hart, B.C.



# Lay On The Table



- **To “Table”** has multiple and confusing meanings:
  - **To Postpone?**
    - Use the motion to **Postpone to a Certain Time**
  - **To Kill?**
    - Use the motion to **Postpone Indefinitely**
  - **To take up an urgent matter?**
    - Use the motion to **Lay On The Table**



“The motion to Lay On The Table is out of order if the evident intent is to kill or avoid dealing with a measure.”  
(Robert’s Rules of Order Newly Revised, 11<sup>th</sup> ed., page 210.)



# Amendments

- Three forms of amendment:
  1. **Insert** words or **Add** words
  2. **Strike Out** words
  3. **Strike Out and Insert** words; or **Substitute**

Precise wording is needed to prevent confusion,  
otherwise changes are incorrectly made

# Add words

- Main motion:

“That we order pizza.”

- I **move** to **amend** the motion by **adding**

“with pepperoni, mushrooms, and bell peppers.”

- Amended motion:

“That we order pizza **with pepperoni, mushrooms, and bell peppers**”

# Insert words

- Main motion:

“That we order pizza with pepperoni, mushrooms, and bell peppers.”

- I move to amend the motion by inserting “a deep dish” before the word “pizza”

- Amended motion:

“That we order a deep dish pizza with pepperoni, mushrooms, and bell peppers”

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