BYLAWS AND RULES OF PROCEDURES
APPOMATTOX COUNTY BOARD OF SUPERVISORS

SECTION A: MEETINGS

Regular Meetings.

(a) All regular meetings of the Board shall be open to the public, except when the Board is in closed session pursuant to Section 2.2-3711 of the Virginia Code.

(b) The Board shall hold regular meetings on such days as may be prescribed by resolution at the annual organizational meeting in January of each year, but which shall not be less frequent than once a month. The Board shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted, or in the office of the Clerk to the Board. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting.

The Chairman, or the Vice-Chairman if the chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Board members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday Holiday. Such conditions shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

(c) The Board may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Note of such change shall be posted in a public location at which notices are regularly posted, or in the office of the Clerk to the Board, at least three working days prior to the meeting to be held pursuant to the change, and published once in a newspaper, of general circulation in the county, at least seven days prior to the meeting. Three working days prior to the meeting to be held pursuant to such change, the Clerk shall give each Board member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(d) Except for the properly called closed sessions as permitted by state law, all regular meetings of the County Board and official committees of the Board shall be open to the media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Board may prescribe.

Special Meetings.

(a) The Chair or two members of the Board may call special meetings of the Board whenever in their opinion the public business may require it.

(b) Whenever a special meeting shall be called, a notice in writing signed by the Chair of the Board or two members of the Board shall be filed with the Clerk and delivered to each member of the board and the County Attorney, either in person or at his place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called. No business shall be transacted at the meeting except such as is stated in the notice, unless all members are present.

(c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

(d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided to the members of the Board.

Closed Sessions:

Closed Sessions may be held in accordance with the provisions of the Virginia Freedom of Information Act.

Adjourned Meeting:

Regular meetings without further public notice may be adjourned from day to day or time to time or place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Minutes.

(a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Board of Supervisors. The minutes shall reflect:
   (1) the date, time and place of the meeting or session;
   (2) the members recorded as either present or absent;
   (3) a general description of all matters proposed, discussed or decided: and
   (4) record of any votes taken.

(b) Approval of minutes of all but closed meetings or sessions shall be considered at a regular Board meeting. It shall not be necessary to read the minutes prior to approval. Prior to approval, any member may, through the Chair, request the privilege of amending or correcting the minutes to accurately reflect the substance

of the prior meeting. If objection is made by any Board member to such amendment or correction, a majority Vote of the Board shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted minutes.

SECTION B: OFFICERS

Election and Term of Chairman and Vice-Chairman

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice-Chairman, each of whom shall serve a term for one year expiring on December 31 of the year elected, or until their respective successors shall be elected. In the case of the absence of the Chairman and the Vice-Chairman; the members present shall choose one of its members as temporary Chairman.

Clerk

The Clerk of the Board of Supervisors shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Board of Supervisors.

Parliamentarian

The County Attorney shall serve as the Parliamentarian.

SECTION C: QUORUM AND MANNER OF VOTING

A majority of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance, nor resolution, appropriating money exceeding $500.00, imposing taxes or authorizing borrowing money shall be passed except by a recorded affirmative roll call vote of a majority of all the members of the Board.

SECTION D: RULES OF ORDER

The proceedings of the board, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised and more specifically, the provisions which pertain to conduction of business for small boards, except as follows: 1) the section indicating that the minutes are accessible only to Board members is hereby deleted, 2) all motions will require a second, 3) the Chairman may make and second motions.

SECTION E: ORDER OF BUSINESS

Agenda Preparation

The Clerk shall prepare the agenda for each regular meeting conforming with the agenda format approved by the Board. Except as permitted at the discretion of the County Administrator, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of the work day on the Wednesday of the week prior to any regular meeting of the Board.

The agenda packages shall be transmitted by the Clerk of the Board by the close of business on the Friday prior to the regular meeting using whatever means of delivery he deems best suitable to insure that the Board members have the agenda packages prior to the regular meeting.

Order of Business

The order of business at Board of Supervisor meetings is normally:

Welcome

a. Call to order
b. Invocation
c. Pledge of Allegiance

1. Approval of the Agenda
2. Approval of the Consent Agenda
3. Approval of Minutes
4. Thirty minutes Citizen Comment Period at each regular meeting of the Month.
5. Public Hearings/Public Appearances
6. Action Items
7. Board Comments, Committee Reports, Request and Recommendations
8. Appointments to Boards, Commissions and Committees
9. County Attorney Reports, Request and Recommendations
10. County Administrator's Reports, Request and Recommendations
11. Pending Matters

Consent Agenda

The Consent Agenda shall consist of a listing of various items to be considered by the Board as a block or one single item and to be approved by one vote rather than specific votes on each item.

Characteristics of items placed on the Consent Agenda are:

- Routine items that appear monthly such as departmental reports, request for refunds, resolutions and motions authorizing the submission of applications for grants that require no local match, or grants for which the Board has previously approved the local match, request for supplemental appropriations that meet the Board's policy.

- Request to advertise public hearing, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and commendation.

- Items of non-controversial nature that could be classified as housekeeping items of technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of grants from the State or Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Citizen Comment Period

At each regular meeting of the Board, the board shall set aside at the beginning of each Board session a citizen's comment period. During the citizen's comment period, speakers wishing to address the Board shall clearly state their name and address. Speakers may not speak on items that are on the public hearing calendar for the day. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

~~Individuals who have previously spoken on a subject at a public hearing shall not be allowed to readdress the Board during the citizen's comment period.~~ Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff member. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.

Public Appearances

Any citizen may request to appear before the Board at any regular Board meeting no more than four times per year and no more than once within a three month period. Speakers shall be limited to speaking on the same subject not more than three times within any 12 month period. Speakers who wish to address matters which have previously been addressed at a public hearing under public appearances shall not be allowed to request to appear before the Board nor shall they be allowed to readdress the Board on the subject of the public hearing. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff person. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person. Requests to appear before the Board shall be directed to the Clerk of the Board. When requesting time to appear on the agenda, the requestor shall give the Clerk a description of what the topic will be, the speaker's full legal name and address (including street name and zip code), and home and business phone numbers, if applicable, shall be required. Speakers must speak on the subject identified when registering to appear before the Board and failure to stay on the topic will be deemed to render the speaker out of order and will result in forfeiture of the remaining time that had been allotted to the speaker. Thirty minutes will be allotted on the agenda for public appearances. Each speaker will be allotted fifteen minutes unless there are more than two-speakers; in which event, each speaker will be subject to such time limitations as the Chairman may equitably impose.

Each speaker addressing the Board shall step up to the microphone in front of the podium, shall give his name and address in an audible tone of voice for the record. All remarks shall be addressed to the Board and not to any member thereof.

Any person speaking before the Board who represents himself as being an officer of or representing an organization, group, association, corporation, or other entity not generally known to the Board shall, upon request by any member of the Board, disclose for the organization, the history, size, structure, date of creation, tax status: and shall reveal for the organization its method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide satisfactory answers shall bar the speaker from further speaking on the matter before the Board.

Public Hearings

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views during the public appearance and citizen comment sections of regular meetings and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and/or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to

accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors, as follows:

- The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows:

a. Staff presentation

b. Questions from Board members (and Planning Commissioner if present)

c. Applicant's presentation (if applicable, for land use matters)

d. Board discussion, at which time the Chairman may entertain a motion to place the matter on future agenda for action, to refer the matter to committee, or bring the matter to vote.

- Staff presentation will be brief, concise summaries for the public's information and understanding. When written information has been provided prior to the hearing only summary and/or new information should be presented.

- On land use matters a reasonable and sufficient time will be afforded the applicant to properly and fairly present the subject matter. Ten minutes shall be allocated to the applicant's presentation. The applicant may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, the applicant should contact the County Administrator prior to the Public Hearing. Any Member of the Board may ask the applicant to respond to specific questions.

- Each speaker will have up to five minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers registered to speak on any item exceed ten, the time will be adjusted to three minutes for each speaker. Unless instructed by a majority of the Board present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

- Order of speakers will be determined on first to register, first to speak basis.

- Registration will be taken by County staff and will be submitted on the registration form provided, which will include the name, address and election district of the speaker.

- Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions of clarification.

- Debate is prohibited.

- All comments will be directed to the Board of Supervisors as a body.

- Decorum will be maintained. This includes a common courtesy from the audience, the staff and Board to the speaker and from the speaker to the audience, the Board and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.

- In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.

- Speakers are requested to leave written statements and/or comments with the County Administrator.

- The Board shall have the discretion to act on a matter appearing on a public hearing: or the Board, by majority vote, may defer the matter to the next regular meeting of the Board. It shall be the policy of the Board to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

Board Comments

This time is generally used for individual Board members to share information with other members of the Board and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at the meeting at which the item is presented unless it is the unanimous consensus of the Board that the item be put on the floor for action. Prior to the agenda prepared, members of the Board are encouraged to contact the County Administrator and have an item included under this heading. The County Administrator shall prepare a memorandum that will inform other members of the Board of the particulars pertaining to this matter.

Pending Matters

This section of the agenda is non-action section of the meeting agenda which shall list all matters that have come before the Board and that the Board has assigned to or referred to one of its standing committees or staff for additional information or recommendation.

Adjournment of Meetings

Regular meetings of the Board shall adjourn no later than 10:30 P.M. If the Board desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 10:30 deadline shall be deferred to the next regular meeting or an adjourned meeting of the Board.

SECTION F: RECONSIDERATION OF MOTIONS

At any meeting of the Board, when any vote upon any motion, resolution, ordinance or question has been announced, it shall be in order for any member of the Board voting with the prevailing side or who has not voted on the motion, resolution, ordinance or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

SECTION G: CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which does not comply with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question or statements to anyone other than the Chairman (Questions shall be presented to the Chairman, who will, at his discretion solicit a response from the appropriate board or staff member.)
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel)
11. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to vote on the same, except at the discretion of the Chairman
12. Any persons addressing comments or questions to someone other than the Chairman
13. Wearing hats, caps or other types of headgear
14. Applause is permitted only during presentation, awards, proclamations and special recognition periods.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Board. Any person who had been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board or by motion passed by the Board.

SECTION H: MISCELLANEOUS

Reserved Area

Only members of the Board, the County Administrator, County Attorney, administrative staff and other persons expressly invited shall be entitled to enter the area behind the Board Dais.

Press

Cameras from the press shall be limited to the west side of the boardroom. Members from the press shall not interview the public or staff in the Boardroom while meetings are in session.

Amendment of Rules

These rules of procedure may be amended by majority vote of the entire membership. No notice shall be required of the adoption of any amendments.