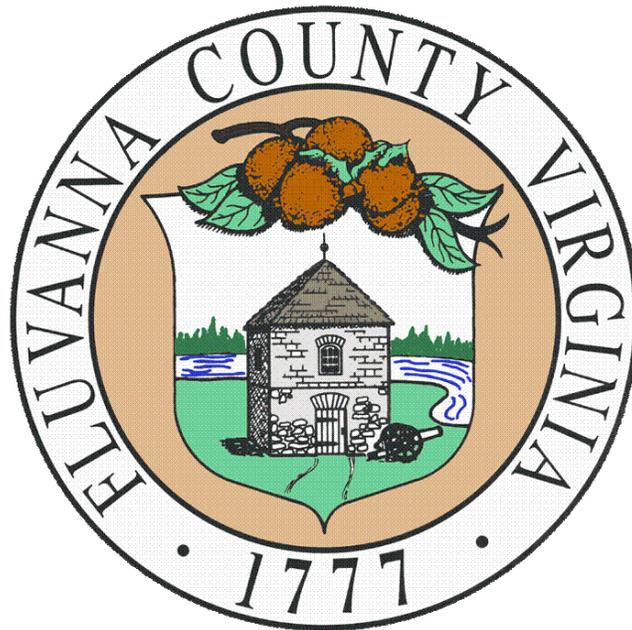


FLUVANNA COUNTY BOARD OF SUPERVISORS



BYLAWS AND RULES OF PRACTICE & PROCEDURES

Adopted
January 6, 2016

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January 7, 2015

**FLUVANNA COUNTY BOARD OF SUPERVISORS
BYLAWS AND RULES OF PRACTICE AND PROCEDURES**

I. CREATION. Fluvanna County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of five (5) members elected from each of the Voting Districts.

II. SEAL OF THE BOARD. When affixed to any paper or document by the Clerk of the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPAL ADDRESS. 132 Main Street, Palmyra, Virginia, mailing address: P.O. Box 540, Palmyra, Virginia 22963.

IV. CHAIRPERSON OF THE BOARD. At the first meeting of the year, the Board selects one of its members to serve as Chairperson. The Chairperson is a voting member and serves for one year.

V. VICE CHAIRPERSON. At the first meeting of the year, the Board selects one of its members to serve as Vice Chairperson. The Vice Chairperson is a voting member and serves for one year.

VI. COUNTY ADMINISTRATOR. The County Administrator shall assume the general duties as set forth in the Code of Virginia, Section 15.2-1541. He shall maintain an office at the same address as the Board.

VII. CLERK TO THE BOARD. The Administrative Assistant to the County Administrator is appointed and shall serve as Clerk to the Board for all purposes except those set out in paragraph G of Section 15.2-407, which is hereby expressly placed in the County Administrator, or his designee Section 15.2-1538.

VIII. COUNTY ATTORNEY. The County Attorney assists the Board in analyzing the facts; provides advice and action in legal matters, and represents the Board in civil actions.

IX. QUORUM FOR THE EXERCISE OF BOARD BUSINESS

A. A quorum shall not be necessary for the exercise of administrative functions.

B. A majority of the Board shall constitute a quorum for the purpose of conducting Board business.

X. MEETINGS AND ATTENDANCE

A. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert’s Rules of Order Revised, and these bylaws as interpreted by the Chairperson.

B. **Regular Meetings.** Held on the first Wednesday of each month at 4:00 p.m. and on the third Wednesday of each month at 7:00 p.m. in the Fluvanna Circuit Courtroom. Closed Meetings will be held as needed. Meetings held on the first Wednesday will adjourn/recess no later than 8:00 p.m., and meetings held on the third Wednesday will adjourn/recess no later than 11:00 p.m. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time, but shall not do so if two or more members object. Meetings shall start at the appointed time, and if the Chairperson is not present, the Vice Chairperson shall preside. If neither the Chairperson nor the Vice Chairperson is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chairperson.

C. **Work Sessions.** Held on the third Wednesday of each month, as needed, at 4:00 pm, prior to the 7:00 p.m. regular meeting in the Fluvanna Circuit Courtroom.

D. Guidelines for Presentations

1. Agenda items due by COB Tuesday the week before the Board meeting.
 - Note: Presentations are due by COB Tuesday the week of the meeting.
2. All Public Hearing, Action Matter, and Consent Agenda items require a Staff Report.
3. Samples and the “**Motion – Staff Report Template**” are available in the “Library/00-BOS Submissions” folder under “Procedures and Formats.”
4. Copy all files into the “Library/00-BOS Submissions” folder (if you do not have access to the county’s shared drive, email the materials to clerk@fluvannacounty.org.)
5. Items can be in any file format (e.g., doc, docx, pdf, ppt, pptx, xls, xlsx)
6. **NO** paper copies required.
7. Name the submission files as follows:

For Agenda Category:	Name Your File:
06 Public Hearing	06-Short title of item similar to agenda
07 Action Matters	07-
08 Presentations	08-
09 Consent Agenda	09-
10 Unfinished Business	10-
11 New Business	11-

E. The County Administrator shall list all items requested on the agenda. If the County Administrator considers an item not appropriate for consideration by the Board, he shall inform the Chairperson, and if the Chairperson is in agreement, the Board shall first discuss whether to entertain the item.

F. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.

G. The Board shall consider all items on the agenda before taking any other items, unless an unlisted item is brought by consent of the Board.

H. Items not on the agenda shall be heard as the final items of the Board's business, time permitting, or shall be carried over to the next regular or special meeting as determined by the Chairperson or the Board.

I. The Chairperson's vote on all issues before the Board shall be recorded with the prevailing side, unless the Chairperson clearly votes otherwise.

J. Once a notice for Public Hearing has been advertised (regardless of the nature), the Public Hearing will be conducted, unless the Board formally defers the matter to a future meeting.

XI. ORDER OF BUSINESS. The Order of Business shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

1 – Call to Order, Pledge of Allegiance, and Moment of Silence
2 – Adoption of Agenda
3 – County Administrator's Report
4 – Board of Supervisors' Updates
5 – Public Comments #1
6 – Public Hearing
7 – Action Matters
8 – Presentations
9 – Consent Agenda
10 – Unfinished Business
11 – New Business
12 – Public Comments #2
13 – Closed Meeting (as needed)
14 – Adjourn

Items shall be heard in order of the agenda in preference over other business, except that the Board may vote to call up any matter at any time.

XII. CONDUCT OF BUSINESS

A. When the question is called and there is no dispute, the Chairperson shall call for the vote.

B. Any member abstaining on a vote shall so indicate following the call for the vote.

C. When a motion is made and then cannot obtain a second, the motion will die for lack of a second and does not require a vote.

D. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.

E. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chairperson" or "Madam Chairperson" (as appropriate) and await acknowledgment. At his/her discretion, the Chairperson may permit a dialogue without individual recognition between members of the Board or between a member and a citizen if such dialogue is orderly and contributes to the expeditious conduct of business.

F. Should it be desired by the Chairperson, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator's Office. The County Administrator shall take down verbal resolutions as accurately as possible, but when loosely worded or unindicated "whereases" precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.

G. Prior to initiating a public hearing, the Chairperson shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change to those gathered.

H. At the beginning of the public hearing, the Chairperson shall call upon the County Administrator or the other staff member handling the matter at hand or shall himself/herself recount a description of the issue placed before the hearing.

I. Subject to revocation or extension by the majority of the Board assembled, the Chairperson may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter. Notwithstanding the foregoing statement, every Board member, by his/her election or appointment, is entitled to speak on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.

J. All members or citizens shall limit their comments before and to the Board. The Chairperson may prohibit questions from citizens until a speaker has finished his/her presentation.

K. The Board of Supervisors has set forth the following rules for time limits:

1. Public Comments shall be limited to five (5) minutes per individual.
2. Presentations shall be limited to ten (10) minutes.
3. Action Item presentations shall be limited to thirty (30) minutes.
4. The above limitations may be extended by majority consent of the Board.

L. At such times a Board member may find him or herself with a conflict of interest, the Board member shall state the nature of the conflict of interest and shall, at their election, remove him or herself from the meeting.

M. Issues that the Board plans on discussing or has required a presentation shall normally have all materials in the agenda package for advance study.

XIII. ORDER

A. It shall be the duty of the Chairperson to maintain order and decorum at meetings. The Chairperson shall speak to points of order in preference to all other members.

B. In maintaining decorum and propriety of conduct, the Chairperson shall not be challenged and no debate shall be allowed until after the Chairperson declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Board to discuss the matter.

C. No member or citizen shall be allowed to use slanderous or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chairperson and/or the County Administrator shall be the judge of such breaches, however, the Board may vote to overrule both.

D. When a person engages in such breaches, the Chairperson shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property and may, at his discretion, bring formal charges for disruption of a public meeting.

XIV. COMMITTEES. Ad hoc committees will be appointed by the Chairperson as needed. Constitutional Officers may be appointed to committees.

XV. PARLIAMENTARIAN. The County Attorney shall act as Parliamentarian to the Board.

XVI. RULES

A. The bylaws may be suspended at any time by a majority vote of the Board of Supervisors.

B. The bylaws may be altered by a majority vote of the Board of Supervisors.

XVII. OFFICIAL BOARD TRAVEL

A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.

B. A Board member shall obtain advance approval of the Board prior to official travel out-of-state. A report and accounting of funds shall be made for travel.

XVIII. RECORDING OF MEETINGS. The Clerk of the Board (or another person acting in that capacity) shall record each regular meeting. These recordings are the property of the Fluvanna County Board of Supervisors. Interested persons may listen to the recordings in the County Administrator's office or may obtain copies of the recording by making appropriate arrangements with the County Administrator's office. Costs will be borne by the person making the request. The original recordings shall not be removed from the County Office Building.

XIX. APPROVAL OF CERTAIN CHECKS, AUTHORIZATION TO SIGN WITH STAMP

A. The Chairperson, County Administrator, Treasurer, and Vice Chairperson are hereby authorized to sign and issue checks without prior approval of the Board for the following purposes: end of the month salaries, end of the month contracted personal services, utility payments, and other payments deemed appropriate and necessary by the Chairperson, County Administrator, and Treasurer; such actions to be reviewed and ratified at the next appropriate meeting of the Board.

B. The Chairperson of the Board of Supervisors, and in his/her absence, the Vice Chairperson, are authorized to substitute his/her facsimile signature provided he/she signs a certified list of individual checks for which his/her facsimile signature is authorized; also the signature plates are in the sole possession of the Treasurer.