

January 23rd 2013
Fluvanna County Planning Commission
By-laws and Rules of Practice and Procedures

CREATION

The Fluvanna County Planning Commission, hereinafter called the “Commission”, is an appointed body provided by the Code of Virginia, Section 15.2-2210. The Commission consists of five (5) members, one (1) appointed from each election district and one (1) representative of the Board of Supervisors. The Board of Supervisors representative does not vote by directive of the Board of Supervisors.

PRINCIPAL OFFICE

132 Main Street, Palmyra, Virginia; Mailing Address: P.O. Box 540, Palmyra, VA 22963

CHAIRMAN

At the first meeting of the year, the Commission selects one of its members to serve as Chairman. The Chairman is a voting member and serves for one year.

VICE-CHAIRMAN

At the first meeting of the year, the Commission selects one of its members to serve as Vice-Chairman. The Vice-Chairman is a voting member and serves for one year.

COUNTY PLANNER

The County Planner shall be Clerk to the Commission and his general duty is set forth in the Code of Virginia, Section 15.2-2217. He shall maintain an office at the same address as the Commission.

COUNTY ATTORNEY

The County Attorney assists the Commission in analyzing the facts; provides advice and action in legal matters and represents the Commission in civil actions.

QUORUM FOR THE EXERCISE OF COMMISSION BUSINESS

A majority of the commission shall constitute a quorum for the purpose of conducting Commission business. A vote of the majority of those present is necessary to take action on an issue.

PUBLIC SESSIONS

1. Except as otherwise directed the regular public meeting of the Commission shall be held on the fourth Wednesday of each month at 7:00 p.m. at the Fluvanna Courts Building in the Circuit Courtroom in Palmyra, VA.
2. A special meeting may be held at the call of the Chair or by the application of three members given to the County Planner. There shall be at least seventy-two (72) hours written notice for a special meeting.

MEETING AND ATTENDANCE

1. All meetings and business shall be conducted in accordance with the Code of Virginia, Roberts Rules of Order Revised, and these by-laws.
2. Meetings will be held on the fourth Wednesday of each month. If the fourth Wednesday falls on a holiday, a new meeting date will be scheduled by the Chairman. Meetings shall start at the appointed time, and if the Chairman is not present, the Vice-Chairman shall preside. If neither the chairman nor the Vice-Chairman is present, the County Planner shall call the meeting to order and preside for the election of a Temporary Chairman.
3. Any person making a written presentation or demonstrating a matter by way of a plat, brochure, picture, or similar document for inclusion in the record of the hearing shall provide the County Planner five (5) copies of such item seven (7) days prior to the meeting at which such person wishes to make a presentation.
4. The County Planner shall list all items requested on the agenda. If, in the opinion of the County Planner, an item is not appropriate for consideration by the Commission, he shall inform the Chairman, and if the Chairman is in agreement, the Commission shall first discuss whether to entertain the item.
5. The County Planner and Chairman of the Commission shall allocate time to items on the agenda as is necessary for appropriate consideration
6. The Commission shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Commission.
7. Time permitting, items not on the agenda shall be heard as the final items of the Commission's business. If time does not, in the opinion of the Chairman of the Commission, permit hearing items on the agenda, they shall be carried over to the next regular or special meeting.
8. The Chairman's vote on all issues before the Commission shall be recorded as being given with the prevailing side, unless the Chairman clearly votes otherwise.
9. Meetings shall be adjourned no later than 11:00 p.m. unless continued by unanimous vote.

CONDUCT OF BUSINESS

1. When the question is called and there is no dispute, the Chairman shall call for the vote.
2. Any member abstaining on a vote shall so indicate following the call for the vote.
3. Exhibits before the Commission shall become the property of the Commission and shall be filed with the County Planner.
4. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chairman" or Ms. Chairman" (as appropriate) and await acknowledgement. At his or her discretion, the Chairman may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Such discussion will be discouraged.
5. Prior to opening a meeting at which one or more public hearings will be held, the Chairman 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.
6. At the beginning of the public hearing, the Chairman shall call upon the County Planner or the Chairman of the committee handling the matter at hand or shall recount a description of the issue placed before the hearing.

7. Subject to revocation or extension by the majority of the commission assembled, the Chairman may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Commission on a matter.
Notwithstanding the foregoing statement, every Commission member shall be entitled to make a statement on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so.
8. All members or citizens shall limit their comments before the Commission. The Chairman has the option of requiring speakers to sign up before being authorized to address the Planning Commission.
9. The Commission has set forth the following rules for presentation time limits:
 - a. Individual presentations placed on the Commission's agenda shall be limited to ten (10) minutes in duration.
 - b. Individual presentation listed under the agenda item "Public Comments" shall be limited to three (3) minutes in duration.
 - c. Statements from the public during the "Public Hearing" on individual agenda items shall be limited to three (3) minutes.
 - d. Complete presentations on Commission action items shall be limited to not more than thirty (30) minutes.
 - e. Either of the above limitations may be extended only by majority consent of the Commission.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches.
4. When a person engages in such a breach, the Chairman may
 - a. Order the person to stand silent,
 - b. Order the person's removal from the building, or,
 - c. Order the person removed from the County Property.

COMMITTEES

There will be no standing committees. Ad Hoc committees will be appointed by the Chairman as needed. Constitutional Officers may be appointed to committees.

RULES

1. The by-laws may be suspended at anytime by a majority vote of the Commission
2. The by-laws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.

RECORD OF THE MEETING

The Clerk of the Commission (or another person acting in the capacity) shall electronically record each regular meeting. Recordings are the property of Fluvanna County. A stenographic record shall not be admissible as evidence of what transpired at a meeting, unless the person taking the record has been sworn prior to making the record. Interested persons may listen to the recordings in the County Planner's office or may obtain copies of the recording or portions of a recording by making appropriate arrangements with the County Planner's office. Costs will be borne by the person making the request. Audio recordings are also available on the county website www.fluvannacounty.org.