



MINERAL TOWN COUNCIL

Town of Mineral

ByLaws – Rules of Order

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TOWN OF MINERAL, VIRGINIA

TOWN COUNCIL

BYLAWS and Rules of Order and Procedure

Section 1 – Purpose and Basic Principles

Section 1-1. Purpose of Bylaws and Rules of Order and Procedure

- A. To enable the Mineral Town Council (MTC) to transact business professionally, expeditiously, effectively, and efficiently.
- B. To protect the rights of each individual Council Member and the public.
- C. To foster and preserve a spirit of cooperation and respect among all the MTC members; and
- D. To determine the pleasure of the MTC on all matters brought before it.

Section 1-2. Five basic principles underlying Bylaws and Rules of Order and Procedure

- A. Only one subject may claim the attention of the MTC at a time.
- B. Each item presented for consideration is entitled to full and free discussion.
- C. Every member has rights equal to every other member.

- D. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- E. The personality and desires of each member should be merged into the larger unit – the Mineral Town Council.

Section 2 – Standing Rules of Procedure of the Mineral Town Council

I. Schedule and Time of Meetings

A. Regular Meetings: Regular meetings of the MTC shall be held in the Mineral Municipal Building Town Council Chambers on the second Monday of each month at 6:30 pm, except if a recognized Holiday falls on a Monday Meeting night, the MTC meeting will automatically take place the next night, Tuesday night, at the same time. The Council may reschedule a regular meeting to another date, if it so desires, or the Mayor may cancel a meeting with sufficient reason.

B. Special Meetings: Special Meetings of the MTC shall be called by the Mayor or by a Majority of the MTC members. Such requests shall be in writing, addressed to the Town Clerk and shall specify the time and place of the meeting and the matters to be considered at the meeting. The Town Clerk shall immediately notify each member of the MTC in writing to attend such Special Meeting at the time and place described in the request. The Town Clerk's Notice shall specify the matters to be considered at the meeting. The Town Clerk shall send a copy of such Notice to each member of the MTC by email.

C. Council Workshops: Workshops are generally meetings of the MTC, conducted in an informal format, primarily for the purpose of receiving presentations by staff, consultants, contractors, or applicants regarding the Town Budget, Town Code, the Town's Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance the Capital Improvements Plan or reviews by the MTC of these or other pertinent matters. Workshops are not mandatory, as no business can be conducted, and are open for information and education on specific topics. Workshops can also be used to gather information on specific proposals and projects.

D. Emergency Meetings: Emergency Meetings can be called by the Mayor, or by a majority of the Council, in an instance where waiting to make a decision can cause harm, damage, or destruction. Emergency meetings should be limited in use, and are specific in exact topic of discussion

II. CONDUCT OF MEETINGS

A. These Adopted Bylaws and Rules of Procedure apply as the primary directive to MTC meetings, operations and conduct. Where not addressed, Robert's Rules of Order, Newest Revised Edition, shall govern the conduct of MTC meetings. All actions and activities addressed herein shall conform to State laws as mandated by Virginia State Code. Any rule of Parliamentary Procedure may be suspended by a two-thirds vote of the MTC members in attendance. Any standing rule set forth herein (e.g. the length of time permitted for public hearings, amount of time allotted to each speaker, etc.) may be Suspended or Modified by a Majority vote of the MTC or by the Mayor. The Mayor is the presiding officer for all Town meetings, and the Vice Mayor will assume the role in their absence.

B. For any meeting, a majority of the MTC membership total shall constitute a Quorum. A quorum consists of 'one more than half' of the voting body, no less than three. Any scheduled meeting not attended by a quorum will be cancelled within 15 minutes, and no business will be conducted.

C. Members of the MTC must be recognized by the Mayor before proceeding to speak during any meeting. Members of the MTC shall address the Mayor and other members, and staff. After being recognized by the Mayor, an MTC member shall not be interrupted during the time that member is allotted to speak, except when a Point of Order is called or when being requested to yield the floor by another member.

D. No member shall hold the floor longer than five minutes without yielding to the Mayor or another member's request for the floor, when requested.

E. No member may speak a second time on a Motion until every other member desiring to speak has spoken.

F. When two or more members of the Council wish to speak at the same time, the Mayor shall designate the one to speak.

G. Amendments to Motions require the approval of the member making the Motion and the member seconding the Motion.

H. A Substitute Motion shall be allowed to any Motion properly on the floor; it shall have precedence over an existing Motion and may be discussed prior to being voted on. If the Substitute Motion fails, the former Motion can then be voted. If the Substitute Motion passes, the Substitute Motion becomes the Main Motion and can be voted. Once a Substitute Motion is voted upon, a second Substitute Motion may be made. No more than two (2) Substitute Motions may be made.

M. Any Question submitted to the MTC shall be determined by a Voice Vote of the Majority of the members voting on the Question, except where the Rules of Parliamentary Procedure or the requirements of the Virginia State Code specify a greater than Majority vote.. A tie vote on any matter shall be determined by the Mayor casting his or her vote to break the tie. The Vice Mayor, when presiding over the meeting, retains their vote. No member may change his or her Vote on any matter, except through a properly presented Reconsideration of the Vote. At the conclusion of each Vote on all Motions, the Mayor shall announce whether the Motion has been adopted or defeated.

N. The Mayor shall Order the Removal of any person whose behavior is unruly or disruptive. At least one Verbal Warning should be provided by the Mayor, or the meeting's presiding officer, to any offending person, unless the immediate action of removal is deemed necessary by the Mayor or the majority of the MTC. The conduct of MTC members towards each other, the staff or the public must be above reproach and should avoid even the appearance of impropriety. Members of the MTC, staff and all members of the public present at meetings shall refrain from abusive language or conduct, personal charges or verbal attacks. (In accordance with State Code 18.2-415)

III. AGENDAS

A. The standard Agenda for regular MTC Meetings should be according to the following general format, but may be edited by the Mayor or majority vote of the MTC.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Adopt/Amend Meeting Agenda
5. Public Comments (3 min. max per person)

6. Approval of Consent Agenda Items
7. Approval of Minutes
8. Review and /Approval of Bills
9. Public Hearings
10. Old Business
11. New Business
12. Appointments
13. Reports:
 1. Zoning Administrator
 2. Council Members' Comments
14. Closed Session (As necessary/with Town Attorney)
15. Reconvene & Certification Vote
16. Discussion/Action following Closed Session
17. Adjourn

B. Items which are requested to be placed on an upcoming Meeting Agenda will be submitted to the Mayor or Town Clerk within the prescribed deadline, and will include the 'Action Item' cover sheet and any supporting documents necessary. The Mayor, following consultation with the Town Manager, approves the items to be placed on each Meeting Agenda and the materials to be distributed.

C. Nothing herein prohibits any MTC member from requesting to add items to the Agenda at the proper time at the beginning of the regular meeting, provided that such a request is made in the form of a Motion, duly Seconded, voted on and approved by a Majority of the MTC. Members should use discretion in requesting additions to the items on the Agenda. It is expected to have items listed on the published agenda prior to the meeting.

D. Variations from the standard Agenda for Regular meetings may be permitted by the Mayor.

IV. Public Comments

A. A time shall be established on the Agenda of each regular monthly meeting for the public to be able to address the MTC on any item(s) of their interest or

concern. Public Comment is an opportunity for individuals to present their comments on any topic of interest or concern. Each speaker will be allowed three minutes. The MTC will not respond to speakers comments or questions at the time of the Meeting. The Mayor or MTC may direct that Staff take some action in response to the public or the MTC may decide to address the matter at a later date through a committee or future agenda item.

V. Public Hearings

- A. The Mayor shall conduct all Public Hearings.
- B. The order of Public Hearings shall be as follows.
 - 1. Hearings should begin with a brief presentation summarizing the facts about the issue and provide a recommendation to the MTC. MTC members may seek clarification during and following the presentation.
 - 2. After a brief presentation from staff, the Mayor shall open the Public Hearing.
 - 3. Each speaker may be permitted to speak for up to three minutes, however, the applicant may be entitled to use up to ten minutes.
 - 4. Once a Public Hearing has been closed by the Mayor, no further public comments should be permitted. MTC members, however, may direct questions to the applicant, commission, committee, staff member or any others present, for clarification prior to taking any vote.
 - 5. Following the closing of the Public Hearing, the MTC should debate the merits of the issue before it. Afterwards, the Mayor shall entertain a Motion to dispose of the issue. If the Public Hearing has been duly conducted and closed, but the Council chooses to Table action until a later meeting, discussion and action at that later meeting shall be limited to the MTC only. The Public Hearing itself shall not be continued to a subsequent meeting without additional public notification.

VI. Elections and Appointments

- A. At the Annual Organizational Meeting of the MTC, usually held in January of each year, the Mayor shall open and preside over the Organizational Meeting.
- B. The Mayor shall open the floor for nominations for the election of the MTC Vice-Mayor. The MTC with the majority of votes shall assume the role of Vice Mayor. If no nominations are made, the current Vice Mayor will remain in effect.

- C. The date and time of regular monthly meetings of the Mineral Town Council shall be voted on or confirmed to be unchanged each year.
- D. The Mayor will announce their appointments to the standing committees, and any ad hoc committees necessary. Committee assignments can be changed at the discretion of the Mayor.

VII. COUNCIL MEMBER REQUESTS FOR STAFF ASSISTANCE

- A. Requests by Council members for assistance shall be directed to the Town Manager.
- B. Requests shall remain professional.
- C. The Town Manager may ask a Council member to schedule an appointment so that proper attention and time can be allotted to the request

VIII. SUPERVISION OF TOWN MANAGER, TOWN CLERK, TOWN EMPLOYEES AND THE TOWN ATTORNEY

- A. The Town Manager and the Town Attorney (Not a Town Employee) report to and are supervised by the Town Council. The Town Council is responsible for making all decisions pertaining to the hiring, supervision, evaluation and termination of the Town Manager, the Town Attorney and share the responsibility for the selection, hiring and evaluation of the Town Clerk and must by Council action appoint the Clerk of Council. The Council Personnel Committee shall be responsible for consultation and direction as needed between the Council and the Town Manager or between the Council and the Town Attorney between regular monthly Council meetings. Performance evaluations, both in person and in writing, should be performed at least annually within a reasonable time after the employment anniversary date of the Town Manager and the Contractual beginning date of the Town Attorney (Legal Contractor).
- B. All other employees in the Town Administration and the DMV report to and are supervised by the Town Manager, and applicable department heads. The Town Manager is responsible for the hiring, supervision and evaluation of all employees with the assistance of department heads. Terminations are a decision of the Town Manager, but only after consultation with Council in Closed Session. No new or vacant positions may be filled without prior

Council authorization. The Council Personnel Committee, appointed by the Mayor, may be involved in the employment selection process when desired. Council members shall be promptly notified of any terminations or resignations.

IX. PRESS RELEASES

The Town Council, through its Mayor or Town Manager, has the authority to issue official press releases in the name of the Mineral Town Council concerning pending plans, actions and policies of the Council.

X. Section 4 – Amending Bylaws

After due consideration, these Bylaws and Rules of Procedures may be amended with the concurrence of two thirds of the total Council. Proposed changes to the Bylaws and/or the Rules of Procedure shall be listed on a published Mineral Town Council Agenda and provided in advance to all Council members for their review.