

PRINCE EDWARD COUNTY
RULES OF
THE BOARD OF SUPERVISORS

(As amended January 2023)

I. ATTENDANCE AND ADJOURNMENT

All members shall make a reasonable effort to attend meetings of the Board. If unable to attend, a member shall notify the Chairman or County Administrator.

A majority of the members of the Board shall constitute a quorum and must be present to proceed to business. A smaller number of members may adjourn or send for absentees. Special meetings of the Board may be called in accordance with Section 15.2-1418 of the Code of Virginia, 1950, as amended.

The Chairman shall take the chair at the hour set by the Board for regular or special meetings. He shall immediately call the Board to order and determine if a quorum is present; if so, he shall have the minutes of the preceding meeting submitted. Any errors or omissions shall, upon motion and carried, then be corrected. The minutes, being found correct, shall be signed by the Chairman and Clerk and shall be the authentic record of the proceedings of the Board of Supervisors.

II. CHAIRMAN AND VICE-CHAIRMAN

Annually at the first meeting in January 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, the Vice-Chairman shall preside at the meeting; in the absence of both the Chairman and Vice-Chairman, the members present shall choose one of its members as temporary Chairman.

The position of Chairman and Vice-Chairman of the Board shall be rotated annually among the Board members. The rotation process will commence with the most senior member, that is being the member from District 101 serving as Chairman and the member from District 201 serving as Vice Chairman. Seniority will be based on cumulative months/years of service on the Board of Supervisors, which need not be consecutive. In keeping with this policy, the selected Vice Chairman will be elevated the following year to serve as Chairman. Upon completion of serving a term as Chairman that district's Board member would move to the end of the rotation list. A Board member shall have a minimum of one year of service on the Board prior to election as the Vice-Chairman and two years of service prior to election as the Chairman. Should a member of the Board decline to seek the nomination as Chairman or Vice Chairman, that district's Board member would move to the end of the rotation list of seniority and the rotation would proceed to the next higher district number. If a tie shall occur in the seniority of Board members, the Board member from the lower numbered district shall succeed as Vice Chair/Chair first.

Commencing with the organizational meeting held on January of 2016, the following would be the rotation based upon the members in office shall be established at the annual organizational meeting of the Board. The rotation commencing January 1, 2023 is as follows:

<u>Year</u>	<u>Chair District Number</u>	<u>Vice Chair District Number</u>
2023	501	801
2024	801	101
2025	101	201
2026	201	701
2027	701	301
2028	301	601
2029	601	401
2030	401	501

The Board Chair and Vice Chair for prior years are as follows:

<u>Year</u>	<u>Chair District Number</u>	<u>Vice Chair District Number</u>
2016	101	201
2017	201	801
2018	801	701
2019	701	301
2020	301	601
2021	601	401
2022	401	501

The day, time, and place of regular board meetings shall be determined at the January meeting. If a Board of Supervisors meeting is cancelled due to inclement weather, the meeting will be held on the following Thursday, unless a holiday, in which case the meeting would be held on the following Tuesday. Pursuant to Virginia Code 15.2-1416, all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

III. CLERK

The County Administrator shall serve as Clerk to the Board.

The minutes of the meetings of the Board shall be duly drawn by the Clerk and shall be submitted for approval at the next regular monthly meeting following their draft.

The Clerk shall appoint a deputy as recording secretary if required or needed by the Board.

IV. ORDER OF BUSINESS

After the call to order the Board shall proceed to the agenda. The normal order of the agenda shall be as below, except at the January organizational meeting and as subject to rearrangement by the Chairman, absent objection by the Board. At the organizational meeting in January, the first order of business shall be the election of the Chairman and Vice-Chairman and approval of the Board's operating procedures.

- A. Public Participation
- B. Consent Agenda
 - Acceptance of Treasurer's Report
 - Approval of Minutes
 - Approval of Warrant List
- C. Highway Matters
- D. Business for Board Consideration
- F. County Administrator's Report
- G. Closed Session
- H. Correspondence
- I. Informational Items
- J. Upcoming Meetings
- K. Monthly Reports from Local Departments
- L. Adjournment

V. PREPARATION OF AGENDA

The County Administrator shall see that the preparation and printing of Board papers, ordinances, resolutions, petitions, and other applicable documents, be completed within such time that members of the Board may receive the documents at least 72 hours before the meeting of the Board.

The County Administrator shall close the upcoming Agenda on the Wednesday prior to the meeting of the Board. Any item submitted after this deadline will not be considered for action unless recommended by the County Administrator.

VI. CONSENT AGENDA

The Chairman and County Administrator shall style routine, non-controversial matters requiring Board action on a Consent Agenda. Items may be removed from the Consent Agenda and place on the Regular Agenda on recorded vote by a majority of the Board members present. Only one motion is necessary to adopt all recommendations and action items on the Consent Agenda.

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.

VII. CONDUCT OF BUSINESS

The Chairman shall preserve order and decorum. When two or more members speak at the same time, the Chairman shall name the person who shall speak first.

A motion or proposition shall be reduced to writing, if desired by the Chairman or any member. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the Board upon it, except a motion to reconsider, which shall not be withdrawn without leave of the Board. Otherwise, meetings shall be conducted in accordance to Robert's Rules of Order, Newly Revised (Procedures for Small Boards).

VIII. TAKING THE VOTE

When a motion in order is made, a second shall be required. The Chairman shall then state the exact motion and indicate that it is open to debate. After the motion has been debated, the Chairman shall put the question in the following forms: "As many as agree that, etc. (as the question may be) let it be known by raising your right hand", and "Those opposed by the same sign."

According to the Constitution of Virginia, a majority of all elected members shall be necessary to adopt any ordinance or resolution appropriating money exceeding the sum of \$500.00, imposing taxes, or authorizing the borrowing of money. Otherwise, a resolution, ordinance, or other proposition shall be adopted by vote of the majority of Board members present and voting. A tie vote shall mean the defeat of the motion voted on.

A member may abstain and be entered in the minutes as present and abstaining.

The Code of Virginia, 1950, as amended, Title 2.2, Chapter 31, (State & Local Government Conflict of Interest Act) shall control with respect to a member's participation and voting.

IX. RECONSIDERATION

After a question has been decided, it may be reconsidered on the motion of any member who voted with the prevailing side, provided the motion is made on the same day as the decision carried. All motions to reconsider shall be decided by a majority of the votes of the members present and voting.

X. WITHDRAWAL OF EXHIBITS

Original papers, filed as exhibits with any ordinance or resolution, may be withdrawn by the patron or upon his order. In such case, he shall leave attested copies, and shall pay the Clerk for the cost of copying.

XI. MANUAL AND RULES

The rules of parliamentary practice in Robert's Rules of Order, Newly Revised shall govern the Board in all cases to which they are applicable, except when they are inconsistent with the rules established by the Board.

The Rules of the Board shall be reviewed and adopted in January of each year. These Rules may subsequently be suspended or amended by a two-third vote of the entire Board. Upon a motion to suspend or amend, the mover shall be allowed two minutes to state the reasons for his motion, and one member opposed to the motions shall be allowed an equal time to object.

XII. APPOINTMENTS

All appointments of Board representatives to commissions, authorities, committees, etc. shall be made once the individual leaves the position or on expiration of his term, and not later than two meetings after the individual has left. The Board shall attempt to honor appointments from representative districts and shall not discriminate based on sex, age, handicap, race, or origin.

At the January meeting of each year, the Board shall vote whether to operate with a system of standing committees during the year. If it does, the Board shall specify the name, composition, and function of each of the several committees. The committees shall meet at the regular times and in conformity with the Virginia Freedom of Information Act. In selecting members of committees, the Chairman of the Board shall make nominations after soliciting from members of the Board their preferences as to committee assignments. The Board may amend the Chairman's nominations and shall confirm the assignments. Standing committees shall consider such matters as referred by the Board, and shall report at regular meetings of the Board.

If the Board votes not to have standing committees, it may act as a committee of the whole on matters normally referred to standing committees. However; the Chairman after consulting with the County Administrator, may appoint special (ad hoc) committees to carry out specific tasks. This shall be done after soliciting from members of the Board their preferences as to committee assignments. A special committee shall automatically cease to exist once it has completed its specific task.

XIII. PUBLIC HEARINGS

The Chairman may, at his discretion, set an appropriate and consistent time limit on all speakers at a public hearing. All speakers shall come forward and identify themselves by name and address before stating their position. If a public hearing becomes disruptive, the Chairman may adjourn or continue, in accordance with the Code of Virginia.

XIV. CLOSED SESSIONS

All discussions held in Closed Session as outlined in the Freedom of Information Act shall represent privileged information held by those involved. Release of such information by a Board member outside the session shall be considered a breach of these by-laws, and the member shall be subject to censure. Specific purpose of closed session shall be stated in accordance with Section 2.2-3711 of the Code of Virginia, 1950, as amended.

Upon return to regular session after a closed session, the County Attorney and/or Chairman shall state the nature of the closed session in as specific terms as appropriate.

In open session, a roll call vote shall be recorded in the minutes, certifying that only public business matters lawfully exempted from open meeting requirements and only such business matters as were identified in the motion were discussed or considered. Any member of the public body who believes there was a departure from the requirements shall so state prior to the vote. The statement shall be recorded in the minutes.

ROBERT'S RULES OF ORDER, NEWLY REVISED

PROCEDURE IN SMALL BOARDS

In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The rules governing such meetings are different from the rules that hold in other assemblies, in the following respects:

- Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
- There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
- Informal discussion of a subject is permitted while no motion is pending.
- Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion having been introduced. Unless agreed to by general consent, however, all proposed actions of a board must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often a better method in such meetings.
- The chairman need not rise while putting questions to vote.
- The chairman can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board (which should be uniformly followed regardless of how many members are present), he usually can make motions and usually votes on all questions.

EFFECT OF PERIODIC PARTIAL CHANGE IN BOARD MEMBERSHIP

In cases where a board is constituted so that a specific portion of it is chosen periodically (as, for example, where one third of the board is elected annually for three-year terms), it becomes, in effect, a new board each time such a group assumes board membership. Consequently, all unfinished business existing when the outgoing portion of the board vacates membership falls to the ground; and if the board is one that elects its own officers or appoints standing committees, it chooses new officers and committees as soon as the new board members have taken up their duties, just as if the entire board membership had changed. The individual replacement of persons who may occasionally vacate board membership at other times, however, does not have these effects.



Mission Statement of the Board of Supervisors of the County of Prince Edward

"The mission of the Board of Supervisors of the County of Prince Edward is to represent all citizens, provide leadership, create vision and set policy to accomplish positive change and planned growth and to provide essential services, enhancing the quality of life and maintaining fiscal responsibility. "

Protocol for Board of Supervisors Comments

- The Board of Supervisors sets aside ten (10) minutes near the beginning of each regular board meeting for each member of the Board of Supervisors to respond to comments made by citizens during "Public Participation," if he/she so desires.
- This is an opportunity for each individual member of the Board to express his/her own personal opinion in response to a citizen's concerns on matters of public interest.
- "Board of Supervisors Comments" is not designed to allow debate between Board members and citizens.
- The Chairman of the Board will establish the order of speakers and will maintain decorum.
- Each Board member shall be allotted an opportunity to speak for a maximum of one (1) minute; unless additional time is yielded by another member of the Board. In the event a Board member or members shall be absent, unallocated time shall not be allocated to Board members in attendance.
- Following each Board member's comment period, the remaining two (2) minutes shall be set aside for appropriate response, and shall be divided equally between those members of the Board wishing to respond, and as directed by the Chairman.

Adopted May 12, 2009



Mission Statement of the Board of Supervisors of the County of Prince Edward

To represent all citizens, provide leadership, create vision and set policy to accomplish effective change, planned growth and provide essential service, while maintaining and enhancing the quality of life in Prince Edward County.

PROTOCOL FOR PUBLIC PARTICIPATION

- The Board of Supervisors sets aside twenty (20) minutes near the beginning of each regular board meeting for citizen comment.
- This regular agenda item is termed "Public Participation". During this period the Board receives comment from any citizen of Prince Edward County on any matter not scheduled for a public hearing.
- This is an opportunity for citizens to speak and the Board to listen carefully to citizen expressions of concern and opinion.
- Citizens may ask questions of the Board or individual Board members; however, Public Participation is not designed to allow debate between Board members and citizens.
- Citizens are expected to conduct research on topics prior to Board meetings and this forum provides citizens with an opportunity to inform elected officials of their findings and positions on matters of public interest and concern.
- Citizens wishing to speak during Public Participation are asked to please sign the Public Participation register prior to the beginning of the meeting.
- Citizens may also participate remotely by using the call-in information: 1-844-890-7777, Access Code: 390313. Citizens participating remotely are asked to pre-register by calling the County Administrator's Office at 434-392-8837, prior to 4:00 p.m. the day of the meeting.
- Citizens are respectfully requested to state their full name and address for the record.
- The Chairman of the Board will establish the order of speakers and will maintain decorum.
- Citizens shall speak for a maximum of five (5) minutes, unless more time is granted by the Chair.
- In the event that more than four (4) speakers wish to be heard during citizen's time, the Chairman shall allocate the twenty (20) minutes among speakers in an equitable manner. An extension to the twenty (20) minute limit can be granted by the Chair.
- Comments from citizens who are not residents of Prince Edward County will be entertained once all County residents are heard.
- Signs, placards, posters or like material are not permitted in the Board Chamber, adjoining areas or County offices.
- The Board asks that citizens remain seated during the meeting unless called upon to stand for recognition as a speaker, official duties, physical necessity, or to enter/leave the meeting.
- The use of profane, vulgar, obscene or threatening speech is not permitted and can result in removal from the meeting.
- Citizens are requested to turn off or deactivate the sound from all cell phones, pagers, or other electronic communication devices.
- Should you require special accommodations in order to participate in a Board meeting, please contact the Prince Edward County Administrator's Office at 434-392-8837.

