



BOARD OF SUPERVISORS 2023 BYLAWS

Adopted by the Board of Supervisors: January 11, 2023

ARTICLE I. - BOARD OF SUPERVISORS

- Section 1.1 - The County of Charles City is governed by a Board consisting of three (3) Supervisors, each elected by district. Term of each Supervisor is four (4) years and may be successive.
- Section 1.2 - Pursuant to 15.2-1422 of the Code of Virginia, the Board shall elect annually from its membership a Chair and a Vice-Chair. The Vice-Chair shall act with the full authority of the Chair in the absence of the Chair.
- Section 1.3 - The term of office of the Chair and Vice-Chair shall be one (1) calendar year beginning at the end of the Annual Organizational Meeting at which they were elected through the end of the Board's next Annual Organizational Meeting the following calendar year.
- Section 1.4 - The Clerk of the Board shall be the County Administrator, whose duties and responsibilities as Clerk shall be as specified in the Code of Virginia or as delegated by the Board. The Board, at its discretion, may designate a County employee as Deputy Clerk or Temporary Clerk.
- Section 1.5 - The County Attorney shall serve as Parliamentarian for the Board.
- Section 1.6 - The Sheriff of Charles City County or his designee(s) shall serve as Sergeant at Arms for Board meetings. As circumstances may require in the Sheriff's judgment and in consultation with the Board Chair and/or the County Administrator, the Sheriff may impose such security measures as he deems appropriate and lawful in order to protect the public safety.
- Section 1.7 - The Chair, as provided in Section 15.2-1410 of the Code of Virginia shall have the power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

ARTICLE II. - ELECTION OF OFFICERS

- Section 2.1 - Election of officers shall be held at the Annual Organizational Meeting.
- Section 2.2 - Election of officers shall be the first item of business at the meeting where elections are to be held. The Chair will temporarily appoint the County Administrator as Chair in order to hold the election.
- Section 2.3 - A majority vote of a quorum of the Board is needed to elect officers. A nomination for each officer shall be conducted upon motion by Board members of acceptance of the nominations. The closing of nominations shall be by motion and the majority vote of a quorum, at which time the election of officers will be conducted.
- Section 2.4 - Upon election of new officers, the new Chair and Vice-Chair shall preside at the first meeting and all other meetings during the term for which elected.

ARTICLE III. - MEETINGS

- Section 3.1 - The Chair, or Vice-Chair, in his/her absence, shall preside at all meetings of the Board.
- Section 3.2 - At any meeting, a majority of the Supervisors shall constitute a quorum.
- Section 3.3 - The Annual Organizational Meeting of the Board shall be held in January at a date and time determined by the Board at or before its Regular Meeting in December of the previous calendar year. At that meeting, the Board shall first elect a Chair and Vice-Chair for that year. During the course of that meeting, the Board will shall fix the date, time, and place of all of its Regular Meetings and work sessions for that year.
- Section 3.4 - The Board shall meet at least once each month for a Regular Meeting. Regular Meetings of the Board shall be held on the fourth Tuesday of each month at 6:00 p.m. in the auditorium of the Charles City County Government Administration Building. The Regular Meeting date, place, and time will continue unless changed by appropriate action of the Board.
- Section 3.5 - If a Regular Meeting will fall on a legal holiday, the meeting may be rescheduled by appropriate action of the Board and in accordance with these Bylaws.
- Section 3.6 - The Chair may cancel a meeting due to inclement weather and the meeting will be rescheduled for the earliest possible date by sending written notice to each member of the Board.
- Section 3.7 - Special Meetings of the Board may be approved and scheduled pursuant to Sections 15.2-1417 and 15.2-1418 of the Code of Virginia. Special Meetings shall be held when requested by any member of the Board. The request shall be in writing to the Clerk and shall specify the time and place of the meeting and the matter(s) for consideration. Upon receipt of such a request, the Clerk shall immediately notify each member and the County Attorney by electronic mail or in writing delivered in-person to his/her place of business or residence, as appropriate. The notice may be waived if all members of the Board attend the meeting or sign a waiver. No matter that is not specified in the notice shall be considered at such meeting.
- Section 3.8 - Recessed meetings are meetings that are set by the Board at the end of a regular or recessed meeting pursuant to the Code of Virginia 15.2-1416 for the purpose of completing the Board's business. No meeting can be recessed beyond the time fixed for the next Regular Meeting.
- Section 3.9 - Meetings of the Board are open to the public and all persons conducting themselves in an orderly manner may attend the meetings. Closed meetings shall be restricted for those purposes enumerated in the Code of Virginia. No closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene as permitted by and outlined in Section 2.2-3711 of the Code of Virginia.
- Section 3.10 - Unless otherwise specifically provided by law, no vote of any kind of the membership, or any part thereof, of any public body shall be taken to authorize

the transaction of any public business, other than a vote taken at an official meeting.

- Section 3.11 - Nothing contained herein shall be construed to prohibit separately contacting the membership, or any part thereof, of the Board for the purpose of ascertaining a member's position with respect to public business, provided the contact is done on a basis that does not constitute an official meeting.

ARTICLE IV. – BOARD MEETING AGENDA

- Section 4.1 – The County Administrator shall prepare an agenda for each regular or special meetings of the Board on which shall appear the title of each matter on which action is to be taken at that meeting. The agenda for each regular meeting shall (a) be prepared at least five days prior to the meeting, (b) be promptly mailed or delivered to each member of the Board or placed in the repository assigned to such Board member, and (c) be distributed to appropriate officers and employees of the county government and members of the public and media requesting copies.
- Section 4.2 - Any member of the Board or Constitutional officer may have an item of business included on the agenda provided it is received at least seven (7) working days before the date of the Board meeting; provided; however, that this does not prevent the County Administrator or Board members, at their discretion, to have items included which are received after the cutoff date hereinabove stated.
- Section 4.3 - The Order of Business at a regular meeting of the Board, in person or virtually, shall be as follows beginning at 6:00 p.m. or an alternative specified meeting time:
- Call to Order / Pledge of Allegiance
 - Adoption of the Agenda
 - Consent Agenda
 - Report by Agencies and Special Guests Presentations/Requests
 - Public Comment Period
 - Public Hearing(s)
 - Appointments
 - County Administrator's Report
 - Public Comment Period
 - Board Directives/Comments
 - Adjournment/Recess
- Section 4.4 – The Order of Business may be changed at the discretion of the Chairman.
- Section 4.5 - Upon a majority vote of the Board of Supervisors, in person or virtually, any item may be added when the agenda is voted on and the Chairman may allow any agenda item to be called out of sequence.
- Section 4.6 - Any matter not on the scheduled agenda, may be heard after the agenda has been approved by the Board only upon the unanimous vote of the Board members present.

- Section 4.7 - The Consent Agenda is that which contains items that do not warrant discussion or debate beyond simple clarification. The Consent Agenda shall be adopted as a single item. Upon objection by any Board member of an item's inclusion in the Consent Agenda, that item shall be removed and placed elsewhere on the agenda for consideration as appropriate. Such objection may be recorded at any time prior to taking a vote to approve the Consent Agenda.
- Section 4.8 - No matter on the scheduled agenda shall be considered after 12:00 am without the unanimous consent of the Board. Any matter not heard shall be automatically continued to the next regular scheduled meeting of the Board.

ARTICLE V. -MEETING PROCEDURES

- Section 5.1 - The proceedings of the Board of Supervisors will be governed by Robert's Rules of Order, a Manual of General Parliamentary Law, to the extent compatible with applicable law and these Bylaws, as interpreted by the Chair. Where provisions of these Bylaws conflict with Robert's Rules, the former shall prevail.
- Section 5.2 - A quorum of the Board must be present to Call to Order and/or continue an official meeting and for the Board to take any official action. Should for any reason a quorum not be maintained during an official meeting, the meeting shall adjourn or recess as appropriate.
- Section 5.3 - The Board will generally conduct business through the use of motions and roll call voting. At the appropriate time, the Chair will state the motion and call the name of each member to reply with a vote of either "Aye" or "Nay". The Chair may make a motion without vacating the chair. A discussion of an item will only be permitted after a motion is on the floor. Motion does not require a second.
- Section 5.4 - Each member of the Board may participate in a discussion of any issue only after being recognized by the Chair. The Chair shall not recognize a motion to "call the question" or end discussion until every member who so desires have had a chance to speak. After the conclusion of the discussion, the Chair shall "call the question" and no further discussion shall be in order.
- Section 5.5 - When a motion is under debate, no additional motion shall be made unless it is a motion to withdraw, to defer, to substitute, or to amend. If the member who made the motion agrees, a motion may be amended or withdrawn. Motions shall take precedence in the order listed above.
- Section 5.6 - Only one substitute motion, per Board member, shall be in order for a principal motion.
- Section 5.7 - A motion to defer shall be to date certain. Prior to voting on a motion to defer, the Board shall hear public comments on the issue of deferral if the scheduled item requires a public hearing.
- Section 5.8 - A vote by a member of the Board is final once cast. No ordinance, resolution, or motion previously voted upon by the Board shall be brought forward for reconsideration during the same meeting of the Board.

Section 5.9 - No Board member is required to vote on any question, but an abstention, although not a vote in favor of carrying a question shall be counted as a vote for the purpose of determining a quorum.

Section 5.10 - A tie vote shall defeat the motion, resolution, or issue voted on.

ARTICLE VI. – PUBLIC PARTICIPATION AT MEETINGS

Section 6.1- Official meetings of the Board are open to the public and all those present shall be respectful of others. When any person, including Board members, speaks to the Board, he or she shall address the Chair.

Section 6.2 - Persons will not be allowed to do the following and will be called out of order by the Chair:

- Engage in personal or “ad hominem” attacks;
- Use profane or abusive language or gestures;
- Address matters that are confidential under applicable law;
- Campaign for public office;
- Promote private business ventures;
- Speak to matters previously presented to the Board by the speaker.

Section 6.3 - Any citizen, staff, or organization who desires to address the Board on a business item shall submit a written request to the Clerk, or his designee, identifying with reasonable certainty the subject matter of the presentation. Those persons with a business item before the Board may address the Board upon invitation of the Chair and should clearly identify themselves by title and organization they may represent.

Section 6.4 - Any citizen will have the opportunity to speak to the Board at the Board monthly meetings during Public Comments. The public comment periods will be for citizens to speak on items that are listed on the agenda and non-agenda items. Comments will be held 3 minutes if speaking individually, 5 minutes if speaking for a group. At the Chairman’s discretion, the time limit may be changed due to the number of participants speaking. Citizens will be asked to state their name, to be included in the minutes. Comments made during public comments will be noted in the Board of Supervisors' minutes but will not be in detail.

ARTICLE VII. –PUBLIC HEARINGS

Section 7.1 - Public hearings will be held at Regular Meeting, or at such other times as may be advertised. All public hearings will be held in the Charles City Government and School Board Auditorium, or at such other place that may be designated and advertised by the Board. The Board may interrupt its Order of Business to proceed with any public hearing.

Section 7.2 - The following format will generally be used for the conduct of public hearings:

- The Chair will make a brief statement identifying the matter to be heard and verify with the County Administrator that all proper legal notice requirements have been met.
- The Chair will recognize the appropriate staff member to present the item to be heard. Staff presentations should be concise and should strive to be no longer than five (5) minutes except when necessary to properly inform the public of the issue before the Board.
- The Chair will open the floor to public comment, starting with those persons who signed a roster to speak prior to the meeting. Comments should generally be held to three (3) minutes or less.
- The Chair will close the floor to public comment once all who wished to speak have done so and refer the matter for Board discussion.

Section 7.3 - Speakers addressing the Board at a public hearing shall clearly state their name and address and shall be allowed to speak for the time allotted by the Chair. If the Chair feels it necessary, speakers may register with the Clerk prior to the start of the hearing on forms provided, and the Chair shall verify that all such registration has been completed before beginning the hearing.

Section 7.4 - When a public hearing shall have been closed by order of the Chair, no further public comments shall be received.

Section 7.5 - No public comments regarding County business sent electronically shall be reviewed during the hearing by the members of the Board.

ARTICLE VIII. – MINUTES

Section 8.1 - The Clerk of the Board shall prepare and maintain adequate minutes of the proceedings of all official meetings of the Board, in accordance with the requirements of the Code of Virginia.

Section 8.2 - The Board can prescribe the form and content of the Minutes, but at a minimum, the Minutes shall contain the styling of the business item, the action of record, and the vote by individual members or consensus expression of the Board. Where deemed necessary to provide context, a brief discussion of the business item shall be included.

Section 8.3 - Minutes shall not be official until approved by the Board and recorded. Minutes should generally be presented at the next Regular Meeting of the Board where at least five (5) working days elapse between the meetings.

Section 8.4 - After approval, but before recordation, the Clerk may make additions or corrections to the Minutes that do materially affect the substance or content. These include, but are not limited to, misspellings, typographical errors, incorrect grammar, or page renumbering.

Section 8.5 - If an error is discovered in the Minutes after recordation, the Clerk shall bring the error to the Board at the next official meeting as is practical. The Board may vote to amend the Minutes only upon a clear showing that a clerical or administrative mistake was made.

ARTICLE IX. – APPOINTMENTS

Appointments to committees of the Board and to authorities, boards and commissions shall be made only by a majority of the full Board. Prior to consideration of the nomination, the nominee shall be notified to determine his willingness to serve and to determine if he meets the minimum qualifications for such appointment.

ARTICLE X. – COMMITTEES

The Board may create committees and shall appoint members to such committees. Committees may hold hearings and perform such other duties as may be prescribed. A committee may be instructed concerning the form of any report it shall be requested to make and a time may be fixed for submission of any report.

ARTICLE XI. – AMENDMENT

Section 11.1 - These Bylaws may be amended at any time during the year by a majority vote of the Board, at the regular meeting following the introduction of the proposed amendment, unless such change violates the Code of Virginia.

Section 11.2 - The Board of Supervisors may suspend the application of any section of these Bylaws by a unanimous affirmative vote of all Board members present at any time during the meeting.

ARTICLE XII. – NATURE OF BYLAWS, RULES AND PROCEDURES

These Bylaws, rules and procedures are for the convenience of the Board of Supervisors and are adopted by the Board to assist it in the conduct of its meetings. Only the Board of Supervisors has standing to enforce the provisions of these Bylaws and only at the time of the application of the Bylaws.