

2024

BY-LAWS AND RULES OF PROCEDURE

**BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA**

Adopted: July 2, 2024

INDEX

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2024
BY-LAWS AND RULES OF PROCEDURE
BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA

Section 1 -- Meetings

Section 1-1 Annual organizational meetings

A. The first January meeting of each year shall be known as the annual meeting of the Board of Supervisors of Stafford County, Virginia ("Board"). The Clerk shall preside at the annual meeting until the election of the Chairman.

B. The Chairman shall be elected at the annual meeting. Board members are ineligible to be elected Chairman for any year in which that member's seat on the Board is up for election, regardless of that member's intent to not run for election. The Chairman shall serve until the beginning of the next annual meeting if the Chairman remains on the Board after the calendar year in which he/she was elected. If the Chairman is no longer on the Board, the following members shall serve as interim Chairman, in order of succession: (1) Vice Chairman, if remaining on the Board after the calendar year in which he/she was elected; (2) most senior member of the Board by number of immediately preceding consecutive years; (3) most senior member of the Board by total number of non-consecutive years. If the most senior members of the Board have served for an equal number of years, then the Board shall anticipate the need to elect an interim Chairman and, at the last meeting of the calendar year, elect one of the most senior members to serve as interim Chairman.

C. The Chairman shall not serve as chairman of any Board committee, except that he/she may serve in an interim capacity in the absence of the committee's chairman.

D. Following his/her election at the annual meeting, the Chairman shall conduct the election of the Vice Chairman.

E. The Chairman and Vice Chairman may succeed him/herself in office once and may serve any number of non-consecutive terms.

F. Following the election of the Vice Chairman, the Board shall:

1. Establish days, times, and places for its regular meetings; and
2. Make appointments of individuals to County boards, authorities, commissions, and committees. Appointments shall be made by majority vote. Appointments to the various County boards, authorities, commissions, and committees may be made by a single vote or multiple votes, except as required by the Code of Virginia. Appointments may be made by motion, except as required by the Code of Virginia. No appointed member shall serve as the Chairman or Vice Chairman for more than two consecutive years.
3. Make recommendations of individuals for appointment to County boards, authorities, commissions, and committees, as required by the Code of

Virginia (such as the Board of Zoning Appeals). Recommendations shall be made by resolution.

Section 1-2 When regular meetings held

Regular meetings shall generally be scheduled on the first, third, and fourth Tuesdays of each month, in accordance with the annual regular meeting calendar adopted by the Board via Resolution at the annual meeting. Whenever the regularly scheduled meeting date falls on a legal holiday, the regular meeting shall be held on the following day in accordance with § 15.2-1416 of the Code of Virginia (1950), as amended. The Chairman may cancel any meeting because of inclement weather or disaster and should reschedule any cancelled meeting at the earliest possible date. No meeting shall last any later than midnight of the day of the meeting, unless a majority of the Board votes to extend the meeting.

Section 1-3 Special Meetings

The Board may hold such special meetings as it deems necessary at such times and places as it may find convenient; and it may adjourn from time to time. A special meeting of the Board shall be called pursuant to § 15.2-1418 of the Code of Virginia (1950), as amended. Notice to the public of any special meeting shall be given contemporaneously with the notice provided to the members of the Board and the County Attorney.

Section 1-4 Quorum and method of voting

A. A quorum shall consist of a majority of the members of the Board.

B. At meetings of the Board, the Chairman shall announce which members are absent and the reasons for their absence, if known. Such announcement shall be made immediately after the roll call of members; or, if a member leaves after the roll call, as soon as practicable thereafter. Any absences and the reasons therefore shall be recorded in the minutes of the meeting.

C. All questions submitted to the Board for decision shall be voted on using the wireless voting device. Any member may request a roll call vote. A green light displayed on the monitor represents a “Yea” vote and a red light represents a “Nay” vote. The Chairman shall call for the vote and each member shall cast his/her vote from the dais using the wireless voting device, except for any Board member participating remotely pursuant to the Board’s Policy Governing Electronic Participation in Meetings. The Chairman shall then call for the Clerk to tally the vote. Upon tallying the vote, the Clerk shall display the vote and the Chairman shall announce the results. If a Board member believes that the wireless voting device did not record their vote or the monitor does not correctly reflect their vote, then the member shall notify the Chairman immediately after the Chairman announces the vote. If the wireless voting system is not available due to technical problems/malfunction, the Board shall vote using a roll call vote.

D. When one member or more participates via electronic means when a quorum of the Board is otherwise physically assembled in one location, the Chairman shall call on the member by name to cast his or her vote. The Chairman shall announce the voting results and the number of members voting for, against, and abstaining from, if any, the question.

E. It shall be the duty of every member to vote on issues before the Board. If a member abstains, he/she shall state his/her reason for abstaining for the record. If an abstention occurs, it shall be the responsibility of the Chairman to have the reason for the abstention noted in the official record.

F. A tie vote fails; however, if all members are not present for the vote, the matter shall be passed by until the next regular meeting of a similar kind (Day A or Day B) of the Board, when the matter shall be placed on the agenda as if for the first time, with full discussion and debate allowed by all members and with a new vote taken by all members present.

Section 1-5 Electronic/telephonic meetings

Except as permitted by §§ 2.2-3708 and 2.2-3708.1 of the Code of Virginia (1950), as amended, and the Board's adopted Policy Governing Electronic Participation in Meetings by Members, Board members shall not participate in Board, committee, and subcommittee meetings by telephone or electronic means (i.e., communications of a simultaneous nature).

Section 2 -- Officers

Section 2-1 Chairman and Vice Chairman

The Chairman shall preside at all meetings of the Board. The Vice Chairman serves in the absence of the Chairman. If both the Chairman and the Vice Chairman are absent from any meeting, the remaining Board members shall elect a Board member to preside as Temporary Chairman.

Section 2-2 Preservation of order

At meetings of the Board, the Chairman shall preserve order and decorum.

Section 2-3 Chairman may administer oaths

The Chairman 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.

Section 2-4 Parliamentarian

Except as modified herein or as provided by law, the most current edition of Robert's Rules of Order shall be the parliamentary authority of the Board using the Rules for small bodies. The County Attorney, or his/her designee, shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules of Order shall be addressed to the County Attorney or his/her designee. If the County Attorney or his/her designee is unavailable, the County Administrator shall serve as the Parliamentarian.

The Parliamentarian advises the Chairman on matters of order and parliamentary procedure. The Parliamentarian's role is purely advisory and consultative. The Chairman alone has the power to rule on questions of order and to answer parliamentary inquiries.

Section 2-5 Clerk

The Clerk of the Board shall be the County Administrator as set out in §§ 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended.

Section 3 -- Conduct of Business

Section 3-1 Order of Business

The order of business for regular Board meetings shall be generally as follows:

- A. DAY A || First Tuesday of the Month || Starting at 5 p.m.
 - 1. Call to Order
 - Roll Call
 - Chairman Remarks
 - Invocation
 - Pledge
 - 2. Additions and Deletions to Agenda and Approval of Agenda
 - 3. Consent Agenda
 - 4. Proclamation Presentations
 - 5. Presentations by the Public
 - 6. Reports
 - Reports and Comments by Board Members
 - Report of the County Attorney
 - Report of the County Administrator
 - 7. Presentations and Reports by Agencies
 - 8. Action Items
 - 9. Closed Meeting
 - 10. Adjournment

- B. DAY B || Third Tuesday of the Month || Starting at 5 p.m.
 - 1. Call to Order
 - Roll Call
 - Chairman Remarks
 - Invocation
 - Pledge
 - 2. Additions and Deletions to Agenda and Approval of Agenda
 - 3. Work Session Items
 - 4. Presentations and Reports by Departments
 - 5. Presentations by the Public at 6:30 p.m.
 - 6. Public Hearings
 - 7. Closed Meeting
 - 8. Reports and Comments by Board Members
 - 9. Adjournment

- C. DAY C || Fourth Tuesday of the Month (as needed) || Starting at 5 p.m.
 - 1. Call to Order
 - Roll Call
 - 2. Additions and Deletions to Agenda and Approval of Agenda
 - 3. Work Session
 - 4. Closed Session (as needed)
 - 5. Adjournment

D. The above order of business and times may be modified by the County Administrator should there not be a need for certain sections of the agenda for a given meeting, or for special presentations by the Virginia Department of Transportation (VDOT), the Sheriff, the Stafford County Public Schools Superintendent or his/her designee, etc., and appointments which are occasional in nature.

Section 3-2 Call to Order

A. At the designated time to start a meeting of the Board, the Chairman shall announce the start of the meeting and the Clerk shall perform the roll call of Board members and announce the presence of a quorum.

B. Prior to the meeting, the Chairman shall request and determine amongst the Board members which members will conduct the invocation and lead the pledge.

Section 3-3 Additions and Deletions to Agenda and Approval of Agenda

A. Items which were not presented as part of the published agenda shall be included as add-on items placed in an add-on folder at each Board member's seat at the dais. Add-on items shall be considered for addition to the agenda under the "Additions and Deletions to Agenda and Approval of Agenda" portion in the order of business. Any item which would be acceptable for placement on the consent agenda may be placed as an add-on item to the consent agenda. All other items shall be placed as an add-on under Action Items or Work Session items.

B. Items may only be added to the agenda after two-thirds of the Board members present and voting agree to the addition.

C. Add-on materials shall be made available to the public by having paper copies of the materials available in the Board Chambers (or other room in which the Board is meeting) and updating the online agenda.

Section 3-4 Consent Agenda

A. The consent agenda shall be introduced by a motion "to approve the consent agenda," and shall be considered by the Board as a single item. If any member has asked to remove an item from the consent agenda, the consent agenda shall be introduced by a motion "to approve the consent agenda minus item numbers ____."

B. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda.

C. At a Board member's request, an item shall be removed from the consent agenda. The Chairman shall ask if any member desires to remove an item from consent prior to calling for a motion to approve the consent agenda. Items removed from the consent agenda shall be addressed as a discussion or action item after the Board disposes of the consent agenda.

D. Items which are routine in nature and noncontroversial, including routine or noncontroversial add-on items, and are anticipated to have the unanimous approval of the Board may be placed on the consent agenda. Items shall not be considered routine in nature

or noncontroversial if such item may readily initiate a discussion among the Board or any Board member would disagree with the item's placement on the consent agenda. If there is any doubt as to the nature of the item, the item should be placed under Action Item and not on the Consent Agenda.

E. The County Administrator will place items on the consent agenda during preparation of the agenda. The consent agenda will be reviewed and items may be moved to Action Items by the Chairman and Vice-Chairman during the agenda review meeting.

F. The County Administrator is authorized to make payment on previously approved expenditures in excess of \$100,000 when Board meetings are more than two weeks apart. Ratification of such payments may be placed on the consent agenda.

Section 3-5 Proclamation Presentations

A. Approval of proclamations is appropriate for placement on the Consent Agenda.

B. County Administration maintains a list of events and recognitions the Board proclaims annually. All other proclamation requests from Board members shall be presented to the Chairman.

C. Proclamation presentation scheduling is coordinated with the Clerk, Chairman, and Vice-Chairman in preparation of the agenda.

Section 3-6 Presentations by the Public

A. Presentations by the public are governed by the following rules:

1. Each speaker must clearly state his/her name and election district. If a minor, the speaker must only state his/her name.

2. Comments by the public shall be limited to three (3) minutes for all speakers.

3. Though encouraged to complete a speaker's card in advance for record purposes, any person wishing to speak may do so without completion of a speaker card.

4. Public presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the Clerk, or his/her designee, by noon on the Monday before the Board meeting at which the presentation is to be made.

5. Citizens may not address issues during the presentation by the public period on matters that are scheduled for public hearing during the same meeting.

B. On Day B only, any items on the agenda which were not taken up by the Board prior to the Presentations by the Public shall be carried over and taken up by the Board after the Public Hearings.

Section 3-7 Reports

A. Reports and Comments by Board Members

1. Reports and comments by Board members are limited to five (5) minutes each, unless extended by the Chairman. It shall be the responsibility of the Chairman to enforce this rule. Board members should also provide updates as required under section 6-1(B) of the By-laws during this time.

2. During a Board member's reports and comments time, the Board member may suggest consideration of no more than one (1) item for a brief discussion and decision by the Board to forward the item to County staff for work on the item. Upon completing work on the item, under the County Administrator's direction, staff will report back to the Board in an appropriate format for the topic and under the appropriate agenda section at a future meeting.

B. Reports of the County Attorney and County Administrator

1. The Chairman shall call for the report of the County Attorney and the County Administrator.

2. Items to be included in such reports shall be at the discretion of the County Attorney or County Administrator, respectively, and may be provided by their designee(s).

Section 3-8 Presentations and Reports by Agencies

A. Regional partners and agencies—like VDOT, Central Rappahannock Regional Library, Rappahannock Regional Landfill, and others—may address the Board and provide reports of no longer than ten (10) minutes, unless extended by the Chairman.

B. Presentations will be scheduled by the Clerk and be included on the appropriate draft agenda for planning purposes.

C. Agency presentations that require the use of the County's electronic system for power point or other visual displays should be submitted to the Clerk by noon on the Thursday before the Board meeting at which the presentation is to be made.

D. County departments may also present under this section of the agenda, as needed or required.

Section 3-9 Action Items

A. Items which are ready for the Board to act on may be placed under the Action Items section of the agenda. Action Items may require a brief staff presentation but not extensive coverage, which is more appropriate for a work session item.

B. If the Board believes additional information, research, or discussion is necessary on an Action Item, the Board may vote to defer the Action Item or send it to a work

session. If the Board takes no action on an Action Item, the item will receive no further consideration and will not be placed on a future agenda without Board approval.

C. Items coming from a work session back to the Board, are appropriate for placement on the agenda as an Action Item or on the Consent Agenda, if no Board member objects to placing the item there.

Section 3-10 Closed Meeting

A. The Board may vote to enter closed session for purposes statutorily recognized as exceptions to the open meeting requirements at the place so designated on the agenda and at any point during a meeting by a majority vote.

B. After a closed meeting on personnel, or probable or actual litigation related legal items, the Board may take action upon such items. No other items may be considered after closed meeting unless two-thirds of the members present at such meeting deem it time-sensitive and consent to such vote.

Section 3-11 Adjournment

A. Once all business before the Board on its agenda has been addressed, adjournment of the meeting is in order and the Chairman may do so without a vote of the Board.

B. Regular meetings may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed. Notice of any regular meeting continued under this section shall be reasonable under the circumstances and be given as required in Virginia Code §§ 15.2-1416 and 2.2-3707(E).

Section 3-12 Work Sessions

A. Work sessions provide the Board members the opportunity to meet with staff in order to delve into complex issues, discuss solutions and alternatives, and to give staff formal and informal direction. The County Administrator, in consultation with the Chairman and Vice Chairman, shall schedule items for Work Session agendas.

B. Items may be sent to a work session by the County Administrator, in consultation with the Chairman and Vice Chairman, the Chairman, or the Board.

C. All work sessions are open meetings of the Board and all State law meeting provisions shall apply.

D. Day B Work Session items should include items that require extensive coverage and are considered ready for action but require more staff support or discussion with the Board than an Action Item. Work session items on Day B may be voted on.

E. For Day C Work Sessions, the Board shall not take a formal vote or action upon any item during the work session, unless two-thirds of the Board deems the matter time sensitive. Once an item has been covered in a work session, the item may come to the Board as an Action Item or Consent Agenda Item on Day A.

Section 3-13 Presentations and Reports by Departments

A. County departments will provide the Board routine presentations, reports, and updates of no longer than ten (10) minutes, unless extended by the Chairman. Presentations will be scheduled by the Clerk and be included on the appropriate draft agenda for planning purposes.

B. Under the County Administrations direction, County departments may present information and staff reports following up on Board member requested items, consented to by the Board during the Reports and Comments by Board Members section of a previous meeting.

Section 3-14 Public Hearings

A. The Chairman shall conduct all public hearings. Public hearings shall commence following Presentations by the Public on meeting Day B.

B. **Order of public hearings.** The order of public hearings shall be as follows:

1. The Chairman shall open the public hearing.

2. Public hearings should begin with a brief presentation from a staff member and/or representative from the board, authority, commission, or committee, by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members' inquiries during the staff member's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing.

3. The applicant, or the representative of the applicant, shall make his or her presentation after the presentation from staff. There shall be a time limit of ten (10) minutes for the applicant's or the representative's presentation, unless extended by the Chairman. Any and all representations made by the applicant or the representative to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.

4. The Chairman shall then solicit comments from the public, which are governed by the following rules:

a. Each speaker must clearly state his/her name and election district. If a minor, the speaker must only state his/her name.

b. There shall be a time limit of three (3) minutes for each speaker.

c. Though encouraged to complete a speaker's card in advance for record purposes, any person wishing to speak may do so without completion of a speaker card.

d. Presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the Clerk, or his/her designee, by noon on the Monday before the Board meeting at which the presentation is to be made.

e. Speakers may only address issues during their comments that are germane to the public hearing.

5. After public comments have been received, the applicant or the applicant's representative, at the applicant's discretion, may respond with further information. There shall be a five (5) minute time limit for rebuttal by the applicant, or the representative of the applicant, unless extended by the Chairman.

6. Upon the conclusion of the applicant's or the representative's comments the Chairman shall close the public hearing.

C. Board members shall withhold their comments in public hearings to ensure participation by the public without Board interference.

D. When a public hearing has been closed by the Chairman, no further public comments shall be permitted. Board members, however, may direct questions to the applicant, the representative of the applicant, the representative of the board, authority, commission, or committee, and/or staff member for clarification prior to taking any vote, if a vote is in order.

E. Following the close of the public hearing, the Chairman may entertain a motion and a second to dispose of the issue, and the Board may debate the merits of the issue. During the Board's discussion and/or after a motion is made and seconded, Board members may ask questions of the applicant, the representative of the applicant, the representative of the board, authority, commission, or committee, and/or staff member.

Section 3-15 Motions

A. No motion shall be discussed prior to being duly seconded in accordance with these By-Laws. After a motion is properly made and seconded, the Chairman should restate the motion and open the floor to discussion.

B. The Chairman cannot make a motion unless such matter is specific to his/her election district. The Chairman may make a motion without relinquishing the chair.

C. No member may speak a second time on a motion until every member desiring to speak has spoken.

D. A Board member may participate in discussion of any issue only after the Chairman recognizes that member. If two Board members desire to be recognized at the same time, the Chairman shall determine which member will be recognized first.

E. Any member of the Board may make a motion to call-the-question. Such motion requires a second and is not debatable. A motion to call-the-question requires a two-

thirds vote of those present. The Chairman shall not recognize a motion to call-the-question until every member desiring to speak on the main motion has had an opportunity to speak.

F. After discussion is ended and prior to voting, the Chairman should ensure, if necessary, that the motion is sufficiently clear, at which time the Chairman shall call for the vote.

G. A substitute motion shall be allowed to any motion properly on the floor, and it shall have priority over an existing motion and may be discussed prior to being voted on. If a vote on the substitute motion does not dispose of the former motion, the former motion shall then be voted on. Once a substitute motion is voted on, a second substitute motion may be made.

H. When a vote on any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side, provided that such motion to reconsider is made at the meeting of the Board at which the vote was taken. Such motion for reconsideration shall be decided by majority vote of members present.

I. Motions to table shall be voted on without discussion or debate.

J. Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order or the interpretation of these By-Laws. A majority vote of those present is necessary to overrule the Chairman. The motion requires a second and is debatable.

K. One or more of these By-Laws and Rules of Procedure may be suspended for a specifically stated purpose with the concurrence of two-thirds of the members present, unless expressly prohibited. The motion requires a second and is not debatable. This section cannot be waived nor suspended.

Section 4 -- [Reserved]

Section 5 -- Agenda

Section 5-1 Preparation

A. The Clerk shall prepare an agenda for each regular, work session, and special meeting conforming to the Order of Business specified in Section 3-1. The County Administrator shall coordinate the scheduling of items on the agenda with the Chairman and as provided in these By-laws.

B. Board members shall receive sufficient advance notice of agenda items to enable them to study the issue presented, request additional information, and consult constituents.

Section 5-2 [Reserved]

Section 5-3 Appointments

Appointments may be placed on the agenda for consideration at any time, provided that no appointments shall be made prior to the annual meeting of the Board for a term beginning on January 1st of the calendar year. Nominees shall complete a Board Bank Application prior to being appointed. The Board shall make every effort to make all appointments at the annual meeting. This restriction does not preclude appointments when vacancies occur or when new boards, authorities, commissions, and committees are created.

Section 5-4 Minutes

A. The Clerk of the Board, or his/her designee, shall prepare and maintain adequate minutes of the proceedings of the Board in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will not include every aspect of the Board's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. Minutes shall be included as part of the agenda package for the subsequent meeting of the Board.

B. Work Session minutes shall be prepared and maintained in accordance with Section 5-4(A).

Section 6 -- General Operating Policy

Section 6-1 Actions by individual members of the Board

A. It shall be the policy of the Board that no one member shall exert individual action or direct any County employee, or any board, authority, commission, or committee of the Board, to initiate any action that would require such individual to perform any action contrary to the laws, ordinances, or policies of Stafford County, or which would require the expenditure of public funds in any amount or would require a significant amount of staff time without the approval of the Board. A significant amount of staff time includes drafting ordinances or resolutions, except those requested by the chairman or vice-chairman on behalf of or with direction from the Board; completing research or processing that is more than simple background research, running a report, or collecting documents; or participating in extensive meetings. It shall further be the policy that when any Board member writes a letter or memorandum expressing his/her views, that he/she place on the same document the following, if appropriate:

This letter, memorandum, or document represents only the views of the writer, or writers, and does not necessarily represent the views of any other individual member of the Board of Supervisors, or the Board of Supervisors as the governing body of Stafford County, Virginia.

B. It is anticipated and expected that a member cast a vote, or otherwise take official action, which is consistent with the position taken by the Board, as expressed in an official vote, while acting on any other board, authority, commission, committee, or other legal entity. By accepting the nomination, the nominee agrees to the adherence of these By-

Laws and to provide brief updates to other Board members regarding the general work and meetings of the board, authority, commission, committee, or other legal entity.

C. Recognizing that persons holding a position of public trust are under constant observation, and recognizing that maintaining the integrity and dignity of public office is essential for securing a high level of public confidence in the institution of government, annually the Board shall review and consider endorsement of a code of performance to convey to each other, as well as to the citizens of the County, its commitment to conduct the business of the Board and the County in a professional and dignified manner. The Board shall be presented with a code of performance annually at its organizational meeting for review and execution.

Section 6-2 Use of Board Committees

Effective January 1, 2024, the Board suspended use of the below standing committees and intends to address the remaining committees and structures in a future amendment to the By-laws.

A. The standing committees of the Board are as follows: Finance, Audit, and Budget (FAB) Committee; Public Safety Committee; Community and Economic; Legislative Affairs; Development Committee (CEDC); and Infrastructure Committee. Standing Committee members shall be appointed by the Board at its annual meeting.

B. As the Board requires more thorough investigation of a matter, the Board may create an *ad hoc* committee. *Ad hoc* committee members shall be appointed by the Board. No more than three members of the Board may serve on a committee. The Board shall, by adoption of a charter, determine the charge of the committee and when the committee shall report its findings to the Board. *Ad hoc* committees shall continue in existence until the committee's charge is complete or disbanded by the Board. Membership on an *ad hoc* committee shall not extend beyond the calendar year and members must be reappointed/appointed at the annual meeting.

C. The By-Laws Committee is a regular *ad hoc* committee of the Board whose membership shall be appointed by the Board at its annual meeting.

D. Each committee shall have a chairman, elected by the committee at its first meeting in the same method as provided for by the Board in Section 1-1. Committees shall not have a vice chairman. If the committee chairman is absent from any meeting, the remaining committee members shall elect a committee member to preside as temporary chairman. No Board member shall serve as the chairman of a committee for more than two consecutive years. Substitute or alternate committee members may participate only if so authorized by the committee chairman.

E. Items returning to the Board shall be placed on the agenda under Action Items, Work Session Items, or Consent Agenda. Items which will require a referral to a BACC, a public hearing with the BACC, and a public hearing with the Board, may be placed on the Consent Agenda for referral to the BACC.

F. All committees provide information, feedback, and recommendations to the Board. No matter presented to a committee shall be terminated or tabled indefinitely by the committee. Committee votes and recommendations are not actions of the Board.

G. To provide updates as to the work of Board committees, staff shall provide the Board members a summary or action list after each committee meeting.

Section 6-3 County Administrator and County Attorney

A. The County Administrator is responsible for the administration of the County government, and executing the policies of the Board. The County Attorney represents the Board in its capacity as the governing body. Both the County Administrator and the County Attorney work for the Board as a whole.

B. All draft resolutions shall be submitted to the Chairman, the County Administrator, and the County Attorney, prior to the Board meeting at which such draft resolutions are to be presented.

C. Written communications in response to any Board member regarding any issue that is pending before the Board, or any issue of significance to the Board, shall be made to all Board members. Written communications in response to any Board member regarding a district-specific issue or incident, or a constituent issue, may be made to only the inquiring Board member.

D. Discussions and votes relating to the salaries, benefits, and contracts, or amendments thereto, of the County Administrator and County Attorney, or the compensation subsidy provided to any Constitutional Officer, shall only occur when all Board members are present.

Section 6-4 Legal action

Board members, the County Administrator, the County Attorney, and any other public official are required to advise the Board prior to filing any civil lawsuit that involves the County. The Building Official, the Zoning Administrator, and/or the Fire Marshal, when appropriate, may seek injunctive relief in accordance with the procedures set forth by the County Administrator and the County Attorney.

Section 6-5 Discussion of zoning and land-use matters

Board members shall not engage in discussions or negotiations with applicants on zoning or land-use matters during the time that the application is before the Planning Commission and prior to referral to the Board.

Section 6-6 Polling procedure

The County Administrator, or his/her designee, may separately contact members of the Board for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in § 2.2-3701 of the Code of Virginia (1950), as amended.

Section 6-7 Action on certain matters in election years

In any year in which members of the Board are elected in a general election, the Board shall not take any action or vote in November or December regarding any of the following types of matters: (1) rezoning applications; (2) conditional use permit applications; (3) comprehensive plan amendments; (4) zoning text amendments; (5) land acquisitions, excluding those acquisitions associated with approved projects in the Capital Improvement Program (CIP); (6) borrowing money; (7) appointments to any boards, authorities, commissions, and/or committees; and/or (8) budget amendments, except prior year re-appropriations after the County's financial statements are completed.

Section 6-8 Use of County resources

No County resources shall be used in any way by members of the Board for political campaign purposes.

Section 7 – Electronic Meetings

This section shall apply to a meeting held without a quorum of the Board members physically assembled at a location open to the public and shall be known as an “electronic meeting.”

Section 7-1 How use established

Board members participation in a public meeting via electronic means shall only be allowed in accordance with Virginia Code § 2.2-3708.2, the Board's Policy Governing Electronic Participation in Meetings by Members (“Policy”), and these By-laws, and any subsequent amendments thereto.

During a declared state of emergency by the Governor, the County Administrator shall advise the Chairman in writing of the recommendation to conduct meetings without a quorum of the Board physically assembled in one location (i) due to the catastrophic nature of the declared emergency making it impracticable or unsafe to assemble a quorum in a single location, and (ii) the purpose of the meeting is to address the emergency. Except as otherwise provided in these By-laws and in accordance with the law, electronic meetings of the Board shall be determined by the Chairman. The rationale for the emergency and the type of electronic communication means used, shall be stated at the beginning of every electronic meeting.

Section 7-2 Rules

These Bylaws, in addition to any State law requirements, shall continue to govern any electronic meetings of the Board. Any members' participation in a meeting of the Board via electronic means shall be in accordance with the Board's By-laws, Code of Performance, Policy, and State law.

When holding an electronic meeting, all written communications received from the public shall be included in the board package and the package shall be republished with any new comments up to one hour before the meeting to allow appropriate time for review and consideration by the Board members prior to making a decision.

Section 7-3 Voting

Unless otherwise required by law, voting during an electronic meeting shall be done by unanimous consent without need for roll call voting where such consent occurs. When items are not unanimous consent, the Chairman shall immediately revert to a roll call vote in alphabetical order of the members. The Chairman's announcement of the voting result shall include the names of members voting on each side of the question and the number, if any, who abstained. A summary of the number of votes on each side of the question may also be given.

Section 7-4 Quorum establishment and calls

At the beginning of an electronic meeting, the presence of a quorum shall be established by audible roll call at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members, unless any member requests a quorum count by audible roll call.

Section 7-5 Technical requirements and malfunctions

Each member is responsible for his or her audio and internet connections. No action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting. The Chairman may cause or direct the muting of a member's connection if it is causing undue interference with the meeting. The Chairman's decision to do so, which is subject to an undebatable appeal to the Board that can be made by any member, shall be announced during the meeting and recorded in the minutes.

Section 8 – Amendments

Section 8-1 Amendments to the By-Laws and Rules of Procedure

These By-Laws remain in effect until amended as necessary by a two-thirds vote of the Board after notice of the proposed amendment(s) is given at the previous Board meeting.