

**SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS  
BYLAWS**

(Adopted October 27, 1992)

(Amended June 22, 1993; March 8, 1994; February 13, 1996; January 27, 1998; June 23, 1998; July 28, 1998; November 24, 1998; January 26, 1999; January 11, 2000; April 25, 2000; January 23, 2001; July 9, 2002; August 13, 2002; January 13, 2004; February 24, 2004; April 13, 2004; May 25, 2004; October 12, 2004; December 14, 2004; November 14, 2006; January 9, 2007; March 6, 2007; May 22, 2007; September 25, 2007)

**SECTION 1 - PURPOSE AND BASIC PRINCIPLES**

**Section 1-1. Purpose of By-Laws and Rules of Procedure**

- A. To enable County government to transact business expeditiously and efficiently affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Board Member;
- C. To preserve a spirit of cooperation among Board members; and
- D. To determine the will of the Board on any matter.

**Section 1-2. Five basic principles underlying By-Laws and Rules of Procedure**

- A. Only one subject may claim the attention of the Board at one 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 Spotsylvania County Board of Supervisors.

**SECTION 2 -- MEETINGS**

**Section 2-1. When and where regular meetings held**

- A. The time and place of regular meetings of the Board of Supervisors (hereinafter referred to as the Board) shall be established at each annual organizational meeting. Regular meetings shall be held in the Board of Supervisors Meeting Room of the R. E. Holbert Memorial Building on the 2nd Tuesdays of the month at 4:00 p.m., if no work session is scheduled, and at 3:00 p.m. if a work session is scheduled.

B. Work Session meetings shall be held on the 4<sup>th</sup> Tuesday of the month at 6:00 p.m.

**Section 2-1.1. Continued Meetings**

A regular meeting shall be continued to the immediately following Thursday at the same time and place as the regular meeting if the Chair, or Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

**Section 2-2. Meeting termination**

Meetings of the Board shall terminate not later than 12:00 midnight; provided, however, with majority consent of those members present, a meeting may be extended.

**Section 2-3. Special Meetings**

A. 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 Section 15.2-1417 of the Code of Virginia (1950), as amended.

B. Special meetings may be called by any two (2) members in writing to the County Administrator for any purpose stated in the notice of the special meeting. Only matters specified in the notice shall be considered unless all of the members of the Board are present.

C. Notice to the public of any special meeting shall be given contemporaneously with the notice provided the members of the Board and the County Attorney.

**Section 2-3.1. Legal Holiday**

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.

**Section 2-4. Annual organizational meetings**

A. The first meeting in January of each year shall be known as the annual meeting. The County Administrator shall preside during the annual meeting pending the election of the Chair of the Board.

B. The Chair shall be elected at the annual meeting for a term of one year, ending at the commencement of the organizational meeting the following year.

C. Following the election of the Chair, he or she shall assume the Chair and conduct the election of the Vice Chair for the same term.

D. Following the election of the Vice Chair, the Board shall:

1. Establish dates, times and places for the regular meetings; and
2. Adopt its By-Laws and Rules of Procedure.

**Section 2.4.1. Procedure for Election of Officers**

A. The following procedures shall be followed to elect the Chairman and Vice-Chairman:

1. The presiding officer shall call for nominations from the membership.
2. Any member, after being recognized by the presiding officer, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
3. When all nominations have been made, the presiding officer shall close the nominating process and call for the vote.
4. The presiding officer shall call the name of each nominee in the order nominated and tally the respective votes.
5. Each member may cast one vote for any one nominee.
6. A majority of those voting shall be required to elect the officer.

B. Officers shall serve until replaced.

**Section 2-4.2. Seating Arrangement**

The Board Chair shall occupy the center seat on the dias with the Vice Chair occupying the seat at his or her immediate left. The remaining members of the Board shall determine their seating arrangement by seniority with the most senior member selecting his or her seat first and the remaining members selecting their respective seats in seniority order based on years served on the Board. In the event that two or more Board members have equal seniority, the selection of seating for those members shall be by alphabetical order.

**Section 2-5. Quorum and method of voting**

A. At any meeting, a majority of the Board shall constitute a quorum.

B. All actions authorized by the Board shall be pursuant to an electronic vote. In the event of a malfunction of the electronic voting system, questions shall be decided by an oral vote of “aye” or “nay”. The Chair shall announce the vote.

C. Any member may request a roll call vote. The order of voting shall be as follows: The Board member requesting the roll call shall vote first. The voting shall proceed with the Supervisor to his right voting next and so on until the last member on that side of the rostrum has voted. The voting shall continue with the Board member on the end of the opposite side of the rostrum and continue with the Supervisor on his right. The Chairman shall vote last, unless he requests the roll call, and shall announce the result of the vote.

D. If there is an abstention, it shall be the responsibility of the Chair to note the abstention for the record and request that the member abstaining state his or her reason for abstaining for the record.

E. A tie vote fails.

F. A motion to approve which fails shall be deemed a denial of the question on the floor.

**Section 2-6. Closed Session**

A. Closed Sessions should only be used when the matter to be discussed is too sensitive for discussion in public.

B. No meeting shall become a Closed Session until the Board takes an affirmative record vote in open session. Any member dissenting in such vote shall state the reason for the dissent.

1. The motion shall state specifically the purpose or purposes which are the subject of the meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the Closed Session.
2. Members shall request the assistance of the County Attorney when making additions to the published Closed Session agenda.

C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Session shall become effective until the Board reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

D. At the conclusion of a Closed Session, the Board shall reconvene in open session immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements were discussed; and
2. Only public business matters identified in the motion convening the Closed Session were heard, discussed or considered.

Any member who believes that there was a departure from the above requirements shall so state prior to the Chair's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.

E. The failure of the certification to receive the affirmative vote of the majority of the members present during the Closed Session shall not affect the validity or confidentiality of the Closed Session with respect to matters considered therein in compliance with the Freedom of Information Act.

F. The Board may permit non-members to attend a Closed Session if their presence will reasonably aid the Board in its consideration of an issue.

### **SECTION 3 -- OFFICERS**

#### **Section 3-1. Chair and Vice Chair**

The Chair shall preside over all meetings of the Board. The Vice Chair serves in the absence of the Chair. In the absence from any meeting of both the Chair and Vice Chair, the members present shall choose one of their members as temporary chair. The Chair shall make all appointments to Board Committees. Substitutes or alternates may participate only if so authorized by the Chair.

#### **Section 3-2. Clerk**

The Clerk of the Board shall be the County Administrator and his or her duties, responsibilities and compensation shall be as set out in Sections 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended. The Clerk shall also be the timekeeper for all time limited presentations and advise the Chair when time for a report or presentation has expired.

#### **Section 3-3. Parliamentarian**

The County Attorney, or his designee, shall serve as the Parliamentarian for the purpose of interpreting these By-Laws and Rules of Procedure, Robert's Rules of Order and the Code of Virginia (1950), as amended, as may be directed by the Chair, or as required as a result of a point of order raised by any one or more Board members. If the County Attorney or his designee is unavailable, the County Administrator shall serve as the Parliamentarian.

#### **Section 3-4. Preservation of order**

- A. At meetings of the Board, the presiding officer shall preserve order and decorum.

B. Board members shall not speak until recognized by the Chair. Board members shall address the Chair or address other members through the Chair. After being recognized by the Chair, a Board member shall not be interrupted, except when a point of order is called or when requested to yield the floor by another member.

#### **SECTION 4 -- CONDUCT OF BUSINESS**

##### **Section 4-1. Order of business**

A. At regular meetings of the Board on the 2nd Tuesday of the month, the order of business shall generally be as follows:

- |     |   |            |
|-----|---|------------|
| 1.  | Call to Order with work session                             | 3:00 p.m.  |
|     | Call to Order without work session                          | 4:00 p.m.  |
| 2.  | Invocation - Pledge of Allegiance                           |            |
| 3.  | Board Work Session  |            |
| 4.  | Public Presentations by up to two speakers (by appointment) |            |
| 5.  | Consent Agenda  | 4:00 p.m.  |
| 6.  | VDOT Report   |            |
| 7.  | Presentations/Reports by Others                             |            |
| 8.  | County Administrator/County Attorney Reports                |            |
| 9.  | Board Reports   |            |
| 10. | Board Committee Reports                                     |            |
| 11. | Closed Session  | 5:45 p.m.  |
| 12. | Recess  |            |
| 13. | Reconvene; Certification of Closed Session                  | 6:00 p.m.  |
| 14. | Public Presentations  | 6:00 p.m.  |
| 15. | Public Hearings   | 6:00 p.m.  |
| 16. | Zoning Cases  |            |
| 17. | New Business  |            |
| 18. | Unfinished Business   |            |
| 19. | Public Presentations Continued (if necessary)               |            |
| 20. | Adjournment   | 10:30 p.m. |

B. The above order of business may be modified by the County Administrator to facilitate the business of the Board.

C. Board members' reports are limited to 5 minutes each. This time may be extended at the discretion of the Chair.

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

1. Public Presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Board. They shall not serve as a forum for debate with the Board.

2. Remarks shall be addressed directly to the Board and not to staff, the audience or the media.
3. The Chair shall open the Public Presentations.
4. The Clerk will explain the Public Presentations policy and will call on individuals who have signed up to speak. At the conclusion of those presentations other speakers may be permitted to speak.
5. Each speaker shall clearly state his or her name, address and district.
6. There shall be a time limit for each individual speaker of 3 minutes. No speaker shall address the Board more than once during Public Presentations at any single Board meeting
7. Each speaker at the afternoon Public Presentation time period shall make prior arrangements (twenty-four (24) hours in advance) with the Clerk to be heard at that time.
8. There shall be no comment during Public Presentations on a matter for which a public hearing is scheduled during the same meeting.
9. There shall be no comment during Public Presentations on a matter that has already been the subject of a previous public hearing where no final vote has been taken.
10. Any issue raised by the public which the Board wishes to consider may be put on the agenda for the next Board meeting by a majority vote.
11. Board members shall not discuss issues raised by the public except by consent of a majority of the Board members present.
12. The above rules notwithstanding, members of the public may present written comment to the Board or to individual Board members at any time during the meeting. Such written comments shall be submitted through the Clerk.

E. Meetings of the Board on the 4<sup>th</sup> Tuesday of each month shall be for the purpose of presentations and work sessions. The Agenda shall be set by the County Administrator in consultation with the Chair. These meetings shall commence at 6:00 p.m. and shall generally adjourn at 10:30 p.m.

**Section 4-2. Consent Agenda**

A. The consent agenda shall be introduced by a motion "to approve", and shall be considered by the Board as a single item.

B. There may be a short discussion of consent agenda items to answer questions or clarify a matter. There shall be no lengthy debate or discussion of a consent agenda item.

C. Upon request of any Board member, an item shall be removed from the Consent Agenda. This item shall then be transferred on the agenda for consideration under the County Administrator's Report or New Business.

**Section 4-3. Priority in speaking to Board**

When two or more members of the Board wish to speak at the same time, the Chair shall name the one to speak.

**Section 4-4. Form of petitions, etc.**

Every petition, communication or address to the Board shall be in respectful language and is encouraged to be in writing.

**Section 4-5. Motions**

A. Members are required to obtain the floor before making motions or speaking, which they can do while seated.

B. Motions need not be seconded.

C. Informal discussion of a subject is permitted while no motion is pending.

D. Deleted March 6, 2007.

E. Deleted January 27, 1998.

F. Deleted January 27, 1998.

G. 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 shall be deemed the main motion and shall stand as having been passed by such vote. If a substitute motion fails, a second substitute motion may be made. No more than two (2) substitute motions may be made.

H. The Chair need not rise while putting questions to vote.

I. The Chair can speak in discussion without rising or leaving the chair; and, can make motions and vote on all questions.

J. When a vote upon 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 shall be

made at the session of the Board at which it was decided. Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration.

K. A motion to rescind shall not be in order for a land use decision involving a rezoning or a conditional use permit.

**Section 4-6. Decisions on points of order**

The Chair, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order. A Board member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

**Section 4-7. Motion to adjourn**

At a meeting of the Board, a motion to adjourn shall always be in order.

**Section 4-8. Suspending rules**

One or more of these By-Laws and Rules of Procedure may be temporarily suspended by a two-thirds vote of the members present, or by unanimous consent.

**Section 4-9. Robert's Rules of Order**

The proceedings of the Board, except as otherwise provided in the By-Laws and Rules of Procedure and by applicable state law, shall be governed by Robert's Rules of Order.

**SECTION 5 -- PUBLIC HEARINGS**

**Section 5-1. Chair to conduct public hearings**

The Chair shall conduct all public hearings.

**Section 5-2. Hearing presentations**

Hearings may begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

**Section 5-3. Order of public hearings**

The order of public hearings shall be as follows:

A. The Chair shall open the public hearing.

B. In zoning cases the applicant and his or her representative(s) shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's and his or her representative's presentation. The use of conceptual plans, renderings, and similar graphic exhibits shall be prohibited in the course of hearings on applications for rezonings and special use permits, unless the applicant shall first have provided the Board with instruments executed in such form as to assure development and construction in conformity with any such conceptual plan rendering or similar graphic exhibit.

C. The Clerk shall then solicit comments from the public. Each speaker must clearly state his or her name, address and district. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. No person at a public hearing shall be permitted to yield time to a speaker. During the annual public hearing on highway improvements, individual speakers will be allowed five (5) minutes each. The Board, by unanimous consent, may allow any speaker to proceed past the time limit.

D. After public comments have been received, in a Zoning case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

E. Upon the conclusion of public comments or the applicant's rebuttal in a Zoning Case, the Chair shall close the public hearing.

**Section 5-4. (Deleted February 13, 1996)**

**Section 5-5. Close of hearing**

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

**Section 5-6. Debate**

Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

**SECTION 6 -- AGENDA**

**Section 6-1. Preparation**

A. The Clerk shall prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 4-1 entitled "Order of Business".

B. Board members may request that items be placed on the agenda by contacting the Clerk at least seven (7) days prior to the Board meeting for which they wish the item scheduled. The Clerk shall place items requested by a Board member on the agenda for the next regular meeting following the request, subject to Paragraph A, of this section.

C. All items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline shall be placed on the next regular agenda for consideration.

D. Nothing herein prohibits the Board from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Members must use discretion in requesting the addition to items on the agenda. It is considered desirable to have items listed on the published agenda.

**Section 6-2. Tabled Land Use Cases**

A. Land use cases tabled for six months or less shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than seven (7) days prior to a scheduled Board meeting, any Board member may instruct the Clerk to place the case on the agenda.
- (b) The Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook.
- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future meeting. Upon approval by a majority vote of the members present and voting, the case will be placed on the agenda.
- (b) The Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the matter of the table to be voted. Upon a vote of two-thirds of the Board members present and voting,

the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

B. Land use cases tabled for longer than six months shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than fourteen (14) days prior to a scheduled Board meeting, any Board member may instruct the County Administrator to place the case on the agenda for that meeting. The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting.
- (b) The Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook.
- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future Board meeting not less than fourteen (14) days from the date of the meeting at which the motion is made. Upon approval by a majority of the members present and voting, the case will be placed on the specified agenda.
- (b) The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting. In addition, the Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the case off the table to be voted. Upon a unanimous vote of the Board members present and voting,

the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

**Section 6-3. Delivery of Agenda**

The Board notebook, including the agenda and related materials, shall be received by each member of the Board and the County Attorney the Thursday prior to the Tuesday Board meeting.

**Section 6-4. Copies**

The Clerk shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator. The Clerk shall also have copies available at each meeting.

**Section 6-5. Comments, queries of Board members**

Board members are to observe the following rules during the discussion of agenda items:

- A. Comments of Board members must be constructive. The Chair ensures that comments are constructive.
- B. The Chair keeps discussion germane to the subject. Points of clarification shall be limited to questions only. The Chair rules other comments out of order.
- C. Board Members may address questions to the County Administrator or staff present at the meeting. Staff members should be at the podium or speaker's table when answering Board members' questions. All legal questions should be addressed to the County Attorney.

**SECTION 7 -- BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES**

**Section 7-1. Appointments to boards, authorities, commissions, and committees**

Members of boards, authorities, commissions and committees shall be appointed by consent of the Board to serve specified terms as may be deemed to be appropriate by the Board. Proposed appointments shall be included in the consent agenda. Resumes, curricular vitae, or other materials which demonstrate the qualifications of the prospective appointee should be included.

**Section 7-2. Attendance.**

Members of any standing or ad hoc board, authority, committee or commission of the Board of Supervisors, or of any committee to which the Board of Supervisors appoints a member, shall be expected to attend every scheduled meeting of the committee to which they have been appointed. It shall be the duty of the chairman of any Board of Supervisors'

appointed committee to annually report to the Board of Supervisors the level of attendance of committee members. Any member of a committee who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of the committee in any year may, at the discretion of the Board of Supervisors, be deemed to have forfeited his or her membership on the committee. In the event that the Board of Supervisors determines that a committee member has forfeited his or her appointment pursuant to this section, the Clerk of the Board of Supervisors shall notify, in writing, the committee member of his or her removal from the committee based upon his or her failure to attend the required percentage of scheduled meetings and shall thank the member for his or her service to the community. Upon the appointment of any committee member, the Clerk of the Board of Supervisors shall forward to the member a copy of this section.

**Section 7-3.                    Planning Commission Members Attendance.**

Notwithstanding the foregoing provision, a member of the Planning Commission may be removed from office by the Board of Supervisors without limitation in the event that the commission member is absent from any three (3) consecutive meetings of the commission, or is absent from any four (4) meetings of the commission within any twelve (12) month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

## **SECTION 8 -- GENERAL OPERATING POLICY**

### **Section 8-1. Citizens Contacting Board Members**

Members of the Board who are contacted by a citizen living in an election district other than the election district which the Board member represents, should recommend that the citizen contact his or her respective Board member and should further advise the Board member in whose election district the citizen resides or owns property of the purpose of the contact.

### **Section 8-2. Actions by individual members of the Board**

It shall be the policy of the Board that no one member shall exert individual action or direct any county employee or initiate any action that would require a county employee to perform any action contrary to the laws, ordinances or policies of Spotsylvania County or which would require the expenditure of public funds in any amount without the approval of the Board.

### **Section 8-3. Expenses of members of the Board**

It shall be the policy of the Board that each member shall be responsible for his or her own reimbursable expenses, which includes meals, hotel accommodations, and travel. Special transportation charges and other charges related to the attendance of seminars or conferences may be charged to the county or covered through other arrangements as may be made by the County Administrator.

### **Section 8-4. Numbering and indexing of resolutions, ordinances, and proclamations**

It shall be the responsibility of the Clerk to number and index all resolutions, ordinances and proclamations of the Board. The resolutions shall be numbered consecutively, and use the last two digits of the calendar year. Example: for the first resolution in January, 1993, the resolution number would be shown as: Resolution No. 93-01. Proclamations shall also be numbered consecutively.

### **Section 8-5. Minutes of the Board meetings**

The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings. They shall reflect the issues discussed and Board comments. Minutes shall be considered for approval within thirty (30) days of the meeting they record.

### **Section 8-6. Amending bylaws**

These bylaws may be amended with the concurrence of two-thirds of the members present at any meeting subsequent to the introduction of a suggested bylaws amendment.

## **AMENDMENTS:**

### **June 22, 1993:**

#### **Section 4-1. Order of Business.**

Amended to move Executive Session from the beginning of the meeting to 6:00 p.m.

### **March 8, 1994:**

#### **Added Section 2.4.1. Procedure for Election of Officers.**

### **February 13, 1996:**

#### **Section 2-6. Executive Session.**

(A) Amended to have Executive Session only when matter too sensitive for public discussion.

#### **Section 3-3. Parliamentary.**

Added language "Robert's Rules of Order"

#### **Section 4-1. Order of business**

(A) Amended to change the order of business and also to eliminate all the times except for "Call to Order", "Executive Session", "Reconvene", and "Adjournment".

(B) Deleted "for presentations and appointments which are occasional in nature" and added "to facilitate the business of the Board."

#### **Section 4-2. Consent Agenda**

(B) Amended to allow short discussion of consent agenda items by the Board.

(C) Added "the County Administrator's report or"

#### **Section 4-5. Motions**

(C) Deleted "maximum of five minutes."

(D) Deleted "a vote" and added "action."

#### **Section 4-9. Robert's Rules of Order**

Added "Robert's Rules of Order"

#### **Section 5-3. Order of public hearings**

(B) Added "In Zoning cases"

(C) Added language "During the annual ...past the time limit."

(D) Added language "In a Zoning case."

(E) Added language "public comments or"

#### **Section 5-4. Member's Participation**

Deleted

**January 27, 1998:**

**Section 2-1. When and where regular meetings held**

Amended to change meeting time on 3<sup>rd</sup> Tuesday from 7:30 to 7:00

**Added Section 2-1.1. Continued Meetings**

**Added Section 2-4.2. Seating Arrangement**

**Section 4-1. Order of business**

- D. Amended to designate Sheriff's report to 4<sup>th</sup> Tuesday only; and added Unfinished business to the order of business.
- C. Amended to allow Chair to extend the 5 minute time limit for Board members' reports.
- D. 2. Deleted "a speaker's card"; and added "up to speak".  
12. Deleted the speaker's card requirement.

**Section 4-5. Motions**

- E. Deleted
- F. Deleted

**Section 4-6. Decisions on points of order**

Amended to add that the Parliamentarian shall advise the Chair; the Chair shall make a ruling; and a member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

**Section 6-1. Preparation**

- D. Deleted "duly seconded and".

**Section 6-5. Comments, queries of Board members**

- C. Amended to reflect that the Board may ask questions to Administrator or staff present and that the staff member should be at podium or speaker's table.

**June 23, 1998:**

**Section 4-1. Order of business**

- A. 10. Amended to change the time of Executive Session from 6:00 p.m. to 7:00 p.m.  
12. Amended Reconvene from 7:30 to 8:00 p.m.  
17. Moved Public Presentations to end of meeting.
- D. 1. Amended to define the purpose of Public Presentations from members of the public.  
2. Remarks addressed to the Board and not to staff, audience or the media.  
6. Changed group time from 5 minutes to 3 minutes.

8. Added no comment during Public Presentations on matters for which a public hearing was scheduled during the same meeting.
9. No comment during Public Presentations on matters that were heard in a previous public hearing where no final vote has been taken.

### **July 28, 1998**

#### **Section 4-5. Motions**

- A. Amended to require a member to be recognized by the chair prior to making a motion or speaking to a matter.

#### **Section 4-8. Suspending Rules**

Amended requiring a two-thirds vote of the members present, or by unanimous consent.

### **November 24, 1998**

#### **Section 4-1 Order of Business**

Amended A.13 Public Presentations to 8:15 p.m.

### **January 26, 1999**

#### **Section 4-1. Order of business**

- A. Amended to change
  1. Call to Order from 3:00 p.m. to 2:00 p.m., to provide time for a Board Work Session.
  
- D. Added number 12 to clarify that written comments to the Board will be accepted from the public at any time during the meeting.

### **January 11, 2000**

#### **Section 2-6. Closed Session**

Changed the wording Executive Session to Closed Session in accordance with Virginia State law.

#### **Section 4-1. Order of business**

- A. Amended to change:
  11. Executive Session to read Closed Session
  15. Public Hearings deleted the time of 8:15 p.m.
  19. Executive Session to read Closed Session

### **April 25, 2000**

#### **Section 2-1. When and where regular meetings held**

Added the wording relating to 2:00 p.m. work session

#### **Section 4-1. Order of business**

- A. Amended to change:
  11. Closed Session to read 6:00 p.m. instead of 7:00 p.m.
  13. Reconvene; Certification of Closed Session to read 7:00 p.m. from 8:00 p.m.
  14. Public Presentations to read 7:05 p.m. instead of 8:00 p.m.

- E. Added the 7:00 p.m. start time for the 3<sup>rd</sup> Tuesday work sessions

**January 23, 2001:**

Changed the term “Supervisors” to “Board Member” throughout document.

**Section 1-1. Purpose of By-Laws and Rules of Procedures**

- A. Amended by adding sentence to reflect opportunity to citizens to witness operations of government.
- B. Added the words Board Member.
- D. Deleted the word “pleasure” and replaced it with the word “will”.

**January 23, 2001 continued**

**Section 2-4. Annual organization meetings**

- A. Amended to change wording that the first meeting in January shall be known as annual meeting.

**Section 4-1. Order of business**

- A. Added #4 to add afternoon Public Presentations by up to two speakers at 2:00 p.m.
- D. Added #8 to add rules to govern Public Presentations at 2:00 p.m.

**Section 4-5. Motions**

- D. Changed paragraph to clarify actions by the Board that can be taken without a motion.
- J. Added sentence that a member present at a meeting but temporarily absent during a vote may move for reconsideration.

**Section 5-3. Order of public hearings**

- B. Added that conceptual plans, renderings, etc., shall be prohibited on applications for rezonings and special use permits, unless application requires development and construction in substantial conformity with plans, renderings, etc.

**July 9, 2002:**

**Section 4-1. Order of business**

- A. Amended #13, 14, 15 - to change the Public Presentations and the Public Hearings from 7:00 p.m. to 6:30 p.m.
- D. Amended #8 to change public hearing time from 7:00 p.m., to 6:30 p.m.

**August 13, 2002:**

**Section 4-5. Motions.**

G. Amended to make a single vote on a substitute motion stand for both (i) adoption of the substitute motion as the main motion; and (ii) passage of such motion by the Board.

**January 13, 2004:**

**Section 2-1. When and where regular meetings held**

Changed meeting time from 3:00 p.m. to 4:00 p.m. if no work session is scheduled and from 2:00 p.m. to 3:00 p.m. if a work session is scheduled.

**Section 4-1. Order of business**

A. Amended No. 1. Call to Order, to change time of meeting without a work session scheduled to 4:00 p.m., and to 3:00 p.m. if a work session is scheduled. Amended #5 Consent Agenda time from 3:00 p.m. to 4:00 p.m.

**February 24, 2004 (effective March 1, 2004)**

**Section 4-1A. Order of Business**

Removal of items 6 and 7 (Highway Department and Sheriff's Report)

Change time for item 12 (Closed Session from 6:00 p.m. to 5:45 p.m.

Change time for item 13 (Reconvene); Certification of Closed Session, and item 15 (Public Presentations) from 6:30 p.m. to 6:00 p.m. and change the advertised public hearing to reflect 6:00 p.m.

Removal of item 21 (Closed Session if necessary)

**Section 4-1E.**

Change start time for 3<sup>rd</sup> Tuesday work sessions from 7:00 p.m. to 6:00 p.m.

**Section 7-2. Attendance**

Added this section to convey the Board's expectation that persons appointed to serve on county boards, authorities, etc., attend all regularly scheduled meetings and provides a mechanism for the Board to remove members who fail to attend 75% of the scheduled meetings in any year.

**April 13, 2004**

**Section 4-1. Order of Business**

Added No. 6 VDOT Report 4<sup>th</sup> Tuesday only

**May 25, 2004**

**Section 4(D)(6)&(8). Order of Business**

Clarification that any citizen may speak once during public presentation at any single Board meeting.

**October 12, 2004**

**Section 2-1(A) and (B). When and where regular meetings held.**

- (A) Changes regular meetings from 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month to only the 2<sup>nd</sup> Tuesday of each month.
- (B) Work Session meetings held on the 4<sup>th</sup> Tuesday of each month.

**Section 4-1(A)&(E). Order of Business.**

- (A) Regular meetings on the 2<sup>nd</sup> Tuesday of each month.
- (A)(6) Change VDOT Report from 4<sup>th</sup> Tuesday to 2<sup>nd</sup> Tuesday of each month.
- (E) Meetings on 4<sup>th</sup> Tuesday shall be for the purpose of presentations and work sessions.

**Section 6-3. Delivery of Agenda.**

Change delivery day from Wednesday to Friday.

**December 14, 2004**

**Section 2-4(B). Annual Organizational meetings**

- (B) Deleted the last sentence – The Chair may not succeed himself or herself in office.

**November 14, 2006**

**Section 2-5(B) Quorum and method of voting**

- (B) Added language to conform to the new electronic voting system.

**January 9, 2007**

**Section 2-4. Annual organizational meetings**

- (B) Added language defining term.
- (C) Election of Vice Chair for same term.

**Section 2-5. Quorum and method of voting.**

- (B) Deleted language that any member may request a roll call vote.
- (C) Added language that any member may request a roll call vote and the order of voting.
- (F) Added that a motion to approve which fails shall be deemed a denial of the question on the floor.

**Section 3-2. Clerk**

Added language that the Clerk shall also be timekeeper.

**Section 3-3. Parliamentarian**

Added the County Attorney's designee.

**Section 3-4. Preservation of order**

- (B) Added language that members shall not speak until recognized by the Chair and members shall address the Chair or address other members through the Chair.
- (D) Presentations by the public are governed by the following rules:
  - (7) Deleted

**Section 5-3. Order of public hearings**

- (B) Added applicant and his/her representative – deleted applicant or his/her representative...

Added language prohibiting conceptual plans, renderings, and similar graphic exhibits, unless the applicant shall first have provided the Board documents in such form as to assure development and construction in conformity of the plan rendering or similar graphic exhibits.

- (C) Added language that no person at a public hearing shall be permitted to yield time to a speaker.

## **SECTION 6 – AGENDA**

### **Section 6-3. Delivery of Agenda**

Added Thursday and deleted Friday.

### **Section 8-6. Amending bylaws**

Amendments to bylaws may be amended at any meeting subsequent to the introduction of suggested bylaws amendment.

## **March 6, 2007**

### **Section 2-5. Quorum and method of voting.**

- (B) Added all actions authorized by the Board shall be pursuant to an electronic vote.

### **Section 4-5. Motions.**

- (D) Deleted paragraph

## **May 22, 2007**

### **Section 7-3. Planning Commission Members Attendance.**

Added 7-3.

## **September 25, 2007**

### **Section 7-1. Appointments to boards, authorities, commissions and committees**

Appointment by consent rather than resolution. Appointments to be included in the consent agenda. Requirement of resumes, etc.