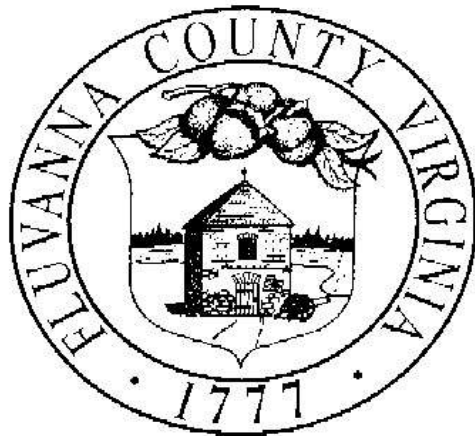


# **FLUVANNA COUNTY BOARD OF SUPERVISORS**



## **BY-LAWS & RULES OF PRACTICE & PROCEDURES**

Adopted  
January 4<sup>th</sup> 2012

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January 4<sup>th</sup> 2012

**FLUVANNA COUNTY BOARD OF SUPERVISORS BY-LAWS  
AND RULES OF PRACTICE AND PROCEDURES**

I. CREATION

Fluvanna County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of five (5) members elected from each of the Voting Districts.

II. SEAL OF THE BOARD

When affixed to any paper or document by the Clerk of the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPAL ADDRESS

132 Main Street, Palmyra, Virginia, mailing address: P.O. Box 540, Palmyra, Virginia 22963.

IV. CHAIRMAN TO THE BOARD

At the first meeting of the year, the Board selects one of its members to serve as Chairman. The Chairman is a voting member and serves for one year.

V. VICE-CHAIRMAN

At the first meeting of the year, the Board selects one of its members to serve as Vice-Chairman. The Vice-Chairman is a voting member and serves for one year.

VI. COUNTY ADMINISTRATOR

The County Administrator shall assume the general duties as set forth in the Code of Virginia, Section 15.2-1541. He shall maintain an office at the same address as the Board.

VII. CLERK TO THE BOARD

The Administrative Assistant to the County Administrator is appointed and shall serve as Clerk to the Board for all purposes except those set out in paragraph G of Section 15.2-407, which is hereby expressly placed in the County Administrator, or his designee Section 15.2-1538.

VIII. COUNTY ATTORNEY

The County Attorney assists the Board in analyzing the facts; provides advice and action in legal matters and represents the Board in civil actions.

IX. QUORUM FOR THE EXERCISE OF BOARD BUSINESS

- A. A quorum shall not be necessary for the exercise of administrative functions.
- B. A majority of the Board shall constitute a quorum for the purpose of conducting Board business.

X. MEETINGS AND ATTENDANCE

- A. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert's Rules of Order Revised, and these by-laws as interpreted by the Chairman.
- B. Regular Meetings will be held on the first Wednesday of each month at 2:00 p.m. and the third Wednesday of each month at 7:00 pm in the Fluvanna Circuit Courtroom. Closed Meetings will be held as needed. Meetings held on the first Wednesday will adjourn/recess no later than 6:00 p.m., and meetings held on the third Wednesday will adjourn/recess no later than 11:00 p.m. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time, but shall not do so if two or more members object. Meetings shall start at the appointed time, and if the Chairman is not present, the Vice-Chairman shall preside. If neither the Chairman nor the Vice-Chairman is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chairman.
- C. Guidelines for Presentations
  - 1. Notify the County Administrator in writing that you would like to make a presentation to the Board of Supervisors not later than 5:00pm on Monday, nine (9) days prior to the Board meeting in order to be placed on the agenda. Please include within the context of the letter whether you will be providing materials/handouts to the Board or presenting a digital presentation and what the presentation is to be about.
  - 2. If materials/handouts are to be presented to the Board, these materials must be provided to the County Administrator not later than 5:00pm on Tuesday, eight (8) days prior to the Board meeting. These materials will be provided to the Board in the Board Agenda packet for review. Staff will need the original along with six (6) copies. If handouts are presented at the time of the meeting, the Board of Supervisors may elect not to hear the presentation due to the fact they have not had time to review the material. If no materials are to be handed out, then the letter requesting to make a presentation is sufficient to be placed on the agenda.
  - 3. If you will be making a digital presentation, in addition to the items listed above, staff also requests that an electronic version of the presentation be provided to Mary Weaver at [mweaver@co.fluvanna.va.us](mailto:mweaver@co.fluvanna.va.us) no later than Monday prior to the Board meeting for loading into the County's laptop and to make sure everything is compatible with the County's equipment.

D. The County Administrator shall list all items requested on the agenda. If, in the opinion of the County Administrator, an item is not deemed appropriate for consideration by the Board, he shall inform the Chairman, and if the Chairman is in agreement, the Board shall first discuss whether to entertain the item.

E. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.

F. The Board shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Board.

G. Time permitting, items not on the agenda shall be heard as the final items of the Board's business. If time does not permit, in the opinion of the Chairman or the Board, hearing items not on the agenda shall be carried over to the next regular or special meeting.

H. The Chairman's vote on all issues before the Board shall be recorded with the prevailing side, unless the Chairman clearly votes otherwise.

I. Once a notice for Public Hearing has been advertised, (regardless of the nature) the Public Hearing will be conducted, unless the Board decides to defer the matter to a future meeting.

## XI. ORDER OF BUSINESS

The Order of Business shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

Call to Order, Pledge of Allegiance & Moment of Silence

Reports

Public Comments #1(5 minutes each)

Consent Agenda

Accounts Payable

Public Hearings

Presentations (normally not to exceed 10-minute limitation)

Action Matters

Unfinished Business

New Business

Public Comments #2 (5 minutes each)

Closed Meeting (as needed)

Adjourn/Recess

Items with appointments shall be heard as nearly to the appointed time as possible in preference to other business, except that the Board may vote to call up any matter at any time.

## XII. CONDUCT OF BUSINESS

- A. When the question is called and there is no dispute, the Chairman shall call for the vote.
- B. Any member abstaining on a vote shall so indicate following the call for the vote.
- C. When a motion is made and then cannot obtain a second, the motion will die for lack of a second and does not require a vote.
- D. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.
- E. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing “Mr. Chairman” or “Madam Chairman” (as appropriate) and await acknowledgment. At his discretion, the Chairman may permit a dialogue without individual recognition between members of the Board or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business.
- F. Should it be desired by the Chairman, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator’s Office. The County Administrator shall take down verbal resolutions as accurately as possible, but when loosely worded or unindicated “whereases” precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.
- G. Prior to initiating a public hearing, the Chairman shall recount the rules under which the hearing shall be operated, but he may amend the rules during the hearing by giving notice of the change to those gathered.
- H. At the beginning of the public hearing, the Chairman shall call upon the County Administrator or the other staff member handling the matter at hand or shall himself recount a description of the issue placed before the hearing.
- I. Subject to revocation or extension by the majority of the Board assembled, the Chairman may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter.

Notwithstanding the foregoing statement, every Board member, by his election or appointment, is entitled to speak on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.

J. All members or citizens shall limit their comments before and to the Board. The Chairman may prohibit questions from citizens until a speaker has finished his/her presentation.

K. The Board of Supervisors has set forth the following rules for presentation time limits:

1. Individual presentations placed on the Board's agenda shall be limited to a minimum duration.
2. Individual presentations listed under the agenda item "Public Comments" shall be limited to five (5) minutes in duration or less.
3. Complete presentations on Board action items shall be limited to not more than thirty (30) minutes.
4. Either of the above limitations may be extended only by majority consent of the Board of Supervisors.

L. At such times a Board member may find him or herself with a conflict of interest the Board member shall state the nature of the conflict of interest and shall, at their election, remove him or herself from the meeting.

M. Issues that the Board plans on discussing or has required a presentation shall normally have all materials in the agenda package for advance study.

### XIII. ORDER

A. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.

B. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Board to discuss the matter.

C. No member or citizen shall be allowed to use slanderous or abusive language directed at any member of the Board or other person, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Administrator shall be the judge of such breaches, however, the Board may vote to overrule both.

D. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property and may, at his discretion, bring formal charges for disruption of a public meeting.

XIV. COMMITTEES

Ad hoc committees will be appointed by the Chairman as needed. Constitutional Officers may be appointed to committees.

XV. PARLIAMENTARIAN

The County Attorney shall act as Parliamentarian to the Board.

XVI. RULES

A. The by-laws may be suspended at anytime by a majority vote of the Board of Supervisors.

B. The by-laws may be altered by a majority vote of the Board of Supervisors.

XVII. OFFICIAL BOARD TRAVEL

A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.

B. A Board member shall obtain advance approval of the Board prior to official travel out-of-state. A report and accounting of funds shall be made for travel.

XVIII. RECORDING OF MEETINGS

The Clerk of the Board (or another person acting in that capacity) shall record each regular meeting. These recordings are the property of the Fluvanna County Board of Supervisors. Interested persons may listen to the recordings in the County Administrator's office or may obtain copies of the recording by making appropriate arrangements with the County Administrator's office. Costs will be borne by the person making the request. The original recordings shall not be removed from the County Office Building.

XIX. APPROVAL OF CERTAIN CHECKS, AUTHORIZATION TO SIGN WITH STAMP

A. The chairman, county administrator, treasurer and vice chairman are hereby authorized to sign and issue checks without prior approval of the Board for the following purposes: end of the month salaries, end of the month contracted personal services, utility payments, and other payments deemed appropriate and necessary by the chairman, county administrator and treasurer; such actions to be reviewed and ratified at the next appropriate meeting of the Board.

B. The Chairman of the Board of Supervisors, and in his absence, the Vice-Chairman, are authorized to substitute his facsimile signature provided he signs a certified list of individual checks for which his facsimile signature is authorized; also the signature plates are in the sole possession of the Treasurer.