

# **PITTSYLVANIA COUNTY BOARD OF SUPERVISORS' BY-LAWS AND RULES OF PROCEDURE**

(B.S.M. 2/02/04, 4/15/08, 2/02/09, 2/01/10, 4/20/10, 9/20/11, 6/19/12, 2/4/13, 7/01/13, 10/06/14, 11/03/14, 6/06/16, 2/6/17, 3/20/18, 1/03/19, 3/17/20, 05/19/20)

## **PURPOSE.**

To establish and set forth certain rules to provide for the orderly conduct of Pittsylvania County, Virginia ("County"), business, to prescribe the manner and procedure by which the Pittsylvania County Board of Supervisors ("Board of Supervisors" or "Board") shall conduct matters of business, and to provide for the efficient handling thereof.

## **ARTICLE I. BOARD OFFICER ELECTION, COMPOSITION, FUNCTION, COMPENSATION, AND BENEFITS.**

### **1.1. Board Composition.**

The Board shall be composed of seven (7) members who shall be elected by the qualified voters of the County for four (4)-year terms; one (1) member shall be elected from each of the seven (7) election districts. Pursuant to Section 24.2-219, Code of Virginia, 1950, as amended, beginning with the November 2015 General Election, the Board was elected to staggered terms as follows: the voters in the Banister, Callands-Gretna, and Dan River Election Districts shall elect a member of the Board for a two (2)-year term, and the voters in the Chatham-Blairs, Staunton River, Tunstall, and Westover Election Districts shall elect a member of the Board for a four (4)-year term. At the November 2017 General Election, the voters in the three (3) Election Districts in which a Supervisor was elected for a two (2)-year term, elected a Supervisor for a four (4)-year term, and thereafter elections for all Supervisors are held on a biennial basis for four (4)-year terms.

### **1.2. Chairman; Election and Duties.**

At the Regular Board Meeting in January each year (the "Reorganizational Meeting"), or at any other time as determined by a majority of the Board, there shall be elected a Chairman to serve for a period of one (1) year expiring on December 31st, or until replaced by Board Membership. The County Administrator, serving as temporary Chairman, shall take nominations. Nominations require a second, and the vote will be taken in the order the nominations are made. A majority vote is required. It shall be the Chairman's duty to preside at all Board meetings, and to maintain the orderly conduct thereof. He/she shall sign all voucher warrants of the County; and when the Board is not in session, he/she shall provide policy guidance to the County Administrator and the County Attorney. The Chairman shall continue to be a voting member of the Board. The Chairman, with guidance from County Staff and consultation with other Board Members, can authorize the advertisement and conducting of Public Hearings.

### **1.3. Vice-Chairman; Election and Duties.**

The Board shall also elect a Vice-Chairman to serve a concurrent term with the Chairman. In the absence or incapacity of the Chairman, the Vice-Chairman shall assume all the duties and functions of the Chairman. In the case where the Chairman and Vice-Chairman are absent from a meeting, the remaining Members present shall choose one (1) of their number as temporary Chairman.

#### **1.4. Board Function.**

The Board shall have both administrative and legislative responsibilities, some of which shall be discharged in their role as governing body, and some of which they derive as an administrative political subdivision of the Commonwealth. The powers and duties of the Board shall include, but not be limited to, the following: preparation and adoption of the County Budget, levying of taxes, appropriating funds, constructing and maintaining County buildings, making and enforcing Ordinances, providing for the general health, safety, and welfare of the public, and generally exercising all other powers and functions normally attributed to government and permitted by the laws of the Commonwealth.

#### **1.5. Board Compensation.**

Board compensation shall be governed by §§ 15.2-1406, 15.2-1414.1, 15.2-1414.2, and/or 15.2-1414.3, Code of Virginia, 1950, as amended.

#### **1.6. Board Benefits.**

Board benefits shall be governed by governed by §§ 15.2-1414.2 and/or 15.2-1414.3, Code of Virginia, 1950, as amended. Board benefits shall include all applicable fringe benefits available to other County employees, including health and dental insurance. Upon receipt of an itemized report by the Deputy Clerk, Board Members shall be reimbursed up to \$350.00 monthly for in-County travel while performing official duties related to their office. Board Members shall not receive dedicated internet service at their residence. Upon County separation, Board Members shall be able to purchase their assigned County-owned electronic devices for fair market value.

## **ARTICLE II. MEETINGS.**

### **2.1. Regular Meetings.**

The Board shall meet regularly on the third (3<sup>rd</sup>) Tuesday of each month in the County Administration Building, Main Conference Room, and 4:30 p.m. for a Work Session, and at 7:00 p.m., on the same day, for a Business Meeting in the Pittsylvania County General District Courtroom for the purpose of discharging their administrative and legislative responsibilities. The Board shall also be authorized to set other dates for Regular Meetings, and any and all other Meetings, at the Reorganizational Meeting, or at any other appropriate time(s).

### **2.2. Parliamentary Procedure.**

All such Meetings shall be open to the public and shall be conducted in an orderly fashion with the most recent edition of *Robert's Rules of Order* being used for parliamentary procedure.

### **2.3. Sergeant of Arms.**

The County's Sheriff, or his/her designee, shall act as "Sergeant of Arms" at all Board Meetings, and shall, when so directed by the Chairman, expel any person or persons from such Meetings.

### **2.4. Meeting Seating.**

For the purpose of address and order, the Board and County Staff shall sit in front of the "public rail" in the Courtroom, and all other persons shall sit behind the "public rail." The Chairman shall sit in the middle of the dais, and all other seats shall be selected by Board Members based on longevity of Board membership.

### **2.5. Agendas.**

Agendas shall be prepared by the Clerk and used at all Meetings. All items requested to be placed on the Agenda shall be submitted in writing to the Clerk, or his/her designee, ten (10) working days before the Meeting; however, Board Members may make oral requests. Any items received after that time shall appear on the next Regular Meeting Agenda, unless a majority of the Board present vote to place such items on the current Agenda.

### **2.6. Meeting Order.**

The Meeting Order of all the Board's Work Sessions and Business Meetings shall be as follows:

#### **Work Session Meeting Order:**

Call to Order (4:30 p.m.; County Administration Building; Main Conference Room)  
Roll Call Agenda  
Items to be Added  
Approval of Agenda  
Presentations  
Staff, Committee, and/or Constitutional Officer Reports  
Business Meeting Discussion Items  
Closed Session (if any)  
Return to Open Session & Closed Session Certification (if required)  
Adjournment

#### **Business Meeting Order:**

Call to Order (7:00 p.m.; Pittsylvania County General District Courtroom)  
Roll Call  
Moment of Silence  
Pledge of Allegiance  
Items to be Added  
Approval of Agenda

Consent Agenda  
Presentations  
Hearing of the Citizens  
Public Hearings

- A. Zoning Public Hearings
- B. Other Public Hearings

Unfinished Business  
New Business  
Appointments  
Matters from Work Session  
Board Member Reports  
County Administrator/County Attorney Reports  
Adjournment

**2.7. Presentations.**

All presentations to the Board shall be limited to a maximum of ten (10) minutes.

**2.8. Recognitions.**

The particular method of recognition (*i.e.*, Certificate, Resolution, and/or plaque) shall be governed by the Board's Policy on Recognitions formally adopted on October 15, 2019 and made a part hereof.

**2.9. Public Hearings.**

All Public Hearings on Business Meetings shall be conducted as follows: Each person addressing the Board under a Public Hearing shall step up, give his/her name and district, and/or his/her place of residency for non-County citizens, in an audible tone of voice for the record, and, unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes; speakers for a group shall be limited to ten (10) minutes. Speakers shall conclude their remarks at that time, unless the consent of the Board is affirmatively given to extend the speakers allotted time. All remarks shall be addressed to the Board as a body and not to any individual member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or indirectly or through a Board Member, without first being recognized by the Chairman. No question shall be asked a Board Member except through the Chairman.

**2.10. Hearing of the Citizens.**

All Hearing of the Citizens on Business Meetings shall be conducted as follows: Each person addressing the Board under Hearing of the Citizens shall be a resident or landowner of the County, or the registered agent of such resident or landowner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address

the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual Member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board Meeting.

### **2.11. Special Meetings.**

The Board may from time-to-time hold special, called, adjourned, and/or informational meetings in accordance with the laws of the Commonwealth.

### **2.12. Motions/Resolutions.**

Each oral Motion or Resolution shall be recorded by the Deputy Clerk and may be read back to the whole Board by the Deputy Clerk, if so requested, before any vote is taken.

### **2.13. Board Member Reports.**

Board Member Reports shall be used for individual Board Members to share information with other Board Members and/or the public. No official action may take place during Board Member Reports.

### **2.14. Closed Meetings.**

Closed Meetings of the Board shall be requested in the same manner as prescribed in Section 2.5 or added as allowed by the Virginia Freedom of Information Act.

### **2.15. Quorum and Method of Voting.**

At any Board Meeting, a majority of the Supervisors present shall constitute a quorum. A majority of the Board shall mean four (4). All questions submitted to the Board for decision shall be determined by a *viva voce* vote or approved electronic voting method of a majority of the Board present voting on any such question, unless otherwise provided by law. The name of each Member voting and how he/she voted must be recorded. The Board has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any Motion shall be considered defeated as provided for in Section 15.2-1420, Code of Virginia, 1950, as amended. Each Board Member present when a question is put shall vote "yes" or "no." No Board Member shall be excused from voting, except on matters involving the consideration of his/her own official conduct, where his/her own financial interests are involved, or where he/she may have a conflict of interest, pursuant to the Virginia State and Local Government Conflict of Interests Act.

### **2.16. Roll Call Procedure.**

(1) Board Members shall either cast votes in District order on a rotating basis, or simultaneously if using an approved electronic voting method.

(2) The Board Chairman shall cast the last vote, unless using an approved electronic voting method.

### **2.17. Remote Participation in Board Meeting.**

As authorized by Section 2.2-3708.2, Code of Virginia, 1950, as amended, the Board shall allow the participation of Board Members in a Meeting through electronic communication means from a remote location that is not open to the public subject to complying with all parts of the following written policy:

1. On or before the day of a Meeting, the Supervisor shall notify the Board Chairman that the Supervisor is unable to attend the meeting due a personal matter, and the Supervisor shall identify with specificity the nature of the personal matter, or the Supervisor shall notify the Board Chairman that the Supervisor is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the Supervisor's physical attendance. The Board shall record the specific nature of the personal matter or fact of temporary or permanent disability, and the remote location from which the absent Supervisor participated in its minutes.

2. If the absent Supervisor's remote participation is disapproved, because such participation would violate the strict and uniform application of this written policy, such disapproval shall be recorded in the Board's Minutes.

3. Such participation by the absent Supervisor shall be limited in each calendar year to two (2) meetings.

4. A quorum of the Board shall be physically assembled at the primary or central meeting location.

5. The Board shall arrange for the voice of the absent Supervisor to be heard by all persons in attendance at the primary or central meeting location.

## **ARTICLE III. COUNTY ADMINISTRATOR.**

**3.1.** The Board may appoint a County Administrator who shall serve at the pleasure of the Board. Once appointed, the County Administrator shall be the Chief Administrative Officer of the County and shall perform his/her duties in accordance with the laws of the Commonwealth and the policies of the County as established by the Board for that purpose.

## **ARTICLE IV. BOARD COMMITTEES.**

**4.1.** The Board Standing Committees shall be as follows:

(a) **Finance/Insurance:** To aid and advise in the preparation on the County Budget and make recommendations concerning Fiscal Policy.

(b) **Personnel**: To review policies and practices and make recommendations regarding the same.

(c) **Property/Building**: To view buildings and grounds and make recommendations regarding the same.

(d) **Legislative Committee**: The Legislative Committee, in collaboration with the County Attorney, shall review, propose changes, and maintain current revisions to the Board of Supervisors' Bylaws and Rules of Procedure; review, propose changes, and maintain current revisions to the Pittsylvania County Board of Supervisors Policies and Procedures Manual; and review, propose changes, set public hearings for any proposed changes, and maintain current revisions to the Pittsylvania County Code.

**4.2.** At the Board's Reorganizational Meeting, or at any other appropriate time(s), membership to the above-Standing Committees and the following entities shall be appointed by the Board Chairman for a specific term of office as determined by the Chairman:

- (a) Computer/Radio/Telecommunications
- (b) BOS/School Joint Liaison
- (c) Economic Development
- (d) Solid Waste
- (e) Dan River Business Development Center
- (f) Danville-Pittsylvania Regional Facility Authority
- (g) Fire and Rescue Commission
- (h) Local Elected Officials
- (i) Metropolitan Planning Organization
- (j) Pittsylvania County Community Action Agency
- (k) Pittsylvania County Planning Commission
- (l) Roanoke River Basin Association
- (m) SARA Title III/D-PC Local Emergency Planning
- (n) Pittsylvania County Social Services Board
- (o) Virginia Association of Counties Committee
- (p) West Piedmont Planning District Commission
- (q) Community Policy Management Team
- (r) Staunton River Regional Facility Authority
- (s) Tri-County Lake Advisory Committee

**4.3.** The Board may, from time-to-time, direct that the Board Chairman appoint committees for a specific purpose with a limited duration.

**4.4.** The Board Chairman shall be authorized to temporarily participate, including voting, in any committee for the purpose of creating a quorum.

**4.5.** The Board and/or Board Chairman shall be authorized, to the extent allowed by law, to remove any of its/his appointee(s) to any committee or other entity.

4.6. The Board shall strive to require all potential committee or other entity appointees to submit a letter of interest, resume, and/or application prior to appointment.

4.7. The Board shall strive to create a uniform stipend policy for all appointed committees and other entities.

**ARTICLE V. CERTAIN ORDINANCES AND RESOLUTIONS TO LIE  
OVER.**

5.1. No Ordinance or Resolution imposing taxes or appropriating money from General Fund balances, not included in the adopted Budget, in excess of \$50,000, shall be passed until after ten (10) days from the introduction thereof. This shall not restrict the appropriation of State, Federal, or other funds not in the current General Fund balances.

**ARTICLE VI. RECORDATION OF ORDINANCES AND RESOLUTIONS.**

6.1. Every Resolution upon its final passage shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the Chairman and the County Administrator.

6.2. Every Resolution shall be authenticated and recorded in the same manner as in 6.1-above.

6.3. Every Motion appropriating funds or adopting an Ordinance shall be by Roll Call vote.

6.4. Every Ordinance passed by the Board shall be incorporated into the Pittsylvania County Code.

**ARTICLE VII. AMENDMENTS AND ADOPTIONS.**

7.1. Amendments to these By-Laws and Rules of Procedure may be made at any Board Meeting by a majority vote of the Board present, after a notice of intent to amend has been given to each Board member not less than ten (10) days prior to such Meeting.

7.2. Adoption of the By-Laws and Rules of Procedures shall be by simple majority vote of the Board present and shall be in force and effect on the day after their passage.