



**BOARD OF SUPERVISORS
LEGISLATIVE COMMITTEE
Tuesday, March 5, 2024 - 2:30 PM**

**Board Meeting Room
39 Bank Street, SE,
Chatham, Virginia 24531**

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. AGENDA ITEMS TO BE ADDED**
- 4. APPROVAL OF AGENDA**
- 5. NEW BUSINESS**
 - a. Potential Board Bylaws Revisions Review/Discussion (Staff Contact: Kenneth Bowman, William Ingram)
- 6. MATTERS FROM COMMITTEE MEMBERS (IF ANY)**
- 7. ADJOURNMENT**

PITTSYLVANIA

COUNTY, VIRGINIA

BOARD OF SUPERVISORS EXECUTIVE SUMMARY

Action Item

Agenda Title:	Potential Board Bylaws Revisions Review/Discussion		
Staff Contact(s):	Kenneth Bowman, William Ingram		
Agenda Date:	March 5, 2024	Item Number:	5.a.
Attachment(s):	1.	BOS Bylaws - potential revisions	
	2.	Hearing of the Citizens Research	
Reviewed By:	JVH		

Supervisors Bowman and Ingram will facilitate discussion regarding potential revisions to the Board of Supervisors Bylaws. Related documentation is attached.

**PITTSYLVANIA COUNTY BOARD OF SUPERVISORS' BYLAWS 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, 2/16/21)

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 § 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 ("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, 15.21414.1, 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 §§ 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 ~~\$50,000~~ \$50,000 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.

Commented [VH1]: KLB suggested revision.

ARTICLE II. MEETINGS.

2.1. Regular Meetings. The Board shall meet regularly on the third (3rd) Tuesday of each month for a Work Session and a Business Meeting for the purpose of discharging their administrative and legislative responsibilities. The start time and location of the Work Session and Business Meeting shall be determined at the Board's Reorganizational Meeting or identified in the Notice of the same. The Board shall also be authorized to set other dates for Regular Meetings, 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. The Chairman shall sit in the middle of the dais, ~~the Vice-Chairman shall sit to the Chairman's immediate right,~~ and all other seats shall be selected by Board Members based on longevity of Board membership, ~~combined with any County employment and service on County Boards, Authorities, or Commissions.~~

Commented [VH2]: WVI suggested revision.

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:

(a) Work Session Meeting Order:

Call to Order
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 and Closed Session Certification (if required)
Adjournment

(b) Business Meeting Order:

Call to Order
Roll Call
Moment of Silence
Pledge of Allegiance
Agenda 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
Matters from Work Session (*if any*)
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. Appointments. All non-Chairman appointments to boards, committees, and other entities shall occur during the Board's Business Meeting's ~~New Business/Consent~~ Agenda Section, unless

Commented [VH3]: KLB suggested revision.

a Board Member, following a second and an affirmative majority vote, removes the same to the Board's New Business Agenda Section for more discussion and/or potential action.

2.9. 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.

2.10. 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.

2.11. 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 time limit, shall be given speaking priority at the next Board Meeting.

Commented [VH4]: WVI desires to consider changing HOC protocols.

2.12. 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.

2.13. 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.

2.14. 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.

2.15. 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.

2.16. 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 § 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.

2.17. Roll Call Procedure. Board Members shall either cast votes in District order on a rotating basis, or simultaneously if using an approved electronic voting method. The Board Chairman shall cast the last vote, unless using an approved electronic voting method.

2.18. Remote Participation in Board Meeting. As authorized by § 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:

(a) 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.

(b) 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.

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

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

(e) 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 of 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 versions of the Board's Bylaws and Rules of Procedure; review, propose changes, and maintain current revisions to the Board's Policies and Procedures Manual; and review, propose changes, set public hearings for any proposed changes, and maintain current revisions to the County Code.

4.2. At the Board's ~~Reorganizational January~~ Business 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. No Board Members shall serve on more than seven (7) Boards/Committees at once. All Board appointments shall be limited to one (1) year term. No Board Member shall serve more than two (2) consecutive terms on any Board/Committee.

Commented [VH5]: KLB suggested revision.

Commented [VH6]: KLB suggested revision.

- (a) Computer/Radio/Telecommunications
- (b) Board of Supervisors/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 other 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. All full-Board appointments require a majority vote of the Board to remove said appointee.

Commented [VH7]: KLB suggested revision.

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. Prior to the Board Chairman appointing Board Members to Committees, the Board's Deputy Clerk shall solicit Committee preferences from Board Members. Said preferences shall be considered but are not binding on the Board Chairman.

Commented [VH8]: KLB suggested revision.

4.7. The Board shall ~~strive to~~ create a uniform stipend policy for all Chairman appointed Committees and other entities. Said policy shall be implemented via a Resolution/Ordinance adopted by the Board and included in the County's annual Budget Resolution.

Commented [VH9]: KLB suggested revision.

Commented [VH10]: KLB suggested revision.

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.~~

Commented [VH11]: KLB suggested revision.

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

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

ARTICLE VII. AMENDMENTS AND ADOPTIONS.

7.1. Amendments to these Bylaws 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 Bylaws 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.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS CODE OF ETHICS

Preamble

County citizens and businesses are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial, and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Board has adopted this Code of Ethics for Board Members and for Members of the County's boards, commissions, and committees (collectively "Members"), to assure public confidence in the integrity of local government and its effective and fair operation.

1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, Members will work for the common good of the people of County and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Board, boards, commissions, and committees.
1. **Comply with the Law.** Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the County in the performance of their public duties. These laws include but are not limited to, the United States and Virginia Constitutions; the County Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer restrictions, and open processes of government; and County ordinances and policies.
2. **Conduct of Members.** The professional and personal conduct of Members must be beyond reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other Board Members, boards, commissions, and committees, County Staff, or public.
3. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the Board and boards, committees, and commissions, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board by County Staff.
4. **Conduct of Public Meetings.** Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
5. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication. Members shall publicly share substantive information that is relevant to a matter under consideration by the Board or boards, committees, and commissions, which they may have received from sources outside of the public decision-making process.
8. Conflict of Interest. To assure their independence and impartiality on behalf of the common good, Members shall not use their official positions to influence government decisions to which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict Members who have minor business or professional dealings with clients whose matters come before them.
9. Gifts and Favors. A Member should never accept for himself or herself or for family members, favors, or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.
10. Confidential Information. Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.
11. Use of Public Resources. Members shall not use public resources that are not available to the public in general, such as County Staff time, equipment, supplies, or facilities, for private gain or personal purposes.
12. Representation of Private Interests. In keeping with their role as stewards of the public interest, Board Members shall not appear on behalf of the private interests of third-parties before the Board or any board, committee, commission, or proceeding of the County, nor shall Members of boards, committees, or commissions appear before their own bodies or before the Board on behalf of the private interests of third-parties on matters related to the areas of service of their bodies.
13. Advocacy. Members shall represent the official policies of the Board, boards, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, Members shall explicitly state they do not represent their body or the County, nor will they allow the influence/inference that they do.
14. Policy Role of Members. The Board determines the policies of the County with the advice, information, and analysis provided by the public, boards, commissions, committees, and County Staff. The Board delegates authority for the administration of the County to the County Administrator. Therefore, Members shall not interfere with the administrative functions of the County or the professional duties of County Staff; nor, shall they impair the ability of County Staff to implement Board policy decisions. Inquiries to County Staff shall be made through the County Administrator or the appropriate Department Manager or Director.

15. Independence of Board and Commissions. Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, Board Members shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee, or commission proceedings.

16. Positive Workplace Environment. Members shall support the maintenance of a positive and constructive workplace environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to County Staff.

17. Implementation. As an expression of the standards of conduct for Members expected by the County, this Code of Ethics is intended to be self-enforcing. Therefore, it becomes most effective when members are thoroughly familiar with and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for Board candidates, applicants to boards, committees, commissions, and newly elected and appointed officials. Members entering office shall sign a Statement affirming they have read and understood the Code of Ethics. Additionally, the Board, boards, committees, and commissions, shall annually review the Code of Ethics and the Board shall consider recommendations from boards, committees, and commissions to update it as necessary.

18. Compliance and Enforcement. This Code of Ethics expresses standards of ethical conduct expected of Board Member, boards, committees, and commissions. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have confidence in the integrity of government. The Chairs of boards, committees, and commissions and the Board Chairman have the additional responsibility to intervene when actions of Members that appear to be in violation of the Code of Ethics are brought to their attention. The Board may impose sanctions on Members whose conduct does not comply with the County's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restrictions. Where allowed by law, the Board also may remove members of Board-appointed boards, committees, and commissions from office. A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Board, board, committee, or commissions' decision.

**MODEL OF EXCELLENCE PITTSYLVANIA COUNTY BOARD OF
SUPERVISORS, BOARDS, COMMITTEES, AND COMMISSIONS
MEMBER STATEMENT**

As a Member of the Pittsylvania County Board of Supervisors, or of a Pittsylvania County board, committee, or commission, I, the undersigned, agree to uphold the Code of Ethics for elected and appointed officials adopted by the Board of Supervisors and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual Members and appreciate their individual talents, perspectives, and contributions; All Members are equal;
- Help create an atmosphere of respect and civility where individual Members, County Staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit; We are not here to be served, but to serve;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Pittsylvania County; and
- Treat all people with whom I interact in the manner I wish to be treated.

Commented [JVHE12]: KLB suggested revision.

Commented [JVHE13]: KLB suggested revision.

I affirm that I have read and understand the Pittsylvania County Code of Ethics.

Signature: _____

Date: _____

Name (printed): _____

Office(s) held: _____

Danville City:

They allow five minutes for their public comment section.

Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and

then those opposed to the proposal. Each speaker must clearly state his or her name and address. 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. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use 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.

Campbell County:

They only do the Public Comment Period once per quarter and below is what they put in their agenda packet for the months of March, June, September, and December.

PUBLIC COMMENT PERIOD

The General Assembly of Virginia amended and reenacted Section 15.2-1416 of the Code of Virginia, relating to local governing body meetings; public comment. The amendment states that the governing body shall provide members of the general public with the opportunity for public comment during a regular meeting at least quarterly. At this time, any citizen who is present has the opportunity to speak to the Board. Speakers are asked to limit their remarks to 3 minutes.

They do allow speakers representing a group of people to speak for 5 minutes. They recently had a citizen request to speak on behalf of two separate groups, and the chairman did allow her to have a total of 10 minutes.

Farmville:

They have a three minute time limit for their public comment and it is at each regular meeting of their Board, not Work Sessions. They use a

sign-up sheet, but the Mayor asks again once they are at that portion of the meeting and allows those who didn't sign up to speak that opportunity. They do not have a time limit for Public Hearings.

City of Lynchburg:

They conduct their meetings twice per month and allow public comment at each meeting. Their Agenda is posted on Thursday, and citizens have until Friday to sign up to speak during written request to their Clerk. She then adds those names to the public comment portion of the Agenda. They don't allow a topic that has been spoken on during the public portion to be discussed again for three months, and they do not have a sign up for Public Hearings. Below are their guidelines:

Section 5-3. Public Comment

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

B. General rules regarding Public Comment are as follows:

1. Individuals or groups wishing to speak at a regular meeting shall submit a written request to the Clerk of Council by noon on the Friday prior to the regular meeting.
2. Public Comment shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.
3. Remarks shall be addressed directly to the Council and not to City staff, the audience, or the media.
4. The presiding officer shall open the Public Comment period.
5. Each speaker shall clearly state his or her name and locality of residence.
6. There shall be a time limit for each individual speaker of three (3) minutes.
7. A representative of a group may have up to five (5) minutes to make a presentation. The representative shall identify the group at the beginning of his or her comment period. A group may have no more than one (1) spokesperson.
8. Speakers are not permitted to donate time to other speakers.

9. There shall be no comment during the Public Comment period on a matter for which a public hearing is scheduled during the same meeting.
 10. There shall be no comment during the Public Comment period on a matter that has already been the subject of a previous public hearing where no final vote has been taken.
 11. Any issue raised by the public which the Council wishes to consider may be put on the agenda for a future Council meeting by a majority vote.
 12. Councilmembers shall not discuss issues raised by the public except by consent of a majority of the Councilmembers present.
 13. Once the Council has heard a presentation from an individual or organization on a particular subject, the individual or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the Councilmembers present and voting.
 14. The above rules notwithstanding, members of the public may present written comments to the Council or to individual Councilmembers at any time during the meeting. Such written comments shall be submitted through the Clerk of Council.
- C. Other than as stipulated above or during public hearings, no person shall be permitted to address the Council orally, except by permission of the Council, and such permission shall not be granted unless with the consent of a majority of the Councilmembers present at such meeting.
- D. No speaker's time shall be extended except by unanimous consent or a two-thirds (2/3) vote of the Councilmembers present.
- E. Any person who desires to submit written statements for forwarding to the Council prior to a Council meeting must submit ten (10) copies to the Clerk of Council by 4:00 p.m. on the Thursday preceding the Council meeting.

Section 5-4. Prohibited Conduct

- A. All persons appearing before the Council or in the Council Chamber while a meeting of the Council is in session will not be allowed to:
1. Campaign for public office;
 2. Promote private business ventures;
 3. Use profanity or vulgar language or gestures;
 4. Use language which insults or demeans any person or which, when directed at a public official or employee, is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures;
 5. Make non-germane or frivolous statements;

6. Interrupt other speakers or engage in behavior that disrupts the meeting, including but not limited to, applause, cheers, jeers, etc.;
7. Engage in behavior that intimidates others; *or*
8. Address the Council on issues that do not concern the services, policies, or affairs of the Council or the City.

- B. The presiding officer shall preserve order and decorum at the Council meetings. He or she may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Council. Any person so expelled shall not be readmitted for the remainder of the meeting from which they were expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Council meetings for a specified and reasonable period of time not to exceed six (6) months, or upon a still subsequent expulsion a period not to exceed one (1) year either by the presiding officer, subject to appeal to the Council, or by motion passed by the Council.

Henry County:

Any member of the public may request an opportunity to speak to the Board at any monthly meeting by contacting the County Administrator at least seven days prior to any meeting and listed on the Agenda.

Section 2.6. Public Participation

All Board meetings shall be open to the public. Matters under consideration by the Board shall not normally be open to discussion by the general public unless consented to by the Chairperson or a majority of the Board. However, any member of the public may request an opportunity to speak to the Board by contacting the County Administrator at least seven days prior to any meeting. In such a case, the citizen shall be listed on the agenda under "Matters Presented by the Public". Citizens are requested to advise the County Administrator of the subject about which they want to speak.

Those persons who request to be on the agenda seven days prior to a meeting will be allowed to speak first, and a time limit may be set on others who want to speak if there are time restraints regarding the agenda.

Halifax County:

They have a three minute time limit at each Board meeting for public comment. In addition, they also have a "Conduct of the Public" policy.

HALIFAX COUNTY BOARD OF SUPERVISORS CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is an ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office, soliciting of funds, or promoting private business ventures.
2. Using profanity, vulgar language or gestures.
3. Language or actions which insult or demean any person or group of persons or which, when directed at a public official or employee is not related to his official duties.
4. Disruptive behavior.
5. Making non-germane or frivolous statements.
6. Discussions of a sectarian or partisan nature.
7. Smoking or eating in the Board Room.
8. Addressing question or statements to anyone other than the Chairman (Questions shall be presented to the Chairman, who will, at their discretion, solicit a response from the appropriate board or staff member.)
9. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel).
10. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to a vote on the same, except at the discretion of the Chairman.
11. Any persons addressing comments or questions to someone other than the Chairman.
12. Wearing hats, caps or other types of headgear.
13. Applause is permitted only during presentations, awards, proclamations and special recognition periods.

The Board of Supervisors welcomes and encourages citizen participation in its meetings. To insure fair and timely participation, the following procedures are observed by the Board:

1. All presenters are asked to state their name
2. Each speaker on a general matter, whether an individual or a representative for an organization, is limited to three (3) minutes.
3. Speaker's comments are limited to a presentation on his or her point of view only – questions of clarification may be entertained only by the board members;
4. All comments are to be directed to the board;
5. Debate between a recognized speaker and audience members or between board members and the speaker is not permitted;
6. Courtesy between the speaker and audience is expected at all times;
7. Speakers are requested to leave any written statement and / or comments with the clerk to the board;
8. Individuals speaking on behalf of an organized group are required to file with the clerk written authorization from the group allowing the individual to represent that group;
9. By applying to speak as a representative for an organization, the individual confirms they are recognized as an official representative of that organization; and
10. Presentation to the board by groups should:
 - a. Obtain prior approval from the chairman of the board;
 - b. Submit all written materials and data no later than ten days prior to the meeting in time to be included in the board's agenda packet distributed a week before each regular monthly meeting;
 - c. Limit presentations to fifteen minutes; and
 - d. File with the clerk written authorization from the group allowing the individual to represent that group.
11. A timer-controlled lighting system will be implemented in full view of the speaker. When two minutes are up, an amber light will come on which will indicate that the speaker has one minute to conclude his/her comments. At the end of that one-minute period (completion of the full three-minute period), a red light will come on that will indicate that the speaker must relinquish the podium to the next speaker. Staff will notify the Chairman that the speaker's time has expired. Speakers continuing after the time allotted shall be ruled out of order by the chairman.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incite violence or disorder, subject to appeal to the Board. Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board, or by motion passed by the Board.

2. Requests to advertise public hearings, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and accommodation; and
 3. Items of a non-controversial nature that could be classified as housekeeping items of a technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of grants from the State or Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.
 4. Actions that must be ratified and entered into the minutes. Examples are items that were done due to timing such as emergency declarations.
- C. There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.
- D. Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in the order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.
- E. Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

4.4. Citizen Comment Period

- A. At each regular meeting of the Board of Supervisors, the Board shall set aside a citizens' comment period. During the citizens' comment period, speakers wishing to address the Board shall clearly state their name and address and shall be subject to such time limitations as the Chairman in his or her discretion may impose. Speakers may address any issue not on the public hearing calendar for the day. Speakers shall also not address any item which has been subject to a previous public hearing and action on the subject has not occurred.
- B. No individual citizen or organization shall be permitted to address the Board for more than three (3) minutes.
- C. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff person. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.
- D. A timer-controlled lighting system will be implemented in full view of the speaker. When two (2) minutes are up, an amber light will come on which will indicate that the speaker has one minute to conclude his/her comments. At the end of that one-minute period (completion of the full three (3)-minute period), a red light will come on that will indicate that the speaker must relinquish the podium to the next speaker. Staff will notify the Chairman that the speaker's time has expired. Speakers continuing after the time allotted shall be ruled out of order by the Chairman.