



## BOARD OF SUPERVISORS

of the

County of Westmoreland, Virginia

### **RULES OF PROCEDURE**

The following Rules of Procedure are adopted by the Westmoreland County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in the Code of Virginia.

#### **Article 1. ORGANIZATIONAL MEETING**

- 1.1 **Annual Meeting.** The Board shall elect a chairman and vice-chairman at the annual meeting in the month of January for a one (1) year term at the beginning of the new terms of office. (§ 15.2-1422 Code of Virginia 1950)
- 1.2 **Chairman.** The Chairman shall preside at all meetings and hearings of the Board; he or she shall decide all points of order or procedure, and the full Board shall appoint any committees that may be necessary.
- 1.3 **Vice-Chairman.** The Vice-Chairman shall assume the duties of the Chairman in his or her absence or disability.
- 1.4 **Clerk.** The Clerk to the Board shall conduct all official correspondence subject to these rules at the direction of the Board; shall send out all notices required by these rules of procedure; keep all minutes of the Board's proceedings; and keep files on all matters which come before the Board.
- 1.5 **Parliamentarian.** The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these 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 is unavailable, the County Administrator shall serve as the Parliamentarian.

- 1.6.1 Preservation of Order. At meetings of the Board, the presiding officer shall preserve order and decorum.

## ARTICLE 2. MEETINGS

- 2.1 Regular Meetings. A regular meeting of the Board of Supervisors shall be held on the second (2nd) Monday of each month at 6:00 p.m. in the auditorium of the A. T. Johnson Alumni Museum, located at 18849 Kings Highway in Montross. When the regular meeting date falls on a holiday, the meeting shall be held on the following Wednesday at the A. T. Johnson Alumni Museum, commencing at 6:00 p.m. to conduct the regular business of the Board and commencing at 7:30 p.m. to conduct the land use business of the Board. All meetings are open to the public and all business shall be conducted publicly, except certain specific exempt topics identified in Section 2.2-3711 of the Code of Virginia 1950 (as amended) may be discussed in closed meeting.
- 2.2 Special and Adjourned Meetings. Special meetings may be called in accordance with Sections 15.2-1417 and 1418 of the Code. The Board shall be given 72 hours advance notice of such special meetings, unless emergency circumstances dictate otherwise. Adjourned meetings or reconvened meetings may be held any specific time, date, and place the Board may set, without additional notice, so long as the time, date and place are publicly specified prior to adjournment at the preceding meeting.
- 2.3 Quorum. A quorum shall consist of three members. If disqualifications of Board members should occur as a result of the provisions of the State and Local Government Conflict of Interests Act, the remaining members shall have authority to act for the Board by majority vote, unless an unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members (§ 2.2-3112 (c)).
- 2.4 Voting. Each supervisor shall be entitled to cast one vote on any questions before the Board. Voting shall be by voice, recorded by “aye”, “nay” or “abstain”.
- 2.5 Minutes of Meeting. The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings and citizen comment periods. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will be done in accordance with the requirements of Section 2.2-3707 and Section 15.2-1242 of the Code of Virginia, as amended. Minutes shall be included as part of the agenda package for the subsequent regular meeting of the Board. Draft copies of the minutes will be made available to the public in hard copy form at each regular meeting of the Board.

- 2.6 Agenda. The County Administrator shall prepare an agenda for each regular or special meeting of the board on which shall appear the title of each matter to be addressed at the meeting. The agenda for each regular meeting shall be prepared at least five days prior to the meeting and be distributed to appropriate officials and employees of the county government and member of the public and media requesting copies. Matters may be placed on a Board agenda only in the following manner: (1) by resolution of the Board; or (2) upon the direction of any member of the Board of Supervisors; or (3) by the County Administrator or County Attorney; or (4) when directed by Section 15.2-1243 et seq. of the Code of Virginia as a claim to be presented to the Board of Supervisors, or (5) upon referral of a land use matter to the Board of Supervisors as provided for in Chapter 22 of Title 15.2 of the Code of Virginia. Any member of the general public or group who wishes to be placed upon the Board's agenda must submit a request in writing to the County Administrator at least ten (10) days prior to the Board meeting for which the item is scheduled to be considered. When requesting time to appear on the agenda, the requestor shall give the County Administrator a description of what the topic will be, the speaker's name, complete address and phone numbers for contact purposes. If the speaker is representing a group or organization, the request shall include the organization's name, speaker's official position and the speaker's authority to represent the organization. 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.

### ARTICLE 3. BOARD MEETINGS AND PUBLIC HEARINGS

- 3.1 Citizens' Comments. A reasonable period of time will be allocated to individuals to give the Board an opportunity to listen to citizens. The Board is very interested in citizen input relating to concerns, problems, issues or policies. In the opening statement, the Board Chair will state the period of time each citizen will be allocated to address the Board. During the citizens' comment period, speakers wishing to address the Board shall clearly state their name and address for the record. Citizens are encouraged to work through problems at the department and/or administrative levels before coming to the Board. This is a period in which citizens are to speak to issues. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person. The Board Chair is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented.

Public participation at any special called meeting of the Board shall be determined by the Board upon recommendation of the Board Chair. Public hearings and public forums are designed to receive substantial community input and individual comment. In addition to those required by law, the Board of Supervisors may hold public hearings or forums on matters when it decides that such hearings will be in the public interest.

ARTICLE 4. BOARD PROCEDURES

- 4.1 In responding to questions, from the media or citizens, Board members should:
- 4.1-1. Remind the listener that they are not speaking for the entire Board;
  - 4.1-2. Clarify their position on a particular item;
  - 4.1-3. Make “no public comment” on closed meeting matters in reference to individuals, real estate, and other areas addressed pursuant to Section 2.2-3711 of the Code of Virginia.
- 4.2 Each Board member must remember that personnel matters are to remain confidential and that it is the obligation of the Board and its membership to protect the privacy of the individual.
- 4.3 The Board will focus on issues and avoid making derogatory or demeaning public comments about individuals, staff members, fellow Board members, community residents or media representatives.
- 4.4 The Board will follow the procedure of taking no action on items introduced at the table. If any item is presented for the first time during the course of business by Board members, any action will be deferred until the next meeting of the Board, provided, however, an exception will be made to this procedure by majority consent of the Board.
- The Board will direct administrative action in response to items introduced under business by Board members only after a specific Board vote on said item that directs administrative action.
- 4.5 The Board will review its Rules of Procedure for the current year at its January organizational meeting.
- 4.6 Pursuant to §2.2-3707.H of the Code of Virginia, any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting shall be in such a manner as to prevent interference with the proceedings and to discourage disruptive conduct. Video cameras are to be placed in a designated area adjacent to the Clerk’s table and shall remain fixed on the Board activities and any recognized speaker presentations at all times.

ARTICLE 5. AMENDMENT

- 5.1 Amendments. These Rules of Procedure may be amended at any meeting of the Board of Supervisors provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.
- 5.2 Suspension of Rules. These Rules of Procedure may be suspended in whole or in part only upon the majority vote of the members of the Board of Supervisors present and only when consistent with the Virginia Freedom of Information Act.
- 5.3 Procedural Issues. Only Board members shall have standing to raise noncompliance with these Rules of Procedure, and only at the time of the violation. Failure of the Board to comply with these rules of Procedure shall not invalidate any action taken by the Board. Procedural issues not covered by these Rules of Procedure may be guided by Robert's Rules of Order, latest edition. The failure, however, of the Board to comply with Robert's Rules of Order shall not invalidate any action taken by the Board.

**Adopted: January 9, 2012**