



SUSSEX COUNTY BOARD OF SUPERVISORS BYLAWS AND RULES OF PROCEDURE

Adopted: February 21, 2013
Amended: March 21, 2024
Latest amendment: March 20, 2025

TABLE OF CONTENTS

The Introduction	3
Section 1: Purpose and Principles of the Bylaws.....	3
Section 2: Meetings	4
Section 3: Officers.....	8
Section 3-4: Preservation of Order	8
Section 4: Agenda	8
Section 5: Order of Business for Board Meetings	9
Section 6: Rules of Procedure for Board of Supervisors Meetings.....	16
Section 7: Boards, Authorities, Commissions and Committees	21
Section 8: General Operating Policy... ..	22
Section 9: Remote Participation and Emergency Meeting Policy	23
Amendments page.....	25

INTRODUCTION

The Sussex County Board of Supervisors **BY-LAWS** (and Rules of Procedure) were designed and adopted for the benefit and convenience of the Governing Body. Their purpose is to help the Board conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in Robert's Rules of Order (Newly Revised) and applicable Virginia law. The rules of procedure do not create substantive rights for third parties or participants in proceedings before the Sussex County Board of Supervisors. Further, the Board reserves the right to suspend or amend the By-Laws/Rules of Procedure whenever a majority of the Board so determines. The failure of Board of Supervisors to strictly comply with the rules of procedure shall not invalidate any action of the Board that otherwise complies with applicable law.

SECTION 1 - PURPOSE AND PRINCIPLES OF THE SUSSEX COUNTY BOARD BY-LAWS

- A. To enable the Sussex County Board of Supervisors to transact business fully, expeditiously and efficiently while 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 1-1 BASIC PRINCIPLES UNDERLYING THE BOARD BY-LAWS

- A. The business of the Board of Supervisors should proceed in the most efficient manner possible;
- B. The Board of Supervisors' rules of procedure must be followed consistently;
- C. Board actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
- D. Only one subject may claim the attention of the Board at one time;
- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every member has equal rights to participate and vote on all issues;
- G. Every member must have equal opportunity to participate in decision making;

- H. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- I. The Sussex County Board of Supervisors must act as a single governing body.

SECTION 2 -- MEETINGS

Section 2-1 When and Where Regular Meetings are Held

- A. The time and place of regular meetings of the Board shall be held in the Sussex County General District Court Room on the third Thursday of each month or other location or date as designated and duly authorized by vote of the Board.
- B. Notification compliant with Virginia Freedom of Information Act will be made to the public if changes to the date or location are made.
- C. Workshops and/or work sessions of the Board, if desired or needed, shall be held in the Sussex County General District Court Room prior to the regularly scheduled meetings or as scheduled, duly voted on by the Board and appropriately advertised. When a conflict occurs due to any legal holiday, weather conditions or other events requiring rescheduling of the regular Board Meeting, the County Administrator shall notify the Chairman of the Board of the need to reschedule to an alternative date.
- D. Notification compliant with applicable Virginia law will be made to the public if changes to the date or location are made.
- E. The time for regular meetings shall be 6:00 p.m.
- F. If a majority of the Board fails to attend within half an hour after the time appointed for any meeting, the Clerk shall enter into the minute book the names of the members present and note the adjournment for lack of a quorum.
- G. Any supervisor may request a Closed Meeting for any of the permitted areas set forth in the Code of Virginia.
- H. Members shall address only the Chair, or address each other through the Chair. A member must be recognized by the Chair before he or she shall proceed; upon being recognized, a member shall not be interrupted during his or her comments except when a point of order is called or during discussion of the issue with other Board members.
- I. Individuals interested in addressing the Board or staff shall only do so at the lectern in order for their comments to be recorded as part of the record of the meeting, and shall only address the Board through the Chair, not the audience or the applicants.

- J. The Board may hold additional meetings at other locations and times, or may change the locations and times of regularly scheduled meetings or work sessions as it deems appropriate to do so. Notice of any public meeting or changes to the location or time of regularly scheduled meetings or work sessions shall be provided to the public and the press as required by State Code.

Section 2-1.1 Postponement of Regular Meetings

- A. Unless otherwise set by the Board, regular meetings shall be continued, if necessary to the following Thursday, or to the next regularly scheduled meeting, at the same time and place as the regular meeting.

If the Chair, or Vice-Chair in his or her absence, following consultation with the County Administrator, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting, the meeting shall be rescheduled to the following Thursday at the same time and same place as the regular meeting. Such finding shall be communicated to the Board 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 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 the Chair or any two (2) members of the Board in writing to the Clerk of the Board for the purpose stated in the notice of the special meeting. The Clerk of Board shall forthwith notify the members of the Board of the time and place designated and the purpose of the meeting. Written notice, when possible, of the special meeting shall be delivered to each member of the Board by leaving a copy thereof at his or her place of abode or place of business, or if so requested by the member of the governing body, by electronic mail or facsimile at least twelve (12) hours before the time scheduled for the special meeting. Only matters specified in the notice of the special meeting shall be considered unless all members are present.
- C. Notice to the public of any special meeting shall be provided in accordance with the Virginia Freedom of Information Act.

Section 2-3 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 or the

Board, by majority vote, schedules the regular meeting to a different day.

Section 2-4 Adjourned or Recessed Meetings

- A. A meeting of the Board is adjourned when the Board has finished its business and is bringing the meeting to a close, with the intention of holding another meeting at a later date; additionally, the Chair may adjourn a meeting at anytime in the event of an emergency affecting the safety of those present. Generally, when a meeting of the Board is adjourned, the next meeting of the Board is preceded by opening ceremonies. A meeting of the Board is recessed when the Board takes a break between sittings and after the recess business is resumed where it left off.
- B. A properly called regular, additional scheduled, or special meeting may be recessed or adjourned to a time and place certain by a motion made and adopted by a majority of the Board in open session during the regular, additional scheduled, or special meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular, additional scheduled or special meeting.

Section 2-5 Cancellation or Rescheduling of Meetings

A regularly scheduled meeting may be cancelled or rescheduled, in special circumstances and for the convenience of the Board, if the change would not impact an advertised public hearing or a scheduled public presentation. The Chair and Vice-Chair shall agree to any such change and the remaining members of the Board shall be immediately notified of the change and the reason therefore. The public and the media shall be notified promptly of the change.

Section 2-6 Organizational Meeting

- A. The first meeting in January of each year shall be known as the organizational meeting. The County Administrator shall preside during the organizational meeting pending the election of the Chair.
- B. The Chair shall be elected at the organizational meeting for a term of one year.
- C. Following the election of the Chair, he or she shall preside during the election of the Vice-Chair.
- D. Following the election of the Vice-Chair, the Board shall:
 - 1. Establish the dates, times and places for regular meetings; and
 - 2. Adopt its Rules of Procedure.

Section 2-7 Procedure for Election of the Chair and Vice-Chair

- A. The County Administrator shall preside during the meeting at which the Chair is elected, pending the election of the Chair. Following the election of the Chair, he or she shall preside during the election of the Vice-Chair.
- 1) The presiding officer shall call for nominations from the membership.
 - 2) Any Board 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) After all nominations have been made the presiding officer shall close the nominating process and open the floor for discussion.
 - 4) After discussion, the presiding officer shall call for the vote
 - 5) Each member shall cast one vote for any one nominee.
 - 6) In the case of three-way race, the candidate receiving the least number of votes will be dropped from the slate of nominees, and another vote will be taken.
 - 7) A majority of those voting shall be required to elect the Chair or Vice- Chair.
- B. The Chair and Vice-Chair shall serve until replaced.

Section 2-8 Seating Arrangement

- A. The Chair shall occupy the center seat 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 (2) or more Board members have equal seniority, the selection of seating for those members shall be determined by the Chair.

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 Board members present shall choose one of their members as temporary presiding officer.

Section 3-2 Clerk of the Board

The Clerk of the Board shall be appointed by the Board. He or she shall prepare the agenda for Board meetings, shall attend all Board meetings, and shall keep an accurate record of the proceedings.

Section 3-3 Parliamentarian

The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure and the Code of Virginia (1950), as amended, as may be directed by the presiding officer, or as required as a result of a point of order raised by one or more Board member. If the County Attorney 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. The presiding officer shall have the following powers:
- 1) To rule motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstructive or dilatory purposes;
 - 2) To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
 - 3) To entertain and answer questions of parliamentary law or procedure;
 - 4) To call a brief recess at any time;
 - 5) To adjourn in an emergency.
- B. A decision by the presiding officer under any of the first three (3) powers listed above may be appealed to the Board upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a second, and the motion, if timely made, may not be ruled out of order. There are two (2) exceptions to this right of appeal. The presiding officer may adjourn without the Board's vote or appeal in an emergency, and he or she may also call a brief recess without a vote at any time, when necessary to "clear the air" and thus reduce friction among the members.

SECTION 4 – AGENDA

Section 4-1 Preparation

- A. The County Administrator shall prepare an agenda for the regularly scheduled

meetings conforming to the agenda calendar, subject to approval by the Chair.

- B. Any Board member may request that items be placed on a meeting agenda by contacting the County Administrator or Clerk at least seven (7) days prior to the Board meeting for which they wish the item scheduled. Board members' items shall appear using the exact language requested. The Clerk shall place requested items on the agenda for the next regular meeting or work session, as appropriate, following the request.
- C. All items which are requested to be placed on the agenda and which have not been submitted within the prescribed deadline shall be placed on the following regular work session 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 of items on the agenda. It is considered desirable to have items listed on the published agenda.
- E. Unless required by law, no item will be scheduled for a public hearing unless by unanimous consent or the vote of a majority of the Board to hold a public hearing on the item.

Section 4-3 Delivery of Agenda

The Board meeting package, including the agenda and related materials, shall be delivered to each member of the Board of Supervisors, and the County Attorney the Friday prior to the Thursday Board meeting, if possible.

Section 4-4 Copies

The Clerk of the Board shall prepare or cause to be prepared extra copies of the meeting package and shall make the same available to the public and the press in the County Administrator's Office contemporaneous with delivery to the Board. If possible, electronic means should be used for delivery unless paper copy is requested by Board member. Copies of the Agenda will also be available at the Board meeting.

Section 4-5 Internet

The Clerk of Board shall post the Agenda for all Board meetings on the Internet for public information as promptly as possible.

SECTION 5 -- ORDER OF BUSINESS FOR BOARD MEETINGS

Section 5-1 Order of Business

A. The order of business shall generally be as follows:

After the call to order, the Invocation, and Pledge of Allegiance, the Board shall proceed to the agenda. The order of the agenda shall normally be as below, subject to rearrangement by the Chair, absent objection by the Board:

Sussex County of Supervisors Meeting
Thursday _____
General District Courtroom – Sussex Judicial Center
15098 Courthouse Road, Sussex VA 23884

1. Commencement

- 1.01 Call to Order/Determine Quorum
- 1.02 The Invocation
- 1.03 The Pledge of Allegiance
- 1.04 Agenda Amendment(s)
- 1.05 Approval of Regular Agenda

2. Approval of Consent Agenda

- 2.01 Minutes of Previous Meeting(s)
- 2.02 Approval of Warrants and Vouchers
- 2.03 Approval, Accept & Appropriate Funds

3. Recognition/Award/ Presentation

4. Public Hearing(s) if any

- 4.01 Public Comment
- 4.02 Board Comment
- 4.03 Action on Public Hearing Item(s)

5. Appointments

6. Action Items

7.

8. Citizens Comments

9. Unfinished Business

10. New Business

11. Board Members Comments

12. Closed Session

- 12.01 Convene Into Closed Session
- 12.02 Reconvene to Open Session

- 12.03 Certification
- 12.04 Action(s) Resulting from Closed Session

13. Adjournment

13.01 Recess/Adjournment

- B. The above order of business may be modified by the Chair of the Board to facilitate the business of the Board.
- C. Board work sessions are less formal meetings and the agenda may be as determined by the County Administrator with review by the Chair to best facilitate the business of the County.

Section 5-2 Consent Agenda

- A. The consent agenda shall include, by way of illustration but not limited to the following:
 - 1) Approval of minutes.
 - 2) Ordinances or resolutions that are routine.
 - 3) Final/second readings of appropriations, ordinances or resolutions which received unanimous approval upon introduction at a previous meeting.
 - 4) Any item believed by the County Administrator to be routine and not controversial in nature.
- B. The consent agenda shall be introduced by a motion “to approve,” and shall be considered by the Board as a single item.
- C. 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.
- D. Upon request of any Board member, an item shall be removed from the Consent Agenda. The item shall be considered separately after adoption of the Consent Agenda.

Section 5-3 Citizen Comment

- A. Every petition, communication or address to the Board shall be in respectful language and is encouraged to be in writing.
- B. Citizen Comment
 - 1) Citizens who wish to speak during Citizen Comment period are encouraged to register to speak with the Clerk of the Board on the Wednesday prior to the

regular meeting date on Thursday.

- 2) Citizen 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 Board. They shall not serve as a forum for debate with the Board nor is it intended to be a question-and-answer period or time of dialogue with County officials. The Chair may direct appropriate staff to respond later to any questions posed by the speaker.
- 3) Remarks shall be addressed directly to the Board and not to staff, the audience, or the media.
- 4) The presiding officer shall open the Citizen Comment period.
- 5) Each speaker shall clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of the Board after speaking.
- 6) There shall be a time limit for each individual speaker of 2 minutes.
- 7) A representative of a group may have up to five (5) minutes to speak. The representative shall identify the group at the beginning of his or her comment period. A group may not have more than one (1) spokesperson, and therefore, no other member of the group is permitted to speak on behalf of the group during citizen comment. The representative shall provide a list of the names of individuals that constitute the group.

A “group” refers to a collection of individuals that have a common purpose or goal.
- 8) There shall be no comment during citizen comment period on a matter for which a public hearing is scheduled during the same meeting. There shall be no comment during citizen comment on a matter that has already been the subject of a previous public hearing where no final vote has been taken.
- 9) Any issue raised by the public which the Board wishes to consider may be put on the agenda for a future Board meeting or work session by a majority vote.
- 10) Board members shall not discuss issues raised by the public except by consent of a majority of the Board members present.
- 11) Speakers are not permitted to use audiovisual materials or other visual displays such as signs but may present hard copies of written and photographic material to the Board members.
- 12) No person shall be permitted to “yield time” to other speakers.

- C. Other than as stipulated above or during public hearings, no person shall be permitted to address the Board orally, except by permission of the Board, and such permission shall not be granted unless with the consent of a majority of the members of the Board 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 Board members present.

Section 5-4 Prohibited Conduct

- A. Persons appearing before the Board will not be allowed to:
 - 1) Campaign for public office when not directly related to an issue before the Board;
 - 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;
 - 8) Address the Board on issues that do not concern the services, policies or affairs of the county.
- B. The presiding officer shall preserve order and decorum at Board 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 Board. Any person so expelled shall not be readmitted who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Board meetings 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 presiding officer, subject to appeal to the Board, or by motion passed by the Board.

Section 5-5 Public Hearings

- A. This section of the agenda shall be for public hearings as required by County, State, or Federal law, or as the Board may direct.

B. The presiding officer shall conduct all public hearings. The order of public hearings shall be as follows:

1. The presiding officer shall open the public hearing.

Hearings shall 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 and the staff recommendation. Board members may seek clarification during the presentation.

2. In land use cases (rezoning or conditional use permit) the applicant or his or her representative shall speak after staff or representatives as outlined in paragraph (B)(1) of this section. There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The Board, by unanimous consent or by a two-thirds (2/3) vote of the members present, may allow the applicant to proceed past the time limit.

3. The presiding officer shall then solicit comments from the public. Each speaker must clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of the Board after speaking. There shall be a time limit of two (2) 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 comments. A group may have no more than one (1) spokesperson and therefore no other member of group is permitted to speak on behalf of the group during the public hearing. The representative shall provide a list of names of individuals that constitute the group. A "group" shall be defined as above.

The Board, by unanimous consent or by a two-thirds (2/3) vote of the members present, may allow any speaker to proceed past the time limit.

4. No person shall be permitted to yield time to other speakers.
5. 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.
6. Upon the conclusion of public comments, or the applicant's rebuttal in a land use case, the presiding officer shall close the public hearing.

D. When a public hearing has been closed by the presiding officer, 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, to a speaker, or to a staff member for clarification prior to taking any vote, if a vote is in order.

- E. Following the close of the public hearing, the presiding officer may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

Section 5-6 Unfinished and New Business

- A. **Unfinished Business:** This section of the agenda shall include items of a general nature previously considered by the Board of Supervisors. After the presiding officer has stated the item for consideration, if there are any questions the County Administrator may be asked to provide a brief summary.
- B. **New Business:** This section of the agenda shall include items of a general nature to be introduced and considered by the Board of Supervisors. After the presiding officer has stated the item for consideration, if there are any questions the County Administrator may be asked to provide a brief summary.

Section 5-7 Items Not on the Agenda

With the Board of Supervisors' consent, items may be added to the agenda to respond to situations and/or questions of a critical nature which have arisen after the deadline has passed for items to be placed on the agenda.

Section 5-8 Closed Session

- A. Closed Session should only be used when the matter to be discussed is too sensitive for discussion in public and only as allowed by law.
- B. No Closed Session shall occur until the Board of Supervisors takes an affirmative recorded vote during the open meeting.
 - 1. The motion shall state specifically the purpose or purposes which are the subject of the closed 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 of Supervisors 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 of Supervisors shall reconvene in open meeting 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 Meeting were heard, discussed or considered.
 3. Any member who believes that there was a departure from the above requirements shall so state prior to the presiding officer'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 Meeting shall not affect the validity or confidentiality of the Closed Meeting with respect to matters considered therein in compliance with the Freedom of Information Act.
- F. The Board of Supervisors may permit non-members to attend a Closed Session if their presence would reasonably aid the Board of Supervisors in its consideration of an issue.
- G. Individuals attending a Closed Session should respect the Board of Supervisors' decision that the subject matter is too sensitive for public discussion and should treat the Closed Session discussion as confidential.

SECTION 6– RULES OF PROCEDURE FOR BOARD OF SUPERVISORS MEETINGS

Section 6-1 Quorum

- A. As provided by Section 15.2-1415 of the Code of Virginia, a majority of the members of the Board of Supervisors must be present to conduct business. A quorum is a majority of the entire membership of the Board of Supervisors.
- B. Quorum refers to the number of members present at a meeting, not the number of members voting on an issue. If no quorum is present or if a quorum is lost, the Board of Supervisors can only (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.
- C. If a quorum fails to attend any meeting, those attending may adjourn to such other time prior to the next regular meeting as they may determine, and the Clerk of Board of Supervisors shall enter such adjournment in the minute book of the Board of Supervisors and shall notify absent members thereof in the same manner as required for special meetings.

- D. If the Virginia Conflict of Interests Act prevents some of the members of the Board of Supervisors from participating in an item of business, Sections 2.2-3112 and 15.2-1415 of the Code of Virginia provide that a majority of the remaining members of the Board of Supervisors shall constitute a quorum.

Section 6-2 Priority in Speaking on the Board of Supervisors

When two (2) or more members of the Board of Supervisors wish to speak at the same time, the presiding officer shall name the one to speak.

Section 6-3 Comments, Queries of Board of Supervisors Members

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

- A. The presiding officer shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The presiding officer shall rule other comments out of order.
- B. Board of Supervisors members may address questions to the County Administrator who may, if needed, ask staff present at the meeting. If requested by the County Administrator, staff members are to be at a microphone when answering Board of Supervisors members' questions. All legal questions should be addressed to the County Attorney.

Section 6-4 Action by the Board of Supervisors

- A. Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.
- B. When a proposal is perfectly clear to all present, and the proposal will not obligate the Board of Supervisors in any manner nor finally decide an issue before the Board of Supervisors, action can be taken upon the unanimous consent of the Board of Supervisors members present, without a motion having been introduced. However, unless agreed to by unanimous consent, all proposed actions of the Board of Supervisors must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.

Section 6-5 Motions

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member, including the presiding officer, may make a motion.
- C. Members are required to obtain the floor before making motions or speaking, which they can do while seated.

- D. A member may make only one motion at a time.
- E. Except for matters recommended by a Board of Supervisors' committee, or as otherwise stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.

Section 6-6 Substantive Motions

- A. A substantive motion is any motion that deals with the merits of an item of business and is within the Board of Supervisors' legal powers, duties and responsibilities.
- B. A substantive motion is out of order while another substantive motion is pending.

Section 6-7 Procedural Motions

- A. Procedural motions are those motions that the Board of Supervisors may use to “act upon” a substantive motion by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
- B. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion requires the floor and a second, is debatable, may be amended, and requires a majority of the votes cast, with a quorum being present, for adoption. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available.
 - 1) To Appeal a Procedural Ruling of the Presiding Officer: A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the Board of Supervisors which shall decide the matter by majority decision. Such an appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a second, and the motion, if timely made, may not be ruled out of order.
 - 2) Motion To Adjourn: At a meeting of the Board of Supervisors, a motion to adjourn shall always be in order. The motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. The motion is not debatable and cannot be amended.
 - 3) To Take a Brief Recess: This motion allows the Board of Supervisors to pause briefly in its proceedings. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending.

- 4) **To Suspend the Rules:** The Board of Supervisors may suspend provisions of its rules of procedure. The Board of Supervisors may not, however, suspend any provisions of the rules that state requirements imposed by law on the Board of Supervisors. For adoption, a motion to suspend the rules requires unanimous consent or an affirmative vote of the majority members present.
- 5) **To Defer Consideration:** The Board of Supervisors may defer action on a substantive motion to a more convenient time. The Board of Supervisors may use the following motions to defer consideration of a substantive motion:
 - a. The motion to “lay on the table” is used to temporarily set aside an item of business to deal with a more urgent item. Once an item of business has been laid on the table, a motion to “take from the table” is needed to bring the item back before the public body for discussion.
 - b. The motion to “postpone” delays debate on an item of business so that it may be considered at a later date. An item of business may be “postponed definitely,” when it is continued to a definite time or date or “postponed indefinitely” if no future time or date is specified in the motion. A matter that has been postponed to a certain time or day shall be brought up again automatically when that time arrives. When a matter has been postponed indefinitely it takes an affirmative vote of a majority of the Board of Supervisors to bring the matter back for further discussion.
 - c. Section 15.2-2286 of the State Code requires that a zoning petition must be “acted upon” within a “reasonable time,” not exceeding one year. The Board of Supervisors may defer action on a zoning petition for consideration at a more convenient time. However, the Board of Supervisors may not dispose of a zoning petition with a motion to postpone indefinitely.
- 6) **Call the Question:** The motion to call the question is not in order until every member of the Board of Supervisors has had an opportunity to speak once and the deliberation by the Board of Supervisors on an item of business has exceeded thirty (30) minutes. The motion is not amendable or debatable.
- 7) **To Amend:** Any substantive motion properly on the floor may be amended. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a substitute motion. A motion may be amended no more than twice. Once a motion has been offered to the Board of Supervisors, it is up to the Board of Supervisors to decide whether or not it should be changed by amendment. It is not necessary for the person making the original motion to approve of any proposed amendment to the motion.

- 8) **Substitute Motion:** A substitute motion shall be allowed to replace 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 on. If the substitute motion passes, the substitute motion replaces the main motion and the matter is decided. No more than one (1) substitute motion may be made.
- 9) **Withdrawal of Motion:** A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.
- 10) **Motion to Reconsider:** The Board of Supervisors may vote to reconsider its action on a matter. The motion to reconsider must be made no later than the next succeeding regular meeting of the Board of Supervisors and can only be made by a member who voted with the prevailing side. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes. A motion to reconsider may not be used in a land use decision involving a rezoning or a conditional use permit.
- 11) **Motion to Prevent Reintroduction for Six (6) Months:** The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote of the majority of the entire membership four (4) of the Board of Supervisors. If adopted, the restriction imposed by the motion remains in effect for six (6) months. As with every other procedural motion, the motion to prevent reintroduction may be dissolved by a motion to suspend the rules.

Section 6-8 Debate

- A. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:
 1. The maker of the motion is entitled to speak first;
 2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
 4. A member of the Board of Supervisors may vote against his or her motion, but may not speak against his or her motion.
 5. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.

Section 6-9 Abstention

- A. If there is an abstention, it shall be the responsibility of the Clerk of Board of Supervisors to note the abstention.
- B. Board member's vote shall be done by roll call; one vote maybe be done by calling each member beginning at one end of the table and the next time beginning at the other end of the table on votes on permanent effects such as adopting ordinances/laws, Closes Sessions and resolutions.

Board member's vote can be voice votes for temporary actions, procedural in nature by indication of voting aye or nay.

Section 6-10 Method of Voting

- A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.
- B. All questions submitted to the Board of Supervisors shall be determined by a majority vote of the members voting on any such question, unless otherwise required by special or general law. A majority is more than half.
- C. An "affirmative vote" by a majority of the Board of Supervisors present being necessary to adopt a motion, a tie vote means that the motion has been rejected. When a motion fails on a tie vote, the "noes" prevail.
- D. All questions submitted to the Board of Supervisors for decision shall be decided by a vote of the Board of Supervisors. The presiding officer may ask for an oral vote at which time the question shall be decided by a vote of "aye" or "nay". Any member may request a roll call vote. In any case, the presiding officer shall announce the results of the vote.

Section 6-11 Decisions on Points of Order

Any Board of Supervisors member may raise a point of order without being recognized by the presiding officer. The presiding officer shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the presiding officer who shall then make a ruling on the point of order. A Board of Supervisors member may appeal the ruling of the presiding officer to the full Board of Supervisors which shall decide the matter by majority decision.

SECTION 7 – BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

Section 7-1 Appointments to Boards, Authorities, Commissions, and Committees

- A. Members of boards, authorities, commissions and committees shall be appointed by an affirmative vote of a majority of the members of the Board of Supervisors to serve specified terms as may be deemed to be appropriate by the Board of Supervisors.
- B. Ad hoc committees, such as special task forces, may be created from time to time, for specific purposes, as determined by the Board of Supervisors.

Section 7-2 Standing Committees Roles and Guidelines

- A. Finance Committee: A Finance Committee shall be appointed by the Chair promptly after each annual meeting. It shall be the duty of this committee to assist in preparing budgets for the fiscal year beginning July 1st, prior to submission to the Board of Supervisors for action. The Board may assign and/or refer fiscal matters to this Committee for implementation, review and/or recommendation.
- B. Personnel Committee: A Personnel Committee shall be appointed by the Chair promptly after each annual meeting. It shall be the duty of this committee to assist in drafting policies and procedures for county staff, for the Board of Supervisors consideration. The Board may assign or refer other personnel related issues to this committee for review and/or recommendations.
- C. Other Committees may be established by the Board of Supervisors to facilitate the effective operations of the Board.

SECTION 8 – GENERAL OPERATING POLICY

Section 8-1 Numbering and Indexing of Resolutions and Ordinances

It shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Board of Supervisors. The resolutions shall be numbered consecutively, and use the last two digits of the calendar year. Example: for the first resolution in January, 2013, the resolution number would be shown as: #R-13 – 01. Ordinances shall also be numbered consecutively.

Section 8-2 Minutes of the Board of Supervisors Meetings

The minutes of the Board of Supervisors meetings shall reflect the official acts of the Board of Supervisors. They shall provide a summary of discussion and record Board of Supervisors votes. Minutes shall be considered for approval within a reasonable time after the meeting they record.

Section 8-3 Amending the Rules of Procedure

These rules may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of the majority members of the Board of

Supervisors.

Section 8-4 Special Rules of Procedure

The Board of Supervisors may adopt its own special rules of procedure to cover any situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Board of Supervisors.

SECTION 9— REMOTE PARTICIPATION AND EMERGENCY MEETING POLICY

I. Remote Participation with Quorum Physically Assembled (Virginia Code §2.2-3708.3):

1. Remote Participation

- a. It is the policy of the Board of Supervisors (“Board”) that individual members may, with the approval of a quorum that is physically assembled, participate in meetings by electronic communications means as permitted by Virginia Code Section 2.2-3708.2. A Board member who seeks to participate electronically must notify the Chair on or before the day of the meeting that:
 - i. The member has a temporary or permanent disability or other medical condition that prevents the member’s physical attendance;
 - ii. The member has a family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance;
 - iii. The member’s principal residence location more than 60 miles from the meeting location; or
 - iv. The member has a personal matter and identifies with specificity the nature of the personal matter.
- b. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
- c. Arrangements must be made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location.
- d. For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in § [51.5-40.1](#) and uses remote participation counts toward the quorum as if the individual was physically present

2. Process to approve or disapprove remote participation

a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location the Board shall record in its minutes: (1) the Board's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated. The remote location need not be open to the public.

b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated. The remote location need not be open to the public.

c. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

3. Strict and Uniform Application

This policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

II. Emergency Meetings Without Quorum Physically Assembled (Virginia Code §2.2-3708.2):

The Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency pursuant to Virginia Code Section 44-146.17 or the County has declared a local state of emergency pursuant to Virginia Code Section 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is provide for the continuity of operations of the County or the discharge of the Board's lawful purposes, duties, and responsibilities.

In so convening a public meeting, the Board shall:

1. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
2. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing (if already used by the County); and
3. Provide the public with the opportunity to comment at such when public comment is customarily received.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

AMENDMENTS

<u>Date Amended</u>	<u>Section</u>	<u>Reference</u>
April 3, 2013	Section 6-7(10) (added language)	Motion to reconsider, as it relates to the Tie Breaker
April 3, 2013	Section 6-9(C) (added language)	Roll Call Vote
January 21, 2016	Section 5-1(A) (removed initial language and replaced with new)	Order of Business
January 21, 2016	Section 6-12 (added entire section)	Tie Breaker
January 19, 2017	Section 2-1(B) (changed language) Section 2-1(E) (changed start time) Section 2-1(F) (removed public hearing advertisement) Section 5-1(A) Adopt Remote Participation Policy	Meetings Order of Business
January 18, 2018	Section 2-1(E) (changed start time)	Meetings
January 3, 2019	Section 2-1 (E) (corrected start time) Section 4-3 (Added language for delivery of Board package) Section 5-1(A.8) (corrected time)	Meetings Delivery of Agenda Order Business (Citizens' Comments)
January 16, 2020	Section 2-1 (E) (Change Start Time & remove end time) Section 5.1 (A) (Change time) Section 5.1(A) 8 Delete Citizens' Comment Time Section 6-9(C) Added language and voice votes	Meetings Order of Business Roll Call Vote

<p>March 21, 2024</p>	<p>Section 2-5 Remove reference to objections for regularly scheduled meetings</p> <p>Section 4-3 (remove reference to tie breaker)</p> <p>Section 6-7(10) (remove reference to tie breaker)</p> <p>Section 6-12 (remove tie breaker section)</p> <p>Section 7-2: replaced “should” with “shall” for appointment of finance committee</p> <p>Added Section 9 (revised electronic Participation)</p>	<p>Cancellation or rescheduling of meetings</p> <p>Delivery of Agenda</p> <p>Procedural Motions</p> <p>Tie Breaker</p> <p>Standing Committees and Roles and Guidelines</p> <p>Remote participation and Emergency Meeting Policy</p>
<p>March 2025</p>	<p>Section 2-1.1 Clarifies postponement of regular meetings</p> <p>Removed “additional” meetings</p> <p>Section 2-2: amended special meetings to comply with state law</p> <p>Section 2-6 and 2-7: clarifies county administrator presides during organizational meeting</p> <p>Section 4(F): amend language to encourage citizens to register with clerk prior to regular meeting</p> <p>Section 4-1(A): revised to have county administrator draft agenda subject to approval by chair</p>	<p>Continued Meetings</p> <p>Agenda</p> <p><u>Order of Business</u></p> <p><u>Citizen Participation</u></p> <p><u>Duty to Vote</u></p> <p>Remote participation and emergency</p>

	<p>Section 4-1(B): revised to include the county administrator as an additional person to contact to add items to agenda</p> <p>Section 5-1: add “presentation” to recognition and award</p> <p>Section 5-2: substituted “clerk of board,” with “county administrator.”</p> <p>Section 5-3: (i) Changed public presentation to citizen comment; (ii) amend language to encourage citizens to register with clerk prior to regular meeting, (iii) defines and clarifies group, (iv) does not allow time to be “yielded to other speakers,” and removes requirement that outside agencies provide copies to the board</p> <p>Section 5-5: clarifies procedure for public hearings for land use. Applicants can speak for no more than 10 minutes unless extended by Board</p> <p>Section 6-9: Removed “duty to vote” and replaced with abstention</p> <p>Section 9: Update remote participation policy</p>	<p><u>meeting policy</u></p>
--	---	------------------------------