

# Caroline County Board of Supervisors Agenda Executive Summary

---

**Meeting Date:** January 14, 2020

**Title:** Organizational Meeting

---

*(Check Mark)*

<input type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

**Summary:** At its organizational meeting in January each year, the Board considers the following items:

- 1) Election of Chairman
- 2) Election of Vice-Chairman
- 3) Adoption of By-Laws and Rules of Procedure
- 4) Approve Schedule for Regular Board Meetings
- 5) Board of Supervisors Appointments
- 6) Close Organizational Meeting

### **Election of Chairman**

As Clerk of the Board, County Administrator Charles Culley will call the organizational meeting to order and immediately call for nominations for the office of Chairperson. At the appropriate time, he will entertain a motion to close the nominations and will then call for a vote for the office of Chairperson.

### **Election of Vice Chairman**

Once a Chairperson has been elected, Mr. Culley will relinquish the Chair and the Chairperson will call for nominations for the office of Vice-Chairperson.

### **Adoption of Bylaws and Rules of Procedure**

The Board will need to approve By-Laws and Rules of Procedure for Calendar Year 2020. A copy of the proposed 2020 By-Laws and Rules of Procedure is attached for the Board's review.

Staff is not aware of any proposed changes from 2019.

### **Approval of 2020 Regular Meeting Schedule**

Also attached is a proposed schedule of meetings for 2020. It is based on the assumption that the Board will continue to hold its regular meetings on the second and fourth Tuesday of each odd numbered month (January, March etc) and the second Tuesday of each even numbered month (February, April etc).

The first meeting in November has been proposed for **Thursday, November 12<sup>th</sup>** due to a conflict with the Virginia Association of Counties (VACo) annual conference.

No meetings are proposed for the fourth Tuesday in July and November.

All meetings will begin at 6:00 p.m. unless otherwise indicated.

### **Board of Supervisors Appointments**

Each year, the Board appoints one or more of its members to various boards and commissions. This year, the following appointments are needed:

- **Rappahannock Area on Aging** (1 appointment) – Mr. Underwood served in this capacity in 2019.
- **Social Services Board** (1 appointment) – Mr. Sili served in this capacity in 2019.
- **George Washington Regional Commission and FAMPO Policy Committee (Non-Voting Members)** (2 appointments) – Mr. Black and Mrs. Long served in this capacity in 2019.
- **Fredericksburg Government and Military Affairs Council** – Mr. Sili served in this capacity last year.
- **Rappahannock Regional Disability Services Board** (1 appointment) – Mr. Culley represented the Board of Supervisors in 2019.
- **Rappahannock River Basin Commission** (1 appointment) – Mr. Black served in this capacity last year.
- **Fredericksburg Regional Alliance** (1 appointment) – Mr. Forehand served in this capacity in 2019.
- **Recreation Advisory Committee** (1 appointment) – Mr. Forehand served in this capacity in 2019.
- **Fort A. P. Hill Executive Steering Committee** – Mrs. Long served in this capacity in 2019.

# Caroline County Board of Supervisors

## 2020 By-Laws and Rules of Procedure

### Section 1 – Purpose and Basic Principles

The purpose of these By-Laws and Rules of Procedure is to promote the orderly and efficient conduct of meetings of the Board of Supervisors.

### Section 2 – Meetings

#### Section 2-1 When and Where Regular Meetings Held

- A. The time and place of regular meetings of the Board of Supervisors shall be established at each annual organizational meeting in January.

Unless otherwise rescheduled as provided for herein, regular meetings shall be held in the auditorium of the Caroline County Community Services Center in accordance with the attached schedule.

- B. The Board will attempt to complete all items of business at its organizational and regular meetings by 10:00 p.m. The Board may recess such meetings from day to day, or time to time or from place to place, and continue not beyond the time fixed for the next regular meeting, until the business before the Board is complete.

- C. If the organizational or any regular meeting day falls on a legal holiday, the meeting shall be held on the next following regular business day unless rescheduled as determined by the Board at the organizational meeting or any regular or special meeting prior to the holiday.

If rescheduled other than at the organizational meeting, public notice shall be given as required by applicable provisions of the *Code of Virginia*, 1950, as amended (the “Virginia Code”).

- D. Special meetings of the Board may be approved and scheduled, or a called special meeting conducted by the Board pursuant to Sections 15.2 – 1417 and 15.2-1418 of the Virginia Code or other applicable law.

Special meetings may also be scheduled or called for specific purposes, including but not limited to, the following:

- a. Joint special meeting

- b. Public information meeting
- c. Public hearing
- d. Rescheduled meeting
- e. Worksession meeting

Special meetings of the Board also may be scheduled at the annual meeting for the calendar year.

- E. The annual, regular, and special meetings of the Board shall be open to the public, except for duly called closed meetings as provided for in the Virginia Code. The Board reserves the right to enter into closed meeting pursuant to the Virginia Code at any official meeting for any lawful purpose.
- F. Closed meetings will be restricted to those proper purposes enumerated in the Virginia Code and all closed meetings will be held in strict accordance with Virginia law.
- G. At the request of any member of the Board, the Chair shall request the Sheriff of Caroline County to provide at least one (1) deputy to attend any Board meeting.

Section 2-2            Annual Organizational Meeting

- A. The first meeting in January of each year shall be the organizational meeting. The County Administrator shall preside during the organizational meeting pending the election of the Chair of the Board.
- B. The Chair and Vice-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 assume the Chair and conduct the election of the Vice Chair and the remainder of the meeting.
- D. Following the election of the Vice Chair, the Board shall:
  - 1. Establish dates, times and locations for the regular meetings; and
  - 2. Adopt its By-Laws and Rules of Procedure for the year.

Section 2-2.1        Procedure for Election of Officers

- A. The following procedures shall be followed to elect the Chair and Vice-Chair:
  - 1. The presiding officer shall call for nominations from the membership.

2. Any 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. When all nominations have been made, the presiding officer shall close the nominating process and call for the vote.
  4. The presiding officer shall call the name of each nominee in the order nominated and tally the respective votes.
  5. Each member may cast one vote for any one nominee.
  6. The majority vote of those present and voting shall be required to elect the officer.
- B. Officers shall serve until their successor has been elected.
- C. No member shall serve as Chair or Vice Chair for more than two consecutive years.

Section 2-3            Closed Session

- A. No meeting shall become a closed session until the Board takes an affirmative record vote in open meeting and otherwise complies with the requirements of the Virginia Code regarding closed meetings. Any member dissenting in such vote shall state the reason for the dissent.
- B. Members may request the assistance of the County Attorney when making additions to the published closed session agenda.
- C. The Board may permit non-members to attend a closed session if their presence will reasonably aid the Board in its consideration of an issue.

**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 members present shall choose one of their members as temporary chair for that meeting.

Section 3-2            Clerk

The Clerk of the Board shall be the County Administrator and his or her duties and responsibilities shall be as set out in Sections 15.2-1538 and 15.2-1539 of the Virginia Code.

Section 3-3            Parliamentarian

The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these by-laws and Rules of Procedure. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.

**Section 4 – Conduct of Business**

Section 4-1            Order of Business

A. At regular meetings of the Board, the order of business shall generally be as follows:

1. Call to Order
2. Invocation/Pledge of Allegiance
3. Opening Board Comments
4. Amendments to the Agenda
5. Presentations/Reports
6. Appointments
7. Consent Agenda
8. Public Comment
9. Public Hearings
10. Unfinished Business
11. New Business
12. County Administrator's Report
13. Closing Board Comments
14. Closed Session
15. Adjournment

B. The above order of business may be modified by the Chair or the County Administrator to facilitate the business of the Board.

C. Approval of additions to the agenda requires a majority vote of the Board members present.

Section 4-2            Public Comment

At each regular meeting of the Board of Supervisors, the Board shall set aside time for a public comment period. The amount of time set aside for public comment is subject to the discretion of the Board and may vary from

meeting to meeting. Public comment shall be governed by the following rules:

1. The public comment period shall be for the purpose of allowing members of the public to speak to the Board on any matter which, in their opinion, deserves the attention of the Board.

To help the Board preserve decorum and conduct the meeting in an efficient and responsible manner, citizens shall refrain from clapping or other public demonstrations of support or opposition.

The public comment period shall not serve as a forum for debate with the Board or a question and answer period with the Board.

2. Remarks shall be addressed only to the Board and not to staff, the audience, or the media. All public comments shall be made in a respectful manner. Cursing and antagonistic behavior are prohibited and shall be grounds for removal from the meeting

Comments should focus on matters or issues before the Board or County and not individual Board members or staff. Comments which single out an individual Board member or staff may be ruled out of order by the Chair.

3. The Chair shall open the public comment period.
4. The Chairman or Clerk will explain the public comment policy and will invite individuals to come to the podium to speak one at a time. The Chair may require persons wishing to speak to sign up in advance of the start of the public comment period.
5. Each speaker shall clearly state his or her name and voting district.
6. There shall be a time limit for each individual speaker of three (3) minutes. No speaker shall address the Board more than once during the public comment period at any single Board meeting.
7. The Clerk will time the speakers and notify them when their time has expired.
8. There shall be no comments during the public comment period on a matter for which a public hearing is scheduled during the same meeting or for which a public hearing is likely to be scheduled within the next sixty (60) days. In addition, there shall be no comments during the public comment period on a matter for which a public hearing has been held by the Board previously and which matter is still pending action before the Board. Comments following the public hearing on any such pending matter will be received by the Board in writing.

9. Any issue raised by the public which the Board wishes to discuss further may be placed on the agenda for a subsequent Board meeting by a majority vote or at the direction of the Chair.
10. Board members shall not discuss issues raised during the public comment period at the meeting when raised except by consent of a majority of the Board members present. [*The Chair may respond briefly to any issue raised by a member of the public if he believes doing so will not significantly prolong the meeting.*]
11. Copies of these rules will be made available to the public with copies of each regular meeting agenda.
12. Any of the above rules may be waived or amended with the consent of the Board.

Section 4-3            Consent Agenda

- A. The consent agenda shall be introduced by a motion to approve and shall be considered by the Board as a single item.
- B. 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 unless it is removed from the consent agenda.
- C. Upon request of any Board member, an item shall be removed from the consent agenda. This item shall then be transferred to the regular agenda for consideration under new business.

Section 4-4            Communication with the Board

All communication with the Board shall be in respectful language.

Section 4-5            Motions

- A. Members are required to obtain the floor before making motions or speaking.
- B. Motions must be seconded before a vote on the motion may be taken by the Board.
- C. Informal discussion of a subject is permitted while no motion is pending.
- D. A substitute motion shall be allowed to any motion 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, it shall be deemed the main motion and shall stand as having been passed by such vote.

If a substitute motion fails, a second substitute motion may be made.

- E. The Chair can speak in discussion without leaving the chair and can make motions and vote on all questions.
- F. When a vote upon any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side, provided that such motion shall be made no later than the next scheduled meeting of the Board.

Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration no later than the next scheduled meeting of the Board.

Section 4-6            Decisions of Points of Order

The Chair, when presiding at a meeting of the Board, shall without vacating the chair refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order.

A Board member may appeal the ruling of the Chair to the full Board which shall then decide the matter by a majority vote.

Section 4-7            Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall always be in order.

Section 4-8            Suspending Rules

One or more of these By-Laws and Rules of Procedure may be temporarily suspended by a majority vote of the members present.

**Section 5 – Public Hearings**

Section 5-1            Chair to Conduct Public Hearings

The Chair shall conduct all public hearings.

## Section 5-2            Readings Required

The following format shall be used for all matters requiring an ordinance amendment. It does not apply to rezonings, special exceptions and the like:

### Initial Reading

During the initial reading, staff shall present the matter under consideration to the Board. Board members may debate the merits of the issue, offer amendments, and determine whether the matter shall proceed to public hearing.

No public comment shall be allowed during the initial reading.

Upon a vote of by the majority of the Board to do so, the matter will be advertised for a public hearing at a future Board meeting.

### Second Reading

The second reading shall consist of the public hearing required under the Virginia Code. Following the public hearing, Board members may again ask questions, offer amendments, debate the merits of the issue and vote on the proposed ordinance at that time. By a vote of a majority of the Board members, the matter shall be placed on the agenda under Unfinished Business for ~~final~~ a third reading and action at a future Board meeting.

## Section 5-3            Hearing Presentations

Hearings may begin with a brief presentation from a staff member. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

## Section 5-4            Order of Public Hearings

- A. The Chair shall open the public hearing.
- B. In zoning cases, 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 for his or her representative's presentation.
- C. The Chair shall then solicit comments from the public. Each speaker must clearly state his or her name and district. 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.

The Board, by unanimous consent, may allow any speaker to proceed past the time limit.

- D. Members of the Board of Supervisors shall not read letters from the public as part of the public hearing process.
- E. After public comments have been received in a zoning case, the applicant, or his or her representative, may respond with a rebuttal. There shall be a five (5) minute time for rebuttal.
- F. Upon the conclusion of public comments or the applicant's rebuttal in a zoning case, the Chair shall close the public hearing.

Section 5-5            Close of Hearing

When a public hearing has been closed by the Chair, no further public comment shall be permitted. Board members, however, may direct questions to the applicant, the representative of the appropriate board, authority, commission, committee or staff member for clarification prior to taking any vote, if a vote is in order.

Section 5.6            Debate

Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

**Section 6 – Agenda**

Section 6-1            Preparation

- A. The Clerk shall prepare an agenda for the regularly scheduled meeting conforming to the order of business specified in Section 4-1 A entitled "Order of Business".
- B. Except as permitted at the discretion of the County Administrator, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of the work day on the Friday two weeks prior to any regular meeting of the Board.

It is recognized that from time to time matters shall arise after the normal cut-off for items to be placed on the agenda. In such cases, items may be added to the agenda if the matter is delivered in writing by the County Administrator's Office to each Board member not later than the last working day prior to the day of the meeting.

Ordinances, resolutions, contract documents or other matters requiring action by the Board shall be submitted to the County Attorney for preparation or review in adequate time prior to the Board meeting.

- C. All items that 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.
- 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.

Board members should use discretion in requesting the addition of items to the agenda. It is considered desirable to have items listed on the published agenda.

Section 6-2            Tabled Land Use Cases

A. Tabled land use cases shall be handled as follows:

1. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda for a future meeting. Upon approval by a majority vote of the members present and voting, the case will be placed on the agenda.
- (b) The Clerk will include the case on the agenda published on the county website prior to the meeting date and will cause the case history to be included in the Board packet.

The case can be discussed and voted on at that meeting.

2. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the matter off the table to be voted on. Upon a vote of two-thirds of the Board members present and voting, the case will be taken off the table.

If taken off the table, the case can be discussed and voted on at that meeting.

Section 6-3            Delivery of Agenda and Board Packet

The Board packet, including the agenda and related materials, shall be received by each member of the Board and the County Attorney no later the Thursday prior to the Tuesday Board meeting.

With the concurrence of the Board, amendments to the agenda and related materials may be delivered to the Board on Monday prior to the Tuesday Board meeting.

Section 6-4            Copies of the Agenda

The Clerk shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator.

The Clerk shall also have copies available at each meeting.

Section 6-5            Comments, Queries of Board Members

Board members shall observe the following rules during the discussion of agenda items:

- A. Comments of Board members must be constructive. The Chair shall ensure that comments are constructive.
- B. The Chair shall work to keep discussion germane to the subject and rule other comments out of order.
- C. Board members may address questions to the County Administrator or staff present at the meeting. Staff members should be at the podium or speaker's table when answering Board member's questions.

Legal questions should be addressed to the County Attorney.

**Section 7 – Boards, Authorities, Commissions, and Committees**

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

Members of boards, authorities, commissions, and committees shall be appointed by the Board to serve specified terms as may be deemed appropriate by the Board or specified by the Virginia Code.

Section 7-2            Attendance

Members of any standing or ad hoc board, authority, committee or commission of the Board, or of any committee to which the Board appoints a member, shall be expected to attend every scheduled meeting of the committee to which they have been appointed.

It shall be the duty of the chairman of any committee appointed by the Board to annually report to the Board the level of attendance of committee members. Such report shall be in writing.

Any member of a committee established by the Board and not by the Virginia Code who fails to attend a minimum of seventy-five percent (75%) of the

scheduled meetings of the committee in any year may, at the discretion of the Board, be deemed to have forfeited his or her membership on the committee.

In the event that the Board determines that a committee member has forfeited his or her appointment pursuant to this section, the Clerk of the Board shall notify, in writing, the committee member of his or her removal from the committee based upon his or her failure to attend the required percentage of scheduled meetings and shall thank the member for his or her service to the community.

Upon the appointment of any committee member, the Clerk of the Board shall forward to the member a copy of this section.

## **Section 8 – Miscellaneous**

### **Section 8-1            Citizens Contacting Board Members**

Members of the Board who are contacted concerning County business by a citizen living in an election district other than the district the Board member represents, should recommend that the citizen contact his or her respective Board member and should further advise the Board member in whose election district the citizen resides or owns property of the purpose of the contact.

### **Section 8-2            Actions by Individual Members of the Board**

It shall be the policy of the Board that no one member shall exert individual action or direct any county employee or initiate any action that would require a county employee to perform any action contrary to the laws, ordinances or policies of Caroline County or which would require the expenditure of public funds in any amount without the approval of the Board.

### **Section 8-3            Numbering and Indexing of Resolutions, Ordinances and Proclamations**

It shall be the responsibility of the Clerk to number and index all resolutions, ordinances and proclamations of the Board. The resolutions shall be numbered consecutively and use the last two digits of the calendar year. Proclamations shall also be numbered consecutively.

### **Section 8-4            Minutes of Board Meetings**

The minutes of Board meetings shall reflect the official acts of the Board and names of the public commenting during public hearings. They shall reflect the issues discussed and Board comments.

Minutes shall be considered for approval within thirty (30) days of the meeting they record.

Section 8-5            Amending By-Laws

At any meeting of the Board at which a quorum is present, these By-laws and Rules of Procedure may be amended or deviated from with the concurrence of a majority of the members present at such meeting.

Section 8-6            Virginia Code

These By-laws and Rules of Procedure are subject to the Virginia Code and case law established under the judicial system of the Commonwealth of Virginia and shall be interpreted in accordance with such law. In the event of any conflict between them and the Virginia Code or such case law, the Virginia Code and such case law shall take precedence and control.

**2020 REGULAR MEETING SCHEDULE FOR  
THE BOARD OF SUPERVISORS OF CAROLINE COUNTY**

	<u>Date</u>	<u>Time</u>
Tuesday,	January 14	6:00 p.m.
Tuesday,	January 28	6:00 p.m.
Tuesday,	February 11	6:00 p.m.
Tuesday,	March 10	6:00 p.m.
Tuesday,	March 24	6:00 p.m.
Tuesday,	April 14	6:00 p.m.
Tuesday,	May 12	6:00 p.m.
Tuesday,	May 26	6:00 p.m.
Tuesday,	June 9	6:00 p.m.
Tuesday,	July 14	6:00 p.m.
Tuesday,	August 11	6:00 p.m.
Tuesday,	September 8	6:00 p.m.
Tuesday,	September 22	6:00 p.m.
Tuesday,	October 13	6:00 p.m.
<b>Thursday,</b>	November 12	6:00 p.m.
Tuesday,	December 8	6:00 p.m.

*All meetings will be held in the auditorium of the Community Services Center and begin at 6 p.m.*