



# **COUNTY OF WARREN, VIRGINIA**

## **MEETING POLICY AND PROCEDURES (Adopted January 21, 2020)**

### SECTION 1 – MEETINGS

#### Section 1-1: When and Where Regular Meetings are Held

The time of regular meetings of the Board of Supervisors shall be established at each annual meeting which shall be held in the Board Room, Warren County Government Center, on the first Tuesday in January of each year at 9:00 a.m. Subsequent regular meetings shall be called as follows:

First Tuesday of each month at 9:00 a.m. and on the third Tuesday of each month at 7:00 p.m., with the following exceptions:

- July – No Regular Meeting held on first Tuesday
- November – First Meeting held on the Wednesday following Election Day (if applicable)
- December – The only Meeting will be held on the second Tuesday at 9:00 a.m.

Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Chairman, or the Vice Chairman if the Chairman is unable to act, in consultation with the County Administrator, finds and declares that weather or other conditions are such that it is hazardous for Board members to attend a regularly scheduled meeting, the meeting shall be rescheduled to an agreed upon time. If the meeting is an evening public hearing, it shall be rescheduled for the following Tuesday at 7:00 p.m. Such finding shall be communicated to the members of the Board 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 1-2: Adjourned and Special Meetings

The Board of Supervisors may hold such adjourned meetings, special meetings, or work sessions as it deems necessary, at such times and places as it may find convenient, and it may adjourn from time to time as it may find convenient and/or necessary. If a special meeting of the Board of Supervisors should be deemed necessary, it shall be called pursuant to Sections 15.2-1417 and 15.2-1418 of the Code of Virginia, as amended.

### Section 1-3: Annual Meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting.

### Section 1-4: Quorum and Method of Voting

At any meeting a majority of the supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a vote of a majority of the supervisors voting on any such question, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded. The Board of Supervisors has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any motion shall be considered defeated as provided for in Section 15.2-1420. When a motion is made for a resolution to approve an application or request for a rezoning, special use permit, or other matter before the Board, the failure of such motion shall be deemed equivalent to the adoption of a resolution to deny the application, request, or other pending matter, and no further resolution to deny need be entertained.

### Section 1-5: Procedure for Roll Call for Board Members

The Members of the Board of Supervisors shall cast votes in order on a rotating basis (one end of the dais or the other) determined by the Deputy Clerk or Clerk.

### Section 1-6: Members Absenting Themselves from Meeting Prior to Adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, the member shall not leave the meeting prior to adjournment unless by consent of the Board.

### Section 1-7: Board to Sit with Open Doors

The Board of Supervisors shall sit with open or unlocked doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as provided in the Virginia Freedom of Information Act.

### Section 1-8: Closed Meetings

A closed meeting shall be held when necessary.

## Section 1-9: Remote Participation in Board Meetings

Members of the Board are hereby approved to participate in a meeting of the Board through electronic communications from a remote location that is not open to the public as provided in Code of Virginia Section 2.2-3708.2, subject to the following requirements:

- (1) A supervisor wishing to participate from a remote location in a meeting of the Board shall notify the Chairman on or before the date of a meeting that the supervisor is unable to attend the meeting due to temporary or permanent disability or other medical condition that prevents the supervisor's physical attendance.
- (2) The Board shall record in its minutes the remote location from which the absent supervisor participated, and that the supervisor participated in the meeting remotely due to a medical condition or disability.
- (3) If the absent supervisor's remote participation would violate this policy, such remote participation is disapproved, and the absent supervisor shall not be allowed to participate. The reason for such disapproval shall be recorded in the Board's minutes.
- (4) A quorum of the Board must be physically assembled at the primary or central meeting location.
- (5) The Board shall make arrangements for the voice of the absent supervisor to be heard by all persons in attendance at the primary or central meeting location.

## SECTION 2 – OFFICERS

### Section 2-1: Election and Term of Chairman and Vice Chairman

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice Chairman, each of whom shall serve for a term of one year expiring on December 31, or until their respective successors have been elected. In the case of the absence from any meeting of the Chairman and Vice Chairman, the members present shall choose one of their number as temporary Chairman.

### Section 2-2: Chair May Administer Oaths

The Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-3: Clerk

The Clerk of the Board shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law, the Warren County Code, or delegated by the Board of Supervisors.

Section 2-4: Parliamentarian

The County Attorney shall serve as the Parliamentarian.

Section 2-5: Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.

SECTION 3 - CONDUCT OF BUSINESS

Section 3-1: Order of Business

At regular meetings of the Board held on the first Tuesday of each month at 9:00 a.m., the order of business shall be as follows, unless the Board by unanimous consent or by a resolution adopted at a prior meeting agrees to a modification:

- (A) Call to Order and Pledge of Allegiance
- (B) Adoption of Agenda – Additions or Deletions
- (C) Agenda Public Comment Period (45 minute time limit)
- (D) Reports – Board Members and County Administrator, County Attorney
- (E) Approval of Minutes
- (F) Unfinished Business
- (G) Consent Agenda
- (H) Public Hearings (9:30 a.m. – If needed)
- (I) New Business
- (J) General Public Comment Period (15 minute time limit)
- (K) Closed Meeting (If needed)
- (L) Additional New Business (If needed)
- (M) Adjournment
- (N) Work Session

At regular meetings of the Board held on the third Tuesday of each month at 7:00 p.m., the order of business shall be as follows, unless the Board by unanimous consent or by a resolution adopted at a prior meeting agrees to a modification:

- (A) Call to Order and Pledge of Allegiance
- (B) Adoption of Agenda – Additions or Deletions
- (C) Agenda Public Comment Period (45 minute time limit)
- (D) Reports – Board Members and County Administrator, County Attorney
- (E) Approval of Minutes
- (F) Approval of Appropriations and Transfers
- (G) Approval of Accounts
- (H) Unfinished Business
- (I) Consent Agenda
- (J) Public Hearings (7:30 p.m.)
- (K) New Business
- (L) General Public Comment Period (15 minute time limit)
- (M) Closed Meeting (If needed)
- (N) Additional New Business (If needed)
- (O) Adjournment

### Section 3-2: Adoption of Agenda

The agenda shall be adopted by a majority vote of the Board. Items may be added to the agenda by a unanimous vote of the Board members present. Items may be deleted at any time by the sponsor or by majority vote of the Board members present. The County Administrator or his designee shall prepare a memorandum which will inform the members of the Board of the particulars pertaining to this item.

### Section 3-3: Consent Agenda

The Consent Calendar shall be introduced by a motion “To approve the Consent Agenda” and shall be considered by the Board as a single item. On objection by any member of the Board of Supervisors to the inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith. Such objection may be recorded at any time prior to voting on the motion to approve the Consent Agenda. All such items shall be considered individually, in the order in which they were removed, immediately

following consideration and adoption of the Consent Agenda. Notwithstanding, a Board member may ask for discussion of one or more items of the Consent Agenda without removal of that item from the Consent Agenda.

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.

#### Section 3-4: Manner of Addressing Board Generally

- (1) All comments will be directed to the Board of Supervisors and not to the audience.
- (2) Be considerate of your fellow speakers. There should be no applause, booing or other audible disruption to the proceedings. Through a show of hands, the Chairman may ask for a show of support for comments made by speakers.
- (3) Placards, posters and other means of visual display of comments will not be permitted in the Board meeting room. This does not include information or materials used as part of a factual presentation to the Board at the hearing.
- (4) The Board will not tolerate personal attacks by anyone on any of the participants in the proceedings.
- (5) Anyone who violates the guidelines of the public hearing may be asked to leave by the Chairman.
- (6) Failure to leave the public hearing when asked to do so, because of violations of the guidelines of the public hearing, is in violation of Section 56-4 of Warren County Code and Section 18.2-415 of the Code of Virginia and is subject to a fine of up to \$2,500 and a jail sentence of up to 12 months, either or both.

#### Section 3-5: Use of Offensive Language or Gestures; Sectarian or Political Discussion

No member of the Board shall in debate at any meeting of the Board use any language or gesture calculated to offend or insult another member. No discussion of a sectarian or partisan character shall be allowed at meetings of the Board.

#### Section 3-6: Priority in Speaking to Board

When two or more members of the Board wish to speak at the same time, the Chairman shall identify the member to speak.

Section 3-7: Speaking More than Once on Same Subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless by consent of the Board.

Section 3-8: Form of Petitions, etc.

Every petition, communication, or address to the Board shall be in respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-9: Motions

No proposition shall be entertained by the Chairman until a motion for the same has been duly made and seconded, except that matters appearing on the agenda may be discussed during presentation of that matter without a motion having first been made. The Chairman may make a motion without vacating the Chair.

Section 3-10: Decision on Points of Order

The Chairman, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made by the Chair on any point of order, and such decision shall be made without debate.

Section 3-11: Same; Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order, a majority vote of those present being necessary to overrule the Chairman.

Section 3-12: Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall be always in order and shall be decided without debate.

Section 3-13: Motions While a Question is Under Debate

When a question is under debate at a meeting of the Board, no motion shall be received unless it be one to amend, to commit or refer to a committee, to postpone, to ask for the previous question, to make a substitute motion, to lay on the table, to recess, or to adjourn.

Section 3-14: Reconsideration of Motions, etc., Upon Which Vote Has Been Announced

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been announced, it may be reconsidered once per calendar year on the motion of any member who voted with the prevailing side. Such motion shall be decided by a majority of the votes of the members present, unless a greater number of votes was required to pass the measure, in which event the motion to reconsider shall not prevail, except upon the vote of as great a number of members as was required to pass the measure. A motion by a member of the non-prevailing side will not be considered for a period of one year from the original vote. For the purpose of this Section, "session" shall include any adjourned or special meeting occurring prior to the next Regular Meeting.

Section 3-15: Suspending Rules

The rules of the Board may be suspended with the unanimous concurrence of the members present.

SECTION 4 - PUBLIC HEARINGS

Section 4-1: Speakers

At every public hearing, individuals who wish to speak should register using a sheet made available by the Deputy Clerk prior to the opening of the public hearing. The signup sheet shall contain columns for speaker's name, address, and telephone number. The order of business for public hearings shall be:

- (1) The Chairman shall request that the appropriate County staff member generally describe the subject of the public hearing. Upon the conclusion of the introduction, the Chairman shall officially open the public hearing.
- (2) Any applicant shall then be allowed a period of time to present detailed information about the issue or application. The time allotted for this presentation shall be determined by the Chairman. If any member of the Board disagrees with the amount of time allotted, they can appeal the decision to the Board pursuant to Section 3-11.
- (3) At the conclusion of the applicant's presentation, the members of the Board shall be allowed to ask questions of the applicant and staff so as to clarify anything that has been presented.
- (4) When no further questions are needed, the public shall be invited to speak.



- (5) Speakers shall be heard in the order in which they registered to do so.
- (6) The Chairman shall ask the Deputy Clerk if anyone has signed up to speak, and the Deputy Clerk will call the names of registrants until all have spoken.
- (7) Additional individuals may register to speak until the conclusion of the hearing.
- (8) Speakers should come to the podium to speak. Speakers are requested to speak into the microphone, giving their name and address before addressing the issue of the hearing.
- (9) Speakers are requested to keep comments short and avoid repetition of what other speakers have said. The Chairman may establish a time limit for each speaker. If any member of the Board disagrees with the amount of time allotted, they can appeal the decision to the Board pursuant to Section 3-11.
- (10) Individuals representing a group, recognized by the Chairman, shall be given up to 10 minutes to speak.
- (11) Each individual may speak once at the hearing.
- (12) When all speakers who register to speak have spoken, the floor will be opened to anyone who has not registered.
- (13) After everyone wishing to speak has done so, the applicant will be granted a period of time to respond to what has been said by the public. The applicant will use this time only to address what has been said to this point.
- (14) If, at any time during these proceedings, any member of the public has a question, it may be written and presented to the Deputy Clerk. When the applicant has completed the final presentation, the Chairman will read the questions and request a response from the appropriate party.
- (15) The Board will accept comments in writing until the close of the public hearing.
- (16) The Chairman, by approval of the Board, has the authority to vary the guidelines as may be necessary.

#### Section 4-2: Members' Participation

Board members shall limit their comments in public hearings to ensure participation by the public without Board interference.

#### Section 4-3: Close of Hearing

When a public hearing shall have been closed by the order of the Chairman, no further public comments are in order.

## SECTION 5 - AGENDA

### Section 5-1: Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1. Except as permitted at the discretion of the Clerk, every item to be placed on the Agenda shall be received in the Office of the County Administrator before 1:00 p.m. on the Tuesday one week prior to any regular meeting of the Board. Prior to publication of the agenda, the Clerk shall coordinate recommended agenda subjects for approval with the Chairman, or with the Vice Chairman in the Chairman's absence.

### Section 5-2: Delivery

The agenda shall be received by each member of the Board and the Attorney to the Board at least 48 hours prior to the meeting.

### Section 5-3: Posting

A copy of the Agenda shall be posted on the bulletin board at the Warren County Government Center and the County's website at least 48 hours prior to the meeting.

### Section 5-4: Copies

The Clerk to the Board shall prepare or cause to be prepared extra copies of the Agenda and shall make the same available to the public in the Office of the County Administrator at the same time the Agenda is posted pursuant to Section 5-3. The Clerk shall also have a public copy available at each meeting.

### Section 5-5: Request to Appear Before the Board of Supervisors

Any Board member, and any staff member upon approval of the County Administrator, may request that an item be placed on the Board's meeting agenda within the time period specified in Section 5-1. Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors shall make a request to the Clerk or the Clerk's designee in accordance with and within the time period specified in Section 5-1 and receive approval from the Clerk or a member of the Board of Supervisors; however, no approval shall be required in order to speak to the Board during the Public Comment Period or at a Public Hearing. Any item meeting the requirements of this policy shall be placed on the agenda.

### Section 5-6: Agenda Public Comment Period

During the Agenda Public Comment Period (the “Period”), speakers wishing to address the Board shall clearly state their name and address. Speakers may only address matters related to items that are on the agenda for the meeting at which they wish to speak. The Period shall be limited to forty-five minutes; such time shall be divided equally among the number of speakers who have signed up, with a maximum of five minutes for any one speaker. Any time left over during the Period will be offered to any member of the audience wishing to speak in the order chosen by the Chairman with a five minute maximum per speaker.

### Section 5-7: General Public Comment Period

During the General Public Comment Period, speakers wishing to address the Board shall clearly state their name and address. The General Public Comment Period shall be limited to fifteen minutes; such time shall be divided equally among the number of speakers who have signed up, with a maximum of five minutes for any one speaker. Any time left over during the General Public Comment Period will be offered to any member of the audience wishing to speak in the order chosen by the Chairman with a five minute maximum per speaker.

## SECTION 6 - GENERAL CONDUCT AND DECORUM

### Section 6-1: Conduct of the Public

The efficient and dignified conduct of public business is the 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. The soliciting of funds, the use of abusive or profane language, personal attacks on Board members, the failure to comply with time limits on speakers, or other forms of offensive conduct will not be tolerated. The Chairman will maintain proper order at all times during all meetings of the Board and shall effect the removal from any meeting of any person guilty of offensive conduct if the offending party fails or refuses to cease such conduct.

### Section 6-2: Board Responsibilities

The Board of Supervisors is directly responsible for establishing the policies, ordinances, and regulations of the County, overseeing the implementation of policy by the County Administrator, and ensuring that implementation is consistent with the spirit and intent of

the Board's actions. In the event that an action or actions may be necessary without the ready consensus of the Board, the Chairman shall have the discretion to authorize the County Administrator to take interim measures until the Board can meet and make any necessary decision.

The Board of Supervisors bears the responsibility for successful operation of County government and its functions. Each supervisor is responsible for knowing Board policy and its intent.

The County Administrator is employed by the Board to supervise the execution of County policy, ordinances, regulations, and Board directives, and to appoint officers and employees of the County, as authorized by the Code of Virginia, or otherwise as the Board may determine.

### Section 6-3: Appointments to Regional Boards, Commissions, and Similar Bodies

Appointments to regional boards and commissions, and similar bodies to which the Board may have authority to appoint one or more of its members to serve, shall be by majority vote of the Board.

The County Administrator will maintain the current lists of boards and commissions that require Board of Supervisors representation as determined appropriate by the Board. Assignments will be reviewed and updated on an annual basis at the organizational meeting in January of each year. Interim changes of assignment may occur as deemed appropriate by the Board.