

HENRY COUNTY BOARD OF SUPERVISORS

BYLAWS

Adopted January 6, 2015

ARTICLE I.

Officers

Section 1.1. Chairman. At its first meeting in January (the annual meeting), the Board shall elect a Chairman to serve for a term of one year (§15.2-1422). The Chairman shall preside at all meetings (§15.2-1423), maintain the orderly conduct thereof, rule on all parliamentary matters, call for and cause all votes to be recorded, and administer oaths to any persons concerning any matter submitted to the Board (§15.2-1410). He shall sign all accounts payable drawn on the County. In the event of a vacancy in the office of Chairman during the term, the Board shall proceed to elect a replacement to serve the balance of the term (§15.2-1424).

The Chairman shall have the authority to honor and recognize groups and individuals and to proclaim and decree special occasions when it is not practical or timely for the entire Board to meet.

Section 1.2. Vice-Chairman. The Board shall elect a Vice-Chairman immediately after election of a Chairman at the annual meeting. The Vice-Chairman shall execute all duties of the Chairman in his absence.

ARTICLE II.

Meetings.

Section 2.1. Time and Location. The Board shall hold a regular monthly meeting on dates, times, and places set by the Board at its annual meeting. The meeting shall include a period for public comment scheduled for 6 p.m. or as soon as possible after 6 p.m. The regular meetings may be adjourned or continued from time to time to a date and time specified, provided that no meeting shall be continued to a time beyond the next regular meeting. Any regular meeting falling on a day designated as a legal holiday by the Board of Supervisors shall be held on the next business day (§15.2-1416).

Section 2.2. Special Meetings. A special meeting shall be held when requested by the Chairman or two or more members. Such a request shall be in writing and addressed to the County Administrator, and shall specify the time, place, and matters to be considered. Upon receipt of such a request, the Administrator shall immediately notify each member of the Board and the County Attorney in writing and delivered by the Sheriff. Any matter not specified in the notice shall not be considered unless all members are present and consent to such matter. The notice may be waived if all members attend the special meeting or sign a waiver (§15.2-1418).

Section 2.3. Attendance. A majority of the members shall constitute a quorum (§15.2-1415); however, less than a majority may adjourn or continue a meeting. No member shall absent himself from a meeting without just cause.

Section 2.4. Motions and Voting. No motion shall be considered unless it has been duly made and seconded. The Chairman may surrender the chair at any time for the purpose of making a motion or second. In such event, he should not resume the chair until the motion is decided.

The Chairman shall call for and cause the vote to be recorded after the motion is properly before the Board and has been duly discussed. Any member believing a motion has been duly discussed may move or call for the previous question. Such motion shall not be debatable. However, if any member objects,

the Chairman shall call for a vote on the motion calling for the previous question. If that motion carries, the Chairman shall proceed to call for the vote on the motion before the Board. If the motion calling for the previous question is defeated, the debate on the main motion shall continue.

Motions shall be carried by a majority of the members present and voting in the affirmative (§15.2-1420), except that a majority affirmative vote of all members shall be required for any appropriation exceeding \$500.00, the imposition of taxes, and the authorization for borrowing money.

Section 2.5. Agenda. A copy of the agenda for each Board meeting, along with supporting documentation and pertinent background information for items listed on the agenda, shall be provided to members of the Board of Supervisors and the County Attorney. As referenced in Section 2.1, the agenda shall include a time for public comment at 6 p.m. or as soon as possible after 6 p.m. The agenda also shall be crafted to hear most public action – i.e., public hearings, rezonings, and general highway matters – as soon as possible after 6 p.m. so that visitors specifically affected by those issues may easily access the meeting.

Additional items may be scheduled within this general format by the County Administrator. To be listed on a Board agenda, any item must be in the hands of the County Administrator at least seven days prior to the meeting at which it is to be discussed.

Section 2.5A. Consent Agenda. In the preparation of the monthly agenda, the County Administrator shall list all items of a routine, non-controversial nature on which no discussion or debate is anticipated as “Consent Items.” One motion to adopt, approve, or accept all items listed under this category will be in order. If any member, the County Administrator, or the County Attorney wishes to discuss any item listed under the consent agenda, he or she may request to do so prior to the motion to adopt the consent agenda. If any item is removed from the

consent agenda, it will be placed on the regular action agenda at the end of the others matters of business.

Section 2.6. Public Participation. All Board meetings shall be open to the public. Matters under consideration by the Board shall not normally be open to discussion by the general public unless consented to by the Chairman or a majority of the Board. However, any member of the public may request an opportunity to speak to the Board by contacting the County Administrator at least seven days prior to any meeting. In such a case, the citizen shall be listed on the agenda under "Matters Presented by the Public." Citizens are requested to advise the County Administrator of the subject about which they want to speak.

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

Section 2.7. Rules of Order. All meetings shall be conducted according to "Robert's Rules of Order" unless otherwise provided by the Code of Virginia or these bylaws.

Section 2.8. Sergeant-at-Arms. The Sheriff of Henry County or his deputy shall act as sergeant-at-arms. The Chairman may direct any person to be expelled by the sergeant-at-arms for proper cause, including disruption of the meeting.

Section 2.9. Items Not on Agenda. It shall be the policy of the Board that items not listed on the agenda not normally be acted upon except in unusual circumstances requiring immediate action. No such action shall be taken at such a meeting if objection to immediate action is registered by two members. If a Board member wishes to bring a matter to the attention of the Board which is not on the agenda, it shall be the policy of the Board to refer any such subject to the County Administrator and/or special committees for study and/or recommendations prior to taking any action.

ARTICLE III.

Closed Meetings and Confidential Matters.

Section 3.1. Closed Meetings. Closed Meetings of the Board shall be held in accordance with §2.2-3711 of the Virginia Freedom of Information Act. All matters discussed in closed meetings shall not be revealed or discussed outside the session with anyone not in attendance or entitled to attend the executive meeting. Any board member who willfully and/or knowingly divulges details from closed session in a manner that can be adequately substantiated shall face punitive action from the Board in the form of public reprimand and censure.

When, pursuant to any section of these bylaws, the Board is considering issuing a censure against a Supervisor, the following procedures shall apply:

- a) No motion for a censure shall be considered by the Board unless it is an identified agenda item on the Board's agenda for the meeting at which the motion is made and said agenda item lists the supervisor or supervisors proposed to be censured and outlines the conduct or statement which is the subject of the censure.
- b) No motion for a censure shall be considered by the Board, unless the Supervisor proposed to be censured is present at the meeting when the motion is made.
- c) Prior to a vote on a motion to censure, the Supervisor proposed to be censured shall be entitled to present such evidence as the Supervisor deems appropriate, including documents, audio and video recordings, and statements from other members of the Board and the public. The statements of the Board and public need not be sworn and the presentation of evidence shall be subject to the reasonable time and decorum limitations set by the Chairman.

d) The proponent of a motion to censure shall be entitled to present such evidence as the Supervisor deems appropriate, including documents, audio and video recordings, and statements from other members of the Board and the public. The statements of the Board and public need not be sworn and the presentation evidence shall be subject to the reasonable time and decorum limitations set by the Chairman.

Section 3.2. Absence from Closed Meetings. If a Board member is absent from a closed meeting for any reason, the County Administrator shall be responsible to inform him of the discussion which took place in the closed meeting.

Section 3.3. Public Comment. In the event that any confidential information discussed during a closed meeting shall be received by representatives of the news media, it shall be the policy of the Board that no member shall make any comment upon any such matter unless the news media representative reveals the source of the confidential information in his possession.

ARTICLE IV.

Committees.

Section 4.1. Committees. Committees may be created from time to time by the Board. The Board shall appoint members to any such committees so created (§15.2-1411).

ARTICLE V.

Appointments to Boards and Commissions.

Section 5.1. Appointments to Boards and Commissions. (§15.2-1411) All appointments to authorities, commissions,

agencies, boards, and other bodies required and authorized to be made by the Board shall be agreed upon by a majority of the members present and voting. Information on all nominees for such appointments, whether to represent the County as a whole or a particular magisterial district, shall make the information available to all members prior to any appointment by the Board. It shall be the policy of the Board as a whole to scrutinize and agree upon all appointees to represent the County in any capacity.

- A. All appointments to any boards, agencies, organizations, etc. for a term commencing after the qualification (election and oath of office) of newly-elected members, shall not be made prior to such qualification and the first meeting held thereafter.
- B. No appointment shall be made more than 45 days prior to the commencement of a term for which the appointment is made.

ARTICLE VI.

Amendment of Bylaws.

Section 6.1. Amendment of Bylaws. These bylaws may be amended by a majority of the members present, provided that all members have received at least five days notice of the intent to amend.