

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 8<sup>th</sup> day of January, 2018.

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Present:

Floyd M. Brown, Jr.  
Alan R. Carmichael  
Donald R. Hunter  
Marlene J. Waymack  
T. J. Webb

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 8<sup>th</sup> day of January, 2019 hereby adopts the attached amended By-Laws of the Board of Supervisors of the County of Prince George.

A Copy Teste:

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Percy C. Ashcraft  
County Administrator

**2018~~9~~ BY-LAWS AND RULES OF PROCEDURE OF  
THE BOARD OF SUPERVISORS**

BE IT RESOLVED by the Board of Supervisors of the County of Prince George, Virginia, that the following by-laws and rules of procedure shall govern the conduct of meetings of the Board of Supervisors during the 2018~~9~~ calendar year.

**OFFICERS**

**Sec. 1A**       The Board at its annual meeting shall elect a chairman and vice-chairman for one-year terms ending upon the election of a new chairman or vice-chairman at the organizational meeting the next January. In election years such terms shall end at midnight on December 31<sup>st</sup>. The chairman or, in his absence, the vice-chairman, shall act as presiding officer. In the absence of the chairman and vice-chairman, the longest serving Board member, alphabetically, shall serve as chairman.

**Sec. 1B**       The presiding officer shall preserve order and decorum. The chairman may speak, make motions and vote on all questions, and the chairman shall decide questions of order and procedure. The chairman may allow the public to speak to any agenda item. The chairman may set reasonable time limits for speakers and for public hearings.

**Sec. 1C**       All Board members shall communicate only in their individual capacity as an elected official and shall not represent that any communication is on behalf of the entire Board or the County unless the matter has been discussed by the Board and the Board member has been designated to communicate on behalf of the Board of Supervisors.

**Sec. 1D** In accordance with § 2.2-3711, Code of Virginia, 1950, as amended, all proposed appointees to Boards, Commissions, Committees, Authorities or similar bodies shall be discussed in closed session prior to being acted upon by the Board.

**PARLIMENTARIAN AND SERGEANT-AT-ARMS**

**Sec. 2A** The County Attorney shall act as parliamentarian to the Board and his rulings on parliamentary procedure and the application of the by-laws shall be final.

**Sec. 2B** The Chief of Police and the Sheriff shall serve as Sergeant at Arms.

**MEETINGS**

**Sec. 3A** At the organization meeting in January, the Board shall set the regular meeting times and dates for the following year, provided that the Board shall meet at least once each month. The chairman may cancel any meeting because of inclement weather and shall reschedule any cancelled meeting at the earliest possible date by sending written notice to each member of the Board.

**Sec. 3B** Special meetings of the Board may be called by two members of the Board or the chairman in accordance with §§ 15.2-1417 and 15.2-1418 of the Code of Virginia. Upon making such request, the clerk shall specify the matters to be considered and shall immediately notify in writing all members of the Board and the County Attorney. The meeting may be held within five days of the request only if waivers are signed by every member of the Board and the County Attorney, or if every member and the County Attorney attend the special meeting. The order of business at a special meeting shall follow that of a regular meeting to the greatest extent possible. The clerk shall notify the media of the time and place of such meeting and the matters to be considered.

**Sec. 3C** Closed sessions shall be held in accordance with the provisions of the Virginia Freedom of Information Act, § 2.2-3700 et seq. Code of Virginia. Board members recognize the necessity to maintain confidentiality as to all matters discussed in closed session.

### **VOTING**

**Sec. 4A** A quorum shall consist of at least three members of the Board. A majority of a quorum shall be sufficient to carry any question except tax issues, the incurring of debt and appropriations in excess of \$500, all of which shall require a majority of the full Board for adoption. No Board member is required to vote on any question, but an abstention, although not a vote in favor of carrying a question, shall be counted as a vote for the purpose of determining a quorum. A tie vote shall defeat the motion, resolution or issue voted on, provided that all zoning cases must be disposed of by a motion approved by a majority of those voting. In the event that a tie vote occurs when a member of the Board is absent, the matter is automatically added to the Board's next meeting agenda, at which time a vote will be taken on the original motion. An abstention is considered a vote for all purposes and defeats a motion requiring a unanimous vote. The Board shall not designate a tiebreaker pursuant to § 15.2-1421 of the Code of Virginia.

**Sec. 4B** Any vote by a Board member is final once cast. Planning Commission decisions are final once made. No ordinance, resolution or motion previously voted upon by the Board shall be brought forward for reconsideration during the same meeting of the Board and shall be final unless changed by the Board at a subsequent meeting in accordance with applicable law.

**Sec. 4C** If the maker of a motion and the member seconding the motion agree, a motion may be amended or withdrawn. Only one substitute motion shall be in order for a

main motion. All motions to defer or table shall be to a date certain. Prior to voting on a motion to defer or remand, the Board shall hear public comment on the issue of deferral or remand if the scheduled item requires a public hearing.

### **AGENDA**

**Sec. 5A** The County Administrator shall prepare an agenda in consultation with the Chairman one week prior to a regular meeting; provided that any item concurred in by two or more members shall be placed on an agenda. The agenda shall be available to Board members no later than five calendar days prior to a regular meeting. The agenda shall be available for public inspection in the County Administrator's office.

**Sec. 5B** No matter on the scheduled agenda shall be considered after 11:00 p.m. without the unanimous consent of the Board. Any matter not heard shall be automatically continued to the next appropriate scheduled meeting of the Board.

### **ORDER OF BUSINESS**

**Sec. 6A** The order of business at a regular meeting shall be as follows:

- a. Call to order.
- b. Invocation.
- c. Pledge of Allegiance.
- d. Public comment period.
- e. Adoption of agenda including requests to postpone actions, additions, deletions or changes in the order of presentation for any agenda item.
- f. Order of consensus ("consent agenda") with the first item being approval of the minutes from the previous meeting. Reading of the minutes shall be automatically dispensed with. The Board may only correct minutes after approval upon a showing that a clerical or administrative mistake was made.
- g. Presentation of Commendations.

- h. Reports.
- i. Supervisors' comments.
- j. County administrator's comments.
- k. County business not requiring a public hearing; including appointments. Tabled or deferred items shall be considered first. All appointments shall be made by vote of a majority of the full Board.
- l. Public hearings.
- m. Adjournment.

The County Administrator shall schedule closed sessions as appropriate.

**Sec. 6B** The consent agenda shall be considered by the Board as a single item requiring one motion and one vote. There shall be no debate regarding individual items on the consent agenda. Any Board member may remove an item from the consent agenda for comment by the Board prior to the vote. Any item removed shall be voted on separately after voting on the consent agenda.

#### **PUBLIC COMMENT**

**Sec. 7A** Those persons wishing to speak at a public hearing will be asked to sign in with the clerk and to limit their remarks to the time limit determined by the chairman. A speaker, when recognized by the chairman, shall stand and state his or her full name, place of residence and group affiliation, if any, before proceeding.

**Sec. 7B** Written comments submitted to the Clerk of the Board will be included as part of the Board packet, if possible.

**Sec. 7C** Public comment is for citizens to address the Board about any issue not listed for a public hearing on the agenda for the meeting. It is not intended to be a question and answer period or for interchange between the Board and the speaker.

Comments must be germane to the services or practices of the County. The chairman may require speakers to confine their remarks to a set time limit. The chairman may direct appropriate staff to later respond to any questions posed by the speaker.

**Sec. 7D** Persons speaking before the Board will not be allowed to:

- a. Campaign for public office;
- b. Promote private business ventures;
- c. Use profanity or vulgar language;
- d. Engage in personal attacks or insults; or
- e. Address pending litigation.

### **ZONING**

**Sec. 8A** All zoning cases, (including all forms of conditional zoning, special exceptions and substantial accord determinations) shall be considered and voted on by the Board within the time limits prescribed by the Code of Virginia after consideration and recommendation of the Planning Commission.

**Sec. 8B** Without further action by the Board, all rezoning applications (including all forms of conditional zoning, special exceptions and substantial accord determinations) are automatically referred to the Planning Commission for its recommendation upon completion of a zoning application with the Planning Department.

### **USE OF AUDIO VISUAL EQUIPMENT AT BOARD MEETINGS**

**Sec. 9** Audio-visual equipment, cameras and recording devices may be used in a non-disruptive way in the meeting room, provided however, that any placement of such equipment in or around the Board of Supervisors' tables shall be first approved by the Clerk. Such devices shall be turned off or removed during any closed session.

**SUSPENSION OR AMENDMENT OF BY-LAWS AND RULES OF PROCEDURE**

**Sec. 10**        These by-laws and rules of procedure may be suspended for an individual agenda item or amended for the remainder of any calendar year by a unanimous vote of the full Board.

**Sec. 11**        The Board of Supervisors will reference The Ethical GPS Navigating Everyday Dilemmas, VML for guidance on ethical service by elected officials.

A Copy Teste:

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Percy C. Ashcraft  
County Administrator