

BYLAWS & RULES OF PROCEDURE
KING GEORGE COUNTY, VIRGINIA
BOARD OF SUPERVISORS



I. ADOPTION & AMENDMENT

- A.** The King George County, Virginia Board of Supervisors ("Board") adopts these Bylaws & Rules of Procedure ("Bylaws") on January 03, 2023, subject to amendment from time-to-time.

II. PURPOSE & PRINCIPLES

A. Purpose.

The purpose of these Bylaws & Rules of Procedure ("Bylaws") are:

1. To enable County government to transact business in a timely, efficient and transparent manner;
2. To afford meaningful opportunity for citizens to be present and to be heard;
3. To protect the rights of the citizens of the County, each participant and each Board Member ("Member");
4. To create and maintain a spirit of cooperation among Members; and
5. To determine the will of the Board on any lawful matter.

B. Principles.

The principles underlying these Bylaws are:

1. To ensure the lawful, swift and sure administration of government;
2. To meaningfully address each matter before the Board;
3. To allow for full, free and professional consideration and discussion;
4. To ensure that every Member has rights equal to every other Member;
5. To uphold the Constitution of the United States of America, the laws of the Commonwealth of Virginia and the County Code; and
6. To safeguard the equal protection of laws by ensuring that the will of the majority is carried out while preserving the lawful rights of the minority.

III. MEETINGS

A. Regular Meetings

1. Schedule

The Board shall adopt a schedule of the dates and places of its regular meetings for each calendar year at its annual meeting or as soon thereafter as practicable.

The Board may schedule, eliminate or cancel regular meetings each year as it sees fit, as provided in these Bylaws, after the annual meeting schedule is adopted, but in no event shall the Board meet less than once each month.

2. Date, Time & Place

Regular Meetings shall be on the First and Third Tuesdays of each month, beginning at 6:30 pm in the Revercomb Building Board Room, located at 10459 Courthouse Road, King George, Virginia 22485, unless otherwise set at the Annual Meeting.

- a. Meetings shall terminate no later than 12:00 am (midnight), unless four members vote to extend a meeting.

3. Conflicts

The Board shall avoid scheduling meetings when they would conflict with legal holidays, other public meetings and any other reason that the Board determines to be in the public interest.

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B. Annual Meetings

The "annual meeting" shall be the first meeting of each year.

1. County Administrator Presides

- a. The County Administrator shall preside during the annual meeting pending the election of the Chair.

2. Chair Elected & Presides

- a. The Chair shall be elected at the annual meeting for a term of one year, ending at the commencement of the organizational meeting the following year.
- b. Following election, the Chair shall assume the Chair and center seat on the dais and conduct the remainder of all meetings in that year.

3. Vice-Chair Elected

- a. The Chair shall first conduct the election of the Vice Chair for the same term.
- b. Following the election of the Vice Chair, the Vice Chair shall assume the seat to the immediate right of the Chair.

4. Meeting Schedule Established

- a. The Board shall then establish dates, times, and places for the regular meetings.

5. Adoption of Bylaws and Code of Ethics

- a. The Board shall then consider adoption of its Bylaws & Rules of Procedure and Code of Ethics.

C. Election of Officers

The following procedures shall be followed to elect the Chair and Vice Chair:

1. The presiding officer shall call for nominations from the Members.
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. A majority of those voting shall be required to elect the officer.
7. Officers shall serve until replaced.

D. Board Packets & Information

1. Board packets containing all required information for each meeting shall be furnished to all Members by the Clerk at least six days prior to each meeting.
2. A copy of the agenda and the packet shall be made available for review by the public prior to any meeting and shall be posted on the County website.

E. Order of Business

The order of business at all regular meetings shall be as follows:

1. Call to Order
2. Amendments to the Agenda
3. Public Comment
4. Reports of Members
5. Consent Agenda (warrants, appropriations, minutes, etc.)
6. Presentation of Ceremonial Resolutions Board
7. Public Presentations
8. Constitutional Officer Reports

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9. County Attorney Report
10. Regional Organization Reports
11. Agency Reports
12. Public Hearings at Specified Times
13. Action Items
14. County Administrator's Report
15. Information Items
16. Closed Meetings
17. Adjourn, Recess or Continue

F. Changing, Canceling or Adding Regular Meetings

1. The Board may change the date, time or place of any regular meeting; cancel or add a meeting, or it may establish additional regular meetings in any month by adoption of a resolution at any lawful meeting or in case of emergency. The Clerk shall post a copy of such resolution or emergency cancellation on the door of the place of the changed, cancelled, or added meeting, and give notice of any newly scheduled meeting by posting notices on the County's website, in a prominent location, and at the Office of the County Administrator. The Clerk may also give notice by social media and KG Alert System as he deems appropriate.
2. The Chair (or Vice-Chair if the Chair is unable to act), after consultation with the County Administrator and County Attorney, may cancel a meeting in the event that holding the meeting due to inclement weather or other hazardous conditions would present a threat to public safety or in a declared emergency. In this event the Clerk shall send a notice of the cancellation of the meeting to all Members and promptly attempt to notify local media contact(s). The Clerk shall cause a copy of such declaration to be posted on the door of the place of the cancelled meeting as provided above.

G. Special & Emergency Meeting

1. The Board may hold special or emergency meetings, as it deems necessary, at such times and places as it may find convenient, as allowed by law, and it may adjourn such meeting from time-to-time. Although a special or emergency meeting (including a work session or retreat) must follow the open public "meeting" provisions of the Virginia Freedom of Information Act, the setting of other than a regular meeting requires a motion approved by a simple majority vote rather than passage of a resolution unless otherwise provided by law.
2. The Board may hold special or emergency meetings by establishing (or specifying a means to establish) a special meeting date, time, place and agenda topic(s) at any lawful meeting. In this event the Clerk shall send a notice of the meeting to all Members and promptly attempt to notify local media contact(s). The Clerk shall post notice in a prominent location, on the County's website, and at the Office of the County Administrator. The Clerk may also give notice by social media and KG Alert System as he deems appropriate.
3. Special and emergency meetings shall also be held when called by the Chair or requested by two or more Members. Such request shall be in writing, addressed to the Clerk, and shall specify the date, time and place of the meeting and the matters to be considered at the meeting. Upon receipt of such request, the Clerk shall immediately notify each Member, the County Administrator (if other than the Clerk), and the County Attorney, in writing. Such notice shall specify the agenda topics to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all the

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Members of the Board are present or sign a written waiver. In addition to notice to Members and staff as stated herein, the Clerk shall promptly attempt to notify local media contact(s) and post notice in a prominent location, on the County's website, and at the Office of the County Administrator. The Clerk may also give notice by social media and KG Alert System as he deems appropriate.

4. Notices intended for the public as provided above shall generally be given at least three working days prior to an intended meeting except that notices, reasonable under the circumstance, may be given of lesser duration for a special or emergency meeting provided that such notices are given contemporaneously with notice to Members.

H. Public Hearings

Public hearings shall be held after notice has been given in accordance with the Code of Virginia. Except as provided in these Bylaws, once a public hearing has been advertised on any matter, it shall then be held to avoid inconvenience to the public.

1. After public hearing, the Chair may either
 - a. close the public hearing; or absent a contrary vote of the Board,
 - b. continue the public hearing to a date and time certain
2. Deferrals or withdrawals may be initiated by the Board or an applicant in any of the following ways:
 - a. The Board may defer action on the matter including referral back to the Planning Commission of any land use issue within its jurisdiction;
 - b. Any applicant for a rezoning or special use permit may withdraw their application at any time prior to Board action, subject to the County Code; or
3. Any applicant for a rezoning or special use permit may request Board approval of a deferral of action on their application prior to the holding of a public hearing. If a motion to defer is seconded, the Board need not conduct the originally advertised public hearing but rather limit public comment to the issue of deferral unless the motion to defer fails.

I. Consideration & Adoption of Annual Budget

The Board shall conduct at least the following steps in the procedure before adopting the annual budget:

1. The provision of budget guidance to the County Administrator;
2. The presentation of the County Administrator's proposed budget;
3. At least one public hearings on the proposed budget that shall be held at least seven days prior to the hearing in which the budget is adopted;
4. Budget markup by the Board;
5. Budget recap; and
6. The adoption of the annual budget.
7. The Board may elect to hold other discussions of a proposed annual budget and shall prescribe the date, time and place for such discussions consistent with the Freedom of Information Act as applicable.

J. Open Meetings

All Board meetings shall be open to the public, provided that the Board may meet in closed meeting for those purposes authorized by law.

K. Closed Meetings

1. Purpose & Procedure

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- a. **Motion and Content of Closed Meeting.** No meeting shall become a closed meeting unless there shall have been recorded in open meeting an affirmative vote to that effect, which motion shall:
 - i. Identify the subject matter and purpose of each item of closed meeting discussion; and
 - ii. Make specific reference to the applicable exemption from open meeting requirements provided by law.
 - b. Except as specifically authorize by law, no resolution, ordinance, rule, contract, regulation or motion considered or proposed in a closed meeting shall become effective unless the Board, following such meeting, reconvenes in open meeting and takes a vote on such resolution, ordinance, rule, contract, regulation or motion.
 - c. **Closed Meeting Certification.** At the conclusion of a Closed Meeting, the Board shall reconvene in open meeting immediately thereafter and shall cast a vote certifying that to the best of each Member's knowledge:
 - i. Only public business matters lawfully exempted from open meeting requirements were discussed; and
 - ii. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.
 - d. Any Member who believes that there was a departure from the above requirements shall so state prior to the Chair's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.
 - e. 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.
- 2. Attendance**
- a. **Non-Members.** The Board may permit non-Members to attend a Closed Meeting if their presence is reasonably necessary to aid the Board in its consideration of an issue or as otherwise allowed by law.
 - b. **Remote Attendees.** If participation of a Member is authorized by remote participation by Section V(B), or another non-Member attendee participates remotely, the individual(s) participating remotely in a Closed Meeting shall verify that they are taking reasonable measures to prevent third party disclosure.
- 3. Confidentiality & Privilege**
- a. Confidential and privileged opinions, information, documents and discussions from a closed meeting, attorney-client privileged communication and other confidential information shall not be disclosed without the approval of the Board.
 - b. In the event confidential or privileged information is released or otherwise disclosed, without the consent of the Board, then the Board shall vote to either authorize the disclosure or reaffirm the confidentiality and/or claim of privilege.
 - c. The Board may sanction or censure a Member for improper disclosure of confidential or privileged information.
 - d. To help ensure that confidential or privileged information is not inadvertently released or intentionally disclosed to third parties, no electronic or hardcopy presentation materials or handouts available in closed meeting shall be retained by any Member without approval of the Board. No recording of closed_meeting proceedings is

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authorized nor shall minutes or personal notes be prepared, except the County Attorney, outside counsel, and County Administrator may retain documents and notes subject to confidentiality or privilege, and, staff or invited presenters may make drafting edits on materials necessary to conduct public business. Except for the Chair, County Administrator, or invited attendee as necessary for the purposes of presentation or emergency or administrative communications, no Member or non-Member attendee of a closed meeting shall bring electronic communication devices (including but not limited to cell phones or laptops), notetaking instruments, or personal belongings capable of concealing records or communication devices into the area where the closed meeting is physically conducted. The Board may sanction or censure a Member for failing to comply with the foregoing confidentiality precautions. Notwithstanding the foregoing, to the same extent they were authorized to review such records during a prior closed meeting, a Member may inspect presentation materials or handouts made available at a prior closed meeting by physical inspection of the materials retained by the County Attorney or County Administrator or their designees, but such materials and derivative content shall remain confidential or privileged until such time as release is approved by the Board or otherwise becomes generally available to the public other than by violation of these Bylaws. A Member may also request the business card or contact information of any invited presenter.

L. Opinions of the County Attorney or Attorney Representing the County

1. Opinions

- a. Any Member may, on behalf of the Board, request an opinion of the County Attorney regarding any matter affecting County government and may present information for the County Attorney's consideration.
- b. All Members shall maintain the confidentiality of any opinion provided by the County Attorney, the Office of the County Attorney and any other attorney-client privileged communication or attorney work product related to this or any other matter unless otherwise authorized by the Board. The Board may sanction or censure a Member for improper disclosure of confidential or privileged information.
- c. All legal opinions to all Members shall be shared with the Board, unless otherwise prohibited by law or legal ethics.
- d. No Member may consult and/or request legal opinions from the County Attorney on any non-governmental matter or any personal matter.

2. No Individual Representation

- a. Neither the County Attorney nor any County-retained counsel may represent any Member in their individual or private capacities.
- b. Confidential and privileged opinions, information, documents and discussions from the County Attorney, the Office of the County Attorney, any attorney representing the County, and attorney-client privileged communication and other confidential information shall not be disclosed without the approval of the Board.

IV. OFFICERS

A. Chair

1. The Chair shall be elected annually and shall preside over all meetings, represent the Board at official functions and ceremonial events, and make such appointments as are not required by law to be made by the Board. The Chair shall retain the right to vote while

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presiding. The Chair may also be referred to as the "Presiding Officer." If the Chair seeks to participate electronically in a meeting and such request is granted as provided in Section V.B (and the meeting is not wholly electronic as authorized by other law), the Vice-Chair shall act as presiding officer in the physical absence of the Chair.

B. Vice-Chair

1. The Vice Chair shall be elected annually, shall preside over meetings in the absence of the Chair and shall perform such other duties as may be assigned by the Board.
2. The Vice-Chair shall retain the right to vote while presiding over a meeting.

C. Clerk

1. The Clerk of the Board ("Clerk") shall be the County Administrator and his duties, responsibilities and compensation shall be as set out in the Virginia Code, County Code, and employment agreement as amended from time-to-time.
2. The Clerk or his designee shall be the timekeeper for all speakers and presentations and advise the Chair when time for a report or presentation has expired.
3. The Clerk shall be responsible for the minutes.

D. Parliamentarian

1. The County Attorney or her designee, shall serve as the Parliamentarian for the purpose of interpreting these Bylaws, Robert's Rules of Order, the Virginia Code and the County Code, as may be directed by the Chair, or as required as result of a point of order raised by any Members.
2. If the County Attorney or her designee is unavailable, the County Administrator shall serve as the Parliamentarian, but shall not interpret law.

V. QUORUM & ACTIONS

A. Quorum

1. A majority of all the Members of the Board shall constitute a quorum. The Chair shall be included and counted in determining whether a quorum exists.
2. No action shall be taken by the Board unless a quorum is present. However, temporary absences from the meeting room of Members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations or the discussion of matters submitted to the Board.
3. The Chair, Clerk, or the County Administrator shall suggest the absence of a quorum prior to the taking of any action by the Board, but a failure to suggest the absence of a quorum shall not be deemed to alter the effect of this rule requiring a quorum as a prerequisite to any action.

B. Electronic Meetings

Unless otherwise authorized in emergency circumstances pursuant to Va. Code §2.2-3708.2 or other legal authority, Members may participate in meetings by electronic communication means provided that a quorum that is physically assembled and subject to the following procedures:

1. On or before the day of a meeting, a Member seeking to participate by electronic communication means shall notify the presiding officer that they are unable to attend the meeting due to a temporary or permanent medical condition (or disability) or a personal matter. A medical condition (or disability) applies to a condition of the Member or someone for whom they are a primary caregiver (if providing care prevents physical attendance) and need not be disclosed, but a personal matter must be identified with specificity.

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2. If participation by a member through electronic means is approved by the presiding officer quorum that is physically assembled, the minutes will reflect:
 - a. The address or general description of the remote location from which the Member participates (which need not be open to the public).
 - b. If the Member participates due to a temporary or permanent medical condition (or disability), such fact must be recorded in the minutes without further elaboration. If the member participates electronically because of a personal reason, the minutes must reflect the specific nature of the personal matter cited by the Member.
3. Participation of a Member through electronic means may be disapproved by the presiding officer for good cause applied strictly and uniformly regardless of the identity of the Member requesting remote participation or the matters that will be considered or voted on at the meeting) and must be disapproved in the event a personal matter is cited as the reason for a request to participate electronically and the same Member has participated electronically for more than 25% of meetings expected to be held in a calendar year (rounded up to the next whole number). Electronic participation due to personal or family medical condition (disability) as provided above is not numerically limited by law, but the competing legal necessity for the physical attendance of a quorum may constrain requests for electronic participation on this basis. If participation is disapproved, such disapproval shall be recorded in the minutes with specificity. Disapproval to participate remotely does not preclude a member from viewing or listening to a meeting without voting in the same manner as a member of the general public.
4. Approval to participate electronically is contingent on technical feasibility and may only be granted if the voice of the remote participant can be heard by all persons at the primary or central (physical) meeting location.

C. Actions

The Board shall act in one of the following ways:

1. Ordinance

If required by law, action shall be taken by the adoption of ordinances. Ordinances shall be proposed for adoption, notice given, and adoption accomplished as is provided for by law.

2. Resolution

If action by ordinance is not required by law, the Board may act upon adoption of a resolution, in the following manner:

- a. A resolution shall be presented in writing, along with any supporting materials the Member or Chair intends to be considered by the Board, to the Clerk with sufficient time to be included in the published agenda packet for the meeting in which the action is sought;
- b. The Clerk shall deliver a copy of any proposed resolution to all Members, the County Administrator and the County Attorney before the resolution is proposed for adoption; and notwithstanding any other provision, the Board may act, without prior notice, upon adoption of a resolution as a result of matters discussed in closed meeting, as allowed by law.

3. Motion

- a. The Board may act by motion if action is required on matters not requiring ordinance or resolution.
- b. Any oral motion made and seconded, after discussion, shall be voted on by the Board and fully recorded in the minutes of the meeting.

4. Amendments

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- a. A Member other than the proponent of the main motion may suggest a perfecting amendment, also known as a friendly amendment. A perfecting amendment proposes changes to the wording of the main motion that are designed to improve the main motion. The Chair may inquire if the proponent of the main motion wishes to modify or withdraw his motion, and if an affirmative response is given, the motion may be modified or withdrawn absent objection.
 - b. While a motion is pending or in the event of a failed friendly "amendment", a Member other than the proponent of the main motion may make a motion to amend or substitute. An amendment, when available, may insert, add, or strike terms. A substitute motion is intended to replace the main motion rather than to amend it.
- 5. Consensus & Unanimous Consent - Direction to Staff**
- a. If action by ordinance or resolution is not required by law or these Bylaws, and no objection is heard, a request of a Member for direction to staff shall be deemed a request of the Board without further action, provided that such request is made at a meeting with a quorum present, and further provided that the Chair states that such request shall be deemed to be a request of the Board.
- 6. Proclamations & Commendations**
- a. The Board may issue proclamations on such issues and at such times as it shall deem appropriate. Proclamations shall only be issued upon resolution of the Board adopted as other resolutions are adopted. Such proclamations shall be signed by the Chair and may be signed by all Members.
- 7. The Board shall have two forms of commendation:**
- a. **Board Commendations**
The Board itself may issue commendations to any persons or groups for meritorious service to the community or other act meriting public notice, by resolution adopted as other resolutions are adopted. Such commendations shall be signed by the Chair and may be signed by all Members.
 - b. **Members Commendations**
Any Member may prepare Commendations for any persons or groups for actions that such Member shall deem worthy of note, and which may be signed by such Member on behalf of the Board, without the necessity of further formal Board action or vote thereon, provided that the Member commendation is presented to all Members of the Board with reasonable opportunity to object prior to presentation.

Proposal of Policy & Appointment Resolution by an Individual Member

1. A Member may request an agenda item for Board consideration regarding a policy proposal or other legislative action at a future Board meeting, if at least one other Member present at the meeting verbally concurs with the announcement. Such proposals shall appear on the next Board meeting agenda for Board consideration or at such meeting as may be specified by the Board or under law.
 - a. The Member shall provide to the Clerk and County Attorney a written draft resolution, along with appropriate written materials, in a timely fashion for inclusion on the published agenda for the meeting where the action is scheduled for Board consideration.
 - b. No Board action shall be taken on a resolution or policy where the written draft or summary is not published in the agenda for the meeting, unless consented to by vote of the Board.

2. Appointments by Members

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When appointments to County authorities, committees or boards are recommended by a Member, they should, if feasible and for other than incumbents, be accompanied by a written statement of experience and/or qualifications for the prospective appointee, that includes name, address, phone number and statement of interest in the appointment.

3. Process for Appointment of Members to Various County

a. Committees & Boards

- i. A vacancy on any County authority, committee or board requiring appointment by the Board shall be announced to the Board as soon as possible by the Clerk or Chair.
- ii. Members who are interested in being appointed, should announce their interest to the Board as soon as possible.
- iii. Apart from the organizational meeting in January, the Chair shall attempt to notify Members prior to a meeting at which an appointment will appear on the agenda or when discussion of an appointment will occur in closed meeting.

4. Process for Involvement by the Public

- a. When the Board establishes a public involvement process, initiates any five-year update to the Comprehensive Plan or a significant amendment to the text of the Zoning or the Subdivision Ordinances, the Board may provide in the proposed resolution or elsewhere that any such change to the language published to the public as recommended for adoption by the Board will be made available to the public for review prior to adoption of such change, in order to allow a sufficient time prior to Board action on such change to give the public a meaningful opportunity to comment on the proposed change.
- b. Where advertising of such changes is not legally required, the Board may determine how to provide the public with notice of such proposed change and the time that will elapse between the public notice and action on the proposed non-editorial change.
- c. The Board may provide detail concerning the process for consideration of drafting changes, such as the time period for public notice prior to action or the method for providing public notice or comment, in the initiating resolution.

5. Special or Ad Hoc Committees

- a. Special or ad hoc Committees may be created on a majority vote of the Board at any time deemed necessary. The method of appointment shall be determined by the Board at the time of establishment of such committees. Method of appointment may be modified at any time on a majority vote.
- b. All committees and meetings are subject to the requirements of the Freedom of Information Act.

6. Legislative Contacts

- a. The Chair and the Vice Chair or their delegates shall serve as the points of contact for all legislative programs adopted by the Board.
- b. Staff shall consult with the points of contact prior to legislation being brought forward to the Board for consideration of a position.
- c. All formal correspondence on legislative matters shall be sent by the County Administrator or other person as directed by the Board and shall be signed by both the Chair and the Vice Chair.
- d. No Member shall speak on behalf of the full Board or presume to represent the full Board before the legislature on any question or issue that the full Board has not taken a position on by the majority vote.

7. Records

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- a. The Clerk shall be responsible for recording, cataloging and memorializing, numbering and reporting for publication motions, resolutions, ordinances, proclamations, appointments and other official action by the Board.
- b. All such recordings shall be numbered.

VI. VOTING

A. Votes

1. Votes shall be taken only upon motion or resolution made and seconded and with opportunity for discussion.

B. Method of Voting

- C. At the discretion of the Chair, voting may be taken by voice, a show of hands or by provided electronic equipment. A roll call vote, recording the vote of each member, must be taken when required by law and may be taken for the vote on any ordinance or resolution.**

D. Restating the Question

1. The Chair may restate the question or ask the Clerk or moving Member to restate the question prior to the taking of a vote.

E. Tie Votes

In the event of a tie vote the motion under consideration shall be deemed defeated.

F. Reconsideration

1. Action on an ordinance, resolution or motion may be reconsidered one time and only upon motion of a Member voting with the prevailing side on the original vote.
2. Such motion to reconsider must be made at the same meeting or immediately subsequent lawful meeting or at the next available meeting as notice and advertisement by law may be required.
3. A motion to reconsider may be seconded by any Member.
4. Action upon reconsideration of a matter shall be taken only following notice as required by law and at least as much notice as was given prior to the original action unless such action upon reconsideration is taken at the same meeting as the original action.
5. In instances involving the reconsideration of the adoption, or rejection of an ordinance, whether by tie vote or otherwise, the ordinance shall be re-advertised in accordance with the advertising requirements for ordinances specified by law, prior to action on the reconsidered matter.
6. A motion to reconsider an ordinance made at any other meeting than that at which a lawful vote thereon shall have first been taken, shall constitute instruction to the Clerk to readvertise the ordinance for further proceedings as required by law.

VII. ORDER OF BUSINESS

A. Commencement of Meetings

1. At the time specified for the commencement of meetings, or for adjourned or special meetings, the presiding officer shall call the meeting to order and direct the Clerk to note the presence or absence of Members. A quorum shall be required for the commencement of any meeting.
2. The Board shall open each meeting with an invocation by the reading or recitation of a prayer and with the Pledge of Allegiance. Any Member or invited person may commence the invocation and Pledge of Allegiance.

B. Agenda

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1. The Chair and County Administrator shall prepare an agenda for each meeting.
 2. Any Member having matters to be considered by the Board, as well as any presentations to make to the Board shall submit such matters to the Clerk for inclusion on an appropriate agenda, along with all written or graphic materials, and/or audio or video recordings of any kind to be read, viewed, heard, observed, and/or considered by the Board at any point during any meeting.
 3. With approval of the Chair, such matters and materials shall be included along with the other Board materials and the agenda, in preparation for the meeting.
 4. When authorized County staff propose matters to be addressed by the Board at a meeting, County staff shall provide to the Clerk the staff reports with detailed information, explanations and impact statements on the matter.
 5. No vote shall be permitted on matters placed on the agenda at the request of County staff for which the County staff report was not provided to the Board in the published agenda, unless a motion passes to amend the agenda.
- C. Consent Agenda**
1. The Chair shall, in consultation with the County Administrator, prepare a consent agenda for regular Board meetings for routine, non-controversial matters.
 2. Motions to approve the consent agenda shall not be debatable and shall be adopted only by unanimous consent of all Members present at the meeting.
 3. Matters may be removed from the consent agenda and placed on the regular agenda for presentation, questions or debate at the request of any Member, County Administrator or County Attorney.
- D. Public Comment**
1. **Public Comment Required**
The Board shall set aside appropriate time for public comment at the beginning of each regular meeting.
 2. **Procedure & Decorum**
 - a. During public comment, the Board will receive comment from any member of the public on any matter not set for public hearing at that meeting. Speakers and observers shall refrain from obscenity, vulgarity, profanity, or other speech, gestures, or actions tending to create a breach of the peace, incite violence, or harass or intimidate. Speakers should refrain from personal attacks, but this provision shall not be construed to prohibit criticism of a public official regarding a matter of public concern, including performance, conduct, or qualifications. Observers shall refrain from clapping, gesticulating, or audibly responding to other speakers, except that for purposes of avoiding repetition, a call for a show of hands may be used to demonstrate a mass of support or objection.
 3. **Time Limits**
 - a. Members of the public shall be permitted to address the Board for no more than three minutes.
 - b. No person may cede or grant their time to another during public comment.
 - c. The Chair shall enforce these limitations.
 4. **Roster & Information**
 - a. Individuals wishing to speak at public comment may be required to sign up in advance, providing their name and address on a list provided for this purpose by the Clerk. If

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technology reasonably permits, public comment may also be facilitated by internet enabled systems.

- b. No one shall be allowed to sign another individual's name.

5. Residential Preference

- a. Residents of the County shall be called to speak prior to members of the public residing outside of the County.

6. Comments in Writing

- a. The Chair may also allow members of the public to submit comments in writing. Such written comments may be read in part or in whole or submitted to the Minutes without reading, at the discretion of the Chair or the Member to whom the comments are addressed.
- b. All submitted comments shall be subject to the Freedom of Information Act.

E. Member Reports

1. Subject Matter & Time

- a. On each agenda there shall be a period designated "Member Reports," during which each Member shall be entitled to use of at least five minutes for reporting or commenting on activities or events, proposed matters for future policy discussion, or other matters related to public business.

2. Motions

- a. A Member may announce their intent to seek Board action but may not make a motion during Member Reports, except as allowed by the Chair.

3. Record

- a. Member presentations must be recorded with other meeting materials and in the minutes.

F. Call to Order

- 1. At the end of the time periods for each Member's Report, the Chair shall call the Board to order. If a motion is seconded, continuation of any matter then under discussion shall be reserved until all agenda items are exhausted or to a subsequent meeting, as the Chair or Board may determine.

G. County Administrator, County Attorney & Constitutional Officers

- 1. Appropriate time for the County Administrator, County Attorney and Constitutional Officers' Reports shall be scheduled at each regular meeting.

H. Administrative & Informational Matters

- 1. Administrative and informational matters shall not be placed on the agenda or considered by the Board until the interested Member shall have ascertained from the administrative staff, through the County Administrator, that all appropriate administrative actions have been taken, or until an unreasonable amount of time following a request for administrative action has elapsed.
- 2. Matters having to do with actions or failures to act by the administrative staff shall not be placed on the agenda or considered by the Board until the County Administrator shall have been given a reasonable opportunity to furnish the interested Member(s) an explanatory statement.

I. Outside Agency Matters

- 1. Matters having to do with agencies not under the administrative supervision of the County Administrator or the Board shall not be placed on the agenda or considered by the Board

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until the affected agency or agencies shall have been given a reasonable opportunity to furnish the interested Members with background information or data.

J. Land Use Public Hearing Agenda

1. The Chair, in consultation with the County Administrator and Zoning Administrator, shall prepare all land use public hearings for the agenda for appropriate Board meetings, including Comprehensive Plan map amendments, rezonings, proffer amendments and special use permit applications meeting lawful criteria.
2. Each land use public hearing agenda shall be subject to the same requirements for preparation of a written staff report, to be distributed to the Board and the public at the same time as Board materials are distributed or as required by law.
3. Relevant County staff shall be present and prepared to make full presentations on any and all land use matters on the public hearing agenda.
4. Unless otherwise required by law, only land use matters that have received recommendations from County staff and the Planning Commission, and where there are no unresolved submittal issues between the applicant and County staff or the Planning Commission may be placed on the public hearing agenda.

K. Agenda Order

1. Order on the agenda shall be established by the Chair, in consultation with the County Administrator, considering public interest and the need for staff or other presentations.
2. Agenda order shall maximize convenience to the public and minimize any adverse impact on performance of normal staff functions.
3. The Board may amend the agenda by majority vote.
4. A matter neither included on the agenda nor disposed of during a Member Report shall be taken up only if the presiding officer determines that it:
 - a. Constitutes an emergency;
 - b. Involves persons who are present but cannot be present at a subsequent meeting; or
 - c. Action is required by these Bylaws or under law.

L. Minutes

1. The Clerk shall keep minutes of the open meetings and shall maintain one electronic recording of the proceedings.
2. A copy of the minutes shall be posted to the County website and provided in hardcopy to a requester pursuant to the Freedom of Information Act.
3. Copies of the minutes and links to recordings shall be posted on the County website.

M. Closed Meetings

1. Each agenda shall specify a time, generally after all public business shall have been concluded, for closed meetings, properly called.
2. When so requested by the County Attorney, County Administrator, or any Member, the Chair may entertain motion(s) to permit a closed meeting at any time during a lawful meeting.
3. Minutes shall not be kept of closed meetings.

VIII. ORDER IN CONDUCT OF BUSINESS

A. Addressing the Board

1. Persons recognized to address the Board, other than in public comment, shall limit their presentations to the time allotted by the Chair, unless the Board extends such time by unanimous consent.

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2. The Chair, in allotting such time, shall consider the complexity of the matter, its importance in relation to other business of the Board, and the time available during the meeting.
3. At the discretion of the Chair, the conduct of business by the meeting may be reordered to allow earlier consideration of matters about which a substantial number of persons desire to address the Board or for other good cause shown.
4. Insofar as is practicable, persons addressing the Board that wish to provide written information or a written copy of their remarks shall do so before the meeting; however, the Chair may approve a request to approach the Members to distribute materials during a meeting.

B. Recognition

1. Recognition shall be given only by the presiding officer.
2. No person shall address the Board without first having been recognized.
3. All comments shall be addressed to the Chair.
4. When all public testimony has concluded, and the Board is considering and discussing the matter, no person shall thereafter be recognized to address the Board.

C. Conduct of Public Hearings

1. Time Limits

- a. Public hearings shall be conducted such that to the maximum extent possible, the applicant's presentation is limited to twenty (20) minutes, which time may be divided as the applicant sees fit.
- b. An applicant or designated speaker may not yield time to others without permission of the Chair.

2. Roster

- a. Individuals wishing to speak at the public hearings shall sign up in person as provided for public comment.

3. Repetitive Testimony

- a. Testimony that is repetitive shall not be permitted on any matter. Persons of the same position as a previous speaker shall simply state their names and the positions with which they agree.

d. Questions

- a. Questions by Members shall be generally reserved for the end of a presentation.

e. Plans, Renderings & Exhibits

- a. Plans, renderings and exhibits shall be permitted to be used in the course of hearings and presentations when the applicant shall first have provided them to the Board.

f. Board Discussion

- a. Discussion and debate by the Board shall be conducted following any presentation, testimony or public hearing on a pending matter.
- b. Members shall not speak to the item until recognized by the Chair.
- c. A Member who has spoken to the item shall not again be recognized until each other Member desiring to speak shall have had an opportunity to speak.

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IX. DECORUM

A. Board Members

1. Decorum of Members shall be maintained by the Chair in order to expedite disposition of the business before the Board.
2. Questions and remarks shall be limited to those relevant to the pending matters, except during Member Reports.
3. Members shall address all remarks to the Chair.
4. Members shall refrain from obscenity, vulgarity, profanity, or other speech, gestures, or actions tending to create a breach of the peace, incite violence, or harass or intimidate. Members should refrain from personal attacks, but this provision shall not be construed to prohibit criticism of a public official regarding a matter of public concern, including performance, conduct, or qualifications.
5. Professionalism, speech and actions of Members in their official capacity should reflect respect and civility regardless of viewpoint.
6. In addition to the Chair addressing decorum at a meeting as set out herein, the Board may discipline or censure a Member for violation of these Bylaws, conduct prohibited by other law, or any voluntarily endorsed Code of Conduct.
7. In the event that the Chair determines that a Member is not following proper decorum during a meeting, the Chair may hold the individual "out of order".
8. In the event that the Member persists, the Chair may again hold the Member "out of order" and shall call for a vote of censure and/or silence.
9. In the event that the Member persists, the Chair may again hold the Member "out of order" and shall call for a vote of removal. Upon majority vote, the Member shall leave the meeting. If the Member refuses, the Member shall be removed by County personnel or law enforcement.

B. Others

1. Decorum of persons other than Board Members shall be maintained by the Chair.
2. The Chair shall call the speaker to order.
3. Persons addressing the Board shall limit their remarks to those relevant to the pending items, and to answering questions if any are directly posed during the meeting by a Member.
4. Persons whose allotted time to speak has expired shall be warned by the Chair that their time has expired, and after which warning such person shall leave the lectern, unless they are asked to remain to answer questions from the Board.
5. Persons not speaking and attending the meeting shall also maintain decorum and order.
6. If out-of-order remarks, or other indecorous conduct occurs the Chair may order the speaker from the lectern.
7. If not heeded the Chair may again hold the speaker "out of order" and shall order the speaker to leave the meeting.
8. If the speaker refuses, the speaker shall be removed by County personnel or law enforcement.
9. The same process of a warning followed by ejection shall be followed for indecorous or disruptive attendees.

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10. No persons in attendance shall be allowed to speak unless recognized by the Chair after audibly stating their name, address, and who they represent, if applicable.
11. The Chair may call a recess when groups or individuals in the audience violate the rules on decorum, and/or threaten the safety of any Member or other person in attendance.

C. Robert’s Rules of Order

1. *Robert’s Rules of Order, Newly Revised* shall be used as a guideline to govern the conduct of all meetings to the extent that they are not inconsistent with these Bylaws. These Bylaws, including guidance from *Robert’s Rules*, were drafted, and adopted for the benefit and convenience of the Board. The Bylaws do not create substantive rights for third parties or participants in proceedings before the Board, and the failure of the Board to strictly comply with its provision(s) shall not invalidate any action of the Board.

D. Suspension

1. One or more of the Bylaws may be suspended temporarily by affirmative vote of at least four members or by unanimous consent.

E. Amendment

1. These Bylaws may be amended by majority vote of the entire Board at any lawful meeting.

F. Seating at the Dais & Reserved Area

1. The Members shall be seated at the dais, with the County Administrator and the County Attorney at the ends or other suitable place.
2. Only Members, the County Administrator, County Attorney, administrative staff, and other persons expressly invited shall be permitted to enter the seating area of the dais.
3. To the extent possible, the County shall provide work areas for the working press.

XI. MEMBER EXPENSES

- A. Each Member shall be responsible for their own reimbursable expenses, including meals, hotel accommodations and travel. Charges related to required attendance at conferences to conduct County business may be paid and arranged directly through the County.
- B. Expenditures from appropriated expenses for Members cannot be used for any non-County governmental business, including cash donations or in-kind donations to any non-governmental organization, or any governmental entity that is the recipient of appropriated funds in the County budget, to sponsor non-official activities or for advertising in any publications associated with non-official activities.
- C. Funds can be used to purchase a single ticket for admission to events for the individual Member and/or a designated County employee when that event attendance is in furtherance of the official duties.
- D. Any fund balances remaining in Member’s expense accounts at the end of the fiscal year must be transferred to the County General Fund.
- E. No Member will either pay or incur a legal obligation on behalf of the County.
- F. No Member will employ or retain any employee on the County payroll.
- G. No Member shall use County funds for any political activity or provide any gift or gratuity to any public official.
- H. No Member will engage or retain any vendor services using County funds.