



# BYLAWS

## County of Dinwiddie Board of Supervisors

Revised:  
January 3, 2018

# **BYLAWS**

## **County of Dinwiddie Board of Supervisors**

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Revised February 6, 2006  
Revised March 21, 2006  
Revised June 20, 2006  
Revised December 19, 2006  
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### **ARTICLE I OFFICERS AND THEIR SELECTION**

- A. The Officers of the Board of Supervisors shall consist of a Chairman and Vice Chairman, each of whom shall serve for a term of one (1) year.
- B. Nomination of Officers shall be made from the Board at the first meeting of each calendar year. Election of Officers shall follow immediately.

### **ARTICLE II DUTIES OF OFFICERS**

- A. The Chairman shall:
  - (1) Preside at all meetings;
  - (2) Work closely with the County Administrator on day to day matters, approve appropriate financial documents, and approve the agenda for all meetings;
  - (3) Serve on all standing committees of the Board;
  - (4) Carry out such other duties as assigned by the Board.
- B. The Vice-Chairman shall act in the absence or inability of the Chairman to act.

### **ARTICLE III AGENDA PREPARATION POLICY**

- A. The County Administrator shall prepare an agenda for each regular meeting of the Board of Supervisors. Supervisors, staff, and others may submit to the County Administrator items for the agenda at any time prior to Noon Wednesday preceding the regular meeting to which such item relates. Emergency Items will be added as an amendment to the agenda.

- B. Copies of the agenda shall be made available at the office of the County Administrator for each Supervisor and for members of the News Media serving the County and the public not later than close of business on Friday preceding the meeting to which it relates.

**ARTICLE IV**  
**MEETINGS**

- A. The time and place of Board Meetings shall be set from time to time by resolution of the Board in conformance with State Law. The regular meeting schedule shall be set at the organizational meeting held in January each year.

- B. Minutes from the previous meeting shall be delivered to the Board members with the agenda prior to the next meeting. Unless requested by a Board member, the minutes will not be read and will be approved upon motion and vote of the Board.

- C. Order of Business

- (1) Commencement of Meetings:

- At the time established in accordance with Article IV (A) of these By-Laws for the commencement of regular meetings or at the hour specified for continued or special meetings, the Chairman shall call the meeting to order and shall direct the clerk to note the absence of any Board members by roll call. A quorum shall be required for commencement of any meeting.

- (2) Agenda:

- An agenda shall be prepared by the County Administrator in accordance with Article III under these By-laws. The proposed agenda shall be adopted by the Board at each meeting. Should the chairman or any member of the Board have a matter which he or she feels needs to be brought to the attention of the Board but which is not on the agenda, or if there is an amendment to the order of the agenda, he or she may make a motion that an addition or amendment be made to the agenda. Such amended agenda must be approved by a majority of the Board members present.

- D. Quorum and Method of Voting

- A majority of the members of the Board of Supervisors shall constitute a quorum of the Board. All questions submitted to the Board for decision shall be determined by a viva voce vote of a majority of the supervisors voting on any such questions, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded.

- E. Procedure for Roll Call of Board Members

- (1) The Chairman of the Board of Supervisors shall cast the last vote.

- (2) The Members of the Board of Supervisors shall cast votes in district order on a rotating basis per meeting.
- (3) The Chairman/Clerk shall restate all motions before a vote is taken and the result of the vote shall be announced following each vote.

F. General Rules of Procedure

The Board's Parliamentary Procedures shall be Robert's Rules of Order, Newly Revised, 10<sup>th</sup> edition, specifically to include Section 49, *Conduct of Business in Boards*, pages 469 – 471, in all matters not covered by the Board's bylaws, to the extent compatible with law and the historical practices of the Board. The County Attorney, or his or her designee, shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules shall be addressed to the County Attorney. The Board may amend, by Resolution, the rules as it deems appropriate. The following rules shall apply:

- (1) Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
- (2) Motions need not be seconded. If a motion is not seconded, the Chairman shall decide if a vote is taken on the motion or if a motion is dead.
- (3) There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
- (4) Informal discussion of a subject is permitted while no motion is pending.
- (5) The Chairman can speak in discussion without leaving the chair, can vote on all questions, but can not make motions unless by consent of a majority of Board members present.
- (6) No Board member is required to vote on any issue.

If any Board member determines, prior to the calling of any issue before the Board, that he, because of conflict or otherwise, will abstain from voting on such issue, he shall announce such intention at the time the issue comes before the Board and shall not participate in the discussion on such issue or question.

An abstention shall be counted for the purpose of determining a quorum. An abstention defeats a motion requiring a unanimous vote.

- (7) In the incidence of a tie vote the issue voted upon by the Board is dead and therefore voted down.

(8) Only Board members and the Parliamentarian shall have standing to raise noncompliance with these General Rules of Procedure, and only during the current meeting at the time of violation. Failure of the Board to comply with these General Rules of Procedure shall not invalidate any action taken by the Board.

G. Member Absenting Himself 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, he shall not absent himself from the remainder of the meeting prior to adjournment unless by consent of the Board.

H. Board to Sit with Open Doors

The Board of Supervisors shall sit with open doors and all persons conducting themselves in an orderly manner may attend the meetings; however, the Board may hold closed sessions as permitted by law and when deemed necessary by a majority vote of the Board.

The consent agenda shall be introduced by a motion “to approve”, and shall be considered by the Board as a single item. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda. The Clerk or his/her designee shall provide a brief written summary or memo on each item included in the consent agenda. Upon request of any Board member who wishes to question or discuss an item, that item shall be removed from the Consent Agenda. This item shall be transferred onto the agenda for consideration.

I. Citizen Comment Period

Rules for Citizen Comment Period:

To ensure that the affairs of the Board and its committees may be conducted in an orderly manner, to ensure that all persons desiring to address the Board on matters pertinent to it are afforded an opportunity to do so, to permit persons in attendance to observe and hear the proceedings of the Board without distraction, and to permit to the fullest extent the Board to conduct County business with minimal disruption, the following rules are established.

- (1) Each person desiring to speak must sign up in advance of the opening of the Citizens’ Comment period on the agenda.
- (2) Each speaker shall be limited to a period of three minutes per comment period; when two minutes have passed the speaker will be reminded that there is one minute remaining.
- (3) Speakers who have signed up may use their allotted time only for themselves and may not donate their time to other speakers.

- (4) Speakers will not be permitted to use audiovisual materials or other visual displays, but may present written and photographic materials to the Board members.
- (5) Comments must be confined to matters germane to the business of the Board of Supervisors and shall not be cumulative or repetitive.
- (6) Speakers should address the Board with decorum – loud, boisterous, and disruptive behavior, obscenity, and vulgarity should be avoided as well as other words or acts tending to evoke violence or deemed to be a breach of the peace.
- (7) The Citizens' Comment period is not intended to be a question and answer period or time for dialogue with County officials. Questions which are raised during a comment period may at the discretion of the Board be responded to by County officials after sufficient time for appropriate investigation.
- (8) Speakers shall remain at the podium while addressing the Board.
- (9) Speakers shall not be interrupted by audience comments, calls/whistles, laughter, or other gestures. Individuals in the audience who do not abide by this policy after a warning will be asked to leave the meeting.
- (10) Expressive activities including, but not limited to, petitioning, picketing, displaying signs and posters, solicitation, demonstrating, pamphlet distribution, and conducting polls shall not be permitted within the Administration Building or in any other building that the Board is meeting.

These rules do not preclude persons from delivering to the Board or its Clerk written materials including reports, statements, exhibits, letters, or signed petitions or to prohibit persons from presenting oral or written comments on any subject germane to the business of the Board to individual Board members or to the Board through its Clerk outside the context of the public meeting.

#### J. Agenda Item Procedure

The following guidelines shall be followed for comment addressed to specific agenda items:

- (1) In order to prevent obvious questions from consuming Board Meeting time, the Chairman and/or designated person(s) will give a brief explanation of each agenda item prior to opening the floor for citizens' comments.

**ARTICLE V**  
**PROCEDURE FOR DEALING WITH ITEMS NOT ON THE AGENDA**

- A. All matters not on the agenda must be raised during citizens comment period. Any matter not on the agenda shall not be considered unless approved for consideration by the majority of the Board present in accordance with Article IV, C (2).
- B. For any special meeting, the business to be discussed shall be stated in the call for such meeting. The Chairman or Administrator shall prepare a written agenda listing all items to be considered for every special meeting. No other business shall be discussed or acted upon unless approved for consideration by the majority of the Board present in accordance with Article IV, C (2).

**ARTICLE VI**  
**PUBLIC HEARINGS**

- A. All public hearings will be advertised in accordance with the Virginia Code. Public hearings may be postponed, continued or canceled at the discretion of the Board.
- B. In addition to those required by law, the Board at its discretion may hold public hearings when it decides that a hearing will be in the public interest.
- C. The case before the Board shall be summarized by the Chairman or designated person(s). Interested parties wishing to speak must sign the register at the rear of the room prior to the start of the hearing. Each person wishing to speak will be called to the podium by the Chairman or designated person(s) in the order such person signed the register and must state his or her name and address for the record. Each speaker shall be limited to five (5) or three (3) minutes, unless waived by the Board.
- D. Board Members shall limit their comments in public hearings to ensure participation by the public without Board interference.

**ARTICLE VII**  
**APPOINTMENT OF COMMITTEES**

Appointments to committees of the Board and to authorities, boards, and commissions, shall be made only by Resolution adopted by a majority of the full Board. Prior to consideration of the nomination, the nominee shall be notified to determine his or her willingness to serve and to determine if he or she meets the qualifications for such appointment.

**ARTICLE VIII**  
**DUTIES OF THE COUNTY ADMINISTRATOR**

The County Administrator shall:

- A. Prepare the agenda for each meeting for approval in conformance with the agenda preparation procedure outlined in these bylaws.
- B. Keep a written record of all business transacted by the Board.
- C. Administer the financial control procedures of the County.
- D. Advise and inform the Board on all matters affecting County government.
- E. Execute all formal documents authorized by the Board of Supervisors.
- F. Provide and supervise all staff services directly under the control of the Board of Supervisors.
- G. The County Administrator shall be responsible for all personnel management of the County. Department Directors will be hired and dismissed with the consent of the Board of Supervisors.
- H. Prepare an annual operating budget for the County government in accordance with guidelines established by the State auditor's office for approval by the Board of Supervisors. He shall be responsible for maintaining adequate financial and accounting records on all County business under his control.
- I. Serve as the Board's representative in all circumstances where the Chairman, Vice Chairman, or a majority of the Board Members are not available.
- J. Perform all other duties delegated by the Board as required by law.

**ARTICLE IX**  
**AMENDMENTS**

- A. The Bylaws may be amended by a recorded majority vote of the entire membership of the Board provided that written notice has been given to all members of the Board and a copy of the proposed amendment is sent with the notice, prior to said meeting.
- B. The Bylaws may be suspended in whole or in part only upon the unanimous vote of Board members present, relating to any matter before it.

**CODE OF ETHICS AND STANDARDS OF CONDUCT**  
**FOR MEMBERS OF**  
**THE DINWIDDIE COUNTY BOARD OF SUPERVISORS**

**CODE OF ETHICS**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Dinwiddie County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a part to their evasion.
2. Put loyalty to the highest moral principles and to the County as a whole above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, country of origin or handicapping condition. Avoid adopting policies, supporting programs or engaging in activities that discriminate against or offend individuals because of race, sex, age, religion, creed, and country of origin or handicapping condition.
6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member should never accept for himself or herself or for family members, favors or benefits under circumstances, which might be construed by reasonable persons as influencing the performance of Board of Supervisors duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.
8. Engage in no business with the county government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of Board of Supervisors duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.

9. Never use any information gained confidentially in the performance of Board of Supervisors duties as a means of making private profit.
10. Expose, through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions only to deal with sensitive matters as provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board.
14. Review orally and in public session, at the annual organizational meeting, each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.