

Clarke County Board of Supervisors Rules of Procedure

ARTICLE I—MEETINGS

Section 1-1. Annual Meeting; Schedule of Regular Meetings

On the third Tuesday of January of each year, or on such other date in the month of January as it may designate, the Board shall assemble in the Main Meeting Room, Berryville Clarke County Joint Government Center or such other public place as it may designate, in regular session and conduct its annual or organizational meeting.

During the course of such meeting, the Board shall fix the date, time, and place of all of its regular meetings and work sessions during the ensuing calendar year, and may fix the day on which a regular meeting shall be continued should the Chair later declare that weather or other conditions make it hazardous for members to attend.

Thereafter, no changes shall be made to the schedule of regular meetings and continued dates of same unless the requirements of Section 15.2-1416 of the Code of Virginia, 1950, as amended, are first met.

Section 1-2. Special Meetings

The Board of Supervisors may hold such special meetings as it deems necessary and at such times and places as it may find convenient. The Board Chair or two members of the Board may request a special meeting. The request for a special meeting shall be made to the Clerk and shall include the specific matters to be considered at the meeting. The Clerk shall then notify all Board members of the time, place, and matters to be discussed.

A special meeting can only be called pursuant to the requirements imposed by Sections 15.2-1417 and 15.2-1418 of the Code of Virginia, 1950, as amended.

Section 1-3. Adjourned Meetings

Upon majority vote of the members attending, the Board may continue its meetings, regular or special, from time to time as it may find convenient or necessary. Notice, reasonable under the circumstance, shall be given contemporaneously with the notice provided to the Board.

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 majority vote of the Supervisors present and voting on any such question, unless otherwise provided by law or these Rules of Procedure.

The name of each member voting and how he or she voted will be recorded for each action taken by the Board of Supervisors.

The Board of Supervisors has elected not to have a tiebreaker, as provided for by the Code of Virginia, 1950, as amended.

Section 1-5. Motions

Subject to limitations imposed hereafter in these rules, discussion of items on the agenda shall be permitted for purposes of clarifying the issues and/or the options available for consideration.

No call for a vote shall be allowed until a member of the Board moves a specific action with reasonable clarity and each member of the Board has thereafter had an opportunity to speak to the specific motion. Motions shall not require a second.

When possible, Board members making complex, multi-part, or lengthy motions are requested to provide the clerk with a written copy of the motion at the time the motion is made.

Section 1-6. Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall always be in order and shall be decided without debate, provided each member of the Board is given a reasonable opportunity to be heard.

Section 1-7. Motions While a Question is Under Debate

When a motion is under debate at a meeting of the Board no motion shall be received unless it is one:

- *To amend,*
- *To commit,*
- *To postpone,*
- *For the previous question,*
- *For a substitute motion to lay on the table, or*
- *To adjourn.*

Section 1-8. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced

When any vote upon any motion, resolution, ordinance, or question has been previously announced, it may not be reconsidered unless and until a motion to that effect is presented by a member of the Board who previously voted with the prevailing side when such motion, resolution, ordinance, or question was considered. A motion to reconsider may only be made at the meeting at which the vote was taken, or at the next succeeding regular meeting of the Board or at any intervening meeting of the Board before the next succeeding regular meeting of the Board.

Any such motion to reconsider shall be decided by a majority vote of the members present at the time such motion to reconsider is presented.

Section 1-9. Robert's Rules of Order; Suspending Rules

The proceedings of the Board of Supervisors, except as otherwise provided in these rules and by applicable State law, shall be governed by Robert's Rules of Order.

These Rules of Procedure of the Board may only be suspended on presentation of a motion to that effect, which is carried by unanimous vote of the members present and voting.

Section 1-10. 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 meetings as permitted by law.

Closed meetings may be placed on the agenda, or may be requested by any member of the Board. However, no closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene, and, then, only if such motion accurately states a lawful reason for such closed meeting as permitted by and outlined in Section 2.2-3711 of the Code of Virginia, 1950, as amended. Documents, information, and discussions from a closed session, attorney-client privileged communication, or any other confidential and/or privileged information shall not be disclosed by staff or individual board members without the approval of the Board.

For additional detail, refer to Attachment A – Closed Meetings Procedure of this document.

Section 1-11. Limitations on duration and hour of meetings; Adjournment

Meetings of the Board of Supervisors shall not continue for more than four [4] consecutive hours or later than 10:00 pm without the consent of a majority of the members present.

Should it appear to the Chair that the matter or matters before the Board cannot be heard within the time remaining, the Chair shall poll the members of the Board to determine the desire of the members.

The Chair shall adjourn or recess the meeting upon final action on the current agenda item unless a majority of the members agree to exceed the limits established by this section.

Any items not taken up by the Board of Supervisors prior to adjourning will be added to the agenda of the next meeting without further action of the Board.

Section 1-12. Meetings held through electronic communication means; policy and approval process Individual board member electronic participation not during a declared state of emergency.

It is the policy of Clarke County Board of Supervisors that its individual members may fully participate in meetings of the Board of Supervisors by electronic means as permitted by Virginia Code § 2.2-3708.3. This policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of Board of Supervisors to be physically assembled at the primary or central meeting location, unless a state of emergency has been declared as described in the next section. There must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

Board members wishing to participate remotely must inform the Chair in advance of the public meeting. Remote participation can be used if the board member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance or if a medical condition of the board member's family requires the board member to provide care that prevents the board member's physical attendance. In either case, there is no annual limit on the number of times a board member can participate remotely.

A board member may also participate remotely for a personal matter as long as they notify the Chair in advance and identify with specificity the nature of the personal matter. Electronic participation for personal matters is limited to no more than 25 percent of the meetings held per calendar year.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act.

If electronic participation is approved by the Board, the minutes shall include the reason for electronic participation and the remote location from which the board member participated.

If electronic participation is disapproved, such disapproval shall be recorded in the minutes with specificity.

Meetings held through electronic communication means during declared states of emergency. (Applies to all public bodies)

Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44- 146.17 or the locality in which the public body is located has declared a local state of emergency pursuant to § 44-146.21 subject to the follow procedures and conditions:

- a) The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
- b) The purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities

In addition, the public body must:

- a) Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the local public body conducting the meeting;
- b) Make arrangements for public access to such meeting through electronic communication means and provide the public with the opportunity to comment at those meetings when public comment is customarily received;

- c) Otherwise comply with the provisions of § 2.2-3708.2; and
- d) State in the minutes the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.

ARTICLE II – OFFICERS

Section 2-1. Chair and Vice Chair

At the annual or organizational meeting of the Board of Supervisors, as described in Section 1-3 hereof, the Board shall elect from its membership a Chair and a Vice Chair, each of whom shall serve for a one-year term expiring on December 31st of the same year in which he or she is elected, provided however, that unless the term of office has expired and the member has not been re-elected, the Chair and Vice-Chair shall serve until their respective successor(s) shall have been elected and qualify.

In the event that the Chair is absent from any meeting the Vice Chair shall assume the authority and duties of the Chair.

In the event the Chair and Vice Chair are absent from any meeting of the Board, then, the members present at such meeting shall choose one of their number as temporary Chair by majority vote of the members present and voting.

Section 2-2. Authority of the Chair

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, and the Board will permit no behavior, which is not in keeping with this policy.

The Chair shall preserve order and decorum at all meetings.

- He shall recognize persons desiring to speak and shall ensure that any limitations on time are observed.
- The Chair shall ensure that all persons entitled and desiring to speak are permitted to do so without interruption or comment during their presentation.
- The Chair shall determine if statements are disruptive and shall have the authority to revoke the speaker's right to continue.

The Chair may order the expulsion of any person for violation of rules, disruptive behavior, or any words or action that incite violence or disorder, subject to appeal to the Board.

- Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled.

- Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year, either by the Chair, subject to appeal to the board, or by motion passed by the Board.

The Chair shall have the power to administer an oath of honesty to any person concerning any matter submitted to the Board, or, connected with its powers and duties. The power to administer an oath granted to the Chair in this section shall be no greater than the same power authorized by Section 15.2-1410 of the Code of Virginia, 1950, as amended.

Section 2-3. Clerk

The Clerk of the Board shall be the County Administrator, and the duties and responsibilities of that position shall be as specified in Sections 15.2-407 and 15.2-1539 of the Code of Virginia, 1950, as amended.

At the discretion of the Board, any County employee can be designated as Deputy Clerk, or Temporary Clerk, as the circumstances may require, and said employee shall have the same powers and duties outlined herein for the duration of said appointment.

ARTICLE III—AGENDA

Section 3-1. Preparation

The Clerk shall prepare an Agenda for each meeting of the Board of Supervisors, conforming to the order of business specified in Section 4-1 under Order of Business.

Supporting information for every item to be placed on the Regular Meeting Agenda from department heads or individual board members shall be received in the Office of the County Administrator before the close of the working day on the Monday that falls in the week immediately prior to the regularly scheduled Board meeting.

Agendas for special meetings shall be prepared as far in advance as the circumstances necessitating the special meeting allow.

The Chair shall approve all meeting agendas before they are published. In the absence of the Chair, the Vice Chair shall approve agendas before they are published.

Section 3-2. Delivery

Each member of the Board shall receive the Meeting Agenda, along with the supporting information available to staff, at the same time as it is made available for the public..

Special meeting Agendas and supporting information will be delivered as far in advance as the circumstances necessitating the special meeting allow.

Section 3-3. Posting and Notice

A copy of the Meeting Agendas shall be available in the Office of the County Administrator as of the date and time the information is distributed to members of the Board.

Agendas will also be posted on the County Web page at www.clarkecounty.gov.

Section 3-4. Copies

The Clerk or Deputy Clerk of the Board shall prepare or cause to be prepared extra copies of the Agenda and supporting information, and shall make the same available to the public in the Office of the County Administrator and official County website at the same time that the Agenda is posted pursuant to Section 3-3, above.

Individuals desiring complete paper copies of Agenda packages shall arrange with the Clerk for the delivery and cost of the information desired.

The Clerk or Deputy Clerk shall also have a copy of agenda packet available at each meeting.

ARTICLE IV—CONDUCT OF BUSINESS

Section 4-1. Order of Business

At meetings of the Board, the order of business should normally be as follows:

- a) Call to Order
- b) Adoption of Agenda
- c) Citizens' Comment
- d) Department of Transportation Matters
- e) Department Update [as requested]
- f) Approval of Minutes
- g) Approval of Consent Agenda
- h) Scheduled Presentations
- i) Ratification of Committee Action
- j) Joint Administrative Services Board Monthly Update
- k) Projects Update
- l) Miscellaneous Items
- m) Summary of Required Action
- n) Board Member Committee Status Reports
- o) Closed Session [when required]

When public hearings are scheduled, there will be a recess at this point until 6:30 pm and Items (p), (q), and (r) shall be conducted.

- p) Citizens' Comment
- q) Public Hearings (when required)
- r) Adjournment

Section 4-2. Adoption of Agenda

The Agenda for adoption shall be the agenda prepared and delivered as required in Article III.

The Board shall not take action on any matter not identified in the agenda.

The Board shall not approve additions to the published agenda except for matters requiring the immediate action of the Board on official County business, the nature of which demands deliberation and action and for which the Board cannot schedule timely deliberation and action at its next regular meeting or at a specially called session meeting the requirements of § 2.2-3707. Should a matter arise that requires immediate deliberation and action by the Board, the Chair shall, upon determining the matter is not properly identified on the agenda, call for a motion adding the matter to the agenda and identifying need for immediate action, the call for a special meeting, or directing the matter be placed on the next regular meeting agenda.

This procedure shall not be construed to prohibit the reporting of information by and between Board members and staff or identifying matters requested or recommended for future discussion or decision, or matters of interest to individual members or future meetings of other bodies nor notice of future items or meetings of interest to one or more members of the Board.

Section 4-3. Consent Agenda

The Consent Agenda shall be introduced by a motion “to approve the Consent Agenda”, 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, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to 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 completing the taking of a vote on the motion to approve the Consent Agenda.
- Items, which have been objected to and removed from the Consent Agenda, shall be moved to the Miscellaneous Item on the agenda and be considered individually and in the order in which they were objected to.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution, or other item of business thereon, exactly as if each had been acted upon individually.

Section 4-4. Citizen Comment Period.

Any person desiring to address the Board of Supervisors at the Citizen Comment period shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities. The citizen comment period allows citizens time to address the Board regarding any matter on the agenda, except those scheduled for a public hearing, as well as matters not on the agenda but which the Board has influence.

A register for persons desiring to address the Board of Supervisors during the Citizen Comment Period shall be furnished prior to the beginning of every regular meeting of the Board of

Supervisors. [For sample, refer to Attachment B – Citizen Comment Period – Sign-In Sheet of this document.] Citizens desiring to address the Board of Supervisors during this period shall provide their name, the issue they want to address, and their place of residence on the register provided.

Each speaker at a Citizen’s Comment Period shall be limited to one appearance at each regular meeting of the Board. Individuals speaking during the Citizens’ Comment Period shall be subject to a three minute time limitation unless granted additional time by the Chair.

Members of the Board shall neither engage in debate with, nor shall they be expected to answer questions posed by individuals speaking during the Citizen Comment period.

Should a review of the register indicate that more than two persons desire to speak on the same issue during the Citizen Comment Period the Chair may ask those desiring to speak to pick two people to represent their views.

If those desiring to speak cannot agree on two representative speakers the Chair shall let the first two citizens speak for up to three minutes each but may limit subsequent speakers to the time required to present different opinions or new information.

In lieu of the above, a majority of the Board of Supervisors present and voting at the meeting may direct the matter be scheduled for public comment at the next regular meeting of the Board, and defer public comment until that time.

Citizens have the option of submitting written statements for Citizen Comment. Written statements received shall be given to the Board for their review and shall become part of the public record, but will not be read aloud at the meetings.

Section 4-5. Scheduled Presentations

Any person desiring to address the Board of Supervisors at a Scheduled Presentation period of a Board of Supervisors meeting shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities.

Any citizen or staff member who desires to address the Board during the “Scheduled Presentations” portion of the Agenda at a Regular Meeting shall submit a written request to the Clerk, or his/her designee, identifying, with reasonable certainty, the subject matter of the presentation.

- Such request must be in the Clerk’s hands not later than the Agenda deadline specified in Section 3-1 hereof.
- The bias of the Board is that the Chair should honor all such requests and the person making the request should be allowed at least five [5] 3 minutes of meeting time to address the Board. However, the Chair may delay the request to a future meeting or decline the request entirely if the meeting schedule is full or the topic is deemed to be inappropriate. Any such action on the part of the Chair must be reported to the rest of the Board at the meeting.
- Only the person requesting to make the presentation may do so, unless otherwise permitted by the Chair, and every such speaker shall be subject to a three minute time

limit for the presentation itself, which limit can be extended with agreement of the Chair.

- Board Member questions and discussion of the material presented shall not be subject to any time limit.
- Persons making presentations should be prepared to answer questions and provide detailed information in response to questions from members of the Board.

ARTICLE V – PUBLIC HEARINGS

Section 5-1. Format for Public Hearings

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy.

While it is often necessary to have a presentation by an applicant and staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible.

In order to accomplish this objective it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors as follows:

Section 5-2. Order of Business

At public hearings, the order of business will be as follows:

- a) Identification of Issue and Verification of Notice
- b) Staff Presentation and Board Member Questions
- c) Applicant Presentation and Board Member Questions
- d) Public Comments
- e) Staff or Applicant Response if requested by the Board
- f) Close of Public Hearing
- g) Board discussion and/or consideration

Section 5-3. Identification of Issue and Verification of Required Notice

The Chair shall call upon the appropriate County Staff member to verify that any required notice has been given and to read or summarize the notice for the benefit of those attending the public hearing.

Section 5-4. Staff and/or applicant presentation

The Chair will call upon the appropriate County staff and/or applicant to present such information as is necessary to explain the action requested of the Board of Supervisors.

Presentations will be brief, concise summaries for the Supervisor's and the public's information and understanding, provided that sufficient time will be allowed to present, properly and fairly, the subject matter.

When written information has been provided prior to the hearing, that information should be summarized and only new information should be presented in detail.

Section 5-5. Public Comment

Any person desiring to address the Board of Supervisors at a Public Hearing conducted by the Board of Supervisors shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities.

Prior to permitting public comment, the Chair shall determine, to the best of his ability, the approximate number of persons desiring to comment at the public hearing and shall establish the manner in which speakers are recognized and the length of time each may speak.

Should the Chair determine that the likely number of persons desiring to speak is 10 or more in number, he may direct that individuals desiring to speak register with staff, providing their name and the district in which they reside. Should registration be required, the Chair shall verify that all such registration has been completed before beginning the hearing begins.

Section 5-6. Order of Speaking

Members of the public shall be permitted to speak as the Chair recognizes each, provided that no member of the public shall be recognized to speak a second time until all persons desiring to speak have had an opportunity to do so. In the event the number of persons desiring to speak necessitates a register, speakers shall be recognized in the order in which they have registered.

In the event the number of speakers results in the continuation of a public hearing, any persons registered but not heard at the initial Public Hearing will be the first given an opportunity to speak at the continued hearing.

Section 5-7. Presentation of Comments

Each person may address the Board as many times as the Chair, in his or her discretion, may allow, but no speaker shall exceed the total time limit set by the Chair regardless of the number of times recognized.

Section 5-8. Supervisors' Questions

Upon completion of a presentation by staff, applicant or member of the public, any Member of the Board may ask questions to enhance their understanding of the issue, verify information presented or clarify the action or actions requested.

Members of the Board shall not engage in debate with the person or persons making the presentation.

Section 5-9. Close of Hearing

When the Chair of the Board shall have closed a Public Hearing no further public comments shall be received.

At the close of the public hearing, the Board of Supervisors shall, at its discretion, act or defer action upon the matter set for public hearing. In the event the Board defers action to a later date, the record shall be left open to receive written comments up until the time that a vote is taken.

ARTICLE VI—CITIZEN RESPONSIBILITIES

Section 6-1. Application of Rules.

Any person desiring to address the Board of Supervisors during any portion of a meeting designated for public comment shall be required to abide by the rules governing such presentations as hereafter set forth in these rules.

Section 6-2. Addressing the Board.

All persons speaking at a meeting of the Board during any portion of a meeting designated for public comment shall address their comments to the Board of Supervisors. Speakers shall not engage in debate with other speakers or members of the public.

Questions shall not be asked of other speakers, but may be directed to the Chair of the Board for consideration by the Board in later deliberating the matter.

Section 6-3. Conduct while Speaking

Persons speaking at a meeting of the Board of Supervisors shall do so in a courteous manner.

Cursing or other obscene language or gestures, threats, insults, or other actions intended to harass, provoke or incite a fight, brawl, or other such disorderly response will not be permitted.

Any person whose conduct is contrary to this section will be removed as provided for in section 2-2 of these rules.

Section 6-4. Name and place of residence.

Individuals addressing the Board during any portion of a meeting designated for public comment shall clearly state their name and place of residence prior to making any further comments. Should a person be recognized to speak more than once, they shall identify themselves each time before speaking.

Section 6-5. Organizational Representation

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board,

- a) Disclose for the organization, group, association, corporation, or other entity,
- b) The history,
- c) Size,
- d) Dues,
- e) Structure,
- f) Date of creation,
- g) Requirements for membership,
- h) Tax status; and
- i) Shall reveal the organizations method of determining its official position, and
- j) The speaker's authority to represent the organization.

Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

Section 6-6. Order of Speaking

Persons speaking during any portion of a meeting designated for public comment shall do so in the order in which they are recognized and called upon by the Chair.

Section 6-7. Time Limits

All persons speaking during any portion of a meeting designated for public comment shall observe all time limits established by the board and shall yield the floor when informed their time has expired.

Section 6-8. Registration.

Should registration of speakers be required, all persons desiring to speak shall sign the register, providing their name and place of residence.

Section 6-9. Written copy of comments

Speakers are requested, but not required, to leave written statements and/or comments with the Clerk or Deputy Clerk of the Board to be incorporated into the written record of the meeting.

Section 6-10. Information sources

No person who speaks or otherwise presents information during any portion of a meeting designated for public comment shall knowingly present false or untrue information to the Board of Supervisors, and shall, upon request of any Board Member, provide the source of any information presented.

ARTICLE VII— APPOINTMENTS

Section 7-1. Appointments

At the beginning of each calendar year, Board members shall submit to the Chair the authorities, boards, commissions, and committees to which they desire to serve for the calendar year. Subject to ratification of a majority of the members of the Board of Supervisors, the Chair shall appoint members of the Board to such authorities, boards, commissions, committees or other organizations or positions with consideration given to each Board member's request. The Chair shall also appoint ad hoc committees for special projects or special purposes as deemed necessary by the Chair.

Appointment of citizens to boards, committees and commissions are recommended by the Personnel Committee and approved by the Board of Supervisors.

Appointments to vacancies on the Board of Supervisors shall be filled in accordance with the Code of Virginia.

ARTICLE VIII – REPORTING STRUCTURE & COMMUNICATIONS

Section 8-1. Board Member Requests For Staff Assistance

A. Information is the basis for understanding and action. As such, it is important that the same information be shared by the County Administrator to all Board members at the same time. It is also important that Board members have the ability to get information from different County departments. Inquiries and requests for information, referral of complaints and concerns, requests for assistance in interactions with residents, etc., may be directed by individual Board members to the appropriate department head without going through the County Administrator. All public correspondence addressed to the Board shall be provided to all Board members at the same time by County staff.

B. Requests for assistance in legal matters shall be directed to the County Attorney through the County Administrator or Board Chair.

C. Requests by Board members for assistance by administrative staff members, including department heads, in major projects requiring substantial amounts of time shall be directed to the County Administrator. Such requests may include, but are not limited to, requests for research, the compilation of information, the preparation of ordinances, resolutions or policies to be presented to the Board, attendance or presentations at meetings other than Board meetings, preparation of documents, etc. It shall be the responsibility of the County Administrator to ensure that the project is referred to the appropriate department or departments, that the project is consistent with the administrative staff's work priorities and schedules, and that work approved by the County Administrator is performed in an adequate and timely manner.

D. If the County Administrator feels that a request for assistance from an individual Board member cannot reasonably be accommodated with the existing workload and priorities, the individual Board member shall be so advised, and, if necessary, the matter shall be placed on the next available Board agenda for further guidance.

E. Policy direction should come from the Board as a whole and not individual members.

Section 8-2. Supervision Of County Employees

A. The County Administrator reports directly to and is supervised by the Board. The Board is responsible for making all decisions pertaining to the hiring, supervision, evaluation and termination of the County Administrator.

B. All other employees in the County administration report to and are supervised by the County Administrator and the department heads. The County Administrator shall notify Board members prior to the hiring or termination of any department head. All other County administrative employees shall be hired, supervised, evaluated, and terminated by their respective department heads.

C. Complaints made by the public or employees about the County Administrator shall be forwarded immediately to the Board Chair.

D. Complaints made by the public or employees alleging illegal acts by Board members shall be immediately forwarded to the County Attorney.

Section 8-3. Press Releases

The Board, through its Chair, has the sole authority to issue press releases in the name of the Board concerning pending plans, actions, and policies of the Board. The County Administrator, in consultation with the Chair, may also issue press releases in the name of Clarke County. This policy is in no way intended to inhibit, limit, or impair the necessary flow of information from the County government to the public, nor does it restrict or limit in any way County employees from discussing County business with the press or with the public.

ARTICLE IX— AMENDMENTS

Section 9-1. Amendments

These Rules of Procedure may, from time to time, be revised, repealed, or otherwise amended upon an affirmative vote by a majority of the members of the Board of Supervisors present and voting.

Record of Revisions

Revision No.	Revision Date	<i>Description of Change</i>
New	01/15/02	New Document
1	01/21/03	For consistent language, use Chair and Vice Chair throughout document. Information map and add attachment section: Closed Meetings Procedure, Sample Sign-in Sheets Citizen Comments and Public Hearing
N/A	1/12/04	Reviewed and adopted as written – no change
2	1/18/05	Page 13, Article IV Conduct of Business, Section 4-1. Order of Business, Item J Public Hearings be moved to G; Item I Scheduled Presentations moved to H, and the section renumbered accordingly
3	1/17/06	<i>2006 date set for Board meetings is the third Tuesday of each month beginning at 2:00 pm; The alternate date for meetings for 2006 was set for 2:00 pm on the Thursday following the regularly-scheduled Tuesday; Page 12 Conduct of Business move Item (g) Public Hearings to Item (n) and list Item (e) Citizens' Comment in afternoon and evening session as Item (m)</i>
4	3/20/07	<i>2007 regular meeting date and alternate remain unchanged. Start time changed from 2:00 pm to 1:00 pm. Section 4-5 Scheduled Presentations add bullet "The bias of the Board is that the Chair . . . rest of the Board at the meeting."</i>
5	01/12/2009	Amend Section 1-1. Annual Meeting; Schedule of Regular Meetings Main Meeting Room, Berryville Clarke County Joint Government Center, Board of Supervisors' Meeting Room of the Circuit Courthouse, Berryville, Virginia; Amend Section 3-3. Posting and Notice and included with the calendars mailed pursuant to § 2.2-3707(E) of the Code of Virginia, as amended. ; Amend Section 5-6. Order of Speaking; Remove Attachment C
6	01/01/2010	Amend 1-8 Reconsideration of Motions, Etc., Upon Which Vote Has Been: Remove At any meeting of the Board, ... Add - A motion to reconsider may only be made at the meeting at which the vote was taken, or at the next succeeding regular meeting of the Board or at any intervening meeting of the Board before the next succeeding regular meeting of the Board. Announced 4-1 Order of Business: Add School Board Update after Adoption of Agenda, Add Board Member Committee Status Reports after Closed Session [when necessary]
7	01/01/2011	3.3 change from www.co.clarke.va.us to www.clarkecounty.gov ; 3.4 change from the Public Library to official County website ; add Individuals desiring complete paper copies . . .;
8	01/09/2012	Section 4-1 Order of Business: Add Item j) Joint Administrative Services Board Monthly Update; move Board of Supervisors Committee Status Reports before Closed Session; move f) Citizen Comment Period and g) Department of Transportation Matters below item c) and re-letter; add to first sentence "normally"

9	1/7/2013	Change Article IV —Conduct Of Business Section 4-1. Order of Business Move Citizen Comment Period to Item C after Adoption of Agenda.
10	1/13/2014	Article 1 Meetings Section 1-11. Limitations on duration and hour of meetings; Adjournment change from three [3] to four [4] hours. Article IV – Conduct of Business Section 4-1. Order of Business d) School Board Update add [as requested]
11	1/12/2015	Add Section 1-12. Electronic Participation in Meetings from Remote Locations
12	1/08/2018	Amend and replace Section 4.2 Adoption of Agenda
13	08/29/2018	Amend and retitle “Section 1-12. Electronic Participation in Meetings from Remote Locations” to “Section 1-12 Meetings held through electronic communication means” as set forth in § 2.2-3708.2. Sections §2.2-3708 and §2.2-3708.1 repealed by Acts 2018
14	01/06/2020	Section 4.4 – Citizen Comment Period: Delete “and only issues that are not scheduled for future Public Hearings may be addressed”, Change five minutes to three minute limit (3 locations all in Section 4.4, Add “unless granted additional time by the Chair”.
15	01/17/2023	Section 1-10 corrected state code section and revise Section 1-12 to reflect changes to the Code of Virginia.
16	01/12/2026	Re-format entire document; update sections 1-1, 1-2, 1-3, 1-10, 2-2, 3-1, 3-2, 4-1, 4-4, 5-2, 6-2, & 7-1 to align with current practices and state code requirements. Add Article 8 – Reporting Structure & Communications.

Attachment A – Closed Meetings Procedure

Closed Meetings can be held only for discussion of certain limited topics and can be entered only from a properly convened public meeting upon motion of a member of the Board of Supervisors. Most frequently, the Board of Supervisors convenes a closed session to discuss one of the following:

- Specific Employees or appointees of the Board - §2.2-3711-A1
- Acquisition or Sale of Property - §2.2-3711-A3
- Privacy of individuals in personal matters - §2.2-3711-A4
- Discussion of unannounced business location - §2.2-3711-A5
- Discussion of the investment of public funds where competition or bargaining is involved - §2.2-3711-A6
- Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711-A7
- Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body - §2.2-3711-A29

To convene a closed session, a member of the Board of Supervisors should:

“Move to convene a closed session pursuant to Section (see section number above), of the Code of Virginia, as amended, to discuss (identify to extent possible).”

To reconvene in public session after a closed session, the Board of Supervisors should readmit the public and only then a member of the Board should:

“Move to reconvene in open session.” With the vote taken immediately thereafter.

Next, a member of the Board should:

“Move to certify that to the best of the member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Chapter 2.2-3700, et sec, of the Code of Virginia, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board.”

A roll-call vote is required. Any member of the Board who believes that there was a departure from the requirements of the certifications in the above motion shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. That statement shall be recorded in the minutes of the Board.

Attachment B – Citizen Comment Period – Sign-In Sheet

Citizen Comment Period - Sign-In Sheet

Name (Please Print)	Address	Topic
1.		
2.		
3.		
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18.		

If you are representing an Organization: Rules of Procedure - Section 6-5. – Organizational Representation

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board, disclose for the organization, group, association, corporation, or other entity, the history, size, dues, structure, date of creation, requirements for membership, tax status; and shall reveal the organizations method of determining its official position and the speaker’s authority to represent the organization. Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

End of document.