

AMENDED

**TITLE: BY-LAWS AND RULES OF ORDER OF THE
BOARD OF SUPERVISORS, PITTSYLVANIA COUNTY, VIRGINIA
(B.S.M. 02/02/04) (B.S.M. 04/15/08)(B.S.M. 02/02/09)**

PURPOSE:

To establish and set forth certain rules to provide for the orderly conduct of County business, to prescribe the manner and procedure by which the Board of Supervisors shall conduct matters of business, and to provide for the efficient handling thereof.

GENERAL:

The term "Board of Supervisors" shall also be understood to mean "the Board" wherein it appears.

Article I.

Election, Composition, and Function of the Board

- 1.1. The Board shall be composed of seven members who shall be elected by the qualified voters of the County; one member shall be elected from each of the several election districts for a concurrent term of four years.
- 1.2. At the first regular meeting of the Board in January each year, there shall be elected a chairman to serve for a period of one year or until replaced by the Board membership. The County Administrator, serving as temporary Chairman, shall take nominations. Nominations require a second, and the vote will be taken in the order the nominations are made. A majority vote is required; a majority shall mean four (4) votes. It shall be the Chairman's duty to preside at all Board meetings, to maintain the orderly conduct thereof, and rule on all matters of parliamentary procedure. He shall sign all voucher warrants of the County; and when the Board is not in session, he shall provide policy guidance to the County Administrator and the County Attorney. The Chairman shall continue to be a voting member of the Board.
- 1.3. The Board shall also elect a Vice-Chairman to serve a concurrent term with the Chairman. In absence or incapacity of the Chairman, the Vice-Chairman shall assume all the duties and functions of the Chairman.
- 1.4. The Board shall have both administrative and legislative responsibilities, some of which shall be discharged in their role as governing body and some of which they derive as an administrative political subdivision of the Commonwealth. The powers and duties of the Board shall include, but not be limited to, the following:

preparation and adoption of the County Budget, levying of taxes, appropriating funds, constructing and maintaining County buildings, making and enforcing ordinances, providing for the general health safety and welfare of the public, and generally exercising all other powers and functions normally attributed to government and permitted by the Laws of the Commonwealth.

Proposed Change

Article II.

Meetings

- 2.1. The Board shall meet regularly on the first Monday and the third Tuesday of each month at 7:00 p.m. in the County Courthouse for the purpose of discharging their administrative and legislative responsibilities. All meetings of Board of Supervisors Committees shall be held at the County Government Complex in Chatham, Virginia.
- 2.2. All such meeting shall be open to the public and shall be conducted in an orderly fashion with “Roberts Rules of Order” modified by State Law, being used as the parliamentary procedure.
- 2.3. The Sheriff of the County or his designee shall act as “Sergeant of Arms” at all meetings of the board and shall, when so directed by the Chairman, expel any person or persons from such meetings.
- 2.4. For the purpose of address and order, the Board and its staff shall sit behind the “public rail” in the Courtroom and all other persons shall sit in front of the “public rail”.
- 2.5. Agendas shall be prepared by the Board’s staff and used at all meetings. All items requested to be placed on the agenda shall be submitted in writing to the County Administrator five (5) working days before the meeting; however, members of the Board of Supervisors may make oral requests. Any items received after that time shall appear on the next regular meeting agenda unless all members of the Board are present and by a unanimous vote to place such items upon the agenda.
- 2.6. The order of business at all regular meetings of the Board shall be as follows:
 - No additional items of business shall be considered after the agenda is approved.
 - A. Call to Order
 - B. Roll Call

- C. Invocation
 - D. Pledge of Allegiance
 - E. Approval of Agenda
 - F. Hearing of Citizens
 - G. Unfinished Business
 - H. Consent Agenda
 - I. Public Hearing (if any)
 - J. New Business
 - K. Appointments
 - L. Report of Committees and Officers
 - M. Adjournment
- 2.7. Closed Meetings of the Board shall be requested in the same manner as prescribed in Section 2.5 or by a motion to suspend the rules carried by a majority of the Board; provided all Board members are present.
- 2.8. Public hearings shall be conducted as follows and any person wishing to address the Board shall do so in this manner:
- Each person addressing the Board shall step up, give his/her name and address in an audible tone of voice for the records, and unless further time is granted by the Chairman, shall limit his/her address to 10 minutes. No person shall be permitted to address the Board more than two times on the same subject in any one meeting. All remarks shall be addressed to the Board as a body and not to any individual member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or indirectly or through a member of the Board, without first being recognized by the Chairman. No question shall be asked a Board member except through the Chairman.
- 2.9. The Board may from time to time hold special, adjourned, and informational meetings in accordance with the Laws of the Commonwealth.
- 2.10 Each oral motion or resolution shall be taken down by the Clerk, or Chairman and read to the whole Board by the Clerk or the Chairman before any vote is taken.

Article III.

County Administrator

- 3.1. The Board may appoint a County Administrator who shall serve at the pleasure of the Board. Once appointed, the County Administrator shall be the Chief Administrative Officer of the County and shall perform his/her duties in accordance with the laws of the commonwealth and the policies of the County as established by the Board in regular or special session for that purpose. When the Board is not in session, the County Administrator shall receive guidance concerning policy from the Chairman, and in his absence, the Vice-Chairman.
- 3.2. The County Administrator shall be in complete charge of personnel of the County and shall, in accordance with established policy, hire and fire. Any action of the County Administrator concerning dismissal of personnel is subject to review by the Board and can be reversed by two-thirds vote of the Board. Such review shall be limited to charges of discrimination and failure to follow personnel policies on the part of the Administrator in the conduct of dismissal.
- 3.3. The County Administrator shall serve as the purchasing agent for the County as defined by Chapter 26- Section 2 of the Pittsylvania County Code.
- 3.4. He shall have charge of the administration of the financial affairs of the County and to that end shall have authority and be required to:
 - (a) Cooperate with the Board of Supervisors in compiling estimates for the current expense and capital budgets.
 - (b) Supervise and control all encumbrances, expenditures, and disbursements to insure that budget appropriations are not exceeded; and keep the Board of Supervisors advised as to the financial needs of the County.
 - (c) Require at such intervals as he may deem expedient or as instructed by the Board of Supervisors, report of receipts from each of the departments, boards, commissions, agencies, and he may prescribe the times at and the manner in which money is received by them shall be paid to the County Treasurer of deposited subject to modifications as prescribed and set forth in the general laws of the Commonwealth of Virginia.
 - (d) Examine all contracts, purchase orders, and other documents, which create financial obligations against the County, and approve the same only upon ascertaining that money has been appropriated and allotted therefore, subject, however, to the provision that the Board of Supervisors may in its discretion and judgment, amend, modify, and alter this requirement to meet a specific

need or requirement of a particular piece of legislation approved by the Board of Supervisors.

Article IV.

County Attorney/Legal Counsel

- 4.1. The Board may appoint a County Attorney in accordance with the laws of the Commonwealth. The County Attorney shall serve as legal advisor to the Board and the County Administrator. He/she shall, when so directed by the Board, draft ordinances in accordance with State Law.
- 4.2. The County Attorney shall perform his/her duties in accordance with the Laws of the Commonwealth and County Policy as established by the Board in session. When the Board is not in session, he/she shall receive guidance concerning policy from the Chairman or, in his absence the Vice-Chairman.
- 4.3. The Board of Supervisors may contract for legal counsel to provide legal advice and guidance. Contracted counsel shall work for the Board of Supervisors and provide day-to-day advice and guidance to County Administration staff as contracted.

Article V.

Standing Committees

- 5.1. The Standing Committees of the Board shall be as follows:
 - (a) Finance: To aid and advise in the preparation on the County Budget and make recommendations concerning Fiscal Policy.
 - (b) Personnel: To review policies and practices and make recommendations regarding the same.
 - (c) Property: To view buildings and grounds and make recommendations regarding the same.
- 5.2. Membership to the above committees shall be appointed by the Board Chairman from the membership of the Board and may include citizen membership. Any

appointment so made shall be for a specific term of office as determined by the Chairman.

- 5.3. The Board may, from time to time, direct that the Chairman appoint committees for a specific purpose with a limited duration.

Article VI.

Certain Ordinances and Resolutions to Lie Over

- 6.1. No ordinance or resolution imposing taxes or appropriating money from general fund balances, not included in the adopted budget, in excess of \$5,000 shall be passed until after ten (10) days from the introduction thereof. This shall not restrict the appropriation of State, Federal, or other funds not in the current General Fund balances

Article VII.

Recordation of Ordinances and Resolutions

- 7.1. Every ordinance upon its final passage shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer and the County Administrator.
- 7.2. Every resolution shall be authenticated and recorded in the same manner as in 7.1 above.
- 7.3. Every motion appropriating funds or adopting an ordinance shall be by roll call vote.

Article VIII.

Amendments and Adoptions

- 8.1. Amendments to these By-Laws and procedures may be made at any meeting of the board by a majority vote of the Board present, after a notice of intent to amend has been given to each Board member not less than ten (10) days prior to such meeting.

- 8.2. Adoption of the By-Laws and procedures shall be by simple majority vote of the Board and shall be in force and effect on the day after their passage.

Re-Adopted this 7th day of January, 2008 by a recorded vote of:

Ayes

Nays

Marshall A. Ecker
Henry A. Davis, Jr.
William H. Pritchett
James H. Snead.
Tim R. Barber
Fred M. Ingram
Coy E. Harville

Amended by the Board of Supervisors February 2, 2004.

Amended by the Board of Supervisors April 15, 2008.

Amended by the Board of Supervisors February 2, 2009.