BY-LAWS, RULES OF PROCEDURE, AND STANDARDS OF CONDUCT OF THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, VIRGINIA

(B.S.M. 2/02/04, 4/15/08, 2/02/09, 2/01/10, 4/20/10, 9/20/11, 6/19/12, 2/4/13, 7/01/13, 10/06/14 ,11/03/14

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 (7) members who shall be elected by the qualified voters of the County; one (1) member shall be elected from each of the seven (7) election districts. Pursuant to § 24.2-219 of the Code of Virginia, 1950, as amended, beginning with the November 2015 General Election, the Pittsylvania County Board of Supervisors shall be elected to staggered terms as follows: the voters in the Banister, Callands-Gretna, and Dan River Election Districts shall elect a member of the Board of Supervisors for a two-year term, and the voters in the Chatham-Blairs, Staunton River, Tunstall, and Westover Election Districts shall elect a member of the Board of Supervisors for a four-year term. At the November 2017 General Election, the voters in the three (3) Election Districts in which a Supervisor was elected for a two -year term shall elect a Supervisor for a four-year term, and thereafter elections for all Supervisors will be held on a biennial basis for four-year terms.

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 (1) year expiring on December 31st, 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. In the case where the Chairman and Vice Chairman are absent from a meeting, the members present shall choose one of their number as temporary 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.

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. for the purpose of discharging their administrative and legislative responsibilities.

2.2. All such meetings shall be open to the public and shall be conducted in an orderly fashion with "Robert's 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 in front of the "public rail" in the Courtroom and all other persons shall sit behind 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.

Call to Order
Moment of Silence and/or Silent Prayer
Roll Call
Pledge of Allegiance
Items to be Added to the Agenda
Approval of Agenda
Consent Agenda
Public Hearing (if any)

Presentations/Recognitions
Hearing of Citizens
Unfinished Business
New Business
Appointments
Reports from Board Members
Reports from Officers and Committees
Reports from County Attorney
Reports from County Administrator
Closed Meeting (if needed)
Adjournment

2.7. All presentations to the Board shall normally be limited to no more than ten (10) minutes, except as herein provided.

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 district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes; speakers for a group shall be limited to ten (10) minutes. Speakers shall conclude their remarks at that time unless the consent of the Board is affirmatively given to extend the speakers allotted time. No person shall be permitted to address the Board more than once on the same subject in any one (1) meeting, but may also address the Board once on more than one (1) subject. 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.

2.8.1. Hearing of Citizens shall be identified on the agenda of regular meetings of the Board of Supervisors.

Each person addressing the Board shall be a resident or land owner of Pittsylvania County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. Speakers shall conclude their remarks at that time, unless the consent of the Board is affirmatively given to extend the speaker's allotted time. 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 Deputy Clerk or Chairman and read back to the whole Board by the Deputy Clerk or the Chairman before any vote is taken.

2.11. Matters presented by the Board are generally used for individual Board members to share information with other members of the Board and the public. Prior to the agenda being prepared, a member of the Board may contact the Clerk or Deputy Clerk and have an item included under this heading. The County Administrator shall prepare an Executive summary which will inform other members of the Board of the particulars pertaining to this item.

2.12. 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.

2.13. 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 viva voce vote of a majority of the supervisors voting on any such question, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded. The Board of Supervisors has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any motion shall be considered defeated as provided for in Section 15.2-1420 of the Code of Virginia, 1950, as amended.

Each member present when a question is put shall vote "yes" or "no." No member shall be excused from voting except on matters involving the consideration of his own official conduct or where his own financial interests are involved or where he may have a conflict of interest, pursuant to the Virginia State and Local Government Conflict of Interests Act (Title 2.2, Chapter 31 of the Code of Virginia, Section 2.2-3100, 1950, as amended).

2.14. Procedure for Roll Call for Board Members

(1) The Members of the Board shall cast votes in district order on a rotating basis.

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

2.15. Remote Participation in Board Meeting

As authorized by § 2.2-3708.1 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Pittsylvania County, Virginia, shall allow the participation of members of the Board in a meeting through electronic communication means from a remote location that is not open to the public subject to complying with all parts of the following written policy:

1. On or before the day of a meeting, the Supervisor shall notify the Board Chairman that the Supervisor is unable to attend the meeting due to an emergency or a personal matter and the Supervisor shall identify with specificity the nature of the emergency or personal matter, or the

Supervisor shall notify the Board Chairman that the Supervisor is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the Supervisor's physical attendance. The Board shall record the specific nature of the emergency, personal matter, or fact of temporary or permanent disability, and the remote location from which the absent Supervisor participated in its minutes.

2. If the absent Supervisor's remote participation is disapproved because such participation would violate the strict and uniform application of this written policy, such disapproval shall be recorded in the Board's minutes.

3. Such participation by the absent Supervisor shall be limited in each calendar year to two (2) meetings, or 25 percent (25%) of the meetings of the Board, whichever is fewer.

4. A quorum of the Board shall be physically assembled at the primary or central meeting location.

5. The Board shall make arrangements for the voice of the absent Supervisor to be heard by all persons in attendance at the primary or central meeting location.

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 or deposited subject to modifications as prescribed and set forth in the general laws of the Commonwealth of Virginia.

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. Standing Committees.

4.1. The Standing Committees of the Board shall be as follows:

(a) Finance/Insurance: 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/Building: To view buildings and grounds and make recommendations regarding the same.

(d) Legislative Committee: The Legislative Committee, in collaboration with the County Attorney, shall review, propose changes, and maintain current revisions to the Bylaws, Rules of Order and Standards of Conduct of the Pittsylvania County Board of Supervisors; review, propose changes and maintain current revisions to the Pittsylvania County Board of Supervisors Policies and Procedures Manual; and review, propose changes, set public hearings for any proposed changes, and maintain current revisions to the Pittsylvania County Codes and Compliances.

4.2. 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.

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

4.4. The Chairman shall be authorized to temporarily participate, including voting, in any committee of the Board of Supervisors for the purpose of creating a quorum and/or taking action.

ARTICLE V. Certain Ordinances and Resolutions to Lie Over.

5.1. 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 VI. Recordation of Ordinances and Resolutions.

6.1. Every resolution 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.

6.2. Every resolution shall be authenticated and recorded in the same manner as in 7.1-above.

6.3. Every motion appropriating funds or adopting an ordinance shall be by roll call vote.

6.4. Every ordinance passed by the Board of Supervisors shall be incorporated into the Pittsylvania County Code.

ARTICLE VII. Standards of Conduct.

Preamble

The citizens and businesses of Pittsylvania County, Virginia, are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial, and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
To this end, the Pittsylvania County Board of Supervisors has adopted this Standards of Conduct for members of the Board and of the County's boards, commissions, and committees, to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Pittsylvania County and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Pittsylvania County Board of Supervisors, boards, commissions, and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the County of Pittsylvania, Virginia, in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Code of the County of Pittsylvania, Virginia; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and County ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, and committees, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Board of Supervisors and boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Supervisors by County staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Supervisors or boards, committees, and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict members who have minor business or professional dealings

with clients whose matters come before them. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

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 governmental duties.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as County staff time, equipment, supplies, or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board of Supervisors or any board, committee, commission, or proceeding of the County, nor shall members of boards, committees, or commissions appear before their own bodies or before the Board of Supervisors on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the Board of Supervisors, boards, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall explicitly state they do not represent their body or Pittsylvania County, nor will they allow the inference that they do.

14. Policy Role of Members

The Board of Supervisors determines the policies of the County with the advice, information, and analysis provided by the public, boards, commissions, and committees, and County staff. The Board of Supervisors delegates authority for the administration of the County to the County Administrator. Members, therefore, shall not interfere with the administrative functions of the County or the professional duties of County staff, nor shall they impair the ability of staff to

implement Board policy decisions. Inquiries to staff shall be made through the County Administrator or the appropriate department manager or director.

15. Independence of Board and Commissions

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, members of the Board of Supervisors shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee, or commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive workplace environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the County, the Pittsylvania County Standards of Conduct is intended to be self-enforcing. Therefore, it becomes most effective when members are thoroughly familiar with and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for the Board of Supervisors, applicants to boards, committees, commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the Pittsylvania County Standards of Conduct. In addition, the Board of Supervisors, boards, committees, and commissions, shall annually review the Standards of Conduct and the Board of Supervisors shall consider recommendations from boards, committees, and commissions to update it as necessary.

18. Compliance and Enforcement

The Pittsylvania County Standards of Conduct expresses standards of ethical conduct expected of members of the Pittsylvania County Board of Supervisors, boards, committees, and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees, and commissions and the Chairman of the Board of Supervisors have the additional responsibility to intervene when actions of members that appear to be in violation of the Standards of Conduct are brought to their attention.

As allowed by law, the Board of Supervisors may impose sanctions and fines on members whose conduct does not comply with the County's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Board of Supervisors also may remove members of Board-appointed

boards, committees, and commissions from office.

A violation of this Standards of Conduct shall not be considered a basis for challenging the validity of a Board of Supervisors, board, committee, or commission's decision.

MODEL OF EXCELLENCE
PITTSYLVANIA COUNTY BOARD OF SUPERVISORS, BOARDS, COMMITTEES, AND COMMISSIONS
MEMBER STATEMENT

As a member of the Pittsylvania County Board of Supervisors, or of a Pittsylvania County board, committee, or commission, I agree to uphold the Standards of Conduct for elected and appointed officials adopted by the County. I affirm that I have read and understand the Pittsylvania County Standards of Conduct.

Signature_____
Date: _____
Name (printed):_____
Office/Board/Committee/Commission: _____

ARTICLE VIII. Amendments and Adoptions.

8.1. Amendments to these By-Laws, Rules of Procedure, and Standards of Conduct 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.

Amended this 4th day of February, 2013, by a recorded vote of:

Ayes Nays