

<p style="text-align: center;"><b>ACTIONS</b>  <b>Board of Supervisors Meeting of January 8, 2020</b></p>		
		January 10, 2020
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 1:02 p.m. by the County Executive, Mr. Richardson. All BOS members were present. Also present were Greg Kamptner, Claudette Borgersen and Travis Morris.</li> </ul>		<a href="#">Link to video</a>
4. Election of Chairman. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ELECTED</b> Ned Gallaway as Chair for Calendar Year 2020.</li> </ul>		
5. Election of Vice-Chairman. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ELECTED</b> Donna Price as Vice-Chair for Calendar Year 2020.</li> </ul>		
6. Appointment of Clerk and Senior Deputy Clerk. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>APPOINTED</b> Claudette Borgersen as Clerk and Travis Morris as Senior Deputy Clerk for Calendar Year 2020.</li> </ul>		
7. Board 2020 Calendar. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>SET</b> the meeting times, dates and places for Calendar Year 2020 as follows: first Wednesday of the month at 1pm, and the third Wednesday of the month at 1pm, with said meetings to be held in the County Office Building on McIntire Road; and <b>SET</b> the meeting dates for January 2021 as January 6 at 1pm, and January 20 at 1pm.</li> <li>By a vote of 6:0, <b>SET</b> time for budget work sessions as 3pm-6pm with the exception of February 25, which will be held from 5-8pm, cancelled the February 28 meeting, and set the start time for the February 19, 2020 County Executive Presentation of the Budget as 12pm.</li> </ul>	<u>Clerk:</u> Advertise in The Daily Progress and post notice on the door of Lane Auditorium.	
8. Adoption of Rules of Procedures. a. Rules of Procedure. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the Board Rules of Procedures.</li> </ul> b. Adoption of Policies. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the Board Policies.</li> <li>Mr. Kamptner noted that the practice of making the revisions was to adopt the rules as they are in the packet that day, and then a Supervisor would give the notice of intention to amend.</li> </ul> c. Review of Board of Supervisors Operating Guidelines. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> Board Operating Guidelines.</li> </ul>	<u>Clerk:</u> Forward copy to Board members, County Attorney and Community Development. (Attachment 1)  <u>Clerk:</u> Schedule when notice of intent is provided. (Attachment 2)  (Attachment 3)	
9. Adoption of Final Agenda. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the final agenda.</li> </ul>		
10. Brief Announcements by Board Members. <u>Donna Price:</u>		

<ul style="list-style-type: none"> <li>Expressed her appreciation for the involvement of the community to make Albemarle County a better place to live.</li> <li>Reported on her attendance to an HVAC install by Beck Cohen, who also donated a brand-new system at substantial cost, into a house which had been identified by AHIP as a family that was in need.</li> <li>Mentioned that she was invited to the ribbon cutting at the Space of Scottsville, a local non-profit and commented that the Town of Scottsville is important not just to Albemarle County, but to surrounding communities such as the counties of Fluvanna, Nelson, and Buckingham.</li> </ul> <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> <li>Mentioned her excitement working with the Board, County staff and bringing new ideas and opportunities into the County.</li> <li>Mentioned that she would be attending the Lewis and Clark event for the 275th Anniversary on January 9, 2019.</li> </ul> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> <li>Reminded everyone that it was not too late to get a flu shot.</li> <li>Announced that Superintendent Matt Haas was presenting his funding request, in Lane Auditorium on January 23, 2020 at 6:30 p.m.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Welcomed the new Supervisors and noted the work that the County has done, the strides the County has made and the mentioned things that still need to be done to ensure the County's future.</li> </ul>		
<p>12. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li><u>Peter Krebs</u>, Piedmont Environmental Council, spoke towards item #15 on the agenda.</li> <li><u>Gary Grant</u>, Rio District, spoke towards excessive speeding on Earlysville Road and mentioned that violators were not caught, arrested, charged, or convicted.</li> <li><u>Eddie Payne</u>, Scottsville District, spoke towards the Second Amendment.</li> <li><u>John Springett</u>, spoke towards 999 Rio Road and remarked that there was not a consolidated or comprehensive corridor study.</li> <li><u>Neil Williamson</u>, Free Enterprise Forum, welcomed the new Supervisors and commented that the Free Enterprise Forum exists to move the community forward and it stands ready to help the Board move forward in the "year of clear vision" and that they look forward to working collaboratively with the Board in 2020.</li> <li><b><u>The following individuals spoke toward climate change and the County's Climate</u></b></li> </ul>		

	<u><b>Action Plan.</b></u> <ul style="list-style-type: none"> <li>• Susan Kruse</li> <li>• Dr. Charles Battig</li> <li>• Mason Pickett</li> </ul>		
13.1	FY 2020 Appropriations. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, Resolution to approve appropriations #2020041, #2020042, #2020043, #2020044, #2020045, #2020046, and #2020047 for local government and school division projects.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 4)	
13.2	Resolution in Support of Traffic Incident Management Legislation. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, Resolution of Support.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to County Attorney's office. (Attachment 5)	
	<b>Recess.</b> The Board recessed at 3:04 p.m., and reconvened at 3:16 p.m.		
14.	HS201900013 Crozet Restorations Homestay Special Exceptions. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, Resolution to approve the two special exceptions with the conditions contained therein.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)	
15.	Transportation Planning Quarterly Report. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>		
16.	Virginia Department of Transportation (VDOT) Quarterly Report. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>		
17.	Office of Equity and Inclusion First Year Report. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> <li>• By a vote of 6:0, <b>ADOPTED</b> resolution reaffirming its commitment to an equitable and inclusive community.</li> </ul>	(Attachment 7)	
21.	From the Public: Matters not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> <li>• <u><b>The following individuals spoke toward Second Amendment Sanctuary.</b></u> <ul style="list-style-type: none"> <li>• Andrew King</li> <li>• Thomas Sikes</li> </ul> </li> </ul>		
18.	Closed Session. <ul style="list-style-type: none"> <li>• At 6:09 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia.</li> <li>• Under Subsection (1): <ol style="list-style-type: none"> <li>1. To discuss and consider appointments of Supervisors as members or liaisons to various County authorities, boards, and other public bodies, including the Albemarle Broadband Authority, the Charlottesville-Albemarle Convention and Visitors' Bureau Executive Committee, and the Metropolitan Planning Organization; and</li> <li>2. To discuss and consider appointments of citizens to various County authorities, boards, and other public bodies, including the Albemarle Broadband Authority, the Economic Development Authority, the Planning Commission, and the Board of Equalization.</li> </ol> </li> </ul>		
19.	Certified Closed Meeting. <ul style="list-style-type: none"> <li>• At 7:49 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>		

<p>20. Boards and Commissions.</p> <p>a. Board Member Committee Appointments.</p> <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> <li>• Audit Committee with said term to expire December 31, 2020.</li> <li>• Darden Towe Park Memorial Committee with said term to expire December 31, 2020.</li> <li>• Places 29 (Rio) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Regional Transit Partnership with said term to expire December 31, 2020.</li> <li>• Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2020.</li> </ul> <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> <li>• Capital Improvement Plan (CIP) Committee with said term to expire December 31, 2020.</li> <li>• Darden Towe Park Memorial Committee with said term to expire December 31, 2020.</li> <li>• Pantops Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Places 29 (North) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Regional Transit Partnership with said term to expire December 31, 2020.</li> <li>• Rivanna River Basin Commission with said term to expire December 31, 2020.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>• Agricultural and Forestal Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Charlottesville-Albemarle Convention and Visitor's Bureau (Executive Committee), with said term to expire December 31, 2020</li> <li>• Crozet Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• High Growth Coalition with said term to expire December 31, 2020.</li> <li>• Historic Preservation Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Metropolitan Planning Organization (MPO): with said term to expire December 31, 2020.</li> <li>• Piedmont Workforce Network Council (designee in absence of Chair) with said term to expire December 31, 2020.</li> <li>• Rivanna River Basin Commission with said term to expire December 31, 2020.</li> <li>• Workforce Investment Board, Board Liaison, with said term to expire December 31, 2020.</li> </ul> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> <li>• Charlottesville-Albemarle Convention and Visitor's Bureau (Executive Committee), with said term to expire December 31, 2020.</li> </ul>		
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<ul style="list-style-type: none"> <li>• Economic Development Authority, Board Liaison, with said term to expire December 31, 2020.</li> <li>• Places 29 (Hydraulic) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Police Department Citizens Advisory Committee, Board liaison, with said term to expire December 31, 2020.</li> <li>• Regional Housing Partnership - Designee for Executive Committee with said term to expire December 31, 2020.</li> <li>• Regional Transit Partnership with said term to expire December 31, 2020.</li> </ul> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> <li>• 5<sup>th</sup> and Avon Community Advisory Committee with said term to expire December 31, 2020.</li> <li>• Acquisitions of Conservation Easement (ACE) Committee with said term to expire December 31, 2020.</li> <li>• Audit Committee with said term to expire December 31, 2020.</li> <li>• Solid Waste Alternatives Advisory Committee (SWAAC) with said term to expire December 31, 2020.</li> </ul> <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> <li>• 5<sup>th</sup> and Avon Community Advisory Committee with said term to expire December 31, 2020.</li> <li>• Albemarle Broadband Authority said term to expire December 31, 2020.</li> <li>• Capital Improvement Plan (CIP) Advisory Committee with said term to expire December 31, 2020.</li> <li>• Hazardous Materials Local Emergency Planning Committee with said term to expire December 31, 2020.</li> <li>• Solid Waste Alternatives Advisory Committee (SWAAC) with said term to expire December 31, 2020.</li> <li>• Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2020.</li> <li>• TJPDC Rural Transportation Advisory Council</li> <li>• Village of Rivanna Community Advisory Council, Board Liaison, with said term to expire December 31, 2020.</li> </ul> <p>b. Vacancies and Appointments:</p> <ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Mr. Leo Mallek to the Acquisition of Conservation Easement (ACE) Committee, with said term to expire August 1, 2022.</li> <li>• <b>APPOINTED</b> Mr. Trevor Henry to the Albemarle Broadband Authority, to fill an unexpired term ending June 7, 2021.</li> <li>• <b>APPOINTED</b> Mr. John P. Moore to the Albemarle Conservation Easement Authority (ACEA), with said term to expire December 13, 2022.</li> </ul>		
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Clerk: Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.

<ul style="list-style-type: none"> <li>• <b>REAPPOINTED</b> Mr. Richard C. Armstrong as the Scottsville District representative and Mr. Clarence Roberts as the Rivanna District representative to the Albemarle County Service Authority, with said terms to expire December 31, 2023.</li> <li>• <b>APPOINTED</b> Mr. John W. Parcels to the Albemarle County Service Authority, as the White Hall District representative, with said term to expire December 31, 2023.</li> <li>• <b>REAPPOINTED</b> Ms. Jennie More to the Social Services Advisory Board as the White Hall District representative, with said term to expire December 31, 2023.</li> <li>• <b>APPOINTED</b> Ms. Rachael G. Juhan to the Social Services Advisory Board as the Scottsville District representative, with said term to expire December 31, 2023.</li> <li>• <b>REAPPOINTED</b> Mr. James E. Atkinson to the Economic Development Authority, as the Samuel Miller District representative with said term to expire January 19, 2024.</li> <li>• <b>APPOINTED</b> Mr. Stuart Munson to the Economic Development Authority, as the Scottsville District representative with said term to expire January 19, 2024.</li> <li>• <b>REAPPOINTED</b> Mr. Anthony Arsali as the Rivanna District representative, Ms. Karen Pape as the Jack Jouett District representative, and Mr. David van Roijen as the Samuel Miller District representative to the Equalization Board, with said terms to expire December 31, 2020.</li> <li>• <b>REAPPOINTED</b> Ms. Christi Sheffield and Mr. Robert E. Bremer to the Piedmont Family YMCA Board of Directors with said terms to expire January 31, 2022.</li> <li>• <b>REAPPOINTED</b> Mr. Luis Carrazana to the Planning Commission as the University of Virginia's representative, with said term to expire December 31, 2020.</li> <li>• <b>APPOINTED</b> Mr. R. Corey Clayborne as the Rivanna District representative and Mr. Rick Randolph as the Scottsville District representative to the Planning Commission as with said terms to expire December 31, 2023.</li> <li>• <b>REAPPOINTED</b> Ms. Jennie More as to the Planning Commission as the White Hall District representative with said term to expire December 31, 2023.</li> <li>• <b>REAPPOINTED</b> Mr. J. Timothy Keller to the Planning Commission as the At-large representative, with said term to expire December 31, 2021.</li> </ul>		
<p>22. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Liz Palmer:</u></p> <ul style="list-style-type: none"> <li>• Stated that she would like to have a discussion</li> </ul>		

<p>regarding Champion Brewery on the reservoir to bring the new Board members up to date on the legal aspects, as well as have a discussion that 95% of the County is zoned Rural Area.</p> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> <li>• Mentioned that information about the Equal Taxing Authority had been sent by Ms. Mallek.</li> <li>• Asked if Board members were interested in discussing and taking a position on Governor Northam's initiative to eliminate car inspections.</li> <li>• <b>CONCENSUS</b> to add to the February 5, 2020 Agenda.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>• Suggested that the County Executive reach out to Superintendent of Schools regarding the integration memorial signs as it relates to "massive resistance" and "passive resistance."</li> <li>• Remarked that she often hears from constituents in the White Hall District that speeding is the number one safety and quality of life issue that people are concerned about.</li> </ul>	<p><u>Clerk:</u> Schedule on the February 5 agenda.</p>	
<p>23. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>• There were none.</li> </ul>		
<p>25. Adjourn to January 15, 2020, 1:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 8:17 p.m.</li> </ul>		

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Attachment 1 – Albemarle County Board of Supervisors Rules of Procedure - Adopted March 20, 2019  
Attachment 2 – Albemarle County Board of Supervisors Policies - Adopted March 20, 2019  
Attachment 3 – Albemarle County Board of Supervisors Operating Guidelines for High Quality Governance  
Attachment 4 – Resolution to Approve Additional FY 2020 Appropriations  
Attachment 5 – Resolution in Support Traffic Incident Management Legislation  
Attachment 6 – Resolution to Approve Special Exceptions for HS201900013 Crozet Restorations  
Attachment 7 – Resolution in Support of an Equitable and Inclusive Community

# **Albemarle County Board of Supervisors**

## **Rules of Procedure**

**Adopted January 8, 2020**



**Rules of Procedure  
of the  
Albemarle County Board of Supervisors**

**1. Purpose**

- A. General.** The purpose of these Rules of Procedure (the “Rules”) is to facilitate the timely, efficient, and orderly conduct of public meetings and decision-making, and they are designed and adopted for the benefit and convenience of the Albemarle County Board of Supervisors (the “Board”).
- B. Rules Do Not Create Substantive Rights in Others.** The Rules do not create substantive rights in third parties or participants in matters before the Board.
- C. Compliance with These Rules.** The Rules that are parliamentary in nature are procedural, and not jurisdictional, and the failure of the Board to strictly comply with them does not invalidate any action of the Board. The Rules that implement the requirements of State law are jurisdictional only to the extent that Virginia law makes them so.

**2. Supervisors**

- A. Equal Status.** Except for the additional responsibilities of the Chair provided in Rule 3(A), all Supervisors have equal rights, responsibilities, and authority.
- B. Decorum.** Each Supervisor will act in a collegial manner and will cooperate and assist in preserving the decorum and order of the meetings.

**3. Officers and Their Terms of Office**

- A. Chair.** When present, the Chair shall preside at all Board meetings during the year for which elected. The Chair shall have a vote but no veto. (Virginia Code §§ 15.2-1422 and 15.2-1423) The Chair shall also be the head official for all of the Board’s official functions and for ceremonial purposes.
- B. Vice-Chair.** If the Chair is absent from a Board meeting, the Vice-Chair, if present, shall preside at the meeting. The Vice-Chair shall also discharge the duties of the Chair during the Chair’s absence or disability. (Virginia Code § 15.2-1422)
- C. Acting Chair in Absence of Chair and Vice-Chair.** If the Chair and Vice Chair are absent from any meeting, a present Supervisor shall be chosen to act as Chair.
- D. Term of Office.** The Chair and Vice-Chair shall be elected for one-year terms, but either or both may be re-elected for one or more additional terms. (Virginia Code § 15.2-1422)
- E. References to the Chair.** All references in these Rules to the *Chair* include the Vice-Chair or any other Supervisor when the Vice-Chair or the other Supervisors is acting as the Chair.

**4. Meetings**

- A. Annual Meeting.** The *Annual Meeting* is the first meeting in January held after the newly elected Supervisors qualify for the office by taking the oath and meeting any other requirements of State law, and the first meeting held in January of each succeeding year. At the Annual Meeting, the Board shall:
- 1. Elect Officers.** Elect a Chair and a Vice-Chair.
- 2. Designate Clerks.** Designate a Clerk and one or more Deputy Clerks who shall serve at the pleasure of the Board, who shall have the duties stated in Virginia Code § 15.2-1539 and any additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code § 15.2-1416)

3. **Establish Schedule for Regular Meetings.** Establish the days, times, and places for regular meetings of the Board for that year. (Virginia Code § 15.2-1416)
  4. **Adopt Rules and Policies.** Adopt Rules of Procedure and Policies that will apply in the calendar year, subject to amendment under Rule 12.
- B. Regular Meetings.** *Regular Meetings* are those meetings established at the Annual Meeting to occur on specified days and at specified times and places.
1. **Regular Meeting Falling on a Holiday.** If any day established as a Regular Meeting day falls on a legal holiday, the meeting scheduled for that day shall be held on the next regular business day without action of any kind by the Board. (Virginia Code § 15.2-1416)
  2. **Adjourning a Regular Meeting.** Without further public notice, the Board may adjourn a Regular Meeting from day to day, from time to time, or from place to place, but not beyond the time fixed for the next Regular Meeting, until the business of the Board is complete. (Virginia Code § 15.2-1416) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).
  3. **Continuing a Regular Meeting When Weather or Other Conditions Create a Hazard.** If the Chair finds and declares that weather or other conditions are hazardous for Supervisors to attend a Regular Meeting, the meeting shall be continued to the next Regular Meeting date. The Chair's finding, and the continuation of the meeting, shall be communicated by the Chair or the Clerk of the Board (the "Clerk") to the other Supervisors and to the general news media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement shall be required. (Virginia Code § 15.2-1416)
  4. **Establishing a Different Day, Time, and Place of a Regular Meeting.** After the Annual Meeting, the Board may establish different days, times, and places for Regular Meetings by adopting a resolution to that effect. (Virginia Code § 15.2-1416)
- C. Special Meetings.** A *Special Meeting* is a meeting that is not a Regular Meeting. The Board may hold Special Meetings as it deems necessary at times and places that it deems convenient. (Virginia Code § 15.2-1417)
1. **Calling and Requesting a Special Meeting.** A Special Meeting shall be held when called by the Chair or requested by two or more Supervisors. The call or request shall be made to the Clerk and shall specify the matters to be considered at the meeting. (Virginia Code § 15.2-1418)
  2. **Duty of Clerk to Provide Notice; When Notice May Be Waived.** Upon receipt of a call or request, the Clerk, after consultation with the Chair, shall immediately notify each Supervisor, the County Executive, and the County Attorney about the Special Meeting. The notice shall be in writing and be delivered to each Supervisor, the County Executive, and the County Attorney at their place of residence or business. Any Supervisors may request that the notice be delivered to him or her by email or facsimile in lieu of personal delivery. The notice may be waived if all Supervisors are present at the Special Meeting or if all Supervisors sign a waiver for the notice. (Virginia Code § 15.2-1418) The Clerk shall also notify the general news media about the Special Meeting.
  3. **Contents of the Notice Provided by the Clerk.** The notice provided by the Clerk shall state the date, time, and place of the meeting and shall specify the matters to be considered.
  4. **Matters That May Be Considered.** Only those matters specified in the notice shall be considered at a Special Meeting unless all Supervisors are present. (Virginia Code § 15.2-1418)
  5. **Adjourning a Special Meeting.** A Special Meeting may be adjourned from time to time as the Board finds necessary and convenient to complete the business of those matters identified in the notice of the Special Meeting. (Virginia Code § 15.2-1417) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).

5. **Order of Business for Regular Meetings**

- A. **Establishing the Agenda.** The Clerk shall establish the agenda for all Regular Meetings in consultation with the County Executive and the Chair. The County Executive and the Clerk shall review the agenda with the Chair and the Vice Chair prior to the meeting. The Clerk shall set the order of business as provided in Rule 5(B), provided that the Clerk may modify the order of business to facilitate the business of the Board. The draft agenda shall be provided to the Board six days prior to the Regular Meeting date.

1. **Resolutions Proposed by Supervisors.** Resolutions may be proposed by a Supervisor requesting the Board to take a position on an issue of importance to the Board. A Supervisor requesting the Board to adopt a resolution should give notice of the intent to request action on the resolution on a specified meeting date and submit a draft of the proposed resolution. The request shall be made at least seven days before the meeting at which the resolution may be considered. The Clerk will distribute the draft resolution with background information, if available, to all Supervisors. Any Supervisor may submit proposed changes to the proposed resolution to the Clerk in a redline format. The Clerk shall forward all comments received from any Supervisor to the Board. The Supervisor requesting the resolution will then coordinate with the Clerk to prepare a resolution for consideration by the Board. The Clerk shall poll the Supervisors to determine if a majority of the Supervisors supports adding the resolution to the agenda for consideration. If a majority of the Supervisors indicates support for considering the resolution, the resolution will be added to the proposed final agenda. If all Supervisors indicate support for the resolution, the resolution may be placed on the proposed consent agenda unless any Supervisor requests otherwise.

2. **Other Items Proposed To Be Added to the Clerk's Draft Agenda.**

- a. **By Supervisors.** Any Supervisor may propose to add items, other than resolutions subject to Rule 5(A)(1), to the Clerk's draft agenda for action if notice of that item has been given in writing or by email to all Supervisors, the Clerk, and the County Executive by 5:00 p.m. two days before the date of the meeting or upon the unanimous consent of all Supervisors present. Any item that has been timely proposed and properly noticed shall be added to the end of the agenda for discussion or action unless a majority of the Supervisors present agrees to consider the item earlier on the agenda.
- b. **By the County Executive.** The County Executive may add items to the Clerk's draft agenda for action by 5:00 p.m. two days before the date of the meeting if the item requires consideration and action by the Board at its next meeting. In an emergency, the County Executive may add an item at any time with the consent of the Chair and the Vice Chair. When the County Executive adds an item to the agenda, he shall provide information about the item to all Supervisors as soon as practicable and prior to the meeting.

3. **Proclamations and Recognitions Proposed by Citizens.** A request by a citizen to place a proclamation or recognition on the agenda must be made at least four weeks in advance of the Board meeting date. The citizen shall submit the request to advance a proclamation or recognition to the Clerk. If the request is made to a Supervisor, the person making the request will be directed to make the request to the Clerk. The Clerk will advise the person making the request of the process and submittal requirements. Upon submittal of the request, the Clerk will review the submittal for completeness and forward it to the Supervisors for review. The Clerk shall poll Supervisors to determine whether a majority of the Supervisors supports adding the proclamation or recognition to the agenda. The Clerk will advise the person requesting the proclamation or recognition whether the proclamation or recognition will be considered by the Board.

4. **Public Hearings for Zoning Map Amendments; Prerequisites.** Public hearings for zoning map amendments are subject to the following rules in order for the item to be placed on the agenda and heard by the Board:

- a. **Public Hearing Should Not Be Advertised Until Final Documents Are Received.** The Board's preference is that a public hearing for a zoning map amendment should not be advertised until all of the

final documents for a zoning application have been received by the County and are available for public review. To satisfy this preference, applicants should provide final plans, final codes of development, final proffers, and any other documents deemed necessary by the Director of Community Development, to the County no later than two business days prior to the County's deadline for submitting the public hearing advertisement to the newspaper. Staff will advise applicants of this date by including it in annual schedules for applications and by providing each applicant a minimum of two weeks' advance notice of the deadline.

- b. **Effect of Failure to Timely Receive Final Documents.** If the County does not timely receive the required final documents, the public hearing shall not be advertised and the matter shall not be placed on the agenda. If the matter is not advertised, a new public hearing date will be scheduled.
- c. **Receipt of Final Signed Proffers.** Final signed proffers shall be submitted to the County no later than nine calendar days prior to the date of the advertised public hearing. This policy is not intended to prevent changes from being made to proffers resulting from comments received from the public or from Supervisors at the public hearing.
- 5. **Public Hearings; Zoning Map Amendments; Deferral at Applicant's Request.** Zoning map amendments advertised for public hearing shall be on the agenda for public hearing on the advertised date, provided that an applicant may request a deferral as provided in County Code § 18-33.52 *et seq.*
- B. **Order of Business at Regular Meetings.** At Regular Meetings of the Board, the order of business shall generally be as follows:
  - 1. Call to Order.
  - 2. Pledge of Allegiance.
  - 3. Moment of Silence.
  - 4. Adoption of the Final Agenda.
  - 5. Brief Announcements by Supervisors.
  - 6. Proclamations and Recognitions.
  - 7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
  - 8. Consent Agenda.
  - 9. General Business.
  - 10. From the Board: Committee Reports and Matters Not Listed on the Agenda.
  - 11. From the County Executive: Report on Matters Not Listed on the Agenda.
  - 12. Adjourn.
- C. **Closed Meetings.** A Closed Meeting may be held at any point on the agenda, as necessary. Generally, a Closed Meeting will be scheduled either at the midpoint of the agenda or at the end of the agenda prior to adjournment. The Clerk shall promptly post and make available for public inspection the motion to convene a Closed Meeting after it is distributed by the County Attorney; provided that: (i) the contents of the motion may be subject to change without further posting or availability; and (ii) the failure of the Clerk to comply with this subsection does not affect the legality of the Closed Meeting.
- 6. **Rules Applicable to the Items of Business on the Agenda**
  - A. **Adoption of the Final Agenda.** *Adoption of the Final Agenda* is the first order of business for a Regular Meeting of the Board. The Board may modify the order of business as part of its adoption of the Final Agenda. Any changes to the Consent Agenda should be made when the Final Agenda is adopted. The Final Agenda must be adopted by a majority vote of the Supervisors present and voting. No item for action not included on the Final Agenda shall be considered at that meeting.
  - B. **Brief Announcements by Supervisors.** *Brief Announcements by Supervisors* are announcements of special events or other items of interest that are not considered committee reports and are not otherwise on the meeting agenda.
  - C. **Proclamations and Recognitions.** *Proclamations* are ceremonial documents or recognitions adopted by the Board to draw public awareness to a day, week, or month to recognize events, arts and cultural

celebrations, or special occasions. *Recognitions* are ceremonial acknowledgements by the Board of a person for service or achievement.

- D. From the Public: Matters Not Listed for Public Hearing on the Agenda.** *From the Public: Matters Not Listed for Public Hearing on the Agenda* allows any member of the public to speak on any topic of public interest that is not on the Final Agenda for a public hearing at that meeting. The following rules apply:
1. **Time.** Each speaker may speak for up to three minutes, provided that if the anticipated number of speakers may exceed 10, or for other reasons related to the Board efficiently conducting its business, the Chair may reduce the amount of time allowed for each speaker to speak to two minutes.
  2. **Place.** Each speaker shall speak from the podium.
  3. **Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker shall comply with Rules 6(D)(1) and 6(D)(2), shall address the Board and not the audience, and shall not engage in speech or other behavior that actually disrupts the meeting. The speaker may include a visual or audio presentation.
- E. Consent Agenda.** The *Consent Agenda* shall be used for items that do not require discussion or comment and are anticipated to have the unanimous approval of the Board.
1. **Questions to Staff.** Supervisors should ask the County Executive or the staff member identified in the executive summary any questions regarding a Consent Agenda item prior to the Board meeting.
  2. **Discussion and Comment.** There shall be no discussion or comment on Consent Agenda items at the Board meeting except as provided in Rule 6(E)(3).
  3. **Removing an Item from the Consent Agenda.** Any Supervisor may remove an item from the Consent Agenda. Any item removed from the Consent Agenda shall be moved to a specific time or to the end of the meeting agenda for further discussion or action. An item requiring only brief comment or discussion may be considered immediately after the approval of the Consent Agenda.
  4. **Effect of Approval of the Consent Agenda.** A motion to approve the Consent Agenda shall approve those Consent Agenda items identified for action and accept Consent Agenda items identified for information.
- F. General Business.** *General Business* includes public hearings, work sessions, appointments, and other actions, discussions, and presentations.
1. **Public Hearings.** The Board shall not decide any item before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the holding of a public hearing or consideration of the item. The procedures for receiving a presentation from the applicant and comments from members of the public shall be at the discretion of the Board. However, unless otherwise decided by a majority of the Supervisors present during a particular public hearing, the following rules apply:
    - a. **Time.** The applicant shall be permitted up to 10 minutes to present its application. Following the applicant's presentation, any member of the public shall be permitted to make one appearance for that public hearing and speak for up to three minutes on the item. Following comments by members of the public, the applicant shall be permitted up to five minutes for a rebuttal presentation.
    - b. **Place.** The applicant and each member of the public presenting and speaking shall do so from the podium.
    - c. **Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker shall comply with Rules 6(F)(1)(a) and 6(F)(1)(b), shall address the Board, shall speak to issues that are relevant to the item for which the public hearing is being held, and shall not engage in speech or other

behavior that actually disrupts the meeting. The speaker may include a visual or audio presentation.

2. **Public Hearings; Zoning Map Amendments; Applicant's Documents Not Available During Advertisement Period.** If the public hearing is held without the applicant's final documents being available for review throughout the advertisement period due to the late submittal of documents, or because substantial revisions or amendments are made to the submitted documents after the public hearing has been advertised, it is the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application. In deciding whether to defer action or to deny the application, the Board shall consider whether deferral or denial would be in the public interest or would forward the purposes of this policy.
- G. **From the Board: Committee Reports and Matters Not Listed on the Agenda.** *From the Board: Committee Reports and Matters Not Listed on the Agenda* shall be limited to matters that are not substantial enough to be considered as agenda items to be added to the final agenda. Reports include routine committee reports and information updates by Supervisors. Any matters discussed during this part of the agenda may not be acted upon by the Board at that meeting.
- H. **Report from the County Executive.** The *Report from the County Executive* is a report on matters that the County Executive deems should be brought to the Board's attention and provide updates, if necessary, to the monthly County Executive's Report.
7. **Quorum**
  - A. **Establishing a Quorum.** A majority of all of the members of the Board that is physically assembled is a quorum for any meeting of the Board, except as provided in Rule 7(B)(2). (Virginia Code § 15.2-1415)
  - B. **Quorum Required to Act; Exceptions.** The Board may take valid actions only if a quorum is present. (Virginia Code § 15.2-1415) There are two exceptions:
    1. **Quorum Not Established; Adjournment.** If a quorum is not established, the only action the Supervisors present may take is to adjourn the meeting.
    2. **Quorum Not Established or Lost Because of a Conflict of Interests; Special Rule.** If a quorum cannot be established or is lost because one or more Supervisors are disqualified from participating in an item because of a conflict of interests under the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*), the remaining Supervisors are a quorum and they may conduct the business of the Board.
  - C. **Loss of Quorum During Meeting.** If a quorum was established but during a meeting the quorum is lost, the only action the Supervisors present may take is to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code § 15.2-1415)
  - D. **Quorum Required to Adjourn Meeting to Future Day and Time.** A majority of the Supervisors present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning the meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.
8. **Remote Electronic Participation**

The Board will permit a Supervisor to participate in a Board meeting through electronic communication means from a remote location, provided that:

  - A. **Notification to Clerk of Inability to Attend Because of Personal Matter, Disability, or Medical Condition.** On or before the day of the meeting, the Supervisor shall notify the Chair that he or she is unable to attend the meeting due to a personal matter or that the Supervisor is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the

Supervisor's physical attendance. The Supervisor must identify with specificity the nature of the personal matter.

- B. **Quorum Physically Assembled; Approval of Remote Electronic Participation.** A quorum of the Board must be physically assembled at the primary or central meeting location. The Supervisors present must approve the participation; however, the decision shall be based solely on the criteria in Rule 8(A), without regard to the identity of the Supervisor or items that will be considered or voted on during the meeting.
- C. **Duty of Clerk to Record Action.** The Clerk shall record in the Board's minutes the specific nature of the personal matter, disability, or medical condition, and the remote location from which the absent Supervisor participated. If the absent Supervisor's remote participation is disapproved because participation would violate this policy, the disapproval shall be recorded in the Board's minutes with specificity.
- D. **Audibility of Absent Supervisor.** The Clerk shall make arrangements for the voice of the absent Supervisor to be heard by all persons in attendance at the meeting location. If, for any reason, the voice of the absent Supervisor cannot reasonably be heard, the meeting may continue without the participation of the absent Supervisor.
- E. **Limitation on Remote Electronic Participation in Calendar Year.** Electronic participation by the absent Supervisor as provided in this Rule shall not exceed two Board meetings in each calendar year.

(Virginia Code § 2.2-3708.2)

## 9. **Conducting the Business of the Board**

- A. **Enable Efficient and Effective Conduct of Business.** Meetings shall be conducted in a manner that allows the Board to efficiently and effectively conduct its business, without actual disruptions.
- B. **Minimizing Disruptions.** To minimize actual disruptions at meetings:
  - 1. **Speakers.** Members of the public who are speaking to the Board shall comply with Rules 6(D) and 6(F)(1), as applicable. Members of the public invited to speak to the Board during any agenda item other than From the Public: Matters Not Listed for Public Hearing on the Agenda or during a public hearing shall comply with Rule 6(D).
  - 2. **Persons Attending the Meeting.** Any person attending a Board meeting shall comply with the following:
    - a. **Sounds.** Persons may not clap or make sounds in support of or in opposition to any matter during the meeting, except to applaud during the Proclamations and Recognitions portion of the meeting. Instead of making sounds, persons who are not speaking at the podium are encouraged to raise their hands to indicate their support or opposition to any item during the meeting. Cell phones and other electronic devices shall be muted.
    - b. **Other Behavior.** Persons may not act, make sounds, or both, that actually disrupt the Board meeting.
    - c. **Signs.** Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting.
- C. **Guidelines Printed on the Final Agenda.** The Guidelines printed on each Final Agenda apply during each Board meeting. The Board may amend the Guidelines from time to time without amending these Rules provided that the Guidelines are consistent with these Rules.

- D. **Chair May Maintain Order.** The Chair may ask any person whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease the conduct. If the conduct continues, the Chair may order the removal of that person from the meeting.

10. **Motion and Voting Procedures**

- A. **Action by Motion Followed by a Vote.** Except as provided in Rules 10(B)(2) and 11(D), any action by the Board shall be initiated by a motion properly made by a Supervisor and followed by a vote, as provided below:

1. **Motion Must Be Seconded; Exception.** Each action by the Board shall be initiated by a motion that is seconded; provided that a second shall not be required if debate immediately follows the motion. Any motion that is neither seconded nor immediately followed by debate shall not be further considered.
  2. **Voting and Recording the Vote.** The vote on any motion shall be by a voice vote. The Clerk shall record the name of each Supervisor voting and how each Supervisor voted on the motion.
  3. **Required Vote, Generally Required Vote for Specific Items.** Each action by the Board shall be made by the affirmative vote of *a majority of the Supervisors present and voting* on the motion; provided that an affirmative vote of *a majority of all elected Supervisors* of the Board shall be required to approve an ordinance or resolution:
    - a. **Appropriations.** Appropriating money exceeding the sum of \$500.
    - b. **Taxes.** Imposing taxes.
    - c. **Borrowing.** Authorizing money to be borrowed. (Article VII, § 7, Virginia Constitution; Virginia Code §§ 15.2-1420, 15.2-1427, 15.2-1428)
  4. **Tie Vote.** A tie vote shall defeat the motion voted upon. A tie vote on a motion to approve shall be deemed a denial of the item being proposed for approval. A tie vote on a motion to deny shall not be deemed an approval of the item being proposed for denial.
  5. **Abstention.** Any Supervisor who will abstain from voting on any motion must state that he or she is abstaining before the vote is taken and state the grounds for abstaining. The abstention will be announced by the Chair and recorded by the Clerk.
- B. **When a Motion and a Vote is or is not Required.** An action by the Board is or is not required to be made by a motion followed by a vote as follows:
1. **Motion and Vote Required.** Any action by the Board to adopt an ordinance or a resolution, and any other action when a motion is required by law or by these Rules, shall be made by a motion followed by a vote.
  2. **Motion and Vote Not Required; Unanimous Consent.** On any item in which the Board is not adopting an ordinance or a resolution, or for which a motion and a recorded vote is not otherwise required by law, the Board may make a decision by unanimous consent. This procedure is appropriate, for example, to provide direction to County staff on an item.
- C. **Other Motions.**
1. **Motion to Amend.** A *motion to amend* a motion properly pending before the Board may be made by any Supervisor. Upon a proper second, the motion to amend shall be discussed and voted on by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both Supervisors making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.



2. **Motion to Call the Question.** The discussion of any motion may be terminated by any Supervisor making a *motion to call the question*. Upon a proper second, the Chair shall call for a vote on the motion to call the question without debate on the motion itself, and the motion shall take precedence over any other item. If the motion is approved, the Chair shall immediately call for a vote on the original motion under consideration.
3. **Motion to Reconsider.** Any decision made by the Board may be reconsidered if a *motion to reconsider* is made at the same meeting or an adjourned meeting held on the same day at which the item was decided. The motion to reconsider may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the item for discussion in the exact position it occupied before it was voted upon.
4. **Motion to Rescind.** Any decision made by the Board, except for decisions on zoning map amendments, special use permits, special exceptions, and ordinances, may be rescinded by a majority vote of all elected Supervisors. The *motion to rescind* may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Decisions on zoning map amendments, special use permits, special exceptions, and ordinances may be rescinded or repealed only upon meeting all of the legal requirements necessary for taking action on the items as if it was a new item before the Board for consideration; otherwise, decisions on zoning map amendments, special use permits, special exceptions, and ordinances shall only be eligible for reconsideration as provided in Rule 10(C)(3).
11. **Other Rules: Robert's Rules of Order Procedure in Small Boards**

Procedural rules that are not addressed by these Rules shall be governed by *Robert's Rules of Order Procedure in Small Boards*, which provide:

  - A. **Not Required to Obtain the Floor.** Supervisors are not required to obtain the floor before making motions or speaking, which they can do while seated.
  - B. **No Limitation on the Number of Times a Supervisor May Speak.** There is no limitation on the number of times a Supervisor may speak to a question, and motions to call the question or to limit debate generally should not be entertained.
  - C. **Informal Discussion.** Informal discussion of a subject is permitted while no motion is pending.
  - D. **Chair; Putting the Question to a Vote.** The Chair need not rise while putting questions to vote.
  - E. **Chair; Speaking During Discussion.** The Chair may speak in discussion without rising or leaving the chair, and, subject to rule or custom of the Board (which should be uniformly followed regardless of how many Supervisors are present), the Chair usually may make motions and usually votes on all questions.
12. **Amending the Rules of Procedure**

These Rules may be amended only as follows:

  - A. **Rules Eligible for Amendment.** Any Rule may be amended.
  - B. **Procedure to Amend.** Any Rule eligible for amendment may be amended only by a majority vote of the Supervisors present and voting at the next Regular Meeting following a regular meeting at which notice of the motion to amend is given. Notice of the motion to amend a Rule may be made by any Supervisor. The motion to amend a Rule may be made by any Supervisor. Upon a proper second, the motion shall be discussed and voted on. In deciding whether and how to amend a Rule, the Board shall consider that Rules 3, 4, 6(D), 6(F)(1)(a) through (c), 7, 8, 9(B), 10(A)(3), and 10(B)(1) address statutory or constitutional requirements.
  - C. **Limitation on the Effect of an Amendment.** The Board's approval of a motion to amend one or more

Rules shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

**13. Suspending the Rules of Procedure**

These Rules may be suspended only as follows:

- A. Rules Eligible to be Suspended.** Rules 1, 2, 5, 6, 9(A), 10 (except for Rules 10(A)(3) and 10(B)(1)), 11, and 12 may be suspended.
- B. Procedure to Suspend, Generally.** Any Rule eligible for suspension may be suspended by a majority plus one vote of the Supervisors present and voting. The motion to suspend a Rule may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to suspend a Rule, if approved, is to make that Rule inapplicable to the item before the Board.
- C. Suspending Rules Pertaining to Motions When There is Uncertainty as to Status or Effect.** If one or more motions have been made on an item, and there is uncertainty as to the status or effect of any pending motions or how the Board is to proceed at that point, the Board may, by a majority vote of the Supervisors present and voting, suspend the Rules in Rule 10 for the sole purpose of canceling any pending motions and to permit a new motion to be made. The motion to suspend a Rule pertaining to any pending motions may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on.
- D. Limitation on Effect of Suspended Rules.** The Board's approval of a motion to suspend one or more Rules shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

\* \* \* \* \*

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 1-6-2010; 1-5-2011; 1-4-2012; 1-09-2013; 1-8-2014; 7-9-2014; 1-7-2015; 1-6-2016; 1-4-2017; 2-8-2017; 1-3-2018; 3-20-2019; 1-8-2020).

# **Albemarle County Board of Supervisors**

## **Policies**

**Adopted JANUARY 8, 2020**

**Policies of the  
Albemarle County Board of Supervisors**

**1. Travel Reimbursement**

Supervisors will be reimbursed travel expenses pursuant to uniform standards and procedures that will allow Supervisors to travel for official County business purposes consistent with the prudent use of County funds as follows:

- A. Routine Travel Expenses.** Supervisors may be reimbursed for the following routine travel expenses at the County's authorized car mileage reimbursement rate, provided there are available funds:
- 1. Mileage for Board and Committee Meetings.** Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Supervisor is appointed, from home or work, if a work day, which is not part of routine personal travel. Travel to use the Board's County Office Building office between other personal travel or meetings, is not eligible for reimbursement.
  - 2. Mileage to Prepare for Matters to be Considered by the Board.** Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters scheduled for consideration on the Board's agenda which is not part of routine personal travel (*i.e.*, site visits, informational meetings).
  - 3. Parades and Other Community Gatherings.** Parades and other community gatherings not advertised as Supervisor's town hall meetings to discuss County business.
- B. Educational Conference Travel Expenses.** Supervisors may be reimbursed for the following educational conference travel expenses, provided there are available funds:
- 1. Regional, Statewide, and National Meetings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Supervisor represents the County, as approved by the Board.
  - 2. Legislative or Congressional Hearings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.
- C. Matters for Which Supervisors will not be Reimbursed.** Supervisors will not be reimbursed for the following travel expenses:
- 1. Political Events.** Travel to events which are political in nature (*i.e.*, campaigning or partisan events).
  - 2. Personal Expenses.** Personal expenses incurred during travel.
  - 3. Travel Not Part of Duties.** Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Subsections (C)(1) or (C)(2).
- D. Implementation.** This policy will be applied and overseen in the following manner:
- 1. Reimbursement Requests.** Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board (the "Clerk") and shall itemize the date, number of miles of travel, and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be for the amount of costs expended and shall be documented by receipts for actual amounts paid.
  - 2. Clerk Review.** The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
  - 3. Exhaustion of Funds.** When all allocated funds for Board reimbursements have been expended, there

will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

## **2. Supervisors Appointed to Boards, Committees, and Commissions**

The Board appoints its members to a variety of boards, committees, and commissions to represent the interests of the Board on those bodies. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

- A. Voting Representatives.** Supervisors who are appointed to boards, committees, and commissions are required to vote on matters that come before those bodies in a manner which is consistent with the policies and positions of the Board as reflected in previously adopted resolutions or official actions of the Board on those matters.
- B. Liaison Representatives.** Supervisors who are appointed to boards, committees, and commissions as liaisons are to act as a resource for the board, committee, or commission and are to report to the Board on the activities of the board, committee, or commission.
- C. Alternates.** Supervisors may serve as alternates for the Board-appointed voting representatives or liaison representatives when the representative is unable to attend a meeting. The organizational documents for the board, committee, or commission must allow alternates to be appointed. Any alternate must be appointed by the Board to serve as an alternate for the particular board, committee, or commission.

## **3. Boards, Commissions, and Committees**

### **A. Review and Creation of Boards, Commissions, and Committees are as Follows:**

- 1. Annual Report.** By October 1 of each year, all boards, commissions, and committees shall submit a report to the Board covering the prior fiscal year (July 1 to June 30) that includes the key activities that support their mission and a summary of their activities and the attendance of each appointee.
- 2. Annual Evaluation.** On an annual basis, the list of active boards, commissions, and committees will be evaluated and purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior 12-month period.
- 3. Combining Functions and Activities.** Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.
- 4. Short-Term Task Forces and Ad Hoc Committees.** Any newly created task force or ad hoc committee which is intended to serve for a limited duration may be comprised of magisterial or at-large members at the discretion of the Board. The appointment process shall follow that adopted in Section 3(B) for other magisterial and/or at-large positions.

### **B. Appointments to Boards, Commissions, and Committees**

- 1. Appointments, Generally.** All appointments to boards, commissions, and committees based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the Supervisor of that district.
- 2. Compilation of List of Expired Terms and Vacancies.** Prior to the first regular Board meeting each month, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next 60 days. The Board will then advise the Clerk which vacancies to advertise.
- 3. Advertising Positions.** When the Board advises the Clerk which vacancies to advertise, the Clerk shall, in collaboration with the County's Director of Communications and Community Engagement, distribute notice of the vacancy on any board, commission, or committee through available and appropriate media in order to reach as many citizens as possible. The advertisement shall provide a brief description of the duties and functions of the board, commission, or committee, the length of term of the appointment, the frequency of meetings, the minimum qualifications necessary to fill the position, and the Board's expectations for appointees to attend meetings and to participate in other activities of

the board, commission, or committee. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.

4. **Application Content.** The application form shall request information in the following areas: (i) the name of the board, commission, or committee to which the applicant seeks to be appointed; (ii) the name, address, and other contact information of the applicant; (iii) employment; (iv) County resident status and resident history; (v) family relationship (natural or legal offspring, parent, grandparent, spouse, or sibling) to any County Supervisor or other officer, employee, or appointee; (vi) education; (vii) offices or memberships in civic, not-for-profit, and similar organizations; (viii) activities and interests; (ix) reasons for seeking to serve on the board, commission, or committee; and (x) how the applicant learned about the vacancy.
  5. **Application Period.** All interested applicants will have a minimum of 30 days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that the application may be released to the public, if requested. No applications will be accepted if they are received or, if the application is mailed through the United States Postal Service, postmarked after the advertised application deadline, however, the Board, at its discretion, may extend the deadline.
  6. **Distribution of Applications.** After the application deadline has passed, the Clerk will distribute all applications received to the Supervisors before the Board meeting at which the applications will be considered. For magisterial appointments, the Clerk will forward applications as they are received to the Supervisor of that district who will then recommend his or her appointment.
  7. **Interviews; Appointments Without Interviews.** From the pool of qualified candidates, the Board, in its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held on the day of a regular or special Board meeting.
  8. **Appointments Within 90 Days.** The Board will make all reasonable efforts to interview selected applicants and make appointments within 90 days after the application deadline. For Board-designated agency appointments to boards, commissions, and committees, the Clerk shall ask the agency to recommend a person for appointment by the Board.
  9. **Vacancies Filled as They Occur; Exception.** All vacancies will be filled as they occur, except that vacancies occurring on a Community Advisory Council will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on that Council at the same time and more than three months remaining from the annual appointment date.
  10. **Appointees Required to File Real Estate Disclosure Form.** As a condition of assuming office, all citizen members of boards, commissions, and committees shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*) and thereafter shall file the form annually on or before February 1.
  11. **Termination of Appointment for Excessive Absences.** If a member of a board, commission, or committee does not attend and participate in at least 75 percent of that body's meetings, the Chair of the body may request the Board to terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period. If permitted by applicable law, the Board may establish different attendance requirements and procedures to terminate an appointment for excessive absences for a particular board, commission, or committee.
  12. **Appointees to Advisory Bodies Serve at the Pleasure of the Board.** Any person appointed by the Board to an advisory board, commission, or committee serves solely at the pleasure of the Board.
4. **Supervisors Serving Without Remuneration on the Board of Trustees of Not-for-Profit Entities**
- A. **State Law.** The State and Local Government Conflict of Interests Act (the "Act") recognizes that a system of representative government depends in part upon: (i) Supervisors representing fully the public in the legislative process; and (ii) the County's citizens maintaining the highest trust in the Board of Supervisors. The Act establishes rules designed to assure that the judgment of any Supervisor is free of inappropriate conflicts of interest. Under the Act, a Supervisor who serves without remuneration as a member of the

board of trustees of a not-for-profit entity, where neither the Supervisor's nor his or her immediate family has a personal interest in the not-for-profit entity, is not required to disclose or disqualify themselves from participating in any transaction related to the not-for-profit entity.

- B. Board Policy.** A Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered or acted upon. The disclosure should be made at the beginning of the Board meeting at which the matter will be considered.

**ALBEMARLE COUNTY BOARD OF SUPERVISORS  
OPERATING GUIDELINES FOR HIGH QUALITY  
GOVERNANCE  
JANUARY 8, 2020**

**The Board commits to using the following guidelines to ensure high quality governance:**

1. The County's strategic priorities will guide the work of the Board and staff and will be supported by a thoughtful priority setting process and cycle.
2. We will honor the expressed will of the majority and respect the concerns of the minority.
3. We ensure that policy decisions and directions to the County Executive are communicated by the entire Board.
  - Where this is unclear, the County Executive will seek clarification from the Board.
  - No single member of the Board can provide direction on policy implementation to the County Executive.
4. Board Members do not want their interactions with and requests to staff members to negatively impact staff productivity.
  - Staff members should use judgment and explain the resources that would be required to respond to Board requests.
  - If a policy issue is going to affect workload or a policy decision, it should come through the County Executive's office.
5. When a Board Member sends a communication to a staff member, it should be copied to the department director and the appropriate member of the County Executive's Office. Urgent matters will be clearly labeled in the subject line.
6. To assure maximum productivity, the Board should focus on policy-making work and the staff should focus on day- to day operational work and provide progress reports.
7. We are responsible for our districts, the entire County, and the region; therefore, we should give our best efforts to work for the benefit of all.
8. When a Board Member has a concern regarding staff performance, we go directly to the County Executive in a timely manner so that it can be addressed.



**RESOLUTION TO APPROVE  
ADDITIONAL FY 2020 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2020041; #2020042; #2020043; #2020044; #2020045; #2020046, and #2020047 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

**RESOLUTION IN SUPPORT  
TRAFFIC INCIDENT MANAGEMENT LEGISLATION**

**WHEREAS**, on November 14, 2018, the Metropolitan Washington Council of Governments released a report entitled “Traffic Incident Management in the National Capital Region” which provided seven priority recommendations to improve the quick and safe resolution of traffic incidents region wide;

**WHEREAS**, during the 2019 General Assembly Session, legislation was introduced that would have allowed traffic incident management (“TIM”) vehicles owned or operated by the Virginia Department of Transportation to be equipped with flashing lights and sirens; and

**WHEREAS**, this legislation would ensure our current transportation infrastructure is utilized in the most safe and efficient manner, and would benefit citizens across the Commonwealth – especially congested regions such as Northern Virginia, Hampton Roads, and the I-81 corridor; and

**WHEREAS**, the prompt arrival of TIM professionals has been shown in other states to significantly alleviate traffic congestion, and improve safety by mitigating secondary crashes; and

**WHEREAS**, the smooth flow of traffic improves public safety, and decreases safety challenges and costs for commuters and, ultimately, the economy.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Albemarle County Board of Supervisors hereby supports, and encourages other local governments to support, legislation in the 2020 General Assembly Session that would allow traffic incident management vehicles along Statewide Safety Service Patrol Routes to be equipped with flashing lights and sirens.

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS  
FOR HS201900013 CROZET RESTORATIONS**

**WHEREAS**, the Applicant filed a request in conjunction with HS201900013 Crozet Restorations for special exceptions pursuant to County Code § 18-5.1.48(i)(1)(i) to modify the number of guest rooms permitted in a homestay as set forth in County Code § 18-5.1.48(j)(1)(iii) from two (2) to four (4), and to waive County Code § 18-5.1.48(j)(1)(ii) to allow the homestay use of an accessory structure.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exceptions as set forth above, subject to the condition attached hereto.

\* \* \*

**HS 2019-13 Crozet Restoration Special Exception Condition**

1. No more than four (4) guest rooms may be rented for homestay use.



### **Resolution in Support of an Equitable and Inclusive Community**

**WHEREAS,** Albemarle County's stated mission is to enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds; and

**WHEREAS,** Albemarle County recognizes that though we have achieved great success in facilitating a community nationally recognized for its vibrancy, scenic beauty, engaged citizenry, and rich cultural, historic, and natural resources, disparities do exist; and

**WHEREAS,** we define equity as all community members having access to community conditions and opportunities needed to reach their full potential and to experience optimal well-being and quality of life; and

**WHEREAS,** the Board of Supervisors seeks to ensure that the actions, policies, and processes of Albemarle County are reflective of our ongoing commitment to support an equitable and inclusive community; and

**WHEREAS,** the Board of Supervisors is committed to continuing to engage in a learning dialogue with County residents and our many community partners that is characterized by mutual growth and respect, research and data, authentic engagement, and shared understanding; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Albemarle County Board of Supervisors do hereby reaffirm our commitment to our stated mission to enhance the well-being and quality of life of all the members of our community, and to supporting through our actions and our partnerships the promotion of an equitable and inclusive Albemarle County.

*Signed this 8th day of January 2020*