

# **Albemarle County Board of Supervisors Policies**

Adopted \_\_\_\_\_, 2019

## Policies of the Albemarle County Board of Supervisors

### 1. Travel Reimbursement

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

A. **Routine Travel Expenses.** ~~Board members~~ 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 ~~Board member~~ 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. ~~Travel to use the COB office between other personal travel or meetings, shall not be covered.~~

B. **Educational Conference Travel Expenses.** ~~Board members~~ Supervisors may be reimbursed for the following educational conference travel expenses, provided there are available funds:

1. **Regional, Statewide, 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 ~~Board member~~ Supervisor represents the County, as approved by the Board; ~~and.~~
2. **Legislative or Congressional Hearings.** All necessary, actual, and reasonable meal, ~~and~~ travel, and lodging costs (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.

C. **Matters for Which ~~Board Members~~ Supervisors will not be Reimbursed.** ~~Board members~~ 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; ~~or.~~
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 expenses 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 Unexpended 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. **Board Members 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 entities. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

- A. **Voting Representatives.** ~~The Board members~~ Supervisors who are appointed to boards, committees, and commissions are required to vote on matters that come before those entities 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.** ~~The Board members~~ Supervisors who are appointed to boards, committees, and commissions as liaisons are to act as a resource for the board, committee, and/or commission and are to report to the Board on the activities of the board, committee, and/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.

**Comment:** If added, this section would clarify the circumstances when a Supervisor may serve as an alternate on a board, commission, or committee.

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

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

1. **Annual Report.** By October 1 of each year, all boards, ~~and commissions, and committees~~ shall submit a report to the Board ~~to include~~ 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, ~~and 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 ~~twelve~~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 ~~time period~~ 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 B 3(B) for other magisterial and/or at-large positions.

**B. Appointments to Boards, and Commissions, and Committees Shall be are as Follows:**

1. **Appointments, Generally.** All appointments to boards, ~~and 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 ~~s~~Supervisor of that district.
2. **Compilation of List of Expired Terms and Vacancies.** Prior to ~~each day~~ 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.** ~~In an effort to reach as many citizens as possible~~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, provide 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, notice of boards and commissions with appointment positions available may be published through available venues, such as, but not limited to, the County's website, A-mail, public service announcements, and local newspapers. Interested citizens will be provided a brief description of the duties and functions of each board, the board, commission, or committee, the length of term of the appointment, the frequency of meetings, and 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.

**Comment:** The purpose for amending Section 3(B)(3) is to simplify and modernize the language and to better link it to Section 3(B)(2)'s reference that vacancies are advertised when the Board advises the Clerk to advertise. Section 3(B)(11) requires that appointees attend at least 50% of the body's meetings, a generous rule that allows a high absentee rate. If multiple members of a board, commission, or committee are absent, the public body may be unable to establish a quorum and conduct its business. Absenteeism also may reduce the value of the appointees when they attend meetings sporadically because they may have a lesser understanding of the issues because of their absences. The proposed change to this section, combined with the proposed change to section 3(B)(11), allows the Board to elevate the importance of attendance.

4. **Application Content.** The application form shall request information in the following areas: (i) the name of the board, commission, or committee the applicant seeks to be appointed to; (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 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.

**Comment:** With the exception of (v), which is new, the other nine elements of the application are in the current online application form. Element (v) would allow the Board to identify potential conflicts of interest arising from existing family relationships. However, the existence of a family relationship would not necessarily prevent an applicant from being appointed by the Board.

- 45. 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.
- 56. Distribution of Applications.** ~~Once the deadline for accepting applications is reached~~ After the application deadline has passed, the Clerk will distribute all applications received to the ~~members of the Board prior to Supervisors before the day Board meeting at which the applications will be considered for their review.~~ For magisterial appointments, the Clerk will forward applications as they are received to the ~~s~~Supervisor of that district who will then recommend his/ or her appointment.
- 67. Interviews; Appointments Without Interviews.** From the pool of qualified candidates, the Board, ~~at 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 ~~during the next day meeting on the day of a regular or special Board meeting.~~
- 78. Appointments Within 90 Days.** ~~All efforts will be made~~ 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, and commissions, and committees, ~~the agency will be asked~~ the Clerk shall ask the agency to recommend a person for appointment by the Board.
- 89. Vacancies Filled as They Occur; Exception.** All vacancies will be filled as they occur, except that vacancies occurring ~~in on a~~ on a Community Advisory Councils will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on ~~any that~~ that Council at the same time ~~with and~~ and more than three months remaining from the annual appointment date.
- 910. Appointees Required to File Real Estate Disclosure Form.** As a condition of assuming office, all citizen members of boards, ~~and 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 ~~January 15~~ February 1.
- 1011. Termination of Appointment for Excessive Absences.** If a member of a board, ~~or commission, or committee~~ does not attend and participate in at least ~~fifty~~ 50 percent of a ~~board's or commission's 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

**Comment:** A recent change in State law moves the filing deadline to February 1.

different attendance requirements and procedures to terminate an appointment for excessive absences for a particular board, commission, or committee.

**Comment:** This section currently requires that appointees attend at least 50% of the meetings of the board, commission, or committee to which they are appointed. This is a generous rule that still allows a high absentee rate. The proposed revisions to this section would give the Board greater flexibility to establish attendance requirements for any particular board, commission, or committee.

**11. 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.

**Comment:** This subsection is added to incorporate the substance of Virginia Code § 15.2-1411.

**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) Board Members 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 considering the matter.

**Comment:** This policy is new.