



# Albemarle County

## Legislation Text

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**File #:** 17-172, **Version:** 1

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**AGENDA DATE:** 2/1/2017

**TITLE:**

Albemarle County Board of Supervisors Rules of Procedure

**SUBJECT/PROPOSAL/REQUEST:** Notice of Motion to Amend the Board's Rules of Procedure

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Walker, Kamptner

**PRESENTER (S):** Greg Kamptner

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:** The Board adopted its Rules of Procedure, which include three Board policies (collectively, the "Rules"), at its annual meeting on January 4, 2017. Rule M allows the Rules to be amended by a majority vote of the Board at the next regular meeting following a regular meeting at which notice of a motion to amend is given.

**STRATEGIC PLAN:** Operational Capacity: Ensure County government's ability to provide high quality service that achieves community priorities.

**DISCUSSION:** The County Attorney began reviewing the Rules in December in order to ensure that they were in compliance with recent First Amendment case law. That review then extended into an examination of the Rules' readability. As a result, the County Attorney has prepared amended Rules of Procedure and Board Policies for the Board's consideration. The proposed substantive changes focus primarily on clarifying the concepts of maintaining decorum and using civil language at meetings and clarifying other existing rules. However, most of the proposed changes are related to the presentation and organization of the Rules: (1) the font size has been increased from 10 to 11 and the justification has been changed from full justification to left justification so that the Rules are easier to read; (2) lengthy paragraphs have been separated into subsections based on their subject matter so that a particular rule is easier to find, and catch lines have been added to these new subsections; (3) section headings and subsection catch lines have been changed from italics to boldface type, which is a more effective signal of a particular rule's subject matter; (4) the Rules have been re-"numbered" from lettered section headings to the more conventional numbered section headings; (5) the Rules have been reorganized to consolidate related subject matter in the same section or subsection as much as possible; (6) the Rules have been written in plain English to the extent possible, recognizing that a number of rules implement State law and it is advisable to use the language in the State law; and (7) the Policies pertaining to travel reimbursement, the creation of boards and commissions, and appointments to boards and commissions, have been removed and placed in a separate policy document.

The proposed Rules and Policies are Attachments A and B. The proposed Rules include comments following each section and subsection explaining the source for the Rule and the nature of any proposed change in the

language.

**BUDGET IMPACT:** There is no budget impact.

**RECOMMENDATION:**

Under current Rule M, one or more Board members may give notice that a motion to amend the Rules will be made at the next regular meeting of the Board. The notice requirement in Rule M may also be satisfied by the Board adopting a motion to consider amending the Rules at its February 8, 2017 meeting.

**ATTACHMENTS:**

A - Proposed Amended Rules of Procedure w/Comments

B - Proposed Amended Policies