



# Albemarle County

## Legislation Text

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**File #:** 19-226, **Version:** 1

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**AGENDA DATE:** 3/20/2019

**TITLE:**

Adoption of Amended Board Rules of Procedure  
Adoption of Amended Board Administrative Policies

**SUBJECT/PROPOSAL/REQUEST:** Adopt amended Board Rules of Procedure and Administrative Policies

**ITEM TYPE:** Consent Action Item

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

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Board of Supervisors considered proposed changes to its Rules of Procedure ("Rules") and Administrative Policies ("Policies") on March 6, 2019 and provided direction to staff regarding several provisions in the proposed Rules and Policies.

**STRATEGIC PLAN: Mission:** 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.

**DISCUSSION:** The attached revised draft Rules (Attachment A) and Policies (Attachment B) have been revised to incorporate the changes directed by the Board at its March 6 meeting. Staff has also made additional non-substantive stylistic and grammatical changes to ensure that the Rules and Policies are as clear and readable as possible. "Compare" versions of the Rules and Policies showing all of the revisions to the drafts are provided as Attachments C and D.

Three revised Rules are highlighted below to ensure that the wording accurately captures the Board's direction (page references are to Attachment A):

Rule 5(A)(1) (page 3): This Rule was revised to insert a sentence to require that Supervisors request that resolutions be added to the agenda at least seven days before the resolution may be considered.

Rule 5(A)(2)(b) (page 4): This Rule was revised to provide that the County Executive may add an item to the agenda by not later than 5:00 p.m. two days before the meeting at which action is required. This language tracks the same language already in the Board's Rules in Rule 5(A)(b)(1) for a Supervisor to add an item to the agenda. The revised Rule also adds an emergency provision, which states: "In an emergency, the County Executive may add an item at any time with the consent of the Chair and the Vice Chair." Finally, the revised Rule ends with the requirement that when the County Executive adds an item to the agenda (non-emergency or emergency), "he shall provide information about the item to all Supervisors as soon as practicable and prior

to the meeting.”

Rule 5(C) (page 5): This Rule was revised to add the requirement that the Clerk post the draft closed meeting motion, stating: “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.” Subsection (ii) is recommended to ensure that the legality of the Board’s closed meeting is not subject to a legitimate challenge for failing to comply with the Rule where the Board is doing more than what is required by the Virginia Freedom of Information Act.

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

**RECOMMENDATION:**

Staff recommends that the Board adopt the amended Board Rules of Procedure and Administrative Policies, with any further revisions desired by the Board.

**ATTACHMENTS:**

Attachment A - Draft Amended Board Rules of Procedure

Attachment B - Draft Amended Board Administrative Policies

Attachment C - Compare Version of the Board Rules of Procedure

Attachment D - Compare Version of the Board Administrative Policies