CHAPTER 01
Effective Date: March 8, 2016 (rev)

BY-LAWS FOR CALENDAR YEAR 2016

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ARTICLE 1. GENERAL

1.1. Powers and Authorities of Board of Supervisors. The County of Washington is a political subdivision of the Commonwealth of Virginia, and is bestowed all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

1.2. Statement of Intent and Purpose. The intent and purpose of the By-laws, Procedures, and Policies of the Washington County, Virginia Board of Supervisors are as follows:

1.2.1. To establish ways and means by which the Board of Supervisors as the governing body of Washington County, Virginia shall conduct itself in the performance of its duties and responsibilities;

1.2.2. To establish certain procedures to be followed by the Board of Supervisors as individual members and as a governing body, and by appointed officials and employees of the Board of Supervisors, to help ensure legality, fairness and consistency in the conduct of governance of Washington County; and

1.2.3. To establish certain rules and guidelines considered vital to the conduct of the Washington County government and the proper functioning of its elected and appointed officials, employees, agencies, departments, organizations; and the promotion and protection of the interests of the citizens of the county.

1.3 Limitation on By-laws, Procedures, and Policies. The By-laws, Procedures, and Policies of the Washington County, Virginia Board of Supervisors are limited as follows.

1.3.1. The By-laws, Procedures, and Policies shall not create any substantive rights for third parties or participants in proceedings before the Board.
1.3.2. The Board reserves the right to suspend or amend the By-laws, Procedures, and Policies whenever a majority of the Board decides to do so, as further set forth herein,
1.3.3. The failure of the Board to comply with the By-laws, Procedures, and Policies shall not invalidate any action taken by the Board.
1.3.4. The requirements of state and local law shall prevail whenever a conflict occurs between the By-laws and law.

1.4. Definitions. As used in these by-laws, the following terms are defined:

Action of Record:
An action taken or decision made by the Board recorded in the Minutes of the Meetings. Action of Record may take the following forms:

a. Motions and seconds with votes of the members of the Board recorded.

b. Consensus agreement of the Board without vote by the Board.

c. Directive of the Chairman in the exercise of that office during the conduct of an official meeting of the Board.

Advisory Board: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons other than members of the Board formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county.

Board: The Washington County Board of Supervisors.

Chairman: The member of the Board of Supervisors who is elected by the Washington County Board of Supervisors to serve as the presiding officer in accordance with § 15.2-1422 of the Virginia Code.

Committee: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons that may be formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county. A Committee shall be composed of up to three (3) members of the Board and such other persons as may be appointed by the Board and/or Committee members to serve.

Consensus: A unanimous agreement of all Board members present at a meeting without vote by the Board. In the absence of such unanimous agreement, a vote shall be required to effect an Action of Record.

County Code: The *Washington County Code*.

County website: The official County website at the address: www.washcova.com.

Directive: An exercise of discretionary authority granted to the Chairman from the Board empowering the Chairman as follows:

a. To enforce the protocols of Article 8.6 of these By-laws for the conduct of business and discourse before the Board to ensure proper decorum, civility, fairness and order.

b. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption or disturbance of a meeting of the Board of Supervisors, such that in the Chairman's discretion the meeting may not progress in the absence of removal, consistent with adopted policies and procedures of the Board.

c. To charge any person or persons with civil or criminal offenses pursuant to federal, state or local laws for the misconduct, disruption or disturbance of a meeting of the Board.

d. Notwithstanding the foregoing, the Chairman shall cause removal of a member of the Board only if the action is first approved by a majority vote in favor of such removal.

Ex-officio: A form of membership or appointment to a body or group where the individual may participate in proceedings or discussions, but shall not serve in an official leadership capacity nor vote in an official manner.

Item of Business: A matter to be presented before the Board at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

Majority vote: more than half of the votes cast by board members present and voting, (excluding absent members and abstentions). Examples: If six votes are cast, and the seventh board member abstains, the majority of six (more than three) is four; If five votes are cast, and two board members are absent, the majority (more than 2.5) is three.

Meeting or official meeting: Any Annual, Regular, Recessed, Special or Called Special Meeting of the Board of Supervisors. The following terms may also be used to further define and specify purposes for meetings. Meetings as defined herein are not exclusive of each other and may be conducted concurrently.

a. **Annual Meeting**: Pursuant to § 15.2-1416 of the Virginia Code, the Board's first meeting in the month of January. This meeting may also be referred to as the "Organizational Meeting."

b. **Joint Meeting**: A Joint Meeting may be conducted simultaneously with one or more corporate and politic bodies for the purpose of review, inquiry and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of Record may be taken at said meeting, and a quorum of both the Board and other body(ies) is required to Call to Order and conduct a Joint Meeting.

c. **Public Information Meeting**: A Public Information Meeting shall be limited to the dissemination of information to and/or from the public where the Board of Supervisors will take no Action of Record at said meeting. A quorum of the Board of Supervisors is not required to Call to Order and conduct a Public Information Meeting. Public Information Meetings may be called in the name of the Board of Supervisors or administratively by the County Administrator or his designee.

d. **Public Hearing**: A public hearing shall be conducted at said meeting and the Board of Supervisors may take an Action of Record on such matters as may arise from the Public Hearing. A quorum of the Board of Supervisors is required to Call to Order and conduct a Public Hearing. A Public Hearing shall be advertised and/or notice thereof served as required by the Virginia Code.

e. **Recessed Meeting**: A meeting conducted at a date, place and time set by the Board of Supervisors as a continuation of a previously held meeting. A Recessed Meeting shall be scheduled no later than the date of the next Regular Meeting.

f. **Rescheduled Meeting**: A Rescheduled Meeting shall be for the purpose of conducting a meeting of the Board of Supervisors where, by virtue of necessity or at the discretion of the Board of Supervisors, the originally scheduled meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these By-laws. Action of Record may be taken on any Item of Business presented at a Rescheduled Meeting, and a quorum of the Board of Supervisors is required to Call to Order and conduct a Rescheduled Meeting.

g. **Worksession or Workshop Meeting**: A Worksession or Workshop Meeting shall be for the purpose of in-depth review, inquiry and discussion of specified Items of Business where Action of Record may be taken by the Board of Supervisors. A quorum of the Board of Supervisors is not required to Call to Order and conduct said meeting, but no Action of Record shall be taken in the absence of a quorum. Worksession or Workshop Meetings may also be called and scheduled for the purposes of presentations to the Board of Supervisors, for educational and informational purposes, and for preparation of the County Operating Budget.

Primary Motion: The first motion presented following informal discussion of any Item of Business at a Board meeting.

Quorum of the Board: Four (4) of the seven (7) members of the Board; or in the event of vacanc(ies) on the Board, a majority of the remaining filled positions on the Board.

Substitute Motion: A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Board meeting.

Table: The fixed area at which all members of the Board are seated during official activities in the course of a meeting. In the Board auditorium, the horseshoe-shaped structure in the front of the auditorium is the Table.

Virginia Code: The 1950 Code of Virginia, as amended.

1.4. Construction. As used in these by-laws, the masculine shall include the feminine, and the singular the plural unless otherwise specified herein. The word "shall" is mandatory and not discretionary; the word “may” is permissive and discretionary. The word "approve" shall be considered to be followed by the words "or disapprove".

ARTICLE 2. BOARD OF SUPERVISORS

2.1. The County of Washington is governed by a Board consisting of seven (7) Supervisors elected from the citizenry of Washington County, one (1) Supervisor from each of the county’s seven (7) Election Districts. Terms of each Supervisor are for four (4) years and may be successive. Qualifications for election to the Board of Supervisors are prescribed in the Virginia Code and Election Districts shall be defined by ordinance and set out in the County Code.

2.2. The Board of Supervisors is the governing body of the County of Washington and exercises all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

2.3. The Board of Supervisors at its discretion may authorize by appropriate action and annually provide for such sums for their salaries and expenses as members of the Board pursuant to the Virginia Code.

ARTICLE 3. OFFICERS OF THE BOARD OF SUPERVISORS

3.1. Pursuant to § 15.2-1422 of the Virginia Code, the Board shall elect annually from its membership a Chairman and Vice-Chairman.

3.2. The term of office of the Chairman and Vice-chairman shall begin at adjournment or recess of the meeting at which they were elected and shall continue until adjournment or recess of the meeting at which election of a new Chairman and/or Vice-chairman occurs the following calendar year, which shall be scheduled to occur at the Annual Meeting. In the event the Chairman and/or Vice-chairman cease to be members of the Board prior to the end of their term as defined above, then the rule of succession stated elsewhere in these By-laws shall control designation of who shall serve as chairman and/or Vice-chairman until such vacancy is filled, at which time election of chairman and/or Vice-chairman shall occur.

3.3. No member of the Board may serve more than two consecutive terms as Chairman and Vice Chairman unless at the Annual Meeting no other member(s) of the Board wishes to be considered for the office(s). If after nominations for the offices are called for and no other member wishes to be nominated for the offices, the Chairman and/or the Vice Chairman may be elected to successive terms.

ARTICLE 4. ELECTION OF OFFICERS

4.1. Election of officers of the Board shall be scheduled for completion at the Annual Meeting. In the absence of a quorum at the Annual Meeting, the Board shall defer election of officers to the next subsequent Regular Meeting(s) until a quorum is present. If a quorum is present at the Annual Meeting, the Board may defer election of officers to a Recessed Meeting from the Annual Meeting upon motion and majority vote in favor. The current seated officers shall continue to exercise their offices until replaced.

4.2. Nominations for officers shall be conducted in open session. Election of the Chairman shall precede election of the Vice-Chairman. Nominations may be made by motion and do not require a second. A motion with second and a majority vote in favor is required to close the floor for further nominations, at which time election of officers will be conducted in reverse order of the nominations. A majority vote in favor is needed to elect officers.

4.3. In the event of a tie vote during the election of an officer, election of that officer shall be tabled to the next Meeting of the Board together with election of any other officer that has not been completed. In the event of a subsequent tie vote, a single blind lot drawing from the slate of tied nominations shall select the officer. Officers selected in this manner shall be fully vested with all duties and powers accorded the office pursuant to the Virginia Code and these By-laws. The current seated officers shall continue to exercise their offices until new officers are elected or selected in this event.

4.4. Upon election of new officers, the current seated chairman and Vice-chairman shall continue to exercise their offices until the adjournment or recess of the meeting of the Board at which elections were held. Immediately upon adjournment or recess of such meeting, these offices shall be relinquished to the newly elected officers.

ARTICLE 5. DUTIES AND POWERS OF OFFICERS OF THE BOARD OF SUPERVISORS

5.1. In accordance with accepted rules of order and parliamentary practice, the Chairman is to preside at all meetings of the Board. The Vice-Chairman shall act with the full power and authority of the Chairman in the absence of the Chairman at any meeting of the Board. In the absence of both the Chairman and Vice-Chairman, the most recent past Chairman of the Board in attendance shall chair the meeting and exercise the full power and authority of Chairman in the capacity of Acting Chairman. In the absence of the Chairman, Vice-Chairman and most recent past Chairman, the remaining Board members shall choose an Acting Chairman for the meeting. Where an Acting Chairman is needed for a meeting, the Board need not designate an Acting Vice-Chairman. Where used in these Bylaws, Chairman shall also be construed to mean Acting Chairman.

5.2. When the Board is engaged in official meetings, regardless of location, the building and associated grounds constituting the meeting place are under the control of the Chairman for the orderly conduct of the meeting. In addition to the exercise of parliamentary powers, the Chairman is empowered to issue Directives that shall be recorded as an Action of Record in order to facilitate orderly conduct of meetings.

5.3. The Chairman is empowered to administer oaths pursuant to § 15.2-1410 of the Virginia Code; shall be the head of the county government for all official functions and ceremonial purposes pursuant to § 15.2-1423 of the Virginia Code; and shall have authority to sign official documents on behalf of the County.

5.4. The Chairman shall adhere to and is empowered to enforce the protocols of Article 8.6 during official meetings of the Board. The Chairman shall act as parliamentarian of the Board, and may seek the advice of the County Attorney, or, in the absence of the County Attorney, the County Administrator, in the interpretation of the provisions of these By-laws and other established procedures for the conduct of meetings.

5.5. Vacancies in officer positions due to reasons such as, for example, death, resignation from service on the Board, or removal from office.

5.5.1. Chairman. In the event of a vacancy in the office of Chairman, the Vice-Chairman shall assume the position of Acting Chairman, as required by § 15.2-1424. Election of an Acting Vice-Chairman from among the members of the Board shall be placed on the agenda for the first meeting after notice of vacancy has been provided to the members of the Board.

5.5.2. Vice-Chairman. In the event of vacancy in the office of Vice-Chairman, election of a Vice-Chairman shall be placed on the agenda for the first meeting after notice of vacancy has been provided to members of the Board, as required by § 15.2-1424 of the Virginia Code.

5.5.3. Concurrent vacancy – Chairman and Vice-Chairman. In the event of concurrent vacancies in the office of Chairman and Vice-Chairman, then the following member of the Board shall serve as Acting Chairman, selected based on the following priority criteria: member who has most recently served as Chairman; if none, then most senior member; if more than one, then selected from the group of most senior members by majority vote at the first meeting at which the concurrent vacancy has occurred.

5.5.4. Powers and authority of acting officer(s). Acting officer(s) shall have all duties and powers accorded their office pursuant to the Virginia Code and these By-laws.

5.5.5. Election of Chairman and Vice-Chairman after full membership of Board of Supervisors is re-established. Election of officer(s) to replace the Acting officer(s) shall occur pursuant to Article 4 of these By-Laws at the first meeting after the vacanc(ies) on the Board have been filled as specified in state law for holding special elections (Va. Code §§ 24.2-681, *et seq.*). In this event, such newly elected officers shall serve until the next Annual Meeting of the Board, or until the end of their elected term(s) of office, whichever occurs first. Officers selected in this manner shall be fully vested with all duties and powers accorded their office pursuant to the Virginia Code and these By-laws. The members of the Board who served as Acting officer(s) as a result of vacancy may be elected to serve the officer position as may any other member of the Board at the time of the election except as otherwise may be restricted by the Board's By-laws.

5.6. The Chairman shall be an ex-officio member of all Committees and Advisory Boards of the Board, privileged to attend and participate in all meetings of such Committees and Advisory Boards, including closed meetings, but shall not vote on Committee matters unless appointed as a Committee member.

5.7. The County Administrator shall post notice of all committee meetings where such notice is commonly posted in the County Government Building and shall make best efforts to post notice on the County website. Committee meetings shall be conducted open to the public in compliance with the Virginia Freedom of Information Act, and, in the event that 3 or more members of the Board of Supervisors are in attendance as committee members and/or audience, the Committee facilitator shall announce at the beginning of such meeting: "This meeting has been posted and is open to the public. As such, and in accordance with state law, non-appointed members of the Board may participate openly as audience." The County Administrator is requested to include this statement on written Committee meeting agendas. The Committee may enter into Closed Meeting only for such purposes as allowed by VFOIA and shall follow procedures for Closed Meeting in accordance with VFOIA requirements. The Committee shall control the participation of non-appointed members in Committee discussions as well as participation of other non-appointed audience. If non-appointed members of the Board of Supervisors attend as audience, all conversation between three or more such members regarding matters of public business shall be made openly to satisfy open meeting requirements. In the event that four or more members of the Board participate in committee discussion, then meeting minutes shall be prepared in accordance with the requirements of VFOIA, Va. Code § 2.2-3707(I).

ARTICLE 6. MEETINGS OF THE BOARD OF SUPERVISORS

6.1. The Annual Meeting shall be held on the second Tuesday of January. Regular Meetings shall be scheduled for the fourth Tuesday of January and the second and fourth Tuesday of each month thereafter except December when the Regular Meeting shall be held on the second Tuesday only. The Annual and Regular Meetings shall be Called to Order at 6:30 p.m. and shall be held at the Board of Supervisors Auditorium in the County Government Building at 1 Government Center Place, Abingdon, Virginia. The Annual and Regular Meeting date, place and time shall continue as stated herein unless changed by the Board.

6.2. The Board shall strive to adjourn its meetings no later than 10:00 p.m. In the event the Chairman notes the likelihood that all matters on the agenda will not be completed by 10 p.m., the Chairman shall call for Board action to determine whether to proceed past 10 p.m. In the absence of a motion and majority vote in favor to extend the meeting past 10 p.m., the meeting shall adjourn at 10 p.m., and any unaddressed or unfinished business remaining on the Agenda as of 10:00 p.m. shall be carried over and placed on the Meeting Agenda for the next Regular Meeting. Alternatively, the Board may take action to recess to a Recessed Meeting to be held prior to the next Regular Meeting specifically to address or complete such business. The unaddressed or unfinished items of business shall be given first priority on the agenda for the Recessed Meeting, if any, or next Regular Meeting, if no Recessed Meeting is scheduled. The Board may recess such meetings from day to day, or from time to time or from place to place not beyond the time fixed for the next Regular Meeting, until the business before the Board is complete. Further, the Chairman may call for a Called Special Meeting of the Board pursuant to Section 6.4 herein to complete such business prior to the next Regular Meeting.

6.3. Rescheduled meetings of the Board shall occur as follows:

6.3.1. If the date for the Annual or any Regular Meeting as scheduled herein falls on a legal holiday, the meeting shall be held on the next following regular business day at the regular time and place, without action of any kind required of the Board. If any Regular Meeting falls on a day where elections of members of the Board shall occur, the meeting shall be on the next following regular business day at the regular time and place.

6.3.2. If the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Board members to attend the Annual or a Regular Meeting, the meeting shall be held on the next following regular business day, or such other subsequent business day on which attendance would not be hazardous, without further action of the Board. In the event of rescheduling due to hazardous conditions, the County Administrator shall communicate to the members of the Board and the press as promptly as possible the determination of rescheduled meeting day, time, and place. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

6.3.3. If the Board determines to hold the Annual or any Regular Meeting at any day, time, or place other than that as prescribed herein, the Board shall do so by motion to set such meeting day, time, or place, and, further, the Board shall cause a notice of such action to be posted on the door of the Board of Supervisors Meeting Room and inserted in a newspaper having general circulation in the County at least seven days prior to the first such meeting at such other day, place, or time.

6.3.4. In all respects regarding the rescheduling of meetings of the Board, the provisions of § 15.2-1416 of the Virginia Code and/or such other applicable state law shall control.

6.4. Special Meetings of the Board may be approved and scheduled at the Annual Meeting for the calendar year and set out in the Operational Procedures of the Board. Additionally, Called Special Meeting(s) may be conducted by the Board pursuant to § 15.2-1417 and § 15.2-1418 of the Virginia Code. Special Meeting(s) may be scheduled or called for specific purposes, as follows:

6.4.1. Joint Special Meeting;

6.4.2. Public Information Meeting;

6.4.3. Public Hearing;

6.4.4. Rescheduled Meeting;

6.4.5. Worksession or Workshop Meeting.

6.4.6. Other purposes as allowed by law.

6.5. The official meetings of the Board shall be open to the public. The Board reserves the right to enter into Closed Meeting pursuant to the Virginia Code at any official meeting.

6.6. Closed Meetings will be restricted for those proper purposes enumerated in the Virginia Code, and all Closed Meetings will be held in strict accordance with Virginia law.

6.7. No gathering of members of the Board of Supervisors, whether there be a number equal to or exceeding a quorum of the Board or a lesser number, shall be considered an official meeting of the Board unless such gathering takes place at a bona fide Annual, Regular, Recessed or Special Meeting as set forth in these By-laws. No Action of Record may be taken on any matter outside of the time, place and location of an official meeting of the Board.

6.8. The County Administrator or the Chairman shall request the Sheriff of Washington County to provide at least one (1) deputy to attend the Annual and all Regular Meetings of the Board and, upon request of the Board or County Administrator, at any other official meeting. When in attendance of any official meeting, deputies shall be under the direction of the Chairman during the period of the official meeting (including any brief recesses thereof), and under the direction of the County Administrator, Acting County Administrator, or their designee during the period prior to the meeting's Call to Order and immediately upon final Recess or Adjournment of the meeting.

ARTICLE 7. AGENDAS FOR BOARD OF SUPERVISORS MEETINGS

7.1. The Annual and Regular Meetings of the Board shall have a formal Meeting Agenda prepared by the County Administrator or their designee. The County Administrator may, and the County Attorney and Board members individually may by request to the County Administrator, place matters of business on the Agenda for discussion, information and/or action by the Board as are germane to the affairs and interests of the Board and County. Agendas for Special Meetings are optional at the discretion of the Board of Supervisors or County Administrator.

7.2. The County Administrator shall cause the Meeting Agenda and supporting documentation for regular meetings of the Board to be available for viewing through a link on the County website no later than noon seven calendar days prior to the day of regular meetings, and when practical, the agendas and supporting documentation for all recessed and special meetings of the Board shall also be posted to the County website at least seven calendar days prior to such meetings. In the event that technical limitations prevent posting of the complete agenda or supporting documentation, the agenda shall note such limitation. The supporting documentation should include recommendations on actions prepared by county administrative personnel and other county officials if a recommendation is available and appropriate.

7.3. The Order of Business of the Meeting Agenda for the Annual and Regular Meetings of the Board shall be ordered generally as follows:

7.3.1. For the Annual Meeting:

I. Call to Order and Determination of Quorum;

II. Welcome, Invocation and Pledge of Allegiance;

III. Approval of Meeting Agenda;

IV. Election of Board Chairman and Vice-Chairman for the Calendar Year;

V. Approval of Board By-Laws, General Policies and Operating Procedures for the Calendar Year;

VI. Establishment of and Appointments to Committees and Advisory Boards of the Board for the Calendar Year;

VII. Various Annual Appointments by the Board for the Calendar Year;

VIII. Consent Agenda, consisting of:

a. Approval of Minutes
b. Approval of Routine Financial Matters
c. Award of Bids and Approval of Contracts
d. Authorization of Routine Business Matters;

IX. General Business of an Urgent Nature, which cannot reasonably be delayed until the first regular meeting;

X. Public Comment;

XI. Board Member Reports;

XII. Board Information and Reminders;

XIII. Adjourn or Recess.

7.3.2. For Regular Meetings:

I. Call to Order and Determination of Quorum;

II. Welcome, Invocation and Pledge of Allegiance;

III. Approval of Meeting Agenda;

IV. Public Hearings;

V. Public Comment;

VI. Recognitions and Special Presentations;

VII. Closed Meeting, including Board Action(s) of Record upon reconvening in Open Meeting as a result of the Closed Meeting, if any (limited to single (1) urgent topic as determined by the County Administrator, County Attorney or Board of Supervisors as determined at the time of Approval of the Meeting Agenda);

VIII. Consent Agenda, consisting of:

a. (1). Approval of Minutes
b. (2). Approval of Routine Financial Matters
c. (3). Award of Bids and Approval of Contracts
d. (4). Authorization of Routine Business Matters;

IX. Items of General Business, consisting of and in the following order:

a. (1). Action Items
b. (2). Information Items;

X. Board Member Reports;

XI. Board Information and Reminders;

XII. Closed Meeting(s), including Board Action(s) of Record upon reconvening in Open Meeting as a result of the Closed Meeting, if any (limited to not more than two (2, non-urgent topics);

XIII. Recess or Adjourn.

7.3.3. Deviations from the Order of Business may be made at the discretion of the County Administrator during the preparation of the Meeting Agenda, and by the Board as an amendment of the Meeting Agenda at the time of Approval of Meeting Agenda. The Board by motion with second and majority vote in favor may eliminate any of the above items in the Order of Business for a specific meeting or meetings, or through the time of the next Annual Meeting in its entirety, and may also restore any item so eliminated or add other items by like Action of Record at any meeting.

7.3.4. Recess. A five- (5) to ten- (10) minute recess shall be taken during the course of all official meetings every one and one-half (1 ½) hours, or at such times during the Meeting Agenda as the Chairman deems appropriate to facilitate orderly conduct of the meeting.

7.4. A request for amendment of the Meeting Agenda shall be made from the Board Table and only by members of the Board, County Administrator, or County Attorney. Approval of amendment of the Meeting Agenda requires majority vote in favor. An amendment made at the time of Approval of the Agenda shall be reflected in the Minutes of the Meeting at which the amendment was made. Items scheduled for action on the Meeting Agenda may be deferred to a later time in the meeting by consensus of the Board members or by recorded vote.

7.5. The Board shall take no Action of Record on any matter that is not on the Meeting Agenda unless amendment of the Meeting Agenda is requested at the time of Approval of the Agenda. Amendment of the Meeting Agenda requires a majority vote in favor. Upon Approval of the Agenda, no further amendments may be made except as provided for in paragraph 7.4. Any action to be taken as a result of Closed Meeting is exempt from the provisions of this paragraph. Actions shall not be taken in response to a "Special Presentation" item on the Agenda unless, by consensus, the Board determines to proceed with consideration of an action in response to a "Special Presentation."

7.6. As part of its Meeting Agenda the Board may include an Invocation, which will be stated by a member of the Board or visitor in accordance with the Board's Operating Procedures. The purpose of the Invocation is to solemnize the meeting of the Board, to seek a unity of purpose to benefit the common good, to encourage all participants in the meeting to act in accord with this common interest, and to acknowledge the limitation of individual participants' control and authority over the activities of local government. Invocations shall not serve to affiliate the Board or the County government with any specific faith in preference to others. Public participation in the Invocation is welcomed but not mandatory. All citizens of the County, regardless of creed, are encouraged to attend meetings of the Board and to participate in local government activities.

ARTICLE 8. CONDUCT OF MEETINGS OF THE BOARD OF SUPERVISORS

8.1. The Board shall generally follow *Roberts' Rules of Order Newly Revised* (11th edition, or later published edition, if any), the provisions of Article 8.4., notwithstanding. In following these rules of parliamentary procedure, the Board intends that special attention will be given to the following:

8.1.1. Protecting the rights of each individual member of the Board, county administrative employees and the public.

8.1.2. Preserving and ensuring a spirit of harmony and cooperation within the Board, and between individual Board members.

8.1.3. Allowing full and free discussion among the members of the Board in order to ensure that all viewpoints are considered prior to taking action on behalf of the county.

8.2. Where provisions of these By-laws differ from similar procedures established by Robert's Rules of Order, provisions of these By-laws shall prevail.

8.3. At any official meeting of the Board, all members of the Board present at such meeting, the County Administrator or substitute as noted below, County Attorney, Recording Clerk (or person acting in the capacity of the Recording Clerk) and County Director of Budget & Finance as may also be present are authorized to be seated at the Board Table during the conduct of said meeting. The Chairman or Acting Chairman shall be seated in the center position of the Board Table, with the Vice-Chairman or Acting Vice-Chairman to his immediate right or left. In the absence of the County Administrator, the following shall stand in the County Administrator for the purposes of the conduct of the Board meeting, in the following order based on availability: Deputy County Administrator and Director of Budget & Finance. In the event none of these individuals are present for a Board meeting, the County Attorney shall serve as substitute.

8.4. The following rules and procedures shall prevail at meetings of the Board:

8.4.1. A quorum must be present to Call to Order and continue an official meeting and to take an Action of Record.

8.4.2. The Chairman shall call to order an official meeting at the designated time and determine a quorum. If a quorum is not present at the designated time, the Chairman may direct a delay of up to fifteen (15) minutes in the start of the meeting at his discretion. Any further delay in the start of the meeting may be made with the consensus of the Board members or by recorded vote.

8.4.3. Should for any reason a quorum not be maintained continuously during any official meeting, official recesses notwithstanding, see 7.3.4, the meeting shall adjourn, or recess at the discretion of the Chairman, at that time. A Board member's physical presence at the Table, or other designated official voting site, shall be considered as being present at the meeting and satisfactory for the maintenance of a quorum. Board members shall notify the Chairman if required to leave the grounds of the location of the meeting, either temporarily or for the remainder of the meeting.

8.4.4. All formal discussions of Items of Business and Actions of Record must be made from the Table.

8.4.5. Discussion of an Item of Business shall only commence after a primary motion is made and seconded; with the exception that Board members may discuss an Item of Business that is on the approved agenda prior to a motion on such matter, limited to clarifying questions concerning the Item directed to the member of the Board who made the primary motion, County Administrator, County Attorney, County Director of Budget and Finance, Recording Clerk, or the individual(s) presenting at the Lectern.

8.4.6. A second to a primary or substitute motion is required in order to formally discuss and/or vote upon the motion. Voting shall be by show of hands. The Chairman shall summarize the vote upon conclusion of an Action of Record, noting by individual name those Board members abstaining or voting in the minority on the Item of Business.

8.4.7. Any member of the Board, with the exception of the Chairman, may move to terminate debate or discussion of an Item of Business and call for a vote on a pending motion by "calling for the question" after being recognized by the Chairman. Upon the Chairman's recognition of a member having called for the question, the Chairman shall ask if any member objects to

closing debate. If any member objects, then the Chairman shall ask if there is a second to the motion to call for the question. If a second is received, then the Chairman shall immediately call for a vote on the motion to call the question. In accordance with RONR (11th ed.) p. 202, ll 11-24, a two-thirds majority of members present is required to call the question, and the vote on the motion to call the question shall be taken separately from and before the vote(s) on the motion(s) to which it is applied.

8.4.8. A majority vote in favor shall be required to adopt a motion, except, pursuant to Virginia Code §15.2-1428, motions regarding adoption of an ordinance or resolution that involves appropriation of money in an amount that exceeds five hundred ($500.00) dollars, the imposition of taxes, or authorizing the borrowing of money, in which case an affirmative vote of a majority of all members of the Board shall be required.

8.4.9. A tie vote fails. The Board does not designate a tiebreaker pursuant to § 15.2-1421 of the Virginia Code.

8.4.10. A substitute motion will be voted on prior to the primary motion, in reverse order (i.e. the substitute motion will be voted on first). Only two (2) substitute motions will be considered prior to a vote on the primary motion.

8.4.11. The Chairman is authorized to speak in discussions, and can vote on all motions and/or all questions but may not “call for the question.” The Chairman may make a primary motion, substitute motion, or second a motion, only after giving all other members a chance to do so.

8.4.12. A primary motion may be amended prior to vote with the concurrence of the originating Supervisor of the primary motion, and with second. The amended primary motion is then treated as the primary motion, and not a substitute motion. A primary motion may not be amended if a substitute motion is pending until conclusion of vote on the substitute motion. An amendment to a primary motion opposed by the originating Supervisor shall not be voted on until action is taken on the original primary motion.

8.4.13. Motion to reconsider. If a primary or substitute motion is made at a Board meeting where at least six (6) members are present and the motion is voted on and fails, the same or a substantively similar motion cannot be reconsidered by the Board during that meeting except by a primary or substitute motion to reconsider made by a member of the Board who voted on the prevailing side where there are no less than six (6) Board members present, and only if two-thirds (2/3) of the Board members present vote in favor of the motion to reconsider the action previously decided. A motion to reconsider may be made only in the course of the same meeting at which the subject motion was acted upon.

8.4.14. Motion to rescind. A motion to rescind may be made for the intent to change an action voted upon at an earlier meeting. The motion to rescind may be made by any member of the Board. If advance written notice is provided in the agenda of the intent to made a motion to rescind, then a simple majority in favor is required for it to be successful. If no advance written notice is provided, then it shall succeed only if two-thirds (2/3) of the Board members present vote in favor of the motion to rescind.

8.4.15. **Motions to defer consideration of a matter until some later time**.

8.4.15.1. To lay on the table indefinitely. To delay discussion of a matter temporarily to allow a more urgent item to be considered, a motion to lay on the table (i.e., motion "to table") may be made. If the motion succeeds, then, after at least one other item of business has been conducted, a subsequent motion is required to bring the matter back to the Board for continued consideration. The motion to return to the matter for continued consideration requires a majority vote in favor before continued discussion may commence. If the matter is not taken from the table by the end of the next meeting, it fails.

8.4.15.2. To postpone. To delay discussion of a motion until a specific point in the same meeting, specific time, or specific later meeting, a motion to postpone to a definite point in the agenda, time, or date is required and shall succeed with a majority vote. A matter that has been postponed to a certain point in the agenda, time, or date shall be brought up again automatically when that point in the agenda, time, or date arrives.

8.4.15.3. Deferred consideration of zoning petitions. Virginia Code section 15.2-2286 requires that a zoning petition must be "acted upon" within a "reasonable time," not exceeding one year. The Board may defer action on a zoning petition for consideration at a more convenient time, which time must be specified in a motion to postpone. The Board may not dispose of a zoning petition with a motion to table indefinitely because state law requires the Board to "act upon" a zoning petition.

8.4.16. **Motions on zoning petition**. Upon the failure of a motion to approve a petition for rezoning, special exception permit, or other zoning request that has been the subject of a public hearing before the Board, the failure of such motion shall be deemed equivalent to denial of the application, request, or other pending matter, and no further action to deny is required.

8.5. Remote Participation in Board Meetings. A member of the Board may participate in a meeting of the Board through electronic communications from a remote location that is not open to the public as provided in Code of Virginia § 2.2-3708.1 subject to the following requirements:

8.5.1. On or before the date of a meeting a supervisor wishing to participate from a remote location in a meeting of the Board shall notify the Board Chair that the supervisor is unable to attend the meeting due to an emergency or a personal matter and identify with specificity the nature of the emergency or personal matter, or notify the Board Chair that the supervisor is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the supervisor's physical attendance.

8.5.2. The Board shall record in its minutes the specific nature of the emergency or personal matter or medical condition or disability and the remote location from which the absent supervisor participated. If the absent supervisor's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board's minutes.

8.5.3. Such participation by the absent supervisor shall be limited in each calendar year to two meetings or 25 percent of the meetings of the Board, whichever is fewer.

8.5.4. A quorum of the Board must be physically assembled at the primary or central meeting location.

8.5.5. Remote participation will be permitted only if the primary or central meeting location has capacity to allow the voice of the absent supervisor to be heard by all persons in attendance at the primary or central meeting location, and if so, then such technology shall be used to so broadcast the voice of the absent supervisor.

8.6. The following protocols will be followed at meetings of the Board:

8.6.1. Official meetings of the Board are open to public observation and, as set out herein, public participation. Persons present at an official meeting shall be respectful of the rights of others.

8.6.2. Board members are to be polite and courteous in addressing other members of the Board and all those present at Board meetings, and all Board members are to maintain proper decorum in their conduct at meetings of the Board (i.e., refrain from "name calling", derogatory remarks and other forms of personal affronts).

8.6.3. Those persons and organizations with Items of Business before the Board should be represented at an official meeting if so requested by the Board of Supervisors, individual members of the Board, the County Administrator, County Attorney, or any person acting on behalf of these.

8.6.4. Those persons and organizations with Items of Business before the Board may address the Board upon recognition and invitation of the Chairman to approach the Lectern, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address to facilitate any correspondence needed subsequent to the Item of Business. As a guideline, presentations to the Board pursuant to an Item of Business should be limited to ten (10) minutes. The Chairman at his discretion may end a presentation after such time has elapsed or may permit continuation of it. The Board by Action of Record may overrule the Chairman’s decision in this regard.

8.6.5. The discourse of those presenting at the Lectern shall be made part of the Minutes of the Meeting subject to Article 9 of these By-laws.

8.6.6. Those individuals of the public attending any official meeting of the Board of Supervisors without an approved Item of Business on the Meeting Agenda or modification thereof shall not be permitted at the Lectern at any time other than during a Public Hearing or the Public Comment portion of the meeting. No person shall address the Board during an official meeting from the audience unless recognized by the Chairman.

8.6.7. At any official meeting of the Board where a public hearing is set on the Meeting Agenda, the Chairman shall first permit general presentation and discussion of the matter of the public hearing from the Lectern and/or from the Board Table. At the conclusion of such presentation/ discussion, the Chairman shall Open the public hearing and invite those of the public attending the meeting to the Lectern to comment.

8.6.8. At the discretion of the Chairman, or with the consensus of the Board members or by recorded vote, those speaking during the open portion of a public hearing may be limited to a specified length of time for comments at the Lectern. The Chairman at his discretion may provide a verbal advisory to a speaker at the Lectern when thirty (30) seconds remain of the specified time to conclude comments. During public hearings, speakers may address the Board only on matters pertaining or germane to the issue for which the public hearing is being held. No speaker is to engage in political statements, personal attacks upon members of the Board of Supervisors, county employees or officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the issue for which the public hearing is being held. Violation of this rule shall enable the Chairman by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary and take such other steps the Chairman deems appropriate, including bringing appropriate charges against the person and bringing the charges in the name of the Board of Supervisors.

8.6.9. No discourse from participants other than members of the Board and staff at the Table at a public hearing, whether during general presentation and discussion or during the Open portion of the hearing is required to be entered into the Minutes unless conducted at the Lectern.

8.6.10. The Chairman may limit the number of those wishing to speak at a public hearing when in the Chairman's judgment a fairly representative exchange of views and comments on the matter has been achieved.

8.6.11. Questions asked by speakers during the course of the Open portion of a public hearing may be addressed at the conclusion of the speaker's comments by the appropriate party, and before the next speaker approaches the Lectern. The Chairman may permit deviation from this rule.

8.6.12. Upon conclusion of speakers at the Lectern, the Chairman shall close the public hearing. A motion with second and majority vote in favor shall overrule the Chairman's decision to close the public hearing or to limit speakers, in which event speakers may continue until the Board by motion to close the public hearing and majority vote in favor ends the public hearing. An Action of Record may be taken at the close of a public hearing at the discretion of the Board.

8.6.13. Board Member Reports shall facilitate the presentation of comments, reports and proposed Items of Business not otherwise part of the Meeting Agenda by individual Board members in round table fashion. Matters may be presented for information, discussion and consensus agreement of the Board, and/or scheduled for further consideration as an Item of Business at a future meeting of the Board. When speaking during Board Member Reports, Board members shall be limited to five (5) minutes, at which time the Chairman may at his discretion suspend further presentation from the Board member and request action by consensus agreement of Board members present at the Table to permit additional time to conclude the presentation. No Board member shall yield time or place under Board Member Reports to any other Board member or other person. No member of the Board shall have any other position reserved for them on the Meeting Agenda other than under Board Member Reports.

8.6.14. The County Administrator or Recording Clerk shall advise the Chairman verbally at 9:50 p.m. that ten (10) minutes remain within which to conclude the meeting.

8.7. The Board may at its discretion adopt specific rules and procedures relative to the conduct of certain types of public hearings other than those set forth in this Article. Such specific rules and procedures shall be adopted in the manner prescribed for amendment of these By-Laws set forth in Article 13 and shall become part of these By-Laws upon adoption. Where a public hearing is conducted by another party on behalf of or before the Board, the rules and procedures governing that public hearing shall be as prescribed by the party conducting it.

8.8. Board members will assist the Chairman in enforcing the following Operating Guidelines:

8.8.1 Board members recognize that good decisions require full discussion of policy issues through participation from all Members. In doing so, the Board's discourse and actions should reflect the utmost respect for each Member, the staff, and the public.

8.8.2 When the Board is considering an issue specific to or predominately involving a Supervisor's district, Board members will provide the opportunity to that Supervisor to speak to it first.

8.8.3 When the Board is discussing an issue that has been considered by a Board committee, the Board will provide the opportunity for the Board Committee Members to address the issue before other Board members speak.

8.8.4 In the interest of properly representing our citizens, the Board expects that Members will abstain from voting only when there is a conflict of interests or to be in conformance with the Board's By-laws.

8.8.5 In public hearings, the Board Members are there to hear comments and should avoid debating issues with the speakers. When asking the speaker a clarifying question, Board Members will avoid expressing their opinions of the issue and reserve comments for the discussion period following the hearing.

8.8.6 To insure that meetings are focused and efficient, Board Members will direct comments to and request permission to address the speaker from the Chairman.

8.8.7 While Board members may differ publicly on policy issues, they will avoid criticizing other Board members personally and will present their arguments or position in ways that are respectful of others' opinions.

8.8.8 Members of the Board will defer to the Board Chair or the County Administrator to represent the official position of the Board after the Board takes official action.

8.8.9 Board Members will refrain from discussing specific staff performance issues in public meetings and will direct concerns to the County Administrator in private.

8.9. A period for Public Comment shall be provided as part of the Agenda for the Board's regular monthly meetings. The Public Comment period is provided to permit Washington County residents or property owners an opportunity to address the Board on legitimate matters of county business. This period shall be governed by the following provisions:

8.9.1. The Public Comment period shall be strictly limited to five (5) minutes per speaker and restricted to residents of Washington County or owners of property located within Washington County. The matters on which speakers may address the Board shall be limited to legitimate matters of county business. No speaker shall engage in political statements, personal attacks upon members of the Board of Supervisors, county employees and officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside of the authority of the Board of Supervisors. Matters subject to a public hearing scheduled for the same meeting shall not be addressed during the Public Comment period. Violation of these rules shall enable the Chairman to rule the speaker out of order and by directive to have the speaker removed from the meeting, if necessary, and to take such other steps the Chairman deems appropriate, including bringing charges against the speaker in the name of the Board of Supervisors. Any speaker removed from the meeting once or ruled out of order twice within a twelve (12)-month period shall have their privilege to speak before the Board during Public Comment suspended for one (1) year. The Chairman's decision to remove or rule a speaker out of order shall be final and unappealable.

8.9.2. All persons wishing to speak during the Public Comment period must register to do so on a sign-up sheet available immediately prior to and during the period. Speakers shall address the Board from the Lectern upon recognition by the Chairman, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address. The Chairman at his discretion may provide a verbal advisory to a speaker at the Lectern after four (4) minutes and thirty (30) seconds have elapsed to conclude comments. A timing device may be used in addition to or in lieu of Chairman giving notice.

8.9.3. Board members, county employees and officials shall not respond to questions posed nor address or rebut speaker's statements made during the Public Comment period. Matters raised during the Public Comment period may be discussed during Board Member Reports and the Board at its discretion may direct that such matters be placed on the Agenda of a future meeting.

8.9.4. The provisions of this subsection shall be stated on the Public Comment sign-up sheet. Speakers shall acknowledge their understanding of and agreement to abide by these provisions by registering to speak.

ARTICLE 9. MINUTES OF THE MEETINGS OF THE BOARD OF SUPERVISORS

9.1. At all official meetings of the Board at which a quorum is present Minutes of the meeting shall be taken and shall be approved by the Board and recorded in the office of the Washington County Clerk of Circuit Court.

9.2. Public Information Meetings and Worksession or Workshop Meetings as defined in these By-laws may be recorded as Minutes at the direction of the Board. At any such meeting where an Action of Record is taken, Minutes shall be taken and approved by the Board and recorded.

9.3. Pursuant to § 15.2-1536 and § 15.2-1538 of the Virginia Code, the County Administrator shall serve as Clerk of the Board and shall carry out the duties specified in § 15.2-1539 of the Virginia Code. The County Administrator may designate a Recording Clerk to take and prepare the Minutes of the Board and to assist in the exercise of the office of Clerk of the Board. Minutes shall be prepared on the basis of both written notes and audio recordings. Where technically possible, audio recordings shall be made of all official meetings of the Board. The specific language of the draft Minutes of any given meeting shall be at the discretion of the County Administrator, who shall endeavor to render the Minutes in the most accurate and neutral way possible. The County Administrator shall review and correct all Minutes prior to dissemination to the Board for adoption.

9.4. The Board may at its discretion generally prescribe the form and content of the Minutes of its meetings in keeping with professionally accepted standards for it. At minimum, the Minutes shall contain the styling of the Item of Business stated on the Meeting Agenda or modification thereof, the Action of Record, the vote by individual member or consensus expression of the Board, or directive of the Chairman. Where practical, a brief synopsis of any discussion of the Item of Business shall also be included. For the Public Comment period, the name of each speaker appearing before the Board and a brief statement of the subject considered shall be noted in the Minutes.

9.5. Minutes of any meeting shall generally be presented at the next or following Regular Meeting of the Board where at least five (5) working days exist between the successive meetings.

9.6. Minutes shall not be considered official until approved by the Board and recorded. After approval of the Board but prior to recordation, the County Administrator may make additions or corrections to the Minutes that do not materially affect the substance or content of the Minutes. These include, but are not limited to: correction of misspellings, typographical errors and incorrect grammar; page renumbering; clarification of content and errors of omission. Should evidence of an error in a recorded vote be discovered after approval but prior to recordation, the County Administrator shall attempt to verify it and correct by the best available means, including corroboration by individual Board members and other reliable witnesses to the meeting.

9.7. Should an error or evidence of an error in the Minutes of any Meeting of the Board be discovered after recordation, the County Administrator shall bring the error before the Board at the next official meeting as is practical. The Board by vote of a majority of those members present at the meeting at which the error was made shall correct the Minutes by amendment. Members of the Board not present at said meeting shall abstain from voting on the correction. Should no majority of Board members present at the meeting in which an error was made in the Minutes be or remain seated as members of the Board, a majority vote in favor shall then correct the Minutes by amendment.

9.8. Amendment to the recorded Minutes of any Meeting shall be entered as an Action of Record in the Minutes of the Meeting at which the amendment was made. In addition and where practical as determined by the County Administrator or Recording Clerk, the recorded Minutes shall be altered to include the amendment, either by insertion of a new, corrected page in sequence or by separate Amendment Addendum at the beginning or first page of the recorded Minutes of the Meeting to be corrected. Whether by insertion of a new corrected page or by Amendment Addendum, the correction shall be clearly documented as a correction of previously recorded Minutes, indicating the first date of recordation, the date of Board action to amend the Minutes, and the date of recordation of the amended Minutes.

9.9. Meetings of the Board conducted in the Board Meeting Room shall be audio- and video-recorded. Such recordings shall be made available to the public via the County website for at least one year, after which such recordings shall be digitally archived and available to the public by request.

9.10. Meetings of the Board conducted in locations other than the Board Meeting Room may be audio- and video-recorded where technically feasible as determined by the County Administrator. Where audio-only recordings of such meetings are made, such recordings shall be preserved for a period of sixty (60) days from the date of approval of the meeting Minutes, after which such recordings may be discarded. Audio-only recordings may not be made publicly available via the County website. The Board may at its discretion direct the preservation of specific recordings, and the County Attorney may request preservation of specific recordings if such recordings are needed to support legal proceedings, pending or anticipated.

9.11. Verbatim transcription of the proceedings of any meeting in its entirety shall not be undertaken except by motion, second, and majority vote in favor of transcript preparation and only in instances where excerpted verbatim transcriptions of a portion or portions of the proceedings are insufficient to address the need. Any verbatim transcription generated, whether of an entire meeting or portion(s) thereof, shall not be adopted or made part of the official Minutes of any meeting.

9.12. Individual members of the Board and the County Attorney may request excerpted verbatim transcription of a portion or portions of any meeting through the County Administrator. If requested by a member of the Board, the County Administrator and/or the Recording Clerk will make a reasonable effort to generate a requested transcription prior to any subsequent meeting of the Board; the generation of such transcription is subordinate to the preparation and review of the Minutes and other duties and responsibilities of the involved personnel. A request by the County Attorney shall be made only if such transcription is needed to support legal proceedings, pending or anticipated. The County Administrator at his discretion may make any verbatim transcription requested generally available to all members of the Board.

9.13. Unapproved (draft) Minutes shall be available for general public review upon incorporation into and posting to the County website of the Meeting Agenda materials for the upcoming meeting, and such unapproved Minutes shall be marked as “DRAFT – SUBJECT TO BOARD APPROVAL”. .

9.14. No recording device shall be used during any Closed Meeting of the Board except by motion, second, and majority vote in favor to allow recording of the Closed Meeting. Any such recording shall remain in the sole custody of the County Administrator, County Attorney, Chairman or other member of the Board designated by the Board.

9.15. Resolutions and ordinances presented to the Board for consideration of adoption shall be included in the text of minutes of the meeting in which they were presented whether or not the resolution and/or ordinance are adopted by the Board.

9.16. Minutes are not required to be taken during any Closed Meeting. However, in regard to Closed Meeting discussions involving potential economic development activities, the County Administrator shall prepare a written summary of Closed Meeting discussions for the public record as soon as is feasible as determined at the discretion of the County Administrator based on the content of such discussion, and the County Administrator shall provide such written summary to be approved by the Board as part of the written record of Board proceedings at the meeting at which approved. The County Administrator shall take care in the preparation of such summary to avoid disclosure of

proprietary information or any other information that may be detrimental to the County's interests.

ARTICLE 10. APPOINTMENTS OF THE BOARD OF SUPERVISORS

10.1. The Board at its discretion may, and where required and in accordance with the Virginia Code or other law, shall from time to time establish and make appointments of its members and other persons to various positions, groups, organizations, committees, advisory boards and other bodies, both formal and informal, for such purposes as are in the interest of the Board and county.

10.2. Except as otherwise provided in these By-laws or other law, appointments of the Board may be made at any official meeting upon motion, second, and majority vote in favor and recorded as an Action of Record. Only appointments made by the Board in this manner shall be considered sanctioned appointments.

10.3. Except as otherwise provided by Action of Record or by law, all sanctioned appointees of the Board shall be authorized and expected to represent the interests of the Board and County in all matters to which their appointment is charged.

10.4. Except as otherwise provided by law, all sanctioned appointments of the Board shall discharge their duties with diligence, and, to the extent permitted by law, may be removed prior to the end of the term of said appointment by motion, second, and majority vote in favor and recorded as an Action of Record. Any vacancy in a sanctioned appointment shall be filled in the manner as the original and for the remainder of the original term of the appointment.

10.5. Pursuant to § 44-146.19 B. 2. of the Virginia Code, the Board at the Annual Meeting shall appoint one of its members or the County Administrator to be Director of Emergency Management of the County. The Director shall serve in that capacity until the next Annual Meeting, at which time he may be reappointed or a successor appointed at the pleasure of the Board. A vacancy in the Director's position may be filled by a motion, second, and majority vote in favor at any Regular or Special Meeting. The Director may be removed from that position and a successor appointed to fill the remainder of the original term by motion, second, and majority vote in favor at any official meeting. During an impending or declared state or local emergency, in the absence of the Director, the Chairman or Vice-Chairman of the Board shall assume the duties and responsibilities of that position pursuant to the Virginia Code. In the event either the Chairman or Vice-Chairman is the Director, the County Administrator shall serve as the third designee to assume responsibility in the absence of the Chairman or Vice-Chairman. In the absence of the Chairman, Vice-Chairman and County Administrator, the Deputy County Administrator followed by any member of the Board may act in the capacity of Director until such time as one of these three officials is able to assume the position. The Director or any one acting in such capacity shall exercise only those powers granted in § 44-146.21 of the Virginia Code. The Emergency Management Coordinator of the County shall be an administrative employee of the office of County Administrator, subject to the personnel policies of the Board.

10.6. The Board shall officially recognize no prerogative of any of its members to accept, make or nominate appointments to any group, organization, committee, advisory board or other body except in accordance with the provisions of these By-laws or other law; however, Board members are not prohibited from accepting unsanctioned appointments as a result of holding elective office.

10.7. Where no term limit for a sanctioned appointment is otherwise established or prescribed, the term of appointed Board of Supervisors members shall be for two (2) years or the remainder of their term on the Board, whichever is less; and for non-Board of Supervisors appointees, one (1) year.

Appointments may be for successive terms.

10.8. All bodies to which the Board appoints at least seven citizen members, including all boards, authorities, commissions, and committees (excluding advisory boards), shall have at least one representative for each district. That representative shall be nominated by, and to the extent permitted by law, shall serve at the pleasure of their respective district's Supervisor.

10.9. Information regarding individual(s) to be nominated, excluding nomination of an existing Supervisor, must be included in the Agenda and supporting documentation, including their name, contact information, and a brief description of their qualifications.

ARTICLE 11. COMMITTEES AND ADVISORY BOARDS OF THE BOARD OF SUPERVISORS

11.1. Pursuant to § 15.2-1411 of the Virginia Code, the Board may at its discretion establish Committees of the Board and Advisory Boards by Resolution adopted by motion, second, and majority vote in favor. Committees may be solely composed of members of the Board or may be jointly composed of Board members and other individuals appointed or otherwise authorized to participate in Committee activities. Board approval of such other individuals is not required unless specified by Resolution. Advisory Boards shall be composed of persons other than members of the Board and may include other individuals appointed by Advisory Board members to participate in Advisory Board activities. Board approval of such other individuals is not required unless specified by Resolution. Board members may be appointed as ex-officio members of Advisory Boards.

11.2. A Resolution establishing any Committee shall state the purpose and scope of activities of the Committee, including any specific responsibilities for and grant of authority to pursue the matter for which it has been established. The Resolution shall state the composition of the members of the Committee, either by name or title, and may designate who shall chair the Committee, by name or title. No member of the Board shall be appointed to a Committee if not present at the meeting at which appointments are made. A motion, second, and majority vote in favor is needed to appoint Committee members.

11.3. Unless otherwise specified within the establishing Resolution, Committees shall be re-established and Committee appointments made at each Annual Meeting of the Board. Failure to re-establish dissolves the Committee as of adjournment of the Annual Meeting. Appointments to Committees may be for successive terms, except Board members may only serve on the same Committee for two (2) successive terms, subject to the following provisions. If both Board members on a Committee have served two (2) or more successive terms on the same Committee, then one (1) of the two Board members may be reappointed for one (1) additional term to establish staggering of Board member terms. Furthermore and notwithstanding the foregoing, if no member of the Board is willing to accept an appointment to a Committee other than a Board member who has already completed two (2) or more successive terms, then that Board member may be reappointed for additional term(s) until another Board member is willing to accept the Committee appointment. *See also*, rule 10.7.

11.4. Unless otherwise specified within the establishing Resolution, Committees shall organize and direct their own affairs in the manner that their members deem appropriate to the matters that they are charged. These include, but are not limited to, adoption of Committee by-laws or procedures, designation of Committee officers, the taking of Minutes of Committee meetings, the appointment of sub-committees or working groups, solicitation of assistance in pursuit of Committee matters, and

such other things as deemed appropriate by Committee members.

11.5. Meetings and activities of Committees shall be open to the public. Any Committee, when conducting business matters which are exempt from public disclosure pursuant to the Virginia Code may sequester itself for all or a portion of the Committee meeting at which such matters are being discussed; however, procedures required by the Virginia Freedom of Information Act for closed meetings shall be followed in the event of closed meeting of any Committee.

11.6. Advisory Boards shall be subject to the provisions governing Committees of the Board pursuant to this Article except that meetings of Advisory Boards may be privately conducted at the discretion of its members unless otherwise provided in the Resolution establishing it.

11.7. The Board at its discretion may establish compensation for all Committee and Advisory Board members not to exceed fifty ($50.00) dollars per meeting pursuant to § 15.2-1411 of the Virginia Code. Such compensation shall be specified in the Resolution establishing the Committee or Advisory Board, or by and Action of Record of the Board relative to particular need of event for which Committee or Advisory Board members would benefit from reimbursement of actual expenses, subject to Board appropriation of funds. Unless specified, no Committee or Advisory Board member shall receive compensation.

11.8. Committees of the Board and Advisory Boards shall only be established pursuant to this Article. Nothing herein shall be construed so as to prevent meetings or consultations by and between members of the Board, county administrative officials and employees and other parties for the purpose of pursuing matters of interest to the Board and county which are otherwise consistent with Virginia law.

ARTICLE 12. OFFICES OF COUNTY ADMINISTRATOR AND COUNTY ATTORNEY

12.1. Pursuant to § 15.2-1536 of the Virginia Code, the Board shall appoint a County Administrator and a County Attorney. The County Administrator and County Attorney shall be employees of the Board, serving at the pleasure of the Board, and shall have their compensation established by the Board.

12.2. The County Administrator shall be the chief administrative officer for the county pursuant to § 15.2-1540 of the Virginia Code. The County Administrator shall exercise all powers, duties and responsibilities pursuant to § 15.2-407 and § 15.2-1541 of the Virginia Code and in accordance with the County Code and Board policies.

12.3. The County Attorney shall exercise all powers, duties and responsibilities pursuant to § 15.2-1542 of the Virginia Code and in accordance with the County Code and Board policies.

12.4. In the event of vacancy in the office of County Administrator due to death, resignation or removal from office, the Deputy County Administrator shall assume responsibility as Acting County Administrator until such time as the Board shall again fill that office. At the Board's discretion upon motion, second, and majority vote in favor, a county administrative employee other than the Deputy County Administrator may be designated as Acting County Administrator. The Deputy County Administrator is designated Deputy Clerk of the Board pursuant to § 15.2-1502 of the Virginia Code for the limited purpose of serving as Clerk to the Board in the temporary absence or unavailability of

the County Administrator.

12.5. In the event of vacancy in the office of County Attorney due to death, resignation or removal from office, the Board may engage the services of private legal counsel to serve in the capacity of Acting County Attorney until such time as the Board shall again fill that office. In the event of the temporary absence or unavailability of the County Attorney, the Board authorizes the County Administrator at his discretion to engage the services of private legal counsel as necessary to represent the Board and county.

12.6. The County Administrator and County Attorney shall conduct an orientation meeting(s) with all Supervisors-Elect prior to their first Annual Meeting of the Board, during which the provisions of these By-laws shall be reviewed, along with such other matters as determined pertinent, necessary and appropriate for an incoming Board member to be informed of prior to beginning service in elected office.

ARTICLE 13. ADOPTION AND AMENDMENT OF BY-LAWS OF THE BOARD OF SUPERVISORS

13.1. These By-laws shall be effective immediately upon adoption, shall supersede all prior By-laws, and shall remain in effect until amended or re-adopted. The full text of these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

13.2. Amendment to these By-laws may be made as an Item of Business on the Meeting Agenda or modification thereof at any meeting of the Board. Amendment to these By-laws shall be by motion, second, and majority vote in favor and recorded as an Action of Record. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment to these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

ARTICLE 14. LIMITATIONS OF BY-LAWS OF THE BOARD OF SUPERVISORS

14.1. If any provision or requirement of these By-laws be found inconsistent with the provisions of the Virginia Code, the County Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions of these By-laws shall remain in full force and effect.

ARTICLE 15. ADOPTION AND AMENDMENT OF GENERAL POLICIES AND OPERATIONAL PROCEDURES OF THE BOARD OF SUPERVISORS

15.1. The Board may from time to time adopt such other General Policies and Operational Procedures as it deems necessary and appropriate to its conduct and to matters under its charge, such policies and procedures being consistent with these By-laws and other law.

15.2. Matters that the Board may address by General Policies and Operational Procedures generally shall be those not otherwise addressed by law but which are material to the conduct, operation and interests of the Board or county.

15.3. Adoption and amendment of General Policies and Operational Procedures shall be made in a manner similar to that prescribed for the By-laws of the Board as set out in Article 13 and subject to the limitations set out in Article 14 herein.

ARTICLE 16. MAKING A CLAIM FOR MONETARY DAMAGES TO BE PAID BY THE COUNTY

As required by Virginia Code, Title 15.2, Chapter 12, Article 4, the following procedure must be followed to make a claim against the County for payment of monetary damages:

16.1. Claimant shall provide to the Board of Supervisors written notice of the monetary claim against the County.

16.2. The County Attorney shall advise the Board if the payment of the claim would be illegal.

16.3. The County Administrator shall provide to the Claimant, by certified and regular U.S. mail, written notice of the date of the meeting at which the Board will consider the claim.

16.4. At the scheduled time or as deferred through appropriate action of the Board, the Board will take action in open meeting to decide whether to pay all or any portion of the claim.

16.5. If the Claimant is not present at the time the Board makes its decision, the County Administrator shall cause to be delivered to Claimant by certified and regular U.S. mail, a written notice of the Board's decision.

16.6. The decision of the Board shall be final and may not be appealed unless (1) the Claimant appeals the decision in accordance with the statutory requirements, (2) the Board of Supervisors consents to an appeal made in a manner that is not in accordance with the statutory requirements, or (3) the governing body fails to act upon the claim within 90 days of the date of its receipt or such longer time as agreed in writing between the Board and the Claimant.

16.7. If the Board decision is to deny the claim, or any portion of such claim: Claimant may appeal the Board's decision by filing with the County Administrator a written Notice of Appeal and execution of a cash or surety bond or irrevocable letter of credit to the County in the amount of $250, with condition for faithful prosecution of such appeal and payment of all costs imposed on the appellant by the court. Such written notice of appeal and cash or surety bond shall be filed within 30 days of the date of the Board's decision if Claimant was present at the time of decision by Board or within 30 days of Claimant's receipt of service of a written notice of the decision if Claimant was not present at the time of decision by the Board.

16.8. If the Court agrees with the Claimant's appeal of non-payment, then payment of the judgment against the County shall be provided for in the next County levy and paid by the Treasurer, or handled as otherwise ordered by the Court.

16.9. If the Board decision is to award the claim, or any portion of it: The County Attorney may seek review by the Office of the Attorney General of the Commonwealth of Virginia for a determination of whether payment of the awarded amount is illegal. If the opinion of the Attorney General is that payment is illegal, then the Office of the Attorney General or the Commonwealth Attorney may file in the Circuit Court of the County of Washington, Virginia an appeal of such decision to award the claim, or portion of it. If the Claim, or any portion of it, has been paid, then the lawsuit would be against the recipient of the payment.

16.10. If the Court agrees that payment was illegal, then the County would be enjoined from payment or would be compelled to recover the payment from the Complainant.

CHAPTER 02
Effective Date: March 8, 2016 (rev)

GENERAL POLICIES FOR CALENDAR YEAR 2016

ARTICLE 1. **County Property and Facilities**

ARTICLE 2. **Political activities of County Administrative Officials and Employees and Use of County-Owned and County-Controlled Property and Facilities for Political Activities**

ARTICLE 3. **Freedom of Information**

ARTICLE 4. **Conduct of the Offices of County Administrator, Deputy County Administrator, and County Attorney**

ARTICLE 5. **Use of County Employee Services and County-owned and County Controlled Property by Individual Members of the Board of Supervisors**

ARTICLE 6. **Budget and Fiscal Policy**

ARTICLE 7. **Audit Requirements for Recipients of County Funds**

ARTICLE 8. **County Seal and County Flag**

ARTICLE 9. **Display and Distribution of Materials**

ARTICLE 10. **Enforcement of County Code and Amendment Thereof**

ARTICLE 11. **Boards of Directors of Certain Organizations Receiving County Funds**

ARTICLE 12. **Board of Supervisors Expenses**

ARTICLE 1. COUNTY PROPERTY AND FACILITIES

1.1. **Applicability**. The provisions of this Article shall apply to buildings and properties owned in the name of Washington County and/or the Washington County Board of Supervisors, or facilities leased by either entity. This Article shall not apply to properties owned by or under the direct management and control of the Washington County School Board, Public Schools, or Constitutional Officers. Nothing herein shall prohibit development of similar policies by those individuals in charge of such properties. The County Administrator, Acting County Administrator or County Attorney shall not exercise day-to-day authority and control over same, but may act in an emergency or other circumstance to protect the orderly conduct of County business if no other responsible official or employee is in charge. Properties and facilities to which this Article apply shall hereinafter be referenced as County Properties and Facilities.

1.2. **Custody and Control of County Properties and Facilities**. The Washington County Board of Supervisors (Board) vests day-to-day management authority and control of the County Properties and Facilities as follows:

1.2.1. The County Treasurer, County Commissioner of Revenue, and County Chamber of Commerce shall be responsible for control of their respective office areas and appropriate security associated therewith in the County Government Center.

1.2.2. When the Board is engaged in an official meeting, the second floor of the County Government Center and associated grounds are under the control of the Chairman of the Board or Acting Chairman or designee for the orderly conduct of the meeting. Prior to, and upon adjournment of an official meeting, the County Administrator, or designee shall have management authority and control of such facilities.

1.2.3. When the Board is not engaged in an official meeting, subject to the further provisions herein, the second floor of the County Government Center and associated grounds are under the control of the County Administrator or designee for the orderly conduct of the County's business.

1.2.4. The County Attorney shall have responsibility and authority to maintain security of legal records of the County as necessary and appropriate. The County Administrator shall have responsibility and authority to maintain security of the records of the various County departments as necessary and appropriate.

1.2.5. When the County Government Center is open to conduct County business, the County Administrator is in control of the building and associated grounds (subject to the provisions contained in the previous paragraphs); however, in the absence of an express statement to the contrary, County administrative department heads are delegated the authority and responsibility to control and manage their employees, equipment and office areas occupied by or assigned to the department and to the department's employees.

1.2.6. When more than one department shares an office area or space, in the absence of an express written statement of policy by the Board or by the County Administrator to the contrary, each department head is delegated responsibility and authority to control and manage the area or space assigned to the department and the department's employees.

1.2.7. When more than one department shares employees, in the absence of a statement or policy (by the Board or by the County Administrator) to the contrary, each department head is delegated responsibility and authority to control and manage the support staff and equipment assigned to the department.

1.2.8. When more than one department shares an office area, equipment or employees in the County Administration Building and the department heads do not agree on the proper action, management, or use of the shared space, items or personnel, the disagreement shall be submitted to the County Administrator or designee who shall resolve the disagreement. If neither the County Administrator or ordinary designee is present and the dispute requires an immediate resolution, the County Attorney may resolve the dispute if present; if the County Administrator is not present and a decision may reasonably be delayed until the County Administrator returns, the dispute will be reduced to writing and the decision will be made by the County Administrator on return to the office.

1.3. **Removal of Person(s) from County Property and Facilities**. Any County administrative employee so empowered by this Article may take lawful action to cause the removal of any person disrupting the conduct of County business in his assigned office area. Consent or direction of the County Administrator, Acting County Administrator, or County Attorney is not required for such lawful action to be taken. If such action is taken, the administrative employee taking the action shall immediately document same in writing and advise the County Administrator, Acting County Administrator and/or County Attorney as soon as practical.

1.4. **Use of Tobacco Products and Electronic Smoking Devices On and Within County Property and Facilities**. Smoking, use of oral tobacco products, and use of electronic smoking devices (e.g. electronic cigarettes and pipes) within the buildings on all County Properties and Facilities is prohibited. Smoking and use of oral tobacco products shall be permitted on the grounds outside of County buildings and facilities. The County Administrator may limit employee smoking to specific areas on such grounds.

ARTICLE 2. POLITICAL ACTIVITIES OF COUNTY EMPLOYEES AND USE OF COUNTY PROPERTIES AND FACILITIES FOR POLITICAL ACTIVITIES

2.1. **Applicability**. For purposes of this Article, the term, "County Employees," shall include the County Administrator and County Attorney, as well as all employees under the supervision and management control of the County Administrator and County Attorney.

2.2. **Principles**. The Washington County Board of Supervisors (hereinafter the Board) recognizes and respects affiliation and participation in the political processes of the United States, the Commonwealth of Virginia, the County of Washington, and other localities. In establishing the policy set forth in this Article, the Board endorses the following principles:

2.2.1. County Employees' political rights shall be protected.

2.2.2. No politically motivated interference, pressure or coercion shall be permitted in the execution of the lawful duties, services and responsibilities of County Employees.

2.2.3. The execution of lawful duties, services and responsibilities by the Board of Supervisors and County Employees shall be rendered without political bias or the perception of political bias.

2.3. The Board shall take no action, directly or indirectly, in prohibition of or punishment for the exercise and expression of political affiliation and participation in political processes of the federal, state and local governments by County Employees as long as such activities are not performed in the context of the exercise of the County Employee's job-related activities.

2.4. In the interest of maintaining political neutrality in the conduct of public business, the following restrictions shall be enforced for County Employees. While in performance of lawful duties, services and responsibilities as employees of the County, County Employees shall in discourse and manner abstain from any form of political expression or exercise, including, but not limited to, the following:

2.4.1. The circulation of political petitions and campaign materials of any form.

2.4.2. The wearing of items endorsing a particular candidate for public office.

2.4.3. The production of any item, material or other work-product for use in political initiatives or campaigns.

2.4.4. To portray, suggest or imply in any manner that the Board or any administrative official, employee, department or agency thereof endorses or opposes any candidate for public office, or endorses or opposes any political issues or ideas.

2.4.5. To solicit or endorse contribution of monies to any political candidate or party.

2.5. With the exception of the activities listed in section 2.6 and in the interest of preventing an appearance of local government endorsement of any particular candidate(s) for political office, the Board shall not permit the following political activities to be conducted within Suite A and the first floor lobby and Chamber of Commerce area or on the grounds of the County Government Center:

2.5.1. The conduct of campaign activities by any federal, state or local candidate, whether incumbent or seeking office, whether by the candidate for office in person or by his representative.

2.5.2. The posting or distribution of campaign signs, printed materials or other items for any federal, state or local candidate for office, whether incumbent or seeking office, with the exception of such materials that are less than 72 square inches in size and affixed to personal vehicles.

2.5.3. The use of any County-owned or leased equipment or motor vehicle as part of any federal, state or local political campaign or initiative.

2.6. The County Administrator may establish policies and procedures for time, place and manner of use of the County Government Center for the following activities:

2.6.1. Organized political party meetings of the federal, state and local governments.

2.6.2. Organized political debates, discussions and other public forums providing the opportunity for free and open political discourse between candidates for public office.

2.6.3. Interviews with the electronic media and press by candidates for public office, whether incumbent or seeking office.

2.7. Nothing in this Article shall be construed so as to prohibit or limit activities or discourse on political matters properly authorized as part of a County Employee's job-related functions.

2.8. Any alleged violation or breach of this policy shall be investigated by the County Attorney or other such person as may be designated by the Board. If the violation or breach is proven, the investigating party shall report findings and recommendations to the County Administrator (in the event of the involvement of a County administrative employee), and/or to the Board. The County Administrator shall take such measures as required under Board personnel or other policies or deemed appropriate in disciplinary action against any County administrative employee, including termination of employment. The Board may also take such lawful action as it deems appropriate.

2.9. All previous policies and procedures adopted by the Board related to political activities of County administrative officials and employees and use of County-owned or County-controlled property and facilities for political activities, except those policies not in conflict with the above as set forth in the *Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees*, are hereby repealed.

ARTICLE 3. FREEDOM OF INFORMATION

3.1. It is the policy of the Washington County Board of Supervisors that all public records for which the County is the custodian shall be made available to citizens of the Commonwealth of Virginia and the news media for inspection and/or copying in accordance with the requirements of the Virginia Freedom of Information Act, Virginia Code Section 2.1-3700, et seq. (1950,as amended) (Act).

3.2. In furtherance of this policy, the Board authorizes the County Administrator, in consultation with the County Attorney, to develop and implement such administrative practices, and/or written administrative policies and procedures as deemed necessary and appropriate for the handling of requests for information made pursuant to the Act.

ARTICLE 4. CONDUCT OF THE OFFICES OF COUNTY ADMINISTRATOR, DEPUTY COUNTY ADMINISTRATOR, AND COUNTY ATTORNEY

4.1. In addition to the provisions of Article 12 of the Washington County Board of Supervisors (hereinafter the Board) By-Laws, the Board adopts the following ethical code regarding the offices of County Administrator, Deputy County Administrator, and County Attorney. (This policy is adapted for use from the International City/County Management Association (ICMA) *Code of Ethics and Guidelines*, first adopted by the ICMA Executive Board in 1924 and Revised in January, 1994.)

4.2. The County Administrator, Deputy County Administrator, and County Attorney shall:

4.2.1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general and legal management is essential to the achievement of this objective.

4.2.2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

4.2.3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the respect and confidence of the elected and appointed officials, employees and the public may be merited.

4.2.4. Recognize that the chief function of the local government is at all times to serve the best interests of all the people.

4.2.5. Recognize that the credit for the establishment of local government policies lies with the elected and appointed officials; responsibility for policy execution rests with the administrative officials and employees of the local government.

4.2.6. Refrain, in word and conduct, from politically partisan participation in the election of local government officials, and from all partisan political activities that would impair performance as a professional administrator.

4.2.7. Strive consistently to improve upon professional abilities and to offer opportunities to County employees for development of competence in the execution and delivery of their assigned responsibilities.

4.2.8. Resist encroachment of personal opinion or activities on professional responsibilities, maintaining a professional position that allows execution of official policies, duties and responsibilities without interference and proceed without discrimination on the basis of principle and justice.

4.2.9. Handle all matters relating to local government personnel on the basis of merit, fairness and impartiality, especially those pertaining to appointments, compensation, promotions and discipline.

4.2.10. Not seek nor accept any pecuniary or material favors intended to affect or which may give the appearance of affecting the impartial performance of professional responsibilities, nor maintain or establish private business relationships or investments which conflict or have the potential of conflicting with official duties.

4.2.11. Treat all elected and appointed officials of Washington County with the respect and courtesy due such offices, and shall treat the interests and positions of all such officials with equal respect and deference.

4.2.12. Immediately advise the Board, or individual member thereof, in the event that action contemplated, taken, or directed by the Board, or by individual member thereof, in the performance of responsibilities as governing body and elected officials, may be beyond the scope of legal authority, and shall seek review by appropriate authorities as necessary and appropriate to protect the public interest in the event the Board, or any individual member, persists in such activity after being so informed.

4.2.13. Not request by surprise or immediate necessity action by elected and appointed officials where sufficient time and supporting information has not been previously provided, if at all possible, unless circumstances beyond control dictate that immediate action is required.

4.3. The County Administrator and Deputy County Administrator shall:

4.3.1. Submit policy proposals to elected and appointed officials, provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals, and uphold and implement local government policies adopted by those officials.

4.3.2. Provide genuinely viable policy options to the degree that professional standards will permit, and to treat all such options provided in such a way as to depict real choice among the options provided.

4.3.3. Keep the public informed on local government affairs, encourage communication between the citizenry and all elected and appointed officials, emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

4.4. The County Attorney shall:

4.4.1. Provide current legal advice to members of the Board, the County Administrator, Deputy County Administrator, and County department heads in written or oral form to allow well-informed decisions and actions.

4.4.2. Assist the Board, County Administrator, and Deputy County Administrator in the development of policy options by advising as to restraints and authorities established by applicable law and constitutional provisions.

4.4.3. To the extent possible, anticipate legal issues and advise the Board and County Administrator so as to avoid legal complications in matters of County business.

ARTICLE 5. USE OF COUNTY EMPLOYEE SERVICES AND COUNTY-OWNED AND COUNTY-CONTROLLED PROPERTY BY INDIVIDUAL MEMBERS OF THE BOARD OF SUPERVISORS

5.1. While recognizing that members of the Washington County Board of Supervisors (hereinafter the Board) are vested with no distinct powers or authority to act as individual office-holders, the Board does grant its members certain privileges with respect to the use of the services of County administrative employees and County property as set forth in this Article.

5.2. Members of the Board may at their discretion have prepared for their use stationary bearing their individual names, office title, election districts, home or other address(es) and telephone number(s) with the County Seal affixed, the cost of which may be paid from the general revenues of the County subject to annual appropriation and purchased or obtained in reasonable quantity through the office of the County Administrator. Such stationary is the personal property of the Board member, and may only be used for purposes set out in Section 5.4. of this Article. Members of the Board may also use official County stationary for correspondence to be forwarded under their signature.

5.3. Individual Board members may at their discretion request correspondence be prepared on their personal stationary or official County stationary for their signature by County administrative employees. Board members shall make such requests through the office of the County Administrator or his designee. The County Administrator or his designee shall direct

the appropriate County personnel to prepare the correspondence as part of the employee's regular duties. Correspondence prepared in this manner may be transmitted through the regular mail or by electronic means, the cost of which may be paid from the general revenues of the County. The preparation and distribution of such correspondence is subordinate to the other duties and responsibilities of the employee to which such work is assigned. Reasonable effort will be made to complete such correspondence within two (2) County working days from the date it is received and assigned.

5.4. Correspondence written by or for individual members of the Board by County administrative employees in this manner shall be limited to subject matter immediately germane to the activities or interests of the Board of Supervisors as the governing body of the County. County employees may not be used to prepare oral or written presentations, working papers, maps, drawings, renderings or other forms of written or graphic materials, or to undertake research or compile information from sources not immediately available to the employee where the subject matter of such materials does not relate to or reflect any activity or interest of the Board as the governing body of the County. County employees may be used to prepare such materials where the content of it has been previously discussed and approved by the whole Board, and is reflective of the official position of the Board as the governing body of the County.

5.5. Use of County resources for mass-mailings of correspondence by individual Board members is prohibited. Use of County resources for mailings of twenty-five (25) or fewer identical or substantively similar letters by individual Board members at any one time is permissible. No County resources shall be used for production of or mailing of campaign materials.

5.6. The services of County employees and the use of County-owned and County-controlled property may not be employed to prepare or otherwise facilitate the production and distribution of any materials or information associated with political campaigns of federal, state or local governments, including campaigns for re-election of incumbent members of the Board. Individual Board members shall not use their personal County letterhead stationary, official County stationary, or any stationary with the County seal affixed in any way associated with political campaigns or election activities of the federal, state or local governments, including personal re-election campaigns.

5.7. Individual members of the Board may use County-owned property such as telephones, motor vehicles and data processing equipment in the context of their work as elected members of the Board so long as the use of it is consistent with the provisions of this Article.

ARTICLE 6. BUDGET AND FISCAL POLICY

6.1. General

6.1.1. The Washington County Board of Supervisors (hereinafter the Board) vests the day-to-day management of monies appropriated to the various Funds of the County Operating Budget; and, specifically, to the budgetary departments within those Funds, to the administrative, executive or elected heads of various offices, departments, agencies and organizations subject to the provisions set forth in this Article.

6.1.2. The fiscal year County Operating Budget shall be set out so as to allocate the total amount appropriated to the various Funds and their respective budgetary departments among one or more line-items. Such line-items shall be established so as to provide for the convenient, adequate and accountable management of the budgetary department as a whole.

6.1.3. Unless otherwise prescribed by law or the Appropriation Resolution, or pursuant to action by the Board or established practice all line-items within budgetary departments representing a single total appropriation to a specific office, department, agency or organization shall be disbursed in four (4) equal quarterly payments during the County fiscal year. The County Administrator at his discretion may authorize the disbursement of up to one hundred (100%) percent of the appropriated amount of any such line-item not to exceed $10,000.00 upon written request of the recipient office, department, agency or organization and with good cause shown.

6.1.4. Effective July 1, 2005 and for each successive fiscal year thereafter, the Board shall not disburse annually appropriated funds other than on the basis of Paragraph 6.1.3. to any non-County governmental, regional governmental or non-profit agency or organization where the total appropriation is greater than $10,000.00.

6.1.5. County government organizations such as its various boards, authorities and commissions may request disbursement of appropriated funds other than on the basis of Paragraph 6.1.3. as needed subject to approval by the Board as an Item of General Business or Consent Agenda.

6.1.6. In the interim between election of new members to the Board in November of election years and the seating of such new members at the first meeting of the Board the following January, the Board shall refrain from taking any action that can be postponed.

6.2. Budget Preparation

6.2.1. Preparation of the Requested and Recommended County Operating Budget for each County fiscal year is vested with the County Administrator pursuant to Section 15.2-1541 of the Virginia Code, as amended.

6.2.2. The Requested and Recommended County Operating Budget shall be presented as a single document consisting of a listing of all estimated County revenues to be received and anticipated expenditures to be disbursed for each County fiscal year. The Requested and Recommended County Operating Budget presented by the County Administrator shall propose estimated expenditures in an amount equal to estimated revenues. The format for presentation of the Requested and Recommended County Operating Budget shall be in accordance with Section 15.2-2504 of the Virginia Code, as amended, and with the guidelines of the Virginia Auditor of Public Accounts and other applicable standards for local government budgeting practices. The document shall consist of main two (2) parts: Revenue and Expenditures, and may also contain associated summary pages, supporting materials and information as determined by the County Administrator or requested by the Board. At minimum, for both Revenue and Expenditures the document shall provide, either by line-item or budgetary department total, the following information:

6.2.2.1. The Adopted Budget figures for the current fiscal year as of July 1;

6.2.2.2. The Amended Budget figures for the current fiscal as of a specific date prior to the release of the document;

6.2.2.3. The Department Request figures indicating the amount of revenue anticipated and funds requested for expenditure for the coming fiscal year as submitted to the County Administrator, and

6.2.2.4. The County Administrator Recommended figures setting forth the County Administrator's recommendations for adjustments to the Department Request figures.

6.2.2.5. The presentation of this information shall be in a tabular format by classification of Revenue and Expenditure and may include specific line-item names and numeric designations for each Revenue and Expenditure. Each Revenue and Expenditure budgetary department shall be totaled and presented as a component of one of several Funds as may be established by the Board or otherwise as required by law. For County General Fund Expenditures, each budgetary department shall be further grouped in one or more Categories of similar or related expenditures, including, but not limited to: General Government Administration; Judicial Administration; Public Safety; Health and Welfare; Education; Recreation; Community and Economic Development, and Nondepartmental. In addition to the County General Fund, various other Revenue and Expenditure Funds of the County Operating Budget, including but not limited to: the Federal Asset Sharing Fund, Law Library Fund, Road Improvement Fund, Capital Improvement Fund, Economic Development Fund, Utilities Fund, Traffic Enforcement Fund, Special Grant Projects Fund, County Library Fund, Virginia Public Assistance Fund, Comprehensive Services Fund, General School Fund, School Textbook Fund, School Construction Fund, School

Cafeteria Fund, and such other Funds as may be established from time to time shall be presented.

6.2.2.6. In addition to the Requested and Recommended County Operating Budget document, the County Administrator shall prepare and submit to the Board a separate document containing copies of all budget requests and supporting materials received. This Supporting Materials document shall be provided to the Board at the time of release of the Requested and Recommended County Operating Budget document.

6.2.3. On or before October 31 of each year, the County Administrator shall prepare and submit a draft Budget Calendar of various County Operating Budget review, deliberation and tentative approval meetings (referred to as Budget Adjustment Worksession Meetings) for adoption by the Board at their Annual Meeting. The Budget Calendar shall also include proposed specific dates for various budget-related actions, deadlines and meetings culminating with the final adoption of the County Operating Budget and adoption of the Appropriations Resolution no later than June 30. The Budget Calendar shall be adopted by the Board and made part of the Board's Operating Procedures for the calendar year, and (subject to the limitations set out herein) may be modified by the Board after adoption at its discretion.

6.2.4. The Budget Calendar shall be prepared by the County Administrator and adopted by the Board such that sufficient review, deliberation and tentative approval of the Requested and Recommended County Operating Budget shall be accomplished to the extent that the Board shall fix the real property tax rate of the County for the tax year no later than March 31. This deadline shall not be modified by the Board as a result of modification of the Budget Calendar once adopted. The real property tax rate shall be fixed by Resolution of the Board only after public hearing as required by Virginia law on the Requested and Recommended County Operating Budget. Final approval and adoption of the County Operating Budget shall occur on or before June 30 each year at such time as revenue figures from non-County sources may be established and incorporated into the final budget, at which time the other tax rates of the County shall be fixed for the tax year. The Budget Calendar shall provide for no less than six (6) Budget Adjustment Worksession Meetings, at least five (5) such meetings to be scheduled prior to March 31 and at least one (1) such meeting to be held prior to formal adoption of the County Operating Budget. Additional meetings may be made part of the Budget Calendar or otherwise scheduled by the Board at its discretion.

6.2.5. Prior to release of the Requested and Recommended County Operating Budget by the County Administrator, the Board shall request presentation by the County Treasurer and County Commissioner of the Revenue of both County and (to the extent possible) non-County revenue estimates to be made part of the County Operating Budget for the coming fiscal year. The date of this presentation shall be made part of the draft Budget Calendar presented to the Board by the end of October each year and approved by the County Treasurer and County Commissioner of Revenue. This presentation shall occur no less than thirty (30) nor more than forty-five (45) calendar

days prior to March 31, and the County Treasurer shall officially forward rough or approximate revenue estimates to the County Administrator or his designee for budget preparation purposes at least twenty-one (21) calendar days prior to the date of this presentation. The County Administrator shall generally rely upon such revenue estimates as provided by the County Treasurer and County Commissioner of the Revenue or shall provide revised revenue estimates set out in the County Administrator Recommended figures at the time of release of the Requested and Recommended County Operating Budget document.

6.2.6. Budget Adjustment Worksession Meetings shall be conducted during weekday evening hours beginning between 6:30 PM and 7:30 PM and ending no later than 9:30 PM unless a consensus majority of the Board wish to continue, but to no later than 10:30 PM. A ten (10) minute recess may be called each hour. Draft Agendas for the Budget Adjustment Worksession Meetings shall be prepared by the County Administrator and distributed to the Board at least three (3) days in advance of each scheduled meeting, and shall be posted to the County's website. A final Agenda for such meetings shall be provided at the start of each meeting. The Agenda for the first such meeting shall generally consist of Board review, deliberation and tentative approval of revised revenue estimates (if any) as provided by the County Administrator, followed by Board review, deliberation, adjustment and tentative approval of the budgetary departments comprising the General Government Administration, Judicial Administration and Public Safety Expenditure Categories of the County General Fund. The second and subsequent Budget Adjustment Worksession Meetings shall consist of Board review, deliberation, adjustment and tentative approval of budgetary departments comprising the Health and Welfare, Education, Recreation and Community & Economic Development Expenditure Categories of the County General Fund; the various other Expenditure Funds of the County Operating Budget, and concluding with the Nondepartmental budgetary department of the County General Fund.

6.2.7. The following special rules and procedures shall govern the conduct of Budget Adjustment Worksession Meetings:

6.2.7.1. Budget Adjustment Worksession Meetings shall be conducted as Open Meetings of the Board as required by Virginia law. Public attendance at such meetings is welcome, but no direct public participation or input during these meetings shall be permitted. Representatives of departments, agencies and organizations with budget requests under consideration by the Board are permitted to address questions posed by the Board and County administrative staff pertaining to their requests but shall not be permitted to give formal presentations during Worksession Meetings.

6.2.7.2. Prior to the adoption of the County Operating Budget, any Board member may make a motion to adjust any part of the budget which has already been tentatively approved, regardless of whether the Board member making the motion voted in the minority previously on that particular budget matter.

6.3. Line-Item Transfers

6.3.1. Upon adoption of the County Operating Budget, there shall be no transfer of funds among line-items within budgetary departments of the General Fund and E-911 Project Fund without prior approval of the Board. Requests for Board approval of such transfers shall be directed to the County Administrator or his designee, and shall be presented to the Board as an item of General Business or Consent Agenda at a regular or special meeting. Requests for line-item transfers within the County Library Fund shall be approved by the County Library Board of Trustees prior to such transfers being made effective.

6.3.2. Unless otherwise prohibited pursuant to the fiscal year Appropriations Resolution, allocation of expenditures may exceed the amounts budgeted per individual line-item as long as the total appropriation for the budgetary department remains in balance.

6.3.3. The heads of all offices, departments, agencies and organizations shall ensure that expenditures allocated against line-items within their budgetary departments are consistent with the intended purpose of such line-items. Where there exists a discrepancy between the nature of an expenditure and the intended purpose of the line-item to which it is allocated, the County Administrator or his designee may redirect allocation of that expenditure to a more appropriate line-item at his discretion.

6.3.4. At the conclusion of second, third and fourth quarters of the County fiscal year, a Quarterly Budget Report shall be prepared by the County Administrator or his designee. The Report shall show on a line-item by line-item basis all fiscal year-to-date expenditures and balances for all budgetary departments of the various Funds of the County Operating Budget, as well as such other information deemed relevant by the County Administrator for full disclosure of the state of the County Operating Budget. The Report shall be reviewed by the Board as an Item of Business at a regular or special meeting as soon as practical at the end of each quarter fiscal year period.

6.3.5. The provisions of this paragraph shall not apply to line-items within budgetary departments representing a single total appropriation to a specific office, department, agency or organization.

6.4. Disposition of Revenues. All revenues derived from vending machines located on County-owned or County-controlled property shall be deposited into the General Fund of the County.

6.5. Appropriations and Supplemental Appropriations

6.5.1. The Board shall not consider appropriation or supplemental appropriation of funds from reserves it may have available for requests submitted as part of the annual County Operating Budget process which were not funded, in whole or in part, as part of that process until after January 1 each year. This policy shall not apply where the County Administrator determines an error or oversight was made in the annual County Operating Budget process that precluded the funding request from being properly

considered. Failure by the requesting party to submit its request during annual County Operating Budget process shall not constitute an error/oversight for the purposes of this policy.

6.5.2. The Board may act to suspend the provisions of Paragraph 6.5.1. upon motion with second and majority vote for a particular request for appropriation or supplemental appropriation. The Board may then direct that the request be placed on an upcoming Agenda for formal consideration as an Item of General Business.

6.5.3. The Board shall provide a 90-day notice to the public of the County's plan to appropriate any amount of $250,000 or more that was not included in the adoption of annual County Operating Budget.

6.6. Appropriation of County Funds to Incorporated Entities and Other Special Purpose Donations

6.6.1. The Board shall only appropriate County funds in excess of $2,500.00 per fiscal year to legally established nonprofit entities and to recognized public agencies of local, state and federal governments.

6.6.2. County funds shall not be appropriated as charitable donations to private individuals, unincorporated groups, or groups primarily serving citizens outside of Washington County, Virginia.

6.6.3. All established nonprofit entities requesting County funds shall supply documentation of their legal status at the request of the County. No appropriated County funds shall be disbursed to such entities until documentation is received. Nonprofit entities shall submit documentation concerning any change to their legal status or organizational structure to the County within thirty days of such change.

6.6.4. To enable Supervisors to fulfill their oversight responsibilities, all nonprofit entities receiving County funds shall allow Supervisor(s), or County staff, access to their facilities upon advance notice, with appointment, and at reasonable times. No county funds shall be disbursed and future funds to such entities may be jeopardized if this provision is violated.

6.7. Budget Authority

6.7.1. The term "budget authority" as used in this section shall mean the official authorization granted by the Board to exercise administrative oversight and control over the disbursement and use of funds budgeted and appropriated among the various budgetary departments within the County Operating Budget, regardless of the source or origin of such funds, unless the exercise of such authority is contrary to law or to a specific superseding action of the Board.

6.7.2. The Board hereby assigns specific budget authority as follows:

6.7.2.1. The County Coordinator of Emergency Management shall exercise budget authority over the various budgetary departments constituting funding for fire departments and emergency medical services providers and the County Department of Emergency Management. Any previous action of the Board in this regard is hereby rescinded.

6.8. – 6.9. Reserved.

6.10. Debt Management

6.10.1. The Board shall generally confine long-term borrowing to capital projects and capital expenditures that cannot be financed from current revenues except where sufficient justification is provided. This shall include borrowings for capital projects undertaken by political subdivisions of the County government where moral obligation or similar pledges of financial support by the Board are required.

6.10.2. When the Board finances capital projects through long-term borrowings or capital leases, the amortization of the debt shall be structured so as to repay the debt within a period not to exceed the expected useful life of the project, generally not to exceed thirty (30) years.

6.10.3 Net tax-supported debt as a percentage of the total assessed valuation of all County taxable property shall generally not exceed three (3.0%) percent.

6.10.4. The ratio of net tax-supported debt service expenditures as a percent of total governmental and school fund expenditures shall generally not exceed eight and one-half (8.5%) percent.

6.11. Fund Balance

6.11.1. The County General Fund Reserve as established by the Board Resolution 2010-39 adopted October 12, 2010 shall be managed by the policies set forth in this section.

6.11.2. The Board is dedicated to maintaining an appropriate level of fund balance sufficient to mitigate current and future financial risks and to ensure stable tax rates and sound bond credit ratings. Toward these purposes, the Board hereby sets forth its Fund Balance policy in this section and directs the County Administrator and County Director of Budget & Finance to prepare financial reports as required by GASB Statement No. 54, “Fund Balance Reporting and Governmental Fund Type Definitions”.

6.11.3. "Fund balance" is defined as the difference between the assets and liabilities reported in a governmental fund. The following five (5) fund balance classifications describe the relative strength of the spending constraints placed on the purposes for which the resources can be used:

6.11.3.1. Nonspendable fund balance – amounts that are not in spendable form (such as inventory or pre-paids) or are required to be maintained intact (corpus of a permanent fund);

6.11.3.2. Restricted fund balance – amounts constrained to specific purposes by their providers (such as grant funding agencies, bondholders and the state and federal levels of government), through state constitutional provisions, or by specific legislation;

6.11.3.3. Committed fund balance – amounts constrained to specific purposes by the County government itself as determined by the Board which shall be reported as committed and unavailable for any other purpose, unless such constraint is removed or modified by subsequent Board action;

6.11.3.4. Assigned fund balance – amounts the Board expressly states that it intends to use for a specific purpose. For all Funds except the County General Fund, the assigned fund balance is the residual fund balance classification;

6.11.3.5. Unassigned fund balance – amounts that are available for any purpose.

6.11.4. The Board is the County's highest level of decision-making authority and a Resolution of the Board is required to establish, modify or rescind a fund balance commitment prior to the end of the fiscal year for which such commitment is made.

6.11.5. The Board authorizes the County Administrator and County Director of Budget & Finance to designate fund balances to a specific purpose as set out in subsection 6.11.3 herein. When fund balance resources are available for a specific purpose in more than one classification as set forth in subsection 6.11.3, the County shall use the more restrictive funds first in the following order: Restricted, Committed, Assigned and Unassigned as they are needed.

6.11.6. The cumulative 'target balance' of all unassigned fund balance and cash flow committed fund balance within the County General Fund to be maintained shall be between twelve (12%) and fifteen (15%) percent of the projected total annual County Operating Budget (non-school and school components) for each fiscal year. Should this target balance fall below the 12% level any fiscal year, the Board shall take steps over the course of the following two (2) fiscal years to replenish the unassigned fund balance of the General Fund Reserve to the target balance.

ARTICLE 7. AUDIT REQUIREMENTS FOR RECIPIENTS OF COUNTY FUNDS

7.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to require recipients of County funds in the amount of fifteen thousand dollars ($15,000.00) or more per County fiscal year be subject to an annual independent financial review or audit. The provisions of 7.8. notwithstanding, this Article shall apply to those organizations that receive an appropriation of $15,000.00 or more in funds from the general tax revenues of the County from time of appropriation of the County Operating Budget through October 31 of any County fiscal year.

7.2. The guidelines for independent financial reviews or audits shall be recommended by the County auditor and approved by the Board. The approved guidelines shall be set forth in writing and made part of this Article. These guidelines may be amended or modified from time to time upon recommendation of the County auditor and approved by the Board. Organizations may use more stringent review or audit procedures so long as the applicable guidelines are substantially met.

7.3. In general, the County guidelines for reviews or audits shall be for the purpose of establishing and maintaining proper internal controls regarding the expenditure of County funds by recipient organizations. These guidelines shall also be for the purpose of facilitating full disclosure of the nature of expenditure of County funds by or on behalf of recipient organizations. These guidelines shall be liberally construed so as to be inclusive of all transactions involving County funds. To the degree possible, disclosure of the expenditure of other funds of the recipient organization shall be to an extent only to facilitate disclosure of expenditures involving County funds. The guidelines may differ for various recipient organizations so long as the purposes set out herein are satisfied, with prior approval of the Board. A certified public accountant who is not an employee or member of the recipient organization shall be engaged to undertake the review or audit.

7.4. Any organization that receives $15,000.00 or more in County funds for the first time shall be required to submit a review or audit no later than November 30 of the County fiscal year immediately following the fiscal year when such funds were first received. Where recipient organizations undertake a review or audit in general compliance with the County guidelines on the basis of a calendar year operating cycle other than the County fiscal year, these reviews or audits shall be acceptable as long as a review or audit is submitted for a period encompassing July 1 of the County fiscal year in which such funds were first received.

7.5. Organizations subject to this Article shall forward one (1) copy of their review or audit to the office of the County Administrator no later than November 30 following the fiscal year in which such funds were first received. Said documentation shall be made available for review by the Board and public within five (5) working days of its receipt unless disclosure would be detrimental to a current or pending criminal or civil investigation of a recipient organization. The office of the County Administrator shall retain all reviews or audits for a period of two (2) calendar years from the date of their receipt, after which time they may be discarded.

7.6. The Board reserves the right to withhold disbursement of appropriated funds to any recipient organization failing to comply with the provisions of this Article, and to take any other lawful action deemed necessary or appropriate. Specific Board action shall be required to direct withholding of appropriated funds, or to take such other action in response to the failure of any recipient organization to comply with the provisions of this Article. The County Administrator or his designee shall advise the Board as to which recipient organizations fail to meet the November 30 submission deadline. Extensions of the November 30 deadline may be granted by the Board.

7.7. The Board may make available to recipient organizations full or partial funding to defray the cost of reviews or audits, subject to appropriation of funds for this purpose. Failure to provide such funding shall not relieve the requirements of this Article. Nothing herein shall be construed to obligate the Board to provide funding to defray the cost of reviews or audits already required of certain organizations prior to the enactment of this Article, nor to require a separate, independent financial review or audit of any recipient organization which is a component unit of the state, federal and/or local government(s) and already subject to annual audit. Nothing herein shall be construed to relieve or supersede more stringent audit requirements set forth by law.

7.8. The provisions of this Article may be applied to other organizations receiving County funds by majority vote of the Board at any official meeting. The Board may similarly exempt any recipient organization from the provisions of this Article.

7.9. Audit Guidelines for Recipients of County Funds

7.9.1. Recipient Organization Responsibilities:

7.9.1.1. The recipient organization is responsible for implementing and maintaining an accounting system that will accurately report the sources and uses of cash so as to produce a statement of cash receipts and disbursements for the organization's fiscal or operating year.

7.9.1.2. The recipient organization is responsible for implementation and maintenance of an internal control structure over the cash receipts cycle and cash disbursements cycle. The internal control structure should be designed to give assurance that cash is safeguarded against unauthorized use or disposition, and that transactions are executed in accordance with the organization's Board of Director's (or other executive body) authorization.

7.9.1.3. The recipient organization is responsible for compliance with applicable laws, regulations, and risk management. Compliance requirements include but are not limited to Internal Revenue Code section 501(C)3 status, the filing of required tax returns and/or reports, and maintaining adequate insurance coverage.

7.9.1.4. The recipient organization is responsible for engaging the services of a certified public accountant who is not an employee or member of the recipient organization to undertake the audit.

7.9.2. Audit Standards:

7.9.2.1. The audit period shall span at least one (1) complete County fiscal year period (July 1 through June 30).

7.9.2.2. The auditor (certified public accountant) shall give an opinion as to the fair presentation of the recipient organization's Statement of Cash Receipts and Disbursements. Generally Accepted Auditing Standards will be followed in issuing the opinion.

7.9.2.3. The auditor shall conduct a study and evaluation of the recipient organization's internal control structure over cash receipts and disbursements as it relates to the Statement of Cash Receipts and Disbursements. The auditor shall issue a report in regard to the internal control structure and make recommendations, if any, on ways to strengthen said internal controls.

7.9.2.4. The auditor will test the organization's compliance with laws, regulations, and risk management that are material to the organization. A report shall be issued by the auditor as to the organization's compliance or non-compliance.

7.9.2.5. The auditor shall issue a report which at a minimum will include: (1) the recipient organization's Statement of Cash Receipts and Disbursements, (2) the auditor's opinion on the Statement of Cash Receipts and Disbursements, (3) the auditor's report on internal controls, and (4) the auditor's report on compliance.

7.9.2.6. The auditor will use applicable professional standards in conducting the audit and issuing the reports.

ARTICLE 8. COUNTY SEAL AND COUNTY FLAG

8.1. The official Great Seal of the County of Washington, Virginia shall be that designed by Arthur DuBois and adopted by the Washington County Board of Supervisors (hereinafter the Board) on January 4, 1978. The official Flag of the County of Washington, Virginia shall be that designed by Jennifer Holliday and adopted by the Board on July 14, 1998. The emblem appearing in the center of the official Flag is designated as the Minor Seal of the County.

8.2. The Great Seal shall be used for the embossing of all official documents of the County where appropriate or required. The Great Seal and Flag shall be displayed in the Board of Supervisors Meeting Room within the County Administration Building and may be displayed within the buildings and upon the grounds of other public facilities of the County government.

8.3. Any office, department, board, authority or commission of the County government, or any entity originating from same, may display and use the Great Seal or Great Seal and Minor Seal together on its official stationary and other documents. The Great Seal or Great Seal and Minor Seal together may be displayed to denote proprietary possession of or official designation and use by the County government. The Great Seal, Minor Seal and Flag may also be displayed to promote the County generally at appropriate locations and functions.

8.4. Any private person, group or organization, or non-County governmental entity wishing to reproduce, display and/or use the Great Seal, Minor Seal or official Flag of the County rendered upon any physical or electronic media shall obtain permission through the Office of County Administrator or Board. Nothing herein shall be construed to prohibit the sale or distribution, display and use of the Great Seal, Minor Seal and Flag rendered on media produced by and made available through the Office of County Administrator.

Great Seal of the County of Washington, Virginia

Flag of the County of Washington, Virginia

ARTICLE 9. DISPLAY AND DISTRIBUTION OF MATERIALS

9.1. In the interest of preserving the orderly conduct of business, it is the policy of the Washington County Board of Supervisors (hereinafter the Board) to prohibit certain expressive activities as described in this policy in the Board Auditorium, the Executive Conference Room, areas immediately adjoining these rooms, and any area within fifty (50) feet of the main entrance to the Board Auditorium one (1) hour before and after and during meetings of the Board. Prohibited activities include, but are not limited to, any of the following: petitioning, picketing, displaying signs or posters, solicitation, demonstrating, pamphlet distribution, and conducting polls or surveys. Such restrictions shall be applied to any building and grounds owned or leased by the Board or County where a meeting of the Board is conducted.

9.2. Nothing herein shall be construed to preclude persons addressing the Board during Board Meetings in the manner set forth by the Board's By-Laws or from delivering to the Board or the County Administrator, County Attorney, and/or Recording Clerk written materials including reports, statements, exhibits, letters, or signed petitions. Use of display materials and/or media in the course of presentation of information as an approved Agenda Item shall be permitted.

9.3. Any violation of the provisions herein this Article shall enable the County Administrator, Acting County Administrator, Chairman or Acting Chairman to cause the confiscation of prohibited materials and, if necessary to allow the orderly conduct of business, the removal of parties who refuse to comply with this policy from the building and grounds where the meeting is being conducted. Confiscated materials shall be returned to their owner upon adjournment or recess of the meeting.

9.4. Any public body of the County, including Board committees and advisory boards may limit expressive activities in a like manner upon approval of a majority of the members appointed thereto. Such public bodies, committees and advisory boards may adopt similar policies or may apply the provisions of this Article.

9.5. The administrative offices section of the County Government Building is not a forum for general public announcements or other expressive activities of the general public. These offices shall operate in a non-partisan manner. The County Administrator has the authority to designate area(s) for public announcements and to limit the time for posting of such announcements and notices. The posting of statements of political opinions are prohibited in the administrative offices section of the County Government Building and on the grounds thereof during regular business hours. Any material posted in violation of this policy shall be confiscated by the County and, if possible, returned to its owner. If confiscated materials are not claimed within twenty-four hours of confiscation or if the materials are of negligible value, then the County Administrator may authorize disposal of such materials.

ARTICLE 10. ENFORCEMENT OF COUNTY CODE AND AMENDMENT THEREOF

10.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) that County administrative officials responsible for the enforcement of various provisions of the Washington County Code do so fairly and equitably. To these ends the provisions of this Article are intended to serve as guidelines for such enforcement activities.

10.2. Compliance with the provisions of the County Code shall be the primary objective in all County Code enforcement activities. Punitive measures where provided by law need not be sought or imposed in each case for minor first-time violations as determined by the County Attorney.

10.3. Initial investigation of possible County Code violations shall be initiated upon receipt of a verbal or written complaint or information from identifiable party(ies) with whom subsequent contact by the County may be made if necessary (name, residential street and mailing address and telephone number required). Verbal complaints or information provided by identifiable party(ies), whether delivered in person or telephonically, shall be requested to be committed to writing and submitted by the identifiable party(ies) either on forms provided by the County or free form (name, residential street and mailing address and telephone number required). Anonymous complaints or information whether made in person, telephonically or in written form and verbal-only complaints or information from identifiable party(ies) shall generally be given secondary priority with respect to initial investigation.

10.4. To the extent manpower resources will permit County administrative employees charged with County Code enforcement responsibilities shall proactively identify and initially investigate possible County Code violations. The head of each County administrative department with County Code enforcement responsibilities shall establish administrative guidelines or protocols with the offices of County Administrator and County Attorney with respect to enforcement priorities within the area(s) of the County Code they are responsible for, the personnel within the department responsible for County Code enforcement activities, the role of the County Administrator and County Attorney in determining possible violations, guiding investigations and prosecuting possible violations, and such other matters related to overall coordination and efficacy of the County Code enforcement efforts. Such protocols may be in the form of general understandings between the involved officials and employees or may be set out in writing in the form of administrative policies and procedures.

10.5. Unless otherwise prescribed by law or specific Board policy, no less than five (5) consecutive calendar days nor more than ninety (90) consecutive calendar days shall be required for an alleged violation to achieve compliance with provisions of the County Code after written notice by the County has been received. The amount of time permitted to achieve compliance shall be determined by the County administrative employee responsible for enforcement of the specific County Code provision(s) consistent with the guidelines or protocols developed pursuant to 10.3. herein. Alleged violations of the same general character should be granted approximately the same amount of time to achieve compliance. The amount of time to achieve compliance may be modified where an immediate threat to public health, safety or welfare is determined.

10.6. Identification of complainants or person(s) supplying information related to a possible County Code violation to the party(ies) subject of the possible violation shall be in accordance with Article 3 of these General Policies.

10.7. The general procedure for Board review of ordinances to amend the County Code shall be as follows:

10.7.1. "First Reading" of a draft ordinance for the purposes of initial review and, if agreeable to the Board, authorization for the County Attorney to proceed with scheduling a public hearing on a proposal to adopt the ordinance; or, at Board discretion, direction to the County Attorney to revise the draft ordinance, to request further review by Board Committee or Advisory Board, or to take other additional action and bring the draft ordinance back to the Board for another draft review, which would be noted as "Second Reading," "Third Reading," or subsequent appropriate notation.

10.7.2. After completion of the draft ordinance review "reading" process and publication of advance notice as required by Virginia law, the Board shall hold a public hearing on the proposed final form of the ordinance and consider whether to adopt the proposed ordinance. The final form of the proposed ordinance may be subject to minor amendment by the Board after public hearing and prior to adoption consistent with Virginia law without re-reading as a draft ordinance or re-advertising for public hearing.

10.7.3. The provisions of this section are not mandated procedure for emergency ordinances to be considered for adoption pursuant to Code of Virginia §15.2 – 1427(F) nor to proposed ordinances to be subject to joint public hearing before both the Board and Washington County Planning Commission pursuant to Code of Virginia §15.2 – 2204.

ARTICLE 11. BOARDS OF DIRECTORS OF CERTAIN ORGANIZATIONS RECEIVING COUNTY FUNDS

11.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to require the election of board of directors or their legal equivalent of incorporated community and community center organizations receiving County funds in the amount of ten thousand dollars ($10,000.00) or more per County fiscal year under the guidelines specified herein.

11.2. The by-laws or legal equivalent of such recipient organizations shall be lawfully amended so as to provide for the direct election of all board of directors members. The electorate from which these directors shall be elected shall be described in said by-laws and shall at minimum be fairly representative of the constituency served by the recipient organization. The by-laws may provide for a nominating mechanism that shall provide at least two nominees for each seat subject to election. Election of all directors shall occur at least every four years. The by-laws shall provide a minimum notice requirement of a pending election no less than 30 consecutive days prior to the election. The notice shall be posted on the main entrance of the location at which meetings of the board of directors regularly occur and shall remain posted

until the day after elections occur. The notice shall give the date, place and time of elections and the full names of all official nominees for election, if any. Additional notice of elections is encouraged. The first election of directors shall be scheduled for no later than October 31, 2003.

11.3. On or before August 1, annually, the board of directors of all affected recipient organizations shall submit a certified copy of their by-laws or legal equivalent to the County Attorney for review. The County Attorney shall report to the Board his/her opinion as to compliance with this Article no later than the following September 1. The Board reserves the right to withhold disbursement of appropriated funds to any recipient organization failing to comply with the provisions of this Article, and to take any other lawful action deemed necessary or appropriate. Specific Board action shall be required to direct withholding of appropriated funds, or to take such other action in response to the failure of any recipient organization to comply with the provisions of this Article. The County Attorney shall advise the Board as to which recipient organizations fail to meet the August 1 submission deadline. Extensions of the August 1 deadline may be granted by the Board. Any subsequent amendment to the by-laws or legal equivalent of recipient organizations affecting elections shall be submitted to the County Attorney for review and opinion within 30 days of the amendment. The County Attorney shall review and report to the Board his/her opinion as to continued compliance with this Article within 30 days of receipt of the amendment.

11.4. Notice of pending elections shall be submitted in writing to the County Attorney as of the date of posting pursuant to 11.2. herein. The results of the election shall also be submitted in writing to the County Attorney no less than 14 days after elections have occurred giving the names, mailing addresses and telephone numbers of all elected directors and their terms of office.

11.5. Recipient organizations already providing for direct election of their board of directors shall submit a certified copy of their by-laws or legal equivalent to the County Attorney for review pursuant to 11.3. herein.

11.6. The provisions of this Article may be applied to other organizations receiving County funds by majority vote of the Board at any official meeting. The Board may similarly exempt any recipient organization from the provisions of this Article.

ARTICLE 12. BOARD OF SUPERVISORS EXPENSES

12.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to provide for the expenses incurred by its members in the performance of their official duties and responsibilities in accordance with Code of Virginia sections 15.2-1414.3(4) and 15.2-1508.1.

12.2. Principal Place of Business.

12.2.1. Members of the Board are elected by the voters within their respective election districts. For the convenience of such constituents, the homes of members of the Board serve as the primary locations for meetings and other communications with constituents and, also, the primary location at which Supervisors complete the administrative and management activities associated with their service as members of the Board. The Supervisors' homes provide convenient access for constituents, and, in most instances, reduce travel time as compared to travel to the County Government Building for constituent meetings. Use of their homes as principal place of business for Supervisors also allows availability in a more flexible time frame than would be available if the County Government Building, which is generally only open during regular business hours, were to serve as the principal business location for each member of the Board.

12.2.2. The County may offer an office in the County Government Building for the convenience of members of the Board when such members are at the Building for meetings or otherwise, but for the convenience of the citizens, the Supervisors' homes shall serve as their principal business location for completion of their work as members of the Board.

12.2.3. In support of use of Supervisors' homes as their principal place of business, the County shall offer reimbursement to such members for expenses incurred at such location for performance of County business, as set forth herein.

12.2.4. Notwithstanding the foregoing, the Department of Budget and Finance will provide forms for members of the Board who wish to designate a location, other than their home, as their principal place of business. In the absence of such certified designation by a member of the Board, each Supervisor's home is deemed their principal place of business.

12.2.5. Members of the Board are encouraged to consult with their personal tax advisers regarding tax consequences of receiving reimbursements for expenses as stated herein.

12.3. Board Travel and Related Expense Reimbursements. Board member travel and related expense reimbursements shall be governed by the same policies and procedures established for Employee Travel and Related Expenses in Section 14-01 of the County Personnel Policies and Procedures Manual for Administrative Division Employees (Personnel Policies), subject to the following additional provisions. In the event of conflict, the provisions set out in this policy shall control in application to members of the Board.

12.3.1. Principal Place of Business.

12.3.1.1. Travel outside County and City of Bristol. Supervisors are eligible for reimbursement at the mileage rate allowed by the Commonwealth of Virginia for use of their personal vehicles for travel between Supervisors' principal place of business and destinations outside the jurisdictional limits of the County and the City of Bristol visited pursuant to sanctioned appointments and activities as members of the Board.

12.3.1.2. Travel within County and City of Bristol. Subject to a monthly limit of $75, Supervisors are eligible for reimbursement at the mileage rate allowed by the Commonwealth of Virginia for use of their personal vehicles for travel between Supervisors' principal place of business and locations within the jurisdictional limits of the County and the City of Bristol visited pursuant to sanctioned appointments and activities as members of the Board.

12.3.1.3. Supervisors shall not use a County credit card to purchase fuel for their personal vehicles.

12.3.1.4. Supervisors may use a County fleet vehicle for travel pursuant to sanctioned appointments and activities as members of the Board, but use of such County fleet vehicle is not required in any instance for Supervisors.

12.3.2. The County Administrator shall be the primary point of contact for use of County vehicles in accordance with the Motor Vehicle Fleet Management Policy for Administrative Division Vehicles.

12.3.4. Cash advances for travel requested by Supervisors shall be authorized in advance by approval of the Board of Supervisors on a case-by-case basis.

12.4. Telecommunications services for County business.

12.4.1. Telecommunications services are essential to performance of the services required of Supervisors. County staff may need to contact Supervisors at any time of day for Government-related emergencies, and work as an elected Supervisor requires that the Supervisor be available to communicate with their constituents from their principal place of business.

12.4.2. The County provides telecommunications services for business use by County employees at their principal place of business, which in most instances is the County Government Building or other business office supported by the County. Therefore, it is consistent for Supervisors to be eligible for reimbursement of telecommunications expenses incurred for County business purposes at their principal places of business, subject to the following restrictions that are in accordance with IRS regulations:

12.4.2.1. Reimbursement shall not be made for the cost of basic local telephone service (including any taxes) for the first telephone line to a Supervisors' home. However, charges for long-distance phone calls on that line, as well as the cost of a second line into the principal place of business, if such second line is used exclusively for County business purposes, is eligible for reimbursement.

12.4.2.2. Supervisors are eligible for reimbursement for the basic plan expense for mobile telecommunications service to their principle place of business.

12.4.2.3. County reimbursement for mobile telecommunications services combined shall not exceed $55 per calendar month per Supervisor. In the event a Supervisor uses a County-owned cell phone for mobile telecommunications, as described below, no additional reimbursement for mobile telecommunications and Internet services shall be provided.

12.4.3. In lieu of reimbursement for telecommunications and Internet services, as provided herein, members of the Board may be offered a County-owned cell phone with data package for telecommunications and/or Internet service for exclusive use for County business.

12.4.4. Use of such telecommunications services for purposes unrelated to County business does not exclude such telecommunication expenses from eligibility for reimbursement; however, the County reimbursement is provided primarily for the business use of such services in relation to the Supervisors' work for the County.

12.5. General

12.5.1. Reimbursement requests shall be filed with the Department of Budget and Finance within one hundred and ten (110) days of incurrence of the expense. County reimbursement payment shall be made upon total accumulation of at least $50 in reimbursable expenses or within 60 days after the Fiscal Year in which such expenses were incurred, whichever comes first.

12.5.2. Reimbursement requests shall be made on forms provided by the Department of Budget and Finance, which shall require accounting of amount of expense, supported by documentary evidence of payment of expense, date of incurrence, and statement of business connection for such expense; for travel reimbursements, accounting shall include amount of expense, documentary evidence of payment for expense (or of

mileage claimed for mileage-based reimbursement), date of incurrence, and statement of business purpose for such travel.

12.5.3. Reimbursement requests shall include certification that such expenses will not be claimed for deduction for purposes of any private business enterprise.

12.5.4. Any reimbursement payment, or portion thereof, that exceeds the actual eligible amount of expense shall be returned to the County within 30 days of payment.

12.5.5. Any advance payments, or portion thereof, that exceeds the actual eligible amount of expense shall be returned to the County within 30 days of return from travel.

CHAPTER 03
Effective Date: January 26, 2016

OPERATING PROCEDURES FOR CALENDAR YEAR 2016

SECTION 1.	**HOLIDAY SCHEDULE**
SECTION 2.	**SCHEDULE FOR PREPARATION OF ANNUAL OPERATING BUDGET**
SECTION 3.	**DESIGNATED PUBLIC HEARINGS**
SECTION 4.	**SCHEDULE OF INVOCATIONS AT REGULAR MEETINGS**

SECTION 1. HOLIDAY SCHEDULE

The holidays for Administrative Division employees (defined in the *Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees*) shall be on the same days that the Governor of Virginia designates as holidays for Virginia state employees. Additionally and notwithstanding the Governor's holiday schedule, Good Friday (the Friday before Easter) shall be a holiday for Administrative Division employees.

County administrative offices shall be closed on designated holidays (certain Administrative Division personnel and/or administrative departments may be required to work on such designated holidays). Additional holidays may be added by action of the Board of Supervisors.

The holidays as described above shall be only for Administrative Division employees. These holidays are not intended to be established for county employees of other Divisions of the county government.

SECTION 2. SCHEDULE FOR PREPARATION OF ANNUAL BUDGET

The following Regular and Recessed Meetings of the Board of Supervisors have been designated for preparation of the Fiscal Year 2016-2017 County Operating Budget:

Date	Event	Action
February 18	Recessed Joint Worksession	Joint Board of Supervisors & School Board Workshop to consider School Board budget request
February 22	Deadline	Budget request from School Board
February 23	Regular BoS Meeting	Presentation of revenue estimates from Treasurer and Commissioner of Revenue
5 p.m., February 26	Deadline	Budget & Finance Department deadline to submit to BHC the request for publication on Wednesday, March 2, of a legal advertisement of the public hearing on proposed budget
March 1	Deadline	Budget & Finance Department complete budget books for distribution to Board of Supervisors
March 10	Recessed BoS Meeting for Public Hearing	Public hearing on proposed budget; and Department and agencies presentations to Board of Supervisors
March 10, March 16	Recessed BoS Meeting	Department and agencies presentations to Board of Supervisors
March 17	Recessed BoS Meeting	Budget work session
March 23	Recessed BoS Meeting	Budget work session
March 24	Recessed BoS Meeting	Budget work session
March 29	Recessed BoS Meeting	Budget work session; and Adopt resolution to set Tax Rates
June 14	Regular BoS Meeting	Budget work session; and Adopt resolution to establish Annual Operating Budget
June 28	Regular BoS Meeting	Adopt resolution to appropriate funds in accordance with Annual Operating Budget

The above schedule is tentative and subject to change. All meeting times are tentatively set for 6:30 PM (unless otherwise noted) and meetings shall be in the Board Auditorium in the County Government Building unless otherwise announced and appropriately publicized where required.

SECTION 3. DESIGNATED PUBLIC HEARINGS

The Board of Supervisors shall conduct all required Public Hearings on matters relating to zoning and subdivision within twenty-one (21) calendar days of the date of such matters' first public hearing or reading before the Washington County Planning Commission, or as soon as may be practical and lawful. Should any zoning or subdivision matter be deemed to require expedient disposition, either due to circumstances of necessity or where a Joint Public Hearing and Meeting would appear to be in the interests of both the Planning Commission and Board of Supervisors, the County Administrator, in consultation with the County Zoning and Subdivision Official, County Attorney and Chairman of the Board of Supervisors and Planning Commission, may at their discretion schedule a Joint Public Hearing and Meeting where action on the matter may be taken concurrently.

SECTION 4. SCHEDULE OF INVOCATIONS AT REGULAR MEETINGS

Month of:	Supervisor, or Guest:
January.....	District A-11 Supervisor
February.....	District B-11 Supervisor
March.....	District C-11 Supervisor
April.....	District D-11 Supervisor
May.....	District E-11 Supervisor
June.....	District F-11 Supervisor
July.....	District G-11 Supervisor
August.....	District A-11 Supervisor
September.....	District B-11 Supervisor
October.....	District C-11 Supervisor
November.....	District D-11 Supervisor
December.....	District E-11 Supervisor