BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING
TUESDAY, JANUARY 2, 2024
6:00 P.M.

The Appomattox County Board of Supervisors held its scheduled Organizational meeting on Thursday, January 2, 2024 at 6:00 p.m. in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia.

Appomattox County Board of Supervisors
Present:

Samuel E. Carter	Courthouse District
Kenneth Wolfskill	Appomattox River District
John F. Hinkle	Falling River District
Trevor L. Hipps	Wreck Island District
Alfred L. Jones, III	Piney Mountain District

Also, Present:
Susan M. Adams, County Administrator
Wanda McCormick, Financial Specialist III
Janet McConville, Financial Specialist II/Communications
Jeff Shepherd, Maintenance Director

CALL TO ORDER – Mrs. Susan Adams, County Administrator called the meeting to order at 6:00 p.m.
Pledge of Allegiance
Invocation – Mr. Carter

SETTING OF AGENDA
Motion made by Mr. Hipps, seconded by Mr. Hinkle to approve the agenda contingent upon the removal of #4-"Adopt the Code of Ethics and Standards of Conduct for Members of the Board of Supervisors" and carried with all members voting yes to approve the agenda as amended.

BOARD ORGANIZES
Election of Chairman
Mrs. Adams opened the floor for the 2025 Chairman nominations. Mr. Wolfskill nominated Mr. Hinkle to serve as the 2025 Chairman. As there were no further nominations for Chair, Mrs. Adams closed the floor.

Motion made by Mr. Wolfskill, seconded by Mr. Hipps with all members voting yes, to elect Mr. John Hinkle as the 2025 Board of Supervisors Chairman.

Election of Vice-Chairman
Chairman Hinkle opened the floor for the 2025 Vice-Chairman nominations. Mr. Wolfskill nominated Rev. Jones to serve as the 2025 Vice-Chairman. As there were no further nominations for Vice-Chair, Mr. Hinkle closed the floor.

Motion made by Mr. Wolfskill, seconded by Mr. Carter with all Board to elect Rev. Jones as the 2025 Board of Supervisors Vice-Chairman. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-yes, Mr. Hipps-yes, and Mr. Hinkle-yes

ORGANIZATIONAL & ADMINISTRATIVE MATTERS

Adopt the Rules of Order for the Governing Body

Motion made by Mr. Hipps, seconded by Mr. Carter, to adopt the "Robert's Rules of Order, Newly Revised" for the Governing body. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-yes, Mr. Hipps-yes, and Mr. Hinkle-yes.

Adopt the Board Bylaws and Rules of Procedures

Motion made by Mr. Wolfskill, seconded by Mr. Hipps to adopt the Board Bylaws and Rules of Procedures with the amendment that the invocation be moved directly after the Call to Order of the meeting and directly before the Pledge of Allegiance. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-no, Mr. Hipps-yes, and Mr. Hinkle-yes. Motion carried 4-1.

BYLAWS AND RULES OF PROCEDURES
APPOMATTOX COUNTY BOARD OF SUPERVISORS

SECTION A: MEETINGS

Regular Meetings.

(a) All regular meetings of the Board shall be open to the public, except when the Board is in closed session pursuant to Section 2.2-3711 of the Virginia Code.

(b) The Board shall hold regular meetings on such days as may be prescribed by resolution at the annual organizational meeting in January of each year, but which shall not be less frequent than once a month. The Board shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted, or in the office of the Clerk to the Board. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting.

The Chairman, or the Vice-Chairman if the chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Board members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday Holiday. Such conditions shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

(c) The Board may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Note of such change shall be posted in a public location at which notices are regularly posted, or in the office of the Clerk to the Board, at least three working days prior to the meeting to be held pursuant to the change, and published once in a newspaper, of general circulation in the county, at least seven days prior to the meeting. Three working days prior to the meeting to be held pursuant to such change, the Clerk shall give each Board member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(d) Except for the properly called closed sessions as permitted by state law, all regular meetings of the County Board and official committees of the Board shall be open to the media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Board may prescribe.

Special Meetings.

(a) The Chair or two members of the Board may call special meetings of the Board whenever in their opinion the public business may require it.

(b) Whenever a special meeting shall be called, a notice in writing signed by the Chair of the Board or two members of the Board shall be filed with the Clerk and delivered to each member of the board and the County Attorney, either in person or at his place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called. No business shall be transacted at the meeting except such as is stated in the notice, unless all members are present.

(c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

(d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided to the members of the Board.

Closed Sessions:

Closed Sessions may be held in accordance with the provisions of the Virginia Freedom of Information Act.

Adjourned Meeting:

Regular meetings without further public notice may be adjourned from day to day or time to time or place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Minutes.

(a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Board of Supervisors. The minutes shall reflect:

(1) the date, time and place of the meeting or session;
(2) the members recorded as either present or absent;
(3) a general description of all matters proposed, discussed or decided: and
(4) record of any votes taken.

(b) Approval of minutes of all but closed meetings or sessions shall be considered at a regular Board meeting. It shall not be necessary to read the minutes prior to approval. Prior to approval, any member may, through the Chair, request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Board member to such amendment or correction, a majority Vote of the Board shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted minutes.

SECTION B: OFFICERS

Election and Term of Chairman and Vice-Chairman

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice-Chairman, each of whom shall serve a term for one year expiring on December 31 of the year elected, or until their respective successors shall be elected. In the case of the absence of the Chairman and the Vice-Chairman; the members present shall choose one of its members as temporary Chairman.

Clerk

The Clerk of the Board of Supervisors shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Board of Supervisors.

Parliamentarian

The County Attorney shall serve as the Parliamentarian.

SECTION C: QUORUM AND MANNER OF VOTING

A majority of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance, nor resolution, appropriating money exceeding $500.00, imposing taxes or authorizing borrowing money shall be passed except by a recorded affirmative roll call vote of a majority of all the members of the Board.

SECTION D: RULES OF ORDER

The proceedings of the board, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised and more specifically, the provisions which pertain to conduction of business for small boards, except as follows: 1) the section indicating that the minutes are accessible only to Board members is hereby deleted, 2) all motions will require a second, 3) the Chairman may make and second motions.

SECTION E: ORDER OF BUSINESS

Agenda Preparation

The Clerk shall prepare the agenda for each regular meeting conforming with the agenda format approved by the Board. Except as permitted at the discretion of the County Administrator, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of the work day on the Wednesday of the week prior to any regular meeting of the Board.

The agenda packages shall be transmitted by the Clerk of the Board by the close of business on the Friday prior to the regular meeting using whatever means of delivery he deems best suitable to ensure that the Board members have the agenda packages prior to the regular meeting.

Order of Business

The order of business at Board of Supervisor meetings is normally:

Welcome

a. Call to order
b. Invocation
c. Pledge of Allegiance

1. Approval of the Agenda
2. Thirty minutes Citizen Comment Period at each regular meeting of the Month.
3. Public Hearings/Public Appearances
4. Action Items
5. Appointments to Boards, Commissions and Committees
6. Approval of the Consent Agenda
7. County Attorney Reports, Request and Recommendations
8. County Administrator's Reports, Request and Recommendations
9. Board Comments, Committee Reports, Request and Recommendations
10. Closed Session

Consent Agenda

The Consent Agenda shall consist of a listing of various items to be considered by the Board as a block or one single item and to be approved by one vote rather than specific votes on each item.

Characteristics of items placed on the Consent Agenda are:

- Routine items that appear monthly such as departmental reports, request for refunds, resolutions and motions authorizing the submission of applications for grants that require no local match, or grants for which the Board has previously approved the local match, request for supplemental appropriations that meet the Board's policy.

- Request to advertise public hearing, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and commendation.

- Items of non-controversial nature that could be classified as housekeeping items of technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of grants from the State or Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

<u>Citizen Comment Period</u>

At each regular meeting of the Board, the board shall set aside at the beginning of each Board session a citizen's comment period. During the citizen's comment period, speakers wishing to address the Board shall clearly state their name and address. Speakers may not speak on items that are on the public hearing calendar for the day. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff member. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.

<u>Public Hearings</u>

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views during the public appearance and citizen comment sections of regular meetings and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and/or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors, as follows:

- The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows:

a. Staff presentation

b. Questions from Board members (and Planning Commissioner if present)

c. Applicant's presentation (if applicable, for land use matters)

d. Board discussion, at which time the Chairman may entertain a motion to place the matter on future agenda for action, to refer the matter to committee, or bring the matter to vote.

- Staff presentation will be brief, concise summaries for the public's information and understanding. When written information has been provided prior to the hearing only summary and/or new information should be presented.

- On land use matters a reasonable and sufficient time will be afforded the applicant to properly and fairly present the subject matter. Ten minutes shall be allocated to the applicant's presentation. The applicant may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, the applicant should contact the County Administrator prior to the Public Hearing. Any Member of the Board may ask the applicant to respond to specific questions.

- Each speaker will have up to five minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers registered to speak on any item exceed ten, the time will be adjusted to three minutes for each speaker. Unless instructed by a majority of the Board present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

- Order of speakers will be determined on first to register, first to speak basis.

- Registration will be taken by County staff and will be submitted on the registration form provided, which will include the name, address and election district of the speaker.

- Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions of clarification.

- Debate is prohibited.

- All comments will be directed to the Board of Supervisors as a body.

- Decorum will be maintained. This includes a common courtesy from the audience, the staff and Board to the speaker and from the speaker to the audience, the Board and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.

- In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.

- Speakers are requested to leave written statements and/or comments with the County Administrator.

- The Board shall have the discretion to act on a matter appearing on a public hearing: or the Board, by majority vote, may defer the matter to the next regular meeting of the Board. It shall be the policy of the Board to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

<u>Board Comments</u>

This time is generally used for individual Board members to share information with other members of the Board and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at the meeting at which the item is presented unless it is the unanimous consensus of the Board that the item be put on the floor for action. Prior to the agenda prepared, members of the Board are encouraged to contact the County Administrator and have an item included under this heading. The County Administrator shall prepare a memorandum that will inform other members of the Board of the particulars pertaining to this matter.

<u>Pending Matters</u>

This section of the agenda is non-action section of the meeting agenda which shall list all matters that have come before the Board and that the Board has assigned to or referred to one of its standing committees or staff for additional information or recommendation.

<u>Adjournment of Meetings</u>

Regular meetings of the Board shall adjourn no later than 10:30 P.M. If the Board desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 10:30 deadline shall be deferred to the next regular meeting or an adjourned meeting of the Board.

SECTION F: RECONSIDERATION OF MOTIONS

At any meeting of the Board, when any vote upon any motion, resolution, ordinance or question has been announced, it shall be in order for any member of the Board voting with the prevailing side or who has not voted on the motion, resolution, ordinance or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

SECTION G: CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which does not comply with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question or statements to anyone other than the Chairman (Questions shall be presented to the Chairman, who will, at his discretion solicit a response from the appropriate board or staff member.)
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel)
11. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to vote on the same, except at the discretion of the Chairman
12. Any persons addressing comments or questions to someone other than the Chairman
13. Wearing hats, caps or other types of headgear
14. Applause is permitted only during presentation, awards, proclamations and special recognition periods.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Board. Any person who had been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board or by motion passed by the Board.

<u>SECTION H: MISCELLANEOUS</u>

<u>Reserved Area</u>

Only members of the Board, the County Administrator, County Attorney, administrative staff and other persons expressly invited shall be entitled to enter the area behind the Board Dais.

<u>Press</u>

Cameras from the press shall be limited to the west side of the boardroom. Members from the press shall not interview the public or staff in the Boardroom while meetings are in session.

SECTION I – REMOTE PARTICIPATION

1. A member of the Board may participate in the meeting by electronic means if, on or before the day of a meeting, a member of the Board notifies the chair of the Board that:

   a. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or

   b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision is limited each calendar year to two meetings.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the Board shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the Board shall also include in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the Board shall also include in its minutes the specific nature of the personal matter cited by the member.

   If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to subsection 4 (below), such disapproval shall be recorded in the minutes with specificity.
3. The Board, or any joint meetings thereof, may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17 or the County of Appomattox has declared a local state of emergency pursuant to § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the Board or the discharge of its lawful purposes, duties, and responsibilities. When convening a meeting in accordance with this subdivision the Board shall:

   a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;

   b. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the public body; and

   c. Provide the public with the opportunity to comment at those meetings of the public body when public comment is customarily received; and

d. Otherwise comply with the provisions of this section chapter.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this subdivision 3 shall be applicable only for the duration of the emergency declared pursuant to § 44-146.17 or 44-146.21.

4. Participation by a member of the Board in a meeting through electronic communication means pursuant to subdivisions 1 and 2 shall be authorized only if the following conditions are met:

   a. This remote participation policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

   b. A quorum of the Board must be physically assembled at one primary or central meeting location; and

   c. The Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

Amendment of Rules

These rules of procedure may be amended by majority vote of the entire membership. No notice shall be required of the adoption of any amendments.

Updated by the Board of Supervisors at the Organizational Meeting on January 2, 2025

Confirmation of the Clerk to the Board

Motion was made by Mr. Wolfskill, seconded by Mr. Hipps, to confirm the County Administrator, Susan Adams, as the Clerk of the Board. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-yes, Mr. Hipps-yes, and Mr. Hinkle-yes

Set Date, Time and Location of Regular Meetings

Motion made by Mr. Hipps, seconded by Mr. Wolfskill to set the Regular Board meetings on the 3rd Monday of each month at 6:00 p.m. in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia, and when a holiday falls on the 3rd Monday, the meeting will be held on the following Tuesday at 6:00 p.m. in the Board Supervisors Meeting Room at 171 Price Lane, Appomattox, Virginia. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-yes, Mr. Hipps-yes, and Mr. Hinkle-yes.

DISCUSSION

Community Center "Proposed" Renovation

Jeff Shepherd, Director of Maintenance, shared with the Board the proposed renovation plans for the Community Center to accommodate the Department of Social Services relocation.

Motion made by Mr. Hipps, seconded by Rev. Jones to approve the renovation plan presented for the current Community Center building to accommodate the Department of Social Services. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones-yes, Mr. Carter-no, Mr. Hipps-yes, and Mr. Hinkle-yes. Motion carried 4-1.

Virginia Closed Meeting Act

Chairman Hinkle stated that Closed Meeting items are not to be discussed outside of the Closed Meeting.

ADJOURNMENT

Motion made by Mr. Carter, seconded by Mr. Hinkle and carried with all other members present, voting yes to adjourn the meeting at 6:28 p.m.

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John Hinkle, Chairman