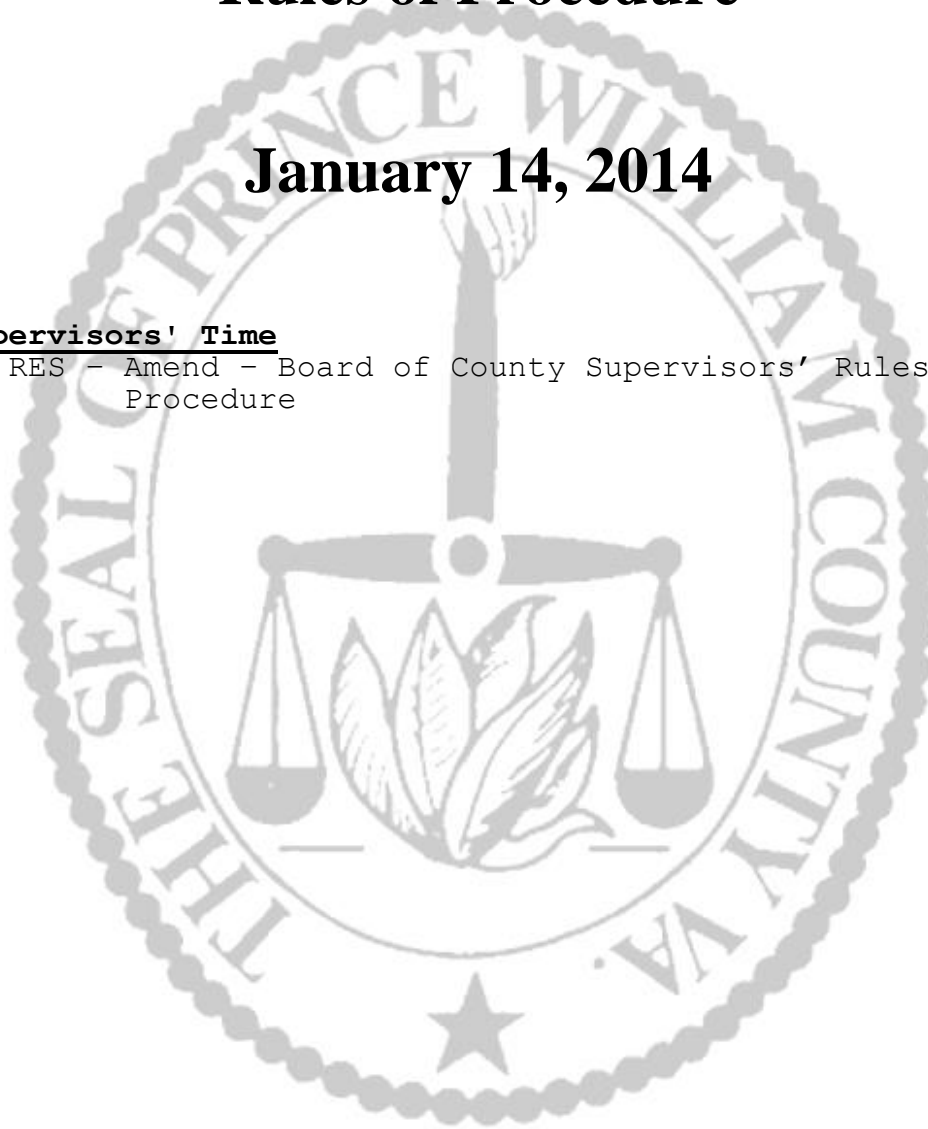


**Amend  
Rules of Procedure**

**January 14, 2014**

9. Supervisors' Time

C. RES - Amend - Board of County Supervisors' Rules of Procedure





Pete Candland  
Gainesville District  
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## COUNTY OF PRINCE WILLIAM

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### BOARD OF COUNTY SUPERVISORS

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January 6, 2014

Dear Colleagues:

County Attorney Angela Horan has reminded each of us in a recent email about the annual review of the Rules of Procedure for the Board of County Supervisors, and this letter responds to her solicitation of any recommendations for changes to those rules.

Prince William County government is committed to upholding the highest standards of integrity and transparency in government. After reviewing all of our Rules of Procedure, I personally believe there are a number of improvements that can be made that will affirm our fidelity to that commitment.

To that end, I have listed six specific proposals for consideration by the Board for reforms to the Rules of Procedure to better serve the citizens we represent and bring a higher level of integrity and transparency both to the conduct of business by the Board and in our decisions on the expenditure of taxpayer funds.

**1. Change Board Business Meetings (voting on resolutions) from 2 PM on Board Meeting Days to 7:30 PM. (Amending Section A: Meetings, subsection (a))**

One of the most difficult problems confronted by citizens in Prince William County in accessing Board meetings is that they are held during the day. More than two-thirds of workers who live in Prince William County face long commutes to their jobs outside of the County. That fact makes it extremely difficult for those citizens to arrange their schedules to attend meetings held by the Board of County Supervisors under the current scheduling regimen, even when they have issues of significant interest before the Board.

By changing the time of the primary business meeting on Board meeting days where votes are taken from the current 2:00 PM afternoon schedule to 7:30 PM, we will dramatically expand the opportunity for citizens to participate in those meetings.

The afternoon meetings can be reserved for the Board to receive staff reports, review administrative matters, and conduct appropriate oversight activities that typically do not require votes to be taken. A more accessible government is obviously a more transparent government, and this change will significantly enhance the ability of many more citizens to have input on those matters that directly impact the quality of life for every family here in Prince William County.

**2. Expanding the Current Restriction on Citizens' Time from 30 Minutes to 45 Minutes. (Amending Section F: Order of Business, Section 4)**

The change in meeting times will likely result in an increase in the number of citizens who attend Board meetings, particularly on controversial issues. On some days, the increased participation may stretch the current restriction of 30 minutes for Citizens' Time. By expanding the allocation for Citizens' Time from 30 to 45 minutes, the Board acknowledges its interest in the views of the citizens of Prince William County on issues of importance to them.

**3. Enhancing Transparency Through Better Agenda Distribution Procedures. (Amending Section F: Order of Business, Section 2)**

The Virginia Code requires that all agendas and supporting materials be made available for public inspection at the same time that these documents are provided to the Board of County Supervisors.

It is my observation that we often fail to meet this complete obligation. On several occasions in the past, the meeting agenda has been distributed to the Board well in advance of its availability to the public. In addition, the agenda is often incomplete in terms of providing the supporting materials associated with specific agenda matters. It has become a far too common practice to have important supporting materials withheld until just before, or even during, a Board meeting. While I understand that there may be legitimate reasons on some infrequent occasions for a delay in the production of some materials prior to the Board meeting itself, I would think that those occasions should be the rare exception.

Accordingly, my proposal would restrict the Board from taking any vote on any agenda item where the supporting materials provided to the Board were not available at the time of publication of the agenda. My proposal includes two specific provisions that I believe will substantially enhance the access of citizens to these materials and their ability to provide comments and input on issues of interest to them.

First, I propose that we allow individual citizens to sign up for a subscription service for the Board agendas. By subscribing, they would automatically receive an email notice in their inboxes simultaneously with the publication of the Board agenda, including links to all supporting materials that are provided to the Board.

Second, I propose that we create a section on the County website that would allow for individual citizens to comment on agenda matters. This comment section on the website would open at the time of the publication of the agenda for the Board meeting, and it would close no sooner than two hours prior to the start of the Board meeting for which the agenda was published. All submitted comments would then be copied by County staff and delivered to the Board members at the start of the meeting so that these comments can be considered in the same manner as those comments offered by citizens during Citizens' Time.

**4. Amending the Procedures for Submitting of Proposed Resolutions to Assure Optimum Citizen Review and Input. (Amending Section C: Quorum and Action, Subsection 3(b))**

Recently, we have become complacent in the deliberations on various motions without giving proper recognition for the need for full public disclosure and allowing adequate time for public input.

Accordingly, I have proposed some specific amendments to our Rules of Procedure that will strengthen the procedures for the submission of resolutions. Specifically, my proposal requires that all resolutions must be submitted in writing, along with any supporting materials that an individual Supervisor intends to be considered by the Board, to the Clerk with sufficient advance time to be included in the published agenda packet for the meeting in which the action is proposed for consideration. If a Supervisor fails to provide either the written resolution and/or supporting materials for it prior to the publication of the agenda, the only manner in which the Board could then consider that resolution would be upon the approval by a two-thirds majority vote of the Board to waive this rule.

Additionally, I would propose the Clerk would have the responsibility for the delivery of a copy of any proposed resolution to all members of the Board, the County Executive, and the County Attorney before the resolution is proposed for adoption. A copy of the resolution pending before the Board must be shown on the overhead projector to allow for the public to view the same material as the Board while that matter is under consideration by the Board.

**5. Amending the Procedures for Submission of Written Resolutions and Supporting Materials Following a Notice of Intent by a Supervisor. (Amending Section C: Quorum and Actions, Subsection 5(b))**

Under our current rules, a Supervisor may announce his or her intent to seek Board action at a future Board meeting during Supervisors' time and then that issue would appear on the agenda in Supervisors' time at the next meeting of the Board. However, there is no requirement for the Supervisor who has announced such intent to provide a written resolution or supporting material in the published agenda for that meeting.

More often than not, the general statement of intent of a Supervisor fails to encompass the scope of the proposal that is contemplated, and the Board and the public are left with no clear idea about how the specific language may or may not affect the existing County policy until the disclosure is made by the Supervisors.

My proposed amendment to this section requires a Supervisor to provide to the Clerk the written resolution, along with appropriate written materials, in a timely fashion for the inclusion in the published agenda for the meeting where the action is scheduled for consideration during Supervisors' time. This amendment would restrict Board action from being taken on matter where the written resolution is not submitted in a timely fashion to be published in the agenda.

**6. Providing for a Temporary Waiver of the Rules of Procedure for Emergencies.**  
**(Adding a new Subsection 3 to Section I: Miscellaneous, and then renumber the following Subsections)**

In the course of conducting business in Prince William County, there may be certain occasions where circumstances require immediate action that would be otherwise be prohibited by the Rules of Procedure as described herein. In those instances, this new rule would allow for a temporary waiver of the Rules of Procedure to account for those emergency situations by allowing for a waiver of the rule by approval of two-thirds (2/3) of the members of the Board present at a meeting at which a quorum has been established.

I am advancing these proposals for discussion by the Board of County Supervisors over the next several meetings in order to provide citizens with the opportunity to comment and participate in the discussion on their merits.

It is my firm belief that there can be much more done to improve the transparency of our government, and these steps will help us build that trust with the citizens of Prince William County.

Respectfully submitted,



Pete Candland

## **Amendment to: Section A: MEETINGS**

1. (a) *Regular Meetings* - The Board of Supervisors shall adopt a schedule of the times, dates, and places of its regular meetings, for each calendar year, at its annual meeting, or as soon thereafter as practicable. The "annual meeting" is hereby specified to be the first meeting after the election of new members, and the corresponding first meeting of each subsequent year. Regular meetings shall be held on Tuesdays and will generally occur on the first, second, and third Tuesday of each month. Regular business meetings shall begin at ~~2:00~~ 7:30 P.M. (evening sessions). Additional meetings, when needed, ~~and may reconvene~~ may be scheduled for conducting oversight, fact-finding, or receiving staff reports, and shall begin at ~~7:30~~ 2:00 P.M. (afternoon sessions) or other convenient time(s) for public hearings. The Board will conduct votes (except for items on the consent agenda, which can be done at either meeting) on official business of the Board (policies, ordinances, budgets or appointments) only during evening sessions to allow for optimum public participation. In setting its regular meeting schedule, the Board may consider avoiding scheduling meetings when they would conflict with such occurrences as legal holidays and other meetings for the purpose of furthering public business which the majority of the Board has traditionally attended. The Board may schedule regular meetings each year as it deems appropriate, and may likewise cancel regular meetings, as provided in Subsection 1(c), below, after the annual meeting schedule is adopted, so long as the Board meets in regular session not less than once each month.

## **Amendment to: Section F: ORDER OF BUSINESS**

4. *Citizens' Time* - The Board shall set aside ~~thirty (30)~~ forty-five (45) minutes as Citizens' Time at the beginning of each ~~afternoon~~ evening session of a regular meeting of the Board, and ~~again~~ at the beginning of each ~~evening~~ afternoon session or a regular meeting. During Citizens' Time the Board will receive comment from any citizen on any item not on the public hearing calendar for the day, without restriction, provided that the use of obscenity or other speech tending to create a breach of the peace is prohibited; and provided further that no individual citizen shall be permitted to address the Board for more than three (3) minutes. The Chairman is vested with the Board's authority to enforce these limitations. Individuals wishing to speak at Citizens' Time shall sign up to speak by providing their name and address on a list provided for this purpose by the Clerk to the Board. Citizens residing in Prince William County shall be called to speak prior to citizens residing outside of the County. The Chairman shall allocate the aforesaid ~~thirty (30)~~ forty-five (45) minutes among those speakers in an equitable manner if all who desire to speak cannot be afforded the full three (3) minutes within the ~~thirty (30)~~ forty-five (45) minute allotment.

**Amendment to: SECTION F: ORDER OF BUSINESS**

2. Agenda - The Chairman, with the County Executive, shall prepare an agenda for each meeting. Any member having matters to be considered by the Board shall submit them to the County Executive for inclusion on an appropriate agenda, in consultation with the Chairman.

- (a) Each meeting agenda shall be published in accordance with Virginia Code § 2.2-3707 that provides at least one copy of all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body.
- (b) The official County website shall permit citizens to sign up for a subscription to allow them to automatically receive the agendas simultaneous with their publication.
- (c) The official County website shall allow for citizens to provide comments on agenda matters that shall open at the time of the publication of the agenda for a meeting, and close not sooner than two hours prior to the start of the meeting for which the agenda was published. All comments submitted to the website shall be copied and delivered to the Board members at the start of the meeting for consideration in the same manner as citizen's speaking during Citizen's Time.
- (d) On any agenda matter that requires a Board vote for which materials are provided to the Board for their deliberations, such materials must be included in the agenda packet at the time of its publication to allow citizens adequate time to review the same material available to the Board. No votes shall be permitted on matters on the agenda for which supporting materials needed for deliberations are provided to the Board on the day of the meeting and that were not publicly available in the published agenda as required by Virginia Code.



**Amendment to: SECTION C: QUORUM AND ACTIONS**

3 Actions - The Board shall act in one of the following ways:

(b) Resolutions - If action by ordinance is not required by law, the Board may act upon adoption of a resolution, ~~with or without prior notice~~, in the following manner:

(i) A resolution shall be presented in writing, along with any supporting materials the Supervisor intends to be considered by the Board, to the Clerk with sufficient time to be included in the published agenda packet for the meeting in which the action is sought;

(ii) The Clerk shall deliver a copy of any proposed resolution to all members of the Board, the County Executive, and the County Attorney before the resolution is proposed for adoption.

(iii) A copy of any resolution pending before the Board shall be shown on the overhead projector; and any supporting documents as they are discussed, to allow the public to view the material under consideration by the Board.

~~Resolutions shall be in writing. A copy shall be delivered to the Clerk, all members of the Board, the County Executive and the County Attorney before the resolution is proposed for adoption.~~

**Amendment to: SECTION C: QUORUM AND ACTIONS**

5. Introduction of Policy and Appointment Resolution by an Individual Supervisor.

(a) A Supervisor shall announce his or her intent to seek Board action at a future Board meeting during Supervisors' Time; such actions would appear on the agenda in Supervisors' Time at the next meeting for Board consideration, or at such meeting as may be specified by the Board or other code provisions; or

(b) A Supervisor, ~~in coordination with the Chairman,~~ shall circulate shall provide to the Clerk the written resolution, along with appropriate written materials, ~~and/or resolutions~~ in a timely fashion, for inclusion on the published agenda for the meeting where the action is scheduled for Board consideration during Supervisors' Time. No Board Action can be taken on any matter where the written resolution is not published in the agenda.

**Amendment to: Section I: MISCELLANEOUS**

Add a new Subsection 3 (renumber each following subsection): *Temporary Waiver of Rules During Meeting* - Any specific provision of the Rules of Procedure may be temporarily waived by a two-thirds (2/3) vote of the members present in a Board meeting in which a quorum is established.