Fluvanna County Planning Commission
BYLAWS AND RULES OF PRACTICE AND PROCEDURES
Adopted: February 9, 2021

I. CREATION. The Fluvanna County Planning Commission, hereinafter called the “Commission”, is an appointed body provided by the Code of Virginia, Section 15.2-2210, or as amended. The Commission consists of five (5) members, one (1) appointed from each election district and one (1) representative of the Board of Supervisors. The Board of Supervisors representative does not vote by directive of the Board of Supervisors.

II. PRINCIPAL ADDRESS. 132 Main Street, Palmyra, Virginia 22963; Mailing Address: Post Office Box 540, Palmyra, Virginia 22963.

III. COMMISSION CHAIR. At the first meeting of the year, the Commission selects one of its members to serve as Chair. The Chair is a voting member and serves for one (1) year.

IV. COMMISSION VICE CHAIR. At the first meeting of the year, the Commission selects one of its members to serve as Vice Chair. The Vice Chair is a voting member and serves for one (1) year.

V. COMMUNITY DEVELOPMENT DIRECTOR. The Community Development Director shall be Clerk to the Commission and his or her general duty is set forth in the Code of Virginia, Section 15.2-2217. He or she shall maintain an office at the same address as the Commission.

VI. COUNTY ATTORNEY. The County Attorney assists the Commission in analyzing the facts; provides advice and action in legal matters and represents the Commission in civil actions.

VII. QUORUM FOR THE EXERCISE OF COMMISSION BUSINESS. A majority of the commission shall constitute a quorum in order to conduct Commission business. A vote of the majority of those present is necessary to take action on an issue.

VIII. PUBLIC SESSIONS.

A. Except as otherwise directed the regular public meeting of the Commission shall be held on the 1st Tuesday after the 1st Wednesday of the month at 7:00 p.m. The meetings shall generally be held in the County Administration Building in the Morris Room in Palmyra, VA.

B. A special meeting may be held at the call of the Chair or by the application of three members given to the Community Development Director. There shall be at least seventy-two (72) hours written notice for a special meeting.

IX. MEETING AND ATTENDANCE.

A. All meetings and business shall be conducted in accordance with these Rules, Robert’s Rules of Order Newly Revised, 11th Edition, and the law of Virginia. In the event of conflict, the law of Virginia shall govern.
B. Meetings will be held on the 1st Tuesday after the 1st Wednesday of the month. If the meeting date falls on a holiday, a new meeting date will be scheduled by the Chair. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the Community Development Director shall call the meeting to order and preside for the election of a Temporary Chair.

C. Any person making a written or electronic presentation or demonstrating a matter by way of a picture, slides or a similar document for inclusion in the record of the hearing shall provide the Community Development Director a copy of such item seven (7) days prior to the meeting at which such person wishes to make a presentation.

D. The Community Development Director shall list all items requested on the agenda. If, in the opinion of the Community Development Director, an agenda item is not appropriate for consideration by the Commission, he shall inform the Chair, and if the Chair is in agreement, the Commission shall first discuss whether to entertain the agenda item.

E. The Community Development Director and Chair shall allocate time to items on the agenda, as is necessary, for appropriate consideration by the Commission.

F. The Commission shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Commission.

G. Time permitting, items not on the agenda shall be heard as the final items of the Commission’s business. If time does not, in the opinion of the Chair, permit hearing items on the agenda, they shall be carried over to the next regular or special meeting.

H. The Chair’s vote on all issues before the Commission shall be recorded as being given with the prevailing side, unless the Chair clearly votes otherwise.

I. Meetings shall be adjourned no later than 11:00 pm unless continued by unanimous vote of the Commission members.

X. CONDUCT OF BUSINESS

A. When the question is called and there is no dispute, the Chair shall call for the vote.

B. Whenever any member wishes to abstain from voting on any question, he or she shall so state and, if because of a conflict, shall indicate in accordance with the Virginia Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., or as amended, and his or her abstention shall be announced by the Chair and recorded by the Clerk.

C. Exhibits or electronic slides before the Commission shall become the property of the Commission and shall be filed with the Community Development Director.
D. Citizens shall not speak at a meeting until they are recognized by the Chair. Citizens shall request recognition by addressing the Chair and then await acknowledgement. At his or her discretion, the Chair may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Such discussion will be discouraged.

E. Prior to opening a meeting at which one or more public hearings will be held, the Chair shall recount the rules under which the hearing shall be operated, but he or she may amend the rules during the hearing by giving notice of the change to the Commission.

F. At the beginning of the public hearing, the Chair shall call upon the Community Development Director or the Chair of the committee handling the matter at hand or shall recount a description of the issue placed before the hearing.

G. Subject to revocation or extension by the majority of the commission assembled, the Chair may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Commission on a matter. Notwithstanding the foregoing statement, every Commission member shall be entitled to make a statement on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so.

H. All members or citizens shall limit their comments before the Commission. The Chair has the option of requiring speakers to sign up before being authorized to address the Planning Commission.

I. The Commission has set forth the following rules for presentation time limits:

1. Individual presentations placed on the Commission’s agenda shall be limited to ten (10) minutes in duration.

2. Individual presentations listed under the agenda item “Public Comments” shall be limited to five (5) minutes in duration.

3. Statements from the public during the “Public Hearing” on individual agenda items shall be limited to five (5) minutes.

4. Complete presentations on Commission action items shall be limited to not more than ten (10) minutes.

5. The above limitations may be extended only by majority consent of the Commission.

XI. ORDER
A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.

B. In maintaining decorum and propriety of conduct, the Chair shall not be challenged and no debate shall be allowed until after the Chair declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Commission to discuss the matter.

C. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches.

D. When a person engages in such a breach, the Chair may:

1. Order the person to stand silent,

2. Order the person’s removal from the building, or,

3. Order the person removed from the County Property.

XII. COMMITTEES. There will be no standing committees. Ad hoc committees will be appointed by the Chair, as needed. Constitutional Officers may be appointed to committees.

XIII. RULES

A. The bylaws may be suspended at anytime by a majority vote of the Commission.

B. The bylaws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.

XIV. RECORD OF THE MEETING. The Clerk of the Commission or another person acting in the capacity shall electronically record each regular meeting. Recordings are the property of Fluvanna County. A stenographic record shall not be admissible as evidence of what transpired at a meeting, unless the person taking the record has been sworn prior to making the record. Audio recordings are available on the county website at www.fluvannacounty.org/meetings