

RULES OF PROCEDURE GLOUCESTER COUNTY WETLANDS BOARD

ARTICLE I - MEETINGS

Section 1-1. Schedule of Regular Meetings

On the second Wednesday of each month at 6:30 P.M., the Board shall assemble at the Colonial Courthouse, 6504 Main Street, Gloucester, Virginia, or such other public place as it may designate, in regular session, and conduct its meeting. When a meeting falls on a legal holiday, the meeting shall be held on the Wednesday of the week following unless otherwise designated by the Board. Should the Board subsequently change the date, place, or time of regular meetings it shall comply with the requirements of Section 15.2-1416 of the Code of Virginia, as amended.

Any scheduled meeting, without further public notice, may be adjourned from day to day, from time to time, or from place to place, not beyond the time fixed for the next regular meeting until the business of the Board is concluded.

Section 1-2. Cancellation of Meetings

Should the Chair declare that weather or other conditions make it hazardous for members to attend any scheduled meeting, unless the Chair cancels the meeting, it shall be postponed to the next regularly scheduled meeting. All hearings and other matters previously advertised shall be conducted at the postponed meeting, and no further advertisement is required.

Section 1-3. Quorum and Method of Voting

At any meeting, a majority of the Board shall constitute a quorum. **Approval of a permit application shall require the affirmative vote of at least four members of a seven-member board**, unless otherwise provided by law.

Section 1-4. Open to the Public

All regular meetings of the Wetlands Board shall be open to the public. All persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as permitted by law. Closed meetings may be placed on the agenda or may be requested by any member of the Board. However, no closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene, and, then, only if such motion accurately states a lawful reason for such closed meeting as permitted by the Code of Virginia.

ARTICLE II - OFFICERS

Section 2-1. Chair, Vice Chair, and Secretary

At the first meeting of the new year, the Board shall elect from its membership a Chair, a Vice Chair, and a Secretary, each of whom shall serve for a term which will expire on December 31st of the same year in which elected, or until their respective successors shall have been elected. An officer may succeed himself or herself in the next election if he or she has served one term in his or her office but may not exceed two consecutive terms. Vacancies in office shall be filled immediately at the next regular meeting. In the absence of the Chair, the Vice-Chair shall assume responsibilities assigned to the Chair. In the event that the Chair and Vice Chair are absent from any meeting of the Board, and provided there is a quorum, then the members present at

such meeting shall choose one of their number as temporary Chair by majority vote of the members present and voting.

Section 2-2. Duties of Officers

The Chair shall be an appointed voting member of the Board and shall:

- Preside at all meetings.
- Appoint committees, special and/or standing.
- Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote of the voting members present).
- Be informed immediately of any official communication and report the same at the next regular meeting.
- Certify all maps, records and reports of the Board.
- Carry out other duties as assigned by the Board.

The Vice-Chair shall be an appointed voting member of the Board and shall:

- Act in the absence or inability of the Chairperson to act.
- Have the power to function in the same capacity as the Chairperson in cases of the Chairperson's inability to act.

The Chair and Secretary shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy.

ARTICLE III - CONDUCT OF BUSINESS

Section 3-1. Order of Business

The order of business shall be as follows:

- I. Call to Order by the Chairperson
- II. Roll Call and Determination of a Quorum
- III. Approval of the Minutes
- IV. Virginia Declaration of Policy Regarding Wetlands
- V. Public Hearings
- VI. Old Business
- VII. New Business
- VIII. Announcements
- IX. Adjournment

At the first meeting of the new year, the Order of Business will include Election of Officers prior to the meeting adjournment.

Section 3-2. Manner of Addressing Board; Priority in Speaking

When any person, including Board members, speaks to the Board, he or she shall address the Chair and shall confine his or her remarks strictly to the matter before the Board.

When two or more members of the Board wish to speak at the same time, the Chair shall select the one to speak first and the other(s) to speak in the order designated by the Chair.

Section 3-3. Motion

No proposition shall be entertained by the Chair until a motion for the same has been duly made. The Chair may make a motion without vacating the chair.

Section 3-4. Motion to Adjourn; Automatic Adjournment

A motion to adjourn shall always be in order and shall be decided without debate.

Section 3-5. Motions While a Question is Under Debate

When a motion is under debate at a meeting of the Board, no motion shall be received unless it is one to amend, to commit or refer for study, to postpone, for the previous question, for a substitute motion, to lay on the table, or to adjourn.

Section 3-6. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced

At a meeting of the Board, any motion passed may not be reconsidered unless and until a motion to that effect is presented by a member of the Board who voted with the prevailing side when such motion was considered at the meeting in which the vote took place. Any such motion to reconsider shall be decided by a majority vote of the members present, unless a greater number of votes was required to pass the measure, in which event, the motion to reconsider shall not prevail except upon the vote of as great a number of members as was required to pass the measure.

For the purpose of this Section, “meeting” shall include any adjourned meeting occurring prior to the next regular meeting.

Section 3-7. Robert's Rules of Order; Suspending or Amending Rules

The proceedings of the Wetlands Board, except as otherwise provided in these Rules of Procedure and by applicable State law, shall be governed by Robert's Rules of Order.

These Rules of Procedure of the Board may only be suspended on presentation of a motion to that effect, which is carried by a two-thirds (2/3) vote of the members present and voting.

These Rules of Procedure may be amended in the following manner:

1. Any amendments to the Rules of Procedure shall be reviewed by staff from the Office of Environmental Programs and County Attorney and included for discussion as an item of business at the next regular meeting; and
2. Any amendments to the Rules of Procedure shall be reviewed by the Wetlands Board at a regular meeting. The County Attorney shall review any additional amendments proposed by the Board; and
3. A motion to amend, properly seconded, and passed by a recorded two-thirds (2/3) vote of the entire voting membership at a meeting.

ARTICLE IV - PUBLIC HEARINGS

Section 4-1. Format for Public Hearings

The following format shall be followed for all Public Hearings conducted before the Wetlands Board:

- The Chair will make a brief statement identifying the matter to be heard.
- The Chair will call upon the appropriate County staff member to present the item to be heard. The applicant or the applicant's representative(s) shall be allowed to present their case immediately following the staff presentation.
- The Chair will open the floor to public comment.
- The Secretary or his or her designee shall present the Board with any additional comments submitted through alternative methods identified in the legal advertisement for the Public Hearing. Comments offered through these methods shall be presented during the Public Hearing for no more than the time limit set by the Chair for comments offered in person. The Chair or a person designated by the Chair shall be responsible for enforcing said time limit.
- The Chair shall close the floor to public comment and refer the matter for Board discussion. The applicant or the applicant's representative(s) will be allowed a brief rebuttal.

Section 4-2. Speakers

At every Public Hearing, speakers wishing to address the Board shall sign in, clearly state their name, and address or magisterial district, if applicable. All speakers shall direct their comments to the Board Chair and shall be allowed to speak for no more than the time limit set by the Chair. The Chair or a person designated by the Chair shall be responsible for enforcing said time limit.

Section 4-3. Member's Participation

Board members shall limit their comments during public hearings to ensure full participation by the public without Board interference.

Section 4-4. Close of Hearing

When a Public Hearing shall have been closed by order of the Chair of the Board, no further public comments shall be received.

ARTICLE V – AGENDA AND PUBLIC PARTICIPATION

Section 5-1. Preparation

County staff shall prepare a meeting packet which will include the completed application and any additional information, revisions, maps, etc., for each Board member.

Section 5-2. Delivery

The meeting packet shall be delivered to each Board member either by hand, by USPS, or electronically. Information received after the packets have been distributed (ie: revisions) will be delivered electronically.

Section 5-3. Posting

A copy of the meeting packet and agenda shall be available in the Office of Environmental Programs and may be reviewed during normal office hours, and on the County's Wetlands Board website at any time.

Section 5-4. Copies

The recording secretary of the Board shall prepare extra copies of the agenda and shall make the same available to the public in the Office of Environmental Programs. The recording secretary to also have copies available at each meeting.

Section 5-5. Public Participation

All will practice proper decorum during Board meetings. Persons who attend Board meetings or who wish to speak to the Board during public hearings shall do so in an orderly manner. Any person (or persons) who engages in any disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding Chair, be barred from speaking or may be ejected from the meeting.

ARTICLE VI – GENERAL RULES OF CONDUCT DURING BOARD MEETINGS

Section 6.1. Prohibition of Private Communication during Board Meetings

The Gloucester County Wetlands Board wishes to observe the spirit of the open meeting requirements of the Freedom of Information Act. Board members are prohibited from engaging in private communication regarding county business by any means, electronic or otherwise, during Board meetings.