

Jarratt Town Council
Organizational Meeting for Session 2018-2020
Town Hall Council Chambers
108 S. Braxton Ave., Jarratt, VA 23867
July 03, 2018
7:00

Mayor: Melanie Wilson

Agenda

- I. Call to Order
- II. Invocation, Pledge of Allegiance
 - A. Invocation
 - B. Pledge of Allegiance
- III. Roll Call
- IV. Determination of a quorum
- V. Approval of Agenda
- VI. Summary of Agenda Events
- VII. Citizen Comments
- VIII. Nominations for Council President – see Attachment “A”
- IX. Selecting Time and Days for Work Sessions – see Attachment “B”
- X. Selecting Time and Day(s) for Regular Council Meetings – see Attachment “B”
- XI. Selecting Time and Days for Town Hall Meetings – see Attachment “B”
- XII. Official Town Depository – see Attachment “C”
- XIII. Rules of Council Procedure – see Attachment “D”
- XIV. Resolutions – see Attachment “E”
- XV. Committee appointments
 - A. Motor Pool, Health/welfare & Safety
 - B. Streets & Utility
 - C. State & Local Legislative
 - D. Development & Planning
 - E. Facilities & Community Outreach
 - F. Audit, Finance & Personnel

1. Closed Session 2.2-3711 (A)(1); 2.2-3711 (A)(7); 2.2-3711 (A)(6)

a. Certification of Closed Session – see Attachment “F”

XVI. Miscellaneous

XVII. Citizens' Comments

XVIII. Adjournment

Town of Jarratt Administrative – Council President			
SECTION: Administrative		RESOLUTION #: 2018-003	
POLICY: Resolution Naming the Council President for 2018-2020			
DATE ADOPTED:	Revised Date:	Coverage: Council	Page _1_ of _1

ELECTION OF THE PRESIDENT OF THE JARRATT TOWN COUNCIL SESSION 2018-2020

WHEREAS, Chapter III, Section 4 of the Code of Jarratt states; members of Council shall at their first meeting after the general election, elect one of their members who shall preside at all meetings of the Council in the absence of the Mayor. Said member to be designated as "President of the Council"; and

WHEREAS, the Code of Virginia states, 15.2-1422 states, governing body shall elect President at its first meeting after taking office; and

WHEREAS, the Jarratt Town Council held their organizational meeting on July 03, 2018; and

WHEREAS, the Jarratt Town Council voted in accordance with the Code of Jarratt and Code of Virginia to name the President of the Council.

NOW, THEREFORE BE IT RESOLVED that the Jarratt Town Council has voted and approved _____ to become the President of the Jarratt Town Council.

BE IT FURTHER RESOLVED that _____, will be added to the bank records as having the ability to conduct bank business in the absence of the Mayor.

(SEAL)

Melanie W. Wilson, Mayor

ATTEST:

Wanda Manning Fikes, Clerk

Town of Jarratt Administrative – Meeting Dates and Times 2018-2020 Session			
SECTION: Administrative		RESOLUTION #: 2018-001	
POLICY: Resolution Work Session, Regular and Town Hall Meetings			
DATE ADOPTED:	Revised Date:	Coverage: All	Page _1_ of _1_

BE IT RESOLVED, that the regular meetings of the Town Council of the Town of Jarratt, Virginia shall be held on the 3rd Tuesday of each month during the 2018-2020 session; and

BE IT FURTHER RESOLVED, that the Town Council will meeting in a work session on the 1st Tuesday of each month, and

BE IT FURTHER RESOLVED, that the Town Council will hold Town Hall meetings in the months of March, June, September and December, and

BE IT FURTHER RESOLVED, that all meetings shall convene at 7:00 P.M., at the Jarratt Town Hall, 108 S. Braxton Avenue, Jarratt, Virginia.

Melanie W. Wilson, Mayor

ATTEST:

Wanda Manning Fikes, Clerk

(SEAL)

Town of Jarratt Administrative – Official Depository of the Town of Jarratt			
SECTION: Administrative		RESOLUTION #: 2018-002	
POLICY: Resolution BSV official depository of Town of Jarratt			
DATE ADOPTED:	Revised Date:	Coverage:	Page _1_ of _1

BE IT RESOLVED, that the Bank of Southside Virginia be and is hereby designated as the official depository for all Town funds and accounts of the Town of Jarratt for the year 2018 – 2020.

Melanie W. Wilson, Mayor

ATTEST:

Wanda Manning Fikes, Clerk

(Seal)

ATTACHMENT “D”

JARRATT TOWN COUNCIL

RULES OF PROCEDURE MANUAL

TOWN OF JARRATT, VIRGINIA

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Rules of Procedure

(Adopted _____, 2018)

Introduction

These rules of procedure were designed and adopted for the benefit and convenience of the Jarratt Town Council. Their purpose is to help Town Council conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in Robert's Rules of Order Newly Revised and applicable Virginia laws. The rules of procedure do not create substantive rights for third parties or participants in proceedings before Town Council. Further, Town Council reserves the right to suspend or amend the rules of procedure whenever a majority of Council decides to do so. When Town Council's rules of procedure do not address a procedural issue, Council may consider the most recent edition of Robert's Rules of Order for guidance. The failure of Town Council to strictly comply with the rules of procedure shall not invalidate any action of Town Council.

The Code of the Town of Jarratt, Virginia, provides for open meetings of the Town council at which reasonable opportunity shall be given for citizens to be heard under such rules as the council may provide. The Rules of Procedure establish guidelines to be followed by all persons attending a town council meeting, including members of the town council, administrative staff, news media, and visitors. [Town Code Chapter 3, Section 6]

SECTION 1 – PURPOSE AND BASIC PRINCIPLES

1. **Authority of Council** – Council shall have all powers and authority that is now or may hereafter be granted to the town by the General Laws of this State and the recital of special powers and authorities in this Code shall not be taken to exclude powers granted by the Code of Virginia. (*Code of Jarratt, Chapter 3, Section 6*)
2. **Purpose of Rules of Procedure**
 - A. To establish a reference guide that sets out the accepted practices and policies of the Council regarding how it conducts the business of the Town.
 - B. To enable the Jarratt Town Council to transact business fully, expeditiously and efficiently while affording every opportunity to citizens to witness the operations of government;
 - C. To protect the rights of each individual Council member;
 - D. To preserve a spirit of cooperation among Council members; and
 - E. To determine the will of Town Council on any matter.
3. **Basic Principles Underlying Rules of Procedure**
 - A. The business of the Town Council should proceed in the most efficient manner possible;
 - B. Town Council's rules of procedure must be followed consistently;
 - C. Town Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
 - D. Only one subject may claim the attention of Town Council at one time;

- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every member has equal rights to participate and vote on all issues;
- G. Every member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out, and the rights of the minority must be preserved;
and
- I. The Council must act as a body.

SECTION 2 – MEETINGS

1. When and Where Work Session and Regular Meetings are Held

The time and place of work session meeting of the Jarratt Town Council (hereinafter referred to as the Council) shall be established at each organizational meeting. Meetings shall be held in the Town Council Chamber, as follows:

Work sessions will be held on the first Tuesday of the month, at 7:00 p.m. Regular meetings will be held on the second Tuesday of the month, at 7:00 p.m.; except, there will be no work session or regular meeting if it is a holiday.

The council may hold additional meetings at other locations and times, or may change the locations and times of regularly scheduled meetings as it deems appropriate to do so. Notice of such additional meetings or changes to the location or time of regularly scheduled meetings shall be provided to the public and the press as required by State Code. Additional meetings shall be referred to as “additional scheduled meetings” and shall be approved by Council during a regularly scheduled meeting.

2. Continued Meetings

A regular meeting shall be continued to the immediately following Thursday of that week, or to the next regularly scheduled meeting, at the same time and place as the regular meeting if the Mayor, or President of Council if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such findings shall be communicated to the Council members 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.

3. Special Meetings

- A. The Council may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. A special meeting of the Council shall be called pursuant to Section 15.2-1417 of the Code of Virginia (1950), as amended, (***Chapter 3, Section 3 of the Town Code.***)
- B. Special meetings may be called by the Mayor, or any two (2) members of the Council in writing to the Clerk of Council for the purpose stated in the notice of the special meeting. The Clerk of Council shall forthwith notify the members of the Council of the time and place designated and the purpose of the meeting. Written notice of the special meeting shall be delivered to each member of the Council by leaving a copy thereof at his or her place of abode or place of business at least twelve (12) hours before the time scheduled for the special meeting. Only

matters specified in the notice of the special meeting shall be considered unless (1) all of the members of the Council are present and (2) the Council determines in good faith at the meeting that it is essential to discuss or act on such additional item(s) immediately. (Code of Jarratt Chapter 3, Section 3)

- C. Notice to the public of any special meeting shall be given contemporaneously with the notice provided the members of the Council, and the Town Attorney.

4. Legal Holiday

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Council.

5. Adjourned or Recessed Meetings

- A. A meeting of the Council is adjourned when the Council has finished its business and is bringing the meeting to a close, with the intention of holding another meeting at a later date. Generally, when a meeting of the Council is adjourned, the next meeting of the Council is preceded by opening ceremonies. A meeting of the Council is recessed when the Council takes a break between sittings and after the recess business is resumed where it left off.
- B. A properly called regular, additional scheduled, or special meeting may be recessed or adjourned to a time and place certain by a motion made and adopted by a majority of the Council in open session during the regular, additional scheduled, or special meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular, additional scheduled or special meeting.

6. Cancellation or Rescheduling of Meetings

A regularly scheduled meeting may be cancelled or rescheduled, in special circumstances and for the convenience of Council, if the change would not impact an advertised public hearing or a scheduled public presentation. The Mayor and President of Council shall agree to any such change and the remaining members of the Council shall be immediately notified of the change and the reason therefore. If any member of the Council objects, the regularly scheduled meeting shall proceed as originally planned. In the event that no member of the Council objects, the public and the media shall be notified promptly of the change.

7. Organizational Meeting

- A. The first meeting in July of each year in which a Council election is held shall be known as the organizational meeting. (Code of Jarratt Chapter 3, Section 4)
- B. The President of Council shall be elected at the organizational meeting for a term of two (2) years.
- C. Establish the dates, times and places of work session meetings.
- D. Establish the dates, times and places of regular Council meetings; and
- E. Adopt its Rules of Procedure.
- F. There shall be a reception following the inaugural meeting which will be open to the public in attendance.

8. Procedure for Election of President of Council

- A. The Mayor shall call for nominations from the membership.
- B. Any Council member, after being recognized by the Mayor, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
- C. After all nominations have been made the Mayor shall close the nominating process and open the floor for discussion.
- D. After discussion the Mayor shall call for the vote.
- E. The membership shall vote by a call vote.
- F. Each member shall cast one vote for any one nominee.
- G. In the case of a three-way race, the candidate receiving the least number of votes will be dropped from the slate of nominees, and another vote will be taken.

9. Seating Arrangement

The Mayor shall occupy the center seat on the dais with the President of Council occupying the seat at his or her immediate right. The remaining members of the Council shall determine their seating arrangement by alphabetical order.

10. Mayor and President of Council

The Mayor shall preside over all meetings of the Council. The President of Council serves in the absence of the Mayor. In the absence from any meeting of both the Mayor and the President of Council, the Council members present shall choose one of their members as temporary presiding officer.

11. Clerk

1. The council shall, at its first meeting after each regular election, elect a clerk whose duty it shall be to attend every meeting of the body, keep accurate record of the proceedings, be custodian of all books, records, papers and other property, and shall at any time upon application of any voter or property owner of the Town, exhibit his or her books and furnish such information in regards thereto as may be desired, and shall have authority to provide all books, blanks and stationery which may be necessary for the proper discharge of the duties of his/her office, submitting bills for the same to the council for payments. Generally do and perform all such duties as properly relate to his or her office as required by the Mayor and Council. (Code of Jarratt, Chapter 4, Section 1) The Clerk of Council shall be appointed by the Council. The Clerk shall prepare and deliver by electronic notification or make available at the Town office and on the Town's website, to each member an agenda, along with supporting material, by the Thursday prior to a Council meeting. The agenda, together with supporting material, exclusive of matters to be considered in closed session, shall also be made available at the Town office and on the Town's website to:
 - a. Media representatives
 - b. Other persons so designated by Council
 - c. Any committee or Local Board having an interest in an Agenda Item
 - d. The public
2. **Ordinance Books** – Clerk shall maintain ordinance book and minute book. (Code of Jarratt, Chapter 4, Section 2)

3. **Corporate Seal** – clerk shall be the custodian of corporate seal of the Town and shall affix it to any paper directed by the Council to be executed on behalf of the Town. The seal shall be affix to any copy of ordinance, resolution or other proceeding of Council. *(Code of Jarratt, Chapter 4, Section 5)*
4. **Salary of Clerk** – salary of the Clerk shall be fixed by Council at the first meeting after each general election. *(Code of Jarratt, Chapter 4, Section 6)*
5. **Duty of Clerk** – whenever any petition, communication, resolution or other paper is referred to any committee, within 48 hours after the session of the Council, to deliver a copy of the resolution or order to the Chair of the committee to which the same is referred. He/she shall within 48 hours notify all persons elected/appointed to any office by the Council of such appointment. It is also his/her duty within 48 hours after the passage of an ordinance to post the same in a manner as may be designated by the Council. *(Code of Jarratt, Chapter 4, Section 7)*
6. **Treasurer of the Town** - The Clerk shall be appointed the Treasurer of the Town. Salary shall be fixed by the Council and he/she shall be know both as Clerk & Treasurer, said offices being distinct & separate except wherein council deems it expedient and to the promoting of the general welfare that the duties be performed by one and the same person. *(Code of Jarratt Chapter 5, Section 1)*
 - a. Treasurer to receive all moneys belonging to the Town; to keep such money safely and account therefor and to pay the same out as the laws of the Town may prescribe. *(Code of Jarratt Chapter 5, Section 2)*
 - b. Treasurer to collect all taxes, assessments and other revenues of the Town. *(Code of Jarratt Chapter 5, Section 3)*
 - c. Treasurer to give a bond, the amount of which is to be fixed and the bond approved by the Council in a sum not less than \$1,000.00. *(Code of Jarratt, Chapter 5, Section 5)* (This figure would be \$17,000.00 in 2018)
 - d. Keep a ledger of general funds showing amount of moneys received and amount of moneys paid out. *(Chapter 5, Section 6; Code of Jarratt)*
 - e. He shall give quarterly report or whenever Council requires of all money coming in and going out. *(Chapter 5, Section 7; Code of Jarratt)*
 - f. Treasurer to charge 10% penalty for late taxes. *(Chapter 5, Section 8; Code of Jarratt)*

12. Preservation of Order

- A. At meetings of the Council, the presiding officer shall preserve order and decorum. The presiding officer shall have the following powers:
 1. To rule motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstruction or dilatory purposes;
 2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
 3. To entertain and answer questions of parliamentary law or procedure;
 4. To call a brief recess at any time;
 5. To adjourn in an emergency.
- B. A decision by the presiding officer under any of the first three powers listed above may be appealed to the Council upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a

second, and the motion, if timely made, may not be ruled out of order. There are two (2) exceptions to this right of appeal. The presiding officer may adjourn without the Council's vote or appeal in an emergency, and he or she may also call a brief recess without a vote at any time, when necessary to "clear the air" and thus reduce friction among the members.

SECTION 4 – AGENDA

The business of a Council meeting is controlled by the agenda prepared as hereinafter set forth. The agenda per se is not normally adopted by the Council. However, approval of the agenda at the opening of each meeting will help the Mayor and Council set expectations for the meeting. Items may be taken out of order upon motion and two-thirds vote, or by unanimous consent. Any business on the agenda may be considered by the Council, and if all members are present any business not on the agenda may be considered if there is no objection.

1. **Public Notice.** The agenda for all regular meetings and the notice listing items to be considered shall be posted by the Town Clerk on the Town's official website in accordance with the Virginia Freedom of Information Act. [Code of Virginia 2.2-3711]
2. **Preparation**
 - A. The Mayor prepares the agenda. The mayor shall determine the contents of the agenda relating to policy items. The mayor shall transmit these items to the town clerk for distribution to the town council.
 - B. Any Council member may request that items be placed on a meeting agenda by contacting the Mayor at least seven (7) days prior to the Council meeting for which they wish the item scheduled. The Mayor shall place requested items on the agenda for the next regular meeting following the request, the same will be forwarded to the Clerk.
 - C. All items which are requested to be placed on the agenda and which have not been submitted within the prescribed deadline shall be placed on the following regular agenda for consideration.
 - D. Nothing herein prohibits the Council from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Council. Members must use discretion in requesting the addition of items on the agenda. It is considered desirable to have items listed on the published agenda.
 - E. Unless required by law, no item will be scheduled for a public hearing unless by unanimous consent or the vote of a majority of the Council to hold a public hearing on the item.
 - F. Any individual or group who wishes to address the Council during a regular meeting on any item of Town business shall submit a written request to be on the agenda to the Mayor by noon on the Wednesday preceding the Council meeting.
 - G. No item shall be placed on the agenda until all necessary relevant reports, supporting data, and memoranda are available for distribution with the packet and the agenda.

3. **Delivery of Agenda**

The Council meeting package, including the agenda and related materials, shall be delivered to each member of the Council and the Town Attorney no later than the Thursday prior to the Tuesday Council meeting. Delivery by electronic means is the preferable method. It is the responsibility of each member to have their current email address on file in the Town office and to check their email on a regular basis.

4. Public Access to Agenda Materials

The Clerk of Council shall post the agenda documents for all Council meetings on the Internet for public information at the same time the members of Council receive the same. Copies of the agenda will also be available at the Front Information Desk in Town Hall for public inspection. Furthermore, paper copies of agenda documents will be provided upon request in the Mayor's Office.

SECTION 5 – ORDER OF BUSINESS FOR COUNCIL MEETINGS

1. Order of Business

A. At regular meetings of the Council on the 2nd Tuesday of the month, the order of business shall generally be as follows:

1. 7:00 p.m. Call to Order & Declaration of Quorum
2. Invocation & Pledge of Allegiance
3. Roll Call
4. Mayor Report – summary of agenda
5. Special Recognitions by the Mayor (if any)
6. Approval of Agenda
7. Approval of Minutes
8. Citizens comments
9. Consideration of Appropriations
10. Public Hearings (if any)
11. Correspondence Requiring Action
12. Appointments
13. Treasurer's Report
14. Zoning Administrator Report
15. Code Enforcement Officer Report
16. Committee Reports
17. Ordinances and/or Resolution
18. Public Presentations (if requested)
19. Closed Session (if necessary)
20. Citizens comments
21. Adjournment

B. The above order of business may be modified by the Mayor to facilitate the business of the Council.

2. Citizen Participation

A. Every petition, communication or address to the Council shall be in respectful language and is encouraged to be in writing.

B. Public Presentations

1. Individuals or groups wishing to speak at a regular Council meeting shall submit a written request to the Clerk of Council by noon on the Wednesday prior to the regular meeting date.

2. Public presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.
3. Remarks shall be addressed directly to the Council and not to staff, the audience, or the media.
4. The presiding officer shall open the Public Presentations.
5. Each speaker shall clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of Council after speaking.
6. There shall be NO time limit on for public presentations, unless there are 60 plus individuals wishing to speak during a meeting. If this happens, there will be a five (5) minute time limit placed on each individual. If an individual signs up to speak and decides they would like to yield the floor to another individual, they may do so.
7. A representative of a group wishes to address Council, they shall identify the group at the beginning of his or her presentation. A group may have no more than one spokesperson.
8. There shall be no comment during Public Presentations on a matter for which a public hearing is scheduled during the same meeting.
9. Any issue raised by the public which the Council wishes to consider may be put on the agenda for a future Council meeting by a majority vote.
10. Council shall not discuss issues raised by the public except by consent of a majority of the Council members present.
11. Once the Council has heard a presentation from an individual or organization on a particular subject, the individual or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the members of the Council present and voting.
12. The above rules notwithstanding, members of the public may present written comments to the Council or to individual Council members at any time during the meeting. Such written comments shall be submitted through the Clerk of Council.

- C. Other than as stipulated above or during public hearings, no person shall be permitted to address Council orally, except by permission of the Mayor, and such permission shall not be granted unless with the consent of a majority of the members of the Council present at such meeting.
- D. No speaker's time shall be extended except by unanimous consent or a two-thirds (2/3) plus one of the Council members present. (5 members)
- E. Any person who desires to submit written statements for forwarding to the Council prior to a Council meeting must submit the same to the Clerk of Council by 4:00 p.m. on the Monday preceding the Council meeting.

3. Prohibited Conduct

- A. Persons appearing before the Council will not be allowed to:
 1. Campaign for public office;
 2. Promote private business ventures;

3. Use profanity of vulgar language or gestures;
 4. Use language which insults or demeans any person or which, when directed at a public official or employee is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures;
 5. Make non-germane or frivolous statements;
 6. Interrupt other speakers or engage in behavior that disrupts the meeting including but not limited to applause, cheers, jeers, etc.;
 7. Engage in behavior that intimidates others;
 8. Address the Council on issues that do not concern the services, policies or affairs of the Town.
- B. The presiding officer shall preserve order and decorum at Council meetings. He or she 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 Council. Any person so expelled shall not be readmitted for the remainder of the meeting from which expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Council meetings for a specified and reasonable period of time not to exceed six (6) months, or upon a still subsequent expulsion a period not to exceed one (1) year either by the presiding officer, subject to appeal to the Council, or by motion passed by the Council.

4. Public Hearings

- A. **Purpose** – the purpose of public hearings is to permit public input and discussion. Newspaper and other media notice are given. Generally such hearings are of two types: (i) these called by the Council in its discretion (often referred to as public forums); and (ii) those required by law.
- B. **Required by law** – Certain public hearings, for example those on zoning changes, subdivision applications, special use permits, the annual budget, and federal programs are all examples of public hearings required by various regulations.
- C. **Notice of Public Hearings** – Various regulations prescribe the minimum notice and advertisement time, usually by publication in a newspaper. The notice must include the date, time, location of the public hearing, and what the purpose of the public hearing.
- D. This section of the agenda shall be for public hearings as required by Town, State, or Federal law, or as the Council may direct.
- E. The presiding officer shall conduct all public hearings.
- F. The order of public hearings shall be as follows:
 1. The presiding officer shall open the public hearing.
 2. Hearings shall begin with a brief presentation from the presiding officer, then turned over to a staff member, representative from a board, authority, commission or committee. The presentation shall summarize the facts about the issue. Council members may seek clarification during the presentation.
 3. In land use cases (rezoning or conditional use permit) the applicant and his or her representative shall be the first speaker(s).

4. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of Council after speaking. A speaker representing a group shall identify the group at the beginning of his or her remarks.
5. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal.
6. Upon the conclusion of public comments, or the applicant's rebuttal in a land use case, the presiding officer shall close the public hearing.
- G. When a public hearing has been closed by the presiding officer, no further public comment shall be permitted. Council members, however, may direct questions to the applicant, the representative of the board, authority, commission, committee, to a speaker, or to a staff member for clarification prior to taking any vote, if a vote is in order.
- H. Following the close of the public hearing, the presiding officer may entertain a motion to dispose of the issue and the Council may debate the merits of the issue.

5. General Business

This section of the agenda shall include items of a general nature to be considered by the Council. The last items on the agenda shall be adoption of appropriation resolutions introduced at a previous meeting which did not receive unanimous vote upon introduction. After the presiding officer has stated the item for consideration, staff may be asked to provide a brief summary.

6. Items Not on the Agenda

With Council's consent, items may be added to the agenda to respond to situations and/or questions of a critical nature which have arisen after the deadline has passed for items to be placed on the agenda.

7. Closed Meetings

The FOIA (Freedom of Information Act) allows the discussion of limited topics during a Closed Session. The matters which appear most likely to concern the Town are as follows:

- (i) To consult with the Town's attorney in order to preserve the attorney-client privilege between the attorney and the public body. The Council may consider and give instructions to the attorney concerning the handling or settlement of a claim, judicial action or administrative procedure in Closed Session.
 - (ii) To instruct the Town staff concerning the position to be taken on behalf of the Town in negotiating the price and other material terms of a contract for acquisition of an interest in real property.
 - (iii) To consider the performance, qualifications or fitness of an employee or applicant for Town employment or office under the Council's jurisdiction. This provision does not allow consideration of fitness or performance of a member or prospective member of the Council or another public body to be considered in Closed Session.
- A. Closed Meetings should only be used when the matter to be discussed is too sensitive for discussion in public and only as allowed by law.

- B. No meeting shall become a Closed Meeting until the Council takes an affirmative record vote during the open meeting.
 - 1. The motion shall state specifically the purpose or purposes which are the subject of the closed meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the Closed Meeting.
 - 2. Members shall request the assistance of the Town Attorney when making additions to the published Closed Meeting agenda, if they are unsure of the regulations.
 - C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Meeting shall become effective until the Council reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.
 - D. At the conclusion of a Closed Meeting, the Council shall reconvene in open meeting immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:
 - 1. Only public business matters lawfully exempted from open meeting requirements were discussed; and;
 - 2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.
 - 3. Any member who believes that there was a departure from the above requirements shall so state prior to the presiding officer's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.
 - E. The failure of the certification to receive the affirmative vote of the majority of the members present during the Closed Meeting shall not affect the validity or confidentiality of the Closed Meeting with respect to matters considered therein in compliance with the Freedom of Information Act.
 - F. The Council may permit non-members to attend a Closed Meeting if their presence would reasonably aid the Council in its consideration of an issue.
 - G. Individuals attending a Closed Meeting should respect the Council's decision that the subject matter is too sensitive for public discussion and should treat the Closed Meeting discussion as confidential.
 - H. All Closed Meetings will have minutes taken, by a member or the Clerk of Council, at the discretion of Council. These minutes will be typed up as with any other meeting. Once action has been taken on the item(s) addressed in the closed meeting and action has been taken, those minutes will be made available to the public.
8. Appropriations – before formal approval by the town council of motions providing for appropriation of money, information must be presented to the town council showing the purpose of the appropriation and the account to which it is to be credited. In addition, before finally acting on an appropriation, the town council shall obtain a report from the clerk as to the availability of funds and the Mayor's recommendations as to the desirability of the appropriation.

SECTION 6 – RULES OF PROCEDURE FOR COUNCIL MEETINGS

It should be noted that the Code of Jarratt does not require that Robert's Rules of Order be the guide in all deliberations of the Council. This is intentional in order to afford the Council the flexibility of acting in an accepted parliamentary manner without being limited to certain strict technical requirements which Robert's would impose.

1. Quorum

- A. As provided by Section 15.2-1415 of the Code of Virginia, a majority of the members of the Council must be present to conduct business. A quorum is a majority of the entire membership of the Council, including any vacant seats. (*Code of Jarratt Chapter 2, Section 2: a majority of the members is a quorum*)
- B. Quorum refers to the number of members present at a meeting, not the number of members voting on an issue. If no quorum is present or if a quorum is lost, the Council can only (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.
- C. If a quorum fails to attend any meeting, those attending may adjourn to such other time prior to the next regular meeting as they determine and the Clerk of Council shall enter such adjournment in the minute book of the Council and shall notify absent members thereof in the same manner as required for special meetings. The names of those in attendance shall be recorded.
- D. If the Virginia Conflict of Interests Act prevents some of the members of the Council from participating in an item of business, Sections 2.2-3112 and 15.2-1415 of the Code of Virginia provide that a majority of the remaining members of the Council shall constitute a quorum.
- E. Each Council member is asked to notify the Mayor if he or she will be absent.

2. Priority in Speaking on the Council

When two or more members of the Council wish to speak at the same time, the presiding officer shall name the one to speak.

3. Comments, Queries of Council Members

Council members are to observe the following rules during the discussion of agenda items:

- A. The presiding officer shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The presiding officer shall rule other comments out of order.
- B. Council members may address question to the Mayor, staff, other members and/or the Town Attorney. Staff members should be at a microphone when answering Council members' questions. All legal questions should be addressed to the Town Attorney.
- C. Persons other than the Mayor and Council members may enter into discussion on a matter only by ruling of the Chair.
- D. **Personal Privilege.** The right of a member to address the town council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned, or impugned.

4. Action by the Council

- A. Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

- B. When a proposal is perfectly clear to all present, and the proposal will not obligate the Council in any manner nor finally decide an issue before the Council, action can be taken upon the unanimous consent of the Council members present, without a motion having been introduced. However, all proposed actions of the Council must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.
- C. Ordinances – certain matters require that Council action be by ordinance. In general, these include exercise of the police power (authority of a municipality to enact ordinances to promote the public health, safety and welfare) by the Council; example, zoning amendments, traffic regulations, budget ordinances levying taxes and appropriating revenues. Action of this type affect the public generally.
- D. Resolutions – in general parliamentary practice, whether an action may be authorized by a simple motion or whether it requires a resolution depends upon the scope of the contemplated action. For example, although actions such as awarding contracts, authorizing special requests, or authorizing a temporary street closing are limited actions which refer only to a particular matter and, as such, could be handled by a simple motion, it is a good practice to prepare resolutions for these actions. Resolutions also should be used for authorizing actions of broader scope such as establishing written policy.

5. **Motions**

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member, including the presiding officer, may make a motion.
- C. Members are required to obtain the floor before making motions or speaking, which they can do while seated.
- D. A member may make only one motion at a time.
- E. Except for matters recommended by a Council committee, or as otherwise stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.
- F. Every motion or resolution shall, when requested by any member of Council or the Mayor, be put in writing and seconded before it is submitted and the name of the member offering it shall be recorded. The question shall then be recorded. The question shall then be stated by the Chair before it is voted or debated. (Code of Jarratt, Chapter 3, Section 8)

- G. Any motion or resolution can be withdrawn by the mover at any time with the consent of the Council member seconding the same, before decision, amendment or other action of Council upon it. (Code of Jarratt, Chapter 3, Section 8)

6. **Debate**

The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:

- A. The maker of the motion is entitled to speak first;
- B. A member who has not spoken on the issue shall be recognized before someone who has already spoken (Chapter 3, Section 9 – No member shall speak more than once in the same question, until all others have spoken who desire to do so, nor more than twice on the same question, except by the consent of a majority of Council);

- C. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
 - D. A member of the Council may vote against his or her motion, but may not speak against his or her motion.
 - E. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.
 - F. Council members shall not engage in electronic communications amongst themselves regarding a motion that is on the floor for debate.
 - G. Each member has the right to voice their opinion on all motions.
7. **Administrative Staff.** No staff member shall enter into any discussion either directly or indirectly without permission of the presiding officer.
8. **Duty to Vote**
- A. Each member of the Council who is present at a meeting shall be required to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests Act or unless excused from voting by the other members of the Council. A member who wishes to be excused from voting shall state his or her reasons for abstaining and the presiding officer shall ask if any of the remaining members object. If there are any objections, the Council shall take a vote of the remaining members on the question of whether or not to allow the member to abstain from voting.
 - B. If there is an abstention, it shall be the responsibility of the Clerk of Council to note the abstention and the reason for abstaining for the record.
9. **Method of Voting**
- A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.
 - B. All questions submitted to the Council shall be determined by a majority vote of the members voting on any question, unless otherwise required by special or general law. A majority is more than half.
 - C. An “affirmative vote” by a majority of the Council present being necessary to adopt a motion, a tie vote means the Mayor will cast his or her vote.
 - D. In order for a motion in a zoning matter to be adopted, it must be approved by a majority of those voting.
 - E. All questions submitted to the Council for decision shall be decided by a “called vote” in alphabetical order. The presiding officer shall announce the results of the vote.
 - F. When a question has been decided, it may be reconsidered on the motion of any member who voted with the prevailing side, providing such motion is made at the same session at which it was decided. *(Code of Jarratt Chapter 3, Section 15).*
 - G. **Banned from Voting** – no member of the Council who has an immediate personal or pecuniary interest in the result of any question or matter before the Council, shall vote thereon. *(Code of Jarratt, Chapter 3, Section 24)*
 - H. **Conflict of Interest.** A member prevented from voting by a conflict of interest shall leave the city council meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest.

10. **Call for Recess.** The chair may call for a 10-minute recess at regular intervals of approximately one hour at appropriate points in the meeting agenda.

11. Decisions on Points of Order

Any Council member may raise a point of order without being recognized by the presiding officer. The presiding officer shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the presiding officer who shall then make a ruling on the point of order. A Council member may appeal the ruling of the presiding officer to the full Council which shall decide the matter by majority decision.

12. Time Limits

Exclusive of matters to be discussed in Closed Session, the Council will not begin discussion of an agenda item after 10:30 p.m. without the affirmative vote of two-thirds of those members present.

13. **Town Attorney Participation.** The town attorney, shall attend all meetings of the town council unless excused and shall, upon request, give an opinion, either written or oral, on questions of law. The town attorney shall act as the town council's parliamentarian.

14. **Excusal from Attendance.** Town council members are expected to attend meetings and stay in attendance during each meeting. No member shall be excused from attendance at a town council meeting except for good and valid reasons.

SECTION 7 – BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

1. Appointments to Boards, Authorities, Commissions, and Standing Committees

A. Members of boards, authorities, and commissions shall be appointed by an affirmative vote of a majority of the members of the Council to serve specified terms as may be deemed to be appropriate by the Council.

B. The Mayor shall make all appointments to, and select the chairs of, the Council's standing committees. Substitutes or alternates may participate on Council committees only if so authorized by the Mayor. Committee members will serve two-year terms.

1. Each standing committee shall review matters in its area of responsibility that are referred to it by the Mayor, resident, or an individual council member. The committee Chair shall make a report on behalf of the committee on any projects their committee has been working at the regular council meetings.

2. Standing committees shall consist of not less than (3) three members of the town council.

3. The Mayor will appoint the Chair of standing committees.

4. Only Town Council members may serve on a standing committee.

5. Standing committees shall meet no less than once a month.

C. Ad hoc committees, such as special task forces, may be created from time to time, for specific purposes, as determined by the Council.

SECTION 8 – GENERAL OPERATING POLICY

1. **Vacancies in Council** – In case of vacancies in any office, or Council, they may be filled by the Council, and all persons appointed to fill a vacancy shall hold office only during the unexpired term of office in which the vacancy occurs. (*Code of Jarratt, Chapter 7, Section 2*)
2. **Payment withheld** - No payment shall be made to any officer who is in arrears to the Town, or who is in default in rendering any account, statement, or report required of him/her. (*Code of Jarratt, Chapter 7, Section 3*)
3. **Removal from Office** - For malfeasance, neglect of duty, incapacity, or any other good cause, the Council may remove from office any officer appointed by it. (*Code of Jarratt, Chapter 7, Section 5*)
4. **Oath of Office** – Every person elected or appointed to office, upon entering upon the duties of his/her office, shall take and subscribe the oath of office prescribed by the laws of Virginia, a certificate of which shall be filed with the Clerk of the Council. (*Code of Jarratt, Chapter 7, Section 6*)
5. **Salaries of Officers** – Salaries of officers shall be fixed by the Town Council at the first meeting after Town elections. (*Code of Jarratt, Chapter 7, Section 9*)
6. **Numbering and Indexing of Resolutions and Ordinances**

If shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Council. The resolutions shall be number consecutively, and use the year of the calendar year. Example: for the first resolution in January, 2018, the resolution number would be shown as: #R-2018-001. Ordinance shall also be numbered consecutively, Example: for the first ordinance in January, 2018, the ordinance number would be shown as: #O-2018-001.

7. Minutes of the Council Meetings

General Statute requires that full and accurate minutes of the Council proceedings shall be kept and shall be open to inspection to the public. The minutes of the Council meetings shall reflect the official acts of the Council. They shall provide a summary of discussion and record Council votes. The minutes as prepared for the consideration by the Council are draft minutes, and only when corrected and approved and entered in the official minute book do they become the official minutes of Council action. Minutes shall be considered for approval at the following regular Council meeting. Minutes shall be typed the next business day after a meeting, the Clerk shall distribute draft minutes to the Mayor and Council for review and revisions. The period for reviewing the minutes and returning revisions to the Clerk shall be three (3) days. After revision of the draft minutes as needed, the Mayor will instruct the Clerk to place them on the official website.

8. Minute Book

There is maintained in volumes in the Town Office the official Minute Book of the Council. In this are kept all notices, waivers of notices of special meetings, election results, as well as the minutes of the Council containing all ordinances and resolutions adopted by the Council. Council shall keep a well-bound journal of its proceedings, and its meetings shall be open, except when the public welfare requires secrecy. (*Code of Jarratt, Chapter 3, Section 22*)

9. Book of Ordinances

The Town maintains a Book of Ordinances, separate and apart from the official Minute Book, in the Town Office. Each ordinance is entered herein and assigned a sequential ordinance number for the calendar year in which adopted.

10. Book of Resolutions

The Town maintains a Book of Resolutions separate and apart from the official Minute Book and Ordinance Book, in the Town Office. All resolutions, like ordinances, are assigned a sequential number for the calendar year.

11. **Town Correspondence** – All emails and/or letters regarding Town business shall be copied and filed in the Mayor's office in the correspondence file. Any and all documents regarding the Town, belong to the Town and shall be returned to the Mayor's office: bids, maps, documents of any kind, etc.

12. Amending the Rules of Procedure

These rules may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of four (4) members of the Council.

13. Special Rules of Procedure

The Council may adopt its own special rules of procedure to cover any situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Council.

SECTION 9 – GENERAL POLICIES AND PROCEDURES

The following guidelines concern Council members' attendance at professional meetings and the policy regarding materials and services available to the Council. They are established to facilitate consistent municipal operations.

A. Role of Council and Related Provisions

1. It is the Role of Council:
 - a. To represent the public and to consider the well-being and interests of the Town;
 - b. To develop and evaluate the policies and programs of the Town;
 - c. To determine which services the Town provides;
 - d. To ensure the administrative policies, practices and procedures, and controllership policies, practices and procedures are in place to implement the decisions of Council;
 - e. To ensure the accountability and transparency of the operations of the Town, including the activities of Council, the Mayor and all Town staff;
 - f. To maintain the financial integrity of the Town; and
 - g. To carry out the duties of Council under the Code of Jarratt and the Code of Virginia.
2. It is the Role of the Mayor:
 - a. To act as chief executive officer of the Town, as defined in the Code of Virginia;
 - b. To preside over Council meetings so that its business can be carried out efficiently and effectively; (Code of Jarratt Chapter 2, Section 2)

- c. To provide leadership to Council;
 - d. To provide information and recommendations to Council with respect to the role of Council.
 - e. To represent the Town at official functions; and
 - f. To carry out the duties of the head of council.
 - g. To enforce ordinances of the Town and all orders and resolution of Council (Code of Jarratt Chapter 2, Section 1)
 - h. Shall exercise a constant supervision and control over the conduct of all subordinate municipal officers and receive and examine all complaints against them for misconduct or neglect of duty (Code of Jarratt Chapter 2, Section 1)
 - i. Has the right to discuss all matters coming before the Council (Code of Jarratt Chapter 2, Section 2)
 - j. Shall only vote in the case of a tie vote (Code of Jarratt Chapter 2, Section 2)
3. **As chief executive officer of the Town, the Mayor shall:** (Code of Jarratt Chapter 2, Section 2)
- a. Uphold and promote the purposes of the Town;
 - b. Promote public involvement in Town activities;
 - c. Act as the representative of the Town both within and outside the Town, and promote the Town locally, statewide and nationally; and
 - d. Participate in and foster activities that enhance the economic, social and environmental well-being of the Town and its residents.

B. Professional Meetings.

The Mayor and Council are allocated a set amount of money, established when the budget is adopted, to be used for expenses incurred when attending professional meetings.

- 1. **Attendance.** Council members are free to choose which, if any, professional meetings they wish to attend.
- 2. **Expenses.** The following guidelines set forth regarding travel advance and reimbursement cost limits.
 - A. **Registration Fee.** The Town will pay all registration costs.
 - B. **Transportation.** For travel within a two hundred mile radius, the Town will pay round-trip train or bus fare, or the current mileage reimbursement rate per IRS guidelines for a private auto, providing the mileage cost does not exceed the cost of air travel. The Town will pay round-trip coach fare on the appropriate common carrier for locations two hundred miles away or more.
 - C. **Lodging.** The Town will pay the actual cost of lodging.
 - D. **Meals.** The Town will pay for the actual cost of meals if receipts are submitted. In addition, the Town will pay the actual amount of all officially authorized conference meals which are not included in the original registration fee.
 - E. **Miscellaneous Expenses.** Any miscellaneous expenses incidental to Town business must be explained and documented in detail.
 - F. **Improper Expenses.** Expenditures of the following nature are not eligible for reimbursement:
 - 1. Expenses for the Council members' families;

2. Meal or other expenses incurred prior to or after the end of the conference (with the exception that meals while traveling to and from are permitted);
 3. Rental of an automobile where other means of transportation are less costly;
 4. The cost of alcoholic beverages or parties and entertainment; and
 5. Telephone calls or telegraph messages except for the purpose of undertaking necessary Town business.
3. **Procedure for Making Reservations.** A Council member may request the Clerk to make reservations. The Council members should complete the conference registration form, the request for room reservations, and the request for an advance and submit these forms to the Clerk. Request for travel advances require at least two weeks for processing. The Mayor will review the completed forms and certify the availability of funds. The clerk will make the necessary reservations and inform the Council member of reservations and payments made and alert the Council member when a check is ready.
4. **Reimbursement.** If an advance is obtained, proof of expense incurred (receipts) must be submitted to the Mayor's office after the trip, and unspent money must be returned. If a reimbursement is requested, receipts must be attached to the appropriate form at the time of submission. Requests for reimbursement will usually be honored within two weeks of official documentation of expenses, depending when the next Council meeting will take place.

C. Services and Materials Available to the Council.

1. **Supplies.** Office supplies, paper, folders, etc., are available for Council members upon request. The procedure for obtaining supplies is to request them from the Clerk, who will provide them immediately if the item is available.
2. **Duplication.** Up to twenty copies of a document may be obtained from the Town Office immediately upon request. For more than twenty copies of a single document, the Council member should present the original to the Town Clerk. The original document and copies will be returned to the Council member as quickly as possible, usually the same day.
3. **Periodicals.** Each Council member receives the following magazines from subscriptions arranged by the Town through membership in government associations.
 - a. Town and City
 - b. The Mayor

Council members may request subscriptions to additional publications which will be paid for out of the Council's budget appropriation. All such additional subscriptions must be in the name of the Town Council and received at 108 S. Braxton Ave. They must be kept in the Town Hall except for brief lending periods. A single subscription to any such publication is considered sufficient for the entire Council and the Mayor.

4. **Books.** Council members may order books of interest to the Council through the Town Clerk. The books will then become part of the municipal collection to be loaned for short time periods only.
5. **Reference Materials.** The following materials are distributed to Council members when they assume office for use throughout their terms:
 - a. Code of Ordinances of the Town of Jarratt
 - b. Jarratt Town Council Procedures Manual

6. **Upon election to the Jarratt Town Council:** all newly elected members of Council and Mayor are entitled to receive and all paperwork they deem necessary to prepare for their new role as a Council member or Mayor of the Town of Jarratt. Any sitting Council member or staff that interferes with the process will be breaking the Town of Jarratt Rules of Council Procedure.
 7. **Town Hall.** The Council Chamber Room may be reserved for official meetings through the Clerk's Office, free of charge. The telephones are to be used for Town business only.
 8. **Voice Mail.** If a Council member has a phone line at the Town office, voice mail is provided to Council members and the Mayor on their Town Hall business phones.
 9. **Email.** Email is provided to Council members, if they want a Town email.
 10. **Computers and Internet Access.** Computers and Internet access will be provided to each Council member at their residences, if the budget allows. Town computers are for Town business only and at the end of a Council members' or Mayor's term, said computer must be returned to the Mayor's Office.
- D. Staff Directions** – staff directions shall be through a resolution, a direction of the entire Council, and shall be put in writing prior to the adjournment of the meeting at which the direction was made, and such resolution shall include a specific description of the task staff is to undertake, the staff member responsible for the task and the expected date of completion. The Mayor is the only member of council to direct members of staff in their daily activities without written directions from the council as a whole and documented in the official minutes.

SECTION 10 – OPEN MEETINGS UNDER FOIA

Freedom of Information Act (FOIA)

The Jarratt Town Council will abide by the FOIA in all matters while conducting the Town business.

1. The meetings of the Council, Committees of Council, and Ad Hoc Committees shall be open to the public except where the permitted under the FOIA. No person shall be excluded from a public meeting except for improper conduct as determined by the Chair.
2. Only members, other members of a committee of council or Ad Hoc committee, the clerk, municipal officials and others invited by Council shall attend Closed Session meetings.
3. The following matters shall be dealt with in Closed Session, in accordance with provisions of the Act, as amended:
 - a. The security of the property of the Town;
 - b. Personal matters about an identifiable individual, including Town employees;
 - c. A proposed or pending acquisition or disposition of land by the Town;
 - d. Labor relations or employee benefit negotiations;
 - e. Litigation or potential litigation affecting the Town;
 - f. Advice that is subject to attorney-client privilege, including communications necessary for that purpose;
 - g. Contract negotiations.

- h. **Closed Sessions.** The town council may meet in closed session when it is scheduled by the mayor upon request by the town attorney, auditor, or any member of the town council and when it is in compliance with the Virginia FOIA. **No vote shall be taken in an executive session on any matter under consideration nor shall any town council member enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the town council.** The town council shall follow the letter and the spirit of the Virginia FOIA, and closed executive sessions shall be kept to a minimum.

SECTION 11 – IN ADDITION TO CODE OF JARRATT

These Rules of Council Procedure adopted _____, 2018, are to be used in conjunction with the Code of Jarratt, 1938.

SECTION 12 - SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of the Rules of Council Procedure are severable, and if any phrase, clause, sentence, paragraph or section of these Rules of Procedure shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the remaining phrases, clauses, sentences, paragraphs and section of this article shall remain valid.

Town of Jarratt Administrative – Called Vote			
SECTION: Administrative		RESOLUTION #: 2018-005	
POLICY: Resolution Called Vote			
DATE ADOPTED:	Revised Date:	Coverage: Council	Page _1_ of _1

WHEREAS, previous council voted on November 08, 2016 to have all votes be called votes; and

WHEREAS, previous council never created a resolution for the same; and

NOW THEREFORE BE IT RESOLVED THAT, the voting of the Jarratt Town Council will henceforth be a called vote of Yays and Nays; and

BE IF FURTHER RESOLVED THAT, called voting (roll call voting) shall be conducted in alphabetical order of each Council Member followed by the Mayor in the event of a tie; and

BE IT FURTHER RESOLVED THAT, the Clerk of Council or appointed minute taker shall keep a record of the vote of each council member for each vote.

Melanie W. Wilson, Mayor

Wanda Manning Fikes, Clerk

(SEAL)

ATTACHMENT "F"

CERTIFICATION:

Closed Session 7-3-18: 2.2-3711 (A) (1) – personnel, 2.2-3711 (A) (7) – legal matters & briefing pertaining to probable litigation & contractual issues – 2.2-3711 (A) (6) – investment of public funds

Mayor Wilson moved to certify the following:

1. Only public business matters that are lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the closed session to which this certification applies, and
2. Only such public business as were identified in the motion by which the closed session was convened were heard, discusses, or considered by Town Council; _____
seconded the motion, which passed as follows:

Anne Brown _____ Jimmy Flanagan _____ Dana Kinsley _____ Annie Peavy _____
Omar Smith _____ Roderic Tuell _____

Melanie W. Wilson, Mayor

ATTEST:

Wanda Manning Fikes, Clerk

(SEAL)