



CITY OF EMPORIA

**AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
Tuesday, December 1, 2015 - 6:30 P.M.**

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

November 17, 2015 ~ Regular Meeting

APPROVAL OF AGENDA

NEW BUSINESS

15-94. Overtime and Compensatory Time Policy – Request to Approve

15-95. City Council Retreat – Request to Approve Date

15-96. January 5th and February 2nd Meetings – Request to Cancel

15-97. VPI Extension Office – Update on 4-H Program

15-98. Boards and Commissions – Various Term Expirations

PUBLIC COMMENT

CLOSED SESSION

Closed meeting pursuant to Virginia Code §2.2-3711 (A) (3) Matter involving the acquisition of real property for a public purpose where discussion in an open session would adversely affect our bargaining position.

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
November 17, 2015**

Note to Reader: Although the printed agenda document for this City Council meeting is not part of these minutes, the agenda document provides background information on the items discussed by City Council during the meeting. A copy of the agenda document for this meeting may be obtained by contacting the Office of the City Clerk.

Emporia City Council held a regular meeting on Tuesday, November 17, 2015 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Carolyn Carey, Council Member offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James E. Ewing, III
Councilwoman Carolyn S. Carey
Councilwoman Doris T. White
Councilwoman L. Dale Temple
Councilwoman Carol Mercer

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue
Ricky Pinksaw, Chief of Police
Ken Ryals, Emergency Service Coordinator

Absent:

Councilwoman Deborah D. Lynch

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, October 20, 2015, Public Hearing and Regular meeting minutes as presented, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye

Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

APPROVAL OF BILLS

A listing of the November 17, 2015 bills was presented to City Council members.

General Fund	\$	1,218,909.80
Utility Fund	\$	358,657.03

Councilwoman Carey moved to approve the November 17, 2015 bills as presented, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided his report to City Council members. There were no questions regarding his report.

COMMISSIONER OF THE REVENUE REPORT

Honorable Joyce E. Prince, Commissioner of the Revenue provided her report to City Council members. There were no questions regarding her report.

PERMIT AND INSPECTION REPORT

Randy C. Pearce, Building/Fire Official provided his report to City Council members. There were no questions concerning his report.

POLICE REPORT

Ricky Pinksaw, Chief of Police provided his report to City Council members. There were no questions concerning his report.

CITY SHERIFF REPORT

Sam C. Brown, Sheriff provided his report to City Council members. There were no questions concerning his report.

CITY ATTORNEY REPORT

C. Butler Barrett, City Attorney had no matters to report to City Council members.

AGENDA APPROVAL

Councilwoman Temple moved to approve the agenda as presented, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

NEW BUSINESS

15-92. Smoove Operators – Conditional Use Permit Review

Mr. Thrower stated that at the March 19, 2013 meeting, Council approved a Conditional Use Permit for Smoove Operators to operate a “nightclub” at 773 N. Main Street. He also stated that Per Section 90-1 of City Zoning Code, a “nightclub” is defined as “an establishment for evening entertainment, generally open until the early morning hours that serve liquor and usually food and offer patrons music, comedy acts, a floor show, or dancing.” He further stated that the Conditional Use Permit initially approved stipulated an initial six-month review by City Council with annual reviews thereafter.

Mr. Thrower stated that after reviewing the incidents, Chief Pinksaw and himself recommended that Smoove Operators’ Conditional Use Permit to operate a “nightclub” be renewed for another year.

Councilwoman Carey made a motion to renew Smoove Operators’ Conditional Use Permit to operate a “nightclub” for another year, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

15-93. Update on Old Training School – Request by Council Member Harris

Mr. Thrower stated that Council Member Harris requested for this item to be placed on the agenda.

Councilman Harris stated that Marva Dunn and McKinley Jordan was in attendance to update Council on the Old Training School.

Mr. McKinley Jordan, President of the Citizens United to Preserve Greenville County Training School reported that at the September 23, 2015 meeting the Citizens United to Preserve Greenville County Training School voted for Marva Dunn to be the chairperson of a Special

Project Committee. He also reported that this committee's responsibility was to develop a feasible plan to preserve what is feasible of the school as it stands today.

Ms. Marva Dunn, Chairperson, stated that a diverse committee of people interested in Historical Preservation was established. She also stated that a feasible plan was created using bricks from the school. She further stated that the committee met with Frank Batts, Jr., and he gave an estimate of \$125,000 to \$150,000 for the project. She stated that the committee also met with R. D. Foster, Hauling Inc., for excavating and demolition. She also stated that the committee decided on three major fund raising projects: selling engraved bricks, pledges and Corporate Sponsorship. She reported that the committee has already received \$3,000.00 in pledges and offers to purchase five bricks just from describing the proposed project.

Ms. Dunn stated that the long-term sustainability will consist of: annual campaign goals, organization of alumni giving committee, board member will be asked to raise \$350 annually and to continue getting corporate sponsorship.

Ms. Dunn recommended a twelve-month extension to complete the project and to provide quarterly reports on progress of the project.

Councilman Ewing made a motion to stop all court hearings and to grant a twelve-month extension to complete the project with a quarterly progress report, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

PUBLIC COMMENT

Mayor Person asked if anyone wished to bring a matter before City Council members adhering to the three-minute time limitation.

Mr. William Batts, 1311 Little Lowground Road, Emporia, VA addressed Council stating that he was concerned about his water bill being high for the last couple of month. He also stated that a professional plumber and as well as himself checked for leaks and nothing was find.

Mr. William Harris, Treasurer stated that the office had checked the address in question and didn't find any leaks or an error in billing. He also stated that the bill in question for Mr. Batts was two bills and not just one bill.

With there being no further comments to come before City Council, Mayor Person closed the public comment portion of the meeting.

ADJOURNMENT

With no further business to come before City Council, Mayor Person adjourned the meeting.

Mary L. Person, Mayor

Tessie S. Wilkins, CMC
City Clerk



CITY OF EMPORIA

Memorandum

November 25, 2015

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Overtime and Compensatory Time Policy – Request to Approve
ITEM #: 15-94

Attached are proposed amendments to the City's personnel policies pertaining to overtime and compensatory time. The attached amendments clean-up the various overtime and compensatory time policies and put them under a single heading. The vast majority of employees will see no practical change in how overtime and compensatory time is calculated based on the proposed amendments.

The major proposed amendment relates to the current provision of paying "certain" exempt employees overtime pay at the rate of 1.5 times their regular pay. The current policy reads as follows:

"Certain exempt employees shall receive compensatory leave (hour for hour) for all hours worked beyond their regularly scheduled workweek, while certain other exempt employees shall receive overtime pay for all hours actually worked beyond the assigned schedule, and shall be paid at one and one-half times their regular rate of pay."

Per the recently prepared Compensation and Classification Study, Springsted, Inc. states (p.17) the following:

"The City's current Compensatory Time policy allows "certain" exempt employees the option of being paid for overtime while other exempt employees are only given compensatory time. The current policy is not equitable. The proposed revision to the existing policy provides consistency and equity for all exempt employees."

Given the inequity and inconsistency of the current policy as it relates to exempt employees, I am recommending that section of the proposed new policy read as follows:

“Exempt employees shall receive compensatory time on an hour for hour basis for all hours worked outside of normal working hours, as required or deemed necessary by his or her supervisor. Exempt employees are required to use accrued compensatory time within twelve (12) months from the date the time is earned or the time shall be forfeited. Under no circumstance shall an exempt employee be paid for any accrued compensatory time.”

Recommendation

I recommend you approve the attached amendments to the City’s personnel policies.

Attachments

Proposed Amendments
Springsted, Inc. Study – p. 17

Existing Policies Recommended for Deletion

3-7 Compensation Calculation – All salaried and overtime rates are calculated on a forty (40) hour week.

3-7.1 Compensation Calculation – Police – The actual workweek for police shift personnel shall be based on a 42-hour rotation schedule. However, shift personnel shall earn one (1) “Kelly Day” for each eight (8) hours worked in excess of an averaged forty (40) hours per week. Such “Kelly Day” shall be in addition to regular leave, but shall be used as leave within two (2) months of the date earned. The Police Department shall be responsible for the record keeping and enforcement of the “Kelly Day” regulations stated above.

3-10 Overtime – When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor’s prior authorization.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on the combination of the number of hours worked during the pay period and leave time taken by the employee during the pay period. Time off for sick leave and vacation leave, will be considered hours worked, for purposes of performing overtime calculations. New employees should contact the Personnel Office for clarification of their exempt/nonexempt status.

3-10A Compensation for Selective Enforcement – Officers of the Emporia Police Department working the city’s selective enforcement program shall be compensated at an hourly rate of time and one-half of their regular pay rates. For purposes of this section, the selective enforcement program is defined as an officer working radar patrol outside his or her regular duty shift. *Adopted by City Council on August 19, 2003.*

3-16 Compensatory Time – Employees working a regular scheduled workweek of 40 hours shall receive either (1) overtime pay at one and one-half times their regular rate of pay or (2) receive overtime leave (compensatory time) at the rate of one and one-half times the hours worked for all hours worked in excess of 40 in a workweek.

Certain exempt employees shall receive compensatory leave (hour for hour) for all hours worked beyond their regularly scheduled workweek, while certain other exempt employees shall receive overtime pay for all hours actually worked beyond the assigned schedule, and shall be paid at one and one-half times their regular rate of pay.

Non-exempt Police personnel who are required to make job-related court appearances while off duty, will receive overtime pay or compensatory time for all court time. Compensatory time for non-exempt employees is voluntary and must be paid if not used in 60 days. *Amended (added) by City Council on October 15, 2005.*

Exempt employees will have 12 months from the date they earned compensatory time to take that time off, or it will no longer be available for use by the employee. Under no circumstances, will an exempt employee get paid for compensatory time in lieu of time off. *Adopted by City Council on October 4, 2005, Amended by City Council on October 15, 2005.*

New Policy Recommended for Addition

Overtime and Compensatory Time

Non-exempt employees working a standard workweek of forty (40) hours shall receive either overtime payment in the form of cash or compensatory time at one and one-half times (1.5) their regular rate of pay for all hours worked in excess of forty (40) hours in a standard workweek. Overtime pay and compensatory time calculations shall be based on the combination of actual hours worked and all sick, annual, holiday, and PTO leave utilized within the workweek.

Non-exempt police shift employees shall receive either overtime payment in the form of cash or compensatory time at one and one-half times (1.5) their regular rate of pay for all hours worked in excess of eighty (80) hours in a pay period. Overtime pay and compensatory time calculations shall be based on the combination of hours worked and all sick, annual, holiday, and PTO leave utilized within the workweek.

Hours worked shall include time spent working the City's selective enforcement program and for required work related court appearances.

Compensatory time for all non-exempt employees must be paid if not used within sixty (60) days. Non-exempt employees must be permitted to use compensatory time on the date requested unless doing so would unduly disrupt the operations of the department.

Exempt employees shall receive compensatory time on an hour for hour basis for all hours worked outside of normal working hours, as required or deemed necessary by his or her supervisor. Exempt employees are required to use accrued compensatory time within twelve (12) months from the date the time is earned or the time shall be forfeited. Under no circumstance shall an exempt employee be paid for any accrued compensatory time.

Overtime and compensatory time shall be accrued and taken in 30 minute increments.

All overtime and compensatory time work must receive supervisory approval prior to working the additional hours.

Employees should contact the City Manager's Office for clarification of their exempt/non-exempt status.

3. Provide support for ongoing administration of the program via a system of market adjustments and performance based merit increases awarded on the anniversary date of the employees hire or promotion.
4. **Revise Section 3-16, Compensatory Time in the Personnel Policy Manual to read, "Non-exempt employees shall receive either overtime payment in the form of cash or compensatory time at one and one-half times (1 ½) their regular rate of pay for all hours worked in excess of forty (40) hours in a standard workweek. Compensatory time for non-exempt employees must be paid if not used within sixty (60) days."**

"Exempt employees shall receive compensatory time on an hour for hour basis for all hours worked in excess of forty (40) hours in a standard workweek. Exempt employees are required to use accrued compensatory time within twelve (12) months from the date the time is earned, or the time shall be forfeited. Exempt employees shall not be paid under any circumstances for any accrued compensatory time"

"All overtime must be approved in advance by the employee's supervisor"

The City's current Compensatory Time policy allows "certain" exempt employees the option of being paid for overtime while other exempt employees are only given compensatory time. The current policy is not equitable. The proposed revision to the existing policy provides consistency and equitability for all exempt employees.

5. Conduct the staffing analysis study in Section 6 Future Items to determine the staffing requirements necessary to create a professional paid Fire Department.
6. Conduct the cost benefit analysis referenced in Section 6 Future Items to examine the possibility of adding an Information Technology Manager position.

Review of Fringe Benefits and Other Policies

Fringe benefits are an important component of the total compensation package provided by employers both in the public and private sector. The City of Emporia recognizes that fringe benefits also provide the organization with an opportunity to be competitive in the market place and that a well-rounded program is important in retaining that competitiveness. The various organizations that responded to the salary survey also provided information about their fringe benefit programs. Several observations can be made based on a review of the survey data.

Benefit findings include:

- Holiday leave varies from eleven (11) to fourteen (14) days per year with an average of twelve (12) days of paid holiday leave. The City provides employees with eleven (11) days of paid holiday leave, which is **slightly below** the survey average.
- Floating holidays were not provided by any of the respondents. The City does not offer their employees floating holidays, which is **consistent** with the survey results.
- When holidays fall on regular days off, six (6) respondents indicated that they provide employees with either the Friday before the holiday off or the Monday after the holiday. The City also gives employees off



CITY OF EMPORIA

Memorandum

November 25, 2015

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: City Council Retreat – Request to Approve Date
ITEM #: 15-95

The City Clerk has contacted you regarding available dates to hold your annual retreat. The date of Saturday, February 6th appears to be the date everyone is available. The VPI Extension Office is also available for use that day.

Recommendation

I recommend you approve holding your retreat on Saturday, February 6, 2016 starting at 9:00 a.m. at the VPI Extension Office. I will be preparing the agenda over the next couple of months. Please contact me should you wish to add items for discussion.



CITY OF EMPORIA

Memorandum

November 25, 2015

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: January 5th and February 2nd Meetings – Request to Cancel
ITEM #: 15-96

I request you cancel your January 5, 2016 and February 2, 2016 meetings for the following reasons:

January 5th – Proximity to New Year's Holiday/No Agenda Items
February 2nd – Proximity to Council Retreat/No Agenda Items



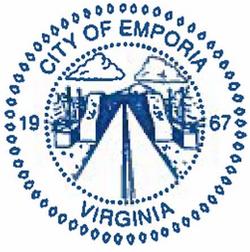
CITY OF EMPORIA

Memorandum

November 25, 2015

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: VPI Extension Office – Update on 4-H Program
ITEM #: 15-97

Drexel Pierce, Extension Agent, is in attendance to update you on the 4-H Program offered through the VPI Extension Office.



CITY OF EMPORIA

MEMORANDUM

November 25, 2015

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager
SUBJECT: Boards and Commissions – Various Term Expirations
ITEM: 15-98

The City of Emporia has several members on its Boards and Commissions whose terms will expire soon. As such, they are as follows:

Crater District Health Advisory Board – On December 19, 2015 Kristin Vaughan's (3) three-year term on the Crater District Health Advisory Board will expire. Mrs. Vaughan has indicated that she does wish to be considered for reappointment.

Board of Equalization - The one-year terms of Mr. Dennis Allen, Mr. Preston Battle and Mrs. Brenda Brockwell on the City's Board of Equalization have expired. Mr. Allen and Mrs. Brockwell have indicated that they do wish to be considered for reappointment and Mr. Battle has stated that he does not wish to be considered for reappointment. All nominations for the City's Board of Equalization must be provided to Greensville County Circuit Court for consideration and official appointment.

Recommendation

This information is provided to City Council for consideration.

Attachment:

Current Board of Equalization Roster and By-Laws
Crater District Health Advisory Board – By-Laws

BST/tsw

BOARD OF EQUALIZATION - CIRCUIT COURT APPOINTED

Term of Office: 1 Year

*(Council Recommendation -30 days Notice – Notify City's assessor of all appointments/updates)
(Limited to nine consecutive terms)*

Brenda Brockwell 12/31/2014
418 Laurel Street
Emporia, Virginia 23847
(W) 434/634-2108
(C) 434/634-5151

Dennis Allen 12/31/2014
700 North York Drive
Emporia, Virginia 23847
(H) 434/634-5944

Preston Battle 12/31/2014
207 Lee Street
Emporia, Virginia 23847
(H) 434/348-3565
(W) 434/634-6541

[prev](#) | [next](#)

§ 58.1-3374. Qualifications of members; vacancies; maximum terms.

Except as provided in § [58.1-3371](#) or § [58.1-3373](#), every board of equalization shall be composed of not less than three nor more than five members. All members of every board of equalization shall be residents, a majority of whom shall be freeholders, in the county or city for which they are to serve and shall be selected from the citizens of the county or city. Appointments to the board of equalization shall be broadly representative of the community. Thirty percent of the members of the board shall be commercial or residential real estate appraisers, other real estate professionals, builders, developers, or legal or financial professionals, and at least one such member shall sit in all cases involving commercial, industrial or multi-family residential property, unless waived by the taxpayer. No member of the board of assessors shall be eligible for appointment to the board of equalization for the same reassessment. In order to be eligible for appointment, each prospective member of such board shall attend and participate in the basic course of instruction given by the Department of Taxation under § [58.1-206](#). In addition, at least once in every four years of service on a board of equalization, each member of a board of equalization shall take continuing education instruction provided by the Tax Commissioner pursuant to § [58.1-206](#). Any vacancy occurring on any board of equalization shall be filled for the unexpired term by the authority making the original appointment.

In no case shall a person serve as a member of a board of equalization for more than nine consecutive years, and upon the expiration of such nine consecutive years such person shall not be eligible for reappointment for a period of three years.

(Code 1950, § 58-899; 1979, c. 577; 1983, c. 304; 1984, c. 675; 1995, c. 24; 2003, c. 1036.)

[prev](#) | [next](#) | [new search](#) | [table of contents](#) | [home](#)

**BY-LAWS
CRATER DISTRICT AREA AGENCY ON AGING
BOARD OF DIRECTORS**

**ARTICLE I
NAME**

The name of this organization shall be the Board of Directors of Crater District Area Agency on Aging/Foster Grandparents, Inc., hereinafter referred to as the Board.

**ARTICLE II
DEFINITIONS**

- (A) "Crater District" (Planning District 19) includes the Cities of Colonial Heights, Emporia, Hopewell, and Petersburg and the Counties of Dinwiddie, Greensville, Prince George, Surry and Sussex (including the towns within their boundaries), hereinafter referred to as the Jurisdictions.
- (B) "Governing Body" includes the Council of a city or the Board of Supervisors of a county in which the powers of government are vested, by law, in each jurisdiction.
- (C) "Crater District Area Agency on Aging" is the organization established by resolution of the jurisdictions in the Crater District to allow for their joint exercise of powers for services to the aging, hereinafter referred to as CDAAA.
- (D) "Senior Citizens" mean persons 60 years of age and over.

**ARTICLE III
PURPOSE**

The purpose of the Board is to establish policies under which the CDAAA operates, to hire or approve the hiring of paid personnel employed by CDAAA, to approve the award of all contracts and grants and disbursement of funds by CDAAA, to direct the establishment of, approve and monitor the execution of programs for senior citizens in accordance with the desires of their governing bodies, and to serve as the official spokesperson between the CDAAA and their respective jurisdictions.

**ARTICLE IV
MEMBERSHIP**

- (A) The Board of Directors shall consist of nine (9) voting members, one from each jurisdiction served by CDAAA. Ex-officio members may also be appointed ;by the Board of Directors.
- (B) Each member of the Board of Directors will be appointed by the governing body of the jurisdiction that member is to represent.
- (C) Each member of the Board of Directors will recommend to his/her governing body an alternate to be appointed to serve in the member's absence at any meeting of the Board of Directors.
- (D) The length of the term of office of each member of the Board of Directors will be as determined by the appointing governing body.
- (E) Whenever a member of the Board of Directors is no longer able to serve, for whatever reason, the governing body of his/her jurisdiction will appoint a replacement.

ARTICLE IV OFFICERS/DUTIES

Duties and Powers of Officers:

(a) **Chairman:** In addition to the normal recognized and inherent duties and powers of the office, the Chairman signs all acts and orders necessary to carry out the will of the Board. The Chairman presides over all meetings of the Board, delegates or assigns routine functions to be performed by staff of the CDAAA, and directs the accomplishment of the activities of CDAAA as may be considered necessary and appropriate. In the temporary or prolonged absence of the Executive Director, the chairman will appoint one or more members to oversee the activities of the Agency until the Executive Director returns or is replaced. The Chairman will appoint such committees as deemed necessary to carry out the purpose and duties of the Board of Directors. The Chairman shall request in writing from each Board member their preference(s) regarding sub-committee appointments. In addition, the Chairman performs any other duties not inconsistent with these by-laws.

(b) **First Vice-Chairman:** In the absence of the Chairman, the first Vice-Chairman shall be the acting Chairman to perform all duties and powers of the Chairman. Additionally, the First Vice-Chairman shall serve as the principal advisor to the Agency regarding the operation and management of all the area focal points.

(c) **Second Vice-Chairman:** In the absence of both the Chairman and the First Vice-Chairman, the Second Vice-Chairman shall be the acting Chairman to perform all duties and powers of the Chairman. Additionally, the Second Vice-Chairman shall chair the Personnel Subcommittee of the Board.

(d) **All officers:** The Chairman, First Vice-Chairman, Second Vice-Chairman or a Board member appointed by the Board of Directors are each authorized to approve and countersign disbursements as are deemed to be appropriate and proper in accordance with the will of the Board. In the absence of the Executive Director, the Director of Programs or any two of the officers, as directed by the Chairman, may sign and counter sign all financial documents deemed necessary for the uninterrupted conduct of CDAAA operations.

ARTICLE VI ELECTIONS

The following officers shall be elected by the membership of the Board: Chairman, First Vice-Chairman and Second Vice-Chairman.

(a) Election for officers shall be held bi-annually at the first regular Board meeting in September of odd numbered years. The term of each office shall be for two (2) years commencing at the October Board meeting.

(b) Elections shall be conducted in a meeting at which at least five (5) of the members are present. Election shall be by a majority vote.

(c) Officers shall serve no more than one (1) term, exclusive of any partial term resulting from election of an officer to fill vacancies resulting between bi-annual elections.

(d) If an office becomes vacant for any reason, it shall be filled by an election at the next regular Board meeting having at least five (5) members present.

(e) The Chairman, First Vice-Chairman and Second Vice-Chairman shall rotate among the nine district representatives beginning with the following sequence:

Chairman – Sussex County October 2001-2003
First Vice-Chairman – Petersburg October 2001-2003
Second Vice-Chairman – Colonial Heights October 2001-20003

In October of 2003 and every odd numbered year thereafter, the First Vice-Chairman shall succeed the Chairman and the Second Vice-Chairman shall succeed the First Vice-Chairman's position. The vacant Second Vice-Chairman will be filled by the following line of succession:

Hopewell
 Emporia
 Surry County
 Dinwiddie County
 Prince George County
 Greensville County

If any jurisdiction does not accept the appointment of any officer's position, the next jurisdiction in line of succession shall serve.

(f) Any officer may be removed for cause by a vote of at least six (6) (two-thirds) members of the Board, and if such action passes the Board of Directors, the Executive Director shall notify the jurisdiction.

ARTICLE VII MEETINGS OF THE BOARD

(A) Time and place: Regular meetings of the Board shall be held at a time, date and place set by the Board. Special meetings may be called at the Chairman's discretion or upon petition of at least three (3) Board members. Such meetings will be held not sooner than ten (10) days after all Board members have been notified.

(B) Quorum: Five (5) members of the Board are required to constitute a quorum. However, in the event that Board action results in an adverse decision concerning one (1) or more jurisdictions and the Board member(s) from those jurisdictions are absent, the decision will be forwarded to either the Board member or the governing body of the affected jurisdiction. The affected jurisdiction will have thirty (30) days in which to comment prior to implementation of the decision.

(C) Attendance: Attendance at a Board meeting or its sub-committees shall be permitted by telephonic means and shall constitute towards the requirement of a quorum.

(D) Votes: In electing officers, adopting any plans or approving any proposal, action shall be taken by a majority vote at a meeting at which at least a quorum is present.

(E) Minutes: Minutes of all regular or special meetings of the Board shall be recorded by the CDAAA staff and submitted to the Board for approval at the next meeting. The CDAAA staff shall maintain a file of all approved minutes.

(F) Agenda: A draft agenda for each meeting together with the draft minutes of the last meeting shall be forwarded to each Board member in advance of the next regular meeting for review. Both the agenda and the minutes may be modified or corrected in advance of or during the meeting as deemed appropriate by the Chairman.

ARTICLE VIII FREEDOM OF INFORMATION

The exercise of powers by the Board shall be in compliance with all provisions of the Virginia Freedom of Information Act.

ARTICLE IX
STAFF

The Board shall have the benefit of the services of the professional staff of CDAAA.

2-20-2002 (cgo)

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