

PLANRVA
BYLAWS, POLICIES AND PROCEDURES

BYLAWS

[Bylaws](#)

AMENDED

6-10-21

CHARTER

[Charter](#)

AMENDED

4-28-21

POLICIES AND PROCEDURES

[Policy for All-virtual Public Meetings](#)

[Policy for the Remote Participation of Members](#)

ADOPTED

10-13-22

10-13-22

**BYLAWS OF THE
RICHMOND REGIONAL PLANNING DISTRICT COMMISSION**

ARTICLE I

Name

The name of this organization is the Richmond Regional Planning District Commission, hereinafter referred to as the "COMMISSION." The COMMISSION was established pursuant to the Virginia Area Development Act (Title 15.1, Chapter 34, Sections 15.1-1400, et. seq., Code of Virginia (1950), as amended), recodified as the Regional Cooperation Act (Title 15.2, Chapter 42, Sections 15.2-4200 et. seq.). Further, the COMMISSION was established by joint resolutions of the governing bodies of its constituent member jurisdictions in 1969.

ARTICLE II

Definitions

- (1) "Richmond Regional Planning District" comprises the City of Richmond, the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan, and Town of Ashland. It includes all governmental subdivisions within Planning District 15 with a population in excess of 3,500.
- (2) The "COMMISSION" means the Richmond Regional Planning District Commission. The COMMISSION also is known as PlanRVA.
- (3) "Planning Agency" means any county, city, or town planning agency authorized under state or local laws to make and adopt a comprehensive plan, whether or not its jurisdiction is exclusive or concurrent.
- (4) The "Act" means the Regional Cooperation Act.
- (5) "He" means any member or officer of the COMMISSION, whether male or female.
- (6) "Year," as it applies to the COMMISSION, shall be the fiscal year July 1 to June 30.
- (7) "Charter Agreement" means the agreement of the several governing bodies establishing this COMMISSION by resolution or ordinance in 1969 and as amended thereafter.

ARTICLE III

Purposes and Duties

The COMMISSION shall be a public body corporate and politic with all the powers and duties granted to it by the laws of the Commonwealth of Virginia including the Regional Cooperation Act. The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social, and economic elements of the Planning District by planning and encouraging and assisting governmental subdivisions to plan for the future.

ARTICLE IV Membership

Section 1

Membership in the COMMISSION shall be as set forth in the Charter Agreement.

ARTICLE V Terms of Office and Voting Rights

Section 1

The terms of office and voting rights of COMMISSION members shall be as set forth in the Charter Agreement.

ARTICLE VI Officers

Section 1

Officers of the COMMISSION shall consist of a Chairman, Vice-Chairman, Treasurer, and Secretary who shall be elected by a majority of the voting seats of the COMMISSION.

Section 2

The Chairman, Vice-Chairman, Treasurer, and Secretary shall be elected for terms of one year.

Section 3

The Chairman shall not be eligible to serve consecutive terms. No jurisdiction shall have more than one representative serving as a COMMISSION officer except that the Treasurer, when reelected for a consecutive term, may serve even though another COMMISSION officer is from the same member jurisdiction.

Section 4

Elections for said offices shall be held annually at the first meeting of the COMMISSION after June 1st of each calendar year. The term of each office shall be one year, commencing July 1 of the year in which he was elected, provided, however, that any office shall become vacant if the incumbent at any time during his term ceases to be a member of the COMMISSION. If any office shall become vacant for any reason, an election to fill the office shall be held at the next regular meeting of the COMMISSION at which a majority of the members are present, and the new officer so elected shall complete the unexpired term of the officer he succeeded.

Section 5

A majority vote of the voting seats of the COMMISSION shall be required for election to any office.

Section 6

Duties and Powers:

(a) Chairman

In addition to the well-recognized and inherent duties and powers of the office of Chairman, the Chairman shall sign all acts or orders necessary to carry out the will of the COMMISSION; and, he shall have the authority to delegate any routine ministerial function to a member or members of the staff. He shall exercise all of the check signing powers of the Treasurer in that officer's absence. He shall preside over all meetings of the COMMISSION except when not in attendance or while he is addressing remarks to an issue before the COMMISSION, if such remarks are not within the scope of authority inherent to a presiding officer; he shall be eligible to vote on all issues regardless of a tie vote; he is authorized to appoint standing and special committees with the concurrence of the Executive Committee and to appoint substitutes to serve on standing and special committees when any member of a committee is temporarily unable to serve.

(b) Vice-Chairman

The primary responsibility of the Vice-Chairman shall be to serve as Acting Chairman of the COMMISSION in the absence of the Chairman. When the Vice-Chairman is serving as Acting Chairman in the absence of the Chairman, the Vice-Chairman shall be vested with authority to perform all the duties and exercise all the powers of the Chairman, including those vested in or delegated to the Chairman in these Bylaws and by any other action of the COMMISSION.

(c) Treasurer

The Treasurer is the official custodian of the funds of the COMMISSION. As custodian, the Treasurer is responsible for having accurate knowledge of the COMMISSION's

financial condition at all times. The Treasurer may delegate certain administrative and clerical tasks to the Executive Director or other paid staff of the COMMISSION. He may also delegate the following financial authority to the Executive Director: the approval of, without the Treasurer's countersignature, of all payroll and related disbursements made from the COMMISSION's authorized bank account, by the Executive Director; and, the approval of, without the Treasurer's countersignature, non-payroll related disbursements drawn on the COMMISSION's authorized bank account, up to a maximum of three thousand dollars and no cents (\$3,000.00).

The Treasurer shall be responsible for:

1. Making a brief report to the COMMISSION each month regarding the organization's current financial condition.
2. Advising the COMMISSION from time to time concerning the future financial needs of the COMMISSION.
3. Initiating the preparation of an independent audit of the COMMISSION's financial records as soon as possible after the end of the COMMISSION's fiscal year.
4. Countersigning, with the Executive Director, all non-payroll related disbursements in excess of three thousand dollars (\$3,000.00) drawn on the authorized bank account established by the COMMISSION.

(d) Secretary

The Secretary shall be responsible for:

1. Arranging for the giving of notice of regular and special meetings of the COMMISSION.
2. Arranging for the keeping of minutes of the proceedings of the COMMISSION.
3. Authenticating by his signature the minutes and resolutions of the COMMISSION.

The Secretary may delegate certain administrative and clerical tasks to the Executive Secretary and other paid staff of the COMMISSION.

ARTICLE VII

Committees

Section 1

The COMMISSION may establish any, and as many, standing committees as it deems desirable. A motion to establish a standing committee shall receive a majority of the votes of the members present. The Chairman shall then appoint the members to the standing committee with the concurrence of the Executive Committee. The Executive Committee and the Charter and Bylaws Committee, shall, at a minimum, be composed of at least one representative from each jurisdiction composing the COMMISSION. All other committees may have such membership as are, in the opinion of the Chairman, appropriate for the task of the committee. At the request of a Commission member from a jurisdiction not represented on a committee, the Chairman shall appoint a member from that jurisdiction to the committee.

Section 2

One of the standing committees shall be the Executive Committee. The Chairman of the COMMISSION shall serve as a member and as the chairman of the Executive Committee. In addition, the Executive Committee shall consist of the officers of the COMMISSION, the immediate past Chairman of the COMMISSION, and one representative from each jurisdiction not having an officer on the COMMISSION. The Chairman shall appoint these additional members of the Executive Committee.

The Executive Committee shall have the following specific powers and duties:

- (a) The Executive Committee shall be responsible for recommending the Annual Work Program and Budget to the COMMISSION.
- (b) The Executive Committee shall be responsible for monitoring the COMMISSION's Annual Work Program and Budget, and recommending all necessary modifications to the COMMISSION.
- (c) The Executive Committee shall be responsible for the annual performance and salary evaluation of the COMMISSION's Executive Director.
- (d) The Executive Committee shall be responsible for considering, and approving if warranted, all special personnel requests recommended by the COMMISSION's Executive Director, provided such personnel requests do not involve a change in authorized positions or the total annual personnel budget.
- (e) The Executive Committee shall be responsible for determining attendance by members of the COMMISSION at State and National meetings and conferences.
- (f) The Executive Committee shall be responsible for reviewing all actions of COMMISSION standing and special committees before the actions are brought to the attention of the COMMISSION, provided, however, that the Chairman of a standing or special committee may request consideration by the full COMMISSION of any action of his committee, regardless of the review by the Executive Committee.

- (g) The Executive Committee shall have any other power granted to it in an open meeting of the COMMISSION, provided a quorum of the COMMISSION is present at said open meeting; and further provided that at least a majority of the total membership of the COMMISSION votes affirmatively to grant such power to the Executive Committee.

A quorum of the Executive Committee shall consist of a majority of the Executive Committee's members. In making any recommendation, adopting any plan, or approving any proposal, action shall be taken by a majority vote of all members present, provided a quorum is present.

Section 3

All policy committees shall be considered standing committees.

Section 4

The Chairman may from time to time establish such special committees as he deems desirable and shall appoint the members thereto with the concurrence of the Executive Committee. An example of such a committee would be the Nominating Committee.

Section 5

A majority of the members of any committee shall constitute a quorum of the committee. When there is less than a quorum, as required by these Bylaws, the lack of a quorum shall be noted in its report to the COMMISSION.

Section 6

The Chairman of the COMMISSION shall be an ex-officio member of all committees, but without vote, except for standing committees to which he has been named as a regular member.

Section 7

Citizens appointed to any committee shall have been residents of the appointing local jurisdiction for not less than two years.

ARTICLE VIII Meeting of the Commission

Section 1

Regular meetings of the COMMISSION shall be held on the second Thursday of each month. Special meetings may be called by the Chairman at his discretion, or must be called by the Chairman on petition of one-third (1/3) of the COMMISSION members. Meetings shall be at the offices of the COMMISSION unless otherwise designated by the Chairman.

Section 2

Meetings of the COMMISSION and its committees shall be open to the public as provided by the Virginia Freedom of Information Act.

Section 3

COMMISSION members representing a majority of voting seats shall constitute a quorum.

Section 4

In making any recommendation, adopting any plan, or approving any proposal, action shall be taken by a majority vote of all members present, PROVIDED, a quorum is present and that in the case of an action involving more than one jurisdiction, the negative votes of a minority of the COMMISSION shall be made a matter of record. No vote by any member of the COMMISSION shall be construed as an official commitment of the agency or jurisdiction represented by the member unless so authorized by said agency or jurisdiction.

Section 5

No action shall be taken upon any new business at the meeting in which it is introduced unless full information pertaining to same shall have been mailed to each COMMISSION member at least ten (10) days prior to the meeting at which such business is proposed to be acted upon. This requirement may be waived only by the majority consent of the commissioners present at the meeting in which such business is introduced and at which a quorum is present.

Section 6

A regular meeting of the COMMISSION may be cancelled in either of the following ways:

- (a) By a two-thirds (2/3) vote of the membership present at any prior regular meeting of the COMMISSION, provided a quorum is present at such prior meeting, and further provided that those members voting in favor of canceling a future COMMISSION meeting must constitute at least a majority of the entire COMMISSION.
- b) By the Chairman responding to a special request to cancel a future regular meeting, provided notices of the cancellation must be mailed to all members at least ten (10) days prior to the date of the regular meeting. However, two regularly scheduled meetings in succession may not be cancelled.

ARTICLE IX Amendment of Bylaws

Any proposed amendment to these Bylaws shall be proposed in writing to the members of the COMMISSION at a regular COMMISSION meeting at least thirty (30) days prior to the date that such proposed amendment is voted upon by the COMMISSION. A majority vote of all

members of the COMMISSION shall be required to adopt any proposed amendment to the Bylaws.

ARTICLE X
Staff

There shall be an Executive Director, appointed by the COMMISSION, and such staff as the Executive Director deems necessary or desirable subject to the prior approval of the COMMISSION and provided the COMMISSION shall have created and funded the positions requested by the Executive Director.

ARTICLE XI
Budget

Section 1

The COMMISSION shall adopt a budget annually as set forth in the Charter Agreement. The COMMISSION shall not amend its budget once adopted during the applicable fiscal year except pursuant to an affirmative vote of the same number of the entire membership of the COMMISSION required to adopt the budget.

ARTICLE XII
Parliamentary Procedure

In all matters of parliamentary procedure not specifically covered by these Bylaws, the Roberts Rules of Order shall obtain.

ARTICLE XIII
Effective Date

These Bylaws and any amendments shall become effective immediately upon adoption.

* * * * *

Final Revisions and Adoption By Richmond
Regional Planning District Commission
February 8, 1990

Amendments to ARTICLE VII – OFFICERS
Adopted By The
Richmond Regional Planning District Commission
November 14, 1991

Revisions Adopted By The
Richmond Regional Planning District Commission
September 14, 2000

Revisions Adopted By The
Richmond Regional Planning District Commission
March 8, 2001

Revision Adopted By The
Richmond Regional Planning District Commission
January 10, 2002

Revision Adopted By The
Richmond Regional Planning District Commission
June 8, 2017

Revision Adopted By The
Richmond Regional Planning District Commission
June 10, 2021

**CHARTER AGREEMENT
OF THE
RICHMOND REGIONAL PLANNING DISTRICT COMMISSION**

This Charter Agreement to organize a Planning District Commission made this 14th day of August, 1969, by and between the undersigned member jurisdictions as authorized by the Virginia Area Development Act (Title 15.1, Chapter 34, Sections 15.1-1400, et seq., Code of Virginia (1950), as amended), and subsequently amended this 28th day of April, 2021 as authorized by the Regional Cooperation Act, Chapter 42 of Title 15.2 of the *Code of Virginia* (as amended) (Va. Code § 15.2-4200, *et seq.*):

NOW, THEREFORE, it is agreed that:

**ARTICLE I
Name, Location, Authority, Purpose**

Section 1

The name of this organization shall be the Richmond Regional Planning District Commission, hereinafter called the "COMMISSION."

Section 2

The office of the COMMISSION shall be centrally located within Planning District 15.

Section 3

The COMMISSION shall be a public body corporate and politic with all the powers and duties granted to it by the laws of the Commonwealth of Virginia including the Regional Cooperation Act.

Section 4

The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social, and economic elements of Planning District 15 by planning and encouraging and assisting member jurisdictions to plan for the future.

**ARTICLE II
Membership**

Section 1

COMMISSION members shall be appointed by the respective governing bodies of those member jurisdictions which are parties to this Charter Agreement provided, however, that at least a majority, but not substantially more than a majority, of the COMMISSION's members shall be elected officials of the governing bodies of the member jurisdictions within the Planning District with each participating county, city, and town of more than 3,500 population having at least one representative, and the other members being qualified voters and residents

of the District who hold no office elected by the people.

Section 2

Member jurisdictions which are parties to this Charter Agreement shall appoint members to the COMMISSION to represent the number of voting seats on the following basis:

Number and Type of Voting Seats

<u>Population</u>	<u>Governing Body</u>	<u>Planning Commission</u>	<u>Citizen</u>
3,501 - 7,500	1	-	-
7,501 - 25,000	1	1	-
25,001 - 50,000	2	1	-
50,001 - 100,000	2	1	1
100,001 - 175,000	3	1	1
175,001 - 250,000	4	1	1
250,001 - and up	5	1	1

Appointed Governing Body members may represent more than one Governing Body voting seat if authorized by the member jurisdiction. Governing Body members are the only members eligible to represent more than one voting seat for the member jurisdiction.

For purposes of defining population of a jurisdiction under the terms of this Section, the numbers to be used will be the latest of the official U.S. Census count or the most recent preliminary population estimate prepared by the Weldon Cooper Center for Public Service at the University of Virginia.

Section 3

Vacancies on the COMMISSION shall be filled for the unexpired term in the same manner as the original appointment was made.

Section 4

Any member of the COMMISSION shall be eligible for reappointment but may be removed for cause by the governing body which appointed him.

Section 5

Each governing body belonging to the COMMISSION may appoint an alternate member who is also an elected official of the governing body to the COMMISSION who may serve in lieu of one of the elected officials of that governing body. An alternate member shall only serve in the absence of the designated governing body official and when serving in this capacity, shall hold the same voting authority as the designated governing body official.

ARTICLE III
Terms of Office and Voting Rights

Section 1

The terms of office of COMMISSION members shall be determined by the respective governing body. The terms of alternate members shall be coincident with the terms of office of their designated member of the governing body.

Section 2

Each member of the COMMISSION shall have one equal vote in all matters before the COMMISSION unless designated to represent more than one voting seat by the appointing member jurisdiction.

Section 3

Each alternate member appointed to the COMMISSION shall hold the same voting authority as the designated governing body official.

ARTICLE IV
Officers

Section 1

Officers of the COMMISSION shall consist of a Chairman, Vice-Chairman, Treasurer, and Secretary who shall be elected by a majority of the voting seats of the COMMISSION.

Section 2

The Chairman, Vice-Chairman, Treasurer, and Secretary shall be elected for terms of one year.

Section 3

The Chairman shall not be eligible to serve consecutive terms. No member jurisdiction shall have more than one representative serving as a COMMISSION officer except that the Treasurer, when reelected for a consecutive term, may serve even though another COMMISSION officer is from the same member jurisdiction.

Section 4

The COMMISSION shall appoint an Executive Director who shall be an employee of the COMMISSION and shall serve at the pleasure of a majority of the voting seats.

ARTICLE V
Addition, Withdrawal, or Removal of Member Jurisdictions

Section 1

Any member jurisdiction within Planning District Number 15 which is not a party to this Charter Agreement at the effective date thereof may, thereafter, join the COMMISSION provided that such member jurisdiction is eligible for membership and that it adopts and executes this Agreement.

Section 2

Any member jurisdiction may withdraw from the COMMISSION by submitting to the COMMISSION in writing a notice of intent to withdraw. Such withdrawal shall not become effective until the end of the COMMISSION's then current fiscal year.

Section 3

Any member jurisdiction which is a party to this Agreement, shall automatically cease to be a member of the COMMISSION if it fails to comply with ARTICLE VI of this Agreement.

ARTICLE VI
Financial Obligations of Member Jurisdictions

Section 1

All member jurisdictions within Planning District Number 15 which are a party to this Charter Agreement shall contribute funds to the COMMISSION in accordance with an Annual Budget approved prior to the beginning of the COMMISSION'S fiscal year, provided that said Annual Budget is adopted by the affirmative vote of three-fourths (3/4) of the voting seats present and voting.

Section 2

In the event that the dues of a member jurisdiction are based on an estimate of population for that jurisdiction, the population estimate to be utilized will be the latest of the official U.S. Census count or the most recent preliminary population estimate prepared by the Weldon Cooper Center for Public Service at the University of Virginia.

Section 3

The local contribution of each member jurisdiction is due on July 1 of the current fiscal year and shall be paid in a single lump sum payment by each member jurisdiction prior to July 31 of that year.

Section 4

An additional assessment may be made upon a member jurisdiction for particular services of a local nature, which are requested by said member jurisdiction and which may or may not be included in the Work Program adopted by the COMMISSION. This assessment shall be agreed upon with the appropriate member jurisdiction.

ARTICLE VII

Appointment of an Executive Committee and Adoption of Bylaws

Section 1

The COMMISSION may designate an Executive Committee and delegate to it such powers as the COMMISSION may determine, provided that these powers are not inconsistent with provisions of the Regional Cooperation Act, Chapter 42 of Title 15.2 of the *Code of Virginia* (as amended) (Va. Code § 15.2-4200, *et seq.*). Said powers will be specifically stated in the Bylaws of the Commission.

Section 2

The COMMISSION may adopt Bylaws and such other rules as it deems necessary to govern its operations.

ARTICLE VIII

Meetings

Section 1

The COMMISSION shall hold regular meetings on a schedule which will be determined by the membership.

Section 2

Meetings of the COMMISSION and its committees shall be open to the public as provided by the Virginia Freedom of Information Act.

ARTICLE IX

Amendments

Section 1

This Charter Agreement may be amended, supplemented, or superseded only by concurring resolutions of all member jurisdictions of the COMMISSION. All proposed amendments shall be submitted to the COMMISSION for its review and comment and to the member jurisdictions for consideration.

ARTICLE X
Date of Organization

Section 1

The organization of the Richmond Regional Planning District Commission shall be effective on the 31st day of August, 1969, or at such time after this date when the Charter Agreement has been adopted and signed by that member jurisdictions whose population when added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within Planning District Number 15.

* * * * *

Amendments Adopted By
Richmond Regional Planning District Commission
September 14, 1989
and
Final Ratification by All Nine Local Governments
January 10, 1990

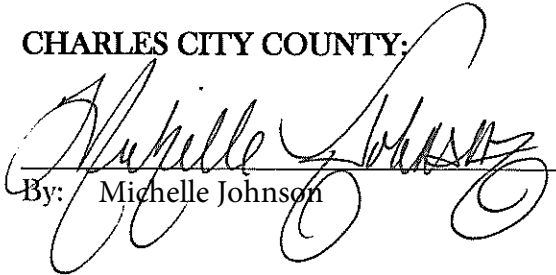
Amendments Adopted By
Richmond Regional Planning District Commission
November 12, 2020
and
Final Ratification by All Nine Local Governments
April 28, 2021

**RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED**

MEMBER JURISDICTION

DATE OF RATIFICATION

CHARLES CITY COUNTY:


By: Michelle Johnson

April 27, 2021

CHESTERFIELD COUNTY:

By: _____

April 28, 2021

CITY OF RICHMOND

By: _____

March 22, 2021

GOOCHLAND COUNTY

By: _____

April 6, 2021

HANOVER COUNTY

By: _____

April 14, 2021

**RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED**

MEMBER JURISDICTION

DATE OF RATIFICATION

CHARLES CITY COUNTY:

By: _____

CHESTERFIELD COUNTY:

By:  _____
Joseph Casey

12/2/21

CITY OF RICHMOND

By: _____

GOOCHLAND COUNTY

By: _____

HANOVER COUNTY

By: _____

**RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED**

**MEMBER JURISDICTION
RATIFICATION**

DATE OF

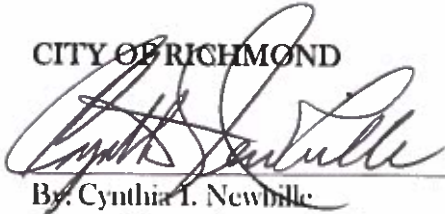
CHARLES CITY COUNTY:

By:

CHESTERFIELD COUNTY:

By:

CITY OF RICHMOND



By: Cynthia I. Newbille
President of the Council

March 22, 2021

GOOCHLAND COUNTY

By:

HANOVER COUNTY

By:

**RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED**

MEMBER JURISDICTION

DATE OF RATIFICATION

CHARLES CITY COUNTY:

By:

CHESTERFIELD COUNTY:

By:

CITY OF RICHMOND

By:

GOOCHLAND COUNTY

Kenneth A. Young
By: Kenneth A Young

4-6-2021

HANOVER COUNTY

By:

Approved as to form:

[Signature]

County Attorney

**RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED**

MEMBER JURISDICTION

DATE OF RATIFICATION

CHARLES CITY COUNTY:

By: _____

CHESTERFIELD COUNTY:

By: _____

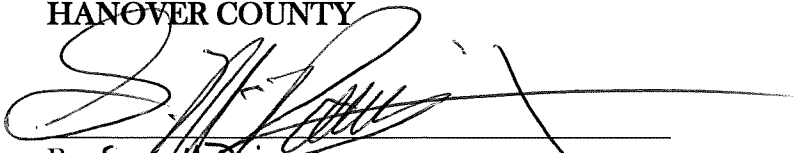
CITY OF RICHMOND

By: _____

GOOCHLAND COUNTY

By: _____

HANOVER COUNTY


By: Sean McQuinn
Chairman, Hanover County Board of Supervisors

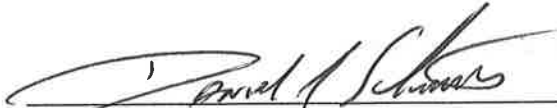
May 12, 2021

RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED

MEMBER JURISDICTION

DATE OF RATIFICATION

HENRICO COUNTY


By: Daniel J. Schmitt

April 27, 2021

NEW KENT COUNTY

By:

April 12, 2021

POWHATAN COUNTY

By:

April 26, 2021

TOWN OF ASHLAND

By:

April 20, 2021

MEMBER JURISDICTIONS ON THE DATES INDICATED

MEMBER JURISDICTION

DATE OF RATIFICATION

HENRICO COUNTY

By: _____

April 27, 2021

NEW KENT COUNTY


By: Rodney Hathaway

April 12, 2021

POWHATAN COUNTY

By: _____

April 26, 2021

TOWN OF ASHLAND

By: _____

April 20, 2021

MEMBER JURISDICTIONS ON THE DATES INDICATED

MEMBER JURISDICTION

DATE OF RATIFICATION

HENRICO COUNTY

By: _____

NEW KENT COUNTY

By: _____

POWHATAN COUNTY

Karin Carmack

By: Karin Carmack

April 26, 2021

TOWN OF ASHLAND

By: _____

RATIFIED BY THE RICHMOND REGIONAL PLANNING DISTRICT COMMISSION'S
MEMBER JURISDICTIONS ON THE DATES INDICATED

MEMBER JURISDICTION

DATE OF RATIFICATION

HENRICO COUNTY

By: _____

April 27, 2021

NEW KENT COUNTY

By: _____

April 12, 2021

POWHATAN COUNTY

By: _____

April 26, 2021

TOWN OF ASHLAND

By:  _____
Joshua Farrar

April 20, 2021

PLANRVA – THE REGIONAL COMMISSION
POLICY FOR ALL-VIRTUAL PUBLIC MEETINGS

Adopted: October 13, 2022

1. AUTHORITY AND SCOPE

a. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.3 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code §§ 2.2-3700—3715.

b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2.

2. DEFINITIONS

a. “**PlanRVA**” means PlanRVA, the Regional Commission, or the Richmond Regional Planning District Commission or any committee, subcommittee, or other PlanRVA entity.

b. “**Member**” means any member of the PLANRVA.

c. “**All-virtual public meeting**”, means a public meeting conducted by the PlanRVA using electronic communication means during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and to which public access is provided through electronic communication means, as defined by Va. Code § 2.2-3701.

d. “**Meeting**” means a meeting as defined by Va. Code § 2.2-3701.

e. “**Notify**” or “**notifies**,” for purposes of this policy, means written notice, including, but not limited to, email or letter, but does not include text messages or messages exchanged on social media.

3. WHEN AN ALL-VIRTUAL PUBLIC MEETING MAY BE AUTHORIZED

An all-virtual public meeting may be held under the following circumstances:

a. It is impracticable or unsafe to assemble a quorum of PlanRVA in a single location, but a state of emergency has not been declared by the Governor or Board of Supervisors; or

b. Other circumstances warrant the holding of an all-virtual public meeting, including, but not limited to, the convenience of an all-virtual meeting; and

c. PlanRVA has not had more than two all-virtual public meetings, or more than 25 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and

d. PlanRVA's last meeting was not an all-virtual public meeting.

4. **PROCESS TO AUTHORIZE AN ALL-VIRTUAL PUBLIC MEETING**

a. PlanRVA may schedule its all-virtual public meetings at the same time and using the same procedures used by PlanRVA to set its meetings calendar for the calendar year; or

b. If PlanRVA wishes to have an all-virtual public meeting on a date not scheduled in advance on its meetings calendar, and an all-virtual public meeting is authorized under Section 3 above, the PlanRVA Chair may schedule an all-virtual public meeting provided that any such meeting comports with VFOIA notice requirements.

5. **ALL-VIRTUAL PUBLIC MEETING REQUIREMENTS**

The following applies to any all-virtual public meeting of PlanRVA that is scheduled in conformance with this Policy:

a. The meeting notice indicates that the public meeting will be all-virtual and PlanRVA will not change the method by which PlanRVA chooses to meet without providing a new meeting notice that comports with VFOIA;

b. Public access is provided by electronic communication means that allows the public to hear all participating members of PlanRVA;

c. Audio-visual technology, if available, is used to allow the public to see the members of PlanRVA;

d. A phone number, email address, or other live contact information is provided to the public to alert PlanRVA if electronic transmission of the meeting fails for the public, and if such transmission fails, PlanRVA takes a recess until public access is restored;

e. A copy of the proposed agenda and all agenda packets (unless exempt) are made available to the public electronically at the same time such materials are provided to PlanRVA;

f. The public is afforded the opportunity to comment through electronic means, including written comments, at meetings where public comment is customarily received; and

g. There are no more than two members of PlanRVA together in one physical location.

6. **RECORDING IN MINUTES**

Minutes are taken as required by VFOIA and must include the fact that the meeting was held by electronic communication means and the type of electronic communication means used.

7. **CLOSED SESSION**

If PlanRVA goes into closed session, transmission of the meeting will be suspended until the public body resumes to certify the closed meeting in open session.

8. **STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the matters that will be considered or voted on at the meeting.

PLANRVA – THE REGIONAL COMMISSION

POLICY FOR THE REMOTE PARTICIPATION OF MEMBERS

Adopted: October 13, 2022

1. AUTHORITY AND SCOPE

a. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.3 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code §§ 2.2-3700—3715.

b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2. This policy also does not apply to an all-virtual public meeting.

2. DEFINITIONS

a. “**PlanRVA**” means PlanRVA, the Regional Commission, or the Richmond Regional Planning District Commission or any committee, subcommittee, or other PlanRVA entity.

b. “**Member**” means any member of PlanRVA.

c. “**Remote participation**” means participation by an individual member of PlanRVA by electronic communication means in a public meeting where a quorum of PlanRVA is physically assembled, as defined by Va. Code § 2.2-3701.

d. “**Meeting**” means a meeting as defined by Va. Code § 2.2-3701.

e. “**Notify**” or “**notifies**,” for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

3. MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

a. A quorum of PlanRVA must be physically assembled at the primary or central meeting location; and

b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at

any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

4. **PROCESS TO REQUEST REMOTE PARTICIPATION**

a. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify PlanRVA Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, (iii) their principal residence location more than 60 miles from the meeting location, or (iv) a personal matter and identifies with specificity the nature of the personal matter.

b. The requesting member shall also notify PlanRVA staff liaison of their request, but their failure to do so shall not affect their ability to remotely participate.

c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i)—(iii) above.

d. The requesting member is not obligated to provide independent verification regarding the reason for their nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.

e. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

5. **PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION**

When a quorum of PlanRVA has assembled for the meeting, the PlanRVA shall vote to determine whether:

a. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and

b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

6. **RECORDING IN MINUTES**

a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location PlanRVA shall record in its minutes (1) PlanRVA's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated.

b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated.

c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

7. **CLOSED SESSION**

If PlanRVA goes into closed session, the member participating remotely shall ensure that no third party is able to hear or otherwise observe the closed meeting.

8. **STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The Chair (or Vice-Chair) shall maintain the member's written request to participate remotely and the written response for a period of one year, or other such time required by records retention laws, regulations, and policies.