

VIRGINIA ACTS OF ASSEMBLY -- 2008 SESSION

CHAPTER 778

An Act to amend and reenact § 15.2-1213 of the Code of Virginia, relating to the county chairman in Loudoun County.

[H 443]

Approved April 2, 2008

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1213 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1213. Referendum in Loudoun County on election of the county chairman from the county at large.

A. The board of supervisors of Loudoun County may by resolution petition the circuit court of the county for a referendum on the question of whether there should be a chairman of the county board of supervisors elected at large. Alternatively, a like referendum may be requested by a petition to the circuit court signed by registered voters equal in number at least to ten percent of the registered voters of the county as of January 1 of the year in which the petition is filed. Upon the filing of either petition, which shall be filed not less than ninety days before a November general election, the circuit court shall order the election officials at the next November general election held in the county to open the polls and take the sense of the voters on the question set forth in this subsection. The clerk of the court shall publish notice of the referendum to be published once a week for four consecutive weeks prior to the referendum in a newspaper having general circulation in the county, and shall post a copy of such notice during the same time at the door of the courthouse of the county. The ballot shall be printed as follows:

"Shall the chairman of the county board of supervisors, to be known as the county chairman, be elected by the voters of the county at large?

Yes

No"

The election shall be held and the results certified as provided in ~~§ 24.1-165~~ § 24.2-684.

B. If a majority of the qualified voters voting in such referendum vote in favor of the election of a county chairman of the board of supervisors from the county at large, beginning at the next general election for the board of supervisors, the county chairman shall be elected for a term of the same length and commencing at the same time as that of other members of the county board of supervisors. The county board of supervisors thereafter shall consist of one member elected from each district of such county and a county chairman elected by voters of the county at large. No person may be a candidate for county chairman at the same time he is a candidate for membership on the county board from any district in the county.

The county chairman shall be the chairman of the county board of supervisors and preside at the meetings thereof. The chairman shall represent the county at official functions and ceremonial events. The chairman shall have all ~~voting and other~~ rights, privileges, and duties of other members of the board and ~~additional rights, privileges, and duties such others~~ not in conflict with ~~general law~~ *this article* as the board may prescribe. *The chairman also shall have the power to set the agenda for board meetings; however, any such agenda may be modified by an affirmative vote of the board. The duties of the chairman during board meetings include but are not limited to (i) enforcement of time limits, as appropriate; (ii) enforcement of the rules relating to debate and the rules relating to order and decorum within the board; and (iii) response to inquiries from board members relating to parliamentary procedure.*

In addition, the chairman shall have the power to (i) call special meetings of the board in accordance with the procedures and restrictions of § 15.2-1418, mutatis mutandis; (ii) appoint county representatives to regional boards, authorities, and commissions which are authorized in advance by the board; however, any such appointment shall be subject to revocation by an affirmative vote of a majority of all members elected to the board acting within the 30-day period following that appointment; and (iii) create and appoint committees of the board and name presiding members of such committees as authorized by the board. Any such committee or appointment shall be subject to revocation by an affirmative vote of a majority of all members elected to the board. However, the powers of the chairman themselves may only be modified by unanimous vote of all board members. At the first meeting at the beginning of its term and any time thereafter when necessary, the board of supervisors shall elect a vice chairman from its membership, who shall perform the duties of the chairman in his absence.