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HOUSE BILL NO. 846

Offered January 8, 2020

Prefiled January 7, 2020

A BILL to amend and reenact §§ 1.2, 3.2, 3.6, and 6.8 of Chapters 690 and 742 of the Acts of Assembly of 2006, which provided a charter for the Town of Elkton in the County of Rockingham, relating to town boundaries; council meetings.

 Patron—Runion

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 1.2, 3.2, 3.6, and 6.8 of Chapters 690 and 742 of the Acts of Assembly of 2006 are amended and reenacted as follows:

§ 1.2. Boundaries.

The boundaries of the Town until altered shall be as follows:

a. All that area which constituted the Town of Elkton, Virginia, prior to January 1, 2004, which is more particularly described by metes and bounds as set out and recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, as Instrument Number 04035858 at Deed Book 2573, page 216;

b. All that area annexed on January 1, 2004, which is identified in the Ordinance recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, at Deed Book 2415, page 117, dated December 22, 2003; and

c. All that area annexed on January 1, 2005, which is identified in the Ordinance recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, at Deed Book 2602, page 105, dated December 28, 2004.

d. All that area which is identified in an Order of the Joint Petition of the County of Rockingham, Virginia, and the Town of Elkton, Virginia, recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 2874, page 686, dated June 5, 2006.

e. All that area which is identified in an Order of the Joint Petition of the County of Rockingham, Virginia, and the Town of Elkton, Virginia, recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4258, page 24, dated June 14, 2013.

f. All that area which is identified in an Order of the Joint Petition of the County of Rockingham, Virginia, and the Town of Elkton, Virginia, recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4820, page 129, dated November 23, 2016.

§ 3.2. Vacancies.

Any vacancy in the council shall be filled within 30 45 days, for the unexpired term, by a majority of the remaining voting members, provided that if the term of office to be filled does not expire for two years or more after the next regular election for councilmen following such vacancy and such vacancy occurs in time to permit it, then the council shall fill such vacancy only for the period then remaining until such election, and a qualified person shall then be elected by the qualified voters and shall from and after the date of his election and qualification succeed such appointee and serve the unexpired term. The number of candidates for council equal to the number of vacancies to be filled for full terms receiving the highest number of votes shall be entitled to such full terms and the candidate receiving the next highest number of votes shall be entitled to the unexpired term, caused by such vacancy.

§ 3.6. Meetings of council.

a. The council shall fix the time of its regular meetings, which shall be at least once each month, and, except as herein provided, the council shall follow Robert's Rules of Order, latest edition, for rules of procedure necessary for the orderly conduct of its business, except where inconsistent with the laws of the Commonwealth.

b. Minutes shall be kept of its official proceedings, and its meetings shall be open to the public unless an executive session is called according to law.

c. The mayor or any other two members of the council, may call a special meeting upon a 36-hour written notice or an emergency meeting upon a 12-hour written notice to each council member stating the time, place, and purpose for the meeting and served personally or left at the council members' usual place of business or residence by the Chief of Police, *or his or her designee*. No business shall be transacted by the council in such special or emergency meeting which has not been stated in the notice; however, these requirements shall not apply when all members of the council attend such meetings or waive notice thereof, nor shall this regulation apply to an adjourned session from a regular meeting.

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59 d. The agenda for a regular scheduled monthly council meeting shall include a provision for public
60 comments as defined in the town ordinances.

61 e. A majority *shall consist of four voting members* of the six voting members of the council *and*
62 shall constitute a quorum.

63 § 6.8. How act cited.

64 This act shall be referred to or cited as the Elkton Charter of 2006, *as amended*.