PUBLIC NOTICE

OF AMENDMENT TO

BY-LAWS of THE ALBEMARLE COUNTY SERVICE AUTHORITY

The Albemarle County Service Authority (ACSA) Board of Directors will hold their regular monthly meeting on Thursday, March 19, 2020 at 9:00 a.m. During this meeting, the ACSA Board of Directors will discuss and consider an amendment to Article II of the Albemarle County Service Authority By-Laws. This meeting will be held in the Board Room at the Albemarle County Service Authority Administration Building, Lower Level, 168 Spotnap Road, Charlottesville, Virginia 22911. Further information may be obtained from the ACSA website at www.serviceauthority.org or by calling 434-977-4511.

Gary O’Connell
Executive Director
BE IT RESOLVED by the Board of Directors of the Albemarle County Service Authority that the By-Laws are to be amended and re-enacted, effective March 19, 2020 as follows:

BY-LAWS

ALBEMARLE COUNTY SERVICE AUTHORITY

ARTICLE I - PREAMBLE

1-1. This authority was created on April 16, 1964, by action of the Board of Supervisors of the County of Albemarle, under provisions of Virginia Water and Sewer Authorities Act, Section 15.1-1239 through 15.1-1270, Code of Virginia, 1950, as amended.

1-2. The official title of this authority is designated by the aforesaid Board of Supervisors is: “Albemarle County Service Authority”.

1-3. These bylaws or rules for the transaction of the business of this authority are made pursuant to authority vested in this authority under Section 15.1-1250(b) of the Code of Virginia of 1950 as amended and in accordance with the general provisions of the laws of the Commonwealth of Virginia governing water and sewer authorities as set forth in said 1950 Code in Chapter 28, Title 9, Virginia Water and Sewer Authorities Act.

ARTICLE II - MEMBERS

2-1. This authority shall consist of six members, said members to be appointed by the Board of Supervisors pursuant to Section 2-26 702 of the Albemarle County Code.

2-2. The members of the authority shall not be elective public county officers nor assistants to elective county officers.

2-3. All members of this authority are appointed by the Albemarle County Board of Supervisors for terms of four (4) years.

2-4. The authority may provide for the payment of expenses of this authority and a reasonable compensation for members of the authority who are not county employees.
2-5-2-4. Any vacancy in membership will be filled by appointment of the County Board of Supervisors and such appointments will be for the unexpired term only.

2-6-2-5. Any appointed member may be removed by the Albemarle County Board of Supervisors for inefficiency, neglect of duty, or malfeasance or misfeasance in office.

ARTICLE III - OFFICERS AND THEIR SELECTION

3-1. The officers of the Service Authority shall consist of a Chair, a Vice-Chair, a Secretary-Treasurer and an Executive Director. The Secretary-Treasurer and the Executive Director need not be members of the authority.

3-2. Nomination of officers shall be made from the floor at the annual meeting held in January of each year. The elections shall take place at the same meeting.

3-3. A candidate receiving a majority vote of the entire membership of the Service Authority shall be declared elected. The elected member shall take office immediately and serve for one (1) year, or until a successor takes office.

3-4. Vacancies shall be filled by regular election procedures at the next regular meeting.

ARTICLE IV - DUTIES OF OFFICERS

4-1. The duties of the Chair are:

   a. To preside at all meetings.
   b. To appoint all committees, with the exception of the Executive Committee.
   c. To rule on procedural questions (subject to a reversal by a 2/3 vote of members present).
   d. To carry out other duties as assigned by the authority.

4-2. The duties of the Vice-Chair are:

   a. To act in the absence of the Chair.

4-3. The duties of the secretary-treasurer are:
a. To keep a written record of all business transacted by the authority.
b. To notify members of the meetings.
c. To keep all official records and reports of the authority.
d. To certify all records, and reports of the authority.
e. To attend to the correspondence of the authority.
f. To keep a record of the minutes of meetings.

ARTICLE V - COMMITTEES

5-1. Special Committees: The Chair may appoint such special committees as deemed necessary.

ARTICLE VI - MEETINGS

6-1. Regular meetings of the authority shall be held monthly on the third Thursday of the month at 9:00 a.m.

6-2. Special meetings shall be called at the request of the Chair or at the request of a majority of the membership. Written notice of meetings shall be given to each member at least two (2) days prior to such meetings.

6-3. All regular meetings, records, and accounts shall be open to the public.

6-4. A majority (4 of 6) of the membership of the authority shall constitute a quorum. In any meeting where there is otherwise a quorum and any member declares a potential conflict of interest on any matter of business the remaining eligible members shall constitute a quorum for the transaction of that business matter. Approval of any business matter shall require a majority vote of eligible non-abstaining members. Voting may be by roll call, in which case a record shall be kept as part of the minutes.

6-5. If a quorum is physically present to conduct a meeting of the Authority’s Board of Directors or one of its committees, other members may attend and participate in such meeting from a remote location by telephone or other audio or video means, provided such attendance complies with the provisions of the Virginia Freedom of Information Act, as amended from time to time. A member wishing to attend in this manner shall advise the clerk of
the board a reasonable time before start of the meeting, so that the necessary equipment can be put in place.

**ARTICLE VII** - **ORDER OF BUSINESS**

7-1. The order of business of a regular meeting shall be:

a. Call to order by the Chair.
b. Determination of a quorum.
c. Approval of minutes of regular meeting and of executive committee meetings.
d. Matters from the public.
e. Consent Agenda.
f. Matters of business and discussion.
g. Matters not listed on the agenda.
h. Adjournment.

7-2. Parliamentary procedure in authority meetings shall be governed by the adopted rules of order, namely *Robert’s Rules of Order*.

**ARTICLE VIII** - **AMENDMENTS**

8-1. These rules, excepting Articles I and II, may change by a two-thirds vote of the entire authority after ten days notice has been given them of the projected change.

**BY-LAWS ADOPTED:** January 17, 1966  
**AMENDED:**  
- March 9, 1967  
- March 9, 1978  
- April 17, 1986  
- December 18, 1997  
- December 16, 1999  
- December 17, 2009  
- July 17, 2014  
- February 18, 2016  
- March 17, 2016  
- **March 19, 2020**
I certify that the foregoing is a true and exact copy of a resolution adopted by the Board of Directors of the Albemarle County Service Authority in a regular session on March 19, 2020 by a vote of ___ to ___.

Gary B. O’Connell, Secretary-Treasurer
Sec. 2-702 - Composition, appointment, and terms.

The composition of the Service Authority Board and the appointment and terms of the members of the Board are as follows:

A. **Composition**. The Board is composed of six members, one from each magisterial district in the County.

B. **Nomination and appointment**. Each member is appointed by the Board of Supervisors. Before being appointed by the Board of Supervisors, each member is nominated from each of the six magisterial districts by the member of the Board of Supervisors representing that district.

C. **Terms**. The terms of the members are four years. The terms are coterminous with the term of the member of the Board of Supervisors who nominated the member.

D. **Vacancies**. The Board of Supervisors may appoint a qualified person to fill a vacancy. The appointment shall be for the unexpired term only.

E. **Holdover until successor appointed**. Any member whose term has expired shall continue to act as a member until the Board of Supervisors re-appoints the member or appoints a successor and that person is qualified.

(Code 1967, 2-21; § 12-12-84; Code 1988, § 2-26; § 2-702, Ord. 98-A(1), 8-5-98; [Ord. 18-2(2)], 4-11-18)