

RESTATED BYLAWS¹

PRINCE WILLIAM-MANASSAS REGIONAL JAIL BOARD

ARTICLE I -- BOARD

Section 1. Description.

The Prince William-Manassas Regional Jail ("Board") was created by the Board of County Supervisors of Prince William County ("County") and the City Council of the City of Manassas ("City"), pursuant to Va. Code §§ 53.1-105 *et seq.*, to supervise and manage the Prince William-Manassas Regional Adult Detention Center, a regional jail ("ADC").

Section 2. Powers.

The Board has the authority set forth in Va. Code §§ 53.1-105, *et seq.*, and as otherwise set forth in the Code of Virginia.

Section 3. Composition of Board.

Pursuant to Va. Code §§ 53.1-106, the Jail Board is comprised of the Sheriff, eight (8) members appointed by Prince William County, and two (2) members appointed by the City of Manassas. The Sheriff, County, and City may appoint alternatives who shall only serve in the absence of the regular member whom they represent.

Section 4. Compensation.

By resolution of the Board, the members (who are not County or City employees) may be paid a fixed sum for attendance at each meeting of the Board, not to exceed the amount set by Va. Code § 53.1-108.

ARTICLE II - MEETINGS

Section 1. Public Meetings.

Meetings of the Board shall be public in accordance with the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700, *et seq.*

Section 2. Regular Meetings.

A regular meeting of the Board shall be held at a time and place designated by the Board. The Board shall approve an annual calendar of regular meetings and amend such calendar, as it deems appropriate.

¹ Prior Bylaws were adopted, but the exact date is not known. These Bylaws are essentially a rewrite.

Section 3. Special and Emergency Meetings.

3.1. Special meetings of the Board may be called by, or at the request of, the Chair when an emergency or other good reason exists necessitating such meeting. Reasonable notice of the meeting, given the circumstances, shall be given to the Board and to the public at the same time as it is provided to the Board.

3.2. Emergency meetings of the Board may be called by, or at the request of, the Chair when an emergency exists necessitating such meeting. Routine advance notice of the meeting shall not be required for emergency meetings; however, reasonable notice of the meeting, given the circumstances, shall be given to the Board and to the public at the same time as it is provided to the Board.

Section 4. Notice and Cancellation of Meetings.

4.1. Notice of regular or special meetings will be posted in the Central Lobby of the ADC and on its website, as required by law. Members of the Board shall also be sent a separate notice of the meeting.

4.2. The agenda packets and, unless exempt, all materials furnished to members of the Board shall be made available for public inspection on the website at the same time such documents are furnished to the Board.

4.3. After consultation with the Vice Chair and Secretary, the Chair may cancel a meeting of the Board on the basis of weather or other emergency, provide separate notice to the Board members, and post the notice in the Central Lobby of the ADC and on its website.

Section 5. Quorum and Alternates [and Remote Attendance].

5.1. A majority of all Board members shall constitute a quorum for the transaction of business at any meeting of the Board.

5.2. If conflicts of interest prevent a quorum from voting on a matter, then a majority of those who are present and can vote may take action on the matter.

5.3. If less than a majority is present at a scheduled meeting, a majority of the members present may adjourn the meeting from time to time without further notice.

5.4. Alternates to members may vote when the respective member is not present at the meeting, and shall then have all other rights of the member, and shall be counted for purposes of determining a quorum.

Section 6. Remote Attendance.

6.1. Individual Member Remote Attendance.

a. This policy shall be applied strictly and uniformly applied 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.

b. A member of the Board may participate in a meeting of the Board through electronic communications from a remote location that need not open to the public, as provided in Va. Code § 2.2-3708.2, subject to the following requirements:

On or before the date of the meeting, a Board member desiring to participate in a meeting of the Board from a remote location shall notify the Jail Board Secretary, as the agent of the Chair, that the member is unable to attend the meeting due to (i) temporary or permanent disability or other medical condition that prevents the member's physical attendance or a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, or (ii) a personal matter which the member identifies with specificity, or (iii) the member's principal residence is more than 60 miles from the meeting location identified in the required notice of the meeting.

c. The Board shall record in its minutes that the member participated remotely due to temporary or permanent disability or other medical condition or personal matter, which specific nature must be identified, and the remote location from which the absent member participated. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board's minutes with specificity.

d. Such participation by the absent member due to a personal matter is limited in each calendar year to two (2) meetings of the Board or 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

e. A quorum of the Board must be physically assembled at the primary or central meeting location, unless the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, in which case *see* Sections 6.2 and 6.3 below.

f. The Board shall make arrangements for the voice of the absent member to be heard by all persons in attendance at the meeting location.

6.2. Repealed 7/21/2021.

6.3. Repealed 7/21/2021.

6.4 Quorum Remote Attendance – Meetings During State of Emergency. The Board may also meet by electronic communication means, without a quorum of the Board physically assembled in one location, when the Governor or Prince William County or the City of Manassas has declared a State of Emergency in accordance with Va. Code § 44-146.17 or § 44-146.21, respectively, provided that

- a. The catastrophic nature of the declared emergency makes it impracticable or unsafe for the Board to assemble a quorum in a single location;
- b. The purpose of the meeting is to provide for the continuity of operations of the Board or the discharge of its lawful purposes, duties, and responsibilities;
- c. Public notice is given using the best available method, given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to the members of the Board;
- d. Arrangements are made for public access to such meeting through electronic communication means, including videoconferencing if already used by the Board;
- e. Provide the public with the opportunity to comment at those meetings when public comment is customarily received [which comment may be received by email]; and
- f. A recording or transcript of the meeting is available on the Board website in accordance with the timeframes in Va. Code § 2.2-3707.

Section 7. Order of Business.

7.1. The order of business at all meetings of the Board shall be, if applicable, as follows:

- a. Meeting called to order
- b. Roll Call
- c. Public Comment Time (Optional) (Maximum of 3 non-Board members may speak on a matter for 3 minutes, on a first come basis.)
(Persons desiring to speak shall notify the Secretary, including their name and locality of residence or business. Persons may otherwise submit up to one printed page of comment to the Board by 5:00 p.m. the day before the Board meeting, including their name and locality of residence or business.)
- d. Approval of the Agenda
- e. Approval of the Minutes from previous meeting
- f. Superintendent's Report
- g. Budget Update
- h. Jail Board Members Comments
- i. Closed Meeting
- j. Adjournment

7.2. The Board may amend the order of business at the meeting.

7.3. The meetings will be conducted in conformance with the most recent edition of Robert's Rules of Order where the Rules of Order are not otherwise superseded by these Bylaws. Legal counsel shall serve as the Parliamentarian.

7.4. Unless otherwise determined by the Chair, after consultation with the Superintendent, meetings of the Board shall occur in the ADC conference room.

7.5. The Chair may limit the number of persons in the meeting in order to maintain safety and security of the facility and good order.

7.6. The Chair may determine that public comment not be included on a particular agenda or that comment be submitted in writing or by other electronic means.

7.7. Decorum

a. *Board Members* – Decorum of Members shall be maintained in order to expedite disposition of the business before the Board. Questions and remarks shall be limited to those relevant to the pending business. Members shall address all remarks to the Chair.

b. *Others* – Decorum of persons other than Members shall be maintained by the Chair, who may request such assistance as may appear necessary. Persons addressing the Board shall limit their remarks to those relevant to the pending items and to answering questions. They shall address the Board as a whole, and address questions and answers to the Chair. The Chair shall call the speaker to order. If out-of-order remarks or other indecorous conduct persists, the Chair may order the speaker to cease speaking. If the order is not heeded, the Chair will then cause the appropriate staff to carry out the order.

Persons, whose allotted time to speak has expired, shall be warned by the Chair to conclude in one minute, after which such person shall leave the lectern, unless they are asked to remain to answer questions from the Board. No persons in attendance shall be allowed to voice remarks, except as recognized by the Chair after audibly stating their name, address, and who they represent, if applicable. Groups or individuals in the audience creating an atmosphere detrimental or disturbing to the conduct of the meeting will be asked to leave by the Chair. If the order is not heeded, the Chair will then cause the appropriate staff to carry out the order.

Section 8. Closed Meeting.

8.1. The Board may vote to go into closed meeting for the purposes set forth in and pursuant to the requirements of Va. Code §§ 2.2-3711 and 2.2-3712.

8.2. Upon completing closed meeting, the Board shall make certification in open session pursuant to Va. Code §§ 2.2-3712.

8.3. **Confidential and Privileged Information:** Documents, information and discussions from a closed session, attorney-client privileged communication, and other confidential information shall not be disclosed without the approval of the Board.

8.4. In the event the Board becomes aware that confidential or privileged information has been released or otherwise disclosed without the consent of the Board, then the Board shall vote

to either to authorize the disclosure or reaffirm the confidentiality and/or claim of privilege. In addition, the Board may, in its discretion, sanction or censure a member for improper disclosure of confidential or privileged information.

ARTICLE III - COMMITTEES

Section 1. Composition.

1.1. The Board, by resolution, may designate two (2) or more members to constitute a committee. The creation of a committee shall not operate to relieve the Board or any member of it of any responsibility imposed on it or the member by law.

1.2. The Board may increase or decrease the number of members of a committee, fill vacancies on it, remove any member, change its function, or terminate its existence.

Section 2. Notice of Meetings.

Committees shall provide notice of its meetings in accordance with the Virginia Freedom of Information Act, §§ 2.2-3700, *et seq.*

ARTICLE IV - OFFICERS

Section 1. Officer Positions.

The officers of the Board shall be Chair, Vice Chair and Secretary, each of whom shall be elected by the Board. Additional officers may be elected by the Board, as the Board deems necessary. Any two or more offices may be held by the same person, except the offices of Chair and Vice Chair.

Section 2. Election and Term of Office.

2.1. The officers shall be elected annually by the Board at the last meeting of the Board held during the fiscal year. If the election of officers is not held at that meeting, such election shall be held as soon thereafter as it may be conveniently held. The Chair and Vice Chair shall be elected from the membership on the Board.

2.2. The officers take office July 1 (the new fiscal year). Each officer shall hold office until his successor shall have been duly elected and shall have qualified, or until death, resignation or removal.

Section 3. Removal.

Any officer elected by the Board may be removed with or without cause by the majority of the Board whenever in its judgment the best interests of the Board would be served.

Section 4. Resignation.

Any officer may resign at any time by giving notice to the Board or written notice to the Secretary. The resignation shall take effect at the time specified in the notice and, unless otherwise specified in it, acceptance of the resignation shall not be necessary to make it effective.

Section 5. Vacancies.

A vacancy in any office may be filled by the Board when it occurs for the unexpired portion of the term.

Section 6. Chair.

6.1. The Chair shall preside at all meetings of the Board.

6.2. The Chair may sign, with the Secretary or any other proper officer so authorized by the Board, any document which the Board has authorized to be executed.

6.3. In general, the Chair shall perform all duties incident to the office of Chair and such other duties, as may be prescribed by the Board from time to time.

Section 7. Vice Chair.

7.1. In the absence of the Chair, the Vice Chair shall preside at meetings and perform the Chair's functions and duties, so long as the Chair's absence or inability to act exists.

7.2. The Vice Chair shall have such other powers and duties as the Board may confer.

Section 8. Secretary.

8.1. The Secretary shall be appointed by the Board and may be an employee of the ADC.

8.2. The Secretary shall (a) keep the minutes of the Board meetings; (b) ensure that all notices are duly given in accordance with the provision of these Bylaws and law; (c) be custodian of the records of the Board; (d) keep a register of the post office address of each Board member which shall be furnished to the Secretary by each member; and (e) in general perform all duties incident to the office of Secretary and such other duties as may be assigned to the Secretary by the Chair or the Board.

ARTICLE V - FINANCIAL AND OTHER PROVISIONS

Section 1. Fiscal Year.

The fiscal year of the Board shall begin each year of July 1 and shall end on June 30 of the following year.

Section 2. Budget.

- 2.1. The Board shall adopt an annual operating budget for each year.
- 2.2. Pursuant to Va. Code § 53.1-107, the budget shall include all revenues, expenditures, and employee compensation schedules.
- 2.3. The Superintendent is to work with the County budget staff on the operating budget for the ADC.
- 2.4. The County approves the Operating Budget for the ADC.
- 2.5. The Jail Board approves the Commissary Budget.

Section 3. Procurement Policy.

The Board adopts the Prince William County Purchasing Regulations for its purchases.

Section 4. Annual Report.

- 4.1. Pursuant to Va. Code § 53.1-107, the Board shall submit an annual report showing its activities; budget; and other similar data to the following:

Prince William Board of County Supervisors
Manassas City Council

- 4.2. In addition, the annual report will be submitted to:

Prince William County Executive
Manassas City Manager
Chief Judges of the Circuit Court, General District Court, Juvenile & Domestic Relations Court
Circuit Court Clerk
Commonwealth's Attorney
Chief Public Defender
Members, Jail Board
Adult Detention Center, Office of Professional Standards
Legal Counsel for the Jail Board and the Adult Detention Center
Executive Staff for the Adult Detention Center
Regional Manager, Virginia Department of Corrections

ARTICLE VI - AMENDMENTS

These Bylaws may be amended to the extent that they are not inconsistent with law, by a majority of the members of the Board at any time.

These Restated Bylaws were adopted by the Board on July 22, 2020 and passed on July 21, 2021.



Sarah Hanly
Secretary