

Town of Cape Charles

Community Enhancement Program Board

By-Laws

ARTICLE ONE

Name and Principal Office of the Board

- 1-1 The name of this board shall be the Cape Charles Community Enhancement Program Board (hereinafter referred to as "CEB"). The principle offices shall be located at the Cape Charles Town Hall at 2 Plum Street, Cape Charles.

ARTICLE TWO

Objectives

- 2-1 The objectives for which this program is organized are to stimulate revitalization in the town of Cape Charles through organization (encouraging cooperation and building leadership in the business and residential community); promotion (creating a positive image for the town of Cape Charles by promoting the town as an exciting place to live, shop and invest); design (improving the appearance of the town); and to receive, administer and distribute funds in connection with any activities related to the above purposes.

ARTICLE THREE

Members

- 3-1 The CEB shall consist of nine (9) members. One (1) member shall be a representative of the Town Council, one (1) member shall be a representative of the Planning Commission, and one (1) member shall be a representative of the Historic District Review Board. The remaining six (6) members shall be referred to as appointed members.
- 3-2 The terms of the representatives from the Town Council, Planning Commission and Historic District Review Board shall be for tenure of office. The appointed members shall serve a term of four (4) years, with the exception of the first board, which shall be appointed with staggered terms as follows:
- a) Two shall be appointed for two years.
 - b) Two shall be appointed for three years.
 - c) Two shall be appointed for four years

Any vacancy in membership shall be filled by appointment of Town Council, upon recommendation by the remaining members of the CEB, and shall be for the unexpired term only.

Any member may be removed by the Town Council, upon recommendation by the CEB, for inefficiency, neglect of duty, or malfeasance in office.

- 3-3 An appointed member's term of office shall expire at the end of the last day of June. The successor's term of office shall begin at the beginning of the first day of July. Members may serve consecutive terms.

ARTICLE FOUR

Officers and their selection

- 4-1 The elected officers of the CEB shall consist of a chairman, a vice chairman, and secretary.
- 4-2 The officers shall be elected for a one (1) year term by the members at the first regular meeting after July 1 of each year.
- 4-3 A candidate receiving a majority vote of a quorum of the CEB shall be declared the elected and take office immediately and serve for one (1) year or until their successor shall take office. In the event of a tied vote, votes shall be recast, with only those receiving the largest number of initial votes being eligible to receive votes. If the tie cannot be resolved, the Town Council shall appoint an existing Board member to fill the vacant officer's position. Incumbent officers may be reelected.
- 4-4 Vacancies in office shall be filled immediately by regular election procedures.
- 4-5 In case of the absence or disability of any officer, the Chairman may from time to time delegate the powers and duties of such officer to any other officer or any other board member.
- 4-6 The Community Enhancement Program Manager shall be a member of the town staff, a non-voting member of the CEB, and shall be present at all meetings of the CEB. The Program Manager shall manage the daily operations of the Program. The Program Manager shall be responsible for coordinating the implementation of the Program's policies and projects and such other duties as the CEB may require.

ARTICLE FIVE

Qualifications and Duties of Officers

- 5-1 The **Chairman** shall be an appointed member of the CEB and shall:
- 5-1.1 Preside at all meetings.
- 5-1.2 Be informed immediately of any official communications and report the same at the next regular CEB meeting.
- 5-1.3 Rule on all procedural questions.

- 5-1.4 Carry out other duties as are assigned by the CEB.
- 5-2 The **Vice Chairman** shall be an appointed member of the CEB and shall:
 - 5-2.1 Have the power to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
- 5-3 The **Secretary** shall be an appointed member of the CEB and shall:
 - 5.3-1 Keep a written record of all business transacted by the CEB and provide an original to the Town Clerk for record retention.
 - 5.3-2 Work with the town staff to notify all members of all meetings.
 - 5.3-3 Certify and keep a file of all official records and reports of the CEB.
 - 5.3-4 Attend to the correspondence of the CEB.
 - 5.3-5 Prepare and work with town staff for the publishing of advertisements and public notices relating to all public hearings and public meetings.

ARTICLE SIX

Committees and Advisors

- 6-1 The Community Enhancement Program shall have at least four (4) standing committees, which shall be entitled Promotion, Design, Economic Restructuring, and Organization. The committees shall consist of not less than five (5) members, and shall have as chairperson a member of the CEB who shall be responsible for directing and coordinating the affairs of the committee.
- 6-2 The CEB may designate or appoint one or more additional committees as needed. Such committees shall be subject to the approval of a majority vote of the CEB.
- 6-3 The CEB may appoint architects, engineers, and/or contractors who are not board members to serve in an advisory capacity. Appointed advisors shall not have voting rights.

ARTICLE SEVEN

Meetings

- 7-1 Regular meetings of the CEB shall be held on the second Mondays of each month in the Cape Charles Civic Center at 6:00 p.m. When a meeting date falls on a legal holiday, the alternative date for meetings shall be the fourth Mondays of each month. Meetings may be cancelled in advance by a majority vote of those present at a previous meeting or by the request of the Chairman.

- 7-2 Special meetings shall be called at the request of the Chairman or at the request of a majority of the membership.
- 7-3 Except as provided for in Chapter 21, Title 2.1, Code of Virginia, 1950, as amended (Virginia Freedom of Information Act), all meetings, hearings, records, and accounts of the CEB shall be open to the public.
- 7-4 Five (5) or more of the members of the CEB shall constitute a quorum. No action of the CEB shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE EIGHT

Order of Business

- 8-1 The order of business for a regular meeting shall be:
- 8-1.1 Call to order by the Chairman.
 - 8-1.2 Roll call, determination of a quorum.
 - 8-1.3 Invocation and Pledge of Allegiance.
 - 8-1.4 Approval of agenda format.
 - 8-1.5 Approval of minutes.
 - 8-1.6 Report of officers and committees.
 - 8-1.7 Unfinished business.
 - 8-1.8 New business.
 - 8-1.9 Announcements.
 - 8-1.10 Adjournment.
- 8-2 The first item of business for the first regular meeting after July 1 of each year shall be the election of new officers.
- 8-3 Parliamentary procedures in the CEB meetings shall be governed by Robert's Rules of Order, Revised – Short Form.
- 8-3.1 Motions shall be restated by the Chairman before a vote is taken.

- 8-4 The CEB shall provide a set of minutes of all meetings to the Town Clerk, and these minutes shall become a public record.
- 8-5 The CEB shall retain the option to invite public comment by those present at a regular meeting at such times as the CEB deems necessary. If the CEB invites public comment, comments will be limited to three (3) minutes per speaker. Comments must be limited to the matters on the agenda for the meeting and must be limited to the subject matter within the CEB's purview. Comments shall be directed to the CEB and not to other attendees at a meeting. Speakers may not donate unused time to another speaker.

ARTICLE NINE

Correspondence

- 9-1 All official papers and plans involving the authority of the CEB shall bear the signature of the Chairman, together with certification signed by the Secretary.

ARTICLE TEN

Annual Report

- 10-1 After the close of the fiscal year, an annual report, in reasonable detail, of all activities of the CEB shall be provided to the Town Council for review.

ARTICLE ELEVEN

Amendments

- 11-1 The bylaws may be amended at any regular meeting of the CEB by a two-thirds (2/3) vote of the entire membership, provided notice of the proposed amendment has been given to members at the previous regular meeting or has been disseminated to members at least ten (10) days prior to the meeting.