

Minutes
Board of Supervisors
Work Session
January 5, 2021

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, Jr., District 1
Allen Louderback, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughan, District 5

Staff Present: Amity Moler, County Administrator
Regina Miller, Assistant County Administrator
Janeena Zalipski, Office Aide
Nathan Miller, County Attorney

Call to Order:

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on January 5, 2021, in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. Due to the COVID-19 pandemic, in-person attendance was not permitted; therefore, the meeting was live streamed, via Zoom and You Tube. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

Organizational Meeting:

Nomination of Vice Chair for 2021:

Chairman Phenix explained according to the Board's Rules of Procedure, the Board selects one of its members to serve as Vice Chair for a one-year term on a rotating basis. Any nominee may decline to serve or may resign from that position, in which event the representative of the next district in ascending sequential order will be the nominee. The Vice Chair for 2020 was Supervisor Guzy (District 1). If the Board continues to follow ascending sequential order, then the next Vice Chair would be Supervisor Louderback (District 2).

Chairman Phenix asked Supervisor Louderback if he would like to serve as Vice Chair for 2021. Supervisor Louderback said he would.

Motion: Supervisor Guzy moved to nominate Supervisor Allen Louderback (District 2) to serve as the Vice Chair of the Board of Supervisors for 2021. Supervisor Vaughan seconded and the motion carried by a vote of 5-0, with 1 abstention. Aye: Phenix, Guzy, Stroupe, Foltz, Vaughan. Nay: None. Abstain: Louderback.

Approval of 2021 Meeting Schedule:

Chairman Phenix said the annual meeting schedule is approved every year at the Board’s organizational meeting in January. This sets forth the Board’s meeting dates, times and locations. The proposed schedule for 2021 is as follows:

<u>Date</u>	<u>Type of Meeting</u>
January 5, 2021	Work Session
January 19, 2021	Regular Meeting
January 26, 2021 (Meeting begins at 6:00 p.m.)	Joint Meeting with the Planning Commission
February 2, 2021	Work Session
February 16, 2021	Regular Meeting
March 2, 2021	Work Session
March 16, 2021	Regular Meeting
March 18, 2021	Budget Work Session
March 25, 2021	Budget Work Session
March 30, 2021	Budget Work Session
April 6, 2021	Work Session
April 20, 2021	Regular Meeting
May 4, 2021	Work Session
May 18, 2021	Regular Meeting
June 1, 2021	Work Session
June 15, 2021	Regular Meeting
July 6, 2021	Work Session
July 20, 2021	Regular Meeting
August 3, 2021	Work Session
August 17, 2021	Regular Meeting
September 7, 2021	Work Session
September 21, 2021	Regular Meeting
October 5, 2021	Work Session
October 19, 2021	Regular Meeting
November 3, 2021	Work Session
November 16, 2021	Regular Meeting
December 7, 2021	Work Session
December 21, 2021	Regular Meeting

Motion: Supervisor Vaughan moved to approve the 2021 Board meeting schedule. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Re-adoption of Rules of Procedure:

Exhibit A

Chairman Phenix asked the Board if they had any corrections, changes, or additions to the Rules of Procedure. Having none he entertained a motion.

Motion: Supervisor Vaughan moved to adopt the Rules of Procedure, as presented. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Emergency Uncodified Ordinance to Establish Methods to Assure Continuity in Page County Government and Conduct of Board of Supervisors Meetings During the Novel Coronavirus Disease 2019 (COVID-19) Emergency: Exhibit B

Chairman Phenix said the Emergency Ordinance needs to be re-adopted. This will allow the Board to establish methods to assure continuity in Page County Government and conduct our Board of Supervisors meetings during the COVID 19 Pandemic and protect our staff.

Motion: Supervisor Guzy moved to adopt the Emergency Ordinance, as presented for the sixty (60) day period to begin January 5, 2021. Supervisor Vaughan seconded and the motion passed by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Louderback. Nay: None.

Animal Complaint:

Supervisor Foltz said he has received several calls again pertaining to the animal complaint on U. S. Route 340 in Stanley. He said the Board was aware of who it is, and that this has been going on for well over a year. The individual had cleaned it up, but is bringing the animals back on the property. DEQ was called previously and has done very little. He said the County should move forward with legal action.

The Board was in consensus for Mr. Miller to move forward with legal action.

Update on the Landfill:

Jeff Blevins, Solid Waste Operations Manager, gave a presentation on the solid waste department. At the Springfield Compactor Site, the compactor and compactor pad were replaced as well as the concrete in the container area and the asphalt. At the Shenandoah Site, the compactor pad and drainage were replaced; the lower grass area was repaired from flood damage. At the Stanley Landfill, 155 tons of large rocks were removed from the capped area; the flare was replaced with a constant vacuum flare; the panel drain was removed from the north unfilled area to slow leachate production; repaired numerous leachate seeps; installed 18" culvert for drainage at flare access road; and, demo and hauled the old animal shelter building. The following projects were completed at the Battle Creek Landfill: replaced Channel 7 ditch to meet DEQ requirements, lowered soil stockpile area in east end (avoided gas remediation), cleaned up tons of blown litter to improve site appearance and meet DEQ requirements, repaired north end drainage area above closed area of Phase 1, replaced container area at citizens drop off with new concrete, arranged recycling area so everything is together, replaced truck scales, organized area behind maintenance garage and turned into a container laydown area and recycling loading dock, built new access road to Cell 10, finally got grass to grow on south 3/1 slope of Phase 1, installed aerator in Basin 1 to avoid installing baffle walls (savings of \$100,000+), built plunge pool from Basin 11 after engineer design failed 3 times, excavated ½ of Basin 1 second half will be done Spring 2021, installed 3

balers and one aluminum can separator in garage, decreased residential bulk waste tipping fee from \$60 to \$30 per ton June 2020, and zero compliance violations on past 9 DEQ inspections. Mr. Blevins compared the budgets from FY16-FY20 stating if the budget went over or if unspent, and listed the revenue for each year as well. Looking into the future LaBella Engineering and Page County have submitted to DEQ a notice of intent for a major permit modification to increase our daily tonnage limit to 850 tons per day. LaBella Engineering has performed airspace calculations for the remainder of cell 10 and we are working toward starting cell 11 in FY22. In closing, Mr. Blevins said Page County Solid Waste and Recycling has overcome a lot of negative adversity, and is continually striving to improve efficiency, while maintaining a clean environmentally friendly disposal site. Our recycling efforts are exceeding many larger counties in Virginia and will continue to strive and accomplish goals and effectiveness. Page County has already made a tremendous investment in BCLF and is on the right path to having a viable and profitable resource for the county and its citizens future.

The Board thanked Mr. Blevins for all his hard work and would like for the public to know how far the Landfill has come. They agreed to looking into some signage to place at the entry gate of the landfill, to post our achievements for the citizen to learn.

Review of Code Amendments – Chapter 40 (Building Construction):

Nathan Miller, County Attorney, said that the Building Construction Section in the County Code had been written previously to read that a renter could acquire the permits to change a rented property without the owner even knowing. After looking into fixing this it was determined it would be in the best interest of the County to further amend the ordinance. Mr. Miller told the Board that the changes had been included in their agenda packets to look over and schedule a public hearing.

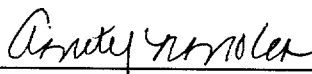
Motion: Supervisor Guzy moved to schedule a public hearing for the Code Amendments – Chapter 40 (Building Construction) at the February 16, 2021 meeting. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Louderback, Stroupe. Nay: None.

Adjourn: 8:10 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator

PAGE COUNTY BOARD OF SUPERVISORS



RULES OF PROCEDURE

Readopted January 5, 2021

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**PAGE COUNTY BOARD OF SUPERVISORS
RULES OF PROCEDURE**

I. CREATION

Page County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of six (6) members, with five (5) members elected from each of the Voting Districts and one (1) member elected at large from all the Voting Districts who shall serve as the Chairman of the Board.

II. SEAL OF THE BOARD

When affixed to any paper or document by the Clerk of the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPAL ADDRESS

103 South Court Street, Page County, Luray, Virginia; mailing address: 103 South Court Street, Luray, VA 22835

IV. CHAIR TO THE BOARD

The Supervisor elected as a member at large shall serve as the Chairman of the Page County Board of Supervisors.

V. VICE-CHAIR

At the first meeting of the year, the Board selects one of its members to serve as Vice-Chair for a one year term on a rotating basis. Any nominee may decline to serve or may resign from that position, in which event the representative of the next district in ascending sequential order will be the nominee.

VI. COUNTY ADMINISTRATOR

The County Administrator shall be Clerk to the governing body and his/her general duty is set forth in the Code of Virginia, Section 15.2-1540 and 15.2-1541. He/she shall maintain an office at the same address as the Board. The Assistant County Administrator is designated Deputy Clerk to the Board.

VII. COUNTY ATTORNEY

The County Attorney assists the Board in analyzing the facts; provides advice and action in legal matters and represents the Board in civil actions; provides advice and action in legal matters to the constitutional officers, zoning administrator, building code official and other departments and agencies of the County. Any item presented to the County Attorney for opinion, must be submitted in writing, and a written response shall be provided.

VIII. QUORUM FOR THE EXERCISE OF BOARD BUSINESS

Four (4) members of the Board shall constitute a quorum for the purpose of conducting Board business. A tie vote of the members present with a quorum or in excess of a quorum shall cause the motion or matter voted on to fail. There shall be no provision for a tiebreaker in the event of a tie of the voting members with a quorum present.

IX. MEETINGS AND ATTENDANCE

- A. The County Administrator, Chairman of the Board, and Vice-Chairman of the Board shall be responsible for drafting the agenda of any Board meeting.
- B. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert's Rules of Order Revised, 12th edition, and these by-laws as interpreted by the Chair to the majority of the Board members.
- C. Regular Meetings will be held on the third Tuesday of each month at 7:00 p.m. at the designated location. The Board's calendar is attached and incorporated herein. Closed Meetings will be held as needed. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chair.
- D. The County Administrator shall list all items requested for the agenda. If, in the opinion of the County Administrator, an item is not appropriate for consideration by the Board, he/she shall inform the Chair.
- E. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.
- F. The Board shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Board, provided no Board Member objects.

- G. Time permitting, items not on the agenda shall be heard as the final items of the Board's business. If time does not, in the opinion of the Chair or the Board, permit hearing items not on the agenda, they shall be carried over to the next regular or special meeting (provided no Board member objects).
- H. Once a notice for Public Hearing has been advertised, (regardless of the nature) the Public Hearing must be conducted, unless the scheduled Board meeting is cancelled by the Chair with the consent of a majority of the Board.
- I. Departmental reports, general correspondence, calendars and notices, financial reports and other matters not directly related to an agenda item are to be provided to the Board under separate cover from the Agenda Packet.
- J. Weather – A regular meeting shall be continued to the immediately following Tuesday at the same time and place as the regular meeting if the Chair, or Vice Chair when the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend regular meeting. Such finding shall be communicated to the members and the public and media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.
- K. Legal Holiday – When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.
- L. Should a member of the Board schedule a meeting with any individual, business, or Page County governmental unit having matters before the Board, the Board member is strongly encouraged to advise the County Administrator of the meeting. As appropriate and feasible, the County Administrator may notify other Board members of the time and place of such scheduled meeting, to ensure that Board members have been afforded opportunity to take part in the discussions and to ensure that no more than two (2) Board members attend the meeting unless a public notice is posted advising the public of the meeting. **[Added 7/2/2019]**

X. ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

The Page County Board of Supervisors (the Board) shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, audio, video, electronic, or other communication means where the members are not physically assembled, except as provided in Virginia Code §2.2-3708 or as provided hereafter. Nothing in this policy shall be construed to prohibit the use of interactive audio or video means to expand public participation.

A. A Board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. If, on or before the day of the meeting, the Board member notifies the Board Chair that he or she is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, the Board, by a majority vote, approves electronic participation by the Board member, and the Board records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

Such participation by a Board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the Board, whichever is fewer; or

2. If a Board member notifies the Board Chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, the Board, by a majority vote, approves electronic participation by the Board member, and the Board records this fact and the remote location from which the member participated in its minutes.

B. A Board member may participate in a meeting by electronic means only when:

1. A quorum of the Board is physically assembled at the primary or central meeting location; and
2. The Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

XI ORDER OF BUSINESS

The Order of Business for the regular meeting on the third Tuesday, shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

Call to Order, Invocation, Pledge of Allegiance

Public Hearings

Presentations, Proclamations and Awards

Public Comments on Agenda Items

Action Matters

Consent Agenda
Old Business
New Business
Open Public Comments
Administrator's Report
Supervisors' Time
Closed Session (as needed)
Adjourn/Recess

XII. CONDUCT OF BUSINESS

- A. When the question is called, the Chair shall call for the vote.
- B. Any member abstaining on a vote shall so indicate following the call for the vote.
- C. Motions relating to committee reports and recommendations, or Consent Agenda, do not require a second.
- D. All votes of the Board shall be called in a rotational order, to include the Chairman, so that no member shall cast their vote first or last for every vote.
- E. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.
- F. Citizens shall not speak at a meeting unless they are recognized. Citizens shall request recognition by addressing "Mr. Chair" or "Madam Chair" (as appropriate) and await acknowledgment.
- G. Should it be desired by the Chair, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator's Office. The County Administrator shall take down verbal resolutions as accurately as possible, but when loosely worded or incomplete "whereases" precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.

- H. Prior to initiating a public hearing, the Chair shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change to those gathered.
- I.
 - 1. Only those issues as addressed in the published notice for a public hearing shall be considered by the Board at a public hearing. Any citizen appearing before the Board at a public hearing shall speak only to those matters at hand.
 - 2. Any citizen speaking before the Board, during public comment period and/or public hearings, shall be brief and to the point, and will be allotted three (3) minutes in which to make his/her comments. The time limit and any further time allowance will be at the Board's discretion, and enforced by the Chair.
 - 3. After the public hearing is closed by the Chair, no citizen may speak before the Board on said public hearing unless the public hearing is reopened by a majority vote of the board.
 - 4. Any citizen speaking before the Board at a public hearing shall address the Board and shall conduct himself/herself in an orderly manner.
- J. At the beginning of the public hearing, the Chair shall call upon the County Administrator or the other staff member handling the matter at hand or shall himself/herself recount a description of the issue placed before the hearing.
- K. Subject to revocation or extension by the majority of the Board assembled, the Chair may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter. Notwithstanding the foregoing, every Board member shall be entitled to make a statement on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.
- L. All members or citizens shall limit their comments before and to the Board. The Chair may prohibit questions from citizens until a speaker has finished his/her presentation and may, at his/her discretion, limit the amount of time available for each person based upon the number of individual speakers who wish to address the Board.
- M. The Board of Supervisors has set forth the following rules for presentation time limits:
 - 1. Individual presentations placed on the Board's agenda shall be no longer than fifteen (15) minutes in duration.
 - 2. Presentation time limit may be extended by the Chair, with the Board's consent.

- N. At such times a Board member may find himself or herself with a conflict of interest the Board member shall state the nature of the conflict of interest and shall, at their election, remove himself or herself from voting or abstention or both.
- O. Comments should be addressed to the Chair. Persons may not yield their time. Persons may not speak more than once on an issue. Public comment periods are for citizen input and the Board should typically not respond to questions. However, the Chair may direct staff to respond to the citizen concern or need directly.
- P. Invocation – The Invocation shall be part of the agenda for every meeting of the Board, following the Call to Order and before the Pledge of Allegiance. Community leaders, including clergy, and representing a broad range of interest and denomination, may be invited to give the Invocation, on a rotational basis, by District.

XIII. ORDER

- A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.
- B. In the event the Board wishes to debate a matter of order, the regular business may be suspended by vote of the Board to discuss the matter.
- C. No person shall use derogatory, slanderous, or abusive language, create disruption, speak out of order, or refuse to comply with rules or procedures set by the Board. The Chair, County Administrator, or Board Attorney will judge any potential breach, yet the Board may vote to overrule and allow a speaker's right to expression.
- D. If any person engages in a breach of order, the Chair may order that person to stand silent, or may, if deemed necessary, order the person to leave or be removed from the County property, and may, at the Chair's discretion, bring formal charges for disruption of a public meeting.
- E. The Rules of Procedure are posted on the County website. A copy of the document will be made available upon request to the County Administrator's Office.
- F. A law enforcement officer shall be in attendance at every meeting of the Board to assist in maintaining order.

XIV. STANDARDS OF CONDUCT

In keeping with the County of Page's Commitment to Service, Excellence, and Integrity, the citizens and businesses of Page County, Virginia, are entitled to fair, ethical and accountable local government, which strives to earn the public's full confidence for integrity. This includes personal integrity, work group integrity, and organizational integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

XV. COMMITTEES

Ad hoc committees, being those committees appointed for a special limited purpose, may be appointed by the Chair as needed. Members of the Planning Commission and Board of Zoning Appeals may be appointed by the Board member serving the elected district in which the appointment is made. The elected Chairman of Board shall not have the right to make direct appointments to committees as a representative of his or her district.

Constitutional Officers may be appointed to committees.

XVI. PARLIAMENTARIAN

The Chair, with the majority of the Board, shall act as Parliamentarian to the Board.

XVII. RULES

- A. The Rules of Procedure may be suspended at any time, for a given board meeting, by a majority vote of the Board of Supervisors.
- B. The Rules of Procedure may be altered by a majority vote of the Board of Supervisors.

XVIII. OFFICIAL BOARD TRAVEL

- A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.
- B. A Board member shall obtain advance approval of the Board prior to official travel out-of-state.
- C. A report and accounting of funds shall be made for travel.

XIX. APPROVAL TO PAY PAYROLL AND ACCOUNTS PAYABLE WARRANTS

- A. Consistent with Code of Virginia paragraph 15.2-1243, the Board of Supervisors grants to the County Administrator the authority to audit and approve for payment on their behalf warrants for valid accounts payable and payroll activity.
- B. The County Administrator's approval will be documented in writing on a check transmittal that will accompany the warrants when they are forwarded to the Treasurer for signature.
- C. All warrants must be presented to the Board of Supervisors for action as a consent agenda item at their regular meeting.

XX. APPROVAL OF MINUTES

- A. Minutes taken during a previous Board meeting will be distributed to the members of the Board with the Board package for review prior to the meeting of the Board at which approval is requested. Minutes of prior board meetings will be deemed to be approved as submitted, unless a correction is requested by a member of the Board and approved by the vote of a majority of Board members.
- B. It is the policy of the Board that minutes shall be concise, enumerating the following terms:
 - 1. Time, date and place of the meeting, members of the Board and key staff members in attendance. The Clerk shall record in the minutes the absence of any member of the Board from any portion of the meeting.
 - 2. A concise statement of the matter before the Board, those persons speaking on the matter and a synopsis of the statements.
 - 3. A notation of specified issues or clarifications that have salient bearing on the matter being decided.
 - 4. A notation of the memorandum and exhibits which accompany the matter before the Board which shall be filed with the clerk's records of the meeting.
 - 5. A statement of the specific request or recommendation being presented to the Board.
 - 6. The specific and full text of each motion, substitute motion, and amendment considered by the Board. The result of the vote, passage or failure, shall be noted and the vote of each member recorded.
 - 7. Such specific items, issues, comments, or votes, as requested by any Board member during a meeting but prior to approval of the minutes by the Board.

8. Such other matters as the Clerk shall deem necessary to provide a complete, accurate and understandable record of the deliberations of the Board.
- C. Minutes of workshops and other meetings of the Board where no formal action is taken shall be summary in nature, indicating the time, date and place of the meeting, members of the Board in attendance, persons making presentations before the Board, and the topic or topics of the workshop or discussion.
- D. Recordings of Board meetings shall be made at all meetings. The recordings shall be retained by the Office of the County Administrator for two years from the date of the meeting.

XXI. CONSENT AGENDA

- A. The purpose of the Consent Agenda is to provide a method for the expeditious handling of items, which, in the opinion of the County Administrator and the Chair, will not require discussion and will be approved unanimously by the Board.
- B. Prior to the consideration of a motion to approve the consent agenda, the Chair shall ask if any member of the Board would like to have an item removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on the item.
- C. Any item or items which one or more members of the Board wishes to remove from consent agenda shall be removed by the Chair, and, at that point, a motion to approve the remaining consent agenda shall be in order. Items which have been removed from the consent agenda may be taken up by the Board immediately after the approval of the remaining consent agenda or may be scheduled for consideration later in the meetings by the Chair with the concurrence of the Board.