

Prince William Commission on Aging Rules of Procedure - 2017 Edition - Index
With Amendment 1 approved March 26, 2019
With Amendment 2 approved May 25, 2021
With Amendment 3 Approved August 23, 2022

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End of Rules of Procedures Index

Distribution: These Rules of Procedure are applicable to all jurisdictions within the Prince William area and one copy shall be provided each jurisdictional appointed member, each Prince William area member, the Agency on Aging, the City of Manassas Clerk, the City of Manassas Park Clerk and the Clerk of the Board of County Supervisors. This document shall be posted on the COA portion of the Agency Website and a printed copy shall be provided to anyone who so requests.

PRINCE WILLIAM COMMISSION ON AGING

Rules of Procedure approved March 28, 2017

Amendment 1 Approved March 26, 2019

Amendment 2 Approved May 25, 2021

Amendment 3 Approved August 23, 2022

ARTICLE I – NAME

The name of this Commission shall be the Prince William Commission on Aging (hereinafter referred to as the COA) as so established on February 24, 1976.

ARTICLE II – AUTHORITY AND PURPOSE

Section 1. Supersession. The 2017 Rules of Procedure (hereinafter referred to as the Rules) supersedes and replaces all previous COA Bylaws and shall be in force as of the date approved by the COA. See Article VIII, Section 3 for the listing of previous editions.

Section 2. Authority.

a. Name of this document was changed from Bylaws to Rules of Procedure to align with PWC Resolution 76-7-9 which is the COA Charter. Paragraph V of this Resolution states the "commission shall adopt rules for the transaction of business and shall keep a record of its proceedings and transactions, which shall be a public record".

b. The COA was created by the Prince William Board of County Supervisors (hereinafter referred to as the BOCS) Resolution 76-7-9 with the purposes "to identify and promote better understanding of the problems of the Aging, to plan, coordinate and promote programs for the aging, and to serve in an advisory capacity to the Board of County Supervisors with respect to the above matters."

c. In 1977, upon agreement with the Cities of Manassas and Manassas Park, BOCS Resolution 77-24-4 created a "Multi-Jurisdictional Commission on Aging" (and as so approved by each Cities Governing Body in their Minutes) with the same purposes above expanded to include the two Cities.

d. Beginning in 1979 after establishment of the Prince William Area Agency on Aging (hereinafter referred to as the Agency), the COA began to additionally serve as the Older Americans Act mandated Advisory Council to the Agency in accordance with the following Federal, State and Local Laws, Regulations or Resolutions.

(1) The Older Americans Act of 1965 (and subsequent Amendments) defines an "older individual" as "any individual who is 60 years of age or older". Section 306(a)(6)(D), Title III of this Act requires the Agency to "establish an advisory council

consisting of older individuals (including minority individuals and older individuals residing in rural areas) who are participants or who are eligible to participate in programs assisted under this Act, family caregivers of such individuals, representatives of older individuals, service providers, representatives of the business community, local elected officials, providers of veterans' health care (if appropriate), and the general public, to advise continuously the area agency on aging on all matters relating to the development of the area plan, the administration of the plan and operations conducted under the {area} plan.”

(2) Title 42 U.S. Code Chapter 35 codifies the above Older Americans Act and is incorporated by reference. The mandated Advisory Council is codified in 42 USC 3026.

(3) Title 45 U.S. Code of Federal Regulations § 1321.57 expands on the description for the Area Agency Advisory Council from the Older Americans Act by detailing functions, composition of the Council, and responsibilities with regards to the Area Plan for Aging.

(a) Functions of the Council will include advising the Agency on the development and administration of the Area Plan; conduct Public Hearings; represent the interest of Older Persons (defined as Age 60 and above by the Older Americans Act); and reviewing and commenting on all community polices, programs and actions which affect Older Persons with the intent of assuring maximum coordination and responsiveness to Older Persons.

(b) Review and Comment Areas are listed within the Older Americans Act Title III, Section 306(b)(3) as Special Interest Areas and include: Health and Human Services; Land Use; Housing; Transportation; Public Safety; Workforce, Recreation, Education, Civic Engagement, Emergency Preparedness, and any other Service as determined by the Agency.

(c) Composition of Council shall include individuals and representatives as described in the Older Americans Act; and be composed of more than 50 percent Older Persons, including minority individuals who are participants or who are eligible to participate in programs under the Act.¹

(d) Area Plan and Amendments shall be submitted by the Area Agency on Aging to the COA for review and comment before it is transmitted to the Virginia Department for Aging & Rehabilitative Services (DARS) for approval.

(4) Virginia Code applicable to the COA incorporated by reference below.

(a) Virginia Code Title 2.2 Chapter 37; The Virginia Freedom of Information Act.

¹ Individuals who are Age 55 and above who are eligible for Older Americans Act Title V - Community Service Senior Opportunities Act - and are a Local Government Appointee to the COA shall be considered in this over 50 percent of membership requirement.

(b) Virginia Code § 15.2-1411 Appointment of advisory committees and commissions; compensation and reimbursement of expenses.

(c) Virginia Code Title 51.5 Chapter 14 et al.; Virginia Department for Aging and Rehabilitative Services.

(i) §51.5-135(A)(6) relates to the Area Agencies on Aging and No Wrong Door, Virginia's system of Aging & Disability Resource Connections (ADRC). The Code reads: "Designate area agencies on aging pursuant to P.L. 89-73 [the Older Americans Act] or any law amendatory or supplemental thereto of the Congress of the United States and to adopt regulations for the composition and operation of such area agencies on aging, each of which shall be designated as the lead agency in each respective area for the No Wrong Door system of aging and disability resource centers".

(ii) The Prince William Area Agency on Aging in February 2008 became a test location for the No Wrong Door initiative. The COA did not become the primary Local Advisory Committee; however, the COA remained as both advisor and advocate to the Local Elected Officials of all levels as the initiative progressed.

(iii) The formal designation of No Wrong Door was codified in April 2010. The COA continues to have a separate role from the No Wrong Door/Aging & Disability Resources Connection Advisory Committee.

e. Prince William County Resolutions 76-7-9 (Feb. 24, 1976); 77-24-4 (June 14, 1977); 77-24-5 (June 14, 1977); 80-29-18 (Oct. 14, 1980); 91-961 (Dec. 10, 1991); and 09-943 (Dec. 1, 2009). Manassas City Council Minutes dated March 23, 2010.

(1) Resolution 76-7-9 uses the word "members" and Resolution 91-961 uses the words "regular" to refer to the appointees. All appointment documents since 1991 have used these terms. Within these Rules, "regular members" are identified as the Local Government Appointees and shall have the same meaning.

(2) Resolution 77-24-4 adopted the formation of a Multi-Jurisdictional COA (aka Tri-Jurisdictional) and having the terms of appointees established as serving at the "pleasure of their respective bodies".

(3) Resolution 09-943 eliminated the Alternate Members of the COA established by Resolution 91-961 effective January 1, 2012. The Manassas City Council eliminated the second regular appointee established by Resolution 77-24-4 and the two alternate members as reported in their referenced Minutes with effective date of March 23, 2010. This brings the Local Government Appointees (hereinafter referred to as LGA) to seven (7) Magisterial District, one (1) At-Large and one each from the Cities of Manassas and Manassas Park for a total of ten (10) Appointees.

f. Prince William County Resolution 09-675 (Sept. 5, 2009) provides for *Exemption from Annual Disclosure of Economic Interests* for the County Appointees (see PWC

Code Article III, Section 2-47.3). The Cities of Manassas and Manassas Park do not require their Appointees to be subject to this requirement.

Section 3. Purpose.

a. As established in 1976 by the BOCS, and subsequently in 1977 with the Cities of Manassas and Manassas Park, the COA shall identify and promote a better understanding of the problems of older adults, advocate for older adults and serve as the Agency advisory council. The COA primarily serves in the advisory capacity to the BOCS and the City Councils of Manassas and Manassas Park with respect to matters affecting older adults.

b. The COA is not organized for profit and shall have no capital stock, dues, or other assessments, and funding of the COA shall be apportioned by the BOCS as part of the Agency annual funding. This funding is following the formula contained in the provisions of the 1977 Funding Agreement between PWC and the two Cities. The COA may appear before the BOCS and City Councils to advocate for financial support or contributions for funding programs for Older Adults and other COA activities as part of said annual funding.

c. The COA, in order to carry out its purpose, shall have as its aims and goals in addition to those described in the incorporated Laws and Resolutions to:

i. Promote the general welfare and a better quality of life for the Older Adults, their Families, and their Caregivers (either formal or informal) located in Prince William County and the Cities of Manassas and Manassas Park.

ii. Cooperate with and advise the Agency and other organizations and groups in the furtherance of the general objectives and purpose of the COA.

iii. Promote and support legislation, rules and regulations beneficial to older adults and potential older adults of the Cities and County.

iv. Report to the BOCS and City Councils on the needs, problems, and desires of older adults, e.g., health, housing, recreation, transportation, education and security.

v. Maintain the Rules of Procedure to define, outline and enable operations of the COA.

vi. Prepare an Annual Report to the BOCS and the two City Councils each year. Copies to be provided either by formal submission through Staff Liaison or City Clerk as a non-action item or provided in-person by a COA Officer during a Governing Body's Citizens Time.

ARTICLE III – MEMBERSHIP

Section 1. Membership Description. The membership of the COA shall be comprised of the LGA and those recruited by the COA as Prince William Area Members (PWAM) described in Section 4 below. Fifty (50) percent of the membership will be age 60 and above in accordance with the referenced Code of Federal Regulations in Article II, Section 2c(3)(c) and shall be as broadly representative of all lay and professional elements described in Article II, Section 2c(1).

Section 2, Personal E-Mail Accounts.

a. Official Local Government e-mail addresses are not provided to Appointees or PWAM. Personal Accounts are used in connection with the transaction of COA's public business and are therefore part of the Public Record.

b. Library of Virginia's recommendation is to follow Records Retention Schedules for said documents (Schedule 19 - File Number 100893). See Article IV, Section 4a below for further information on retention and destruction.

Section 3. Local Government Appointees (LGA). The LGA shall consist of ten (10) regular members with vote. The BOCS shall appoint one member representing each Magisterial District and one At-Large member for a total of eight (8). The Cities of Manassas and Manassas Park shall appoint one member each. The three Local Governments' appointment policies in brief:

a. The County Appointees serve at the "Pleasure of the Board".

(1) The BOCS submit their nominations for approval by the full Board. A County Appointee serves until either submitting their resignation, or their appointment is terminated at the request of their Appointer. There is no term limit.

(2) The BOCS are elected every four (4) years. A newly elected Supervisor submits their nominations accordingly or a re-elected Supervisor may choose to nominate or re-nominate persons. The incumbent County Appointee continues to serve until officially notified otherwise.

b. The Manassas City Appointee has a "Term Limit" approved by a majority vote of the City Council. The standard term for appointment is four years. Individual is allowed to serve two consecutive full terms unless City Council approves otherwise. The COA Secretary will maintain the dates of the term appointment. (Reference: City of Manassas Policy Statement #P-2016-03 approved February 8, 2016; Amended February 11, 2019).

c. The Manassas Park Appointee serves at the "Pleasure of the Governing Body".

Section 4. Prince William Area Members (PWAM). The PWAM shall consist of members as described in Article II, Section 2c(1); with primary emphasis on family members, caregivers, health care and allied health organizations/professionals, and aging services providers (for profit and nonprofit). These members shall not require formal

appointment by a Local Government. The PWAM are encouraged to attend and participate in all meetings of the COA.

Section 5. Qualification of LGA Members. Appointed members shall be residents of their respective jurisdictions; qualified by knowledge of and participation in programs and activities that serve the needs of the older population of their jurisdiction.

Section 6. Compensation. All members shall serve without compensation. Expenditures related to purpose and functions of the COA shall be within amounts appropriated for such purposes within the Agency funding.

Section 7. Attendance at Meetings; Absence from Meetings; Record of Attendance.

a. Each LGA member shall attend at least nine (9) regular COA meetings per year and are expected to have no more than three (3) unexcused absences per year.

b. LGA Members who cannot attend should notify the Chair or the Secretary at the earliest possible time either via e-mail or telephone.

c. The Secretary shall keep a record of each LGA member's attendance using the standard format which reflects the meeting date, length of meeting, and whether LGA is present or absent. The report will be provided to the Agency Director on a quarterly basis.

d. The City of Manassas requires an attendance report on their Appointee be provided to the City Clerk on or before January 10 and July 10 each year. This report will be submitted using the City's format. A copy will be retained in the COA Correspondence File for the year of reporting.

Section 8. Resignation of Officer or Member. Any member may resign his or her position at any time by delivering written notice to the appropriate governing body and the COA. An Officer can resign from their elected position and still remain as a LGA. Any resignation shall become effective when the notice is delivered, unless the notice specifies a later date.

Section 9. Member Vacancies. Whenever appointed vacancies occur, the new term of appointment for such unfulfilled or expired term will be set by the respective jurisdiction. The filling of vacancies shall be considered a community interest that is best served by filling any vacancy as soon as possible.

ARTICLE IV – COA OFFICERS AND THEIR DUTIES

Section 1. Officer Positions.

a. The COA shall have four (4) Officer Positions. The Officers of the COA shall be LGA and consist of a Chair, Vice Chair, Secretary and Executive Committee Member. All Officers shall be elected by and serve at the pleasure of the COA.

b. An Officer, if circumstances so dictate, may be elected to and serve in two positions. In the event this occurs, two (2) Executive Committee Members shall be elected or appointed to ensure there are four (4) LGA serving as Officers of the Commission.

c. The additional Member shall either be elected by and serve at the pleasure of the COA, or if no nominations are received, shall be appointed by the Chair to serve a minimum of a three (3) months term on the Executive Committee. The Chair has the authority to extend this appointment for subsequent term or terms if the Member so elects to continue service on the Committee.

d. The Chair shall appoint the additional Member from the LGA who have not been elected to an Officer position. Appointments will be on a rotational basis through each of the County and City members.

e. As pertains to these articles, the word Chair shall denote a title, not a gender.

Section 2. Duties of the Chair.

a. To preside at all meetings of the COA and Executive Committee.

b. To appoint all committees or study groups deemed necessary for operation of the COA. This shall include any group to be formed at the request of the BOCS or City Councils.

c. To work with the Director of the Area Agency on Aging.

d. To keep the BOCS informed of the activities of the COA and work with members of the two cities to keep their respective councils informed.

e. To serve as ex-officio member of all committees with the exception of the Executive Committee or a committee formed at the request of a local jurisdiction. The Chair shall have no authority over the committees in which the Chair is attending as an ex-officio member and shall have no voting rights.

f. To perform other duties determined by the COA.

g. Is a Member of the Executive Committee (see Section 6 below).

Section 3. Duties of the Vice-Chair.

a. The Vice-Chair shall, in the absence of the Chair, perform the duties of the Chair and shall also perform duties assigned by the COA.

b. Is a Member of the Executive Committee.

Section 4. Duties of the Secretary.

a. Keep, as permanent records, accurate minutes of all meetings of the COA and Executive Committee. Records will be maintained for the active year and three (3) retained years then destroyed (minus historical items) in accordance with Library of Virginia General Schedule 19 - County and Local Governments - to wit:

#010024 - Agenda & Supporting Documentation Files

#010030 - Board, Commission, Conference & Committee Minutes

#100893 - Correspondence/Subject Files

b. Keep a copy of the following records:

(1) All Prince William County, Manassas and Manassas Park Resolutions related to the COA.

(2) COA Rules of Procedures and all amendments to them currently in effect.

(3) A list of names and addresses of the current members and officers. This list may include all contact information for COA members to include the PWAMs.

c. Shall serve as the Virginia Freedom of Information Act (FOIA) Point-of-Contact for the COA.² Provide copies to interested parties within a reasonable time following such request in accordance with the FOIA. All such requests will be coordinated with the Agency Director.

d. Coordinate with the Agency Website Manager to ensure timeliness of the information on the COA portion of the Agency website.

e. Ensure annual storage and maintenance of all original records at the office of the Agency following Prince William County policy. Annual collection will be transferred from the custody of the Secretary to the Agency each January. Destruction of the Records will be in accordance with Library of Virginia Standards for Record Retention & Disposition.

f. Prepare Meeting Handout Folders that, at a minimum, consist of the Agenda, all Minutes not previously reviewed and/or accepted for the record, and the COA Calendar and Membership Roster. Other items provided by the Agency Director or COA Members shall also be included and recorded in the Minutes. A copy of the meeting material will be mailed to Members who were not able to attend the meeting.

² Virginia Code §2,23704.2. *Public Bodies to Designate FOIA Officer*. 2016 Acts of the Assembly Chapter 748 approved April 20, 2016.

- g. Prepare the Annual Report.
- h. Perform other duties as determined by the COA.
- i. Is a Member of the Executive Committee.

Section 5. Duties of the Executive Committee Member.

- a. Shall have the right to full participation in the proceedings of the Committee and is subject to all other provisions within these Rules of Procedures as they relate to Officers and the Executive Committee.
- b. Shall serve as *Chair Pro Tem* in the absence of both the Chair and Vice Chair from a regular monthly meeting.
- c. To perform other duties determined by the COA.

Section 6. Executive Committee.

- a. The Executive Committee shall consist of the elected Officers, the Director of the Agency, and the immediate past Chair of the COA if the immediate past Chair is a current appointed member of the Commission. As pertains to these articles, the word "elected" includes the Chair-appointed Member if such exists.
- b. The COA Chair and Secretary shall be respectively, Chair and Secretary of the Executive Committee.
- c. It shall be the duty of this Committee to conduct the necessary business between meetings of the COA. When there is to be a Committee meeting, notice shall be given not later than three days prior to the meeting. All action taken will be brought to the next regular meeting of the COA and those items requiring consideration or ratification shall be so considered for same.
- d. It shall be the duty of this Committee to review and make recommendations or take action on all matters that relate to the COA's administration and training needs or requirements.

Section 7. Meeting Requirements for Officers. All officers are expected to attend all regular monthly meetings, all Executive Committee meetings, and all special meetings called by the Chair. Any officer failing to comply with the meeting requirements of Article III, Section ~~6~~ 7 for at least nine (9) regular monthly meetings and nine (9) executive meetings shall be removed from office at the next regular monthly meeting, unless the voting members of the Commission vote to reinstate after a thorough review and discussion. A vote for immediate reinstatement shall reset the missed meetings count to zero (0).

Section 8. Removal of an Officer. Any officer of the COA may be removed from office at any time by a resolution passed by an affirmative vote of a majority of the COA appointed members. The meeting notice shall state the purpose or one of the purposes of the meeting is the removal of the officer.

ARTICLE V – NOMINATIONS, ELECTIONS, AND TERMS OF OFFICERS

Section 1. Election of Officers. The elections shall occur at the December meeting when the Officer Terms are to expire. Officers shall be installed as the last item of business at same meeting.

Section 2. Term of Office. The term of office shall be for two (2) years beginning upon election and installation. The Chair will serve no more than two (2) consecutive full terms. A quorum must be present in order to constitute an election.

Section 3. Nominating Committee. This Committee shall consist of at least three members. Not later than October of each year, the COA shall appoint members to this Committee who shall present a Slate of Nominees at the December meeting. Nominations may also be made from the floor at that time.

Section 4. Election Procedure: The Nominating Committee will present the Slate and the COA will vote to accept same. Chair will call for any nominations from the floor. Chair will close nominations. Additionally, the Chair will call for either vote per candidate or block vote of the Slate. All voting is by voice vote; no written ballots permitted.

Section 5. Officer Vacancy. Any vacancy occurring in the offices shall be filled by the COA not later than the second (2nd) scheduled meeting after known vacancy.

ARTICLE VI – MEETINGS

Section 1. Meetings.

a. The COA is a *public body* as defined in the Virginia Freedom of Information Act (FOIA) (VA Code 2.2-3707 et al.) and "meetings" are when sitting physically as a body (in full or in part); or as an informal assemblage of as many as three (3) members to conduct public business.

b. The definition includes all committees, subcommittees, and work groups created to perform specific tasks or functions within the COA; organized as such to advise the Commission, the Agency, or a Local Government. This shall not exclude any of the above meeting types because it has private sector or citizen members.

c. When members are asked to serve on a Work Group organized by the Agency Director or other Local Government employee to advise same, this Work Group is not a *public body* as defined in the FOIA. The participation is to advise a government employee and not a Local Government. Procedures regarding announcement of a meeting contained within this Article do not apply; however, the records or end work product of this Work Group is subject to the FOIA. (Reference: Virginia FOIA Advisory Council Decisions AO-11-09, AO-11-07, and AO-08-08.)

d. Minutes shall be prepared by the Secretary, or by a member designated as the Recorder, for all meetings following the COA standard formats which meet the criteria of VA Code 2.2-3707-I (date, time, location, who is present, summary of discussions/decisions, and votes taken). Minutes which require membership approval will be forwarded to the Agency Website Manager within seven working days of final approval.

e. Nothing in this Article of the Virginia Code or these Rules shall be interpreted as to prohibit the gathering or attendance of two or more members of the COA:

(1) At any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of Commission business; or such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the COA.

(2) At any public forum (to include conferences and seminars) where the performance of the COA, either an individual member or collectively, may be a topic of discussion or debate. Any comments made by a member should be limited to what is already part of published public records of the Commission or other public body.

f. A LGA of the COA may participate in a Regular or Special Meeting through electronic communication (meaning via telephone) from a remote location that is not open to the public only as follows and subject to the requirements shown below. (Reference: Virginia Code § 2.2-3708.1)

(1) If on or before the day of a meeting, the LGA notifies the Chair they are unable to attend the meeting due to an emergency or personal matter and requests to participate via telephone, and identifies the nature of the emergency or personal matter, the request will be approved and recorded in the Minutes. Record will reflect the nature of the emergency or personal matter and the remote location from where the person participated. Such participation shall be limited each Calendar Year to two (2) meetings a year.

(2) If the LGA notifies the Chair they are unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents physical attendance; or a family member's medical condition that requires the LGA to provide care for such family member, thereby preventing their physical attendance, the request

will be approved and recorded in the Minutes with the record reflecting the same as for Subparagraph 1f(1) above.

(3) The following conditions apply for participation from a remote location: a quorum of the COA must be physically assembled in the scheduled meeting location, and a telephone equipped with internal or external speaker must be available so the voice of the remote participant can be heard by all persons at the meeting location.

g. Meeting during state of emergency without a quorum physically assembled:

(1) The COA may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor or a Local Government Authority has declared a state of emergency in accordance with Virginia Code § 44-146.17, provided that the nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and

(2) The COA shall:

(a) Give public notice using the best available method given the nature of the emergency at the same time the notice is provided to all members of the public body conducting the meeting.

(b) Make arrangements for public access to such meeting when possible through electronic means.

(c) And the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

Section 2. Notice of Meetings. When as many as three (3) COA members gather to conduct public business, the meeting (as defined in Section 1) must be announced three (3) days in advance. The exception will be Special Meetings as defined in Section 5 below. The notice shall be posted in the McCoart Building, the Agency office and also posted to the COA calendar on the Agency website to ensure compliance with the Virginia FOIA (VA Code 2.2-3707-C and D).

Section 3. Number of Annual Meetings. At least ten (10) regular meetings shall be held annually at a time and location determined by the COA. An Annual Meeting Calendar will be published as part of the *Fiscal Year Area Plan on Aging for the Prince William Area Agency on Aging* each July.

Section 4. When There Will Be No Meetings. The COA will not meet on holidays or any day when the scheduled locations for a meeting are closed because of hazardous road conditions.

Section 5. Special Meetings. Special meetings may be called by the Chair or upon written request from a COA member with notice of not less than five (5) business days prior to the meeting to allow for announcement. The agenda for such meetings shall be limited to the subjects identified in the call.

Section 6. Closed Meetings. Closed meetings can be called by the Chair or requested by any COA member when the purpose meets the criteria of Virginia Code Sec. 2.2-3711. It is anticipated this Section will be used with relation to discussion of personnel matters related to Public Officers, Appointees or Employees of any Public Body (§2.2-3711.A.1) or to protect the privacy of individuals in personal matters not related to public business (§2.2-3711.A.4).

Section 7. Public Meetings and Input Sessions. Public meetings shall be conducted as required by federal and state law and directives. The COA may also conduct public input sessions as it deems necessary to obtain feedback from the community.

Section 8. Quorum and Discussion Participation. The quorum for any regular, special or closed meeting shall not be less than fifty (50) percent of the LGA, one of which is the Chair or Vice-Chair. All those in attendance - LGA, PWAM and Visitors - are encouraged to participate in discussion within the context of the meeting's Agenda.

Section 9. Robert's Rules of Order. Meetings shall be conducted using the most current edition of *Robert's Rules of Order Newly Revised* to the extent they apply and are not inconsistent with COA meeting procedures.

Section 10. Preservation of Decorum and Order:

a. Decorum by COA members shall be maintained in order to expedite disposition of the business before the Commission. The Chair or designated presiding officer shall decide on questions of order. Decorum of adults other than COA members shall be maintained by the Chair.

b. Any member shall have the right to express dissent from, or protest against any, action of the COA, and have the reason therefore entered into the minutes. Such dissent or protest must be filed in writing using respectful language and presented at the next regular scheduled meeting. In the event the issue cannot be resolved internally, the written protest will be forwarded by the Chair to the Agency Director, with a copy to the LGA's Appointer, requesting assistance from the appropriate Prince William County government office or either City's equivalent office. This does not preclude the LGA Member from submitting such dissent or protest directly to their Appointer with a copy to the Chair.

ARTICLE VII – COMMITTEES AND LIAISONS

Section 1. Committees. The Chair may appoint study groups, standing or ad-hoc committees as the work of the COA may require, and may designate which member shall

act as Chair. These committees shall follow the procedures for meetings as outlined in Article VI. These committees may include members of the greater Prince William Area as deemed appropriate.

Section 2. Prince William Housing Board Member. The COA has a permanent voting member on the Prince William County Housing Board. This member shall be nominated from the LGA, or an interested PWAM, and appointed to the Housing Board by the BOCS. This member shall provide updates on the Housing Board activities at the regular monthly meeting.

Section 3. Liaisons. Liaisons with Prince William Area entities or activities which compliment the mission of the Agency and the COA is encouraged. Reports from these Liaisons shall be included in the regular monthly meeting when a standing relationship is established by the COA.

Section 4. Legislation Advocacy. Legislation advocacy shall be coordinated with the Agency Director and through the PWC Legislative Director, and with respective City Governments' Legislative Committees. The COA may also collectively comment, when requested to do so, on legislative platforms of local, regional and national organizations which compliment the mission of the Agency and COA. Copies of the Annual Legislative Program will be provided to the County and two City Councils for consideration of inclusion in their respective programs or advocacy.

ARTICLE VIII – RULES OF PROCEDURE AND AMENDMENTS

Section 1. Voting and Notification Procedure. These Rules may be adopted, amended, altered, changed, or repealed by a two-thirds vote of the COA members present at a regular or special meeting. Members will be given at least one (1) month's written notice of any proposed changes.

Section 2. Review Period of Rules. These Rules shall be reviewed by the Executive Committee for possible revision at periods of not less than two (2) years beginning with January 2017, and every other year from that date forward.

Section 3. Supersession. These Rules supersede all previous Bylaws versions and amendments shown in the table below.

Bylaws approved October 23, 2012 as Amended through September 24, 2013
Bylaws approved August 28, 2007 as Amended through November 23, 2010
Bylaws approved January 4, 2000 as Amended through December 20, 2005
All Bylaws Editions back to February 24, 1976 for which no copies are available

Section 4. Amendments. Future revisions to these Rules shall be recorded in this section by Article and Section number, with annotation as to purpose of modification.

a. Amendment 1 of March 26, 2019, revised Article III - Membership, Section 3 – Local Government Appointees pertaining only to the Manassas City Appointee. Section 3b changed Term of Appointment from “Pleasure of Council” to “Term Limit”. City of Manassas Policy Statement #P-2016-03 is the authority for change.

b. Administrative edit on March 26, 2019, to place an “End Note “within Appendix C to reflect historical notations discontinued as the COA began maintaining a historical file following Library of Virginia recommendation in 2008. Additional administrative edit made to Article II, Section 2a to have the reason why COA changed from “Bylaws” to “Rules of Procedure” in more prominent location. Article II Section 2 subparagraphs sequenced after creation of the new Section 2a.

c. Amendment 2 of May 25, 2019, revised Article VI – Meetings, Section 1 – Meetings to add changes related to Virginia FOIA signed into law during the 2021 General Assembly Session. Changes as follows:

“Paragraph f (2): If the LGA notifies the Chair they are unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents physical attendance; **or a family member’s medical condition that requires the LGA to provide care for such family member, thereby preventing their physical attendance**, the request will be approved and recorded in the Minutes with the record reflecting the same as for Subparagraph 1f(1) above.

Add Paragraph g as follows:

g. Meeting during state of emergency without a quorum physically assembled:

(1) The COA may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor or a Local Government Authority has declared a state of emergency in accordance with Virginia Code § 44-146.17, provided that the nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and

(2) The COA shall:

(a) Give public notice using the best available method given the nature of the emergency at the same time the notice is provided to all members of the public body conducting the meeting.

(b) Make arrangements for public access to such meeting when possible through electronic means.

(c) And the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.”

d. Amendment 3 of August 23, 2022, revised Article VI – Meetings, Section 1 – Paragraph 1d to add changes related to Virginia FOIA. 2022 Acts of Assembly – Chapter 396: requires any Local Public Body to post minutes of its meetings on official website within seven working days of final approval (AAA website designated by the COA on August 27, 2007, as our “official” website). Changes (in italics) as follows:

“Minutes shall be prepared by the Secretary, or by a member designated as the Recorder, for all meetings following the COA standard formats which meet the criteria of VA Code 2.2-3701-1 (date, time, location, who is present, summary of discussions/decisions, and votes taken). *Minutes which require membership approval will be forwarded to the Agency Website Manager within seven working days of final approval.*”

ARTICLE IX

Nothing in these Rules shall be construed to waive or limit in any way the applicability of Sovereign Immunity. Sovereign Immunity, under common law doctrine, serves to insulate the Commonwealth of Virginia and its political subdivisions, including localities, from tort liability.

For the Record: Actions for adoption of the 2017 Rules of Procedures

Notice given for Change: Announcement made at the January 24, 2017, meeting with reason provided for changing from "Bylaws" to "Rules of Procedure" given. Draft will be provided for review and edit at the February 28, 2017 meeting with goal of adoption at the March 28, 2017 meeting.

Presentation of First Draft: First draft presented on February 28, 2017. Motion made by Charlie Montgomery to accept draft with edits for vote at the next regular meeting on March 28, 2017 pending final review at said meeting. Seconded by Lana Tobey
Vote: Unanimous.

Presentation of Final Draft and Adoption:

Final draft presented on March 28, 2017. Motion made by Charlie Montgomery to accept final version with all changes. Seconded by Edna Garr. Vote: Unanimous.

Motion made by Nancy West to rescind the current 2012 Edition of the COA Bylaws and all revisions to same. Seconded by Lana Tobey. Vote: Unanimous.

Motion made by Len Postman to adopt the 2017 Rules of Procedure for immediate implementation on March 28, 2017. Seconded by Edna Garr. Vote: Unanimous.

Amendment 1 Actions:

February 26, 2019: Notice of Change to Article III, Section 3, presented in writing to comply with 30-day announcement requirement. Recommendations for the Appendix C “End Note” added.

March 26, 2019: Motion made by Len Postman with second by Nancy West to accept the language of the amendment as written. No discussion. Vote: Unanimous.

Amendment 2 Actions:

April 17, 2021: Proposed changes accepted by uniform agreement. Notice fulfilled Rules of Procedure requirement for 30-day notice of changes. Vote to approve will be on May 25, 2021.

May 25, 2021: Motion by Robert Chase with second by William Selfridge to adopt the changes as published on the notice dated April 27, 2021. No discussion. Voice Vote: Unanimous.

Amendment 3 Actions:

July 26, 2022: Notice fulfills Rules of Procedure requirement for 30-day notice of changes. After review, discussion and agreement, action placed on the August 23, 2022, Agenda – Item 7 – Old Business for final approval.

August 23, 2022: Motion by Diana Paguaga with second by Eileen Fowler to adopt the changes as published on the noticed dated July 28, 2022. No discussion. Voice Vote: Unanimous.

* * * Original Signed * * * *

Raymond M. Beverage, COA Secretary

APPENDIX

Appendix A: Abbreviations or Acronyms

Appendix B: Glossary

Appendix C: History and Background on the Formation of the Prince William Commission on Aging and the Prince William Area Agency on Aging 1975 to 2008

APPENDIX A

ABBREVIATIONS or ACRONYMS

ADRC	Aging & Disability Resources Connection
Agency	Prince William Area Agency on Aging
BOCS	Prince William Board of County Supervisors
COA	Prince William Commission on Aging
DARS	Virginia Department for Aging and Rehabilitative Services
FOIA	Virginia Freedom of Information Act (VA Code Sec. 2.2-3700 et al.).
LGA	Local Government Appointee
P.L.	Public Law of the United States
PWAM	Prince William Area Member
PWC	Prince William County
USC	United States Code

APPENDIX B

Glossary

<u>Term</u>	<u>Definition</u>
Advisory	The term refers to providing advice, consultation, recommendations and information on the concerns, issues, problems, programs and services of or for the Prince William area older adults, family caregivers and other parties generally identified, but not limited to those in Article II, Section 2c(1) of these Rules. This advisory duty is to the greater community, the Agency and the local governments and their agencies.
Advocate (Advocacy)	Seeking support for the aging programs and services from local governments, businesses and organizations. Advocacy to the Federal and State governments is in coordination with the Agency and Prince William County Legislative Office. Advocacy includes aging concerns of both individuals and groups.
Agency	The term refers to the Prince William Area Agency on Aging which provides programs and services under the Older Americans Act, the Virginia State Code and Virginia Department for the Aging & Rehabilitative Services.
Agency Website Manager	The employee in the Agency responsible to maintain and update information on the Prince William County website for the Agency. The Secretary shall assist this employee with timeliness of COA information placed on the site.
Aging & Disability Resources Connection (ADRC)	"Resources Connection" is the term used in Virginia. The Older Americans Act Title I, Section 102(4) states the following and the meaning is the same as here in Virginia: "The term 'Aging and Disability Resource Center' means an entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older individuals and individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), and the caregivers of older individuals and individuals with disabilities, that provides— (A) comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs that provide long-term

care services and supports through home and community-based service programs;

(B) person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and developing and implementing a person-centered plan for long-term care that is consistent with the desires of such an individual and designed to meet the individual's specific needs, goals, and circumstances;

(C) access for individuals to the full range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and

(D) in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community."

Aging Services	Refers to the requirements of programs and services as stated in the Older Americans Act and Virginia Code 2.2-703. Specifics shall be in the <i>Fiscal Year Area Plan on Aging for the Prince William Area Agency on Aging</i> .
Area Plan	Describes the scope of services and programs to be provided by the Agency with funding from the US Agency on Aging, the Virginia Department for the Aging & Rehabilitative Services, and tri-jurisdictional sources.
Caregiver	An individual who has the responsibility for the care of an older individual, either voluntarily, by contract, by receipt of payment for care, or as a result of the operation of law and means a family member or other individual who provides (on behalf of such individual or of a public or private agency, organization, or institution) compensated or uncompensated care to an older individual. (definition from Title I, Older Americans Act) The term ' <u>family caregiver</u> ' means an adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an individual with

	Alzheimer’s disease or a related disorder with neurological and organic brain dysfunction. (Title III, Older Americans Act)
COA Member	An adult individual who is either a tri-jurisdiction appointed member or is a volunteer individual or representative of a business or organization from the Prince William County Area recruited to serve on the COA. See Article III of these Bylaws.
Commissioner	An appointed member of the COA.
Disability	The term means, with respect to an individual, (a) a physical or mental impairment that substantially limits one or more Major Life Activities of such individual; (b) a record of such impairment; or (c) being regarded as having such an impairment. The term shall not apply to impairments that are transitory (actual or expected duration of 3 months or less) and minor. [Sec. 12102(1) and (3), ADA of 1990 as Amended] "Major Life Activity" defined below.
Elderly	A term used to describe an older adult age 75+. This is the age where the older adult most often begins using the services of the Agency, e.g. congregate meals and in-home (U.S. Agency on Aging definition). See “older adult” definition below.
Entities	Refers to government agencies/offices, public and private organizations or activities, and both for profit and nonprofit businesses or organizations.
Health	Refers to disease prevention and health programs or services conducted by the Agency, area health providers or allied health professionals and institutes of higher learning to include mental health. Also includes evidence-based health promotion/education programs for chronic disease and overall preventive health education as related to age-related infirmities; physical activity and nutrition.
Interested Party	Refers to an individual, group, organization and other entities which have an interest in aging issues or the activities of the Commission.
Legislative Matter	Business items which require the COA to pass a formal resolution.
Major Life Activities	include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing,

learning, reading, concentrating, thinking, communicating, and working. Major Life Activities also include operation of a major bodily function [ADA Sec. 12102(2)(A)(B)]

Older adult	As defined in Title I of the Older Americans Act, an older adult means an individual who is 60 years of age or older. The Act uses the term “older individual” which shall mean the same as “older adult” throughout these Rules.
Potential Older Adult	A term used to define, for short-term planning (1 to 3 years) and near-term planning (3 to 5 years), older adults age 55 – 59.
Senior	The term in common usage which refers to an adult age 65+ and is based on the traditional/historical retirement age. Older adult/individual and elderly are now being used more frequently in aging services. See definitions above for older adult and elderly.
Senior Center	Defined in Title I of the Older Americans Act as “a community facility providing a broad spectrum of services which shall include provisions for health (including mental health), social, nutritional, and educational services and the provision of facilities for recreational activities for older individuals”.
Term Limit	A jurisdiction appointment of a member for a specific period of time; normally of four years. The term may be less if the member is appointed to fill an unexpired term of a previous member who has resigned from the Commission or the governing body limits the term to best serve their interest.
Tri-Jurisdiction	The local governments of Manassas, Manassas Park and Prince William County. The term “governing body” within these Rules also refers to these jurisdictions as individual entities. This term used in place of the 1977 “multi-jurisdictional” and shall mean the same.
Without Term Limit	This term applies to the recruited Prince William Area Members (see the manual under “Membership” section for additional information) and may apply to a tri-jurisdiction appointed member. There is no specific period of time as with “term limit”. An appointed member “without term” serves at the pleasure of the government board or council per the appointment letter or document.

APPENDIX C

History and Background on the Formation of the Prince William Commission on Aging and the Prince William Area Agency on Aging 1975 to 2008

The following information has been compiled from Prince William Board of County Supervisors documents; articles in the *Potomac News – Manassas Journal Messenger*; and from the *Prince William County Newsletter*, a private publication on file at RELIC, Bull Run Library. This is not meant to be a comprehensive history as prior to 1976; there are scant materials available to obtain information from.

1975

- The initial references to the Commission on Aging can be found in the BOCS Minutes of February 24, 1975 with the appointment of Mrs. Adelaide Cavanaugh and Mrs. Sylvia Centers to the Commission. On March 14, 1975, Mrs., Lorraine Lassister was also appointed. There was no locatable reference in 1975 to neither additional appointments nor a formal resolution to create or charter the Commission.
- The Senior Nutrition Program on May 20, 1975 was transferred from Social Services to Parks and Recreation. The meal program was conducted at the County schools.

1976

- On February 24, 1976, the Commission was formerly chartered on BOCS Resolution 76-7-9 with membership to be “no less than 7 nor more than 12 members, appointed by the Board of County Supervisors”. The Commission was originally placed under the Director of Parks and Recreation for staff assistance.

Resolution 76-7-9 noted that there was an increasing number of “the aging” in the county; tax relief measures for low-income elderly property owners had been enacted (this had occurred in 1975); the Senior Nutrition Project had been initiated using school cafeterias; that an Information, Referral and Tracking Program was begun (under Social Services); and the need to establish a focus point within the County for identifying and serving the needs of the aging population led to creation of the Commission.

- The Commission received \$650 in funding by the BOCS in 1976. Other funding in 1976 was the Senior Nutrition Program receiving \$43,287 in funding from the Northern Virginia Area Agency on Aging.

- The Commission in 1976 had a Grants Coordinator, and on December 3 “the Board adopted two recommendations from Grants Coordinator Henry Bibber. These included setting up a multi-jurisdictional advisory Commission on Aging with Manassas and Manassas Park. This group will make recommendations on Title III funds”.

1977

- The multi-jurisdictional Commission on Aging was formed in 1977 with adoption by PWC on Resolution 77-24-4 on June 14, 1977, and subsequently by the City Councils of Manassas on July 18, 1977 and Manassas Park on September 12, 1977. The major change on this resolution was to change the two year terms to “at the pleasure of their respective bodies.”
- Also on June 14, 1977 on BOCS Resolution 77-24-5, a funding formula for this multi-jurisdictional Commission was recommended to be on a per capita basis, using Tayloe-Murphy Institute census figure. (This Institute was located at the University of Virginia, and was merged with the UVA Institute of Government in 1987 to form the UVA Weldon Cooper Center for Public Service.)

1978

- The “Manassas Area Office on Aging” opened in 1978 as part of the County Government. Prior to this date, all five Northern Virginia Counties were one Area Agency on Aging located in Fairfax, and this was the beginnings of the separation into five agencies each serving their respective counties. Formerly designated as an Area Agency on Aging by the Virginia Office on Aging on October 1, 1979. **Note:** the Virginia Office on Aging also underwent a name change to Virginia Department for the Aging.
- In 1978, the Chairperson for the COA, and several senior citizens of PWC requested a tour bus from the BOCS, which would be replaced on a 10-year cycle. At that time, a bus replacement fund was established by which participants would contribute toward the replacement of the bus via a nominal fee on each trip taken; with those funds marked to be used to purchase future buses on a 10-year cycle.

1979

- The Office on Aging was renamed to “Prince William Area Agency on Aging” by the BOCS on October 30, 1979 following action by the two cities to agree with the definition of the service area.
- The first reference found to Meals on Wheels was in November 1979. At that time, MOW was delivered by the American Red Cross Chapter with the meals prepared at Prince William Hospital.

1980

- The first Bluebird Bus (so named because that is the corporation's name and the distinctive symbol of a "bluebird") was delivered in February 1980. Per the 10-year replacement cycle, the second Bluebird Bus was purchased in 1990 with both the bus replacement funds as well as funds from the BOCS. In 1999, because of an accident, the third Bluebird Bus was purchased via several funding sources: (1) the replacement fund; (2) funding from the BOCS; and (3) Federal dollars.
- The Bluebird Tour Program, after the purchase of the bus in February 1980, was planned by the COA and a part-time driver was hired as Agency Staff. By April 1980, a full-time position was created in the Agency to take over trip planning and driving the bus.
- BOCS approved appointment of alternates to the Commission on October 14, 1980, a provision not made in the original charter.

1983

- Senior Center Woodbridge established in 1983.

1986

- Senior Center Manassas established in 1986.

1991

- On December 10, 1991 the BOCS approved the expansion of the Commission membership to include an At-Large regular and alternate appointee. Prior to this, the Commission included 7 regular and 7 alternate County appointees, two regular and two alternate Manassas appointees, and one regular and one alternate Manassas Park appointees.

1999

- On October 12th, Supervisor Barg directed the staff to review the impact of reducing the age for use of the Senior Centers (DIR 99-175). On November 16, 1999 the eligibility age for the Senior Centers was lowered from Age 60 to 55 and approved by the BOCS on Resolution No. 99-1024.

2000

- The Bluebird Program, in 2000, had a full-time Tour Coordinator as well as a full-time driver on Agency Staff.

2001

- The Senior Centers membership “fee” was proposed by Paul Mitchell of the COA, in February 2001, to be raised from \$15 a year to \$18 and went into effect July 2001.

2002

- The Bluebird Program, in July 2002, added a part-time Administrative Support Assistant I bringing the Agency Staff support for the program to 2.5 FTEs. The funding source for the expenses of the Driver and Administrative Support was intended to be the participant fees.

2006

- By July 2006, the Bluebird Program was losing participants with a decrease of 31% over the five year period of FY2002 – FY 2007. Only 61% of all the planned trips had run impacting sustainability of the program. The Agency, in coordination and with the consent the Bluebird Committee, raised the participation fee in August 2006. The Bus was also having reliability problems with frequent breakdowns and electrical problems.
- Courtney Tierney, MSW became the Agency Director on October 1, 2006.
- Universal Design Demonstration House opened December 2nd with the Grand Opening Celebration on December 5th. The demonstration was the result of a public-private partnership Coalition evolving from the efforts of the Agency. This Coalition was comprised of representatives of other County Departments, businesses, building industry experts, Human Services providers and interested citizens. The purpose is to educate the community and industry leaders, locally, regionally, and nationally on Universal Design with tours provided by trained volunteers until Spring 2007.

2007

- By January 2007, the Bluebird Program was continuing to have both financial and bus reliability issues. The Agency Director formed the idea to convert the current program from a county-owned bus service, to a chartered bus service. A presentation was given to the COA, the Bluebird Committee and the interested public on the concept.
- The changes to the Bluebird Program were approved by the BOCS on Resolution No. 07-144 dated February 20, 2007. Specifically: “Continue the Bluebird Program and Maintain the Program’s Fiscal Solvency by Changing to Commercial Carrier Service Solely Requiring a Change-in-Position, a Reduction-

in-Force, the Sale of the Bluebird Bus and the Use of the Bus Replacement Fund to Subsidize Trips”.

- Paul W. Mitchell, after celebrating his 90th birthday on March 3rd, announced his retirement from the COA after 28 years as one of the City of Manassas’s members. Paul began his volunteer work in the Prince William Area in 1946, and is one of the founding members of the Senior Center Manassas, and served on the SCM Advisory Council from 1984 till 2005. The City of Manassas presented Paul a two-page, framed copy of Resolution No. 2007-68 on March 12th – this two-page resolution was a first in the history of the City.
- The Universal Design Demonstration House closed on April 26, 2007.

2008

- In May 2008, Marion Lee retired from her appointment as the Dumfries District Alternate member. Marion was appointed in March 1996 and had almost perfect attendance during her 12 years of service. She also wrote a weekly column for the Potomac News/Manassas Journal Messenger; served on the Bluebird Committee; and worked with PWC Park Authority on Senior Olympics.
- Paul Mitchell died on May 22nd at the age of 91. Courtney Tierney, Agency Director, and Bert Buscher, COA Chair, spoke at his funeral service on May 30th.
- Senior Center Woodbridge celebrated its 25th Anniversary on Friday, September 12th.
- Jean C. Smith, the Alternate Commissioner for the Neabsco District, died at the age of 39 on December 19th. Jean was appointed to the COA in June 2008.

*** * * END NOTE * * ***

Historical notations discontinued as the COA began maintaining a historical file following Library of Virginia recommendation in 2008.