



Loudoun County, Virginia

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Office of the County Administrator

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Wednesday, June 5, 2013 at 4:00 p.m.

IN RE: FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE  
REPORT: AMENDMENTS TO BYLAWS/COMMUNICATIONS  
COMMISSION

Mr. Buona moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to approve the revised Communications Commission Bylaws, dated February 2013.

Seconded by Mr. Williams.

Voting on the Motion: Supervisors Buona, Clarke, Delgaudio, Higgins, Letourneau, Reid, Volpe, Williams and York- Yes; None – No.

  
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DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS

(201-FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT: AMENDMENTS TO BYLAWS/COMMUNICATIONS COMMISSION)

## **ATTACHMENT**

### **COMMUNICATIONS COMMISSION BY-LAWS**

#### **Article 1 – Name**

The name of this organization shall be the Loudoun County Communications Commission, hereinafter referred to as “the Commission.” Hereafter, the term “Communications” includes Cable, OVS Systems, Broadband and other communications infrastructure to include both wired and wireless.

#### **Article II - Scope of the Commission**

The Commission exists for the purpose of: (a) providing advice and recommendations to the Board of Supervisors pertaining to Broadband, Cable Franchise Operators, Open Video Systems (OVS) Operators, and other related Cable Television and video services within Loudoun County; (b) providing advice and support by participating in the review of new Franchise agreements and renewal Franchise agreements with the service providers; (c) identifying and making recommendations to remedy deviations from performance and customer service standards related to the quality of service arising from Cable and OVS operations; (d) providing Loudoun County residents a forum for discussing issues relating to Broadband, Cable and OVS operations; (e) providing citizens with information when requesting broadband, cable and OVS services from Franchisees (f) making recommendations to the Board of Supervisors regarding changes needed to governing ordinances, policies, and procedures, pertaining to Broadband, Cable and OVS operations; (g) providing advice and recommendations to an independent operator for public access programming, if one is so designated by the Board of Supervisors (h) providing support to other public, educational and government programming for Loudoun County residents, (i) providing advice and recommendations to the Board of Supervisors regarding expanded broadband and other communications infrastructure (j) serving as a resource to all other County commissions for broadband and cable related technologies and (k) performing all other duties as assigned by the Board of Supervisors.

#### **Article III – Duties**

The Commission shall provide advice and recommendations to the Board of Supervisors, County Staff and other County Commissions, concerning: Communications best practices; local regulation of Cable and OVS services; independent public access (if one is so designated by the Board of Supervisors) and other providers of Communications within Loudoun County. The Commission shall make recommendations to the Board of Supervisors as to minimum standards for Communications that may be included and made a part of ordinances and for the regulation of Cable and OVS services. Further, the Commission shall apprise the Board of Supervisors of regulatory developments and recommend amendments to the local Cable Television ordinance, OVS agreements and other operating agreements. The Commission shall report annually, at minimum, to the Board and shall perform other duties as assigned by the Board of Supervisors. The Commission may provide outreach to stakeholders such as citizen groups and technology vendors through venues such as HOA meetings and community forums.

## **Article IV – Membership**

Section 1. The Commission shall consist of 10 members, nine appointed by the Board of Supervisors, and one additional member who is a representative of the Loudoun County Public Schools.

Section 2. Commission members will serve as designated by the Board of Supervisors and serve until the end of the Board of Supervisors' term, and until their replacement is publicly appointed. Commissioners who are not serving until the end of their appointed term expires shall notify, when possible, the Board of Supervisors as far ahead as possible so that a replacement to serve out their term can be solicited from the public.

## **Article V – Officers**

Section 1. The elected officers shall be a Chairman, Vice-Chairman, and Secretary. At the discretion of the Commission, a Co-Vice-Chairman may be elected from among the appointed members. Election of officers will take place at the first organizational meeting of the calendar year.

Section 2. Officers shall serve a term of one year from the annual meeting at which they are elected until their successors are duly elected.

Section 3. The Chairman shall preside at all meetings of the Commission, call special meetings, appoint all standing and ad hoc committees, order research and execute all documents as authorized by the Commission, serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.

Section 4. The Vice-Chairman, in the event of the absence or disability of the Chairman, or of a vacancy in that office, shall assume and perform the duties and functions of the chairman. If a Co-Vice-Chairman is elected, then in the event of the absence or disability of the Chairman and Vice-Chairman, or of vacancies in both of those offices, the Co-Vice-Chairman shall assume and perform the duties and functions of the Chairman.

Section 5. A recording secretary shall keep a true and accurate record of all meetings of the Commission, and shall issue notice of all regular and special meetings. The Recording Secretary shall not be a member of the Commission.

Section 6. A secretary elected by the Commission shall keep action minutes of all meetings. In the event the secretary is not available, the recording secretary shall keep the action minutes.

## **Article VI – Meetings**

Section 1. The annual meeting, which shall be for the purpose of the election of officers, setting the schedule and location of regular meetings and consideration of old and new business, shall be the first regular meeting after January 1 of each year.

Section 2. Meetings shall be set by the Commission at its annual meeting with other meetings scheduled in accordance with Article VI, sections 3 and 4. In the event that a Commission meeting is scheduled on a day in which the public schools are closed due to inclement weather, the meeting shall be automatically postponed. The

Chairman shall reschedule the meeting. The Chairman may review the planned agenda and determine that there is not sufficient business to conduct during a regularly scheduled or postponed meeting, and may elect to postpone the transaction of business until the next regularly scheduled meeting. The Recording Secretary shall notify all members of the commission

Section 3. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

- a) Call to order
- b) Public comments per the discretion of the Commission Chairperson
- c) Disposition of minutes of previous regular meeting and any intervening special meeting
- d) Committee reports
- e) Providers' Operations Reports
- f) Old business
- g) New business
- h) Adjournment

Section 4. Special meetings may be called at the direction of the Chairman, or at the request of two members, for the transaction of business as stated in the call for the meeting.

Section 5. A quorum for the transaction of business at any meeting shall consist of five (5) members of the Commission.

Section 6. Proceedings of all meetings shall be governed by Roberts Rules of Order, Newly Revised (latest edition).

Section 7. An affirmative vote of the majority of all members of the Commission present and voting at the time shall be necessary to approve any action before the Commission. The Chairman may vote upon and may move or second a proposal before the Commission.

Section 8. The Commission shall cause to be recorded, minutes of all its meetings and proceedings which shall be kept open and made available for public inspection at reasonable times. The Commission shall also cause the minutes to be made available to each member of the Commission not less than one week prior to the next regularly scheduled meeting of the Commission, and to the Board of Supervisors, the Public Affairs and Communication Officer, and the appropriate franchise representatives of Cable and OVS service providers that have transacted or plan to transact business with the Commission.

*Revised February 2013.*