



Proposed Bylaw Amendment

At our June meeting we discussed a proposed by-laws amendment that would allow the PDC Chair to serve successive terms. Two of the PDC members indicated they were opposed to the change in order to keep the Chair in rotation among jurisdictions. It was further suggested that the language offered in the proposed amendment was not complete and still left questions about the Chair's ability to succeed him/herself.

Staff reviewed the language with Mr. Ted Craddock of Caskie Frost attorneys in Lynchburg. Mr. Craddock has been the PDC attorney for many years and serves several other governmental focused organizations such as the Lynchburg EDA. Mr. Craddock recommends the following additional language highlighted in red:

1. Bylaws, Article V – Bylaws Amendment presented for consideration

Section 2 - Terms of Office. Commission officers shall be elected for terms of one (1) year or until his/her successor is elected and shall be eligible for reelection

Section 3 - Succession to Office. Officers may be reelected to office, ~~with the exception of the chair, who may not succeed himself, if the chair has served a full twelve month term.~~ **Unless the Chair is reelected for a subsequent term, the** This chair shall rotate on a one-year basis by governmental subdivision in alphabetical sequence until each governmental subdivision has had the opportunity of a Commission member to serve as chair before any governmental subdivision may again have representation in the chair's position. If the Commission is representing a governmental subdivision decline the chairmanship that particular governmental subdivision shall relinquish its turn until every other governmental subdivision has had the opportunity of a Commission member to serve as chair.

Bylaws, Article XI

AMENDMENTS. Any proposed amendment to these bylaws shall be presented in writing to the members of the Commission and read at a regular Commission meeting. The members of the Commission shall have at least thirty (30) days to review the proposed amendments. At a regular meeting of the Commission thereafter, a majority vote of the full Commission shall be required to adopt any proposed amendment to the bylaws.

Recommended Action:

The Commission should continue discussion about whether to amend the bylaws to allow the Chair to succeed him/herself. If we continue, we'll need to send a notice with the revised language and consider the amendment 30 days afterwards.