

Amended October 28, 1999

**CHARTER AGREEMENT OF THE
ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION**

NOW, THEREFORE, it is agreed that:

ARTICLE I

Name, Location, Authority, Purpose

- Section 1 The name of this organization shall be the Roanoke Valley-Alleghany Regional Commission, hereinafter called the "Commission".

- Section 2 The principal office of the Commission shall be located in the City of Roanoke, Virginia. The location of the principal office may be changed by the concurrence of three-fourths of the Commission membership; provided, however, that the clerk of the governing body of each member governmental subdivision has been notified of the contemplated relocation in writing at least thirty days before such meeting.

- Section 3 The Commission shall be a public body corporate and politic with all the powers and duties granted to it by the Virginia Regional Cooperation Act.

- Section 4 A. It is the purpose of the Roanoke Valley-Alleghany Regional Commission to encourage and facilitate local government cooperation in addressing on a regional basis problems of greater than local significance. The cooperation resulting from the efforts of the Commission is intended to assist local governments in meeting their own problems by enhancing their abilities to recognize and analyze regional opportunities and take account of regional influences in planning and implementing their public policies and services.

B. The Roanoke Valley-Alleghany Regional Commission shall also promote the orderly and efficient development of the physical, social, and economic elements of the district by planning, and encouraging and assisting governmental subdivisions to plan for the future. If requested by a member governmental subdivision or group of member governmental subdivisions and to the extent the Commission may elect to act, the Commission may assist the subdivisions by carrying out plans and programs for the improvement and utilization of the elements. The Commission shall not, however, have a legal obligation to perform the functions necessary to implement the plans and policies established by it or to furnish governmental services to the district.

Section 5

Definitions - "Member Governmental Subdivision" means a county, city or town that has signed the Charter Agreement of the Roanoke Valley-Alleghany Regional Commission.

"Governing Body" means the board of supervisors of the county or the council of the city or town.

ARTICLE II

Membership

Section 1

The membership of the Roanoke Valley-Alleghany Regional Commission shall be composed of representatives of the member governmental subdivisions, on the basis of one member from the governing body of each governmental subdivision and also, one representative who holds no office elected by the people in that government. In addition, each governmental subdivision with population in excess of 10,000 shall appoint one representative for each 25,000 population or fraction thereof. The representative for the first 25,000 increment shall be a member of the governing body. The representative of the second 25,000 increment shall be a person who does not hold an office elected by the people. Thereafter the continual increments shall be alternated so that at least a majority, but not substantially more than a majority, of the Commission members shall be elected officials of the governing bodies of the governmental subdivisions. In determining the population of counties, the numerical total shall be exclusive of participating towns who have a population of three thousand, five hundred; said towns are eligible to have at least two representatives.

Section 2

For the purpose of this agreement the term "population" shall have the same meaning as set forth in Section 15.1-1402 of the Virginia Code, 1968.

- Section 3 The population on which the representation to the Commission is based shall be reviewed by the Commission at least every five years from the effective date of this Charter.
- Section 4 Vacancies on the Commission shall be filled for the unexpired term in the same manner as the original appointment was made.
- Section 5 Any member of the Commission shall be eligible for reappointment but may be removed for cause by the governing body which appointed him.

ARTICLE III

Appointments, Terms of Office and Voting Rights

- Section 1 Members of the Commission shall be appointed by the governing body of each governmental subdivision.
- Section 2 The terms of office of Commission members who are also members of governing bodies shall be three years or until his/her successor has been appointed. In the event any elected member of the Commission shall cease to be an elected member of the local governing body which he represents, he shall cease to be a member of the Commission. The appropriate governing body shall within thirty days make an appointment to succeed him for his unexpired term.
- Section 3 The term of office of non-elected members of the Commission shall be three years.
- Section 4 The initial appointments shall expire as follows: The term of one member from the local governing body of each governmental subdivision shall expire on June 30, 1972. The term of one member of each governmental subdivision who holds no office elected by the people shall expire on June 30, 1971. The term of any additional members shall expire on June 30, 1970.
- Section 5 Each member of the Commission shall have the right to vote, but may exercise his/her vote only in person and during any official meeting of the Commission, regular, special or otherwise.

ARTICLE IV

Officers

- Section 1 Officers of the Commission shall consist of a Chair and Vice-Chair who shall be elected at a regular meeting of the Commission by a majority vote of the members present.
- Section 2 The Chair and Vice-Chair shall be elected for terms of two years. They may succeed themselves in that office, for one additional term.
- Section 3 The Commission shall appoint an Executive Director who shall be an employee of the Commission and who shall serve at the pleasure of a majority of the membership.

ARTICLE V

Planning District Commission - Regional Planning Commission Merger

- Section 1 Upon the ratification of this Charter Agreement, on October 23, 1969, the Roanoke Valley Regional Planning Commission and Jackson River Regional Planning Commission merged with the Fifth Planning District Commission. All assets and liabilities of the two aforesaid Regional Planning Commissions were transferred to the Fifth Planning District Commission. Effective October 28, 1999, the Fifth Planning District Commission changed its name to the Roanoke Valley-Alleghany Regional Commission.

ARTICLE VI

Addition or Withdrawal of Members

- Section 1 Any governmental subdivision within the Fifth Planning District which is not a party to this Charter Agreement at the effective date thereof may thereafter join the Commission provided that such governmental subdivision is eligible for membership and that it adopts and executes this Agreement.

Section 2 Any governmental subdivision may withdraw from the Commission by submitting to the Commission in writing, at least 90 days before the end of the Commission's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the Commission's fiscal year has ended.

ARTICLE VII

Adoption of Bylaws

Section 1 The Commission may adopt Bylaws and such other rules as it deems necessary to govern its operations.

ARTICLE VIII

Meetings

Section 1 The Commission shall hold regular meetings on a schedule which will be determined by the membership.

Section 2 Meetings of the Commission shall be open to the public, however, the Commission may hold executive sessions under the guidelines provided by the Virginia Freedom of Information Act.

Section 3 Provisions shall be made in the Bylaws as to notification of members of all meetings of the Commission.

ARTICLE IX

Reports

Section 1 The Commission shall, after June 30 and no later than September 30 of each year, submit to each governing body that is a party to this Charter Agreement a report in writing setting forth the following:

- A. The work program and activities of the preceding year.
- B. A financial report of receipts and expenditures of the preceding year.
- C. The budget of the Commission for the current fiscal year.
- D. The programs and projects for the current fiscal year.

Section 2 There should be conducted once each year an audit of the accounts of the Commission by an independent auditing firm.

ARTICLE X

Amendments

Section 1 This Charter Agreement may be amended, supplemented or superseded only by concurring resolutions from the governing bodies which are parties to this Charter Agreement. All proposed amendments shall be submitted to the Commission for its review and recommendations to the member governmental subdivisions.

ARTICLE XI

Date of Organization

Section 1 The organization of the Roanoke Valley-Alleghany Regional Commission (formerly "Fifth Planning District Commission") shall be effective on the 25 day of August, 1969 or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population when added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within the Fifth Planning District.