

BYLAWS OF THE FAIRFAX COUNTY ENVIRONMENTAL COMMISSION

Draft of June 17, 2026

ARTICLE 1 - NAME

The advisory body shall be known as the **Fairfax County Environmental Commission** (“the Commission”).

ARTICLE II - PURPOSE

The Commission’s purpose is to (1) **advise and make recommendations** to the Fairfax County Board of Supervisors (“the Board”) on policies, strategies, regulations and practices that promote sound environmental management for the protection, conservation and restoration of the natural environment and impacts from the built environment. Advice and recommendations shall be informed by the One Fairfax policy, Environmental Vision, and other relevant plans and policies to include but are not limited to climate, energy, and natural resources; (2) **promote awareness** of sound environmental practices and programs that advance County goals on behalf of the Board to private organizations and County residents; and (3) provide **a public forum** that brings people together to discuss, act on, and intentionally incorporate diverse perspectives that reflect the County as a whole on environmental matters.

The duties of Commission include:

- Having a general awareness of the policies, plans and regulations of the County pertaining to the purpose of Commission.
- Acting as a champion for those living and working in the County to ensure a quality environment for all, regardless of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, disability, socio-economic status, neighborhood of residence or other characteristic.
- Embedding racial and social equity consideration in its work to assess the impact of policy decisions on County residents pertaining to the environment.
- Developing a concise annual workplan that outlines the Commission’s priorities for the coming year. Each workplan should be sent to the Board of Supervisors for informational purposes.
- Trees and natural resources shall be a focus area of the Commission and included in the annual workplan.
- Developing memoranda and/or resolutions as relevant on timely environmental topics or at the request of the Board. Documents shall be shared with the Board.
- Preparing a concise biennial report based on the accomplishments and activities of the workplan to include any recommendations for future action. The report shall be shared with the Board.
- Providing an opportunity through its regular meetings to address and incorporate diverse perspectives from across the County. This includes but is not limited to providing opportunities for public comment.
- Acting as an advocate for the natural environment in matters under consideration, adopted or approved by the Board.

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- Promoting an awareness of the protection, conservation and restoration of the natural environment and the forces which act upon it through an annual environmental award on behalf of the Board.

ARTICLE III – MEMBERSHIP AND TERM OF OFFICE

Appointments: Membership and appointments to the Commission are made by the Board, and members serve for such term or terms as established by the Board of Supervisors.

- Appointments are made by Board members and the Board Chair totaling 15 members, to include:
 - One member representing each Magisterial District, totaling nine (9) appointments
 - One at large member representing the Chairman’s Office
 - Three At-large members
 - Two student members (one high school student member, one college/university member)
- One membership seat shall be reserved for a member with forestry and natural resources experience or expertise.
- Other members should possess relevant education, volunteer or professional experience in environmental or sustainability fields. County staff may help Supervisors identify members to be selected to achieve representation from a broad mix of backgrounds or experiences such as the following:
 - Air quality and its management
 - Climate action
 - Energy use and management
 - Forestry and natural resources
 - Water quality, quantity, and/or its management
- Members serve at the pleasure of the Board and must follow all County ethics and advisory body policies, including the One Fairfax Policy.
- Members shall be representative of diversity in all its forms.

Term Limits:

1. Commission Members shall be appointed for three-year terms, except for the inaugural Commission Members (which shall have the terms as described below) and may be appointed to no more than two consecutive terms.
2. With respect to the inaugural Commission, the Commission Members representing a district shall be appointed for three-year terms and the four At-large positions shall be appointed for two-year terms.
3. The Commission Members of the inaugural Commission are eligible to be appointed to a second three-year term upon expiration of the Commission Member's initial term.
4. Student members will have a one-year term and are not eligible for a second term. They will be selected annually by a subcommittee of Commission Members with terms beginning on July 1st.
5. Each member may serve a maximum of six continuous years. Any member may be reappointed to the Commission after their maximum years of continuous service following a two-year break.

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Resignations and Vacancies. In the event a member cannot serve or resigns from office, then the Chairperson, the Recorder, or the County staff coordinator will advise the Clerk for the Board of Supervisors of the vacancy in writing. The term of the newly appointed member shall begin as a new term.

Holdovers. In the event a member completes his or her term of office, remains qualified to serve as a member, and the Board of Supervisors has not reappointed that member to another term or appointed a successor member, then that person may continue to serve until such time as the member is reappointed or a successor member is appointed.

ARTICLE IV – OFFICERS AND THEIR DUTIES

Elections. The Commission shall be served by three officers: a Chairperson, a Vice-Chairperson and a Recorder. With quorum present, the officers of Chairperson, Vice Chairperson and Recorder shall be elected annually, and elections shall be scheduled at the last meeting of each calendar year, with the officers assuming their duties the first month of the following calendar year. Officers may serve for up to three consecutive years in one position. Two months prior to the election meeting, a slate of candidates shall be nominated during a meeting held pursuant to Article V. After nomination, each candidate shall be polled on their willingness and ability to serve as Chairperson. At the election meeting, the Chairperson shall be elected from among the willing nominees in accordance with the voting provisions of Article V. At the meeting, immediately following the election of the Chairperson, the Chairperson shall nominate the Vice-Chairperson and Recorder. After nomination, each candidate shall be polled on their willingness and ability to serve as an officer of the Commission. The Vice-Chairperson and Recorder will then be elected from among the willing nominees in accordance with the voting provisions of Article V.

Chairperson. The Chairperson presides over meetings of the Commission and is eligible to vote at all times. The Chairperson has the authority to delegate appropriate functions to the Commission members and to request assistance from the County staff as subject matter experts in county policies, programs and procedures in their advisory role supporting the Commission. The Chairperson shall not direct staff, make policy determinations, commit Commission resources, or take any action that binds the Commission without prior approval by a majority of its members. The Chairperson shall recognize the roles and responsibilities of the staff coordinator as defined in Procedural Memorandum 01-02, or its successor. The Chairperson shall preside over meetings and perform procedural duties as outlined in this charter. The Chairperson shall not exercise independent decision-making authority on behalf of the Commission unless expressly authorized by a majority vote of the Commission.

Vice-Chairperson. In the absence of the Chairperson at a meeting, the Vice-Chairperson will perform the duties and exercise the powers of the Chairperson. In the event that neither the Chairperson nor the Vice-Chairperson is available, the Recorder will perform the duties and exercise the powers of the Chairperson. In the absence of all three officers, the member present with the longest tenure on the Commission will act as Chairperson.

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Recorder. The Recorder, or a duly appointed agent, shall be responsible for recording the minutes of meetings.

Replacement Officers. If an office becomes vacant for any reason, it will be filled by an election at the next regular meeting having a majority of members present. The newly elected officer will complete the unexpired term of the officer succeeded. Prior to the election of any replacement officer, all members will be provided with notice of the proposed election before the meeting at which the replacement is elected.

ARTICLE V - MEETINGS

VFOIA. All meetings will be open to the public except as provided under the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.*, as amended ("VFOIA"). "Meeting" or "meetings" means the meetings as defined by the VFOIA, including work sessions, when sitting physically, or through electronic communication means pursuant to the VFOIA or other applicable Virginia law, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. The Commission may hold public hearings and report its findings to the Board of Supervisors on Commission issues that affect the public interest.

Notice and Agenda. Notice and the agenda of all meetings will be provided as required under the VFOIA. All meetings will be preceded by properly posted notice stating the date, time, and location of each meeting. Notice of a meeting will be given at least three working days prior to the meeting. Notice of emergency meetings, reasonable under the circumstances, will be given contemporaneously with the notice provided to Commission members. Notices of all meetings will be provided to the Office of Public Affairs for posting at the Government Center and on the County Web site. All in person and remote participation meetings will be conducted in public places that are accessible to persons with disabilities. Public access via electronic communications must be provided for all-virtual public meetings.

Frequency. The Commission will meet monthly, except for August and December. Meetings will be held at a time agreed to by a majority of the Commission's members, and at a place arranged by the staff of the supporting County department.

Voting. A quorum is necessary for a vote along with an appointed Recorder for recording the vote. A majority of the membership of the Commission will constitute a quorum. In making any decisions, action will be taken by a majority vote of Commission members present and voting. Upon the request of any member, the vote of each member on any issue will be recorded in the minutes. All votes of Commission members will be taken during a public meeting, and no vote will be taken by secret or written ballot or by proxy.

Conduct. Except as otherwise provided by Virginia law or these bylaws, all meetings must be conducted in full accordance with *Robert's Rules of Order, Newly Revised*, and except as specifically authorized by the VFOIA, no meeting will be conducted through telephonic, video, electronic, or other communication means where the members are not all physically assembled to discuss or transact public business.

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Public Access. For any meeting, at least one copy of the agenda, all agenda packets, and, unless exempt under the VFOIA, all materials furnished to the Commission members will be made available for public inspection at the same time such documents are furnished to the Commission members. Pursuant to the VFOIA, any person may photograph, film, record, or otherwise reproduce any portion of a meeting required to be open, but such actions may not interfere with any Commission proceedings.

Records. The Recorder or an appointed representative of the Commission will ensure that minutes of meetings are recorded as required under the VFOIA. Minutes will include: (1) the date, time, and location of each meeting; (2) the members present and absent; (3) a summary of the discussion on matters proposed, deliberated, or decided; and (4) a record of any votes taken. Such minutes are public records and subject to inspection and copying by citizens of the Commonwealth or by members of the news media. The supporting County department will provide staff support to review and approve records and minutes of the meeting. Meeting minutes must be distributed to members within 30 days and posted after approval.

Attorney-Client Privilege. Records containing legal advice from counsel to the Commission, and advice provided in closed session by legal counsel to the Commission, are protected by the attorney-client privilege and from disclosure under the VFOIA. Any such records or advice should not be disclosed by members of the Commission to any third party, or the privilege against disclosure may be waived. Questions regarding the handling of records or advice subject to attorney-client privilege should be directed to the Commission's legal counsel.

ARTICLE VI - ATTENDANCE AND PARTICIPATION

Any Commission member who misses three consecutive meetings or more than half of the scheduled meetings within a 12-month period (excluding meetings canceled for inclement weather or other reasons consistent with the County's closure policy), or who fails to participate in the work of the Commission without good cause acceptable to a majority of the other Commission members may be subject to removal from the Commission.

ARTICLE VII - REMOVAL

Any Commission member(s) may be recommended to the Board of Supervisors for removal from the Commission for cause, including but not limited to cause as set forth in Article VI, by a two-thirds majority vote of all of the Commission members. The members' authority to recommend removal under these bylaws neither limits nor waives the Board of Supervisors' authority to remove members from the Commission as provided by law.

ARTICLE VIII – COMMITTEES

The Chairperson may establish no more than two (2) committees per year and appoint a chairperson for each with the consent of a majority of the Commission members present and voting. The establishment of a committee shall align with the Commission's annual workplan. A committee shall not meet more

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than four (4) times in a calendar year. The need for a committee shall be reviewed and voted on each year.

All meetings of any such committees will comply with the notice and other requirements of the VFOIA. To the extent practicable, any such committees will be composed of at least four members. Committee meetings may be held at the call of the Chairperson or at the request of two members, with notice to all members.

ARTICLE IX – ANNUAL REPORT

The Commission should prepare an annual written report that briefly describes the actions accomplished according to the workplan of the Commission and plans for future actions and activities. This report in memorandum format will be provided to the Clerk to the Board of Supervisors for distribution and to the County Executive.

ARTICLE X – COMPLIANCE WITH LAW AND COUNTY POLICY

The Commission will comply with all Virginia laws, including, but not limited to, the VFOIA, and the Virginia State and Local Government Conflict of Interests Act, Virginia Code § 2.2-3100 *et seq.*, as amended, with all County ordinances, and with all County policies concerning the activities of its boards, authorities, and commissions. In case of a conflict between a provision of these bylaws and any applicable ordinance or law, the provisions of the applicable ordinance or law, as the case may be, will control.

ARTICLE XI – AMENDMENT OF BYLAWS

These bylaws may be amended by the Commission by adopting the proposed amendment or amendments and by presenting those proposed changes for approval to the Board of Supervisors. Any such amendments to bylaws will become effective upon approval by the Board of Supervisors.