

**Summary of the Remaining Comments/Proposed Changes  
To the Draft EQAC By-Laws  
January 2024**

**Article VI – Meetings**

1) Ken Gubin’s proposed changes: line 124, strike “(i)”. Line 125, strike “or (ii) a quorum, if less than three, of the constituent membership.”. Lines 126-127, strike “of any public body”

Ken’s comment: “A quorum is defined later as a majority of the Council. Thus, 8 of the 14 members. While this language is from the Code, section 2.2-3701, it’s meant to encompass a body that has fewer than three members. This isn’t EQAC, so not needed.”

2) Ken’s comment on Attorney-Client Privilege: “I understand why this provision is included, and it’s fine. But this section assumes that EQAC has legal counsel. Who is this? Does EQAC have a right to call upon the County’s attorney staff to answer questions or do research?”

3) Larry’s proposed change: line 128, strike “interest.” And insert “interest at any time.”

4) Larry’s comment on emergency meetings: “This is a VFOIA requirement that could change with changes in law. Should this clause be omitted? Perhaps the whole sentence should be omitted.”

5) Larry’s comment on staff finding meeting location in the Frequency section: “Is this language needed?”

6) Larry’s comment on the Conduct of meetings: “Why not just say that meetings shall be in accordance with VFOIA and any other applicable laws?”

7) Larry’s comment on Public Access: “Again, this language could change, it has been fast evolving. Perhaps we should have another document that reflects current requirements in this area. Such language may prompt a need to revise the charter in a year or two.”

8) Larry’s comment on Records: “Shouldn’t staff be responsible for records? Staff posts materials to the web, EQAC cannot, they ensure ADA compliance, EQAC cannot.”

9) Staff Comment: Does EQAC want to explore changing how often public comment is held? Should public comment be held more frequently or only once a year in January? Rationale: proposed bylaws language allows for EQAC to hold public comment as normal, but also allows flexibility. EQAC can hold public comment at each meeting, every other meeting, or at other intervals if it so desires to meet requirements in bylaws.

Allowing public comment at additional meetings may help EQAC receive more feedback from the public.

### **Article VII – Attendance and Participation**

Larry’s Comment: “This language sets an incredibly low threshold for membership. EQAC cannot function with this kind of expectation. If a member cannot attend at least 25% of the duly called meetings in a year without good cause should not, in my opinion serve on EQAC as the burden of the work they should be undertaking will fall to others, which is unfair. I would also say that good cause could include things like work conflicts. However, good cause should also require notification to the chair of the reason for the absence and that the absence be deemed to be a good cause. Original language: “Any member of the Council who other than for good cause shall fail to attend 25% of the duly called meetings of the Council in a given calendar year shall be deemed to have vacated office as a member of the Council.” We have had people on EQAC in the past that have not taken EQAC participation seriously and others have had to take up more work as a result.”

### **Article VIII – Removal**

Ken Gubin’s comment: “As written, this requires 2/3rds of all members; all members would include the person sought to be removed. Thus, assuming that person always votes to keep him or herself on the Council, this actually requires a vote of  $\frac{3}{4}$  of the remaining members. Perhaps alter this to say, “two-thirds majority vote of the other EQAC members.”

### **Article IX – Committees**

Larry’s comment on meeting times: “what about selecting a time that works for all?”

Rich Weisman’s comment: Article IX would change the way we select the student member. Last year it was two of us but I’d suggest we go back to having 3 (2 regular members plus the current student member).”

### **Article X – Annual Report**

1) Rick’s proposed change to Section A: line 225, strike the word “physical”. Comment: this change would be consistent with the same change EQAC made in Article III, Section F.

2) Larry’s proposed changes to Section C: line 228, strike “Proposed” and insert “Recommendations on”. Line 228, strike “which are”. Line 229, strike “relative” and on line 230, strike “such proposal” and insert “recommendation”

3) Ken Gubin's comment: "Change the name to what we use, Annual Report on the Environment. Or remove the capitalizations."

4) Ken's proposed change: Line 233, strike "and" and after "Executive." insert ", and to other County bodies with environmental responsibilities."

Ken's comment: "I suggest this in light of the surprising statement by Mary Cortina of the Planning Commission's Environmental Committee, that it was not receiving our annual report."

5) Renee's comments: Staff asked: "Does EQAC want to specify a timeframe for the Annual Report to add into the bylaws?" I think this would be a good add. In the past, we've presented to the Board in Nov/Dec. For this year, we're presenting in Feb. We sort of already know our publishing timeline - let's hold ourselves to it with the caveat "to the extent practicable" (to account for things like COVID). Staff also recommended adding a purpose to the bylaws. I don't have a strong feeling, but I'm more comfortable with this broader description here."

6) Staff Comments: Does EQAC want to add specific direction and purpose for EQAC based on the Annual Report? Perhaps adding this sentence at the end of line 230 "Three to five top priorities shall be identified in each report and shall provide a strategic focus for EQAC each year." Rationale: Reflect a new process adopted by EQAC to focus recommendations presented to BOS.