

BY-LAWS OF THE FAUQUIER COUNTY DEMOCRATIC COMMITTEE

December 10, 2017

These by-laws were enacted on September 24, 1984 and were last amended on December 10, 2017.

ARTICLE I: NAME

Section 1. The name of this organization shall be the "Fauquier County Democratic Committee" shall be referred to hereafter in these by-laws as the "Committee".

ARTICLE II: AUTHORITY

Section 1. The Committee is created under the authority of and in accordance with the Code of Virginia, the Virginia Democratic Party Plan (November 19, 2005) and the rules of the Democratic National Committee. These by-laws are adopted by the Committee under the authority of the Virginia Democratic Party Plan and shall continue in effect subject to amendment as provided for in Article XI. Where these by-laws are, in any way, not all encompassing or if they are in conflict with the Virginia Democratic Party Plan, the instructions given in the Virginia Democratic Party Plan will guide the actions of the Committee.

ARTICLE III: PURPOSES AND OBJECTIONS

Section 1. The Committee shall have full charge of the affairs of the Democratic Party within Fauquier County. The Committee will be responsible for the nomination of candidates and the support of these candidates once they have become the official nominees of the Democratic Party. The Committee shall have full control of the Party's interests in all primary, general and special elections in Fauquier County and shall do all within its power to aid in the victory of Party candidates and positions at the polls. The Committee will actively encourage all citizens to participate in the political process at all levels of government. It will actively organize efforts to increase voter registration and voting by qualified residents of the county.

Section 2. The members of the Committee shall:

- (a) Use their best efforts to ensure that all Democrats in their respective precincts are registered and qualified to vote.
- (b) Use their best efforts at general elections to ensure that all Democrats in Fauquier County vote for Democratic nominees.
- (c) Assist in organizing their precincts to ensure active participation and support of Democratic nominees in all general elections.
- (d) Assist the Committee in taking stands on current issues as may be timely and desirable.

ARTICLE IV: MEMBERSHIP

Section 1. The Committee shall be composed of:

(a) A maximum of fifty (50) members from each of the five (5) Magisterial Districts in the county, plus one at large group of fifty (50). All of these members must be registered voters residing in the district which they represent.

(b) Any Democratic elective office holder whose electoral district includes Fauquier County or any portion of Fauquier County.

(c) A representative of any chartered club or organization of Fauquier County Democrats with no fewer than twenty (20) members.

Section 2. All Committee members, whether elected or not, shall have the same rights and privileges.

Section 3. The Committee members shall be elected at assembled caucuses called for this purpose during the period between the first Saturday in December in odd numbered years and the second Wednesday of the following January. The date, time, location and rules of these caucuses will be determined by the Committee in accordance with the Virginia Democratic Party Plan. This caucus information will be published in a newspaper of general circulation within the county in accordance with official instructions of the Democratic Party of Virginia. Declarations of candidacy for election to the Committee shall be delivered to either the Chair of the Committee or to the appropriate Magisterial District Leader in accordance with the published filing instructions along with any administrative fee the Committee wishes to fix. This filing requirements must be met before an individual will be eligible to serve on the Committee. By the Monday preceding the caucuses, the names of all pre-filed candidates for election to the Committee will be filed with the Secretary who will make the list available to anyone who requests it.

Section 4. The Secretary shall submit to State Party Headquarters within ten (10) days of his or her election the names, addresses, email and telephone numbers of the officers and members of the Committee. The Secretary shall submit a list of any changes to the Committee list every six months thereafter until the next Committee elections.

Section 5. At the caucuses, all candidates and all others participating in the reorganization caucuses will be asked to affirm, in writing, their commitment to the Democratic Party and their support of candidates nominated by the Party.

Section 6. Should a caucus fail to fill its complete Magisterial district slate of 50 members, the remaining vacancies on the Committee shall be filled as prescribed in Article IX: Vacancies.

Section 7. By the time of the second full meeting of the Committee in each even numbered year, Committee members from each Magisterial District shall elect from among themselves a Magisterial District Leader and a Deputy Magisterial District Leader. If the Magisterial District Committee fails to fill these positions, the Chair of the committee shall appoint members of the Committee from the Magisterial District in question to fill them. The Magisterial District Leader and Deputy Magisterial District Leader shall be responsible for coordination between the members of the committee from each Magisterial District and the full Committee as well as for coordination between precinct activities in the Magisterial District and the Committee.

Section 8. The Chair of the Committee may nominate another person to serve as Magisterial District representative in his or her place. This person may serve as a Magisterial district member of the Committee as long as the Chair serves as Chair of the Committee.

Section 9. If a Magisterial District member of the Committee should move from one Magisterial District to another, he or she shall give up his or her seat on the Committee at the end of the normal term of service. Alternatively, he or she may be immediately nominated and elected to fill a vacancy which may exist in the delegation from the Magisterial District into which he or she has moved. This opens a vacancy in the district of prior residence which the Committee may fill in the manner prescribed in Article IX: Vacancies.

Section 10. Any Democrat who is not a member of the Committee may be elected as an associate member of the Committee in the same manner as regular Committee members. Associate members shall not be members of the Committee, but shall have the privilege of the floor at Committee meetings. Associate members shall support the activities of the Committee and are encouraged to attend all Committee meetings and events.

Section 11. Each member and associate member shall pay annual dues as set by the Committee. Such dues shall be paid between January 1 and March 15 of each year or within 45 days of becoming a member of the Committee. Dues may be waived in cases of financial hardship.

ARTICLE V: OFFICERS

Section 1. The elected officers of the Committee shall be:

- (a) Chair
- (b) Vice Chair
- (c) Treasurer
- (d) Secretary

Section 2. Deputy Chairs

The Chair shall appoint, at his or her discretion, other officers or subcommittee chairs as are deemed helpful or necessary to the work of the Committee.

Section 3. The Executive Board.

The four elected officers, the immediate Past Chair, the five Magisterial District Leaders and any elected Fauquier County representatives on the Congressional District Democratic Committees of which Fauquier County is a part shall comprise the basis for the Executive Board of the Fauquier County Democratic Committee. The Executive Board shall function as the governing body of the Committee between the meetings of the full Committee and, at its discretion, take such action and issue such statements as it may deem necessary and desirable. The Parliamentarian (if one is appointed) shall be a non-voting member of the Executive Board.

Section 4. All officers, whether elected or appointed, shall be members of the Committee when elected. The appointed officers shall serve at the pleasure of the Chair of the Committee or as long as the Chair serves in office.

Section 5. The terms of all elected officers shall expire when their successors are elected at the next organizational meeting. For the purpose of conducting business at this organizational meeting, the previous Chair shall serve as Chair until the new Chair is elected.

ARTICLE VI: DUTIES OF OFFICERS

Section 1. The Chair shall:

- (a) Preside at meetings of both the Committee and the Executive Board.
- (b) Appoint officers and Deputy Chairs pursuant to the provisions of Article V, Section 2.
- (c) Be the Chief Executive Officer of the Committee.
- (d) Have general supervisory authority over activities of both the Committee and the Executive Board.
- (e) Be an ex-officio member of all standing or special subcommittees.
- (f) Expend or obligate the Committee for no more than \$500.00 for Committee business without prior approval of the Committee or Executive Board. The exception to this is the buying of advertising space for the purpose of announcing delegate filing and caucus/convention information mandated by the Democratic Party of Virginia. The Chair must report any expenditures to the Committee at the next ensuing meeting.
- (g) Represent the Committee on legislative district committees unless he or she appoints some other officer or Committee member to handle these responsibilities.
- (h) Have the Treasurer's Report reviewed annually in January by a three member subcommittee appointed by himself or herself and affirmed by vote of the Committee.

Section 2. The Vice Chair shall:

- (a) Perform such duties as may be assigned by the Chair or the Executive Board in the absence of the Chair.
- (b) In the event of the resignation or inability of the Chair to perform his or her duties, serve as Chair Pro Tempore (for a time) until the election of a new Chair at the next regular meeting.

Section 3. The Treasurer shall:

- (a) Be responsible for all monies of the Committee.
- (b) Maintain financial records and report to the Committee at scheduled meetings.
- (c) Act on behalf of the Committee to collect all monies owed to the Committee including annual dues and administrative fees owed by other members of the Committee and by delegate candidates.
- (d) Pay all duly obligated bills of the Committee.
- (e) Perform other such duties as may be assigned by the Chair.
- (f) Appoint an Assistant Treasurer at his or her discretion, except that such Assistant Treasurer shall not become a signatory on any bank account maintained by the Committee, unless by vote of the Committee.
- (g) Be responsible for filing any and all public disclosure documents that are required by law.

Section 4. The Secretary shall:

- (a) Keep minutes of every meeting of the Committee.
- (b) Maintain membership lists and attendance records.
- (c) Be custodian of all official records of the business of the Committee.
- (d) Be authorized to be informed about actions taken or business conducted in the name of the Committee. (All officers shall keep the Secretary informed of actions taken in the name of the Committee. Copies of all pertinent written material shall be forwarded to the Secretary so that complete Committee records can be kept in one place.)
- (e) Keep all records organized in an orderly way.
- (f) Perform such other duties as may be assigned by the Chair or the Committee.

- (g) Give all notices in accordance with these by-laws and make copies of minutes and all other records available to all members of the Committee upon request. Copying costs for this service will be borne by the Committee member who is requesting the copies.

Section 5. The Magisterial District Leaders shall:

- (a) Hold meetings of their district delegation to discuss and conduct political business as necessary.
- (b) When notified by the Chair or the Secretary, arrange for sites for official caucuses.
- (c) Ensure that there is a voting representative on the Committee from each precinct within the Magisterial District.
- (d) Appoint Precinct Captains and Neighborhood/Road Captains within each precinct.
- (e) Maintain a list of electoral and campaign volunteers within the district. A copy of this list shall be forwarded to the Secretary in January and September of each year.
- (f) Recruit and recommend voters who are interested in serving as paid precinct workers to be appointed by the County Electoral Board.
- (g) Serve as Filing Officers for convention delegate filing periods.
- (h) Act as the Temporary Chair for reorganization and delegate selection caucuses.

Section 6. The Parliamentarian shall:

Give opinion on all matters of procedure at the call of the Chair or the Committee at any meeting of the Committee, pursuant to Article VII, Section 6.

Section 7. For the sake of continuity in Committee activities, the immediate Past Chair shall perform such duties as may be assigned by the Chair or by the Committee.

Section 8. Every officer and Deputy Chair shall give notice to the Committee of all subcommittees or assistants which he or she intends to appoint or has appointed under these by-laws.

Section 9. If any elected officer of the Committee becomes a publicly announced candidate for elective office, he or she shall resign as an officer of the Committee. Publicly announced means filing papers with the Electoral Board or the Committee Chair indicating an intention to run for public office. Officers resigning for this reason shall do so in writing to the Chair, or, in the case of the Chair, to the Vice Chair.

ARTICLE VII: MEETINGS AND SUBCOMMITTEES

Section 1. Election of Officers.

The Organizational Meeting for the purpose of electing officers shall be held in January of each even numbered year in accordance with the Virginia Democratic Party Plan. Within ten (10) days following the election, the newly elected Secretary shall submit to State Party Headquarters the names, addresses, and telephone numbers of the officers and members of the Committee. At the next ensuing meeting of the Committee, this same list of Committee members with addresses and telephone numbers shall be made available to any member of the Committee who wishes to retain a copy for their own use.

Section 2. Frequency of meetings.

Regular meetings of the Committee shall be held at least six times per year according to a schedule adopted by the Committee, or, in the absence of specific action by the Committee, on the third (3rd) Tuesday of every month. In any case, the times and places designated shall be publicly announced by the Committee.

Section 3. Special Meeting Calls.

Meetings of the Committee shall be held:

- (a) Upon call of the Chair, or
- (b) Within 15 days of a written request signed by at least 10% of the members of the Committee currently on the roster as voting members. If, within this 15 day period, a regularly scheduled membership meeting is to be held, this provision will be inoperative and the issue for which the special meeting is called will be discussed and acted upon at the regular meeting as emergent new business, or
- (c) At such time and place as a majority vote of those voting members attending a meeting of the Committee may determine.

Section 4. Quorum.

Thirty per cent (30%) of elected members of the Committee currently on the roster as voting members shall constitute a quorum at Committee meetings. The 30% quorum may be obtained by including those Democratic elective office holders (as defined by Article IV, Section 1.b.) who are present at the meeting. A majority of the members of the Executive Board shall constitute a quorum at Executive Board meetings.

Section 5. Motion and Resolution Passage

A simple majority of those present and voting shall be necessary for the passage of all motions or resolutions by the Committee, unless otherwise specified herein.

Section 6. Rules of Order.

Except where otherwise specifically provided for herein or in the Virginia Democratic Party Plan, the most recent edition of "Robert's Rules of Order" shall govern the procedure at all Committee and Executive Board or standing or special committee meetings.

Section 7. Meeting Notice.

Notice of meetings shall be given to all members of the Committee by mail and/or electronic means at least ten (10) days prior to said meetings. Notice will also be sent to representatives of the local press. If, in accordance with Article VII, Section 3., the Committee chooses to meet on an alternate date, notice of the meeting and the proposed agenda, if available, shall be given at least five (5) days prior to said meetings.

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Section 8. Open Meetings.

All meetings of the Executive Board shall be open to all members of the Committee. All meetings of the Committee shall be open to the press and the general public. Advance notice of such meetings shall be posted on the website of the Committee.

Section 9. Voting.

No votes shall be taken by proxy. Officers shall be nominated from the floor. All contested election of officers shall be by secret ballot. Secret ballot is prohibited on all other votes unless 2/3 of the present and voting membership of the Committee votes otherwise.

Section 10. Appointment of Subcommittees.

The Chair, with the advice and consent of the Executive Board, shall create any special committees or subcommittees. The Chair will report the subcommittee membership at the next regular meeting of the Committee.

Section 11. Subcommittee Membership.

No subcommittee created under these by-laws shall have fewer than three (3) members. The membership of all subcommittees shall be drawn as equally as possible from all the magisterial district delegations.

ARTICLE VIII: EXPULSION, REMOVAL AND RESIGNATION

Section 1. Removal for Chronic Absence.

Any member of the Committee who, without written notification to the Secretary, is absent from three (3) consecutive regular meetings beginning with the Organization Meeting, may be sent a letter by the Secretary asking if they desire to remain a member of the Committee. If no positive response is received from the member in question, the member may be removed from the Committee membership by the Secretary. The Chair shall announce such removal at the next ensuing meeting of the Committee. This provision may be waived by vote of the Executive Board acting on an appeal from the member showing good and just cause. This section shall not apply to public office holders who are members of the Committee by virtue of Article IV, Section 1b.

Section 2. Removal from the Committee for Supporting Opposition Candidates.

No member of the Committee shall publicly recruit, support, endorse or assist a declared or duly nominated candidate of another political party or an independent who is opposing a declared or duly nominated Democratic Party candidate. Violation of this principle shall result in exclusion from Committee membership and Caucus participation for a period of two (2) years.

Section 3. Recovery of Committee Funds from Removed Members

It shall be the duty of every Committee member to return to the Committee any monies he or she holds that belong to the Committee.

Section 4. Removal for Willful Neglect of Duties.

The Committee may remove from both office and membership any person found guilty of neglect of any duty imposed upon him or her.

Section 5. Appeal Process.

For the purpose of Article VIII, any member cited for a breach of duty shall be notified no fewer than twenty (20) days in advance of the Committee meeting at which the charges will be acted upon. Such notice shall be in writing. If the member protests such removal in writing within ten (10) days of receipt of such notice, he or she will be given a hearing before the Committee. After a hearing before the Committee, a member may be expelled upon a 2/3 affirmative vote of all Committee members present and voting.

ARTICLE IX: VACANCIES

Section 1. A vacancy on the Committee shall occur, and the Chair shall so declare, when any member resigns, when a member transfers his or her residence to another county, when a caucus to elect Committee members fails to elect a full slate or when a member is expelled or removed.

Section 2. Whenever the Chair declares that a vacancy exists on the Committee, such vacancy may be filled by a majority vote of the Committee members present and voting.

Section 3. Vacancies on the Committee shall be filled at a regular meeting of the Committee or at a special meeting of the Committee called for such a purpose. Nominations to fill a vacancy shall be presented to the Chair by the Magisterial District Leader of the district from which the vacancy occurs. The members of the Committee from the Magisterial District in which the vacancy occurs shall serve as a nominating committee for the purpose of making nominations to fill the vacancy. If no nominations are received from the Magisterial District Leader by the time of the meeting set to fill the vacancy, nominations will be accepted from the floor. Nominations accepted from the floor shall be acted upon at the next ensuing meeting of the Committee. A nominee's consent to nomination shall be presented at the time of nomination, or such nomination shall not be accepted.

Section 4. At the time of their acceptance of nomination to the Committee, access to a copy of the by-laws shall be made available. Any person filling a vacancy on the Committee at a time other than the reorganization meeting must sign and submit to the Secretary the same statement of intent required of other members of the Committee.

Section 5. Any vacancies among the elected officers of the Committee shall be filled by the Committee within thirty (30) days of the occurrence of the vacancy. Similarly, any vacancy among appointed officers or subcommittee Chairs shall be filled within thirty (30) days by the Chair of the Committee.

ARTICLE X: RESOLUTIONS

Section 1. All resolutions shall be presented in writing at a regularly scheduled meeting of the Committee. Immediately upon presentation, all resolutions shall be referred to a Resolutions Subcommittee for review.

Section 2. All resolutions shall be reported by the Resolutions Subcommittee and presented with recommendations for approval or disapproval for Committee action at the next regularly scheduled meeting following their original introduction to the Committee. The Subcommittee may, at its discretion, present an alternative version of any resolution, but it must explain its decision to make changes and allow examination of the text of all versions under consideration by all members of the Committee.

Section 3. Sections 1 and 2 above may be suspended by affirmative vote of 2/3 of the members of the Committee present and voting.

ARTICLE XI: AMENDMENTS

Section 1. All proposed amendments to these by-laws shall be in writing to all members at least ten (10) days prior to the meeting at which they are to be introduced for Committee action.

Section 2. All amendments to these by-laws shall be adopted by affirmative vote of a majority of the total Committee on the roster as voting members or by 2/3 of all Committee members present and voting.

ARTICLE XII: CAUCUSES FOR ELECTING DELEGATES TO STATE AND CONGRESSIONAL DISTRICT NOMINATING CONVENTIONS

Section 1. The Committee shall follow the most recent guidelines for electing delegates to State and District Nominating Conventions according to the Virginia Democratic Party Plan.

Section 2. Newspaper advertisements announcing the Caucuses shall contain an outline of the procedural rules under which the Caucuses are to be conducted so that prospective participants can be informed in advance. It is especially important for these instructions to inform all prospective participants of the exact times of the Caucuses so that they can avoid being excluded from participation.