

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC EMPLOYMENT - VIRGINIA

Williams v. Rappahannock County Board of Supervisors

Court of Appeals of Virginia, Arlington - August 6, 2024 - S.E.2d - 2024 WL 3657071

Removed officers and directors of volunteer fire company filed complaint against county board of supervisors, board members, and company for declaratory judgment, injunctive relief, and judicial review of election of directors, alleging board's removal of plaintiffs violated company's certificate of incorporation, bylaws, and the Code of Virginia.

The Circuit Court granted defendants' pleas in bar. Plaintiffs appealed.

The Court of Appeals held that statute mandating that fire chief and other officers be appointed in counties in which fire company was established did not authorize board to remove company's officers and directors.

Assuming that statute mandating that a fire chief and other officers be appointed in counties in which a fire company was established applied to volunteer fire company incorporated as a nonstock corporation, the statute did not authorize county's board of supervisors to remove company's officers and directors, supporting removed officers and directors' claims against county board of supervisors, company, and others for declaratory judgment, injunctive relief, and judicial review challenging board's resolution removing plaintiffs and appointing new officer and directors; statute only used the word "appointed" rather than "appointed and removed."