

FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
April 1, 2020  
Regular Meeting 4:00pm – Morris Room  
Work Session, 7:00pm – Morris Room

**MEMBERS PRESENT:** John M. (Mike) Sheridan, Columbia District, Chair  
Tony O’Brien, Rivanna District, Vice Chair  
Mozell Booker, Fork Union District (via telephone conference call) \*  
Patricia Eager, Palmyra District (via telephone conference call) \*  
Donald W. Weaver, Cunningham District

**ABSENT:** None.

**ALSO PRESENT:** Eric M. Dahl, County Administrator  
Fred Payne, County Attorney  
Caitlin Solis, Clerk for the Board of Supervisors

*\*Due to health concerns, Mrs. Booker and Mrs. Eager are attending the meeting via phone conference call.*  
- Mozell Booker, (Calling from 258 Bass Lane)  
- Patricia Eager, (Calling from 1107 Mechunk Creek Drive)

**1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE**

At 4:01 pm, Chair Sheridan called to order the Regular Meeting of April 1, 2020.  
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

- Fred Payne noted that that the Board of Supervisors has a quorum present with Mr. Sheridan, Mr. O’Brien and Mr. Weaver. Mrs. Eager and Mrs. Booker are participating via teleconference. Mr. Payne suggested proceeding with the in-person quorum for the first three items on the agenda. After that, the meeting can be held as a being authorized under the Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster. He also suggested ratifying the actions taken at the previous meeting.

**3 - ADOPTION OF AGENDA**

<b>MOTION:</b>	Accept the Agenda, for the April 1, 2020 Regular Meeting of the Board of Supervisors.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Second		Motion
<b>VOTE:</b>	Absent	Absent	Yes	Yes	Yes
<b>RESULT:</b>	<b>3-0</b>				

**7 - ACTION MATTERS**

*Resolution Authorizing the Adoption of Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government during the COVID-19 Pandemic Disaster – Eric Dahl, County Administrator*

In order to maintain Fluvanna County Government operations during the COVID-19 pandemic disaster, a resolution adopting procedures for electronic public meetings and public hearings is proposed to ensure the continuity of government.

<b>MOTION:</b>	Adopt the Resolution entitled “Resolution Authorizing the Adoption of Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster.”				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Motion		Second
<b>VOTE:</b>	Absent	Absent	Yes	Yes	Yes
<b>RESULT:</b>	<b>3-0</b>				

*Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster – Eric Dahl, County Administrator*

During the COVID-19 emergency and in the event there is not a physical quorum for a Board of Supervisors meeting, staff is recommending to approve an emergency ordinance under Virginia Code 15.2-1413, which makes virtual/telephone meetings during a disaster allowed for the "continuity of government" and also matters

This will not allow for all normal business matters of the County to be handled, but for matters that are necessary for continuity of government functions and related to the emergency.

Under Virginia Code 15.2-1413, such can be done notwithstanding any contrary provision of law (such as FOIA). But meetings should be as public as possible under the circumstances, such as streaming, conference call, etc.

This Emergency Ordinance shall remain in full force and effect for a period of 60 days, unless amended, rescinded or readopted by the Board in conformity with the notice provisions set forth in Virginia Code §15.2-1427 and 15.2-1413, but in no event shall such ordinance be effective for more than 6 months.

MOTION:	Adopt the Ordinance entitled “Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Absent	Absent	Yes	Yes	Yes
RESULT:	3-0				

Resolution Authorizing the Adoption of the Temporary Emergency Amendment to Employee Leave Policy – Jessica Rice, HR Manager

- 1)

The County’s Personnel Policy currently outlines procedures for accruing and using sick leave in accordance with EEOC, ADA, FLSA, and other wage and hour laws, as well as the State retirement plan provisions.
- 2)

In response to the COVID-19 pandemic, President Trump signed the Families First Coronavirus Preparedness Act, which includes provisions for 80 hours of paid Emergency Sick Leave, for employees who become ill, or have been exposed to someone who is ill as a result of the coronavirus. The County is amending this provision, allowing for 84 hours of leave for Law Enforcement and E911 personnel to equally cover 14 days of their scheduled base hours. As per the Act, these provisions are effective for April 2, 2020 through June 30, 2020.
- 3)

For the dates of March 15, 2020 through April 1, 2020, employees who are required to not work in accordance with CDC guidelines relating to the coronavirus pandemic, shall be granted paid Emergency Sick Leave equal to their regularly scheduled hours for any time missed.
- 4)

Employees will adhere to prescriptive guidelines regarding medical care and health and hygiene, as well as procedural requirements for County operations.
- 5)

Employees who exhausted their allotted paid emergency sick leave, will be required to draw from their own sick leave or accrued annual leave if needed.

MOTION:	Approve the resolution titled “A RESOLUTION FOR A TEMPORARY EMERGENCY AMENDMENT TO EMPLOYEE LEAVE POLICY”, effective March 15, 2020 through June 30, 2020, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Absent	Absent	Yes	Yes	Yes
RESULT:	3-0				

- Mr. Dahl made note, from this point forward Mrs. Booker and Mrs. Eager are able to participate and vote in the meeting.

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

- Census Day: <https://my2020census.gov/>  
Will help determine how hundreds of billions of dollars in federal funding flow into communities every year for the next decade (transportation, schools and other funding).
- Zion Crossroads Elevated Storage Tank  
Painting has begun!

Day	Date	Time	Purpose	Location
Wed	Apr 8	7:00 PM	BOS Special Meeting- Public Hearing for FY21 Budget & CY20 Tax Rate	Morris Room
Wed	Apr 15	7:00 PM	BOS Regular Meeting - Adopt FY21 Budget & CY20 Tax Rate	Morris Room
Wed	Apr 22	7:00 PM	BOS Special Meeting - TBD - Adopt FY21 Budget & CY20 Tax Rate	Morris Room
Wed	May 6	4:00 PM	BOS Regular Meeting	Morris Room
Wed	May 20	7:00 PM	BOS Regular Meeting	Morris Room

- Mrs. Booker commented on the Census. She also praised the non-profit organizations in the area for maintaining all the good they do in the community during the health crisis.

5 - PUBLIC COMMENTS #1

At 4:30pm, Chair Sheridan opened the first round of Public Comments.

- Patty Reynard, Broken Island, submitted comments electronically and asked if the Board of Supervisors can try to keep the tax rate as low as possible to help Fluvanna County citizens during the COVID-19 hardship.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:30pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

FY20 Bank Franchise Tax Refund for Branch Banking and Trust Company for Tax Years 2012-2014 – Mary Anna Twisdale, Director of Finance

- Fluvanna County receives Bank Franchise Tax Revenue through the State of Virginia each year
- Branch Banking and Trust filed revised Bank Franchise Tax returns for tax years 2012-2014
- The Virginia Department of Taxation concluded overpayment of State Bank Franchise Taxes must be refunded to BB&T for tax years 2012-2014
- Localities will be responsible for refunding the local portion of the Bank Franchise Taxes to BB&T directly
- The Determination has been reviewed by our County Attorney

MOTION:	Approve a budget transfer from the FY20 BOS Contingency to the FY20 Board of Supervisors budget for a BB&T Bank Franchise Tax Refund in the amount of \$32,954 for the tax years 2012-2014 per the Commonwealth of Virginia Department of Taxation.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY21 Employee Health Insurance Plan – Jessica Rice, HR Manager

- 1) In response to large insurance premium increases year after year, and minimal leverage for negotiations, the County solicited health insurance proposals from our current carrier Cigna, Benefit Plan Administrators Inc. (BPA), and The Local Choice/Anthem (TLC) for FY21.
- 2) Cigna proposed a total premium increase of 19.47%, BPA proposed a 1.3% increase, and TLC proposed a 21.74% decrease from our current rates.
- 3) Our current health insurance plan, through Cigna, offers 4 tiers of dependent coverage with 3 different deductible options. On this health plan, employees may select dental and vision coverage independent from their health insurance coverage.
- 4) The TLC plan bundles a health insurance, dental and vision plan and provides the same 3 different deductible options. However, TLC only offers 3 tiers of dependent coverage.
- 5) If the BOS decides not to renew the Cigna insurance contract for FY21 and elects the TLC program, the total cost of insurance would be reduced by approximately \$357,000 and the BOS would set employee premium rates during FY21 budget adoption.

MOTION:	Approve discontinuation of Fluvanna County’s current Cigna 4-tier Health, Dental and Vision plans effective on the expiration date of June 30, 2020.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Accept the proposed The Local Choice/Anthem (TLC) Health Insurance Plan effective July 1, 2020, and authorize the County Administrator to execute the TLC Program Adoption Agreement and Memorandum of Understanding.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

None.

8 – PRESENTATION

VDOT Secondary Six Year Plan Review and Discussion— Bethel Kefyalew, VDOT, Louisa Residency, Darryl Shifflett, Program Management Specialist Sr., VDOT Culpeper District

FLUVANNA COUNTY  
PROJECTED ALLOCATIONS  
FY2020-21  
SECONDARY SIX YEAR PLAN  
  
DRAFT

<u>FISCAL YEAR</u>	<u>TELEFEE FUNDS</u>	<u>DISTRICT GRANT UNPAVED</u>	<u>TOTAL FUNDS</u>
2020-2021	\$87,311	\$11,120	\$98,431
2021-2022	\$87,311	\$10,762	\$98,073
2022-2023	\$87,311	\$14,302	\$101,613
2023-2024	\$87,311	\$9,014	\$96,325
2024-2025	\$87,311	\$9,014	\$96,325
2025-2026	\$87,311	\$9,014	\$96,325

Secondary Six Year Plan FACTS

- CTB Formula Unpaved and District Grant Unpaved – These unpaved State allocations can only be spent on an unpaved road with a minimum traffic county of 50 vehicles per day.
- Formula State allocations and TeleFee allocations are not restricted to traffic count and can be spent on both secondary paved and unpaved roads.
- Fluvanna County has over 305 miles of secondary roads in the state system of which approximately 293 miles are paved.
- Fluvanna County has over 12 miles of non-hard surfaced roads with approximately 1.50 miles qualify for hard surfacing. 0.60 miles of unpaved roads are currently included in the Secondary Six Year Plan.

Bethel Kefyalew reviewed the Fluvanna County construction program, secondary roads and unpaved secondary roads.

9 - CONSENT AGENDA

The following items were discussed before approval:

- K - CRMF - Boiler Tube Replacement at Courts Building – Dale Critzer, Assistant Director of Public Works
- L - CRMF - Safety Handrail for MAACA Sidewalk – Dale Critzer, Assistant Director of Public Works

The following items were approved under the Consent Agenda for March 4, 2020:

- Minutes of March 11, 2020 – Caitlin Solis, Clerk to the Board

- Minutes of March 18, 2020 – Caitlin Solis, Clerk to the Board
- Child Abuse Prevention Month Proclamation – Rocky Reed, DSS CPS Supervisor
- EMSMC Inc. Amendment 1 – Cyndi Toler, Purchasing Officer
- CRMF - Boiler Tube Replacement at Courts Building – Dale Critzer, Assistant Director of Public Works
- CRMF - Safety Handrail for MAACA Sidewalk – Dale Critzer, Assistant Director of Public Works

MOTION:	Approve the consent agenda, for the April 1, 2020 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

*Ratification of Motions Taken During the March 18, 2020 Board of Supervisors Regular Meeting* – Eric Dahl, County Administrator

MOTION:	Ratify the motions taken during March 18, 2020 Board of Supervisors Regular meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY21 Budget Discussion – Eric Dahl, County Administrator  
FY20/21 Revenue & Fund Balance Discussion – Mary Anna Twisdale, Director of Finance

FY21 Revenue

- Most recent State estimate of FY21 Sales Tax Revenue \$1,929,638
  - Fluvanna FY21 Budget \$1,827,599
- Most recent State estimate of FY21 Recordation Tax Revenue \$116,187
  - Fluvanna FY21 Budget \$375,000
- Most recent State estimates of FY21 Sales and Recordation Tax Revenue are \$156,774 less than currently budgeted in the Fluvanna County FY21 budget proposal.
- FY21 Real Estate collection rate is calculated at 97.5%
  - Each 1% change in rate equals \$248,572
- FY21 Personal Property collection rate is calculated at 94.5%
  - Each 1% change in rate equals \$72,429
- Possible Revenues Affected
  - Personal Property
  - Real Estate
  - Penalties and Interest
  - Motor Vehicle License Fees
  - Sales Tax
  - Recordation Tax
  - Building Permits
  - P&R Fees
  - Use of money (Interest)

FY20 Fund Balance Options

- Close current pending CIP Projects and return to Fund Balance
  - Historic Courthouse \$250,130
  - Paving at Pleasant Grove \$98,000
  - Cash Funded Ambulance \$190,000
  - Library & Sheriff’s Office Potable Water \$50,000
  - Recoat Middle School WWTP \$70,000
- Total Returned to Fund Balance \$658,130

Use of Fund Balance Options		
Updated Balance as of March 30, 2020		Available Fund Balance
Considerations	Expenditure	\$ 5,888,239
E911 System Core Cost (Louisa)	\$380,000	\$ 6,268,239
FY21 CIP - ZXR	(\$2,750,000)	\$ 3,518,239
FY21 CIP	(\$1,119,000)	\$ 2,399,239
Burn Building - Possible costs above grant	(\$400,000)	\$ 1,999,239
Add'l JRWA Costs (Estimate - FY22/23)	(\$2,500,000)	\$ (500,761)

- Delay/Reduce CIP
- Do not pursue Burn Building funding
- JRWA not in FY21 projection

After a lengthy discussion, the Board of Supervisors agreed to

- Hold off funding the CIP
- Budget .925 at a deficit of \$51,000
- a reduction of the school’s budget to \$200,000
- removed the debt wedge
- Took out the \$50,000+ to each county and school CRM.
- Staff will also review the revenues to see a worst-case scenario and best-case scenario to provide more information for the next meeting.
- Keep the tax due date June 5, 2020 but encourage the Treasurer to give a grace period with no penalty and interest.

**11 - NEW BUSINESS**

- Sheriff Hess brought Feeding Fluvanna to the Board of Supervisors attention. DSS, MACCA, Blue Ridge Area Food Bank, County Schools and Area Churches, collaborating to help feed anyone in need.
- Mr. Weaver mentioned an email he received regarding the jail board discussing the interest the VIP account is earning even through the current economic uncertainty.

**12 - PUBLIC COMMENTS #2**

At 6:20pm, Chair Sheridan opened the second round of Public Comments.

- Sharon Harris submitted comments electronically and asked the Board of Supervisors what their plan is to provide childcare to essential personnel.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 6:22pm.

**13 - CLOSED MEETING**

None.

**14 - ADJOURN**

<b>MOTION:</b>	Adjourn the Budget Work Session of Wednesday, April 1, 2020 at 6:32pm.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Motion		Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis  
Clerk to the Board

John M. Sheridan  
Chair



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 15-2020**

**A RESOLUTION AUTHORIZING THE ADOPTION OF PROCEDURES FOR ELECTRONIC  
PUBLIC MEETINGS AND PUBLIC HEARINGS TO ENSURE THE CONTINUITY OF  
GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER**

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic;

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread;

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 18, 2020, the Board of Supervisors of Fluvanna County (the “Board”) found that COVID-19 constitutes a “public health Emergency”;

WHEREAS, the Board confirmed the declaration of local emergency made by the local director of emergency management on March 18, 2020, specifically finding that the COVID-19 Pandemic constitutes a “disaster” as defined in Virginia Code § 44-146.16, being a “communicable disease of public health threat”;

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months;

WHEREAS, on April 1, 2020, the Board, pursuant to Virginia Code § 15.2-1413, adopted an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster (“Emergency Ordinance”);

WHEREAS, through its Emergency Ordinance, the Board specifically found that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat”;

WHEREAS, through its Emergency Ordinance, the Board further found that the COVID-19 pandemic may make it unsafe or impossible to assemble in one location a quorum for public bodies including the Board, the School Board, the Planning Commission and all local and regional boards, commissions, committees and authorities created by the Board or to which the Board appoints all or a portion of its members (collectively “Public Entities” and individually “Public Entity”), or for such Public Entities to conduct meetings in accordance with normal practices and procedures; and

WHEREAS, through its Emergency Ordinance, the Board adopted certain procedures to ensure the continuity of government during the COVID-19 Pandemic disaster (“Continuity Procedures”) specifically as permitted under, suspended any deadlines applicable to Public Entities and their staff during the COVID-19

NOW, THEREFORE, BE IT RESOLVED that the Board hereby incorporates by reference and adopts the Continuity Procedures prescribed in the Emergency Ordinance, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for Fluvanna County, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinance; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinance including for any applicable period upon the re-adoption of the Emergency Ordinance by the Board.

THE FOREGOING WAS ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 1st day of April 2020, in accordance with Virginia Code 15.2-1413, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District				X		
Patricia B. Eager, Palmyra District				X		
Anthony P. O’Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					X

Attest:

John M. Sheridan, Chair

Fluvanna County Board of Supervisors



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY  
CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING  
AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS  
CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC  
DISASTER.**

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic;

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread;

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19;

WHEREAS, on March 18, 2020, the Board of Supervisors of Fluvanna County (the “Board”) found that COVID-19 constitutes a “public health Emergency”;

WHEREAS, the Board confirmed the declaration of local emergency made by the local director of emergency management on March 18, 2020;

WHEREAS, the Board finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16 being a “communicable disease of public health threat;”

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months;

WHEREAS, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency “proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work”;

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of Board may convene solely by electronic means “to address the emergency” and the Board’s Bylaws and Rules of Practices and Procedures specifically incorporate such provisions;

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) are limited only by a properly claimed exemption provided under that Act or “any other statute;” and

WHEREAS, the Governor and Health Commissioner of the Commonwealth of Virginia and the President of the United States have recommended suspension of public gatherings of more than ten attendees; and

WHEREAS, The Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS, this emergency ordinance in response to the disaster caused by the COVID-19 pandemic promotes public health, safety and welfare and is consistent with the law of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

NOW, THEREFORE, BE IT ORDAINED by the Board of Fluvanna County, Virginia:

1. That the COVID-19 pandemic is a disaster that may make it unsafe or impossible to assemble in one location a quorum for public bodies including the Board, the School Board, the Planning Commission, Board of Zoning Appeals, Board of Equalization and all local and regional boards, commissions, committees and authorities created by the Board or to which the Board appoints all or a portion of its members (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
  - a. Any meeting or activities which require the physical presence of members of the Public Entities may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location; and
  - b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and
  - c. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
  - d. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public; and
  - e. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the course of the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and
  - f. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

IT IS FURTHER ORDAINED that notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Entity, its officers (including Constitutional Officers) and employees of its organization shall be suspended during this emergency and disaster, however, the Public Entities, officers and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise.

IT IS FURTHER ORDAINED, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED, that the provisions of this Emergency Ordinance shall remain in full force and effect for a period of 60 days, unless amended, rescinded or readopted by the Board in conformity with the notice provisions set forth in Virginia Code §15.2-1427 and 15.2-1413, but in no event shall such ordinance be effective for more than 6 months. Upon rescission by the Board or automatic expiration as described herein, this emergency ordinance shall terminate and normal practices and procedures of government shall resume.

Nothing in this Emergency Ordinance shall prohibit Public Entities from holding in-person public meetings provided that public health and safety measures as well as social distancing are taken into consideration to the extent possible.

An emergency is deemed to exist, and this ordinance shall be effective upon its adoption.

THE FOREGOING WAS ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 1st day of April 2020, in accordance with Virginia Code 15.2-1413, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District				X		
Patricia B. Eager, Palmyra District				X		
Anthony P. O’Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					X

Attest: \_\_\_\_\_

John M. Sheridan, Chair Board of Supervisors

APPROVED AS TO FORM:

\_\_\_\_\_

APPROVED



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 16-2020**

**A RESOLUTION FOR A TEMPORARY EMERGENCY AMMENDMENT TO  
EMPLOYEE LEAVE POLICY**

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 18, 2020 the Senate passed and President Trump signed into law the Families First Coronavirus Response Act (the “Act”) aimed at addressing the impact of the COVID-19 (hereinafter referred to as “coronavirus”) outbreak on Americans;

WHEREAS, the provisions of the Act relate to an emergency expansion of the federal Family and Medical Leave Act (“FMLA”) and paid Sick Leave which become effective on April 1, 2020; and

WHEREAS, to protect the health and welfare of its employees and the public the Board deems it advisable to make an emergency temporary amendment to its personnel Policy, Section 2.13.2 “Sick Leave”, to address the coronavirus, allow for Emergency Sick Leave related to the coronavirus for the period of March 15, 2020 to March 31, 2020, and to highlight certain provisions of the Families First Coronavirus Act which is effective April 1, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby incorporates by reference and adopts the Emergency Temporary Amendment to Personnel Policy, Section 2.13.2 “Sick Leave” Effective Immediately (the “Amendment”), a copy of which is attached hereto; and

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement the Amendment and to develop procedures as applicable and appropriate for Fluvanna County, provided that such are consistent with the Amendment; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and the Amendment shall remain in effect until June 30, 2020, as set forth therein.

THE FOREGOING WAS ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 1st day of April 2020, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District				X		
Patricia B. Eager, Palmyra District				X		
Anthony P. O’Brien, Rivanna District	X					X
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X				X	

Attest:

\_\_\_\_\_  
John M. Sheridan, Chair

Fluvanna County Board of Supervisors



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia

**PROCLAMATION 03-2020**

**Child Abuse Prevention Month**

**WHEREAS**, in Federal fiscal year 2017, 4.1 million reports were made to child protective services; and

**WHEREAS** child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

**WHEREAS**, our children are our most valuable resources and will shape the future of the [State or jurisdiction]; and

**WHEREAS**, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

**WHEREAS**, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children;

**WHEREAS**, effective child abuse prevention activities succeed because of the partnerships created between child welfare, education, health, community- and faith-based organizations, and businesses and law enforcement agencies; and

**WHEREAS**, communities must make every effort to promote programs and activities that create strong and thriving children and families;

**WHEREAS**, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment.

**WHEREAS**, Prevention remains the best defense for our children and families;

**NOW, THEREFORE**, the Fluvanna County Board of Supervisors does hereby proclaim April 2020 as **NATIONAL CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Fluvanna County and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Passed and adopted this 1<sup>st</sup> day of April 2020, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District	X					
Anthony P. O’Brien, Rivanna District	X					X
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X				X	

\_\_\_\_\_  
John M. Sheridan

Chair, Board of Supervisors

APPROVED

“Board Members,

Patti Reynard - Broken Island

Things I have learned from attending the Board of Supervisors meetings over the last few months; the schools receive over 50% of the county's Budget (and are asking for \$1.5 million additional funds), the county chooses/approved the continued loss of over \$150,000 of tax payers money in the Fluvanna Land Fill that is only open 3 days a week (Tues., Thur., Sat. - a total 24 hours), and don't really seem to seek details on ways to cut expenditures. The county losses millions each year to Land Use by allowing this tax loophole for over 110,000 of the 183,000 acres of Fluvanna land. The county continues to fund hundreds of thousands in additional funding to non-profiles that are already funded. The fire dept. is requesting over \$800K in additional money. I ask that the board take a closer look at the real cost of the fire truck and equipment request, and ask for a standardized configuration for all companies in the county. The list that was given to the county administrator was obtained from googling these items, which can not be considered realizable. I would like to see the board of supervisors request specific/detailed pricing quotes from reputable suppliers. Most important I would like to see reduced over spending, and over funding requests for the unnecessary items, in some cases just because that is what has been done in the past. There is tremendous waste in the School, and throughout the county.

The Fluvanna County Schools, teachers, administrators and higher-level employees, and the Fluvanna County Employees are very carefully and thoughtfully considered as priority for raises, and benefits at the tax payers expense. Keep in mind many of the tax paying residents are working in positions that don't provide them with healthcare insurance, or cost of living raises, and many positions are hourly, which will likely end as the result of the COVID-19 pandemic. It appears most Board of Supervisors just don't consider the hardships the increased taxes placed on residents, only how the schools, and county staff should get raises, and benefits afforded them at the tax paying residents expense, which themselves to not have.

I am really hoping the board isn't seriously considering taking on even more debt, and fully funding all these super inflated request, and placing this burden on the 30% of the counties tax payers that are paying 70% of the counties taxes. Just because the interest rate is low right now doesn't mean tax payers will have the additional resources to pay the increase in taxes as a result.

Just think what a tax increase, an increased assessed property value, cost of living increases, such as healthcare insurance, medication cost, as well as utilities and living expenses are going to mean for all tax paying citizens. It is even scarier to think that many tax paying citizens are going to be dealing with serious financial issues as a result of the COVID-19 virus, and many losing their jobs. It could take years for the economy to recover from this crisis, and many Fluvanna tax payers will not financially survive this devastation. I'm asking the board of supervisors to govern for the greater good of all the counties residents.

Patti Reynard”

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“This is Sharon Harris. I emailed this question to the Clerk and to Tony and you. But they indicated only one question was sent. Here's the question I asked: What is the county's plan to respond to the governor's call on communities to provide “emergency childcare” for essential employees? Specifically, the state has called for the reopening of facilities that provide childcare. Our neighbors in Orange County are providing childcare at two of their schools to serve individuals considered essential personnel. Given that Fluvanna provides child care services through it's Extended Education program, might this program be utilized, in compliance with VDSS and VDH Covid-19 guidelines and recommendations?”