



FLUVANNA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

Fluvanna County Library, 214 Commons Blvd.

Palmyra, VA 22963

November 18, 2020 at 7:00 pm

TAB	AGENDA ITEMS
1	CALL TO ORDER
2	PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
3	ADOPTION OF AGENDA
4	COUNTY ADMINISTRATOR'S REPORT
5	PUBLIC COMMENTS #1 (5 minutes each)
6	PUBLIC HEARING
7	ACTION MATTERS
A	Pleasant Grove Wildlife Meadows Maintenance: Prescribed Burn – Aaron Spitzer, Director of Parks and Recreation
B	Deer Hunt for Handicapped Hunters at Pleasant Grove – Frederick W. Payne, Esquire
C	FY20 to FY21 Carryover Request – Sheriff's Office – Mary Anna Twisdale, Finance Director
D	FY21 CARES Act Budget Transfer – Fluvanna County Ambulance 49 Power Cot – Mary Anna Twisdale, Finance Director
E	Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program Award – Liz McIver, Management Analyst
F	Authorization to Advertise a Right of Way Agreement for Dominion– Eric Dahl, County Administrator
7A	APPOINTMENTS
8	PRESENTATIONS (normally not to exceed 10 minutes each)
G	Virginia Department of Health COVID-19 Update – Dr. Denise Bonds, VDH Director
H	Criminal Justice Planner's Report 2010-2019 – Neal S. Goodloe, MPA, Criminal Justice Planner, Thomas Jefferson Area Community Criminal Justice Board
I	Compensation Board Funded Bonus for Sworn Personnel in the Sheriff's Office – Jessica Rice, Human Resources Manager
J	Qualified Immunity for Law Enforcement Officials – Eric Hess, Fluvanna County Sheriff
9	CONSENT AGENDA
K	Minutes of November 4, 2020 – Caitlin Solis, Clerk to the Board
L	VDOT Secondary Street Acceptance Request – Venable Creek Lane – Caitlin Solis, Clerk to the Board
M	Additional Security for Evidence Storage Unit – Cyndi Toler, Purchasing Officer
N	FY21 FCPS Grants Supplemental Appropriation – Brenda Gilliam, Executive Director for Instruction and Finance
O	Open Space Contract (Campagna) – Andrew M. Sheridan, Jr., Commissioner of the Revenue

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P Open Space Contract (Graff) – Andrew M. Sheridan, Jr., Commissioner of the Revenue

10 – UNFINISHED BUSINESS

Q Local Allocations for Federal CARES Coronavirus Relief Funds – Eric Dahl, County Administrator

11 – NEW BUSINESS

TBD

12 – PUBLIC COMMENTS #2 (5 minutes each)

13 – CLOSED MEETING

TBD

14 – ADJOURN



County Administrator Review

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*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*

PLEDGE OF ALLEGIANCE

I pledge allegiance, to the flag,
of the United States of America,
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

GENERAL RULES OF ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use defamatory or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches, however, the Board may by majority vote of the Board members present and voting to overrule the judgment of the Chair.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

RULES OF PROCEDURE FOR PUBLIC HEARINGS

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Board.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Board.
 - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

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**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB A

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Pleasant Grove Wildlife Meadows Maintenance: Prescribed Burn				
MOTION(s):	I move the Board of Supervisors (approve/deny/defer) the Parks and Recreation department to move forward with the prescribed burn plan for the wildlife meadows at Pleasant Grove Park as discussed in the presentation.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		x			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			x		
STAFF CONTACT(S):	Aaron Spitzer, Director of Parks and Recreation				
PRESENTER(S):	Chuck Wright – Virginia Dept. of Forestry, Local State Forester Walter Hussey - Master Naturalist				
RECOMMENDATION:	Approval				
TIMING:	Current				
DISCUSSION:	<ul style="list-style-type: none"> This presentation is to get approval for the Parks and Recreation department to hold prescribed burns on County property at Pleasant Grove Park's wildlife meadows. This will allow for native plants to thrive as well as Quail to be reintroduced to the park. 				
FISCAL IMPACT:	\$1,000 - \$1,500				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Wildlife Meadow Maintenance: Prescribed Burn PowerPoint				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					x

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB B

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Deer Hunt for Handicapped Hunters at Pleasant Grove				
MOTION(s):	I move that the Board of Supervisors authorize the sheriff to conduct a deer hunt at Pleasant Grove for the purpose of controlling deer numbers, such hunt to be managed by Wheelin Sportsmen, a non-profit organization providing outdoor recreation opportunities for handicapped hunters.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		XX			
STAFF CONTACT(S):	Frederick W. Payne, Sheriff Eric Hess, Aaron Spitzer, Director of Parks and Rec				
PRESENTER(S):	Frederick W. Payne, Esquire County Attorney for Fluvanna County				
RECOMMENDATION:	Approval				
TIMING:	Immediate				
DISCUSSION:	<p>The sheriff's office continues to believe that it is necessary to reduce the numbers of deer on Pleasant Grove and that the best means of such control is through a managed hunt under the auspices of Wheelin Sportsmen, a group affiliated with the National Wild Turkey Federation. The proposal is to permit a small (7-10) group of hunters to take deer during the current hunting season. The hunt will be confined to carefully selected areas of Pleasant Grove on Friday, January 1, 2021. Like the events held in recent years past, it is proposed that the hunt be scheduled for the afternoon only (beginning around 2 p.m.). This reflects the success rate of the afternoon period of past years and is intended to minimize the closing of the Park as well as the time devoted by volunteers and maximizing the safety at the high school. Security will be provided by the sheriff's office, and portions of the property west of the dog park will be closed to public access during that day only. Primary access for hunters will be at the sheriff's office and the main entrance to the Pleasant Grove house. All hunters will be wheel-chair bound or otherwise handicapped, will be duly licensed and will escorted by qualified volunteers from the community. Wheelin Sportsmen organizes similar hunts at numerous locations in Virginia, including state parks and other similar properties as well as selected private properties and has done so for many years. It is a qualified charitable organization which maintains a \$2 million liability insurance policy. The County enjoys sovereign immunity.</p>				

	Similar shoots were held in January of 2013-2020 with safety and success. It is expected that, if approved, this hunt will be similar, with minor changes based on previous years' experience.				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	Similar activities were approved and were carried out in January of 2013 through 2020.				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB C

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	FY20 to FY21 Carryover Request - Sheriff's Office				
MOTION(s):	I move the Board of Supervisors approve a \$3,575 carryover request of the FY20 unexpended Sheriff's Office Volunteer budget line to be reappropriated to the FY21 Sheriff's Office Volunteer line.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Mary Anna Twisdale, Finance Director				
PRESENTER(S):	Mary Anna Twisdale, Finance Director				
RECOMMENDATION:	Recommend approval of the motion as stated above.				
TIMING:	Routine				
DISCUSSION:	These funds are predominately for the Explorer Program run by the Sheriff's Office. Due to COVID19, this program was not able to expend these funds in FY20. This revenue is the main source of funding for the Explorer Program.				
FISCAL IMPACT:	This request would authorize staff to carry forward \$3,575 of expenditure authority to the FY21 Sheriff's Office Volunteer line.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB D

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	FY21 CARES Act Budget Transfer – Fluvanna County Ambulance 49 Power Cot				
MOTION(s):	I move that the Board of Supervisors approve a budget transfer of \$18,153.67 from the FY21 CARES Act Contingency line to the FY21 CARES Act vehicle line for a Power Cot for Ambulance 49.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Mary Anna Twisdale, Finance Director				
PRESENTER(S):	Mary Anna Twisdale, Finance Director				
RECOMMENDATION:	Approval				
TIMING:	Immediate				
DISCUSSION:	<ul style="list-style-type: none"> Acquiring Power Loads allows Fire and Rescue to limit provider exposure during calls. This allows patients to be loaded and unloaded with minimal staffing decreasing exposure to infectious diseases. The Board previously approved \$52,022.68 for power loads for Ambulances 45 and 49. Ambulance 45 is currently equipped with a power cot. An additional power cot will be necessary in conjunction with the power load for ambulance 49. 				
FISCAL IMPACT:	Allocate CARES Act Funding for Power Cot for Ambulance 49				
POLICY IMPACT:	NA				
LEGISLATIVE HISTORY:	NA				
ENCLOSURES:	N/A				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB E

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program Award				
MOTION(s):	<p>(1) I move the Board of Supervisors accept the grant award for the Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program Grant in the amount of \$499,871 to fund startup cost of Fluvanna County Drug Court.</p> <p>(2) I move the Board of Supervisors approve a supplemental appropriation of \$499,871 to the Circuit Court Judge FY21 Adult Drug Court budget for funds received from the Department of Justice – Office of Justice Programs.</p>				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Jeff Haislip, Commonwealth's Attorney; Tristana Treadway, Clerk of the Circuit Court; Eric Hess, Sheriff; Mary Anna Twisdale, Director of Finance				
PRESENTER(S):	Liz McIver, Management Analyst				
RECOMMENDATION:	Approve/Defer/Deny				
TIMING:	Immediate				
DISCUSSION:	<ul style="list-style-type: none"> The grant is for a total of \$499,871 for a period of 36 months beginning October 1, 2020 for Adult Drug Court Grant would provide funds for OAR (Offender Aid & Restoration) to hire and supervise a Drug Court Coordinator for Fluvanna County Drug Court In addition, it would provide funds for client recovery support and to purchase drug testing supplies The goal of the program is to serve 25 adults who have been charged with a felony in Circuit Court and to divert them out of the criminal justice system by providing a comprehensive, fully evidence-based program that combines criminal case processing with treatment, intensive supervision, and intensive judicial oversight. 				
FISCAL IMPACT:	<ul style="list-style-type: none"> The grant requires a 25% cash or in-kind match that would be covered with in-kind services from the Circuit Court Clerk, Sheriff and the Commonwealth's Attorney. During budget discussions the Board indicated they would be willing to do a \$45,000 match from Board Contingency to help fund startup cost of the program \$5,000 budgeted for drug court in FY20 will carry forward to FY21 to make the County cash contribution a total of \$50,000. 				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Adult Drug Court and Veterans Treatment Court Discretionary Grant Program Competitive Grant Solicitation				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

		X			
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**Department of Justice (DOJ)**

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

Mr. Eric Dahl
County of Fluvanna
132 Main St., PO Box 540
Palmyra, VA 22963-4179

Dear Mr. Dahl:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by County of Fluvanna for an award under the OJP funding opportunity entitled "Adult Drug Court and Veterans Treatment Courts: Adult Drug Courts." The approved award amount is \$499,871. These funds are for the project entitled Fluvanna County Adult Drug Court Implementation Project.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should County of Fluvanna accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact NiKisha Love, Program Manager at (202) 616-8241; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan", is located below the "Sincerely," text.

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

BOS2020-11-18 p.17/228

Washington, DC 20531

Mr. Eric M. Dahl
County of Fluvanna
132 Main St.
PO Box 540
Palmyra, VA 22963-4179

Dear Mr. Dahl:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.



If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

 <p>Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance</p>		Grant		PAGE 1 OF 16	
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) County of Fluvanna 132 Main St. PO Box 540 Palmyra, VA 22963-4179		4. AWARD NUMBER: 2020-DC-BX-0102			
		5. PROJECT PERIOD: FROM 10/01/2020 TO 09/30/2023 BUDGET PERIOD: FROM 10/01/2020 TO 09/30/2023			
		6. AWARD DATE		7. ACTION Initial	
2a. GRANTEE IRS/VENDOR NO. 546001283		8. SUPPLEMENT NUMBER 00			
2b. GRANTEE DUNS NO. 093563096		9. PREVIOUS AWARD AMOUNT \$ 0			
3. PROJECT TITLE Fluvanna County Adult Drug Court Implementation Project		10. AMOUNT OF THIS AWARD		\$ 499,871	
		11. TOTAL AWARD		\$ 499,871	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).					
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - Drug Courts) 34 USC 10611; Pub. L. No. 116-93, 133 Stat 2317, 2409					
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.585 - Drug Court Discretionary Grant Program					
15. METHOD OF PAYMENT GPRS					
[REDACTED] AGENCY APPROVAL [REDACTED]		[REDACTED] GRANTEE ACCEPTANCE [REDACTED]			
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Eric M. Dahl County Administrator			
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		19A. DATE	
[REDACTED] AGENCY USE ONLY [REDACTED]					
20. ACCOUNTING CLASSIFICATION CODES		21. VDCUGT2860			
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. REG.	SUB.	POMS AMOUNT
X	B	DC	80	00	00 499871

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 2 OF 16

PROJECT NUMBER 2020-DC-BX-0102

AWARD DATE

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

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PROJECT NUMBER 2020-DC-BX-0102

AWARD DATE

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 4 OF 16

PROJECT NUMBER 2020-DC-BX-0102

AWARD DATE

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



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8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



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9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



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any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



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13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



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14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



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19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2020-DC-BX-0102 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.



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32. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
33. Verification and updating of recipient contact information

The recipient must verify its Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
34. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
35. Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.
36. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (<https://bjapmt.ojp.gov/>). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.
37. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.



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38. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

39. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

40. Regarding medication-assisted treatment (MAT), the award recipient understands and agrees to the following: 1) all clients in a BJA-funded drug court have a right to access MAT under the care and prescription of a physician to the extent MAT is clinically indicated; 2) BJA-funded drug courts must not deny any eligible client enrollment to the drug court program because of their use of FDA-approved medications for the treatment of substance abuse; 3) MAT must be permitted to be continued for as long as the prescriber determines that the FDA-approved medication is clinically beneficial; 4) while under no circumstances can a BJA-funded drug court program deny access to MAT under the care and prescription of a physician when it is clinically indicated, a judge retains judicial discretion to mitigate/reduce the risk of abuse, misuse, or diversion of these medications; and 5) federal funds shall not be used to support activities that violate the Controlled Substances Act, 21 U.S.C. §§ 801-904.
41. All BJA-funded adult drug courts must be operated based on the 10 key components for drug courts, which are found in BJA's and National Association of Drug Court Professionals' (NADCP) publication: Defining Drug Courts: The Key Components at <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>. During the grant period of performance, if BJA concludes that a funded drug court is not conforming to the 10 key components, it retains the right to place the award recipient on a corrective action plan to bring the drug court into conformance. Continued failure to maintain conformance to the key components may result in a hold placed on award funds or suspension/termination of the grant award agreement.
42. The recipient agrees to submit to BJA, by the termination of the award period, an electronic copy of the final evaluation report. The final evaluation report must be submitted to BJA as a "Special Report," via the OJP Grants Management System Progress Reports Module.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 16 OF 16

PROJECT NUMBER 2020-DC-BX-0102

AWARD DATE

SPECIAL CONDITIONS

43. The recipient understands and agrees that no award or matching funds may be used to provide services for violent offenders as defined in 42 U.S.C. 3797u-2, a "violent offender" means a person who—(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct— (A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.
44. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
45. The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either -- (1) the recipient submits to OJP a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OJP in writing of both its eligibility and its election.

The financial review of the budget for this award is pending. If the OJP Office of the Chief Financial Officer (OCFO) determines as part of its financial review that the recipient already has submitted the documentation concerning indirect costs described above, this condition will be released through a Grant Adjustment Notice (GAN) upon completion of the OCFO final budget review.

If the OJP OCFO instead determines as part of its financial review that the recipient has not yet submitted the required documentation concerning indirect costs, this condition will not be released until OJP (including its OCFO) receives and reviews a satisfactory submission.

46. Withholding of funds: Disclosure of pending applications

The recipient may not obligate, expend, or draw down any award funds until: (1) it has provided to the grant manager for this OJP award either an "applicant disclosure of pending applications" for federal funding or a specific affirmative statement that no such pending applications (whether direct or indirect) exist, in accordance with the detailed instructions in the program solicitation, (2) OJP has completed its review of the information provided and of any supplemental information it may request, (3) the recipient has made any adjustments to the award that OJP may require to prevent or eliminate any inappropriate duplication of funding (e.g., budget modification, project scope adjustment), (4) if appropriate adjustments to a discretionary award cannot be made, the recipient has agreed in writing to any necessary reduction of the award amount in any amount sufficient to prevent duplication (as determined by OJP), and (5) a Grant Adjustment Notice has been issued to remove this condition.

**Department of Justice (DOJ)**

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for County of Fluvanna

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.
- (3) A renovation that will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

<div></div> <div><p>Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance</p></div>	<div><p>GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY</p><p>Grant</p></div>	
	PROJECT NUMBER 2020-DC-BX-0102	PAGE 1 OF 1
This project is supported under FY20(BJA - Drug Courts) 34 USC 10611; Pub. L. No. 116-93, 133 Stat 2317, 2409		
1. STAFF CONTACT (Name & telephone number) NiKisha Love (202) 616-8241	2. PROJECT DIRECTOR (Name, address & telephone number) Susan C. Morrow Assistant Director 132 Main Street PO Box 540 Palmyra, VA 22963 (276) 591-9263	
3a. TITLE OF THE PROGRAM Adult Drug Court and Veterans Treatment Courts: Adult Drug Courts	3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)	
4. TITLE OF PROJECT Fluvanna County Adult Drug Court Implementation Project		
5. NAME & ADDRESS OF GRANTEE County of Fluvanna 132 Main St. PO Box 540 Palmyra, VA 22963-4179	6. NAME & ADRESS OF SUBGRANTEE	
7. PROGRAM PERIOD FROM: 10/01/2020 TO: 09/30/2023	8. BUDGET PERIOD FROM: 10/01/2020 TO: 09/30/2023	
9. AMOUNT OF AWARD \$ 499,871	10. DATE OF AWARD	
11. SECOND YEAR'S BUDGET	12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) The Bureau of Justice Assistance (BJA) FY20 Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program provides financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized Indian tribal governments to implement and enhance the operations of adult drug courts and veterans treatment courts. BJA’s ADC/VTC Program supports efforts by state, local, and tribal courts to address the needs of individuals in the criminal justice system with substance abuse issues. The focus is to reduce opioid, stimulant, and substance abuse. BJA allows award recipients to implement or enhance the most appropriate drug court model to accommodate the needs and available resources of their jurisdictions, so long as the model conforms to the 10 key components and the evidence-based program principles in the nationally-recognized drug court standards. The grant recipient has an operational adult drug court or is ready to fully implement a drug court. Funding will be used to launch a drug court; scale up the drug court program’s capacity; provide access to or enhance treatment capacity or other critical support services; enhance court operations; expand or enhance court		

services; or improve the quality and/or intensity of services based on needs assessments. CA/NCF

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB F

MEETING DATE:	Nov 18, 2020				
AGENDA TITLE:	Authorization to Advertise Public Hearing – Dominion Easement Agreement				
MOTION(s):	I move the Board of Supervisors authorize staff to advertise for a Public Hearing on December 16, 2020, for consideration and approval of a proposed Right of Way Agreement for conveyance by the County of Fluvanna to Virginia Electric and Power Company, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, of a non-exclusive 15 foot in width easement over Fluvanna County Tax Map Parcel 42-1-4A in the location shown on the plat numbered 63-20-0068 which plat is attached to the Right of Way Agreement for the purposes of transmitting and distributing electric power and for such other uses as more specifically set out in the Right of Way Agreement.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		XX			
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Normal				
DISCUSSION:	Pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended, any disposition of property including conveyance of an easement shall not be disposed of until the governing body has held a public hearing concerning such disposal. Fluvanna County Tax Map Parcel 42-1-4A is subject to a lease to the Commonwealth of Virginia, Department of Forestry (VDOF). VDOF initiated the request for certain underground utilities on the property owing to some issues with the current above-ground lines. VDOF's John Colligan, Jr., Chief of Administration has approved this Right of Way Agreement. This Right of Way allow electric transmission lines and equipment to be placed in the easement area defined in the Right of Way Agreement				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Draft Advertisement for Public Hearing, Recorded Plat of Affected Property				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	XX				

**FLUVANNA COUNTY
NOTICE OF PUBLIC HEARING**

On Wednesday, the 16th day of December, 2020, in accordance with Section 15.2-1800 of the Code of Virginia, the Board of Supervisors of Fluvanna County, Virginia, will hold a public hearing for the purpose of accepting comments and for consideration and approval of a proposed Right of Way Agreement for conveyance by the County of Fluvanna to Virginia Electric and Power Company, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, of a non-exclusive 15 foot in width easement over Fluvanna County Tax Map Parcel 42-1-4A in the location shown on the plat numbered 63-20-0068 which plat is attached to the Right of Way Agreement for the purposes of transmitting and distributing electric power and for such other uses as more specifically set out in the Right of Way Agreement. A full text of the Right of Way Agreement and plat numbered 63-20-0068 under consideration is available at the County Administration Building at 132 Main Street Palmyra, Virginia building for public inspection [and is available on the County's website at <https://www.fluvannacounty.org/bos/page/bos-nov-18-2020-700-pm-regular-meeting>]. The public hearing will be conducted at 7:00 p.m. in the Fluvanna County Library, 214 Commons Blvd, Palmyra, Virginia. Interested persons may appear at such time and place and present their views.

**Clerk to the Board of Supervisors
of Fluvanna County, Virginia**



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this ____ day of _____, _____, by and between

COUNTY OF FLUVANNA,
a Political Subdivision of the Commonwealth of Virginia

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend FIFTEEN (15) feet in width across the lands of **GRANTOR**; in that location shown on plat numbered 63-20-0068 attached hereto and made a part hereof.

Initials:

This Document Prepared by Virginia Electric and Power Company and should be returned to:

Dominion Energy Virginia, 1609 East Third Street Farmville, VA. 23901 .

(Page 1 of 6 Pages)
VAROW No(s). 63-20-0068
Tax Map No. 42-1-4A

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in FLUVANNA COUNTY, Virginia, as more fully described on Plat(s) Numbered 63-20-0068, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable and which are in all respects consistent with the provision of this Right of Way Agreement.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of reasonable ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR** if necessary to access the easement. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. ~~If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement.~~ **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within one hundred twenty (120) days after such damage occurs.

Initials: _____

(Page 2 of 6 Pages)

VAROW No(s). 63-20-0068

Form No. 728493-2 (Apr 2020)

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Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s reasonable exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s reasonable exercise of any of its rights granted hereunder. ~~In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.~~

8. **GRANTEE**'S right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE**'S obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE**'S stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: _____

(Page 3 of 6 Pages)
VAROW No(s). 63-20-0068



Right of Way Agreement

11. **GRANTOR** hereby represents to **GRANTEE** that, to the best of **GRANTOR'S** knowledge, (a) **GRANTOR** is seized of and has the right to convey this easement and the rights and privileges granted hereunder; and (b) **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that they have been duly authorized to execute this easement on behalf of said **GRANTOR**.

13. Nothing herein shall be deemed a waiver of **GRANTOR'S** sovereign immunity.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, **GRANTOR** and **GRANTEE** have caused their names to be signed hereto by its authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM: COUNTY OF FLUVANNA _____

(Name) By: _____

(Title) Title: _____

State of _____

County/City of _____, to wit:

I, _____, a Notary Public in and for the State of Virginia at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

_____, _____, on behalf of _____
(Name of officer or agent) (Title of officer or agent)

County, Virginia, whose name is signed to the foregoing writing dated this _____ day of _____, 2020, and acknowledged the same before me.

Given under my hand _____, 2020.

Notary Public (Print Name)

Notary Name (Signature)

Virginia Notary Reg. No. _____

My Commission Expires: _____



Right of Way Agreement

Grantee: VIRGINIA ELECTRIC AND POWER COMPANY
d/b/a DOMINION ENERGY VIRGINIA

By: _____
SHAUN REILLY, Authorized Representative

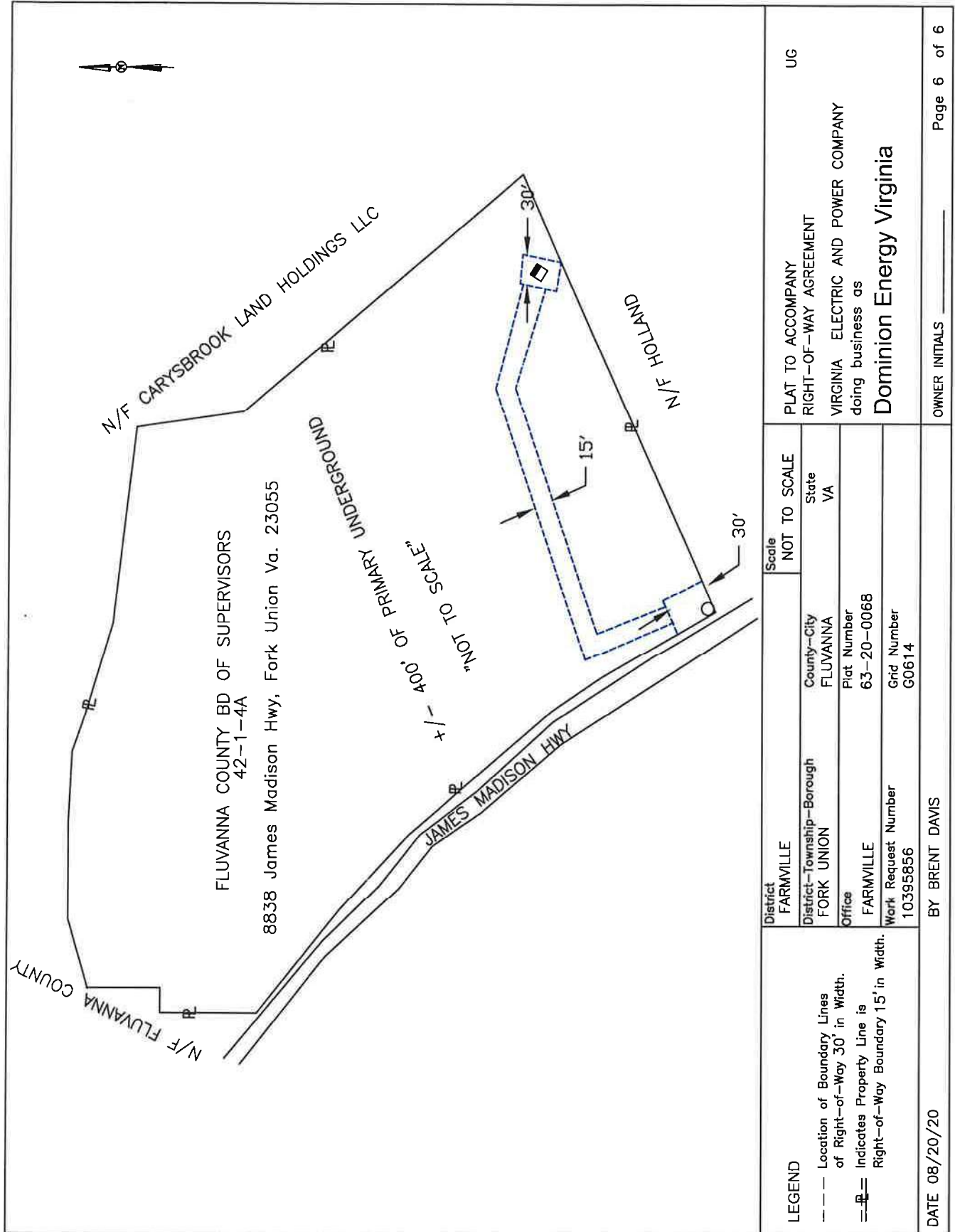
COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing Deed of Easement was acknowledged before me this ____ day of _____, 2020, by Shaun Reilly, its Authorized Representative, on behalf of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, a Virginia public service corporation, Grantee.

My commission expires: _____

Registration No. _____

Notary Public



**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB G

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Virginia Department of Health COVID-19 Update				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board of Supervisors				
PRESENTER(S):	Dr. Denise Bonds, Virginia Department of Health				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	N/A				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB H

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Fluvanna Criminal Justice Planner's Report 2010-2019				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Neal S. Goodloe, MPA, Criminal Justice Planner, Thomas Jefferson Area Community Criminal Justice Board				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:					
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Criminal Justice Planner's Report 2010-2019				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

Jefferson Area Community Criminal Justice Board

750 Harris Street Suite 207 • Charlottesville, VA 22903
(434) 296-2441 • Fax (434) 979-4038 • E-mail ngoodloe@oar-jacc.org
Albemarle • Charlottesville • Fluvanna • Goochland • Greene • Louisa • Madison • Fluvanna • Orange

2011-2019 Criminal Justice Planner's Report to the Fluvanna County Board of Supervisors

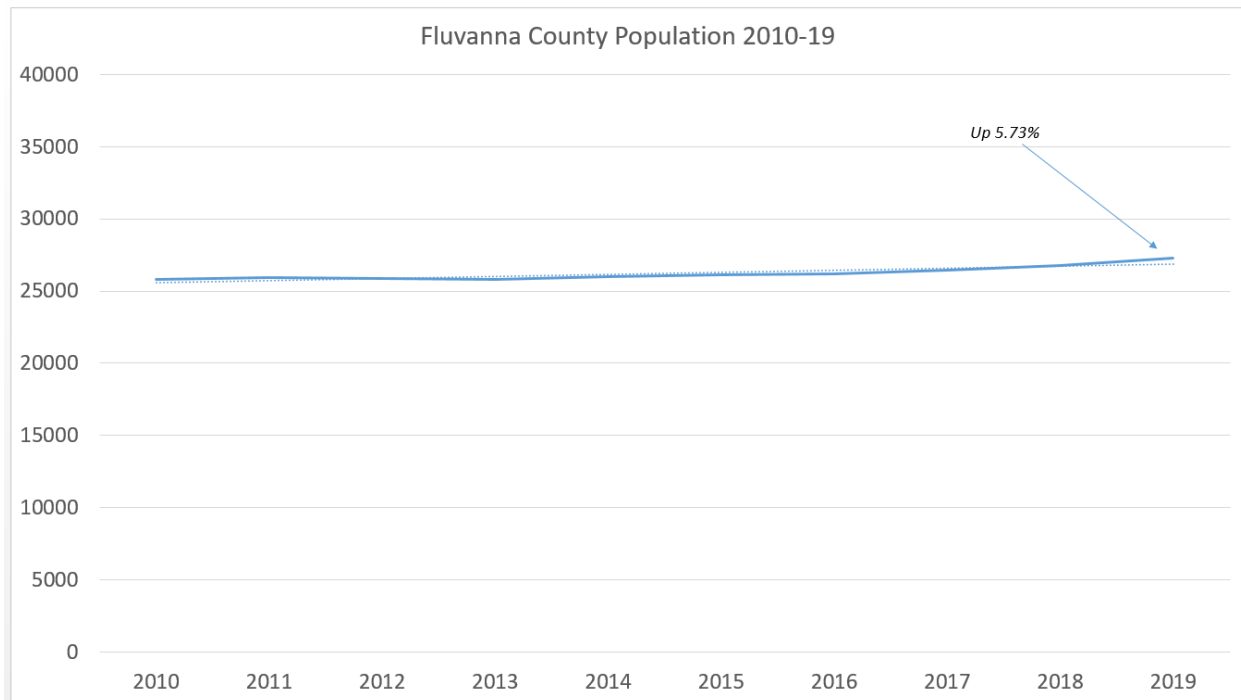
This document represents a first-of-its-kind, comprehensive criminal justice report to the Fluvanna County Board of Supervisors. It was prepared by the Criminal Justice Planner under the direction of the Thomas Jefferson Area Community Criminal Justice Board. This document is intended to standardize data collection and analysis processes, serve as a general template for annual reports in future years, establish trend lines, and provide opportunities for local decision-makers to better understand long-term changes in crime patterns, jail utilization and costs.

First, a few words about the data:

- General population trends were obtained through the U. S. Census Bureau (<https://www.census.gov/quickfacts/fact/table/US/PST045219>).
- Crime and arrest data for CVRJ member jurisdictions, including Fluvanna County, were obtained from the Virginia State Police publication Crime in Virginia for years 2010-18 (https://www.vsp.virginia.gov/Crime_in_Virginia.shtm).
- Drug case certification data was obtained from the Virginia Department of Forensic Science, via the Virginia Social Indicator Dashboard (<https://vasisdashboard.omni.org/rdPage.aspx?rdReport=Home>).
- Booking and release data was obtained from the Central Virginia Regional Jail, covering a time frame from 1/1/2011 to 12/31/2019 (the lifespan of CVRJ's current operational management system). The data collected in the jail's system allows for accurate year-over-year tallies of bookings, booking events, charges, length of stay and release reason, by jurisdiction.
- Data was analyzed in an Excel format. Some data (particularly the assignment of charges into categories), required filtering by hand.
- Where appropriate, trend lines are expressed in both raw numbers and as a rate per 1000 residents, so that changes in the size of the general population can be reflected in the trend.

US Census Bureau General Population Data

Fluvanna County's population increased by 5.73% during the decade of 2010-19, from 14,978 to 14,930.



Fluvanna County is the fourth smallest jurisdiction among members of the Jefferson Area Community Criminal Justice Board. Smaller jurisdiction typically have greater swings in their criminal justice data year-to-year, especially in offenses that occur with less frequency, and whenever subgroupings by race, gender and age are measured. The reader is therefore encouraged to concentrate on longer-term trends, which smooth out volatility in the year-over-year data.

Virginia State Police Data

Every law enforcement agency in the Commonwealth of Virginia participates in the FBI's Uniform Crime Reporting (UCR) Program. Through the UCR, reported crime and arrest data are documented at the local level using a nationally-standardized, electronic protocol, the Incident-Based Reporting System, with the data transmitted to the Virginia State Police.

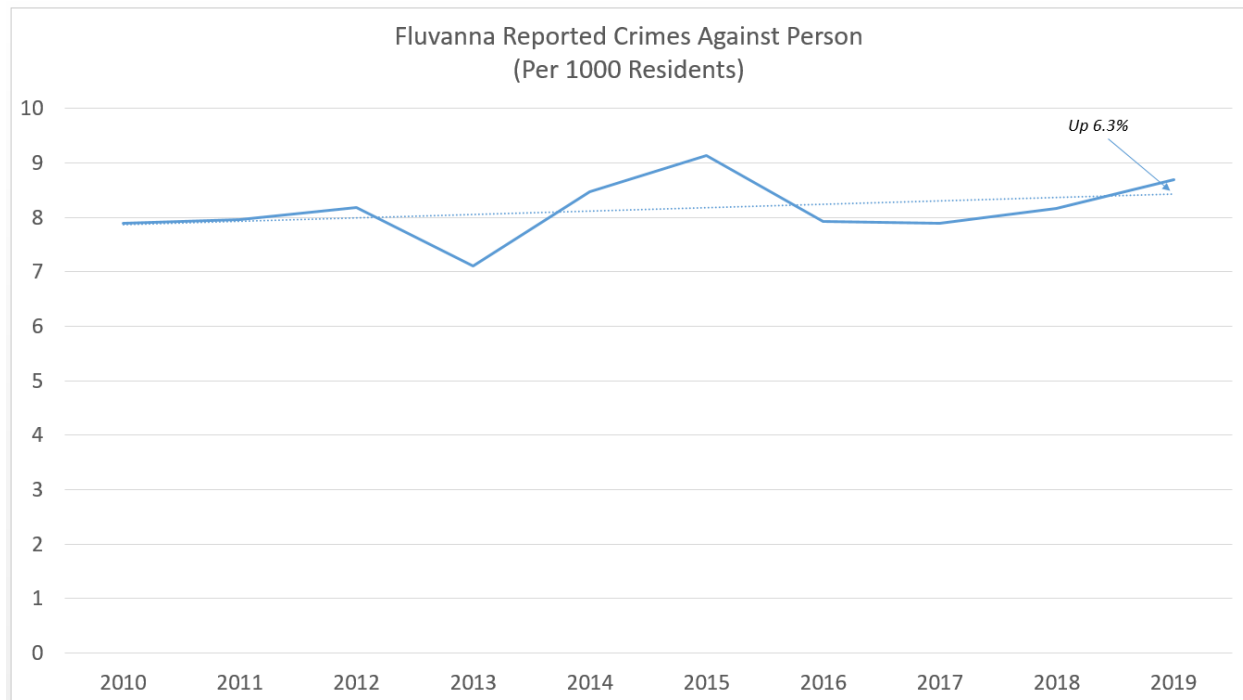
On an annual basis, the Virginia State Police produces a report, *Crime in Virginia*, which provides both statewide and jurisdiction-level reporting on Group A Crimes against Person, Property and Society, both in raw numbers and as a rate per 1000 residents. This data resource allows for an "apples to apples" comparison of jurisdictional crime and arrest trends, year over year, and is available online: <https://va.beyond2020.com/>

Group A Reported Crime Against Person

Group A Crimes Against Person Include:

Murder and Nonnegligent Manslaughter
Negligent Manslaughter
Justifiable Homicide
Kidnapping/Abduction
Forcible Rape
Forcible Sodomy
Sexual Assault With An Object
Forcible Fondling
Incest
Statutory Rape
Aggravated Assault
Simple Assault
Intimidation
Human Trafficking, Commercial Sex Acts
Human Trafficking, Involuntary Servitude

Fluvanna County's rate per 1000 residents for Group A reported crimes against person (as reported by the Fluvanna County Sheriff's Office and Virginia State Police) rose 6.3% from 2010 to 2019.

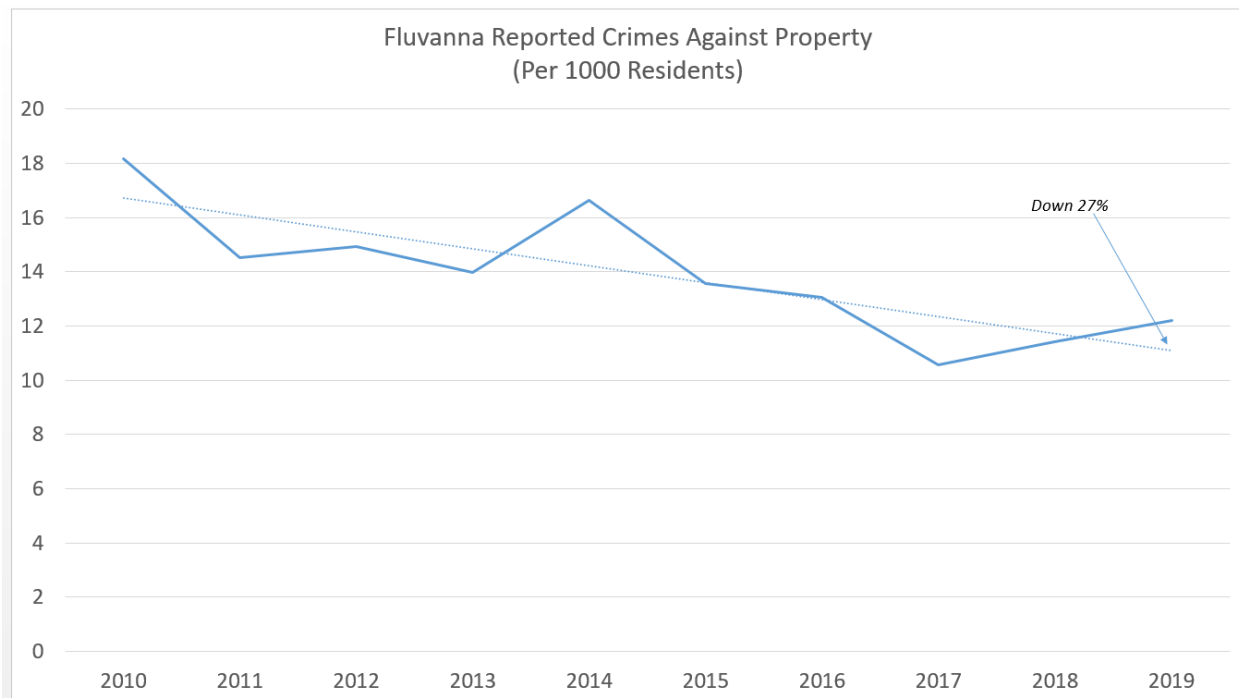


Group A Reported Crime Against Property

Group A Crimes Against Property Include:

Arson
Bribery
Burglary/Breaking & Entering
Counterfeiting/Forgery
Destruction/Damage/Vandalism of Property
Embezzlement
Extortion/Blackmail
False Pretenses/Swindle/Confidence Game
Credit Card/Automatic Teller Fraud
Impersonation
Welfare Fraud
Wire Fraud
Identity Theft
Hacking/Computer Invasion
Robbery
Pocket-picking
Purse-snatching
Shoplifting
Theft From Building
Theft From Coin Operated Machine or Device
Theft From Motor Vehicle
Theft of Motor Vehicle Parts/Accessories
All Other Larceny
Motor Vehicle Theft
Stolen Property Offenses

Fluvanna County's rate per 1000 residents for Group A reported crimes against property fell 27% from 2010 to 2019.

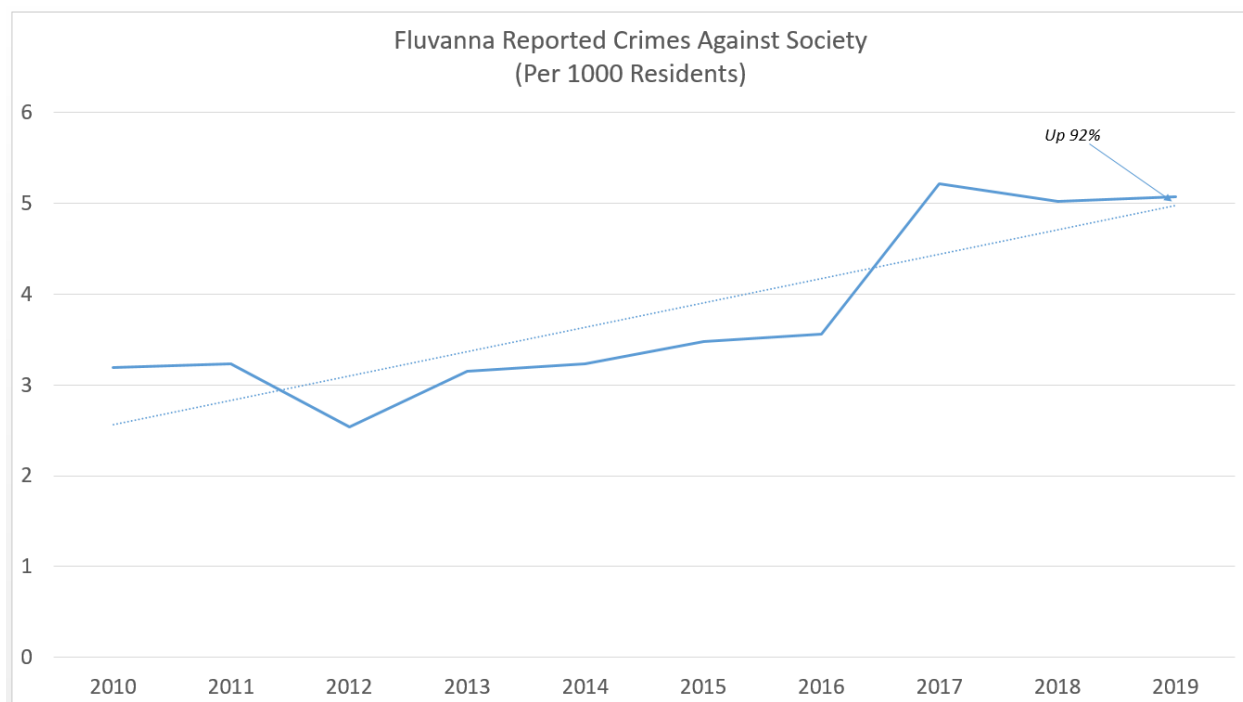


Group A Reported Crime Against Society

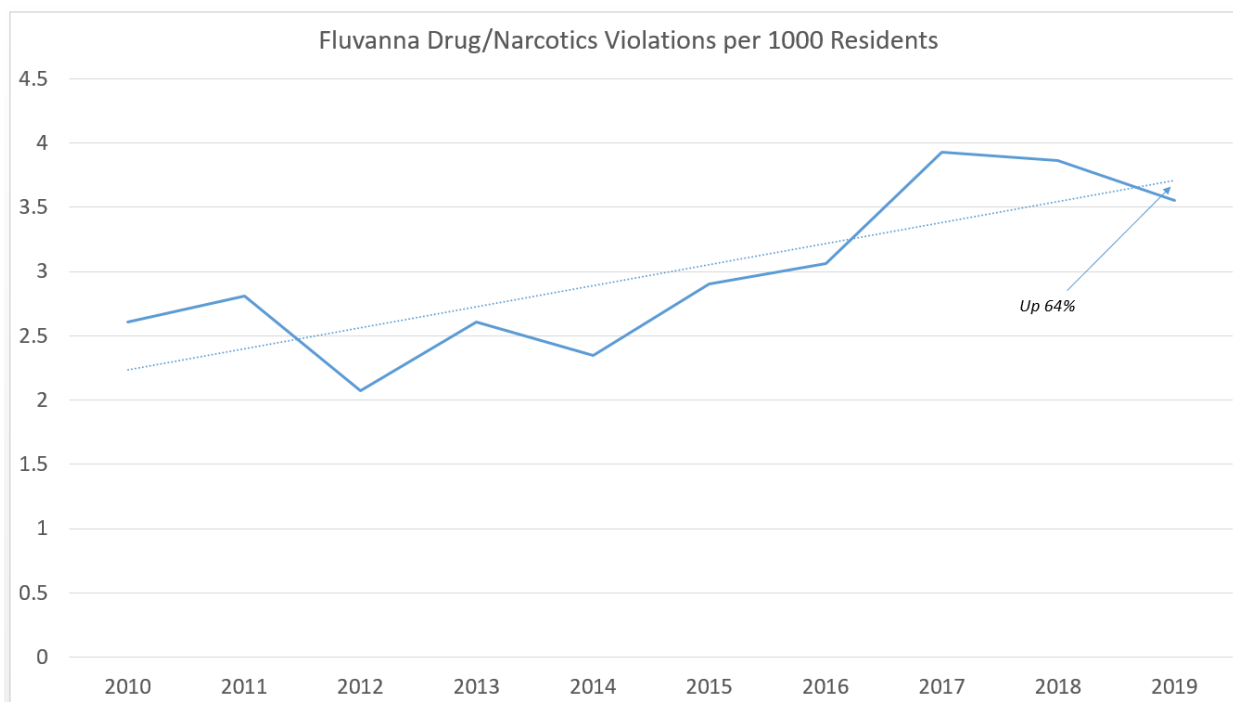
Group A Crimes Against Society Include:

Drug/Narcotic Violations
Drug Equipment Violations
Betting/Wagering
Operating/Promoting/Assisting Gambling
Gambling Equipment Violations
Sports Tampering
Pornography/Obscene Material
Prostitution
Assisting or Promoting Prostitution
Purchasing Prostitution
Weapon Law Violations
Animal Cruelty

Fluvanna County's rate per 1000 residents for Group A reported crimes against society increased 92% from 2010 to 2019. Felony drug offenses were a primary factor in the increase.



Specifically, narcotics violations reported to the Virginia State Police by law enforcement agencies in Fluvanna County rose 64% from 2010 to 2019.



Virginia Department of Forensic Science Data

The Virginia Department of Forensic Sciences engages in forensic testing of seized narcotics, and maintains a database documenting the number of drug certifications prepared for law enforcement agencies statewide, by drug type. This database, covering the years 2001 through 2019, represents the longest and most accurate view of illicit drug usage trends, by drug type, available.

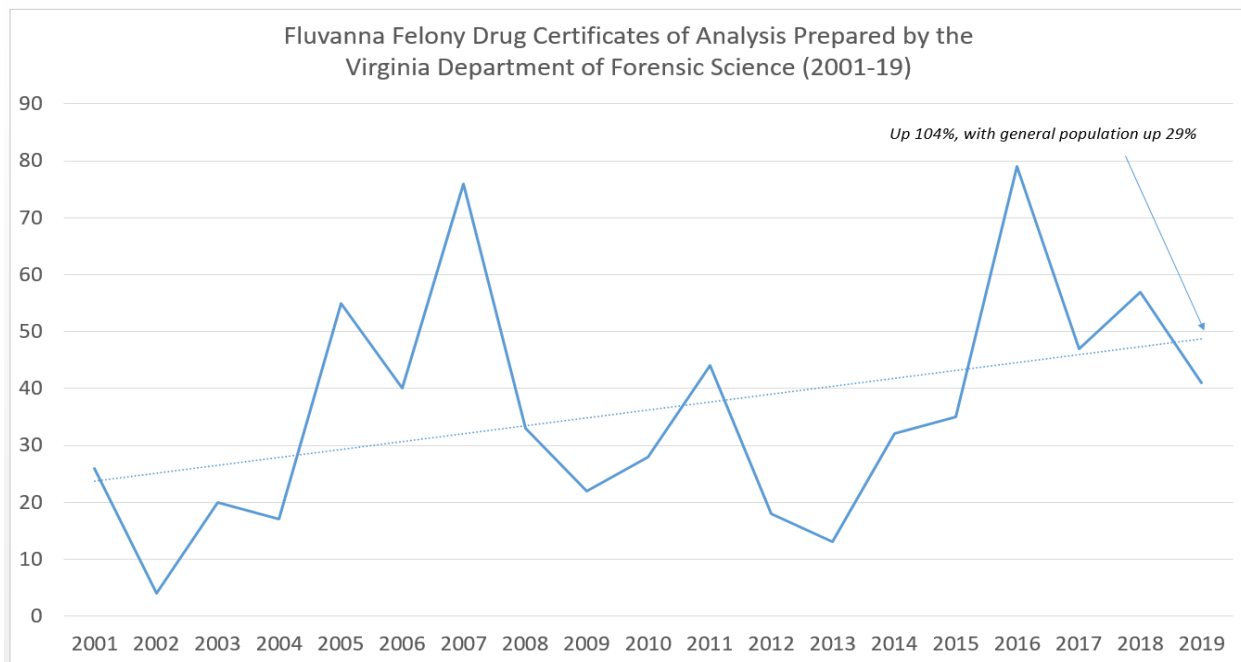
DFS contributes data to populate the Virginia Social Indicator Dashboard, in collaboration with the Omni Institute, the Department of Behavioral Health and Developmental Services, Department of Social Services, Department of Criminal Justice Services, Office of the Chief Medical Examiner, Department of Juvenile Justice, the Virginia National Guard, the Department of Health, and the US Census Bureau.

The DFS database is in the public domain, and available for download:

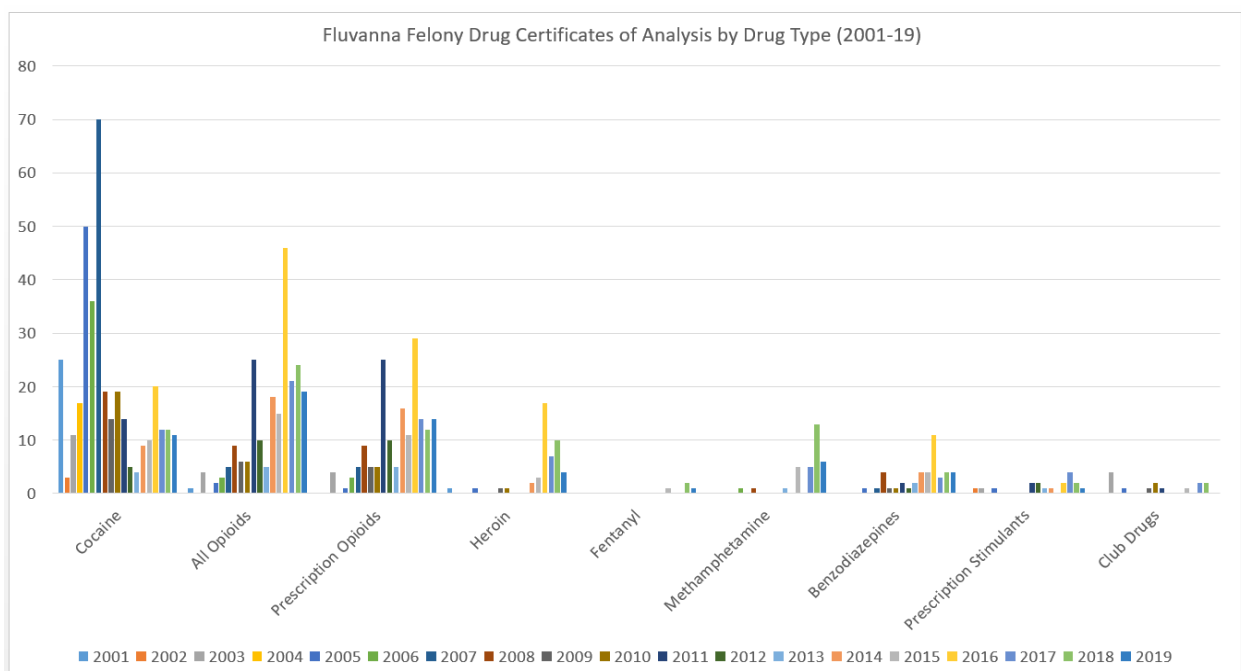
<https://vasisdashboard.omni.org/rdPage.aspx?rdReport=Home>

The author of this report was able to acquire 2017-19 data directly from the Virginia Department of Criminal Justice Services.

Fluvanna County drug seizures resulted in a 104% increase in felony drug certificates of analysis prepared by DFS from 2001 to 2019, during a time when the general population of the county rose 29%.



The most significant contributor to this increase in recent years has been opioids, first prescription opiates, followed by heroin. It also appears that methamphetamine has been increasing in just the last few years.



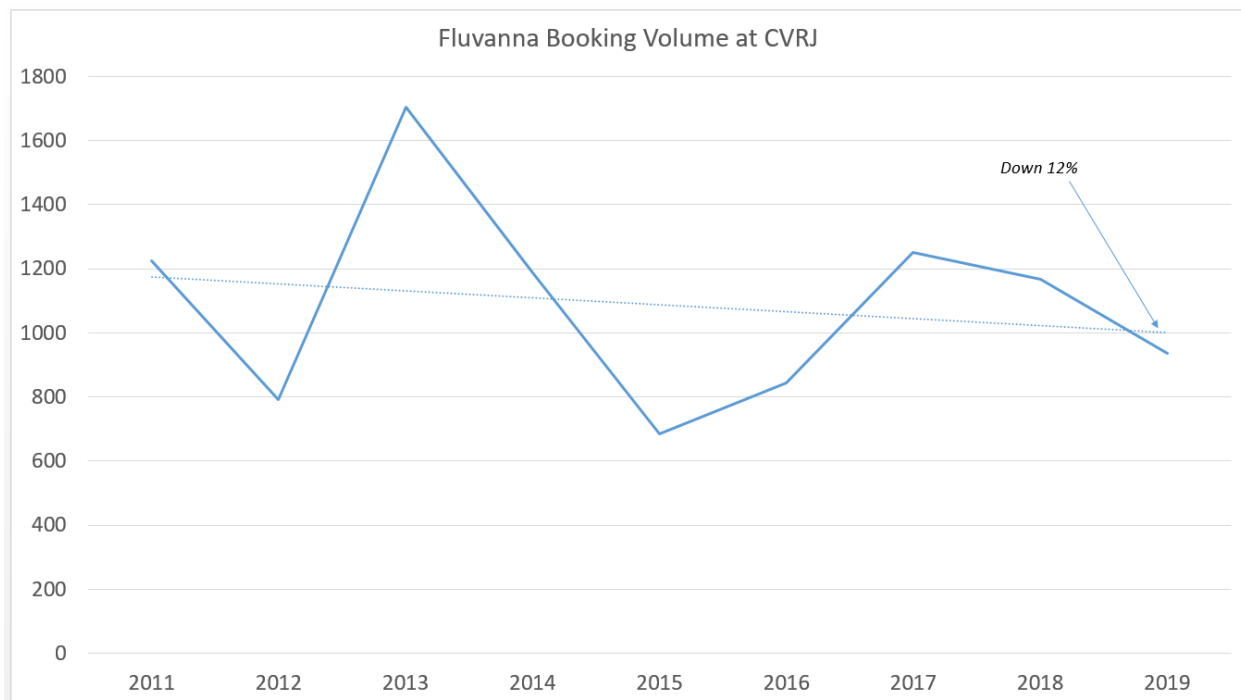
Central Virginia Regional Jail Data

First, some definitions:

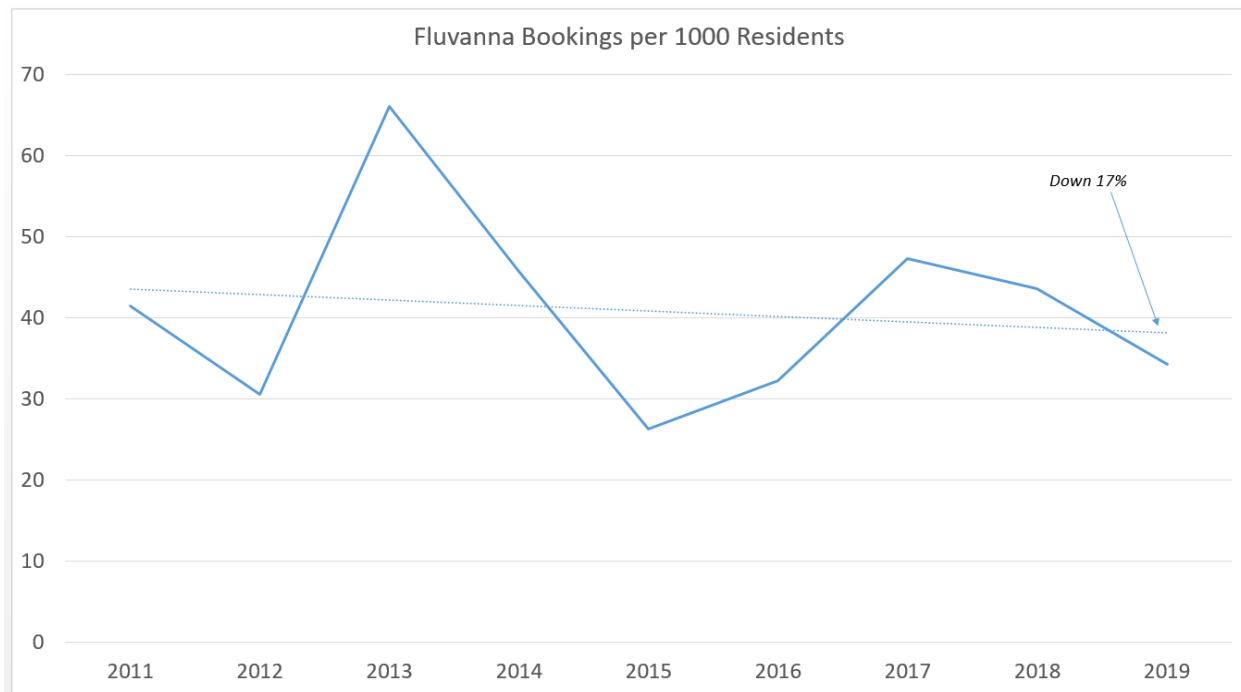
- A “booking” is a record of a charge for which an inmate is incarcerated.
- An “intake” refers to a person being taken into the jail, regardless of the number of charges on which they are booked.
- During an “intake”, an inmate can be taken into the jail on a single or multiple “bookings” (for instance, an intake for Burglary and Grand Larceny produces two separate bookings).
- Bookings are the best way to count the number of different charge types on which inmates enter the jail. They reflect “what” better than “who” or “how long”.
- Intakes are a more accurate indicator of “who” and “how long”.
- Booking volume is more volatile year-over-year in smaller jurisdictions, and among crime types with a lower rate of occurrence. It is always more useful to look at long-term trends rather than year-over-year comparisons.
- Booking volume can also be impacted by specific law enforcement initiatives, such as narcotics and sex offense operations.

Bookings

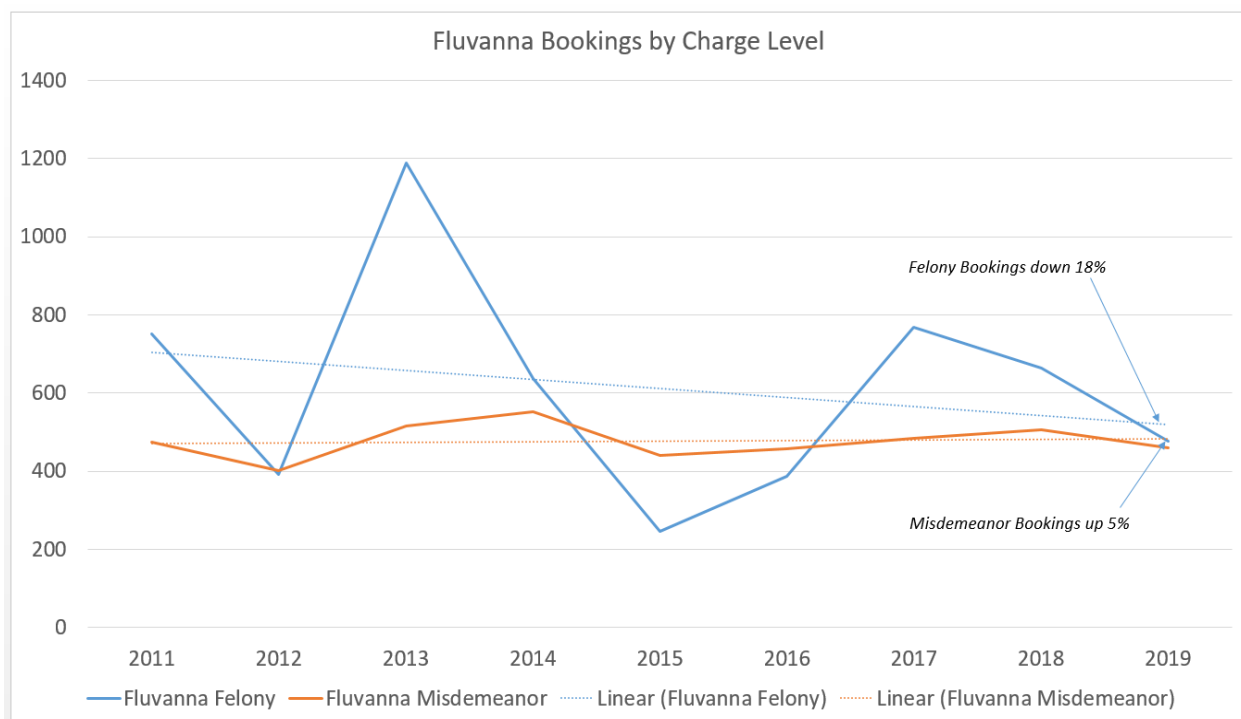
Booking volume at CVRJ associated with Fluvanna County charges fell 12% between 2011 and 2019. There was significant variability in the data year-over-year.



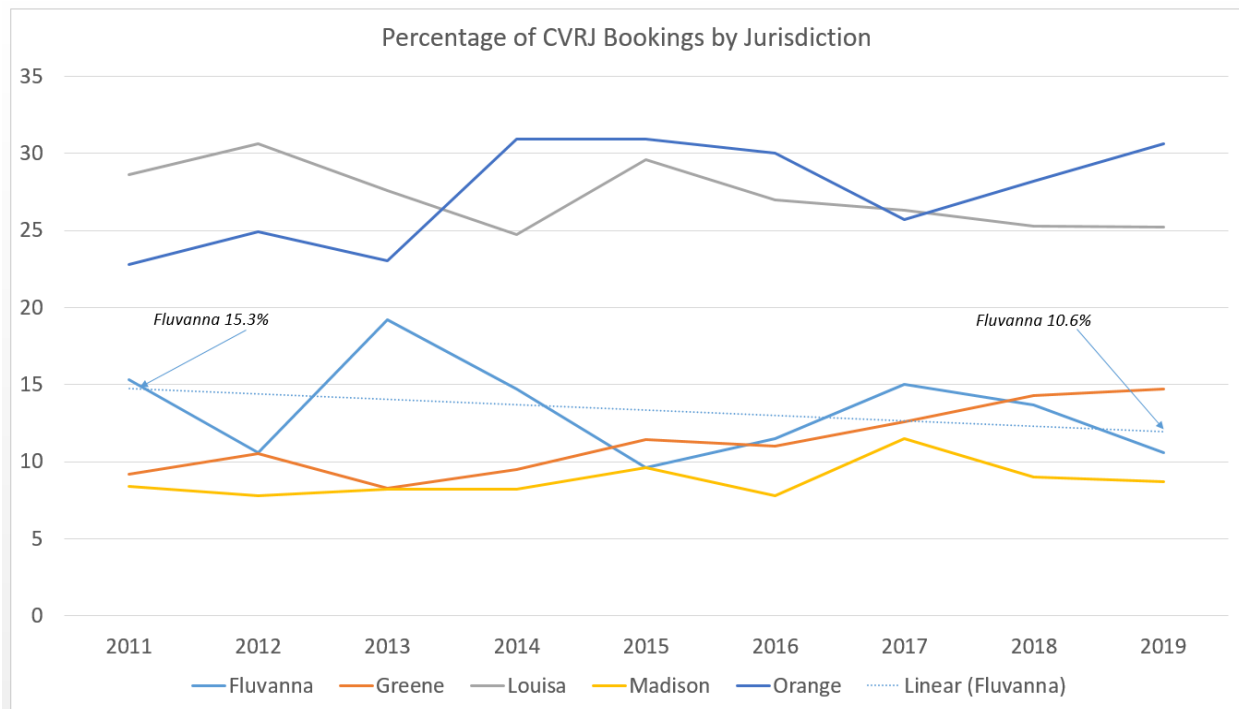
As a rate per 1000 Fluvanna County residents, booking volume dropped 17% during the decade.



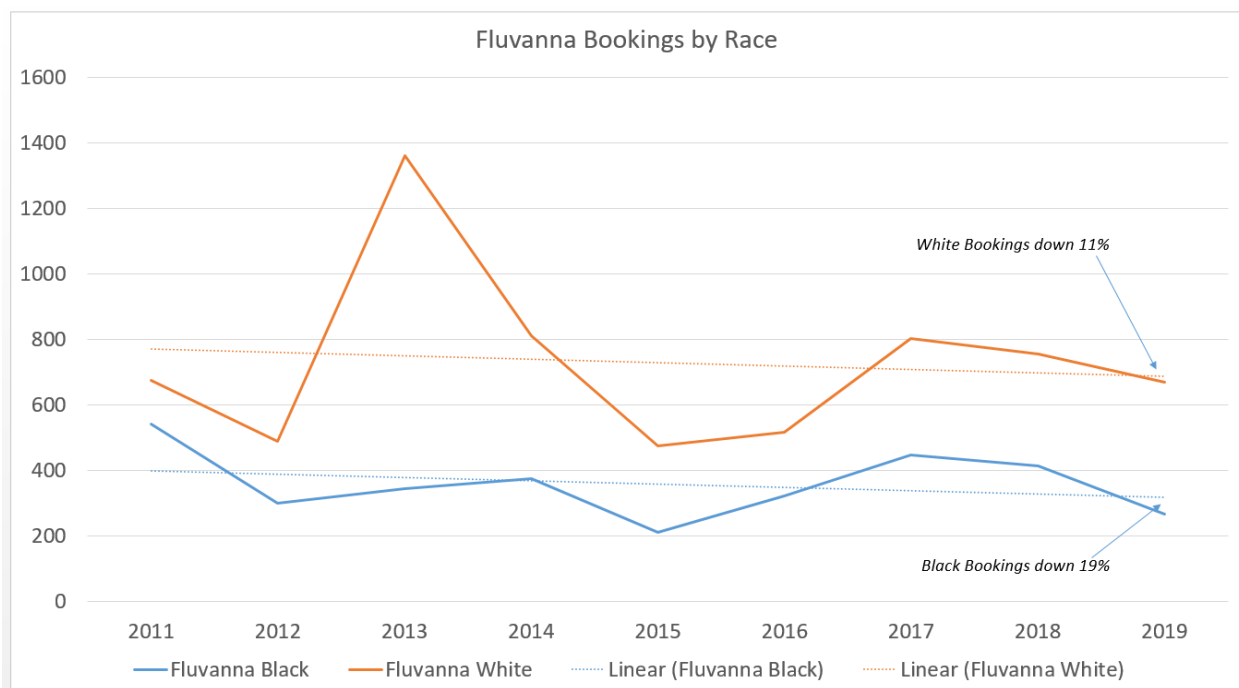
Felony booking volume fell 18%, while misdemeanor booking volume rose 5%. In 2019, felony bookings outnumbered misdemeanor bookings, 476 to 459.



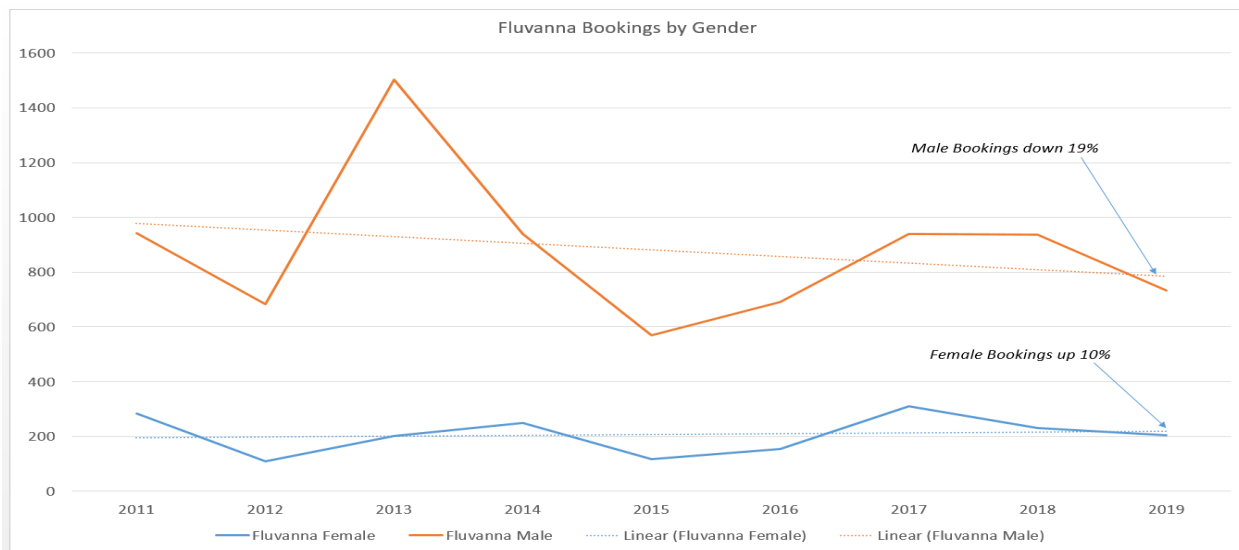
In 2011, Fluvanna County bookings represented 15.3% of booking volume among the five member jurisdictions at CVRJ. By 2019, Fluvanna County's share of booking volume had dropped to 10.6%.



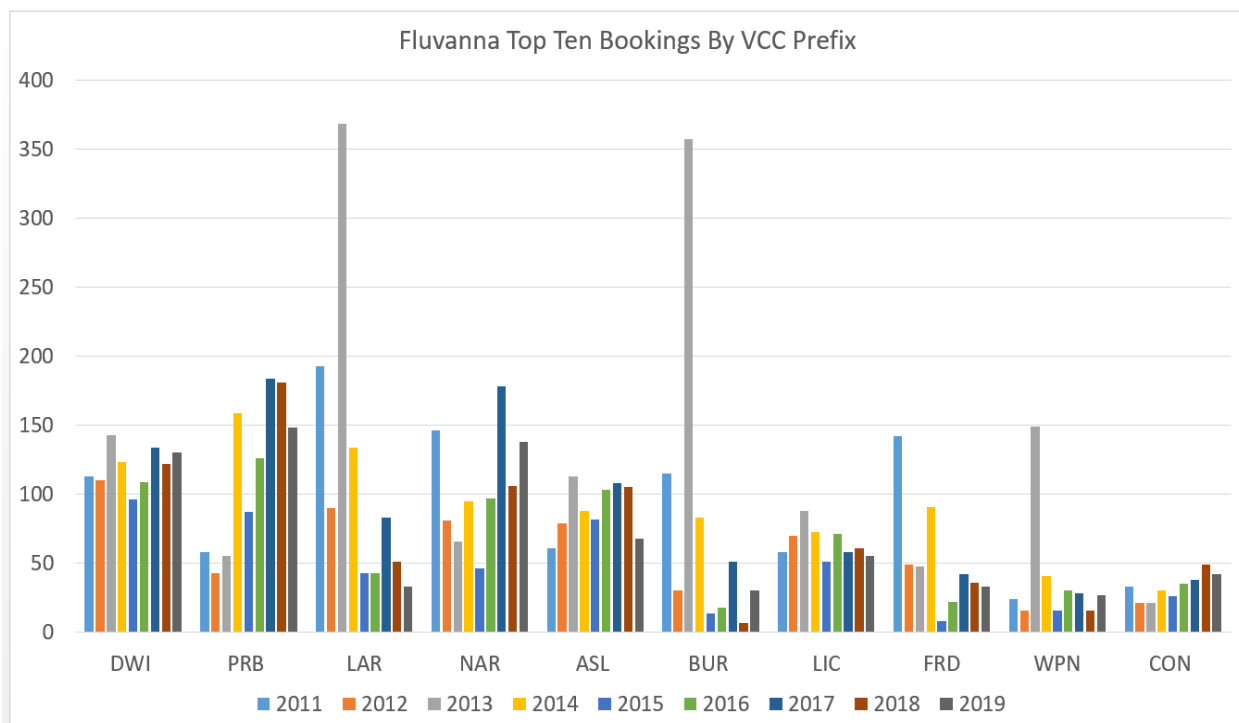
Bookings of Black inmates were down 19%, nearly twice the drop in bookings of White inmates (down 11%).



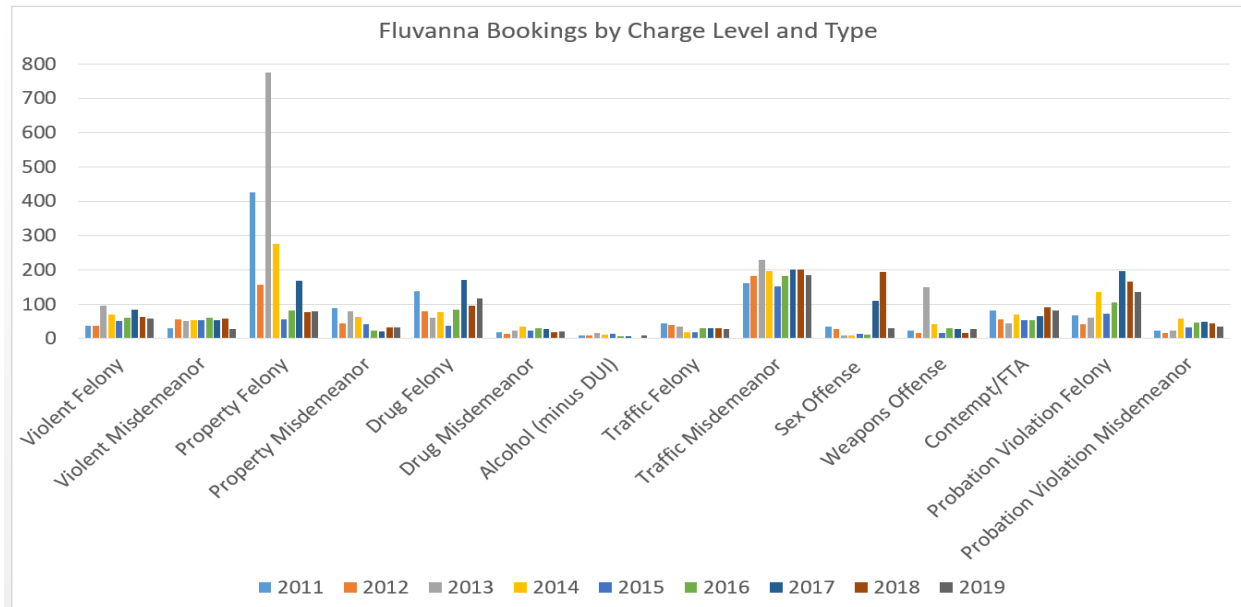
Bookings of female inmates rose 10% while bookings of male inmates dropped 19%. Female inmates represented 21.7% of all Fluvanna bookings in 2019.



The Virginia Criminal Sentencing Commission categorizes violations using Virginia Crime Code (VCC) designations: http://www.vcsc.virginia.gov/codes_qbe.html. These offense categories include both felonies and misdemeanors. The ten most frequent booking categories by VCC prefix for Fluvanna County were: DWI, Probation Violation, Larceny, Narcotics, Assault, Burglary, Driver's License, Fraud, Weapon, and Contempt of Court. Collectively, these ten offense categories represented 74.8% of all Fluvanna County bookings from 2011 to 2019.

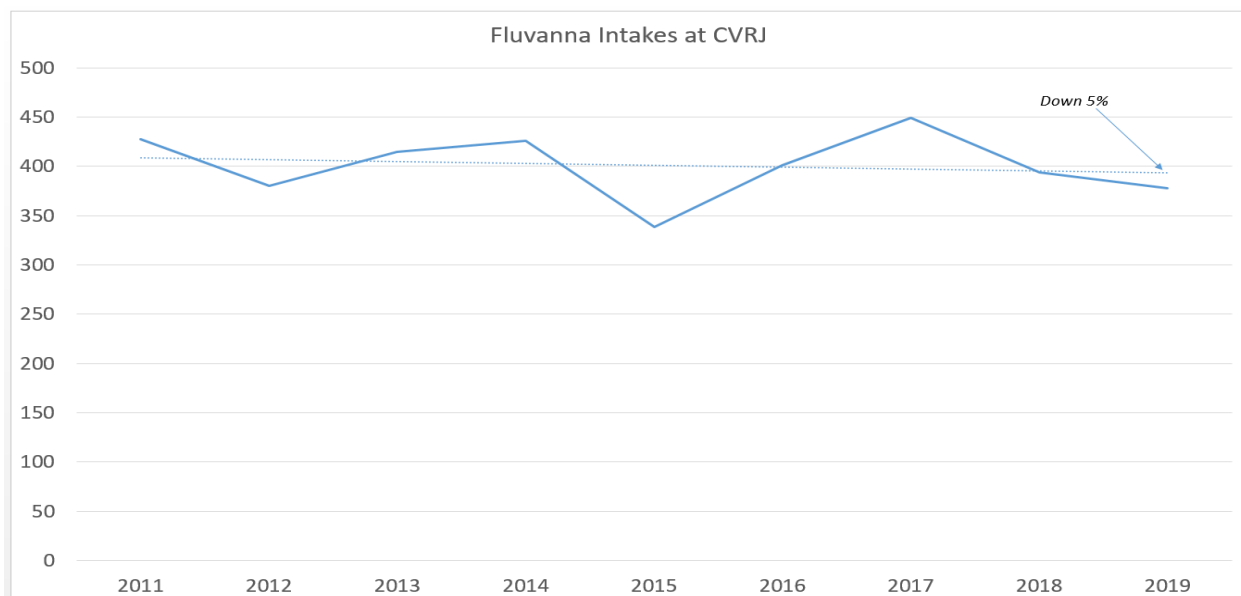


VCC codes can also be used to tally charge types by felony and misdemeanor designation, representing over 97% of all Fluvanna County bookings over the decade. Significant reductions in bookings were observed among property felonies and property misdemeanors, while the greatest increase was observed in felony probation violations (up over 200%).

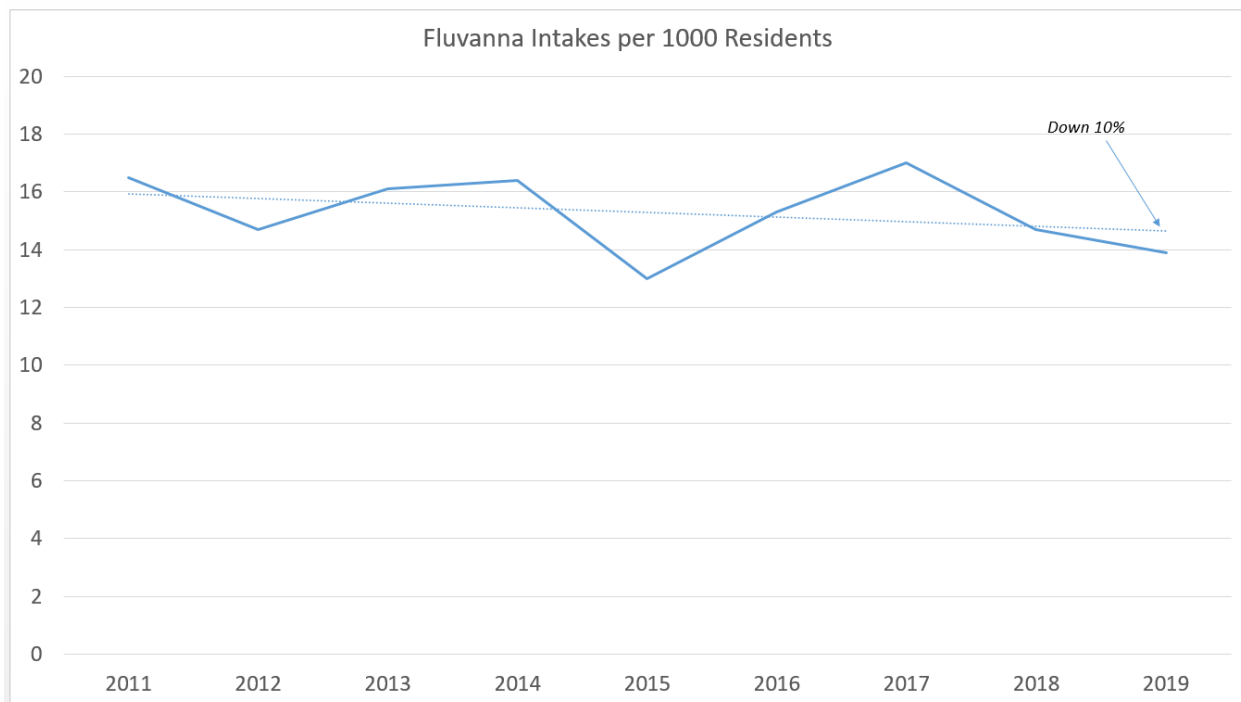


Intakes

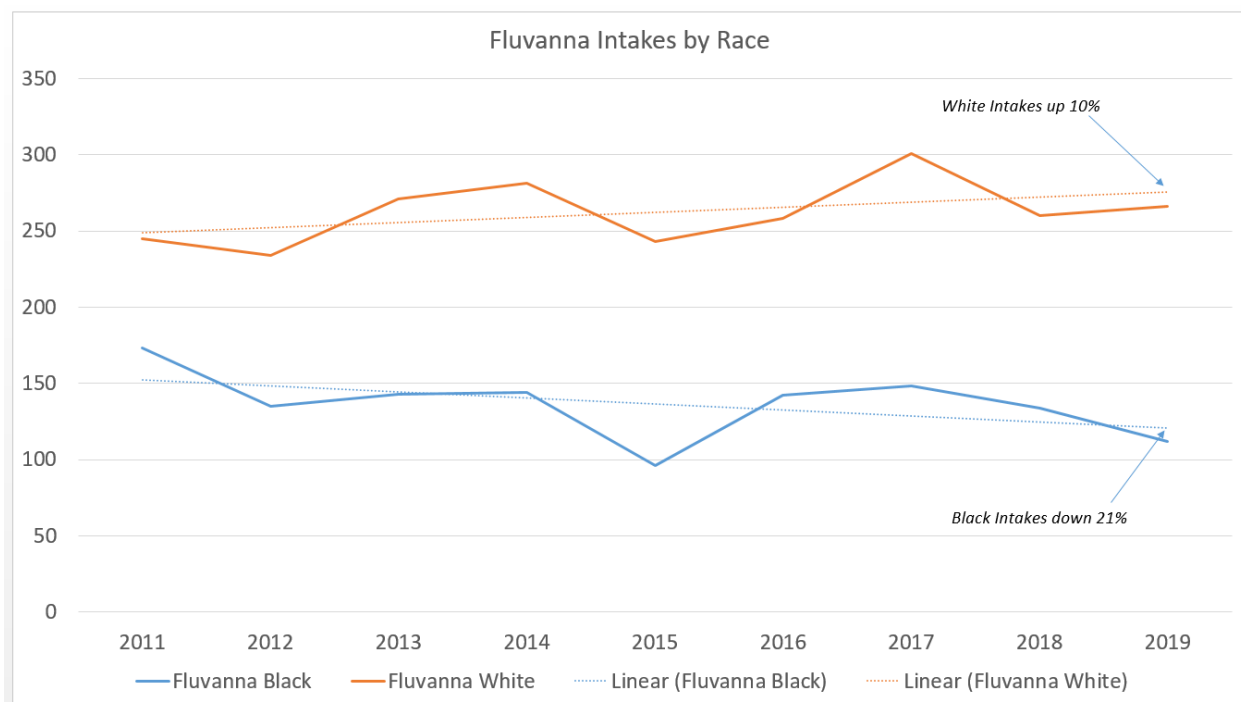
As noted previously, an “intake” represents the entry of an individual into CVRJ, regardless of the number of “bookings” (charges) on which they are brought in. The tallying of bookings represents a better depiction of Fluvanna County’s crime and arrest trends. Intakes are a better representation of the number of people entering the jail (down 5% from 2011 to 2019).



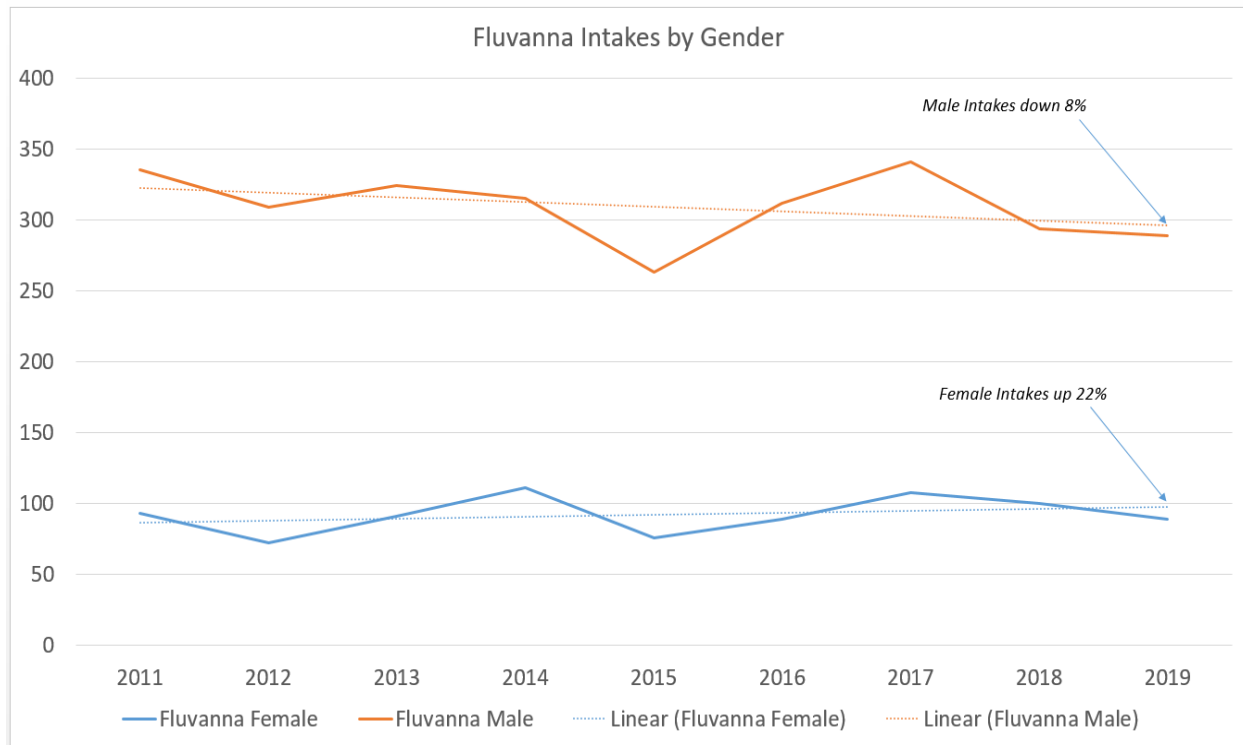
As a rate per 1000 residents, jail intakes associated with Fluvanna County charges fell 10% from 2011 to 2019. In 2019, there were 1.4 jail intakes for every 100 Fluvanna County residents.



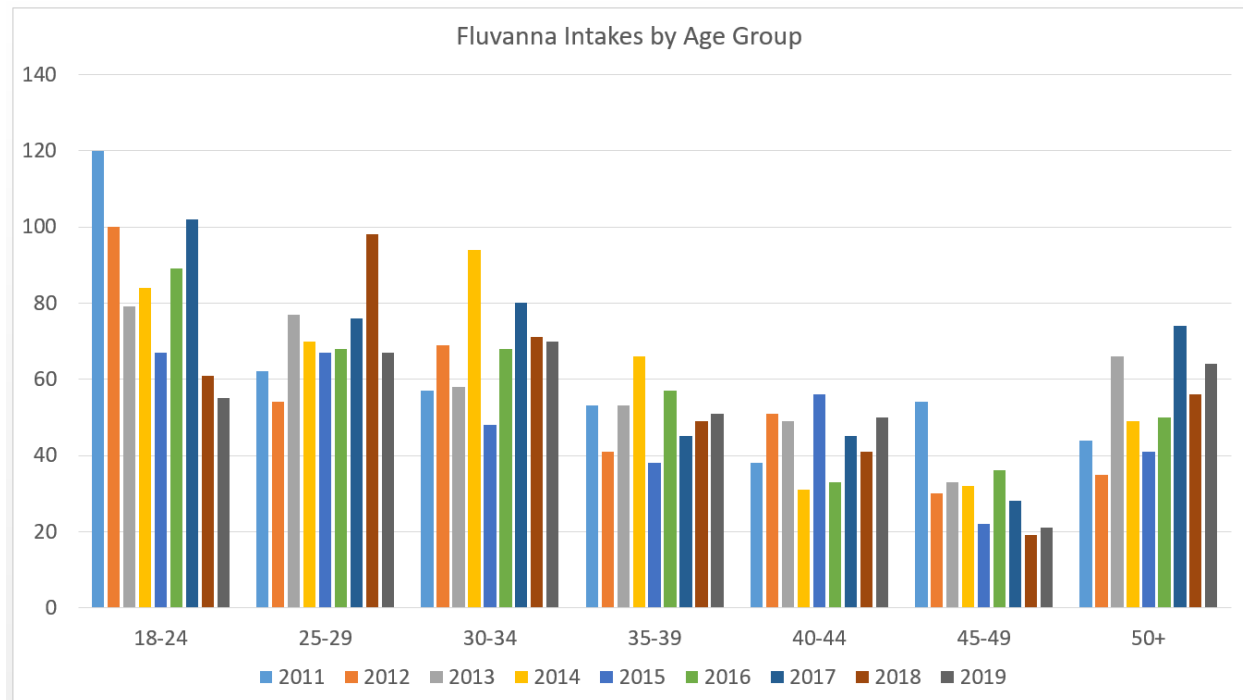
Intakes of Black inmates fell 21%, while intakes of White inmates increased 10%.



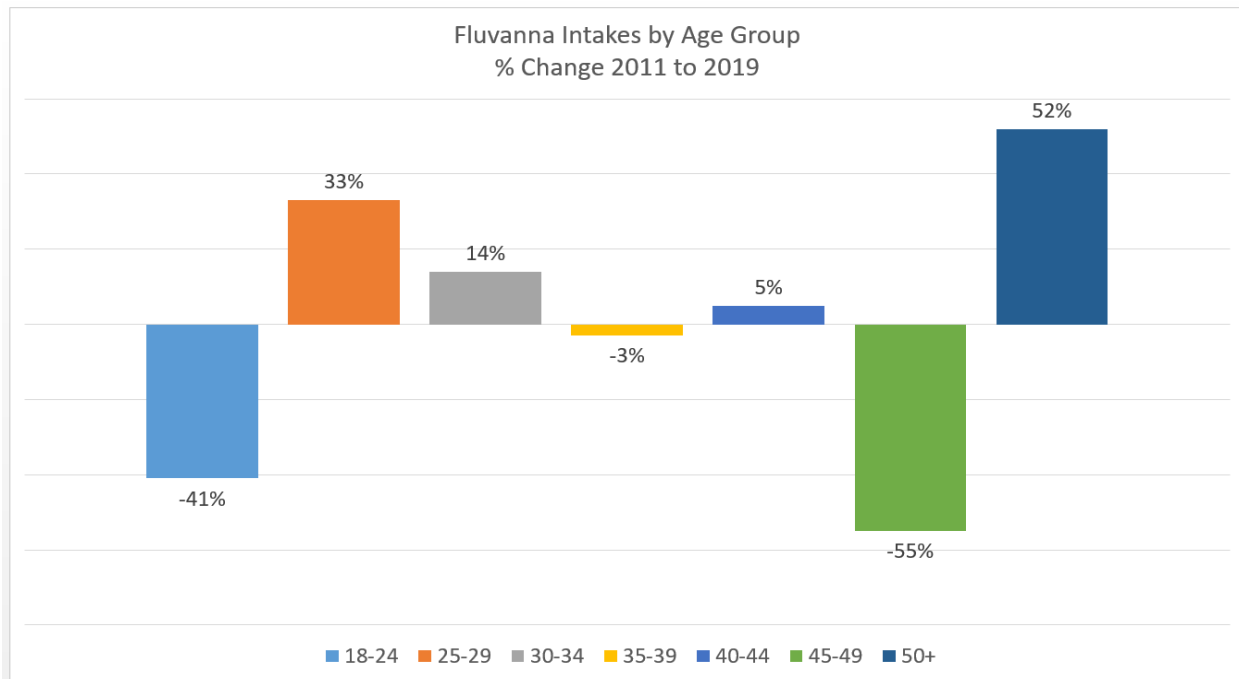
Intakes of female inmates rose 22%, while male inmate intakes dropped 8%.



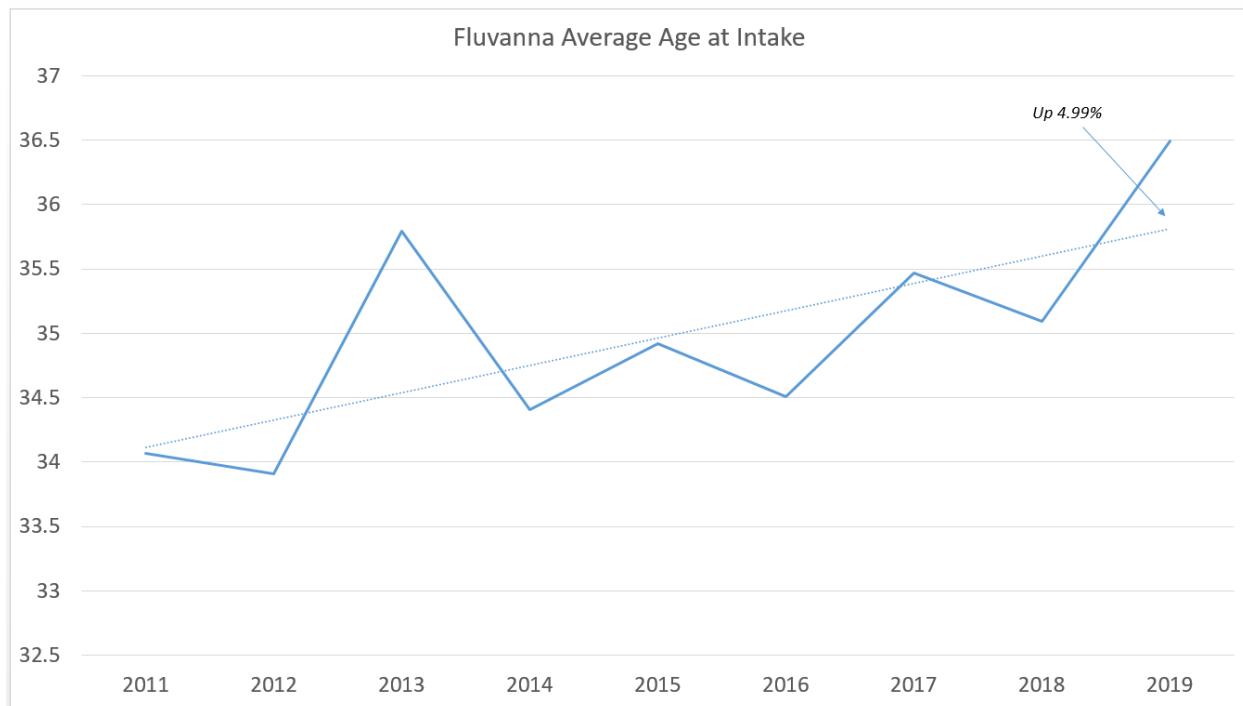
Intakes at CVRJ of Fluvanna County inmates decreased in the youngest age group and rose in the oldest.



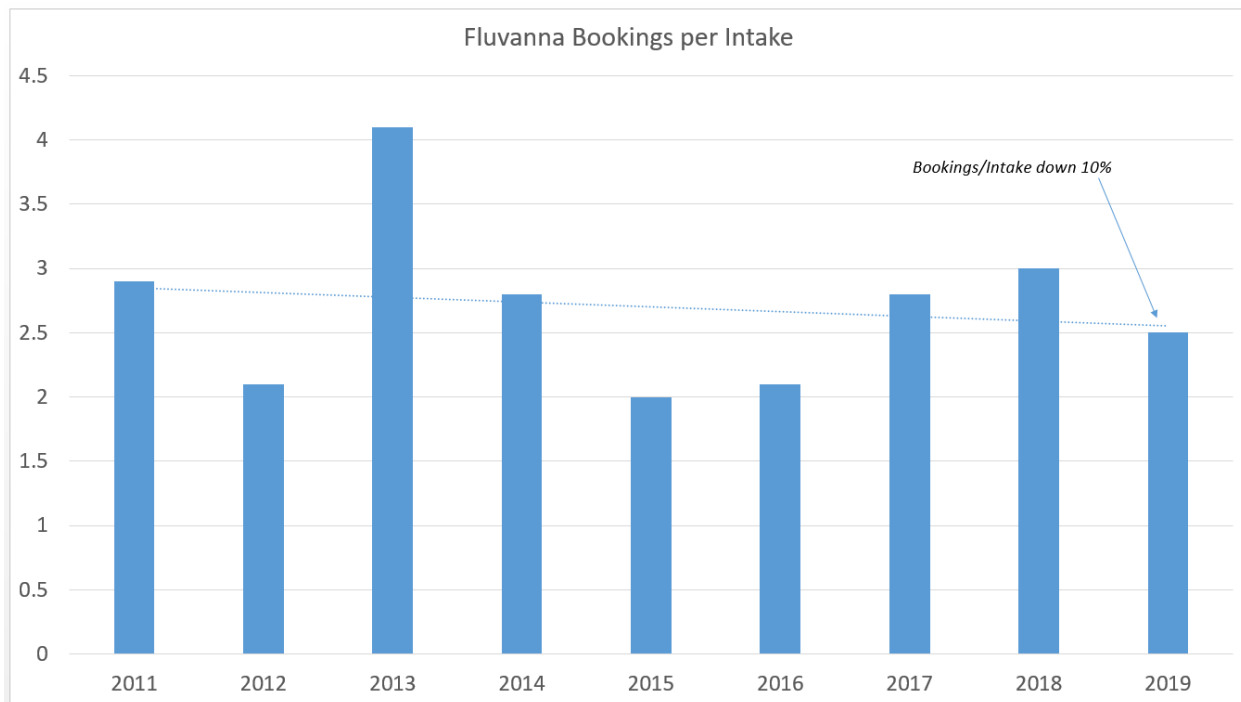
The chart below shows the percentage change in Fluvanna County intakes by age group from 2010 to 2019. The most significant increases were observed in the 25-29 and 50+ age groups, with the greatest drops among 18-24 and 45-49 year olds.



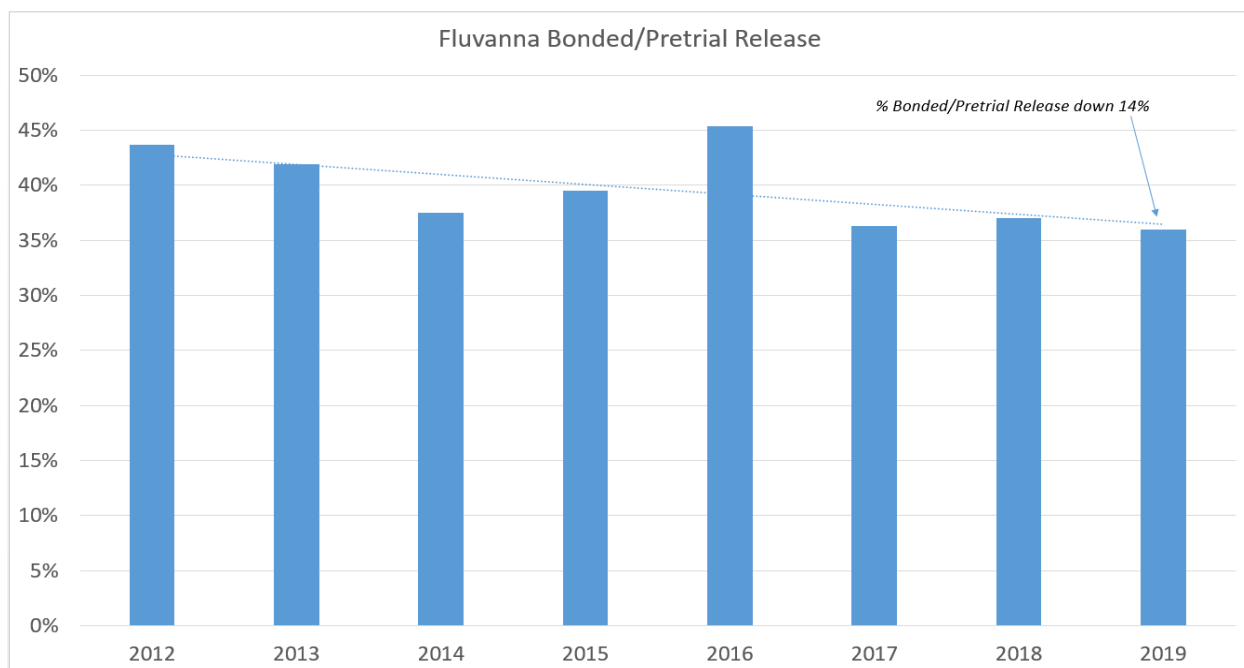
Overall, the average age of Fluvanna County inmates rose 4.99%.



The ratio of bookings to intakes in Fluvanna County fell 10% over the decade. In 2019, there were an average of 2.5 bookings associated with each intake.

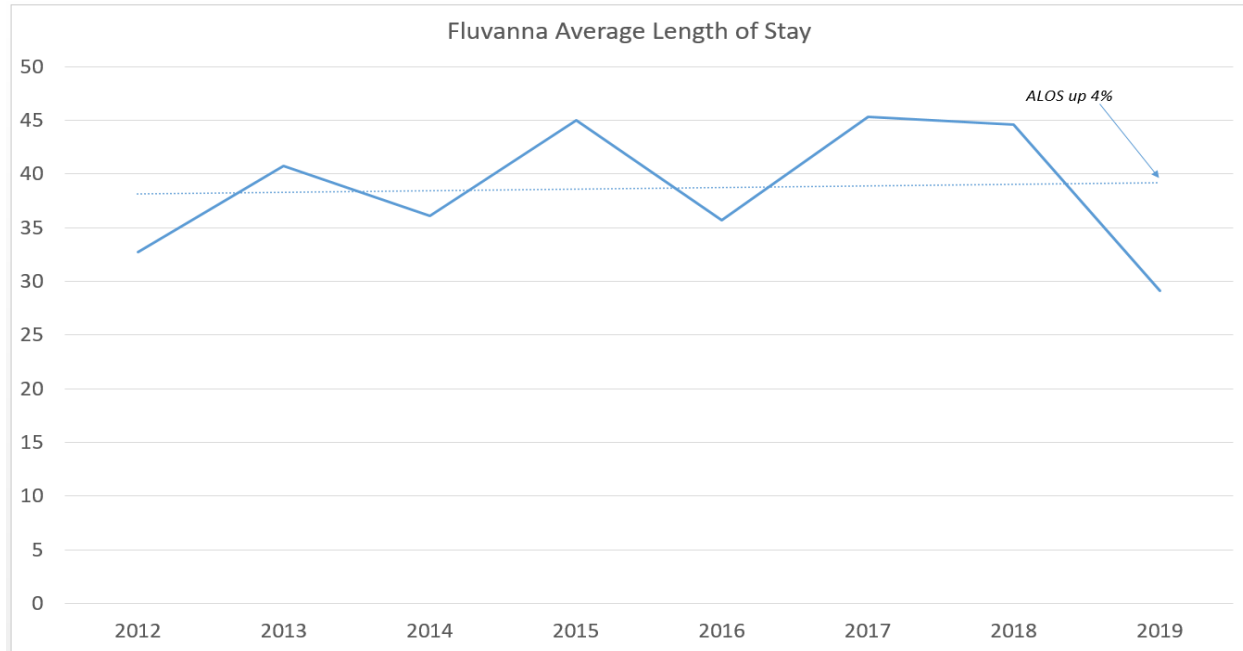


During 2019, 36% of Fluvanna County inmates were released on their own recognizance, bond, or under pretrial supervision at some point following intake. The rate at which inmates were released pending trial fell 14% from 2012 to 2019.

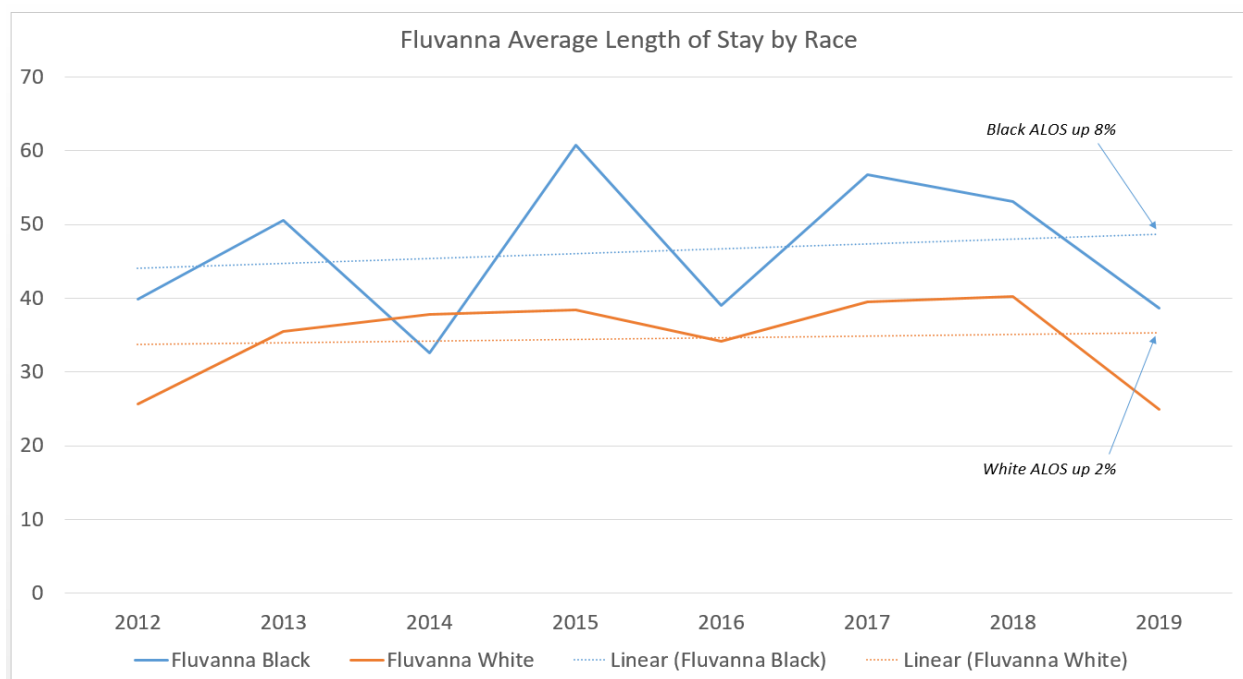


Average Length of Stay (ALOS)

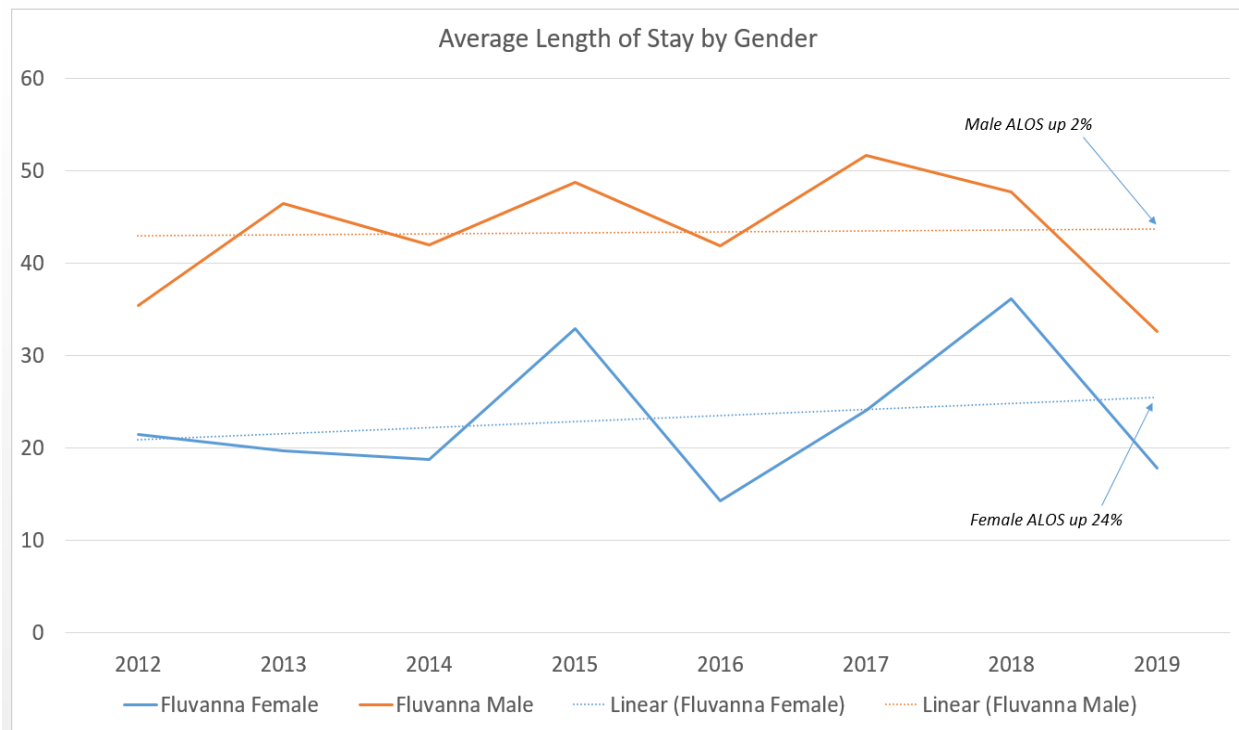
Fluvanna County's average length of an inmate's jail stay rose slightly (4%) over the study period. In 2019, the Fluvanna ALOS was 29.1 days, the shortest of the five CVRJ jurisdictions.



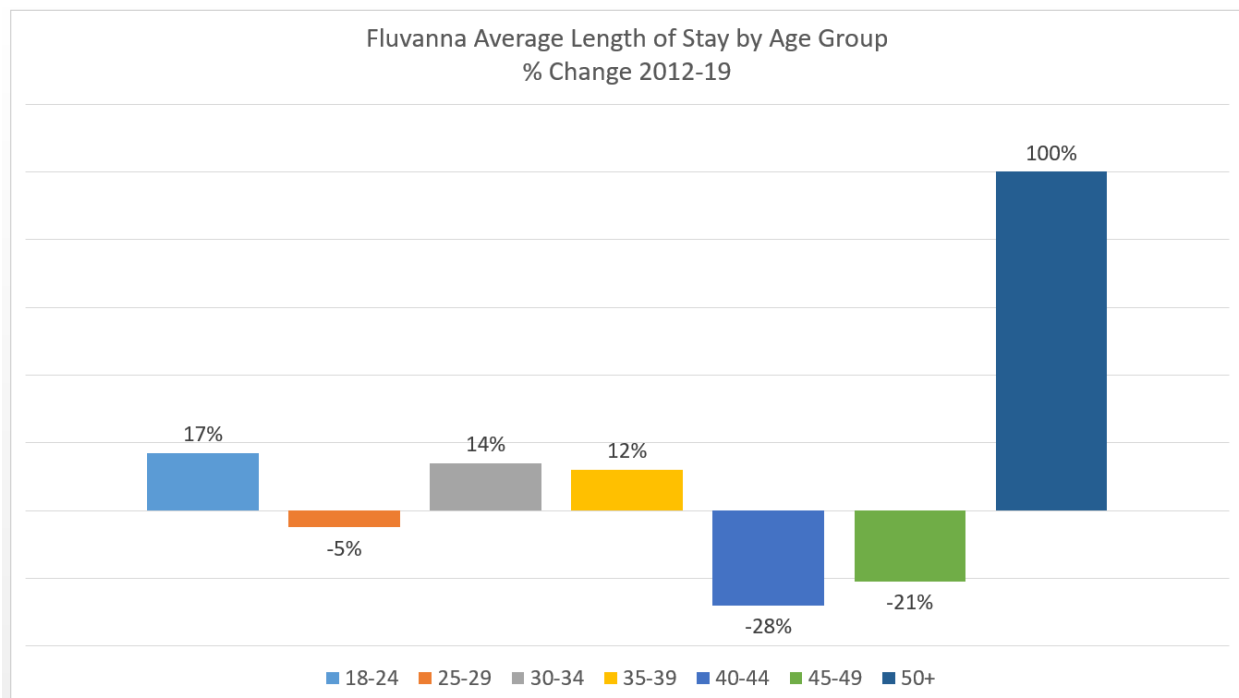
Average length of stay for Fluvanna County's Black inmates was up 8%, while ALOS rose 2% for White Inmates. Black inmates had a higher ALOS in all years except 2014.



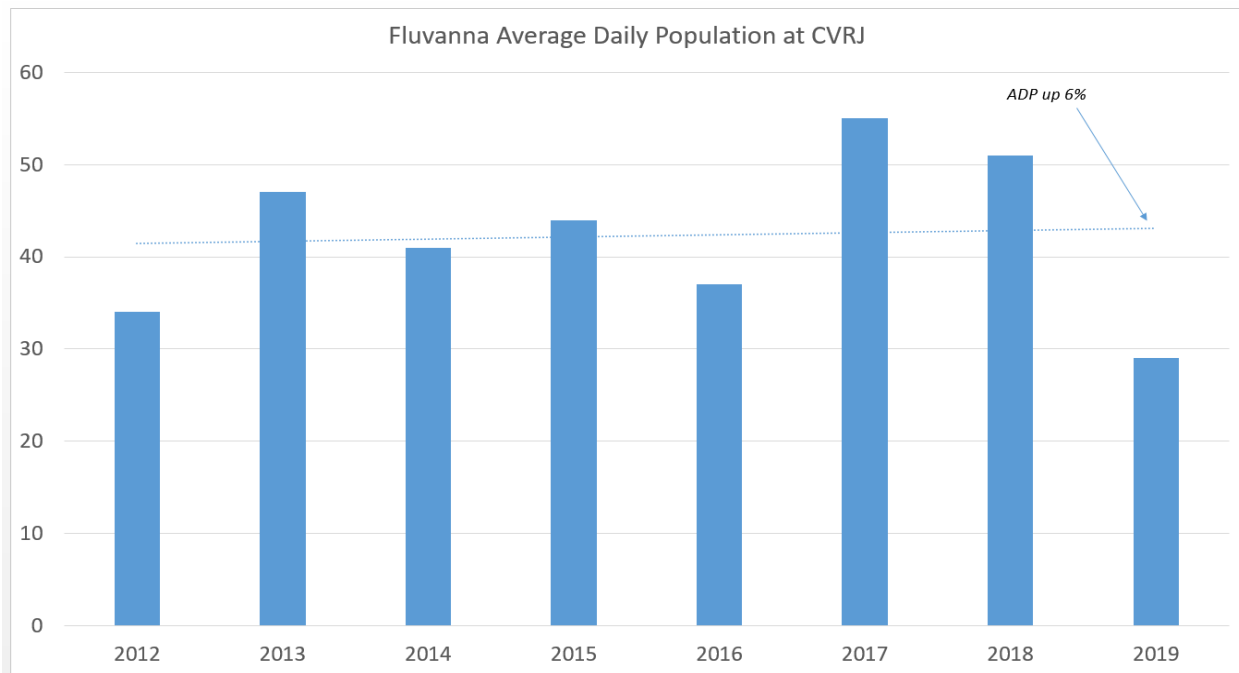
Average length of stay rose significantly for female inmates (up 24%), while staying fairly steady among male inmates (up 2%).



Average length of stay rose most significantly among inmates age 50 or older. The most significant drops in ALOS were observed among 40-49 year olds.

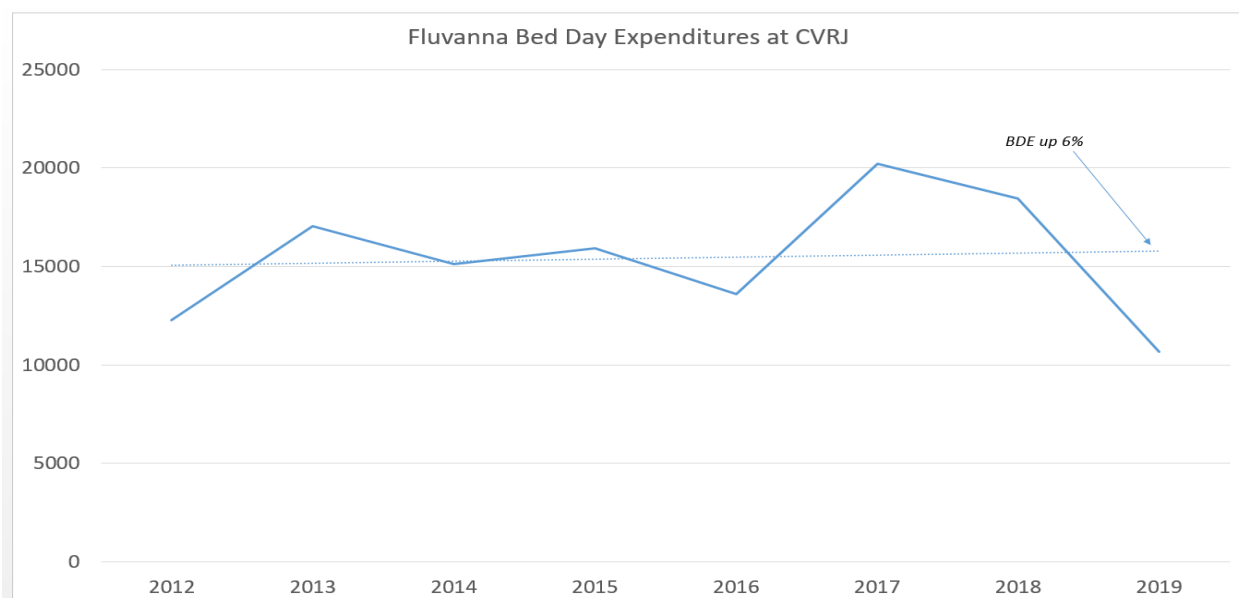


The number of Fluvanna Inmates at CVRJ on an average day rose a modest 6% from 2012 to 2019. There was considerable variation in the average year-to-year. Fluvanna's average daily population was at its lowest in 2019, at 29 inmates per day.

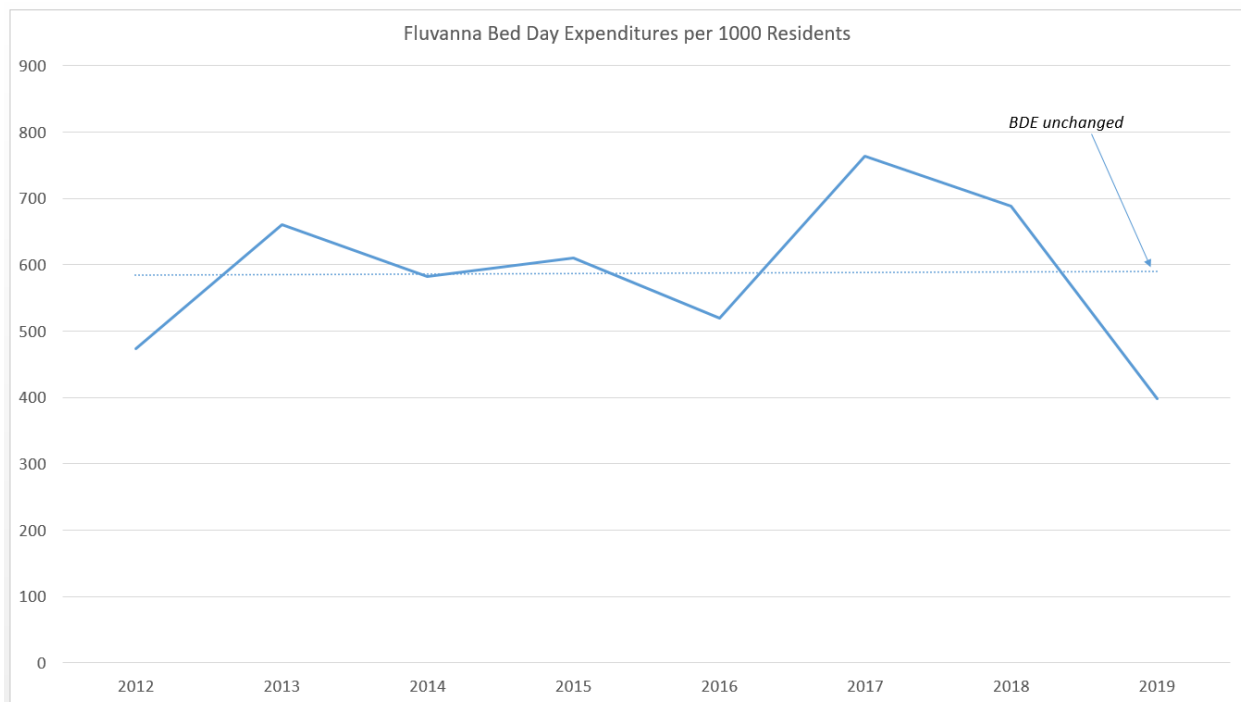


Bed Days Expenditures (BDE)

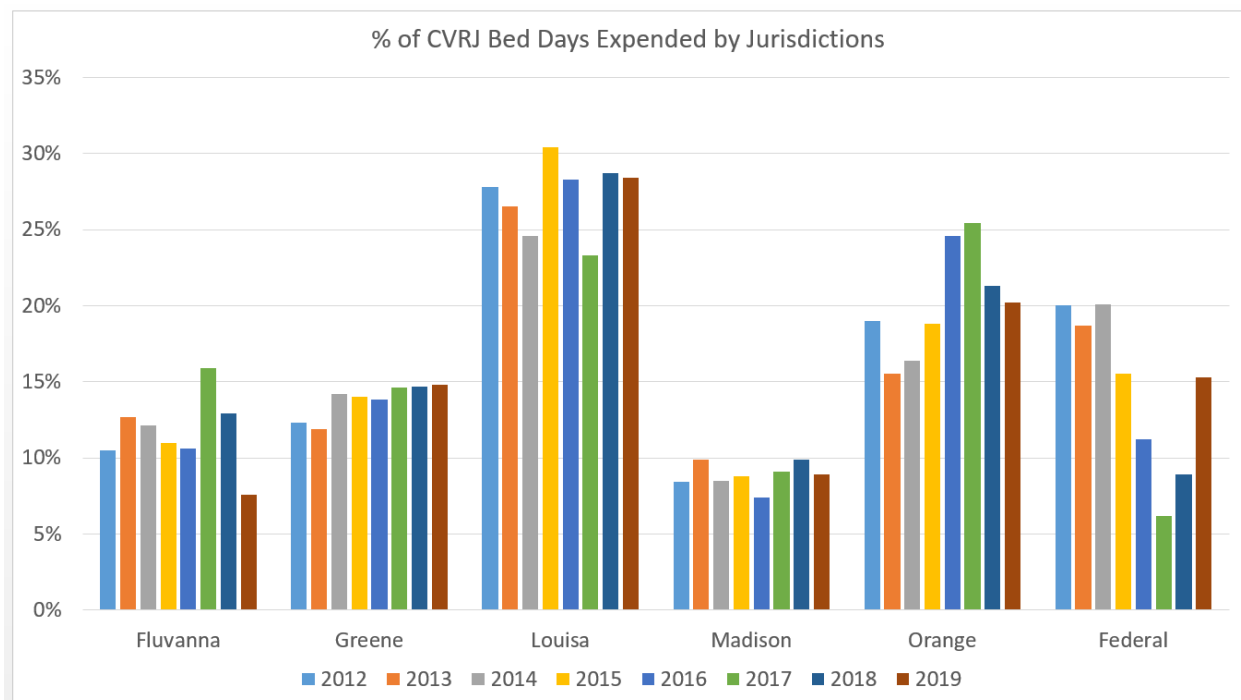
Bed day expenditures by Fluvanna County inmates mirrored the growth in the average daily population (up 6%). CVRJ expended 10,678 jail bed days on Fluvanna County inmates in 2019, the lowest BDE of the 2012-19 time frame.



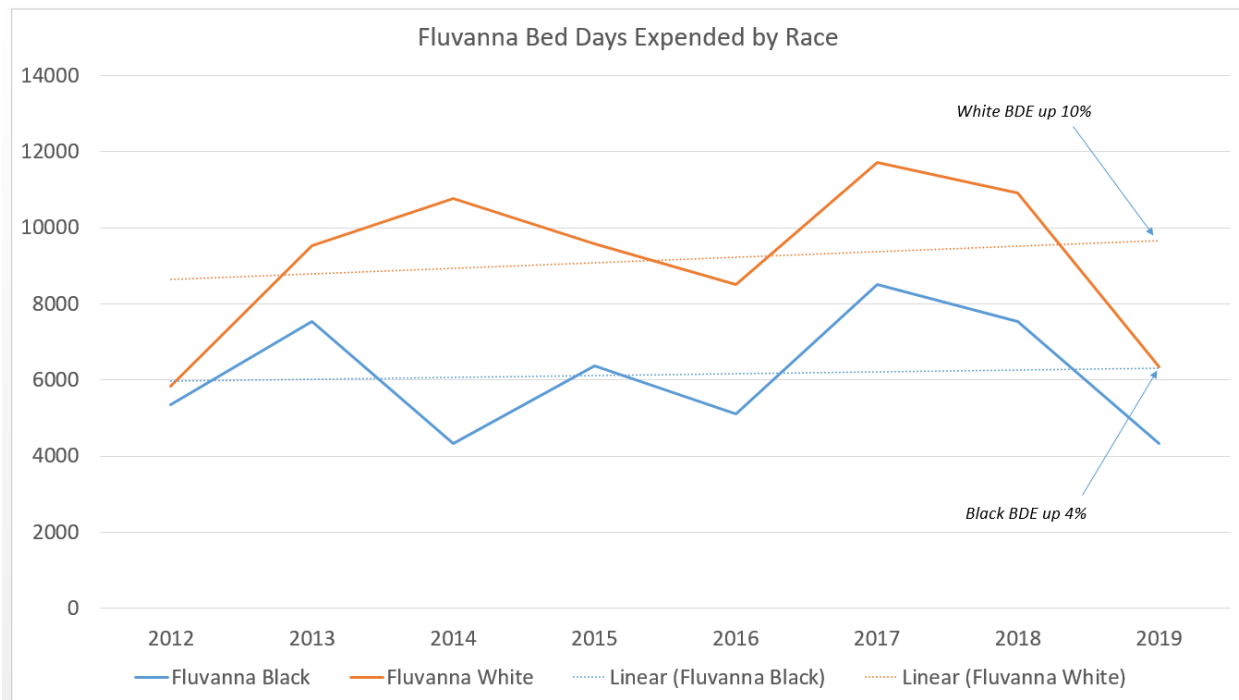
Fluvanna's bed day expenditures per 1000 residents remained virtually unchanged, as the rate of increase matched that in the growth of the general population of the county.



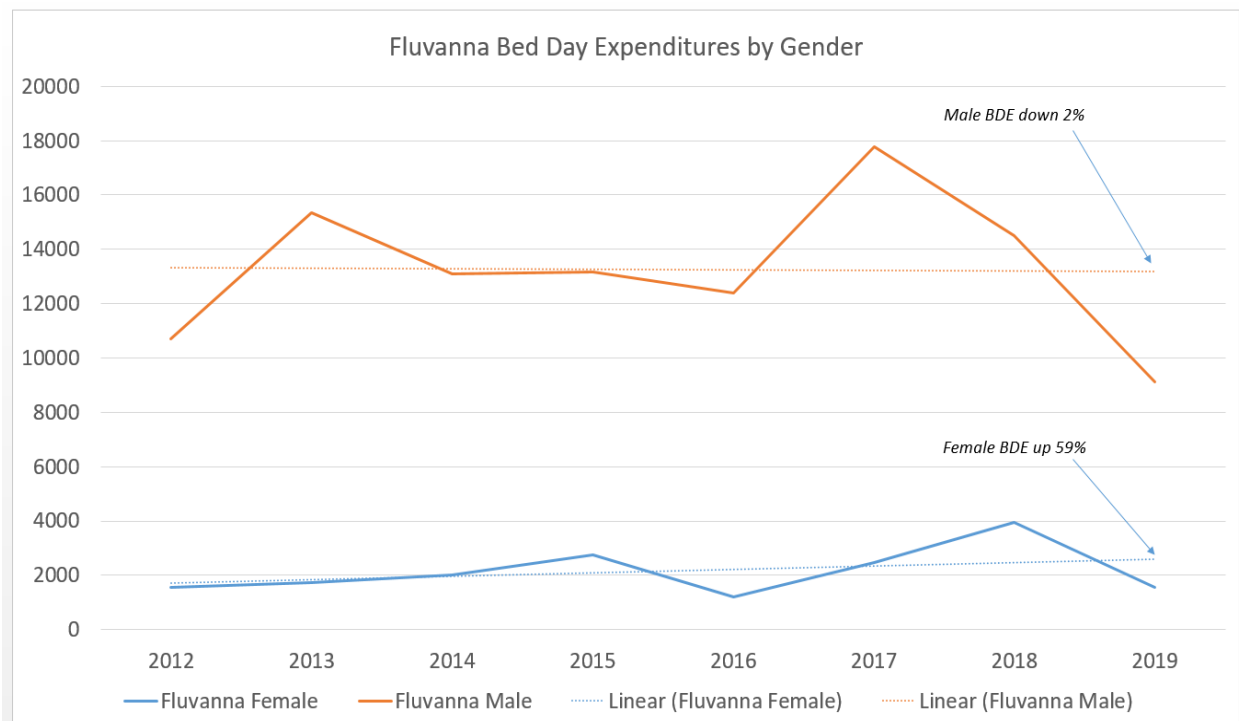
Fluvanna County's share of total bed day expenditures at CVRJ fell by 4% over the eight years, and in 2019 represented 7.6% of CVRJ's bed days (the lowest of any year in the time frame).



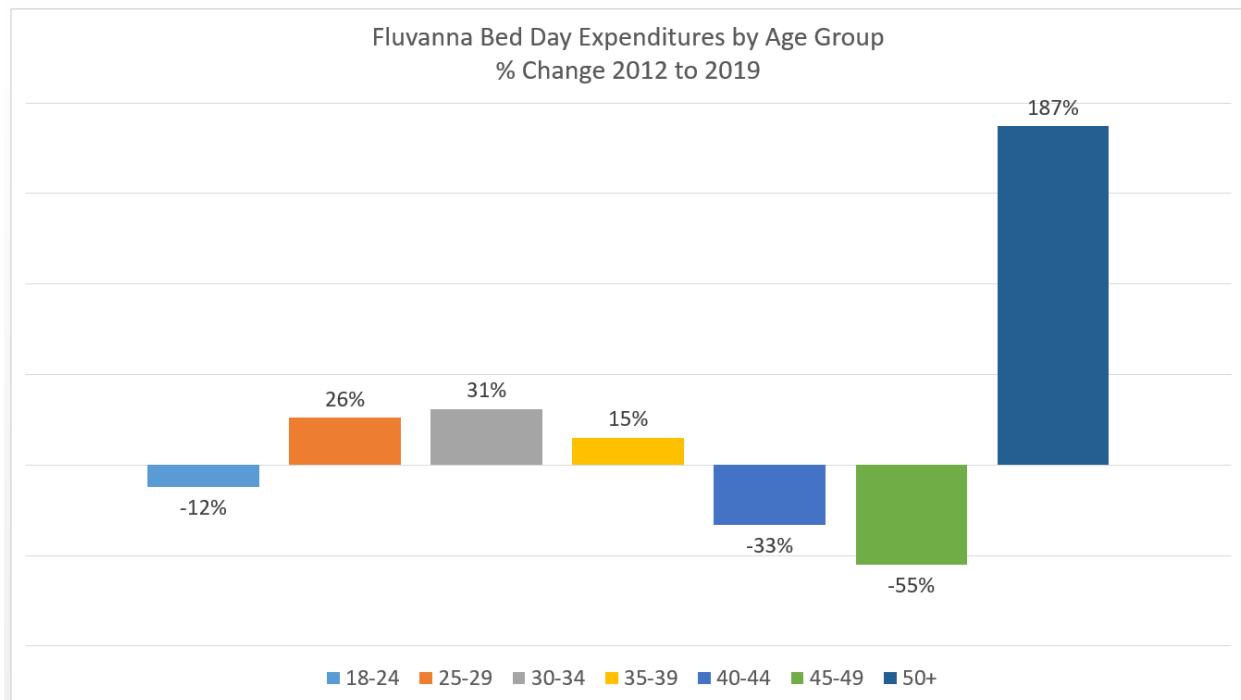
Bed day expenditure among White inmates increased 10%, while bed days expended on Black inmates increased 4%. In 2019, bed days expended on Black inmates were 40.5% of Fluvanna's total BDE, significantly higher than the percentage of Black residents of the county (15.3%).



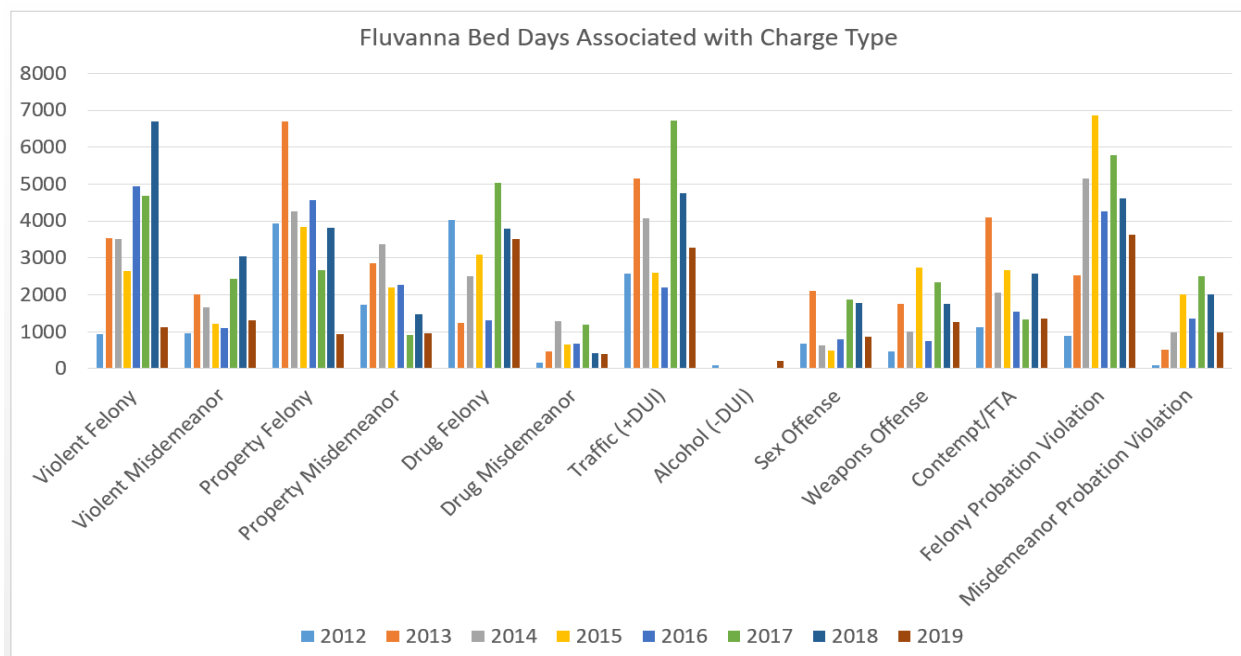
Bed days expended by females rose 59%, while BDE for male inmates dropped slightly (2%).



Bed day expenditures rose most significantly among inmates age 50+. BDE rose more modestly among 25-39 year olds. BDE dropped among 18-24 and 40-49 year olds.



Felony probation violations were associated with more Fluvanna County bed days expended than any other charge type from 2012 to 2019. Other significant contributors to BDE were property felonies, traffic offenses, violent felonies, and drug felonies.



Cost

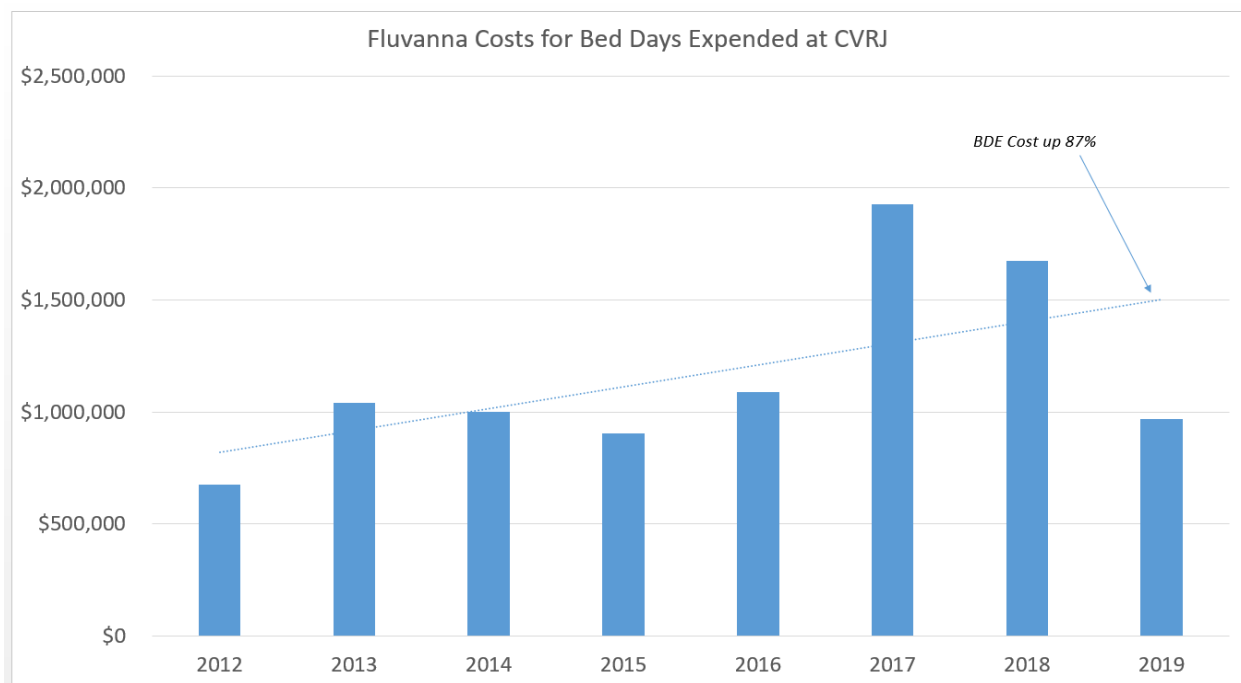
The total expenditure per inmate day at CVRJ was \$90.90 in the latest Jail Cost Report published by the Virginia Compensation Board for FY18.

(<https://www.scb.virginia.gov/docs/fy18jailcostreport.pdf>)

By comparison, the total expenditure per inmate day at CVRJ for FY11 was \$55.34.

(<https://www.scb.virginia.gov/docs/fy09jailcostreport.pdf>)

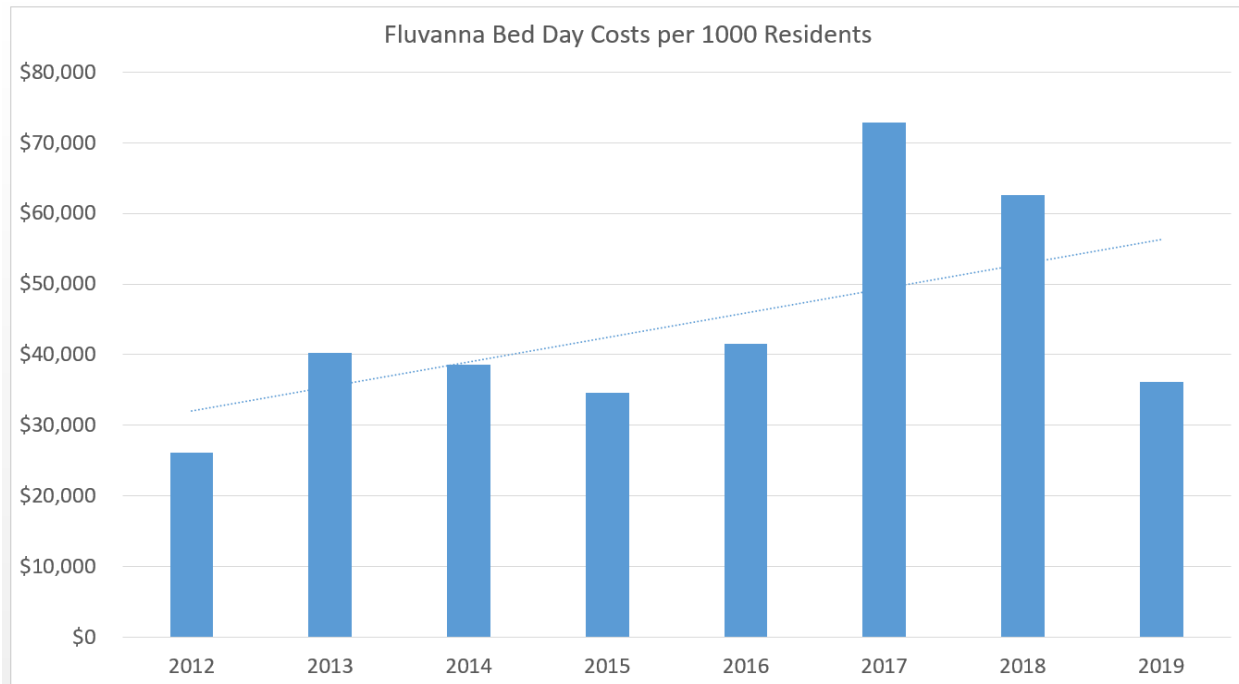
From 2012 to 2019, the rate of increase in the total expenditure per Fluvanna County inmate day rose 87%, mostly due to rising jail operational costs (much of it related to the expansion of CVRJ in 2016), and in part due to a modest (6%) increase in bed day expenditures.



Per capita, total Fluvanna County bed day expenditures totaled \$36.18 for every county resident in 2019, up from \$26.15 per capita in 2012.

The county is not directly responsible for that entire cost, as some security positions at CVRJ are funded through the Virginia Compensation Board, and a healthy per diem for Federal inmates also lessens the county's total cost burden as a jail authority member.

Fluvanna County expended \$1,412,387 for care of prisoners in FY19, according to the county's Comprehensive Annual Financial Report.



Summary

From the data above, the following picture emerges:

- Fluvanna County's general population grew modestly (5.73%) from 2010 to 2019.
- Reported crimes against persons rose slightly, and crimes against society increased substantially in Fluvanna County over the past decade. Reported crimes against property fell. Specifically, narcotics violations grew by 64% per capita.
- The number of Fluvanna County felony drug cases that produced a Department of Forensic Science Certificate of Analysis increased 104% from 2001 to 2019, greater than three times the rate of general population growth. Certificates on felony drugs increased from 14 in 2013 to 62 in 2018.
- Much of this increase can be linked to increases in certificates produced for opioids and methamphetamine. Opioids were the most prevalent drug certified by DFS in Fluvanna County in 2019.
- Fluvanna County booking volume dropped at CVRJ from 2011 to 2019. Drops in felony bookings were entirely responsible for the overall decrease.
- In 2019, Fluvanna County accounted for 10.6% of booking volume at CVRJ, compared to 15.3% in 2011.
- Fluvanna booking volume fell 19% for Black arrestees, compared to 11% for White arrestees.
- Booking volume rose 10% for female arrestees, offset by a drop in bookings of male arrestees of 19%.
- DWI, probation violations, larcenies, narcotics offenses and assaults topped Fluvanna

County booking volume by charge type at CVRJ, followed by assaults, larcenies and drivers' license offenses.

- The most significant percentage increase in booking trends was found among felony probation violations.
- The number of individuals taken into CVRJ from Fluvanna County dropped 5% from 2011 to 2019 (10% per capita).
- 19% fewer Black inmates were taken into CVRJ on Fluvanna charges, while 10% more White inmates were.
- 8% fewer male inmates were taken into CVRJ on Fluvanna charges, while 22% more female inmates were.
- 41% fewer young inmates (18-24) were taken in, while 52% more age 50+ inmates were.
- Consequently, the average age of a Fluvanna jail inmate at intake into CVRJ rose 5% from 2011 to 2019.
- The average number of charges (bookings) per intake event dropped 10%, from 2.9 to 2.5.
- 14% fewer Fluvanna County inmates were released to bond, recognizance or pretrial supervision in 2019 than in 2011.
- The average length of a Fluvanna-responsible inmate's jail stay rose modestly (4%).
- Average length of stay rose 8% for Black inmates and 2% for White inmates.
- In 2019, Black inmates served an average of 38.61 days, compared to 24.92 days for White inmates. In only one year (2014) did ALOS for White inmates exceed that of Black inmates.
- Average length of stay rose more sharply for women (up 24%) compared to men (up 2%).
- Inmates age 50 or older experienced a 100% increase in their average length of stay.
- Fluvanna County's bed day expenditures rose slightly from 2012 to 2019 (6%).
- Fluvanna County's share of bed day expenditures at CVRJ dropped from 10.5% to 7.6% over the last eight years.
- Bed day expenditures for White inmates rose 10%, while increasing 4% for Black inmates.
- Bed day expenditures for female inmates rose 59%, while falling 2% among male inmates.
- Bed day expenditures for Fluvanna inmates age 50+ increased 187%.
- The most bed day-intensive crime categories from 2012 to 2019 were felony probation violations, property felonies, traffic offenses, violent felonies and drug felonies.
- The most significant increases in bed day expenditures from 2012 to 2019 were associated with felony probation violations (up 63%) and violent felonies (up 69%, but down sharply in 2019).
- The most significant decreases in bed day expenditures were associated with property felonies (down 60%) and property misdemeanors (down 52%).
- Jail bed day costs rose 87% from 2012 to 2019, due to an increase in the cost per bed day (from \$55.34 in 2011 to \$93.96 in 2018), along with a modest rise in Fluvanna bed day expenditures of 6%. Much of the increase in bed day cost occurred in 2017, just

after CVRJ opened and staffed its expansion wing.

Acknowledgements

The Criminal Justice Planner would like to thank everyone who contributed data for this report, especially Superintendent Frank Dyer and his network administrator at the Central Virginia Regional Jail. Without their expertise and cooperation, this work would not have been possible.

Future Work

Looking forward, the plan is to update these trend lines on a yearly basis to keep decision-makers apprised of how the criminal justice system is operating, and what impacts systems changes may be having on crime, arrests, and jail utilization. Of particular interest in the next several reporting years will be the opportunity to assess the impact of the Coronavirus pandemic on the criminal justice system, and public safety generally.

Prepared by:

Neal S. Goodloe, MPA
Criminal Justice Planner
Jefferson Area Community Criminal Justice Board

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB I

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Compensation Board Funded Bonus for Sworn Personnel in the Sheriff's Office				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jessica Rice, Human Resources Manager; Mary Anna Twisdale, Finance Director				
PRESENTER(S):	Jessica Rice, Human Resources Manager				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	The 2020 Special Session of the General Assembly approved for the Compensation Board to issue notice of funding for a \$500 Bonus for Sworn Personnel in the Sheriff's Office, effective December 1, 2020. The Sheriff's Office has 36 sworn personnel and 20 of them are Compensation Board funded positions. This bonus would only apply to the 20 Compensation Board funded sworn positions.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X		X	

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB J

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Qualified Immunity for Law Enforcement Officials				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Eric Hess, Fluvanna County Sheriff				
PRESENTER(S):	Eric Hess, Fluvanna County Sheriff				
RECOMMENDATION:	N/A				
TIMING:	N/A				
DISCUSSION:	Opposition to any legislative effort to repeal or revise the judicial doctrine of qualified immunity for law enforcement officials				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB K

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors November 4, 2020 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday, November 4, 2020, be adopted.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Draft Minutes for November 4, 2020.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library, 214 Commons Blvd.
Palmyra, VA 22963
November 4, 2020
Regular Meeting 4:00pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Tony O’Brien, Rivanna District, Vice Chair
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District*
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. Eager is attending the meeting virtually/by telephone*
- Patricia Eager, (Calling from 1107 Mechunk Creek Drive)

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

At 4:02pm, Chair Sheridan called to order the Regular Meeting of November 4, 2020.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the November 4, 2020 Regular Meeting of the Board of Supervisors.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:
Halloween at Pleasant Grove Park:

- Event was held October 31 from 6:30 - 8:30pm.
- Activities included eight trunks to get treats from and a walking semi-scary trail.
- ~ 500 individuals attended the event.
- Patrons adhered to CDC Guidelines and 80 - 100 disposal masks were handed out to patrons as they entered.
- Event was set up as a one way in and one way out.

Announcements and Updates:

2020 Fluvanna Residents Survey Preliminary Findings

- 253 respondents as of Nov 4, 2020
- Demographics: [\(County demographics: US Census, 2019 estimates\)](#)
 - 62.0% of respondents are female (County: 54.2%)
 - 35.5% of respondents are over the age of 65 (County: 20.5%)
 - 85.5% of respondents are white (County: 80.7%)
 - 5.3% of respondents are Black (County: 15.3%)
- 47% of respondents live in either the Palmyra or Rivanna Voting Districts
- 72% of respondents have lived in the County over 11 years
- Not penetrating into areas with low internet availability:
 - Paper forms are available:
 - by requesting , will send pre-stamped
 - in the Treasurer’s Office and Commissioner of the Revenue’s Office
 - notices have been placed in all County Post Offices

TJHD offering a free drive-through and walk-up COVID-19 testing for any one in the community over the age of 6
– Wednesday, November 18th from 5-7pm
– Fluvanna School Administration Building, 14455 James Madison Highway, Palmyra 22963

- Call 434-972-6261 to schedule appointment to schedule an appointment from 8am-4:30pm on 11/16 or 11/17.
- Walk-in testing is available.

CAAR Home Sales Report – Fluvanna 3rd Quarter 2020

- Sales: Sales activity in Fluvanna County has rebounded from the COVID-19-related slowdown last quarter. There were 181 sales in the County during the 3rd quarter, up 11% from last year, a gain of 18 sales.
- Median Sales Price: At \$247,250, the 3rd quarter median sales price in Fluvanna County rose 8% from a year ago, a gain of \$18,250. Home prices have been climbing 7 of the past 8 quarters in the County.
- Sold Volume: Strong price growth and more sales led to solid growth in sold dollar volume this quarter in Fluvanna County. There was approximately \$47.9 million of sold volume in the 3rd quarter, up 12% from last year, a gain of \$5.2 million.
- Days on Market: At 39 days, the average days on market in the 3rd quarter in Fluvanna County is about 2 weeks faster than last year (-13 days).
- Inventory: The supply of homes in the Fluvanna County housing market is shrinking rapidly. There were 77 homes listed for sale in the County at the end of the 3rd quarter, a 57% drop from a year ago, 101 fewer active listings.

BOS Guidance:

- Cigarette Tax?
 - Legislation passed in 2020 authorizing counties to impose cigarette taxes beginning July 1, 2021
 - Representatives of the wholesalers and distributors advocated for a requirement that counties seeking to impose a cigarette tax join a regional tax board, which provides tax stamps to wholesalers and collects and distributes cigarette tax revenues to its member jurisdictions.
 - VACo recommended that interested counties be supported in standing up regional entities, rather than mandating participation by all counties.
- Transportation Safety Commission?
 - Suspended March 21, 2012
 - Have received a good amount of feedback regarding traffic and development
 - Looking to reinstate for a 6 month period, January 2021 – June 2021
 - Comprehensive Plan and Zion Crossroads Small Area Plan

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Nov 18	7:00 PM	Regular Meeting	Library
Wed	Dec 2	4:00 PM	Regular Meeting	Library
Wed	Dec 2	7:00pm	Work Session – FCPS Preliminary Budget Discussion	Library
Wed	Dec 16	4:00pm	Work Session – Non Profits	Library
Wed	Dec 16	7:00pm	Regular Meeting	Library

5 - PUBLIC COMMENTS #1

At 4:20pm, Chair Sheridan opened the first round of Public Comments.

- Jeffery Ciucias, 149 Jefferson Drive, expressed his concern for the traffic around the entrance of the new Tractor Supply store. Mr. Ciucias asked the Board for support getting a VDOT traffic study for the area.
- Ida Swenson, 7 Deerwood Lane, spoke in support of the Virginia Cooperative Extension in Fluvanna County. Ms. Swenson spoke highly of Kim Mayo and the VCE staff and encouraged the Board to generously support the VCE.
- Rudy Garcia, 802 Rivanna Woods Drive, informed the Board Dr. Jackie Meyers had died and thanked them for approving the recent resolution celebrating her accomplishments and contributions. Mr. Garcia Spoke in support of the three EDA applicants, and updated the Board on the upcoming FLDP class.
- Andre O’Brian Key, 17 Ashton Road, introduced himself to the Board as an applicant for the CMPT appointment.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:31pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

Thomas Jefferson Planning District 2021 LEGISLATIVE PROGRAM – David C. Blount, Deputy Director/Director of Legislative Services TJPDC, presented to the Board of Supervisors with an overview of the Draft 2021 Legislative Program.

The draft program is scaled back this year from prior versions, in that it lists just three top legislative priorities, including a new priority addressing the COVID-19 health emergency. The priority positions are contained in the draft program as follows:

- 1) Support for Recovering Communities
- 2) Budgets and Funding
- 3) Broadband

The accompanying “Legislative Positions” section also has been significantly curtailed to focus on the most critical recommendations and positions in other areas of current interest and concern to the region or to our individual localities.

- Mr. Weaver thanked Mr. Blount for the inclusion of the protection of Historic buildings.

MOTION:	Approve the 2021 Thomas Jefferson Planning District Legislative Program as presented.				
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 BOS Contingency Budget Transfer – Fluvanna Hiring Event – Bryan Rothamel, Economic Development Coordinator

Reasons for a Hiring Event:

- Unemployment was last measured at 4.8% (September 2020).
- Pre-pandemic Fluvanna was 1.9%.
- Leading industries in Fluvanna were less affected by the health crisis disruption (more trade oriented or essential sectors).
- There are businesses from Fluvanna looking for workers.
- General population has felt more comfortable at outside events but weather is quickly changing.
- Residents who work outside the County are spending 9+ hours commuting and working. More employment in the County increases residents’ quality of life and Fluvanna’s economy.

Event Details:

- Fluvanna County host a hiring event/job fair on November 20. Silk City Printing has allowed us to use their parking lot.
- Because job fairs have not had great attendance through free marketing avenues, the County would pay and actively work to get more people to the event.
- Advertising through paid online and print placements.
- Signage to direct people to the event.
- We will encourage businesses to bring their own table and chairs but can provide if businesses are unable to provide.
- Any cost overruns will come from the EDO budget.

Budget:

Detail	Price
Online Advertising	\$700
Signage	\$200
Website	\$100
Print Advertising	\$1,000
Total	\$2,000

MOTION:	Approve a Budget Transfer of \$2,000 from FY21 BOS Contingency to FY21 Economic Development – Other Operating Supplies to cover expenses related to the Fluvanna Hiring Event.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- Acquiring Power Loads allows Fire and Rescue to limit provider exposure during calls. This allows patients to be loaded and unloaded with minimal staffing, decreasing exposure to infectious diseases. Currently Ambulances 45 and 49 do not have power loads.
- The cost includes the purchase and installation for both units.

Power Loads \$48,092.68
Installation \$3,930.00

MOTION:	Approve a budget transfer of \$52,022.68 from the FY21 CARES Act Contingency line to the FY21 CARES Act vehicle line for Power Loads for Ambulances 45 and 49.				
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 CARES Act Budget Transfer – Fire and Rescue PPE – Mary Anna Twisdale, Finance Director

- Provide Fire/EMS with individual full face piece air purifying respirators (APR) and particulate blocking hood to provide protection against COVID-19 for all personnel responding for these calls for service.
- Since the outbreak of the COVID-19 pandemic Fluvanna County and Lake Monticello Fire and Rescue have responded to approximately 400 positive and suspected patients with the virus.
- With the uncertain future of this pandemic and the current lack of a vaccine to combat the virus, coupled with round two of the virus, hot-spots, virus mutation and the start of the annual flu season, these full face piece respirator will provide the best protection for all first responders tasked with treating, transporting and coping with the day to day circumstances presented by the virus and other communicable diseases.
- The Fluvanna County Fire and Rescue Chief’s respectfully request that the Fluvanna County Board of Supervisors consider and approve the purchase of this life saving personal protective equipment with funds provided by the CARES ACT.

MOTION:	Approve a budget transfer of \$68,891.25 from the FY21 CARES Act Contingency line to the FY21 CARES Act Emergency Supplies line for Fire and Rescue Full Face Piece Air Purifying Respirators.				
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 CARES Act Budget Transfer – Sheriff’s Office Respirators – Mary Anna Twisdale, Finance Director

The purchase of the new masks are to ensure the reserve deputies have adequate respiratory protection against biological pathogens such as SARS-CoV-2 (Coronavirus). These masks provide full-face respiratory protection. We currently have these masks for the paid staff. They are very similar to and made by the same company as, the masks the BOS recently approved for the fire department. The filters are simply to ensure that the agency has an adequate supply of filters on hand, as this pandemic does not appear to have an end in sight. While full-face masks are not worn routinely, they would be worn if the deputy had to enter a known infected zone. If there was another outbreak at the nursing home, and we had to enter, gas masks would be worn. Likewise, if we had to enter a home and we know COVID positive people occupied the dwelling, a full-face gas mask would provide the deputy with the most protection. We are in the midst of a pandemic of what, by all accounts, is now an air-born pathogen. The Sheriff’s Office may need all the staffing they can muster should the worst-case scenario develop. The masks ensure that all our staff, paid or volunteer, have adequate respiratory protection.

MOTION:	Approve a budget transfer of \$14,540 from the FY21 CARES Act Contingency line to the FY21 CARES Act Emergency Supplies line for Sheriff’s Office Respirators.				
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 CARES Act Budget Transfer – Sheriff’s Office X-Ray Scanner – Mary Anna Twisdale, Finance Director

Obtaining this scanner would allow for courts staff to do “touchless” searching of bags, briefcases, and packages as they come into the courthouse, much like airport screening. Currently, deputies must conduct manual searches of containers which involves both touching items and getting in close contact with persons. This system is also semi-mobile so with the upcoming return to jury trials under COVID restrictions, this unit could be wheeled to a needed location to aid in the entry of potential jurors and witnesses in a manner compliant with COVID guidelines. Jury selection can include up to 75 prospective jurors at in one time block. Having a scanner will expedite the screening of those jurors in a complaint manner.

MOTION:	Approve a budget transfer of \$16,047.40 from the FY21 CARES Act Contingency line to the FY21 CARES Act Machinery & Equipment line for a Sheriff’s Office X-Ray Scanner.				
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 CARES Act Budget Transfer – TJPDC Regional Affordable Housing Search Tool and Website – Mary Anna Twisdale, Finance Director

The TJPDC Regional Affordable Housing Search tool has been an identified strategy to combat homelessness and affordable housing in our region, it has become even more important as COVID-19 has reduced incomes and increased the risk of evictions and foreclosures. There is no comparable rental and ownership site in Virginia. In addition to the search tool, information on affordable housing resources, assistance and housing providers will be provided. The vendor for the search site will provide a bi-lingual telephone support system for those without access to a computer.

There is a one-time \$.10 per capita cost to Fluvanna County.

MOTION:	Approve a budget transfer of \$2,612 from the FY21 CARES Act Contingency line to the FY21 CARES Act Contract Services line for the TJPDC Regional Affordable Housing Search Tool and Website.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FCPS FY21 CARES Act Budget Transfer – Liz McIver, Management Analyst

- The Schools have requested a Supplemental Appropriation of \$150,000.00 from the CARES funds to help cover additional technology cost due to the COVID19 Pandemic. These funds would be used to purchase Chromebooks and other needed hardware.

MOTION:	Defer a budget transfer of \$150,000 from the FY21 CARES Act Contingency line to the Fluvanna County Public Schools FY21 budget.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY20 to FY21 FCPS Carryover Request – Liz McIver, Management Analyst

Fluvanna County Public Schools are requesting a local funds carryover from FY20 to FY21.

The Fluvanna County School Board requests that \$400,000 of unexpended FY20 Funds be re-allocated to the school division. Said funds are to be transferred to:

- \$200,000 to CIP – Abrams Upgrades
- \$200,000 to CIP – Two New School Buses

This supplemental appropriation, if approved, would authorize staff to appropriate the additional funds to FY21 revenue and expenditures in the Fluvanna County Public Schools CIP budget.

MOTION:	approve carryover of FY20 Fluvanna County Public Schools unexpended local funds in the amount of \$400,000 to the FY21 CIP Budget (Schools), for the following items:				
	A.	Abrams Upgrades -		\$200,000	
	B.	Two New School Buses -		\$200,000	
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY20 4th Quarter Budget Report and FY20 to FY21 Carryover Requests – Liz McIver, Management Analyst

FY20 Revenue Summary:

CATEGORY	REVISED BUDGET	ACTUAL	SURPLUS/ (SHORTFALL)
REAL ESTATE TAXES	\$24,261,720	\$24,432,282	\$170,562
REAL & PERSONAL PUBLIC SERVICE	5,057,321	5,483,117	\$425,796
PERSONAL PROPERTY TAXES	7,375,894	7,297,986	(\$77,908)
MOBILE HOME TAXES	19,317	17,584	(\$1,733)
MACHINERY & TOOLS TAXES	13,893	22,823	\$8,930
PROP TX PENALTIES & INTER	425,000	578,177	\$153,177
OTHER LOCAL TAXES	4,466,500	4,862,200	\$395,700
PERMITS/FEES/LICENSES	293,600	312,286	\$18,686
FINES & FORFEITURES	61,500	57,037	(\$4,463)
REVENUE USE MONEY/PROPERTY	178,000	221,540	\$43,540
CHARGES FOR SERVICES	919,603	1,011,500	\$91,897
MISCELLANEOUS REVENUE	134,537	79,459	(\$55,078)
RECOVERED COSTS	227,247	143,214	(\$84,033)
STATE - NON CATEGORICAL AID	138,000	117,605	(\$20,395)
STATE - SHARED EXPENSES	1,932,423	1,970,037	\$37,614
STATE - CATEGORICAL AID	5,876,530	5,477,140	(\$399,390)
FEDERAL - CATEGORICAL AID	1,440,359	1,852,589	\$412,230
TOTAL	52,821,444	53,936,575	\$1,115,131

FY20 Expenditure Summary:

CATEGORY	REVISED BUDGET	ACTUAL	UNDER/ (OVER)
General Govt	\$3,125,650	\$2,890,553	\$235,097
Judicial Admin	1,232,929	1,181,201	51,728
Public Safety	8,878,430	7,719,993	1,158,437
Public Works	2,537,295	2,305,758	231,537
Health & Welfare	5,889,573	4,723,733	1,165,840
Education	17,864,597	16,473,020	1,391,577
Library and P&R	1,036,511	917,842	118,669
Community Develop	1,254,972	1,182,147	72,825
Misc Non-Dept	451,062	36,757	414,305
Debt Service	9,242,684	9,075,040	167,644
TOTAL*	51,513,704	46,506,045	\$5,007,659

FY20 Preliminary Fund Balance Summary:

- Revenues \$53,936,575
- Expenditures \$46,506,045
- Excess Balance \$ 7,430,530
- Less Transfers Out: - \$2,969,715
 - CIP: \$2,175,285
 - Sewer: \$208,057
 - ZXR: \$586,373
- Fund Balance Change: \$4,460,815

FY20 4th Quarter Budget Report:

- The majority of Offices & Departments ended FY20 within 90% of their budgets
- Approximately \$1 million in budget salaries were covered by CARES Funds
- The schools have approximately \$1.39 million in unexpended funds

FY20 – FY21 Carryover Requests:

Fluvanna County Financial Policies Section 3.1.10 (Re-appropriation)

- Those amounts necessary for the continuation of operating projects or services may be requested by departments for re-appropriation to the budget of the next fiscal year.
- Such requests shall be for specifically-defined projects that could not reasonably be started or completed prior to June 30.

- Such requests shall be reviewed by the County Administrator and presented to the Board of Supervisors for formal approval.

Four Reasons for FY20 Carryover Requests:

FY20 Budget Authority (YES)

1. Initiative/Project was started in FY20, but was not able to be completed.
 - Meets existing policy.
2. Initiative/project not started in FY20 due to circumstances.
 - Meets existing policy.

FY20 Budget Authority (NO)

3. Requesting carryover of FY20 remaining funds to cover **certain one-time special or capital projects** that are not already approved/funded.
 - Does not meet existing policy.
4. Requesting carryover of FY20 remaining funds for **new or unanticipated operating expenses not included in the FY21 budget**
 - i.e., not funded in FY21, but request/need has been identified; asking for unexpended FY20 dollars to cover that request/need (rather than wait until FY22 budget).
 - Does not meet existing policy.

MOTION:	Approve the following carryover requests of FY20 unexpended budget lines from the listed departments to the FY21 Department Budget lines as specified and in the amounts listed:				
	Item	Department	Budget Line	Amount	Meets Policy
	A	Parks & Rec.	Site Improvement	\$4,000	Y
	B	Parks & Rec	Site Improvement	\$5,500	Y
	C	Litter	Professional Services	\$22,200	Y
	D	Sheriff's Office	Subsistence & Lodging	\$7,900	Y
	E	Sheriff's Office	Convention & Education	\$5,300	Y
	F	Sheriff's Office	Overtime Pay	\$7,000	N
	G	Sheriff's Office	Police Supplies	\$6,680	N
	H	E911	Maintenance Contracts	\$15,744.40	Y
	I	Registrar's Office	Contract Services	\$33,266.06	N
	J	Registrar's Office	Machinery & Equipment	\$39,396.55	N
	K	Registrar's Office	Furniture & Fixtures	\$1,000	N
	L	Registrar's Office	Mileage Allowances	\$459.68	N
	M	Registrar's Office	Mileage Allowances	\$5,000	N
				Total	\$153,446.69
	with a total amount of \$153,446.69 to be re-appropriated to FY21.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Duct Cleaning Contract – Cyndi Toler, Purchasing Officer

- To assist with COVID-19 concerns, the county wants to clean the HVAC Ducts in county buildings to keep buildings well ventilated and sanitary
- The county buildings included are:
 - Fork Union Fire
 - DSS
 - County Administration
 - Kents Store Fire
 - Treasurer/COR office
 - Fluvanna Community Center
 - Palmyra Fire
 - Library
 - Palmyra Rescue
 - Sheriff's Office
 - Registrar
 - Courthouse
 - Commonwealth Attorney

MOTION:	Approve a budget transfer of \$70,150 from FY21 CARES Act Contingency line to CARES Act line Building Equipment Repair & Maintenance.				
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:	Approve the contract between County of Fluvanna and Partners Too of Virginia, LTD, for the HVAC Duct Cleaning in County owned buildings not to exceed \$70,150 and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s): - Economic Development Authority (EDA) At-Large, Lorretta Johnson-Morgan, Term November 4, 2020, through June 30, 2023. - Community Planning and Management Team (CPMT) – Vendor Representative, Cassandra Winfrey, Term November 4, 2020 through June 30, 2022.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 - PRESENTATIONS

2021 Reassessment Briefing – Randy Willis, Assessor for Pearson’s Appraisal Service, Inc.

General Change in Value:

- Overall change in market value for all taxable property classifications in the county is a 7% increase. This would include Lake Monticello.
- Overall change in market value for all taxable property, excluding Lake Monticello is a 6.4% increase.
- Land values will generally be unchanged other than isolated areas where sales and market data would otherwise support. This will occur on a limited basis.

Lake Monticello:

- Overall change in value is a 8.3% increase.
- Developed interior properties overall increase is 9%
- Developed golf course properties overall increase is 1 % to 2% range.
- Developed waterfront properties overall increase is 6% increase.

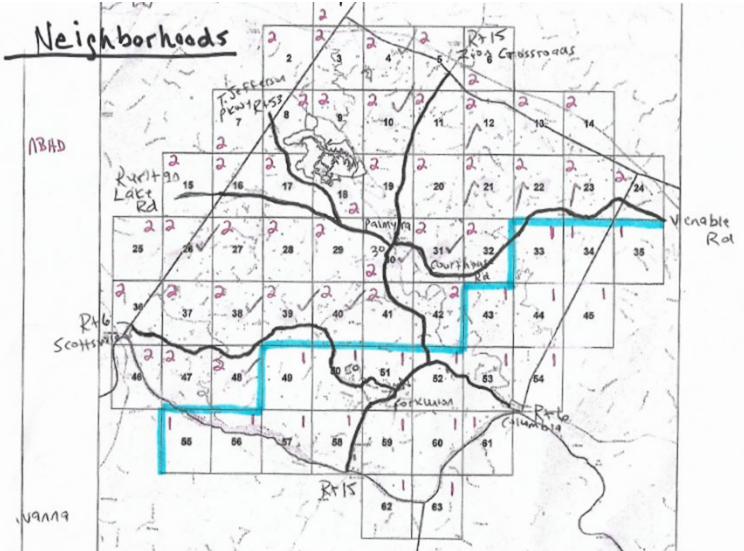
Neighborhoods:

#1 as illustrated on grid map

- Overall increase for this area is in the 3% range. Developed residential properties for acreage tracts 10 acres and less and in average to good condition overall increase is 6% more or less depending on characteristics. Likewise dwellings in fair to poor condition could see a decrease in value. This area of the county has limited sales activity compared to other areas of the county.

#2 as illustrated on grid map and excludes Lake Monticello

- Overall change in value is a 7% increase
- Developed residential properties for acreage tracts 10 acres and less, overall increase is 8.7%



Developed and Undeveloped Commercial Properties:

- These properties values will generally not change unless there is a change in method of pricing or change in characteristics.
- There has only been scattered commercial sales activity and generally not enough to indicate a trend or support change of current values in place.
- This would also include the Zion Crossroads water and sewer project area.
- As this is just coming into existence hopefully will be activity in the future.

Observations of Note:

- While sales activity is slightly down in numbers in 2020 compared to 2019, sales prices have continued to increase for move in ready dwellings according to market analysis through August of 2020.
- Inventories on the market for sale are down in 2020. Dwellings built in 2019 and 2020 have good consumer demand and are not on the market for very long.
- Increases outlined are overall and do not mean that every property will increase that exact percentage. Some will increase more and some less. One story dwellings for example will increase slightly more than multi-story dwellings.
- Lending practices seem to be relaxed and creative compared to even several years ago. This goes a long ways into determining market values for real estate at time of sale/ closing.

Reassessment Notification:

- Reassessment notices are to be mailed the week of November 9.
- Informal appeals will begin the week of November 16.
- Pearson's will offer and encourage appeals by phone, E-mail, or regular mail. If necessary will meet in person upon request. We will and want to communicate with any and all property owners if they have questions.

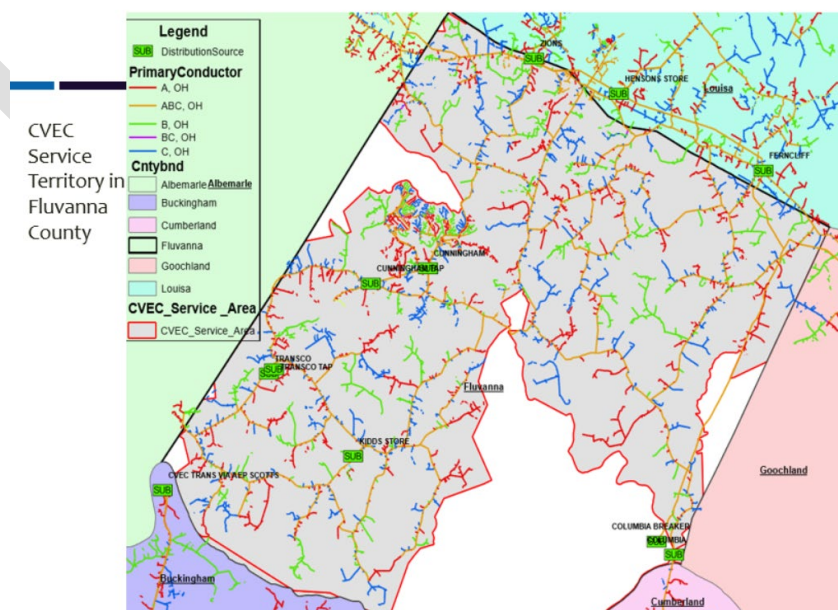
We would encourage property owners to search sites such as Zillow, Realtor.com etc. to see sales activity in there area.

- Mr. Willis encouraged any citizen with questions to reach out to the assessors.

Central Virginia Electric Cooperative Update – Galen Creekmore, CVEC

Central Virginia Electric Cooperative:

- Began providing electric service in the area in the late 1930's
- 110 employees total- Firefly Fiber Broadband is headquartered in Palmyra Office
- CVEC relies on contracting with local businesses
- CVEC paid ~\$800,000 in taxes/year to Fluvanna County before any fiber construction
- CVEC serves 8,970 homes in Fluvanna County
 - Serving 220 square miles in the County
 - Central Virginia Electric Cooperative's service territory covers 76% of Fluvanna County



CVEC, Firefly, & Fluvanna:

- It has been our pleasure to partner with Fluvanna on many different fronts over the last two years to expand rural connectivity
- Fluvanna has partnered with CVEC and Firefly on:
 - Fiber build to CVEC members
 - VATI funding
 - CARES Act Funding
 - USDA ReConnect Funding
 - CAF/RDOF

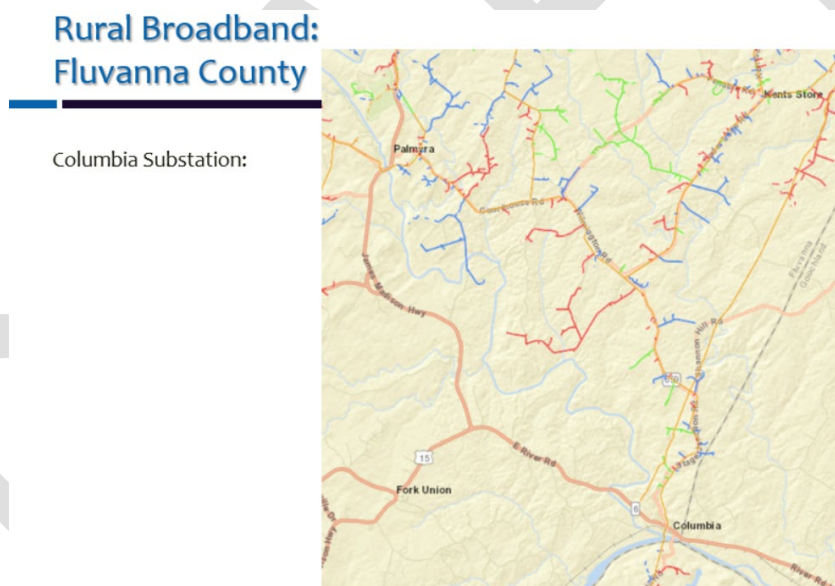
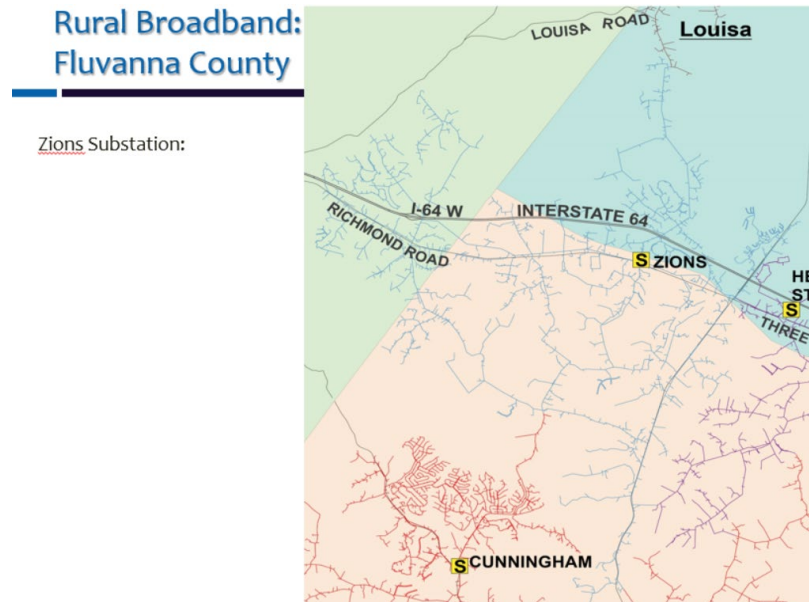
November 4, 2020

Board of Supervisors Minutes

- This partnership on grant applications has made it possible for Firefly to expand outside of the CVEC service territory without slowing down the fiber build on our own electric infrastructure.

Firefly Fiber Broadband – Progress in the County:

- Headquartered in Palmyra- 23 full time employees with 18 working out of Palmyra office
- Firefly will connect its 5,000th customer last week
- Building at a pace of 20 miles/week and always looking for ways to speed up
- Actively connecting both Zion Crossroads and Columbia substation
 - Currently 247 connected customers out of Columbia (passing 847)
 - Currently 1,172 connected customers out of Zions (passing 3,116)
- Out of Zion and Columbia substations take rates have been as high as 70%



VATI Build:

- \$641,967 state funds for Columbia Build
 - Status: In service
- 516 customers registered
- 247 customers connected as of last week

CARES Act Build:

- \$520,000 allocated
- 7 miles of fiber construction
- Passing 150 homes/businesses
- This build will stretch from Carysbrook Rd., south on Rt.15 towards Fork Union and Dixie
- This will also bring service to Silk City Printing in the old Thomasville Plant

USDA ReConnect Build:

- \$28 million award- 50/50 grant-loan
- Ferncliff
- Kidds Store
- The second round ReConnect application includes several small areas of Dominion territory including the village of Columbia

CAF/RDOF

- In the FCC Connect America Fund auction, we bid on and won every possible dollar of awards.

November 4, 2020

Board of Supervisors Minutes

- Our total award from all counties was \$28.6 million and the awards covered 10,832 locations.
- Our Fluvanna award was \$109,970 and covered 9 locations.
- This year the FCC is holding another auction which is larger than the Connect America Fund. Firefly is participating in the auction but cannot discuss anything about its bidding strategy due to auction rules and federal law.

What's Next in County:

- A total of 6 CVEC substations serve Fluvanna County
 - Columbia* - done
 - Zions* - done
 - *Kidds Store – scheduled to start fiber construction around end of year*
 - Cunningham – 2nd half of 2021
 - Henson's Store – 2nd half of 2021
 - Ferncliff – late 2021 early 2022
- All of these substations are either in service*, engineering or construction phase
- Important to remember that we are building future proof infrastructure- it does take time, but it is worth it.

CVEC-Firefly-Fluvanna:

- Project is going well
- Plan to complete all backbone of CVEC build by mid-2022
 - For all those who sign up for service initially, will be connected by fall 2022
- Beginning to look off CVEC system for builds with CARES funding
- Goal is to have gigabit speed broadband available at every household in Fluvanna and Central Va, and will continue to seek ways to bring in funding and find solutions to try to reach that goal.

Virginia Cooperative Extension-Fluvanna Unit Response to COVID-19 and Annual Update – Kim Mayo, 4-H Youth Development Extension Agent/Unit Coordinator VCE-Fluvanna Unit

VCE Staff:

- Agriculture and Natural Resources
 - Rick Hernandez
 - Carrie Swanson*
 - Sarah Sharpe*
 - Charles Rosson*
- Family and Consumer Sciences
 - Kim Booker*
 - Crysti Hopkins*
- Family Nutrition Program
 - Faye Anderson
- 4-H Youth Development
 - Kim Mayo
 - Ellie Farmer
- Unit Administrative Assistant
 - Brittney Redman

Social Media Drive:

- Brittney Redman did a great job distributing timely information
- Program Highlights
 - Staff
 - Services Offered

Agriculture and Natural Resources:

Worker Protection Standards Training

"In February we were planning on providing several Worker Protection Standard training programs to local vineyards and orchards in English and Spanish. Our first face to face session was canceled due to Covid-19. We quickly adapted and were able to offer the WPS training virtually on the scheduled date. Today I continue to work with VDACS to provide WPS training to the agricultural industry."

-Rick Hernandez

Home Garden Issues addressed:

- Diseases including, Bacterial wilt, powdery mildew, end rot, Fusarium wilt, downey mildew
- irrigation systems
- insect control
- weed identification
- trellising
- rotational cropping

Pond Issues

- Worked with Virginia State University Aquaculture specialists.

Board of Supervisors Minutes

- Provided watershed and livestock pond issues education and resources.
- Identified pond weeds:
 - Watermilfoil
 - Parrotfeather
 - Duckweed Watershield

Livestock:

- Education:
 - Grading Feeder Cattle
 - Controlling External Parasites
 - Nutrition
 - Beef Market Updates
- CFAP: 32 producers
- New Disease:
 - **Theileria Orientalis**

4-H Programing:

- 9% decrease in enrollment
- **Virtual Programs Implemented:**
 - Piedmont Area Junior Livestock Show
 - Club Meetings
 - Safe at Home, Safe Alone
 - 4-H Junior Camp
 - 4-H Congress
 - Fluvanna 4-H at Home

Grab and Go Kits - 600 Kits distributed

20 Topics:

- | | |
|--------------------------------|-------------------------------|
| – Aerospace | – Nutrition |
| – Animal Science | – Physical Activity Challenge |
| – Creative and Expressive Arts | – Rocketry |
| – Gardening | – Service Learning |

In Person Programs

- Hand Sewing Program
 - Make a Mask/Take a Mask
- Club Meetings
- 4-H Livestock Show (virtual sale)
- Rocketry Academy
- STEM Challenge: MARS Base Camp

Molina Foundation Partnership Book Distribution: over 1,000 books distributed

- | | |
|---------------|--------------------------|
| • Fork Union | • Palmyra |
| • Kents Store | • Fluvanna Middle School |
| • Troy | • Scottsville |

Family Nutrition Program:

- Columbia Mobile Food Pantry - 90
- Effort Mobile Food Pantry average 130/month
- "Walk the Line" - 125 (September)

Interdisciplinary Programming – Gardening:

Senior Garden- Fluvanna Community Center

- Expanded raised beds from 3 to 8 added 7 grow pots.
- Installed an irrigation system with a timer.
- Produce packaged and donated with recipe information.

*ANR/FCS/FNP partnership

Community Garden- Pleasant Grove

- Over 750 pounds of produce donated to MACAA
- Hours of Service from garden volunteers: 125
- Value: \$3557.50
- ANR/FCS/FNP/4-H partnership

Garden-to-Go

- 25 fall garden kits prepared for seniors in Fluvanna

Board of Supervisors Minutes

- Grant funded program/Local business support
- FCS/FNP/ANR partnership

Garden at Home

- Youth/family based
- 58 kits mailed
- 48 picked up
- Over 125 youth engaged
- ANR/FCS/4-H

- Extension Volunteers were recognized for their hard work

Extension Master Gardeners

- 40 Fluvanna Master Gardeners
- 1,708 hours of volunteer service
- 1,200 individual Fluvanna County citizen and visitor contacts
- \$49,000

Extension Master Naturalists

- 10 members
- 300 volunteer hours
- \$8,400
- Ida Swenson- 5,000 hours of service
- New Palmyra Rail Trail Nature Walk
- Maintained the wildlife meadows, trees, and trails

9 - CONSENT AGENDA

The following items were discussed before approval:

- S – Temporary Staff Stipend for Additional Duties – Panko
- U – Billing Services for Emergency Transportation
- V – Open Space Contract (Barker)

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

Minutes of October 21, 2020 – Caitlin Solis, Clerk to the Board of Supervisors
Memorandum of Agreement Between the County of Fluvanna and the Economic Development Authority of Fluvanna County – CARES Act – Eric Dahl, County Administrator
A Resolution for the Scenic River Designation of a Segment of the James River – Eric Dahl, County Administrator
Temporary Staff Stipend for Additional Duties – Panko – Jessica Rice, Human Resources Manager
Sheriff’s Office Position Description Updates – Jessica Rice, Human Resources Manager
Billing Services for Emergency Transportation – Cyndi Toler, Purchasing Officer
Open Space Contract (Barker) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Boisseau) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Campbell) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Hemmings) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Martin, John & Patricia) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Martin, John Jr & Amy) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (May) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Poore) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Open Space Contract (Taylor) – Andrew M. Sheridan, Jr., Commissioner of the Revenue
Shepherds Agricultural/Forestral District Review and Renewal – Jason Overstreet, Planner GIS Tech
FY21 Social Service Additional Revenue – Fostering Futures – Kim Mabe, Social Services Director
FY21 Social Service Additional Revenue – Overtime – Kim Mabe, Social Services Director

MOTION:	Approve the consent agenda, for the November 4, 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

Local Allocations for Federal CARES Coronavirus Relief Funds – Eric Dahl, County Administrator

Board of Supervisors Minutes

- Deploying to the projected count of 731 households will take approximately 18 – 24 months, but we are estimating that we will be able to offer service to approximately 20 - 30 households prior to the end of 2020.
- They would then project a sign-up rate of approximately 12-15 new customers per month, bringing the total of online subscribers to around 150-200 users by the end of 2021.
- A more aggressive and optimistic scenario could see 1.5 times the anticipated subscription rate or 225-300.

Task	Projected Completion
Network Design	WEEKS 0-1
Hardware Acquisition	WEEKS 0-2
WAN Deployment	WEEKS 1-2
Towers 1 & 2	WEEKS 2-4
Towers 3 & 4	WEEKS 4-6
Subscriber Advertising	WEEKS 0+
Subscriber Surveys and Deployment	WEEKS 3+

- Primary Vertical Asset Interest:
 - Old Cunningham School: 37.800881, -78.351074
 - Conv Center: 37.796367, -78.319983
 - FUSD Water Tank: 37.769146, -78.288651
 - Carysbrook Elementary: 37.813859, -78.243718
 - Old Columbia School: 37.832124, -78.187847
- Secondary Interest:
 - Kent’s Store: 37.87918, -78.13026
 - Fluvanna Middle School: 37.824056, -78.275184

• Pricing Breakdown

Description	Quantity	Cost	Total
Wireless Tower DEPLOYMENT	5	\$24,344.86	\$121,724.31
WAN Deployment and MANAGED SERVICE	1	\$15,089.69	\$15,089.69
Network Design and Engineering	1	\$15,840.00	\$15,840.00
Total:			\$152,654.00

• Customer Offering/Service Delivery

Package	Projected Speeds	Projected Pricing (p/m)	Install Fee
Tier 1	Up to 25/10 Mbps	\$59	Free
Tier 2	Up to 50/20 Mbps	\$89	Up to \$250
Tier 3	Up to 100/50 Mbps	\$179	Up to \$500

- Time Constraints
 - This project could not be completed in time by the CARES December 30, 2020 deadline, due to the following:
 - Schools Towers:
 - The next school board meeting is November 11, 2020, and that would be the earliest that this proposal could be considered by the School Board.
 - After speaking with the Superintendent, the School Board would not be able to take formal action until their following meeting on December 9, 2020.
 - County Towers/FUSD Water Tank:
 - November 4, 2020 is the earliest that the Fluvanna Board of Supervisors could consider this proposal. If the board wanted to move forward with this proposal and because it deals with leasing county property, a public hearing, including the terms of the lease and the actual lease would need to be included in the public board package.
 - November 18, 2020 the board would consider and take action on an authorization to advertise for a public hearing. If this was approved, an advertisement for the public hearing would go in the Fluvanna Review
 - December 3, 2020 and December 10, 2020 public hearing advertised for 2 weeks.
 - December 18, 2020 is the earliest that leases could be finalized by the board. Economic Development Authority funding/performance agreement, Telecommunication Collocation Permits and consultant review, Electric Permits would be completed in this time frame.
- The Board of Supervisors approved pursuing an RFB for the project

1 - NEW BUSINESS

- Annual Handicap Hunt at Pleasant Grove – Mr. Sheridan brought up the annual handicap hunt. Mr. Payne suggested doing the annual hunt on the next to last day before the end of deer season between from 2pm-dark.

Board of Supervisors Minutes

- Mr. O’Brien asked about the process of redistricting, specifically if the BOS has any input. Mrs. Booker gave him a brief overview of the previous redistricting process.
- Mrs. Eager mentioned a citizen who volunteered to landscape the traffic circle at 15 and 53. The BOS must give approval to begin the application process with VDOT.
- At 7:50pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the November 4, 2020 Regular Board of Supervisors meeting to 10:00pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

12 - PUBLIC COMMENTS #2

At 7:52pm, Chair Sheridan opened the second round of Public Comments.
With no one wishing to speak, Chair Sheridan closed the second round of Public Comments at 7:52pm.

13 - CLOSED MEETING

MOTION:	At 7:52pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.5, & A.6 of the Code of Virginia, 1950, as amended, for the purpose of discussing Prospective Industry and Investment of Funds				
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:	At 8:25pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the 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				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, November 4, 2020 at 8:25pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion				Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair

Fluvanna County Board of Supervisors
November 4, 2020

Honorable Citizens:

I am here to add to the official documents of the County of Fluvanna, Virginia on November 4th, Wednesday. Two Thousand and Twenty, my concern about a highway safety issue.

It is wonderful news that the Houchens property on South Boston road between, Slice/Abby and Broken Island Road is being developed for new businesses. I can look from my back yard, and see the historic chimney of a homestead that at one time overlooked out over slow hills with good sun shining from the East, South and West into that home.

I have contacted the Fluvanna Sheriff's Office and talked with an officer, Deputy Barker (sp) and he referred me to Fluvanna Public works and also to a VDOT number accepting citizen concerns. In both cases we talked about posted speed limits, signage, and even traffic calming options that can be considered by Fluvanna County leaders.

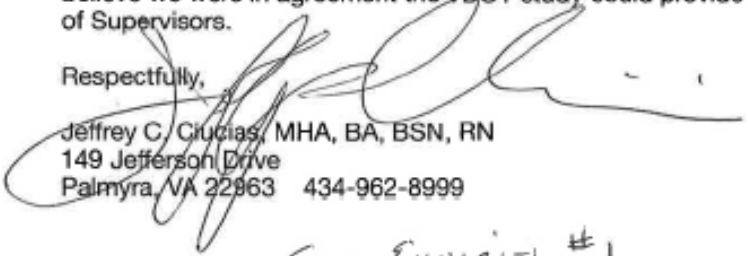
With the welcome arrival of a Tractor Supply Store we have a get business to serve the needs of our agricultural community and the good news is that there will more neighbors coming to get supplies and equipment by way of the entrance to the Tractor Supply Store on South Boston road, near a blind curve a few hundred yards from the rescue squad and a day care center toward the East, and at the end of a long straight away when driving West,

I am here to document in the public record, my concerns about a community safety issue and to request consideration of current highway safety measures (posted limits and other highway safety options) for their adequacy to decrease the risk of property loss or driver fatalities.

In discussion with a VDOT representative I was offered the option of having a VDOT traffic study done—and I confirmed that, yes, I thought it would be a good idea.

I have also discussed this with my Fluvanna County Representative Ms. Patricia Eager and I believe we were in agreement the VDOT study could provide valuable information for the Board of Supervisors.

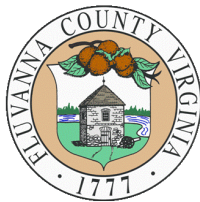
Respectfully,


Jeffrey C. Ciucias, MHA, BA, BSN, RN
149 Jefferson Drive
Palmyra, VA 22963 434-962-8999

SEE EXHIBIT #1



MAP EXHIBIT #1 JEFF CINCAS 11/4/2020 1 of 1



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 29-2020

**A RESOLUTION TO THE VIRGINIA GENERAL ASSEMBLY PETITIONING
FOR THE SCENIC RIVER DESIGNATION OF A
SEGMENT OF THE JAMES RIVER**

WHEREAS, the Fluvanna County Board of Supervisors wish to thank their representatives in the General Assembly for their interest and support of this resolution petitioning the scenic river designation of a segment of the James River; and;

WHEREAS, the Virginia Scenic Rivers Act of 1970 establishes Virginia Scenic Rivers Program’s to identify, designate and help protect rivers and streams that possess outstanding scenic, recreational, historic and natural characteristics of statewide significance for future generations; and

WHEREAS, a 2019 survey effort by the Virginia Department of Conservation and Recreation, in partnership with the James River Association and initiated at the Town of Scottsville’s request, found a 20-mile segment of the river, from one mile upstream of the Warren boat ramp down to New Canton, to qualify for Virginia Scenic River designation; and

WHEREAS, a September 2020 survey effort found an additional 45-mile segment of the river, from New Canton to Columbia, to qualify for Virginia Scenic River designation; and

WHEREAS, a total of 65 miles of the James River now qualifies for Virginia Scenic River designation, which includes the entirety of the James River in Fluvanna County;

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors respectfully requests the General Assembly to pass legislation amending the Code of Virginia § 10.1, Chapter 4, the Scenic Rivers Act, to include as a component of the Virginia Scenic Rivers System that portion of the James River in Buckingham, Fluvanna, and Cumberland Counties, from New Canton to Columbia; and

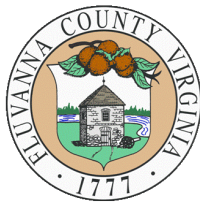
BE IT FURTHER RESOLVED This resolution shall become effective immediately. The Fluvanna County Administrator shall mail or deliver a copy of this resolution to the County’s representatives in the General Assembly, other selected members of the General Assembly, area local governments, and to other interested persons, as appropriate.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a Regular Meeting of the Board held on the 4th day of November, 2020;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					X
Patricia B. Eager, Palmyra District	X					
Anthony P. O’Brien, Rivanna District	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

RESOLUTION No. 30-2020

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE SHEPHERDS
AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL TEN-YEAR
PERIOD TO EXPIRE NOVEMBER 15, 2030**

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Library at 4:00 p.m. on the 4th day of November 2020, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Shepherds Agricultural/Forestal District on November 15, 2000 for a ten-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Shepherds Agricultural/Forestal District on October 6, 2010; and

WHEREAS, the district will expire on November 15, 2020; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Shepherds Agricultural/Forestal District and advised them that the approved district would expire on November 15, 2020 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED on this 4th day of November 2020 that the Fluvanna County Board of Supervisors hereby renews the Shepherds Agricultural/Forestal District for an additional ten-year period to expire on November 15, 2030.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 4th day of November, 2020;

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

Attest:

John M. Sheridan, Chair
Fluvanna County Board of Supervisors

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB L

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	VDOT Secondary Street Acceptance Request – Venable Creek Lane				
MOTION(s):	I move the Fluvanna County Board of Supervisors adopt the resolution entitled “A Resolution To Take Streets In Venable Creek Subdivision Into The Secondary System Of Highways In Fluvanna County, Virginia.”				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		XX			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Douglas Miles, Community Development Director				
RECOMMENDATION:	Adoption of the Resolution				
TIMING:	Routine				
DISCUSSION:	N/A				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:					
ENCLOSURES:	<ul style="list-style-type: none"> • Draft Resolution • VDOT Secondary Road Acceptance AM-4.3 – Venable Creek Lane 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

In Fluvanna County

37160799

by Resolution of the governing body adopted

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Venable Creek Lane

Addition - New subdivision street §33.2-705

Route Number	Street Name	From Termini	To Termini	Length	Number Of Lanes	Recordation Reference	Row Width
681	Venable Creek Ln	Rt 601, Venable Rd	0.5 Miles, South to ESM	0.5	2	DB 534;P 926-929	50



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 31-2020

A Resolution to Take Streets in the Venable Creek Subdivision into the Secondary System of Highways in Fluvanna County, Virginia

At a regular meeting of the Board of Supervisors of Fluvanna County held in the Fluvanna County Library at 7:00 PM on Wednesday, November 18, 2019, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

WHEREAS, the eligible streets described on the attached VDOT AM-4.3 form, fully incorporated herein by reference, are shown on plats recorded in the clerk's office of the Circuit Court of Fluvanna County; and

WHEREAS, the streets described in the Venable Creek Subdivision have been developed in Fluvanna County and the developer has constructed the streets in accordance with the plans submitted to and approved by the Virginia Department of Transportation and the streets have been inspected by the Office of the Land Development Engineer and found to be acceptable in the State Highway System; and

NOW, THEREFORE BE IT RESOLVED, on this 18th day of November, 2020, that the Fluvanna County Board of Supervisors hereby requests that the Virginia Department of Transportation add the described roads listed on the attached VDOT AM-4.3 form to the Secondary System of State Highways of Fluvanna County pursuant to Section 33.2-705 of the Code of Virginia, as amended, and the Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, that the Fluvanna County Board of Supervisors guarantees a clear and unrestricted right-of-way, and any necessary easements for cuts, fills, and drainage; and

BE IT YET FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Land Development Engineer for the Virginia Department of Transportation.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 18th day of November, 2020:

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

Attest:

John M. Sheridan, Chair
Board of Supervisors
Fluvanna County, Virginia

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB M

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Additional Security for Evidence Storage Unit				
MOTION(s):	I move the Board of Supervisors approve the Amendment between County of Fluvanna and EC&M Integrated Solutions, for Fluvanna Sheriff's Office Evidence Storage Unit Security in the amount of \$7,755.00 and further authorize the County Administrator to execute the agreement subject to the County Attorney approval as to form				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Cyndi Toler, Purchasing Officer				
PRESENTER(S):	Cyndi Toler, Purchasing Officer				
RECOMMENDATION:	Recommend approval				
TIMING:	Routine				
DISCUSSION:	<ul style="list-style-type: none"> The Sheriff's Office is in need of adding Camera's and security measures to protect the evidence storage container at the Sheriff's office This amendment will add the needed security to the system already in place at the building 				
FISCAL IMPACT:	<ul style="list-style-type: none"> \$7,755 budgeted in the funds set aside for completion of the evidence storage unit 				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Contract				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X	X		X - Sheriff

COUNTY OF FLUVANNA, VIRGINIA
AMENDMENT NO. 1 TO THE CONTRACT FOR SECURITY, SURVEILLANCE AND
SAFETY SYSTEMS – INSTALLATION AND SERVICE

This Amendment No. 1 (the “**Amendment**”), is made this 10 day of November, 2020 between the County of Fluvanna, a political subdivision of the Commonwealth of Virginia, and the Fluvanna County Sheriff’s Office, (collectively the “**County**”), and Electrical, Controls, and Maintenance, Inc., doing business as EC&M Integrated Solutions, a Virginia corporation (“**Contractor**”) and amends that Contract for Security, Surveillance and Safety Systems – Installation and Service (including all of the exhibits thereto the “**Contract**”) between the County and Contractor dated December 21, 2017. When used in this Amendment, any terms defined in the Contract have such defined meaning. The County and the Contractor are referred to herein as the “parties”.

WHEREAS, as permitted under Article IIA of the Contract, the County wishes to purchase and the Contractor desires to sell certain additional products and Additional Services (the “Additional Services”) as described in the quote dated September 28, 2020 from the Contractor (the “Quote”) attached hereto as **Exhibit 1** and incorporated herein by reference as material part of this Amendment;

WHEREAS, the parties wish to clarify and supplement the requirements of the Contract to add the Additional Services and as set forth in this Amendment;

WHEREAS, the parties wish to formalize their agreement by this Amendment to the Contract hereby which shall serve as the Notice to Proceed required under the Contract upon full execution of this Amendment by the County:

THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

1. **Incorporation of Recitals:** The foregoing recitals are incorporated herein as materials parts of this Amendment by reference.
2. **Contract Pricing Requirements:** The Contractor certifies that the pricing for all products, materials, and labor making up its Quote in all respects comply with the pricing requirements of the Contract which include without limitation the following:
 - a. Article IIA of the Contract requires that “*Any hourly Additional Services provided under this Contract pursuant to page 2 of the Maintenance Pricing must be incorporated into an Notice to Proceed which at minimum must include the following:...*”. See Contract for complete Article IIA.
 - b. Article III of the Contract requires that (please note that bolding, underlining and capitalization has been added for emphasis): “**...Hourly Additional Services: Any hourly service fees for “any programming changes or other additions or changes required” provided under this Contract must be incorporated into a Notice to Proceed and will be charged to the County at no higher than the current State Contract Labor Rates, or the rates shown on page 2 of the Maintenance Pricing, whichever is lower. All material and equipment provided under this Contract and incorporated into a Notice to Proceed will be provided to the County at a 25% discount off MSRP, or if applicable at a greater discount. NO OVERTIME, HOLIDAY AND NIGHT/WEEKEND RATES APPLY. All Notice to Proceed hourly service work shall be billable to the County in increments of a quarter of an hour, or smaller increments if that is the Contractor’s standard practice. The minimum charge shall be a quarter of an hour, or smaller increment if that is the Contractor’s standard practice. Any payments shall be made in accordance with Section 47 of the General Terms, and in no event shall Contractor be paid prior to the Hourly Service Completion Date of any one project under a Notice to Proceed. The date that all Additional Services and work related to or necessary for completion of all work under any one Notice to Proceed is installed, operational and in full compliance with this Contract, to the sole satisfaction of the County is the “Hourly Service Completion Date”. Notwithstanding any of the foregoing, the cost of any Additional Services under a Notice**

COUNTY OF FLUVANNA, VIRGINIA
AMENDMENT NO. 1 TO THE CONTRACT FOR SECURITY, SURVEILLANCE AND
SAFETY SYSTEMS – INSTALLATION AND SERVICE

to Proceed shall not exceed any not to exceed amount set out in such Notice to Proceed. The Contractor agrees to complete the Additional Services under any Notice to Proceed with a not to exceed cost for the not to exceed amount set out therein.” See Contract for complete Article III.

- c. Please note Page 2 of the Maintenance Pricing requires the following:

Full Maintenance Contract.

All device failures will be covered by flat rate fee as listed below. No other costs will be incurred by Fluvanna County except damages caused by Acts of God, Power Surges or abuse of equipment.

Any programming changes or other additions or changes required will be performed at State Contract Labor Rates and material and equipment at MSRP -25%:

State Contract Rates

Installation Labor Rate *\$62.00 per hour*

Service during normal workday *\$80.00 per hour...*

- d. Contractor acknowledges and understands that the Contract was negotiated after RFP #2017-10 was issued by the County, to which Contractor submitted its Proposal. The Contract was not an agreement off JMU Contract or any other public bodies' cooperative agreement(s). The pricing set out in the Contract was not subject to increases.
3. **Task Order:** The Contractor will provide all equipment, products, items, installation, labor, supervision, support, warranties, tools, Additional Services and materials to complete the Additional Services required for the Task Order consistent with the requirements of (i) this Amendment; (ii) the Contract including all exhibits thereto; and (iii) the Quote. The Contractor shall provide the Additional Services on the Task Order, which shall include, but is not limited to, the following: (i) performing all of the Additional Services set forth in Quote consistent with all requirements of the Contract; (iii) communication in advance and coordination with the County on the performance of the Additional Services and the dates and times such are to be performed; (iii) the Additional Services on the Task Order must meet or exceed all requirements of this Amendment, the Contract, the County's General Terms, the RFP, the Proposal and the Quote. In addition, the Contractor shall provide a warranty on the work on the Task Order, for at minimum two (2) years from the Completion Date or longer if so required by this Amendment or the Contract or any exhibit thereto. All of the equipment being a part of the Surveillance System including the Additional Services (and products and materials associated therewith) is owned by the County and any and all applicable manufacturer's warranties shall be assigned to or otherwise granted to the County. The work on the Task Order must be furnished by Contractor in a good and workmanlike manner using the highest quality new materials and so as to pass without exception in the industry. The Additional Services must be done in compliance with Applicable Law (including CARES Act requirements and Pandemic Standards) as otherwise required by this Amendment. Pandemic Standards means consistent with the following: (i) Federal, OHSA, and Center for Disease Control regulations, laws, orders, rules, requirements, best practices, mandatory quarantines, mandatory shut-downs, and guidance as issued related to COVID-19, pandemics, or safety, and specifically,

COUNTY OF FLUVANNA, VIRGINIA
AMENDMENT NO. 1 TO THE CONTRACT FOR SECURITY, SURVEILLANCE AND
SAFETY SYSTEMS – INSTALLATION AND SERVICE

but without limitation, those guidelines relating to businesses, businesses in shared buildings, social distancing, hand-washing, and cleaning; and (ii) Commonwealth of Virginia, Virginia Department of Labor, and Virginia Department of Health regulations, laws, orders, rules, requirements, best practices, mandatory quarantines, mandatory shut-downs, and guidance as issued related to COVID-19, pandemics, or safety, and specifically, but without limitation, those guidelines relating to businesses, businesses in shared buildings, social distancing, hand-washing, and cleaning. Notwithstanding any other provision of this Amendment, the Contractor agrees that COVID-19 is not a force majeure or similar excuse for any default by or delay of Contractor related to this Amendment.

4. **Completion Date.** The Task Order Additional Services must be installed and completed to the sole satisfaction of the County in strict conformance with this Amendment on or before _____; time of the essence. The products, materials and work being a part of the Task Order shall become a part of the Surveillance System as defined in the Contract. The Date the Additional Services are installed and completed to the sole satisfaction of the County in strict conformance with this Amendment is the “Completion Date”.
5. **Payment Amount.** The County agrees to pay the Contractor only for the products, materials and hourly labor (for hours actually worked only) at those hourly rates for the type of labor being done and at the pricing for products and materials required under the Contract (including, without limitation, those requirements set out in Section 2 *supra*) (the “Payment Amount”). Where the Contract requires lower pricing than the Quote for the Additional Services, or any part thereof, the Contract controls. **In no event shall the Payment Amount exceed SEVEN THOUSAND SEVEN HUNDRED FIFTY-FIVE AND NO/100 (\$7,755.00) (the “Not To Exceed Total”), being the total set forth in the Quote, which includes the estimated hourly labor service charges. The Contractor agrees to complete the Additional Services for no more than the Not To Exceed Total.** All hourly labor Additional Services shall be billable to the County in increments of a quarter of an hour, or less, if that is the standard practice of Contractor for actual hours spent working on the Task Order only. The minimum charge shall be at most a quarter of an hour, it shall be less if that is the standard practice of the Contractor. Contractor cannot charge for driving time, mileage, administrative costs, copies, printing, travel time, lunch or other non-working time. No invoice may be provided by the Contractor to the County until the Completion Date. The Contractor will be paid within forty-five (45) days of receipt of a proper invoice following the Completion Date. The Not To Exceed Total includes all fees, costs and charges of any kind to perform all the Additional Services and work, including supplying at its own cost and expense any necessary tools, equipment or materials, necessary or desirable for completion of the task specified. Any payments shall be made in accordance with Section 47 of the General Terms, and in no event shall Contractor be paid for more hours than actually worked to complete the Additional Services on the Task Order; and the Contractor agrees to track the hours it actually works to complete the Additional Services on the Task Order and to provide a detailed invoice to the County for hours actually work up to the Not To Exceed Total for the Additional Services set out herein. If less hours are worked than anticipated by the Quote, then the actual Payment Amount will be less than the Not To Exceed Total; but the Contractor will complete the Additional Services on the Task Order for no more than the Not To Exceed Total even if more hours than anticipated by the Quote are required. Notwithstanding any other provision of this Amendment, if lower pricing than as set forth in the Quote is required for the Additional Services, or any portion thereof, then the actual Payment Amount must be appropriately reduced to reflect the reduction required by the Contract and the Contractor agrees its invoice will reflect such reduction.
6. **Conflicts.** Where any of the provisions this Amendment directly conflict with the Quote or the Contract the following shall be the order of preference in resolving such conflict, (i) the Amendment controls over the Contract and Quote; and (ii) the Contract controls over the Quote. Whenever possible the Amendment, Contract and Quote, shall be read together.

COUNTY OF FLUVANNA, VIRGINIA
AMENDMENT NO. 1 TO THE CONTRACT FOR SECURITY, SURVEILLANCE AND
SAFETY SYSTEMS – INSTALLATION AND SERVICE

7. **Entire Amendment.** This Amendment constitutes the entire agreement between the parties to its subject matter and supersedes all prior contemporaneous agreements, representations, and understandings of the parties. No supplement, modification, or amendment of this Amendment shall be binding unless executed in writing by all parties.
8. **Other.** Contractor must comply with all Applicable Laws and health directives and best practices related to the COVID-19 pandemic issued by the Federal, State, or local authorities, including without limitation, the Virginia Department of Health and the Centers for Disease Control. If and while best practices recommended by such authorities include the wearing of masks, the Contractor shall insure that all persons at the work site are in compliance with such best practices. Until further notice, the County requires masks be worn at the work site, the Contractor will ensure masks are worn at the work site unless notified in writing by the County that such is no longer required. In addition to any directives or best practices, the Contractor shall institute a policy to screen each person daily prior to access to the work site to insure that any person who has symptoms or exposure to COVID-19 or who is otherwise recommended or required to quarantine under health directives or best practices does not work at the Work site until it is safe for them to do so as indicated under directives and best practices. Contractor shall immediately send any person at the work site home if they develop symptoms of COVID-19 or as otherwise required under the directives or best practices. The Contractor must immediately notify the County of any potential exposure to COVID-19 of County, including its agents, employees, representatives, officers, guests or other persons at the work Site where the work is occurring such that the County can insure notification and compliance with Applicable Laws. When in doubt, Contractor must notify the County. As used herein Contractor means the Contractor its employees, officers, subcontractors, and any person on the work site under Contractor's control, supervision or at Contractor's request or invitation."
9. Except as specifically amended hereby, the Contract remains in full force and effect.

Witness the following duly authorized signatures and seals:

Electrical, Controls and Maintenance, Inc.
a Virginia corporation,
d/b/a EC&M Integrated Solutions

Fluvanna County,
a political subdivision of the
Commonwealth of Virginia

BY: _____

BY: _____

Print Name: Joseph D HUFF Jr

Print Name: _____

Title: Vice President

Title: _____

Date: 11/10/2020

Date: _____

Fluvanna County Sheriff's Office

Eric Hess, Sheriff

Date: _____

Approved as to Form:

Fluvanna County Attorney

Corporate Offices
5527 Mechanicsville Turnpike
Mechanicsville, VA 23111
Voice (804) 741-2280
Fax (804) 673-6275

September 28, 2020

Captain Hill
Fluvanna County Sheriff's Office

RE: Fluvanna Sherriff Evidence Storage Unit

EC&M Integrated Solutions is pleased to have the opportunity to work with you to provide this request for camera additions on the evidence storage container.

Scope of work

Video Additions

Install a Multis-Sensor camera on the corner of container to view the Fence Gate, Yard and Entrance Door.

Install a Micro Dome 3.0MP Camera inside the Entrance door to view processing area.

Install 10 Port POE Switch to Power Cameras

Install Wireless bridge from Evidence container to Main Building connect to existing Avigilon NVR

Install 2 new Avigilon Camera licenses

Qty	Part Number	Description	MSRP	MSRP-25%	Cost
	Video Add Ons				
2	ACC7-ENT	Camera License	\$ 165.00	\$ 123.75	\$ 247.50
1	24C-H4A-3MH-270	3X8 270 degree Camera	\$ 2,100.00	\$ 1,575.00	\$ 1,575.00
1	H4-MT-CRNR1	Corner Mount	\$ 90.00	\$ 67.50	\$ 67.50
1	H4AMH-AD-IRIL1	Optional Illuminator Ring	\$ 330.00	\$ 247.50	\$ 247.50
1	H4AMH-AD-PEND1	Pendant Adapter for Multi Sensor	\$ 160.00	\$ 120.00	\$ 120.00
1	H4AMH-DO-COVR1	Multisensor Dome Cover	\$ 160.00	\$ 120.00	\$ 120.00
1	IRPTZ-MNT-WALL1	Multisensor Wall Mount	\$ 95.00	\$ 71.25	\$ 71.25
1	3.0C-H4M-D1-IR	R, LightCatcher, Day/Night, Indoor Dome, 2.8m	\$ 375.00	\$ 281.25	\$ 281.25
1	H4M-BZL1-GRY	surface mount bezel for H4M dome cameras, packa	\$ 30.00	\$ 22.50	\$ 22.50
1	TQ-TEW740APK	Trendnet Wireless Point to Point Bridge	\$ 350.00	\$ 262.50	\$ 262.50
500	556609	Cat 6	\$ 0.49	\$ 0.37	\$ 184.50
			Total Equipment		\$ 3,199.50



Material	\$3,199.50
Conduit and Wire	\$ 675.50
Labor	\$3,720.00
60 Hours @\$62.00	
Project Management	\$ 160.00
2 Hours @\$80.00	
Total Install Cost	\$7,755.00

EC&M remains committed to working hard to earn your business and look forward to starting a mutually beneficial business relationship with Fluvanna County.

If you have any questions or require additional information, please contact me at (804) 640-7120

Sincerely,

Joseph D Huff Jr
Vice President
EC&M Integrated Solutions
804-640-7120
804-741-2280

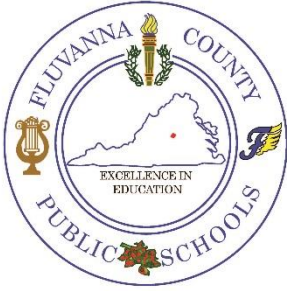
FLUVANNA COUNTY BOARD OF SUPERVISORS

AGENDA ITEM STAFF REPORT

TAB N

MEETING DATE:	November 18, 2020																																		
AGENDA TITLE:	FY21 FCPS Grants Supplemental Appropriation																																		
MOTION(s):	I move the Board of Supervisors approve a supplemental appropriation of \$4,500 to the Fluvanna County Public Schools FY21 budget for funds received from Other Local sources.																																		
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):																																
		X																																	
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other																														
				X																															
STAFF CONTACT(S):	Liz McIver, Management Analyst Brenda Gilliam, Executive Director for Instruction and Finance																																		
PRESENTER(S):	Brenda Gilliam, Executive Director for Instruction and Finance																																		
RECOMMENDATION:	I recommend approval of the motion as stated above.																																		
TIMING:	Routine																																		
DISCUSSION:	<p>Fluvanna County Public Schools has received \$4,500 in new FY21 grant funding from Other Local revenue sources that were not included in the FY21 budget. The supplemental appropriation breakdown is provided on the FCPS request enclosed. The below tables show the change in the FY21 FCPS budget:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #d9ead3;"> <th style="text-align: left;">Revenue Category</th> <th style="text-align: right;">FY21 Adopted</th> <th style="text-align: right;">FY21 Revised</th> <th style="text-align: right;">FY21 Request</th> <th style="text-align: right;">FY21 Revised (NEW Total)</th> </tr> </thead> <tbody> <tr> <td>Local - County</td> <td style="text-align: right;">18,064,800</td> <td style="text-align: right;">18,110,790.00</td> <td style="text-align: center;">-</td> <td style="text-align: right;">18,110,790.00</td> </tr> <tr> <td>Other Local</td> <td style="text-align: right;">450,000</td> <td style="text-align: right;">805,107.06</td> <td style="text-align: right;">4,500</td> <td style="text-align: right;">809,607.06</td> </tr> <tr> <td>State</td> <td style="text-align: right;">22,641,257</td> <td style="text-align: right;">22,962,125.78</td> <td style="text-align: center;">-</td> <td style="text-align: right;">22,962,125.78</td> </tr> <tr> <td>Federal</td> <td style="text-align: right;">1,254,200</td> <td style="text-align: right;">1,598,523.33</td> <td style="text-align: center;">-</td> <td style="text-align: right;">1,598,523.33</td> </tr> <tr> <td style="text-align: right;">TOTAL</td> <td style="text-align: right;">42,410,257</td> <td style="text-align: right;">43,476,546.17</td> <td style="text-align: right;">4,500</td> <td style="text-align: right;">43,481,046.17</td> </tr> </tbody> </table>					Revenue Category	FY21 Adopted	FY21 Revised	FY21 Request	FY21 Revised (NEW Total)	Local - County	18,064,800	18,110,790.00	-	18,110,790.00	Other Local	450,000	805,107.06	4,500	809,607.06	State	22,641,257	22,962,125.78	-	22,962,125.78	Federal	1,254,200	1,598,523.33	-	1,598,523.33	TOTAL	42,410,257	43,476,546.17	4,500	43,481,046.17
Revenue Category	FY21 Adopted	FY21 Revised	FY21 Request	FY21 Revised (NEW Total)																															
Local - County	18,064,800	18,110,790.00	-	18,110,790.00																															
Other Local	450,000	805,107.06	4,500	809,607.06																															
State	22,641,257	22,962,125.78	-	22,962,125.78																															
Federal	1,254,200	1,598,523.33	-	1,598,523.33																															
TOTAL	42,410,257	43,476,546.17	4,500	43,481,046.17																															
FISCAL IMPACT:	<p>Approval of this supplemental appropriation will authorize staff to increase the Revenue and Expenditures by \$4,500 as outlined in the above table.</p> <p>There is no local County match required for these funds. In addition, this request is not for County Local funding carryover.</p>																																		
POLICY IMPACT:	N/A																																		
LEGISLATIVE HISTORY:	N/A																																		
ENCLOSURES:	FCPS Supplemental Appropriation Request																																		
REVIEWS	Legal	Finance	Purchasing	HR	Other																														

COMPLETED:		X			
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FLUVANNA COUNTY PUBLIC SCHOOLS

14455 JAMES MADISON HIGHWAY
PALMYRA, VIRGINIA 22963

Phone: (434) 589-8208 Fax: (434) 589-2248

TO: Mary Anna Twisdale, Finance Director, Fluvanna County

FROM: Brenda Gilliam, Executive Director for Instruction and Finance

Cc: Eric Dahl, County Administrator, Fluvanna County
Chuck Winkler, Superintendent Fluvanna County Public Schools
Liz McIver, Management Analyst

DATE: October 29, 2020

RE: Supplemental Appropriation Request

Fluvanna County Public Schools has received a grant from the Charlottesville Area Community Foundation for Families Learning Together that was not included in the FY2021 budget.

It is requested the funds be appropriated to the Schools as an increase in funds as outlined below:

State- -0-
Federal- 0-
Other Local- \$4,500
Total= \$4,500

Funding Source	Year	Type	Category	Amount	Expiration
Charlottesville Area Community Foundation Grant- Families Learning Together	2021	Other Local	Instruction	\$4,500	None
TOTAL				\$4,500	

The Fluvanna County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business. Mr. Don Stribling, Executive Director for Human Resources, Operations, and Student Services, is designated as the responsible person (Compliance Officer) regarding assurances of nondiscrimination. Any complaint alleging discrimination based on a disability shall be directed to Ms. Jennifer Valentine, Director of Special Education (the Section 504 Coordinator). Both may be reached at the following address: 14455 James Madison Highway, Palmyra, VA 22963; telephone (434) 589-8208. The Fluvanna County School Board is an Equal Opportunity Employer.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB O

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Approval of Open Space Contract for Michael & Alyssa Campagna				
MOTION(s):	I move to approve the open space contract for Michael & Alyssa Campagna for tax map parcel 24-A-9; agreement shall remain in effect for a term of five (5) consecutive years.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
STAFF CONTACT(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
PRESENTER(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
RECOMMENDATION:	Approval				
TIMING:	Immediate				
DISCUSSION:	This property qualifies for an open space contract with Fluvanna County in accordance with Code Section 58.1-3229 et. seq. of the Virginia State Code.				
FISCAL IMPACT:	None				
POLICY IMPACT:	In accordance with Section 58.1-3229 et. seq. of Virginia State Code.				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	-Michael & Alyssa Campagna's executed open space contract -Map of tax map parcel 24-A-9				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



CONTRACT FOR OPEN SPACE LAND USE ASSESSMENT

THIS AGREEMENT, made this 28th day of OCTOBER, 2020, by and between Michael & Alyssa Campagna, party(ies) of the first part, hereinafter called the Grantor, and the COUNTY OF FLUVANNA, a political subdivision of the Commonwealth of Virginia, party of the second part, hereinafter called the County:

WITNESSETH

WHEREAS, the Grantor owns certain real estate, described below, hereinafter called the Property; and

WHEREAS, the County is the local governing body having real estate tax jurisdiction over the Property; and

WHEREAS, the County has determined:

- A. That it is in the public interest that the Property should be provided or preserved for conservation of agricultural and forestal land and of wildlife and
- B. That the property meets the applicable criteria for real estate devoted to open-space use as prescribed in Article 4 (Section 58.1-3229 et. seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, and the standards for classifying such real estate prescribed by the Director of the Virginia Department of Conservation and Recreation; and
- C. That the provisions of this agreement meet the requirements and standards prescribed under section 58.1-3233 of the Code of Virginia for recorded commitments by landowners not to change an open-space use to a non-qualifying use; and

WHEREAS, the Grantor is willing to make a written recorded commitment to preserve and protect the open-space uses of the Property during the term of this agreement in order for the Property to be taxed on the basis of a use assessment, and the Grantor has submitted an application for such taxation to the Commissioner of the Revenue of the County pursuant to Section 58.1-3234 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code; and

WHEREAS, the County is willing to extend the tax for the Property on the basis of a use assessment commencing with the next succeeding tax year and continuing for the term of this agreement, in consideration of the Grantor's commitment to preserve and protect the open-space

uses of the property, and on the condition that the Grantor's application is satisfactory and that all other requirements of Article 4, Chapter 32, Title 58.1 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code are complied with.

NOW, THEREFORE, in consideration of the recital and the mutual benefits, covenants and terms herein contained, the parties hereby **COVENANT** and **AGREE** as follows:

1. This agreement shall apply to all the following described real estate:

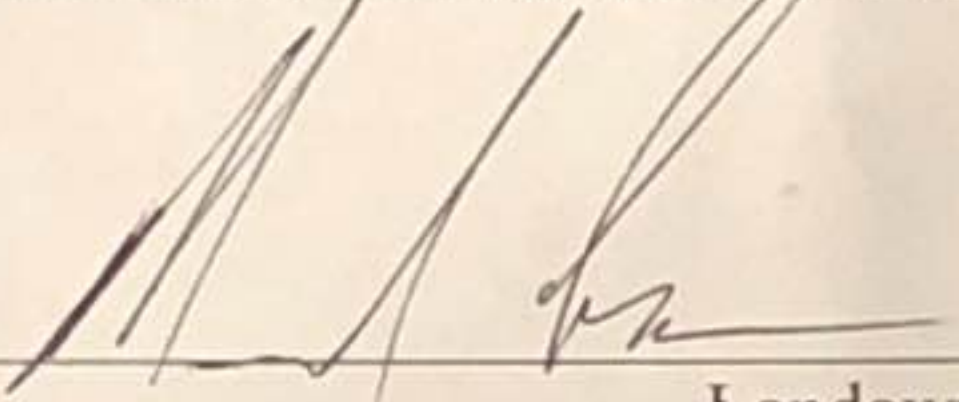
Tax Map Parcels: 24-A-9 (14.424 acres)

2. The Grantor agrees that during the term of this agreement:

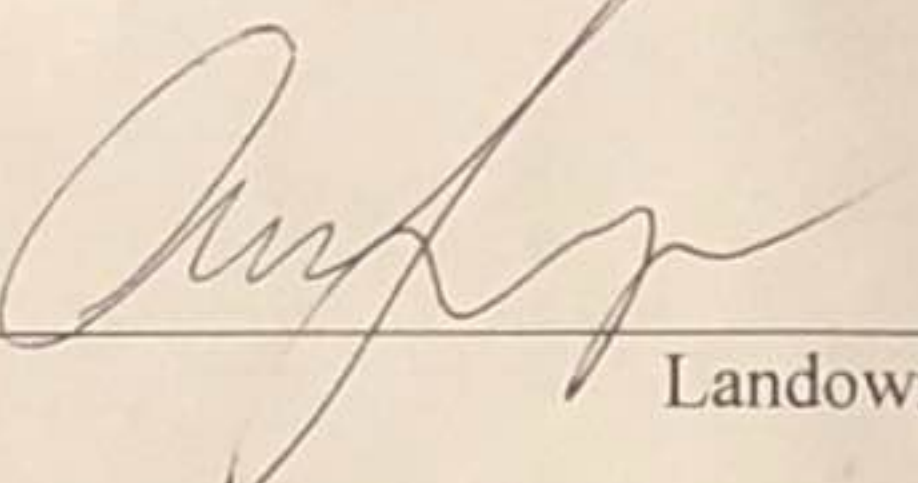
- A. There shall be no change in the use or uses of the Property that exist as of the date of this agreement to any use that would not qualify as open-space use. The qualifying use for the Property is conservation of agricultural and forestal land and of wildlife.
- B. There shall be no display of billboards, signs or other advertisements on the property except to (i) state solely the name of the Grantor and the address of the Property, (ii) advertise the sale or lease of the Property, (iii) advertise the sale of goods or services produced pursuant to the permitted use of the Property, or (iv) provide warnings. No sign shall exceed four feet by four feet.
- C. There shall be no construction, placement or maintenance of any structure on the Property unless such structure is either:
 - 1) on the Property as of the date of this agreement; or
 - 2) related to and compatible with the open-space uses of the Property which this agreement is intended to protect or provide for.
- D. There shall be no dumping or storage of trash, garbage, ashes, waste, junk, abandoned property or other unsightly or offensive material on the Property.
- E. There shall be no filling, excavating, mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other materials which alters the topography of the Property, except as required in the construction of permissible building structures and features under this agreement.
- F. There shall be no construction or placement of fences, screens, hedges, walls or other similar barriers which materially obstruct the public view of scenic areas of the Property.
- G. The Grantor may engage in agricultural, horticultural or silvicultural activities and remove vegetation which constitutes a safety, a health or an ecological hazard, e.g., vegetation classified as noxious weed pursuant the Code of Virginia (1950), as amended.

- H. There shall be no alteration or manipulation of natural water courses, shores, marshes, swamps, wetlands or other water bodies, nor any activities or uses which adversely affect water quality, level or flow.
 - I. On areas of the Property that are being provided or preserved for conservation of land, floodways or other natural resources, or that are to be left in a relatively natural or undeveloped state, there shall be no operation of dune buggies, all-terrain vehicles, motorcycles, motorbikes, snowmobiles or other motor vehicles, except to the extent necessary to inspect, protect or preserve the area.
 - J. There shall be no industrial or commercial activities, conducted on the property, except for the continuation of agricultural, horticultural or silvicultural activities; or activities that are conducted in a residence or an associated outbuilding such as garage, smokehouse, small shop or similar structure which is permitted on the property.
 - K. There shall be no separation or split-off of lots, pieces or parcels from the property. The Property may be sold or transferred during the term of this agreement only as the same entire parcel that is the subject to this agreement, provided, however, that the Grantor may grant to a public body or bodies open-space, conservation or historic preservation easements which apply to all or part of the Property.
3. This agreement shall be effective upon acceptance by the County, provided, however, that the real estate tax for the Property shall not be extended on the basis of its use value until the next succeeding tax year following timely application by the Grantor for the use assessment and taxation in accordance with Section 20-4-2(d) of the Fluvanna County Code. Thereafter, this agreement shall remain in effect for a terms of FIVE (5) consecutive years.
 4. Nothing contained herein shall be construed as giving to the public a right to enter upon or to use the Property or any portion thereof, except as the Grantor may otherwise allow, consistent with the provisions of this agreement.
 5. The County shall have the right at all reasonable times to enter the Property to determine whether the Grantor is complying with the provisions of this agreement.
 6. Nothing in this agreement shall be construed to create in the public or member thereof a right to maintain a suit for any damages against the Grantor for any violation of this agreement.
 7. Nothing in this agreement shall be construed to permit Grantor to conduct any activity or to build or maintain any improvement which is otherwise prohibited by law.

8. If any provision of this agreement is determined to be invalid by a court of competent jurisdiction, the remainder of the agreement shall not be affected thereby.
9. The provisions of this agreement shall run with the land and be binding upon the parties, their successors, assigns, personal representatives, and heirs.
10. Words of one gender used herein shall include the other gender, and words in the singular shall include words in the plural, whenever the sense requires.
11. This agreement may be terminated in the manner provided in Section 15.1-1513 of the Code of Virginia for withdrawal of land from an agricultural, forestal or an agricultural and forestal district.
12. Upon termination of this agreement, the Property shall thereafter be assessed and taxed at its fair market value, regardless of its actual use, unless the County determines otherwise in accordance with applicable law.
13. NOTICE: WHEN THE OPEN SPACE USE OR USES BY WHICH THE PROPERTY QUALIFIED FOR ASSESSMENT AND TAXATION ON THE BASIS OF USE CHANGES TO A NONQUALIFYING USE OR USES, OR WHEN THE ZONING FOR THE PROPERTY CHANGES TO A MORE INTENSIVE USE AT THE REQUEST OF THE GRANTOR, THE PROPERTY, OR SUCH PORTION OF THE PROPERTY WHICH NO LONGER QUALIFIES SHALL BE SUBJECT TO ROLLBACK TAXES IN ACCORDANCE WITH SECTION 58.1-3237 OF THE CODE OF VIRGINIA. THE GRANTOR SHALL BE SUBJECT TO ALL OF THE OBLIGATIONS AND LIABILITIES OF SAID CODES SECTION.



 Landowner



 Landowner

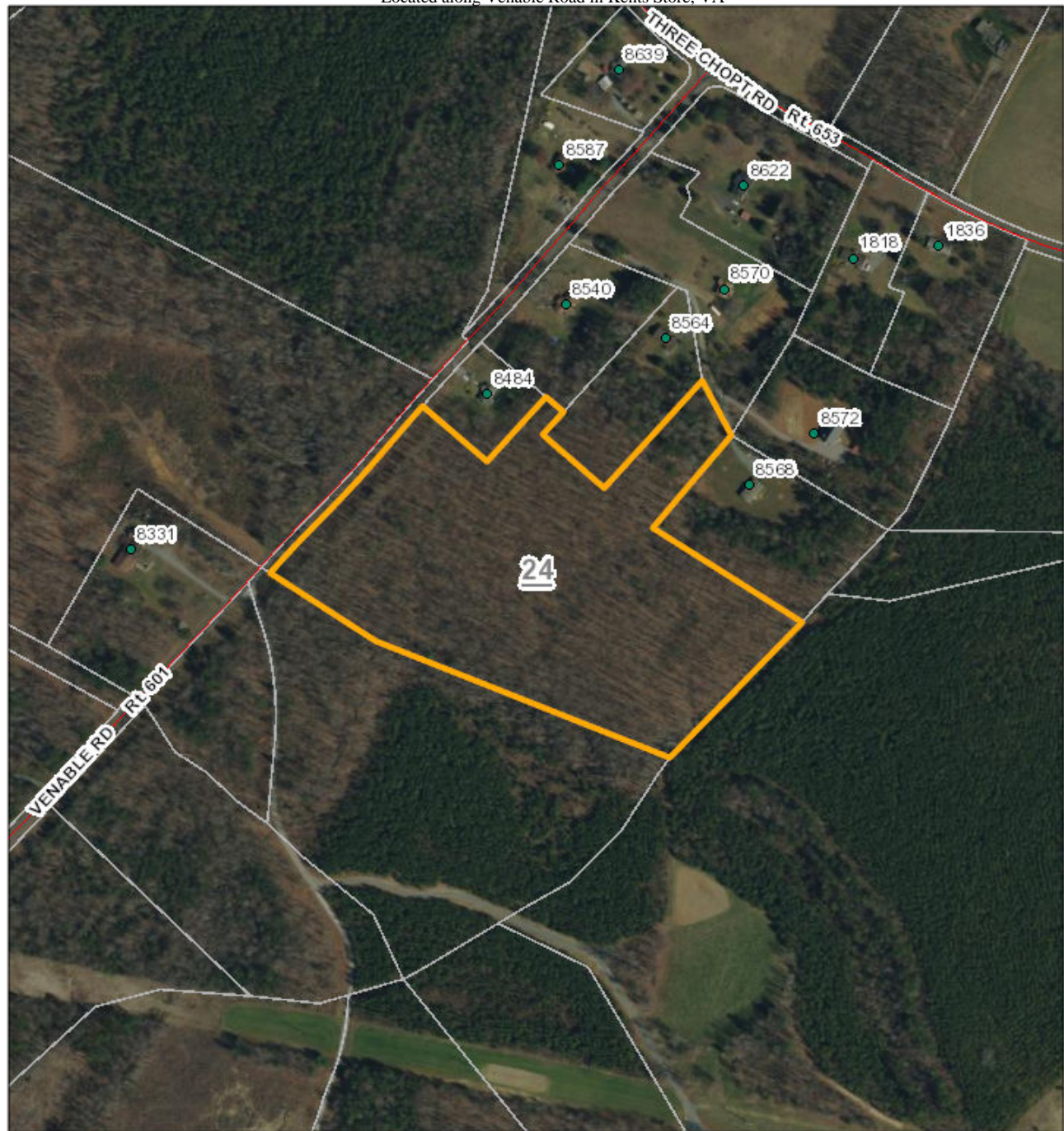
 Co-owner(s)

COUNTY OF FLUVANNA, VIRGINIA

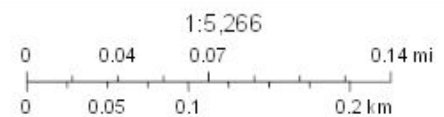
By: _____
 County Administrator Date

Fluvanna County, VA WebGIS Parcels - PIN: 24 A 9

Located along Venable Road in Kents Store, VA



November 9, 2020



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Virginia Geographic Information Network (VGIN)

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB P

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Approval of Open Space Contract for Daniel D. & Maria L. Graff				
MOTION(s):	I move to approve the open space contract for Daniel D. & Maria L. Graff for tax map parcel 43-8-4; agreement shall remain in effect for a term of fifteen (15) consecutive years.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
STAFF CONTACT(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
PRESENTER(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
RECOMMENDATION:	Approval				
TIMING:	Immediate				
DISCUSSION:	This property qualifies for an open space contract with Fluvanna County in accordance with Code Section 58.1-3229 et. seq. of the Virginia State Code.				
FISCAL IMPACT:	None				
POLICY IMPACT:	In accordance with Section 58.1-3229 et. seq. of Virginia State Code.				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	-Daniel D. & Maria L. Graff's executed open space contract -Map of tax map parcel 43-8-4				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



CONTRACT FOR OPEN SPACE LAND USE ASSESSMENT

THIS AGREEMENT, made this 5 day of NOVEMBER, 2020, by and between Daniel D. & Maria L. Graff, party(ies) of the first part, hereinafter called the Grantor, and the COUNTY OF FLUVANNA, a political subdivision of the Commonwealth of Virginia, party of the second part, hereinafter called the County:

WITNESSETH

WHEREAS, the Grantor owns certain real estate, described below, hereinafter called the Property; and

WHEREAS, the County is the local governing body having real estate tax jurisdiction over the Property; and

WHEREAS, the County has determined:

- A. That it is in the public interest that the Property should be provided or preserved for conservation of agricultural and forestal land and of wildlife and
- B. That the property meets the applicable criteria for real estate devoted to open-space use as prescribed in Article 4 (Section 58.1-3229 et. seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, and the standards for classifying such real estate prescribed by the Director of the Virginia Department of Conservation and Recreation; and
- C. That the provisions of this agreement meet the requirements and standards prescribed under section 58.1-3233 of the Code of Virginia for recorded commitments by landowners not to change an open-space use to a non-qualifying use; and

WHEREAS, the Grantor is willing to make a written recorded commitment to preserve and protect the open-space uses of the Property during the term of this agreement in order for the Property to be taxed on the basis of a use assessment, and the Grantor has submitted an application for such taxation to the Commissioner of the Revenue of the County pursuant to Section 58.1-3234 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code; and

WHEREAS, the County is willing to extend the tax for the Property on the basis of a use assessment commencing with the next succeeding tax year and continuing for the term of this agreement, in consideration of the Grantor's commitment to preserve and protect the open-space

uses of the property, and on the condition that the Grantor's application is satisfactory and that all other requirements of Article 4, Chapter 32, Title 58.1 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code are complied with.

NOW, THEREFORE, in consideration of the recital and the mutual benefits, covenants and terms herein contained, the parties hereby **COVENANT** and **AGREE** as follows:

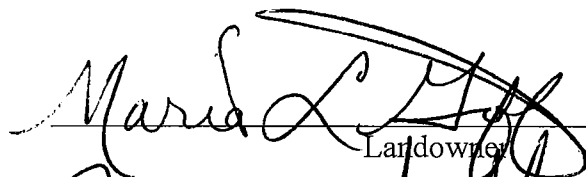
1. This agreement shall apply to all the following described real estate:

Tax Map Parcels: 43-8-4 (14.0 acres)

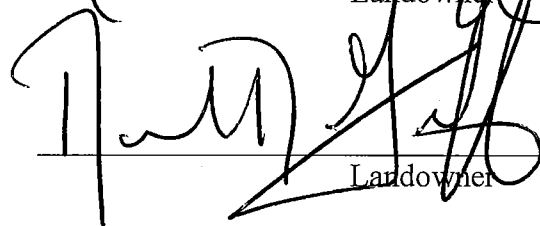
2. The Grantor agrees that during the term of this agreement:
 - A. There shall be no change in the use or uses of the Property that exist as of the date of this agreement to any use that would not qualify as open-space use. The qualifying use for the Property is conservation of agricultural and forestal land and of wildlife.
 - B. There shall be no display of billboards, signs or other advertisements on the property except to (i) state solely the name of the Grantor and the address of the Property, (ii) advertise the sale or lease of the Property, (iii) advertise the sale of goods or services produced pursuant to the permitted use of the Property, or (iv) provide warnings. No sign shall exceed four feet by four feet.
 - C. There shall be no construction, placement or maintenance of any structure on the Property unless such structure is either:
 - 1) on the Property as of the date of this agreement; or
 - 2) related to and compatible with the open-space uses of the Property which this agreement is intended to protect or provide for.
 - D. There shall be no dumping or storage of trash, garbage, ashes, waste, junk, abandoned property or other unsightly or offensive material on the Property.
 - E. There shall be no filling, excavating, mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other materials which alters the topography of the Property, except as required in the construction of permissible building structures and features under this agreement.
 - F. There shall be no construction or placement of fences, screens, hedges, walls or other similar barriers which materially obstruct the public view of scenic areas of the Property.
 - G. The Grantor may engage in agricultural, horticultural or silvicultural activities and remove vegetation which constitutes a safety, a health or an ecological hazard, e.g., vegetation classified as noxious weed pursuant the Code of Virginia (1950), as amended.

- H. There shall be no alteration or manipulation of natural water courses, shores, marshes, swamps, wetlands or other water bodies, nor any activities or uses which adversely affect water quality, level or flow.
 - I. On areas of the Property that are being provided or preserved for conservation of land, floodways or other natural resources, or that are to be left in a relatively natural or undeveloped state, there shall be no operation of dune buggies, all-terrain vehicles, motorcycles, motorbikes, snowmobiles or other motor vehicles, except to the extent necessary to inspect, protect or preserve the area.
 - J. There shall be no industrial or commercial activities, conducted on the property, except for the continuation of agricultural, horticultural or silvicultural activities; or activities that are conducted in a residence or an associated outbuilding such as garage, smokehouse, small shop or similar structure which is permitted on the property.
 - K. There shall be no separation or split-off of lots, pieces or parcels from the property. The Property may be sold or transferred during the term of this agreement only as the same entire parcel that is the subject to this agreement, provided, however, that the Grantor may grant to a public body or bodies open-space, conservation or historic preservation easements which apply to all or part of the Property.
3. This agreement shall be effective upon acceptance by the County, provided, however, that the real estate tax for the Property shall not be extended on the basis of its use value until the next succeeding tax year following timely application by the Grantor for the use assessment and taxation in accordance with Section 20-4-2(d) of the Fluvanna County Code. Thereafter, this agreement shall remain in effect for a terms of 15 () consecutive years.
 4. Nothing contained herein shall be construed as giving to the public a right to enter upon or to use the Property or any portion thereof, except as the Grantor may otherwise allow, consistent with the provisions of this agreement.
 5. The County shall have the right at all reasonable times to enter the Property to determine whether the Grantor is complying with the provisions of this agreement.
 6. Nothing in this agreement shall be construed to create in the public or member thereof a right to maintain a suit for any damages against the Grantor for any violation of this agreement.
 7. Nothing in this agreement shall be construed to permit Grantor to conduct any activity or to build or maintain any improvement which is otherwise prohibited by law.

8. If any provision of this agreement is determined to be invalid by a court of competent jurisdiction, the remainder of the agreement shall not be affected thereby.
9. The provisions of this agreement shall run with the land and be binding upon the parties, their successors, assigns, personal representatives, and heirs.
10. Words of one gender used herein shall include the other gender, and words in the singular shall include words in the plural, whenever the sense requires.
11. This agreement may be terminated in the manner provided in Section 15.1-1513 of the Code of Virginia for withdrawal of land from an agricultural, forestal or an agricultural and forestal district.
12. Upon termination of this agreement, the Property shall thereafter be assessed and taxed at its fair market value, regardless of its actual use, unless the County determines otherwise in accordance with applicable law.
13. NOTICE: WHEN THE OPEN SPACE USE OR USES BY WHICH THE PROPERTY QUALIFIED FOR ASSESSMENT AND TAXATION ON THE BASIS OF USE CHANGES TO A NONQUALIFYING USE OR USES, OR WHEN THE ZONING FOR THE PROPERTY CHANGES TO A MORE INTENSIVE USE AT THE REQUEST OF THE GRANTOR, THE PROPERTY, OR SUCH PORTION OF THE PROPERTY WHICH NO LONGER QUALIFIES SHALL BE SUBJECT TO ROLLBACK TAXES IN ACCORDANCE WITH SECTION 58.1-3237 OF THE CODE OF VIRGINIA. THE GRANTOR SHALL BE SUBJECT TO ALL OF THE OBLIGATIONS AND LIABILITIES OF SAID CODES SECTION.



 Landowner



 Landowner

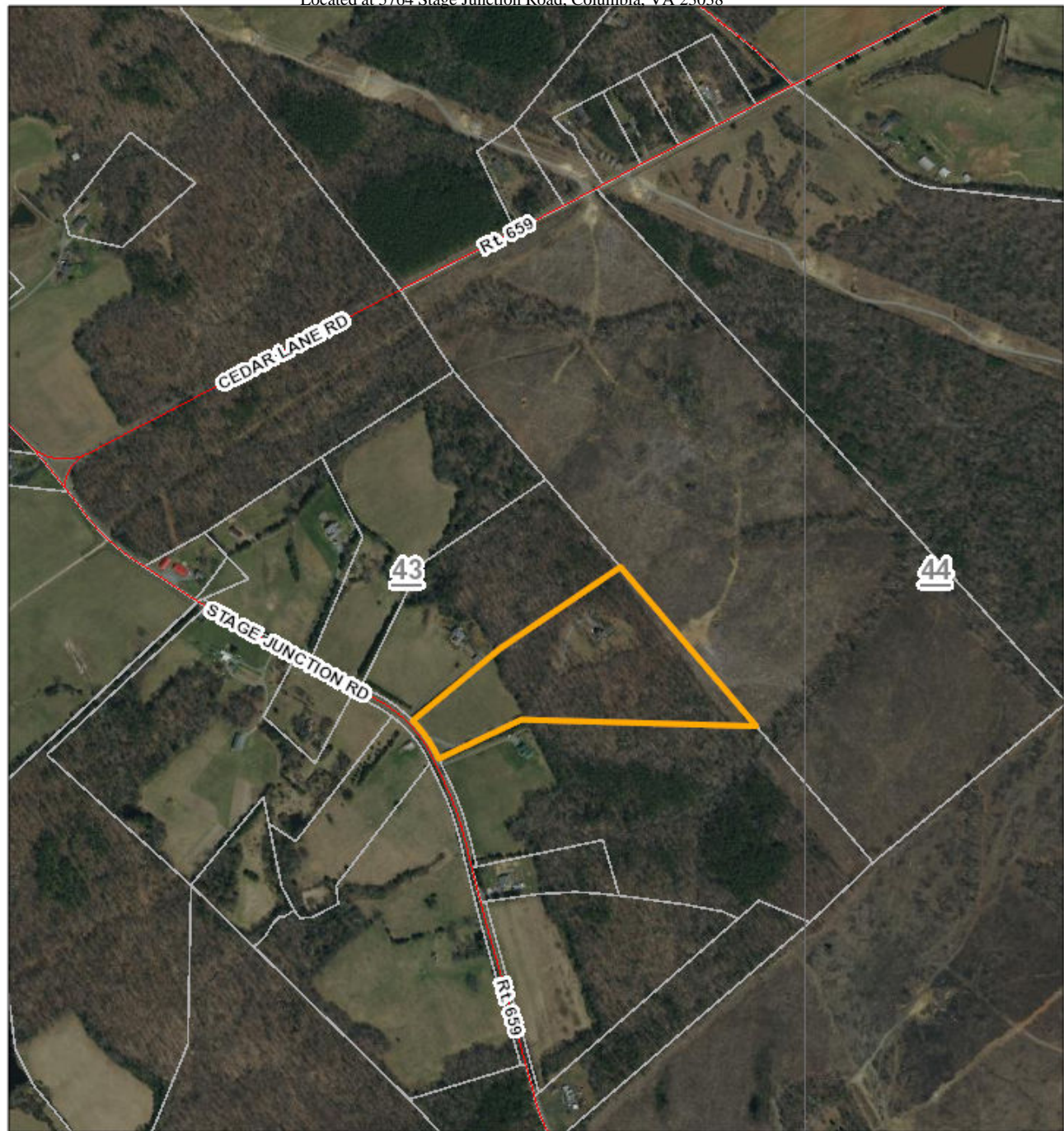
 Co-owner(s)

COUNTY OF FLUVANNA, VIRGINIA

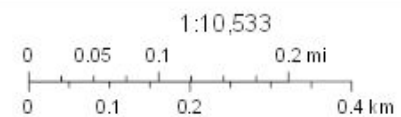
By: _____
 County Administrator Date

Fluvanna County, VA WebGIS Parcels - PIN: 43 8 4

Located at 5764 Stage Junction Road, Columbia, VA 23038



November 9, 2020



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Virginia Geographic Information Network (VGIN)

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB Q

MEETING DATE:	November 18, 2020				
AGENDA TITLE:	Local Allocations for Federal CARES Coronavirus Relief Funds				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
					X
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	N/A				
TIMING:	N/A				
DISCUSSION:	<ul style="list-style-type: none"> Congress passed and the President recently signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020. This Act provides funding for a number of different programs to address the COVID-19 pandemic. A primary component of the CARES Act is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF). <p>These funds may be used for qualifying expenses of state and local governments. The CARES Act provides that payments from the CRF only may be used to cover costs that:</p> <ol style="list-style-type: none"> are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. <ul style="list-style-type: none"> Each locality's allocation will be based on the proportion that the locality's population represents of the statewide total population. Fluvanna County's allocation is <u>\$4,758,404</u> 				

	<p><u>Nonexclusive examples of eligible expenditures</u></p> <p>Eligible expenditures include, but are not limited to, payment for:</p> <ol style="list-style-type: none"> 1. Medical expenses such as: <ul style="list-style-type: none"> • COVID-19-related expenses of public hospitals, clinics, and similar facilities. • Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs. • Costs of providing COVID-19 testing, including serological testing. • Emergency medical response expenses, including emergency medical transportation, related to COVID-19. • Expenses for establishing and operating public telemedicine capabilities for COVID-19- related treatment. 2. Public health expenses such as: <ul style="list-style-type: none"> • Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19. • Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency. 3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID- 19 public health emergency. 4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: <ul style="list-style-type: none"> • Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions. • Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions. • Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions. • Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions. • COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions. • Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions. 5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as: <ul style="list-style-type: none"> • Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
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	<ul style="list-style-type: none"> Expenditures related to a State, territorial, local, or Tribal government payroll support program. Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise. <p>6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.</p> <p><u>Nonexclusive examples of ineligible expenditures</u></p> <p>The following is a list of examples of costs that would not be eligible expenditures of payments from the Fund.</p> <ol style="list-style-type: none"> Expenses for the State share of Medicaid.³ Damages covered by insurance. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds. Reimbursement to donors for donated items or services. Workforce bonuses other than hazard pay or overtime. Severance pay. Legal settlements. 				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:					
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			

FLUVANNA COUNTY BOARD OF SUPERVISORS MEETING PACKAGE ATTACHMENTS

Incl?	Item
<input checked="" type="checkbox"/>	BOS Contingency Balance Report
<input checked="" type="checkbox"/>	Building Inspections Report
<input checked="" type="checkbox"/>	Capital Reserve Balances Memo
<input checked="" type="checkbox"/>	CARES Fund Balance Memo
<input checked="" type="checkbox"/>	Fluvanna County Bank Balance and Investment Report
<input checked="" type="checkbox"/>	Unassigned Fund Balance Report
<input checked="" type="checkbox"/>	VDOT Monthly Report & 2020 Resurfacing List
<input checked="" type="checkbox"/>	CARES Act Memo to Localities - 1st Round
<input checked="" type="checkbox"/>	CARES Act Memo to Localities - 2nd Round
<input checked="" type="checkbox"/>	Updated CARES Act US Treasury Guidance
<input type="checkbox"/>	



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

BOS2020-11-18 p.145/228
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: November 18, 2020
From: Liz McIver – Management Analyst
To: Board of Supervisors
Subject: FY21 BOS Contingency Balance

The FY21 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$150,000
Less: Registrar's Office Relocation – 07.01.20	-\$20,000
Less: Registrar's Office Relocation – 08.19.20	-\$5,400
Less: Fluvanna Hiring Event – 11.04.20	-\$2,000
Available:	\$122,600



BUILDING INSPECTIONS MONTHLY REPORT

County of Fluvanna

Building Official:	Period:
Andrew Wills	October, 2020

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
BUILDING PERMITS ISSUED														
NEW - Single Family Detached (incl. Trades permits)	2016	11	11	8	15	9	18	6	5	9	2	6	8	108
	2017	3	2	16	6	4	10	6	5	14	5	7	13	91
	2018	8	3	15	11	13	17	13	10	8	8	6	9	121
	2019	8	10	14	9	12	9	10	14	13	2	11	7	119
	2020	12	13	22	14	8	18	19	17	15	20	0	0	158
NEW - Single Family Attached	2016	2	0	0	0	0	5	0	2	0	0	0	0	5
	2017	0	0	0	0	0	5	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	1	6	0	0	6	0	0	0	13
NEW - Mobil Homes	2016	0	1	0	0	0	0	0	1	0	0	0	0	2
	2017	0	0	0	0	2	1	0	1	0	0	0	0	4
	2018	0	0	1	1	0	0	0	0	0	0	0	0	3
	2019	0	0	0	0	0	0	0	0	1	1	0	1	2
	2020	0	0	1	0	0	1	0	0	1	0	0	0	3
Additions and Alterations	2016	13	10	31	27	29	29	15	32	31	28	27	27	299
	2017	29	20	29	43	20	29	32	18	23	27	43	28	341
	2018	19	6	10	19	8	13	26	25	32	42	22	21	243
	2019	35	33	37	27	38	38	44	34	34	36	35	31	422
	2020	37	38	23	30	30	22	27	20	30	34	0	0	291
* Trade permits count not in .														
Accessory Buildings	2016	3	4	4	6	2	2	1	2	1	3	3	6	37
	2017	0	4	2	3	2	2	2	4	2	0	2	2	25
	2018	2	3	3	6	2	1	4	2	1	2	2	2	30
	2019	2	4	6	4	4	3	3	8	2	8	4	4	52
	2020	2	4	4	4	5	5	1	7	8	3	0	0	40
Swimming Pools	2016	0	0	0	0	0	1	1	0	0	0	0	0	2
	2017	0	0	0	0	0	1	1	0	0	1	1	0	4
	2018	0	1	1	1	0	1	2	0	1	2	0	0	9
	2019	0	0	0	3	2	2	0	1	0	1	0	1	10
	2020	0	1	3	3	1	2	3	1	1	0	0	0	15
Commercial/Industrial Build/Cell Towers	2016	0	0	2	2	0	0	1	0	1	1	1	1	9
	2017	1	2	0	0	0	0	2	2	1	1	0	0	9
	2018	0	0	0	0	0	2	0	0	0	0	0	0	2
	2019	0	0	1	1	0	2	0	0	0	0	0	0	4
	2020	0	0	1	0	1	0	0	3	0	0	0	0	5
TOTAL BUILDING PERMITS	2016	27	26	45	50	40	55	24	40	42	34	37	42	462
	2017	33	28	47	52	28	43	43	30	40	34	53	43	474
	2018	29	13	30	38	23	34	45	37	42	54	30	33	408
	2019	45	47	58	44	56	54	57	57	50	48	50	43	609
	2020	51	56	54	51	46	54	50	48	63	57	0	0	530
* Trade permits count not included as in previous years														
BUILDING VALUES FOR PERMITS ISSUED														
TOTAL BUILDING VALUES	2016	\$1,817,981	\$2,555,455	\$5,542,458	\$3,711,821	\$2,447,891	\$5,181,921	\$3,611,179	\$1,817,783	\$3,089,971	\$1,889,279	\$2,028,590	\$2,937,783	\$ 36,632,112
	2017	\$857,767	\$827,724	\$4,859,777	\$2,066,132	\$1,512,789	\$3,676,118	\$1,904,915	\$2,359,988	\$2,846,545	\$1,957,646	\$1,897,110	\$3,479,285	\$ 28,245,796
	2018	\$2,541,433	\$1,075,551	\$3,544,096	\$2,153,241	\$3,834,995	\$5,693,348	\$3,156,593	\$4,729,005	\$3,637,992	\$1,791,222	\$2,169,284	\$2,421,169	\$ 37,107,929
	2019	\$1,991,054	\$2,502,719	\$5,639,238	\$4,695,173	\$3,057,597	\$3,228,152	\$3,360,952	\$3,926,015	\$3,457,214	\$2,636,194	\$3,148,369	\$2,960,579	\$ 40,603,256
	2020	\$2,292,161	\$3,202,055	\$7,238,708	\$2,997,448	\$2,245,441	\$4,389,903	\$3,644,002	\$5,555,492	\$5,271,906	\$4,201,357	\$0		\$ 41,038,473

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
LAND DISTURBING PERMITS ISSUED														
LAND DISTURBING PERMITS	2016	12	11	8	14	10	17	7	6	11	3	9	9	117
	2017	3	2	17	7	7	9	6	6	15	8	7	14	101
	2018	10	4	16	13	11	17	13	7	9	6	7	8	121
	2019	8	12	16	9	14	10	12	14	13	2	11	8	129
	2020	11	10	26	13	8	24	13	19	20	19	0	0	163
INSPECTIONS COMPLETED														
TOTAL INSPECTIONS	2016	116	91	153	157	155	214	249	230	197	181	184	172	2,099
	2017	159	144	171	141	177	152	202	182	153	183	181	169	2,014
	2018	163	148	173	186	215	176	164	220	144	221	154	141	2,105
	2019	237	207	232	297	305	246	324	332	295	298	204	216	3,193
	2020	213	197	302	369	371	304	434	368	439	464	0	0	3,461
FEES COLLECTED														
Building Permits	2016	\$11,850	\$11,954	\$11,576	\$14,889	\$8,447	\$18,588	\$12,947	\$7,537	\$11,285	\$12,548	\$8,361	\$11,213	\$ 141,195
	2017	\$4,060	\$3,660	\$22,692	\$9,249	\$6,703	\$11,948	\$9,494	\$7,790	\$13,169	\$6,895	\$9,022	\$12,886	\$ 117,568
	2018	\$8,988	\$4,311	\$9,939	\$14,765	\$13,796	\$23,633	\$14,993	\$8,748	\$10,826	\$12,613	\$9,556	\$14,570	\$ 146,738
	2019	\$11,377	\$13,617	\$14,005	\$14,308	\$11,228	\$16,260	\$13,778	\$18,772	\$14,375	\$8,468	\$14,747	\$11,059	\$ 161,994
	2020	\$12,863	\$15,468	\$18,152	\$16,803	\$13,147	\$28,068	\$23,193	\$28,887	\$24,237	\$19,359	\$0	\$0	\$ 200,177
Land Disturbing Permits	2016	\$3,200	\$2,575	\$1,700	\$1,950	\$2,250	\$2,200	\$4,020	\$875	\$28,074	\$2,000	\$1,450	\$1,100	\$ 51,494
	2017	\$475	\$800	\$7,000	\$1,523	\$2,366	\$2,425	\$1,733	\$7,784	\$2,100	\$2,050	\$1,000	\$1,625	\$ 30,881
	2018	\$1,450	\$5,975	\$1,890	\$1,625	\$1,625	\$2,850	\$1,625	\$1,175	\$1,125	\$875	\$10,675	\$2,150	\$ 33,040
	2019	\$1,000	\$1,500	\$1,625	\$1,125	\$3,553	\$1,250	\$2,975	\$6,556	\$1,920	\$250	\$1,375	\$1,125	\$ 24,251
	2020	\$1,375	\$1,250	\$6,365	\$1,625	\$1,000	\$3,000	\$2,125	\$8,369	\$2,500	\$2,375	\$0	\$0	\$ 29,984
Zoning Permits/ Proffers	2016	\$1,150	\$1,250	\$1,800	\$2,450	\$1,650	\$2,700	\$1,150	\$1,150	\$1,900	\$1,050	\$900	\$850	\$ 18,500
	2017	\$400	\$1,000	\$2,400	\$950	\$1,500	\$1,800	\$1,245	\$1,250	\$1,600	\$1,050	\$1,250	\$1,550	\$ 15,995
	2018	\$1,400	\$800	\$1,750	\$1,600	\$1,400	\$2,200	\$2,050	\$1,400	\$1,050	\$1,400	\$700	\$1,400	\$ 17,150
	2019	\$1,200	\$1,800	\$2,200	\$1,550	\$2,050	\$1,350	\$1,950	\$2,300	\$1,700	\$1,150	\$1,450	\$1,400	\$ 20,100
	2020	\$1,650	\$1,600	\$3,000	\$1,700	\$1,550	\$3,050	\$2,350	\$2,300	\$2,900	\$2,850	\$0	\$0	\$ 22,950
TOTAL FEES	2016	\$16,200	\$15,779	\$15,076	\$19,289	\$12,347	\$23,488	\$18,117	\$9,562	\$41,259	\$15,598	\$10,711	\$13,263	\$ 210,689
	2017	\$4,835	\$5,460	\$32,092	\$11,722	\$10,569	\$16,173	\$12,472	\$16,824	\$16,869	\$9,995	\$11,272	\$16,061	\$ 164,444
	2018	\$11,838	\$11,086	\$13,579	\$17,990	\$16,821	\$28,683	\$18,668	\$11,323	\$13,001	\$14,888	\$20,931	\$18,120	\$ 196,928
	2019	\$13,577	\$16,917	\$17,830	\$16,983	\$16,831	\$18,860	\$18,703	\$27,628	\$17,995	\$9,868	\$15,028	\$13,584	\$ 203,804
	2020	\$15,888	\$18,318	\$27,517	\$20,128	\$15,697	\$34,118	\$27,668	\$39,556	\$29,637	\$24,584	\$0	\$0	\$ 253,111



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

MEMORANDUM

BOS2020-11-18 p.149/228
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

Date: November 18, 2020
From: Liz McIver - Management Analyst
To: Board of Supervisors
Subject: FY21 Capital Reserve Balances

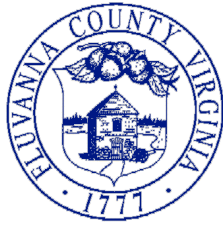
The FY21 Capital Reserve account balances are as follows:

County Capital Reserve:

FY21 Budget Allocation:	\$200,000
FY20 Carryover	\$267,970
Total FY21 Budget:	\$467,970
Add: FY20 Closed CRM Projects -06-26-20	\$11,308
Less: SCADA System Room HVAC – 07.01.20	-\$30,300
Less: Public Safety Building HVAC – 07.01.20	-\$9,325
FY21 Available:	\$439,653

Schools Capital Reserve:

FY21 Budget Allocation:	\$200,000
FY20 Carryover	\$224,903
Total FY21 Budget:	\$424,903
Less: FCHS Compressor Replacement – 07.01.20	-\$6,000
Less: FCHS HVAC Condenser Replacement – 08.05.20	-\$24,000
Less: FCHS Cooling Tower – 08.19.20	-\$10,975
Add: Closed CRM Projects -09.24.20	\$1,231
FY21 Available:	\$385,159



COUNTY OF FLUVANNA

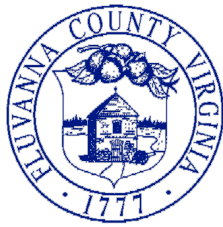
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P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: November 18, 2020
From: Liz McIver – Management Analyst
To: Board of Supervisors
Subject: CARES Fund Balance

CARES Fund Original Appropriation:	\$2,379,202
Less: Overtime Pay 06.17.20	-\$1,000
Less: Full-Time Salaries 06.17.20	-\$20,000
Less: Janitorial Supplies 06.17.20	-\$15,000
Less: Chemical Supplies 06.17.20	-\$2,000
Less: ADP Supplies 06.17.20	-\$2,000
Less: Emergency Supplies 06.17.20	-\$25,000
Less: General Material and Supplies 06.17.20	-\$5,000
Less: EDP Equipment 06.17.20	-\$20,000
Less: Site Improvements 06.17.20	-\$1,000
Less: Economic Development Grant – Local Business 06.17.20	-\$350,000
Less: Printing and Binding 06.17.20	-\$5,000
Less: Advertising 06.17.20	-\$1,000
Less: Economic Development Grant – Non-Profits 07.01.20	-\$100,000
Less: Machinery and Equipment (Clorox 360 machines) 07.01.20	-\$46,500
Less: FY20 Contract Services 08.05.20	-\$5,110
Less: FY20 Advertising 08.05.20	-\$530
Less: FY20 Chemical Supplies 08.05.20	-\$3,650
Less: FY20 Other Operating Supplies 08.05.20	-\$250
Less: FY20 Site Improvements 08.05.20	-\$8,675



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Less: FY21 Emergency Supplies for Fire & Rescue 08.05.20	-\$15,000
Less: FY21 FCPS Supplies for Opening Prep 08.05.20	-\$301,017
Less: FY21 Advertising of COVIDWISE App 08.05.20	-\$5,000
Less: FY21 Economic Development Grant – Local Business Hand Sanitizer	-\$3,000
Less: FY21 Economic Development Grant – Local Business 08.05.20	-\$350,000
Less: FY21 Economic Development Grant – Non-Profits 08.05.20	-\$100,000
Add: CARES Funds Second and Final Round Funding – 08.12.20	\$2,379,202
Less: FY21 FCPS Verizon Hotspots & 4 Months Data Plan – 08.19.20	-\$45,990
Less: FY21 Site Improvements & Furniture – 08.19.20	-\$31,300
Less: FY21 Fork Union Broadband Expansion – 08.19.20	-\$520,000
Less: FY21 Admin Building Basement Reno A&E – 08.19.20	-\$68,210
Add: FY21 Admin Building Basement Reno A&E – 10.07.20 (not funding with CARES)	\$68,210
Less: FY21 Municode Intranet Implementation – 08.19.20	-\$7,200
Less: FY21 Admin Building Basement Renovation – 09.02.20	-\$663,592
Add: FY21 Admin Building Basement Renovation - 10.07.21 (project cancelled)	\$663,592
Less: FY21 Sheriff Prisoner Transport Van - 09.16.20	-\$64,677
Less: FY21 Patrol Car Vinyl Seat Replacement - 9.16.20	-\$24,542
Less: FY21 Sheriff Spare Vehicle - 09.16.20	-\$41,000
Less: FY21 Additional Cleaning Services	-\$21,000
Less: FY20 Public Safety, Public Health & Human Services Salaries (March - June)	-\$991,560
Less: FY21 Public Safety, Public Health & Human Services Salaries (July - September)	-\$589,363



COUNTY OF FLUVANNA

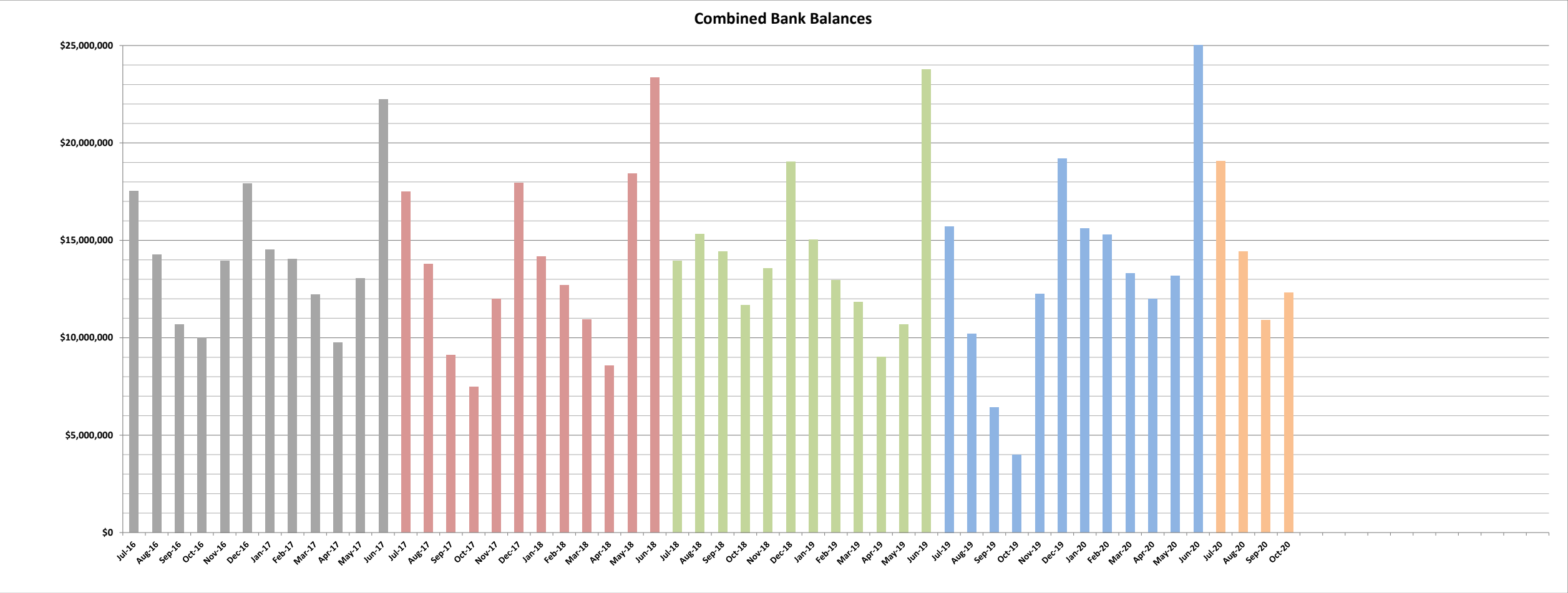
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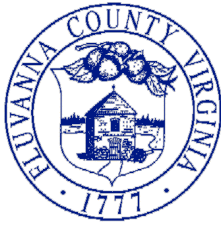
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Less: FY21 Public Safety, Public Health & Human Services Salaries (October - December)	-\$600,000
Add: FY21 Economic Development Grant - Unspent funds	\$300,000
Less: FY21 Scottsville Area Broadband Expansion - 10.21.20	-\$60,000
Less: FY21 Ambulance Power Loads - 11.4.20	-\$52,023
Less: FY21 Fire & Rescue PPE - 11.4.20	-\$68,891
Less: FY21 Sheriff's Office X-Ray Scanner - 11.4.20	-\$16,047
Less: FY21 TJPCS Regional Affordable Housing Search Tool - 11.04.20	-\$2,612
Less: FY21 Duct Cleaning Services - 11.04.20	-\$70,150
Less: FY21 Sheriff's Office Respirators - 11.04.20	-\$14,540
Less: FY21 Tru-up for day to day operational cost due to COVID19	-\$43,795
Current CARES Fund Balance	\$407,983

Fluvanna County Monthly Bank and Investment Account Balances and Earnings Report												
Month	Wells Fargo Commercial Checking - Main Bank	Wells Fargo Analysis Interest Earned	BB&T - Cost Recovery Fund	Multi-Bank Securities Brokerage (CD's)	MBS Earnings	Virginia Investment Pool (VIP) Stable NAV Liquidity Pool	VIP Stable NAV Earnings	Virginia Investment Pool (VIP) 1-3 Year High Quality Bond Fund	VIP 1-3 Year Earnings	Ending Balance TOTAL	Virginia Investment Pool (VIP) CARES Fund	VIP CARES Fund Earnings
Jul-16	\$10,053,334		\$332,174					\$7,152,669	\$ (2,455.19)	\$17,538,177		
Aug-16	\$6,733,878		\$377,034					\$7,142,574	\$ (10,094.71)	\$14,253,486		
Sep-16	\$3,127,373		\$417,387					\$7,150,195	\$ 7,621.55	\$10,694,955		
Oct-16	\$2,408,014		\$465,326					\$7,144,306	\$ (5,889.09)	\$10,017,646		
Nov-16	\$6,337,061		\$511,779					\$7,111,653	\$ (32,653.42)	\$13,960,493		
Dec-16	\$10,222,656		\$568,084					\$7,112,980	\$ 1,327.35	\$17,903,720		
Jan-17	\$6,794,517		\$601,955					\$7,124,549	\$ 11,562.28	\$14,521,021		
Feb-17	\$6,276,766		\$648,260					\$7,131,495	\$ 6,946.85	\$14,056,520		
Mar-17	\$4,372,044		\$699,524					\$7,133,155	\$ 1,659.89	\$12,204,723		
Apr-17	\$1,856,533		\$734,130					\$7,147,486	\$ 14,330.93	\$9,738,149		
May-17	\$5,134,100		\$772,183					\$7,155,655	\$ 8,168.43	\$13,061,937		
Jun-17	\$14,272,459		\$815,451					\$7,155,722	\$ 67.31	\$22,243,632		
Jul-17	\$9,473,371		\$854,310			\$0	\$ -	\$7,178,718	\$ 12,851.95	\$17,506,399		
Aug-17	\$5,699,776		\$890,237			\$0	\$ -	\$7,185,438	\$ 11,236.88	\$13,775,452		
Sep-17	\$1,497,668		\$431,051			\$0	\$ -	\$7,192,355	\$ (4,927.96)	\$9,121,074		
Oct-17	\$3,270,241		\$35,223			\$135	\$ 135.11	\$4,170,653	\$ (4,229.52)	\$7,476,252		
Nov-17	\$7,739,856		\$79,183			\$135	\$ 0.05	\$4,162,255	\$ (8,398.39)	\$11,981,429		
Dec-17	\$13,640,973		\$144,416			\$135	\$ 0.15	\$4,160,490	\$ (1,764.68)	\$17,946,014		
Jan-18	\$9,813,762		\$195,944			\$135	\$ 0.26	\$4,149,498	\$ (10,992.66)	\$14,159,339		
Feb-18	\$8,302,311		\$183,287			\$50,138	\$ 2.40	\$4,146,305	\$ (3,192.31)	\$12,682,040		
Mar-18	\$4,474,342		\$89,291			\$2,224,967	\$ 1,829.22	\$4,153,316	\$ 7,010.76	\$10,941,916		
Apr-18	\$2,043,660		\$67,042			\$2,303,479	\$ 3,511.83	\$4,148,585	\$ (4,731.16)	\$8,562,767		
May-18	\$11,822,481		\$18,984			\$2,422,389	\$ 3,909.72	\$4,162,798	\$ 14,213.06	\$18,426,652		
Jun-18	\$9,675,143		\$73,593			\$9,435,967	\$ 13,577.88	\$4,161,567	\$ (1,231.29)	\$23,346,270		
Jul-18	\$4,394,222		\$114,515			\$9,435,966	\$ 20,600.47	\$0	\$ -	\$13,944,703		
Aug-18	\$1,677,219		\$37,320			\$13,619,588	\$ 23,144.95	\$0	\$ -	\$15,334,127		
Sep-18	\$2,615,110		\$37,723			\$11,767,732	\$ 13,986.26	\$0	\$ -	\$14,420,565		
Oct-18	\$4,668,338		\$207,298			\$6,811,718	\$ 9,323.31	\$0	\$ -	\$11,687,355		
Nov-18	\$9,679,741		\$62,912			\$3,821,042	\$ 7,419.84	\$0	\$ -	\$13,563,695		
Dec-18	\$7,075,743		\$123,078			\$11,843,045	\$ 14,583.11	\$0	\$ -	\$19,041,866		
Jan-19	\$2,232,580		\$50,291	\$1,725,979	\$ 1,979.11	\$11,031,090	\$ 25,045.47	\$0	\$ -	\$15,039,941		
Feb-19	\$3,730,470		\$104,029	\$1,980,687	\$ 5,707.62	\$7,139,094	\$ 15,630.79	\$0	\$ -	\$12,954,280		
Mar-19	\$2,731,676		\$67,493	\$1,985,056	\$ 4,368.89	\$7,048,463	\$ 17,372.03	\$0	\$ -	\$11,832,687		
Apr-19	\$2,236,793		\$54,733	\$1,989,555	\$ 4,883.92	\$4,727,004	\$ 12,909.44	\$0	\$ -	\$9,008,085		
May-19	\$6,356,355		\$109,062	\$1,991,072	\$ 6,111.86	\$2,234,471	\$ 7,467.31	\$0	\$ -	\$10,690,960		
Jun-19	\$19,357,070		\$89,816	\$1,998,125	\$ 7,380.74	\$2,314,010	\$ 4,539.25	\$0	\$ -	\$23,759,021		
Jul-19	\$7,232,465	\$ 2,785	\$84,893	\$3,004,197	\$ 21,072	\$5,396,774	\$ 7,765	\$0	\$ -	\$15,718,329		
Aug-19	\$3,342,584	\$ 2,092	\$65,781	\$3,014,168	\$ 9,971	\$3,782,001	\$ 10,226	\$0	\$ -	\$10,204,533		
Sep-19	\$2,084,930	\$ 505	\$95,173	\$3,015,338	\$ 1,169	\$1,225,490	\$ 5,489	\$0	\$ -	\$6,420,931		
Oct-19	\$2,561,402	\$ -	\$91,132	\$1,244,422	\$ (247)	\$101,652	\$ 1,162	\$0	\$ -	\$3,998,609		
Nov-19	\$10,747,977	\$ -	\$83,568	\$1,245,493	\$ 1,071	\$176,857	\$ 205	\$0	\$ -	\$12,253,894		
Dec-19	\$17,627,078	\$ -	\$132,635	\$1,245,722	\$ 229	\$177,999	\$ 268	\$0	\$ -	\$19,183,434		
Jan-20	\$9,002,916	\$ 1,570	\$43,598	\$1,258,082	\$ 12,361	\$5,308,087	\$ 5,962	\$0	\$ -	\$15,612,683		
Feb-20	\$8,630,244	\$ 1,194	\$95,873	\$1,261,222	\$ 3,139	\$5,315,372	\$ 7,285	\$0	\$ -	\$15,302,710		
Mar-20	\$4,518,186	\$ -	\$85,973	\$1,262,948	\$ 1,727	\$7,422,651	\$ 7,280	\$0	\$ -	\$13,289,759		
Apr-20	\$5,094,401	\$ -	\$134,650	\$1,276,459	\$ 13,211	\$5,478,279	\$ 5,628	\$0	\$ -	\$11,983,790		
May-20	\$3,725,617	\$ -	\$47,204	\$1,305,515	\$ 5,356	\$8,131,678	\$ 3,400	\$0	\$ -	\$13,186,015		
Jun-20	\$8,191,916	\$ -	\$65,372	\$1,284,918	\$ 3,402	\$16,187,424	\$ 5,746	\$0	\$ -	\$25,729,630	\$2,282,394	\$ 192
Jul-20	\$4,467,288		\$80,874	\$1,302,313	\$ 17,395	\$13,231,610	\$ 4,186	\$0	\$ -	\$19,082,085	\$2,283,036	\$ 642
Aug-20	\$3,736,257		\$55,998	\$1,305,132	\$ 2,819	\$9,334,256	\$ 2,645	\$0	\$ -	\$14,431,643	\$4,662,978	\$ 740
Sep-20	\$3,654,125	\$ -	\$58,958	\$1,305,474	\$ 342	\$5,885,682	\$ 1,427	\$0	\$ -	\$10,904,239	\$4,663,836	\$ 858
Oct-20	\$4,983,761	\$ -	\$122,294	\$1,306,854	\$ 1,380	\$5,886,627	\$ 945	\$0	\$ -	\$12,299,536	\$1,741,818	\$ 582





COUNTY OF FLUVANNA

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www.fluvannacounty.org

MEMORANDUM

Date: November 18, 2020
From: Liz McIver – Management Analyst
To: Board of Supervisors
Subject: Unassigned Fund Balance

*FY20 Year End (Unaudited) Total Unassigned Fund Balance:	*\$5,274,084
Add: FY21 Reassessment Budget Transfer	\$66,515
Less: FY20-21 County Carryover Request – 11.04.20	\$153,447
Less: FY20-21 Schools Carryover Request – 11.04.20	\$400,000
Current (Unaudited) Unassigned Fund Balance	*\$4,787,152

*Audited FY20 Year End Unassigned Fund Balance will be available upon completion of the FY20 CAFR

Culpeper District, Louisa Residency

Fluvanna County Monthly Report: November 2020

Fluvanna Mileage, Structures

PRIMARY MILES	SECONDARY MILES	STRUCTURES	TOTAL MILES
102.34	598.62	75	700.96

Fatal Accidents

DATE	LOCATION	ALCOHOL	RESTRAINT
3/3/2020	Rt. 600, South Boston Rd - East of Lake Monticello	No	Yes
4/9/2020	Rt. 761, Branch Rd - 0.8 Miles East of Rock Lane	Yes	Motorcycle
6/8/2020	Rt. 604, Covered Bridge Rd- 0.5 Miles South of Venable Rd	Unknown	No
9/14/2020	Rt. 250, Three Notch Rd -0.4 Miles East of Diamond Road	No	Motorcycle
<p>*Of the 819 fatalities in VA in 2018, 126 were related to distracted driving and 298 were motor vehicle occupants not wearing a seatbelt.</p> <p>**10% of all drivers do not wear a seatbelt. Of all driver fatalities, 50% are from the 10% that do not wear a seatbelt if the option was available.</p>			

[Link to Smart Scale Information](#)

[Link to Smart Scale Projects \(Filter for Fluvanna Co. Projects\)](#)

Fluvanna County Smart Scale Projects:

- Rt. 53/1015 Turkeysag Roundabout
- Rt. 600/618 Lake Monticello Left Turn Lane
- Rt. 250/631 Troy Rd Roundabout

Smart Scale Round 4 Key Dates:

- November 6, 2019, Project Development Workshop
- February 2020, Project Review
- March 1 - April 17, 2020, Pre-application Deadline
- August 17, 2020, Application Deadline



Projects:

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PROJECT	LAST MILESTONE	NEXT MILESTONE	AD DATE
Route 53/618 Roundabout, (UPC:96938)	CN Begins	CN Underway	Expected Completion November 17
Route 1001 – PE Study (UPC 115895)	PE Authorization	Study in Development	Expected Completion Summer 2020
Route 659 – PE Study (UPC 115896)	PE Authorization	Study in Development	Expected Completion Summer 2020
Route 600/618 Intersection Improvements (UPC 111739)	Floodplain Analysis	Pursuing Add. SS Funding	Anticipated FEB 2022

Additional Road Projects:

- **On-Call Pipe Replacements** PR07-967-255, (UPC 106020)
- **District Wide Guardrail Repair and/or Replacement** GR07-967-269, (UPC 106849)
- **District Wide ADA Compliance** ADA7-967-317, (UPC 108027)
- **On-Call District Wide Pavement Marking** TS07-967-325 (UPC 108282)

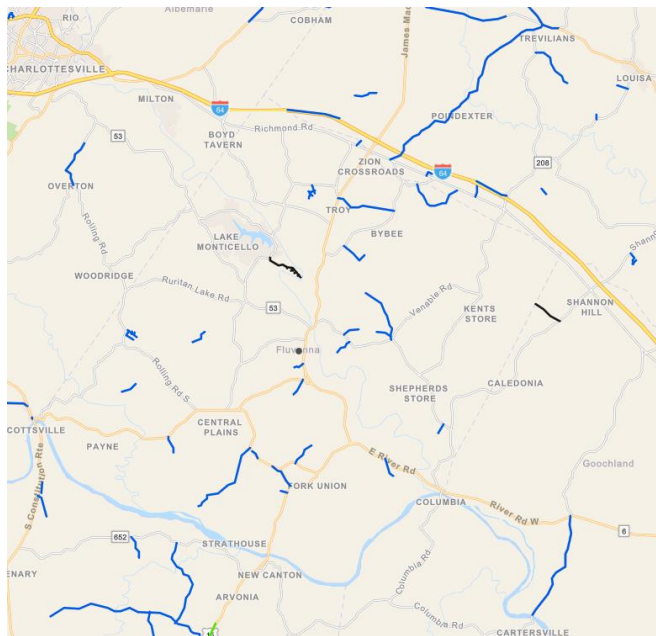
State-Force and District-Wide Bridge Projects:

- **District Wide Bridge Deck Cleaning and Washing** BRDG-967-241, (UPC 105980);
- **District Wide Bridge Maintenance** BRDG-967-240, (UPC 105979);
- **Route 623 over Venable Creek, Completed;**
- **Route 53, .5 miles S of Lake Monticello Rd - Emergency Pipe Replacement; Completed;**
- **Route 616 Soil Nailing Slope Repair; Completed;**
- **Rt. 15 N and S of CVEC – Pipe Replacements; Completed;**
- **Rt. 250 W of Correctional Center – Pipe Replacement; In Development;**

Resurfacing Projects:

VDOT provided the County with a list of routes included in the 2020 resurfacing schedule. Please review the routes listed and let us know if you have any questions or concerns. Customers can view VDOT's resurfacing schedule and route status on VDOT's public website via the following link: <http://www.virginiaroads.org/> (Select "Web Maps" and "Statewide Paving Status")

Fluvanna County Resurfacing					
Plant Mix			Surface Treatment		
Schedule	Miles	Cost/Estimate	Schedule	Miles	Cost/Estimate
2019	4.94	\$863,675	2019	43.65	\$590,849
2020	---	---	2020	55.52	\$421,558
2021	---	---	2021	16.07	\$229,394



Legend

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Statewide Paving Status Map (Public View) 2020

- Scheduled
- In Progress
- Completed
- Rescheduled

Traffic Engineering

Studies under Review:

- Route 53 High School Speed Limit Reduction
- Route 633, 1079 N.Boston Rd – Chevrons/Curve Warning Signage + edge line consideration
- Route 250 speed study, from Route 631 to Route 15
- Route 656/624: Request for curve warning signage and improvements to visibility

Completed Studies:

- Route 600 speed limit sign review completed, additional signage not recommended
- Route 250/708 Right Turn Lane Warrant Analysis review completed
 - Turn lane not warranted.
- Routes 652, 655, 656 Centerline Pavement Markings review completed
 - Routes 655 & 656 do not meet minimum width (18ft) or minimum VPD (500)
 - Route 652 does not meet minimum VPD
- Route 53 shoulder safety improvements (proximity 4800 block +/-); Curve warning signs installed
- Fire Station signs along roadway by Fork Union Fire Station on Route 15 installed
- Speed limit and signage study at intersection of Route 761 and Route 620 installed
- Route 15 at Route 644 Speed Study;
 - Speed limit reduction not warranted
- Centerline Marking on Rt. 613, Bybees Church Rd; Approved, Installation completed, 8/17/2020
- Route 1066, Rosewood Drive- 25 speed limit sign installed 3/31/2020

County Safety and Operational Improvements:

- Route 250 at Route 631 (Troy Rd): grading to improve sight distance is completed
- Route 600 at Broken Island Rd: Request for safety improvements to improve visibility at the curve; Larger chevron signs and puppy track pavement markings have been installed

- Village of Palmyra Traffic Circle: County and VDOT staff plan to simulate EMS response prior to installing pavement markings;
- Route 53 at Route 660 (Cunningham): VDOT continues to evaluate this intersection for interim and long-term safety improvements
- Route 629/631 intersection review and grading work completed
- Digital Speed Display Signs (ongoing)
- Route 1037 Lexie Lane No Outlet Sign to be resized and relocated; completed 7/7/2020
- Route 53 at Turkey Trail white delineator posts replaced on 6/23/2020
- Route 250/Blue Ridge Dr: Design modified to shoulder widening; in development

Area Land Use

Residency Area Land Use Staff have issued **68** permits in 2020.

Fluvanna County Plan/Plat Review - Received Sept-Oct 2020							
Project Name	Routes/Address	Submission Type	VDOT Contact	VDOT Received Date	Locality Due Date	VDOT Comment Date	Status
Aspen Hill Farms Minor Subdivision	672-TMP 41-A-44D	Final Plat Review,	John Wilson	9/8/2020	10/23/2020	9/11/2020	Review Complete - Acceptable
Island Hill Major Subdivision	1040-Broken Island Road	Site Plan,	Mark Wood	9/22/2020	11/6/2020	9/25/2020	Review Complete - Acceptable
John & Andileen Gooch Family Subdivision	676-362 OLIVER CREEK RD TROY VA 22974	Final Plat Review,	John Wilson	10/1/2020	11/13/2020	10/7/2020	Review Complete - Acceptable
David & Cynthia Partusch Family Subdivision & Boundary	654- 2448 CLOVERDALE RD BREMO BLUFF VA	Preliminary Plat Review,	John Wilson	10/1/2020	11/13/2020	10/23/2020	Review Complete - Acceptable
Greenberry's Site Plan Amendment	1021-Zion Station Road	Site Plan,	Mark Wood	10/8/2020	11/20/2020	10/14/2020	Review Complete - Acceptable
Megan Harris Minor Subdivision	6-5128 West River Road	Final Plat Review,	Mark Wood	10/16/2020	11/30/2020	10/23/2020	Review Complete - Acceptable
Ernest & Rose Butler/National Communication Towers Site Plan	6-TMP 39-A-29	Site Plan,	John Wilson	10/14/2020	11/27/2020	10/19/2020	Review Complete - Acceptable
Sun Tribe Solar/West Central Primary	649-3188 Central Plains Rd, Palmyra, VA	Site Plan,	John Wilson	10/16/2020	11/30/2020	10/23/2020	Review Complete - Acceptable
Quigley Properties LLC	601-TMP 31-A-9	Special Exception,	John Wilson	10/7/2020	10/15/2020	10/15/2020	Review Complete - Acceptable
Ballinger Bluffs Subdivision	601-TMP 31-A-9	Preliminary Plan,	John Wilson	10/7/2020	10/15/2020	10/15/2020	Review Complete - Acceptable
Fluvanna Firearms	15-6690 James Madison Hwy, Fork Union Va 23033	Site Plan,	John Wilson	10/21/2020	12/4/2020		Review Underway

- [Zion Crossroads Corridor Improvement Study \(link\)](#) – The webpage is live for the Zion Crossroads Corridor Improvement Study (Routes 15 and 250), Fluvanna & Louisa Counties. This small area study, which is supported by stakeholders from VDOT, Fluvanna and Louisa counties and the Thomas Jefferson Planning District Commission. The study's goals are to improve safety, operations and access management along Routes 15 and 250 and assess the potential for transit in the area. Study goals and map are available on VDOT's public website at the link above. An online meeting is planned for late October and a survey will be released for public feedback.

Maintenance Activities

- VDOT crews in Palmyra and Zion Crossroads Area HQ have responded to **198** Work Orders in FY21. Top activities have been dead animal removal and fallen tree/limb clearing.

http://www.virginiadot.org/business/resources/local_assistance/BOSmanual.pdf

Alan Saunders, P.E.
Residency Engineer
VDOT Louisa Residency
540-967-3710



COMMONWEALTH of VIRGINIA

Aubrey L. Layne, Jr., MBA, CPA
Secretary of Finance

P.O. Box 1475
Richmond, Virginia 23218

May 12, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

From: Aubrey L. Layne, Jr.
Secretary of Finance

Subject: Local Allocations for Federal CARES Coronavirus Relief Funds

Background

As most of you are aware, Congress passed and the President recently signed the *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020*. This Act provides funding for a number of different programs to address the COVID-19 pandemic. A primary component of the CARES Act is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF).

Allocations were sent to states based on population. Each state received 55 percent of its share based on total state population and the remaining 45 percent was based on the local populations of each state's cities and counties. Localities with populations greater than 500,000 could apply to receive funds directly. All other CRF funds were distributed to the states to determine the allocations to localities.

Virginia has received approximately \$3.1 billion as its share of the CRF total. This amount does not include approximately \$200 million that went directly to Fairfax County since it qualified to receive its funding directly.

These funds may be used for qualifying expenses of state and local governments. The CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

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At this point, federal guidance indicates that the CRF funds can only be used for the direct costs associated with the response to the COVID-19 pandemic and cannot be used to make up for revenue shortfalls. State and local government officials have requested that this restriction be lifted or that additional federal funds be provided to address the loss of state and local revenue. To date, no action has been taken by Congress to allow that flexibility or to provide funding for that purpose.

Allocation of CRF Funds to Localities

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities are experiencing the same COVID-19 related expenses as the Commonwealth. Therefore, fifty (50) percent of the locally-based allocations will be distributed to counties and cities on or around June 1, 2020, by the Department of Accounts (DOA) after receipt of a signed certification from the locality. This distribution will be made to the local treasurer in the same manner that Car Tax Relief Payments are made.

Each locality's allocation will be based on the proportion that the locality's population represents of the statewide total population. Appendix A reflects the population used by US Treasury to allocate CRF funds to the states. This population data is the basis for determining the allocations to each locality.

This table also reflects each locality's share of the current distribution based on the population data displayed. Please note that the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

CRF funds should be considered "one time" monies and should not be used for ongoing services and/or base operations. Because the funds must be expended by December 30, localities are advised not to create services with expenses beyond that period. Any expenses beyond December 30, 2020, must be paid entirely by the locality from local funds.

Requirements for Use of Funds and Certifications

General

The amounts listed in Appendix A reflect the funds that will be transferred to each locality after receipt of a certification form (Appendix D) from the locality signed by the chief executive officer, the chief financial officer, and the chief elected officer. Before signing the certification, I recommend that you read and understand the federal guidance and the frequently asked questions contained in Appendix B and Appendix C, respectively. The most recent information on this guidance and the frequently asked questions can be obtained at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

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Please note that the certification statement includes an acknowledgment that you may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. Since these funds are being provided to you “up front” rather than on a reimbursement basis, it is important for you to understand that the burden of ensuring that all CRF funds are spent for qualifying purposes falls to the local government. You are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements.

If the federal government determines that you have used CRF funds for purposes that do not qualify, you must return those funds to the state promptly so that they may be returned to the federal government. As a condition of receiving CRF funds, you are agreeing that the state can use state aid intercept to recover any funds necessary for expenses that were not for a qualifying purpose or that were unexpended as of December 30, 2020.

For Counties Only

As previously stated, the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Counties must ensure that an equitable share of the CRF funds it receives are shared with and granted to each town within its jurisdiction. Just as with the funds retained by the county, the funds granted to towns must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements and must ensure that the use of the funds meets the requirements set forth by the federal government.

Submission of Certification

The certification in Appendix D contains more specific details on the responsibilities of the local governing body. A fillable .pdf form can be downloaded from the Secretary of Finance’s Website under “Recent News” at: <http://finance.virginia.gov/>

In order to receive your locality’s allocation, the signed certification form must be submitted no later than **May 22, 2020**, to the Department of Accounts in electronic or hard copy form:

By Email to: GACCT@DOA.Virginia.gov

By US Mail to: Department of Accounts
Attention: Local CRF Certification
P.O. Box 1971
Richmond, VA 23218-1971

If you have any questions about this process, you may contact my office at (804) 786-1148. If you have technical questions about the certification form or the distribution of the funds, please contact Melinda Pearson, Director, General Accounting, Department of Accounts, at Melinda.Pearson@DOA.Virginia.gov or by phone at 804-225-2376.

Appendix A – Local Allocations

Annual Estimates of the Resident Population for Counties in Virginia: as of July 1, 2019	Statewide Total = 8,535,519	% of Total ¹	Current Allocation Base = \$744,691,122
Locality	Population		
.Accomack County, Virginia	32,316	0.3786%	\$2,819,446
.Albemarle County, Virginia	109,330	1.2809%	\$9,538,621
.Alleghany County, Virginia	14,860	0.1741%	\$1,296,478
.Amelia County, Virginia	13,145	0.1540%	\$1,146,851
.Amherst County, Virginia	31,605	0.3703%	\$2,757,414
.Appomattox County, Virginia	15,911	0.1864%	\$1,388,173
.Arlington County, Virginia	236,842	2.7748%	\$20,663,551
.Augusta County, Virginia	75,558	0.8852%	\$6,592,144
.Bath County, Virginia	4,147	0.0486%	\$361,810
.Bedford County, Virginia	78,997	0.9255%	\$6,892,184
.Bland County, Virginia	6,280	0.0736%	\$547,906
.Botetourt County, Virginia	33,419	0.3915%	\$2,915,679
.Brunswick County, Virginia	16,231	0.1902%	\$1,416,092
.Buchanan County, Virginia	21,004	0.2461%	\$1,832,518
.Buckingham County, Virginia	17,148	0.2009%	\$1,496,097
.Campbell County, Virginia	54,885	0.6430%	\$4,788,505
.Caroline County, Virginia	30,725	0.3600%	\$2,680,638
.Carroll County, Virginia	29,791	0.3490%	\$2,599,150
.Charles City County, Virginia	6,963	0.0816%	\$607,495
.Charlotte County, Virginia	11,880	0.1392%	\$1,036,484
.Chesterfield County, Virginia	352,802	4.1333%	\$30,780,614
.Clarke County, Virginia	14,619	0.1713%	\$1,275,451
.Craig County, Virginia	5,131	0.0601%	\$447,660
.Culpeper County, Virginia	52,605	0.6163%	\$4,589,583
.Cumberland County, Virginia	9,932	0.1164%	\$866,529
.Dickenson County, Virginia	14,318	0.1677%	\$1,249,190
.Dinwiddie County, Virginia	28,544	0.3344%	\$2,490,354
.Essex County, Virginia	10,953	0.1283%	\$955,607
.Fairfax County, Virginia	1,147,532	13.4442%	N/A
.Fauquier County, Virginia	71,222	0.8344%	\$6,213,845
.Floyd County, Virginia	15,749	0.1845%	\$1,374,040
.Fluvanna County, Virginia	27,270	0.3195%	\$2,379,202
.Franklin County, Virginia	56,042	0.6566%	\$4,889,448

.Frederick County, Virginia	89,313	1.0464%	\$7,792,215
.Giles County, Virginia	16,720	0.1959%	\$1,458,756
.Gloucester County, Virginia	37,348	0.4376%	\$3,258,469
.Goochland County, Virginia	23,753	0.2783%	\$2,072,358
.Grayson County, Virginia	15,550	0.1822%	\$1,356,678
.Greene County, Virginia	19,819	0.2322%	\$1,729,131
.Greensville County, Virginia	11,336	0.1328%	\$989,022
.Halifax County, Virginia	33,911	0.3973%	\$2,958,604
.Hanover County, Virginia	107,766	1.2626%	\$9,402,168
.Henrico County, Virginia	330,818	3.8758%	\$28,862,595
.Henry County, Virginia	50,557	0.5923%	\$4,410,903
.Highland County, Virginia	2,190	0.0257%	\$191,069
.Isle of Wight County, Virginia	37,109	0.4348%	\$3,237,617
.James City County, Virginia	76,523	0.8965%	\$6,676,337
.King and Queen County, Virginia	7,025	0.0823%	\$612,904
.King George County, Virginia	26,836	0.3144%	\$2,341,338
.King William County, Virginia	17,148	0.2009%	\$1,496,097
.Lancaster County, Virginia	10,603	0.1242%	\$925,071
.Lee County, Virginia	23,423	0.2744%	\$2,043,566
.Loudoun County, Virginia	413,538	4.8449%	\$36,079,596
.Louisa County, Virginia	37,591	0.4404%	\$3,279,670
.Lunenburg County, Virginia	12,196	0.1429%	\$1,064,054
.Madison County, Virginia	13,261	0.1554%	\$1,156,971
.Mathews County, Virginia	8,834	0.1035%	\$770,732
.Mecklenburg County, Virginia	30,587	0.3583%	\$2,668,598
.Middlesex County, Virginia	10,582	0.1240%	\$923,239
.Montgomery County, Virginia	98,535	1.1544%	\$8,596,799
.Nelson County, Virginia	14,930	0.1749%	\$1,302,585
.New Kent County, Virginia	23,091	0.2705%	\$2,014,601
.Northampton County, Virginia	11,710	0.1372%	\$1,021,652
.Northumberland County, Virginia	12,095	0.1417%	\$1,055,242
.Nottoway County, Virginia	15,232	0.1785%	\$1,328,933
.Orange County, Virginia	37,051	0.4341%	\$3,232,557
.Page County, Virginia	23,902	0.2800%	\$2,085,357
.Patrick County, Virginia	17,608	0.2063%	\$1,536,230
.Pittsylvania County, Virginia	60,354	0.7071%	\$5,265,654
.Powhatan County, Virginia	29,652	0.3474%	\$2,587,023
.Prince Edward County, Virginia	22,802	0.2671%	\$1,989,387
.Prince George County, Virginia	38,353	0.4493%	\$3,346,151
.Prince William County, Virginia	470,335	5.5103%	\$41,034,915
.Pulaski County, Virginia	34,027	0.3987%	\$2,968,725
.Rappahannock County, Virginia	7,370	0.0863%	\$643,004
.Richmond County, Virginia	9,023	0.1057%	\$787,222
.Roanoke County, Virginia	94,186	1.1035%	\$8,217,365

.Rockbridge County, Virginia	22,573	0.2645%	\$1,969,407
.Rockingham County, Virginia	81,948	0.9601%	\$7,149,647
.Russell County, Virginia	26,586	0.3115%	\$2,319,526
.Scott County, Virginia	21,566	0.2527%	\$1,881,550
.Shenandoah County, Virginia	43,616	0.5110%	\$3,805,328
.Smyth County, Virginia	30,104	0.3527%	\$2,626,458
.Southampton County, Virginia	17,631	0.2066%	\$1,538,237
.Spotsylvania County, Virginia	136,215	1.5959%	\$11,884,234
.Stafford County, Virginia	152,882	1.7911%	\$13,338,365
.Surry County, Virginia	6,422	0.0752%	\$560,295
.Sussex County, Virginia	11,159	0.1307%	\$973,580
.Tazewell County, Virginia	40,595	0.4756%	\$3,541,757
.Warren County, Virginia	40,164	0.4706%	\$3,504,154
.Washington County, Virginia	53,740	0.6296%	\$4,688,608
.Westmoreland County, Virginia	18,015	0.2111%	\$1,571,739
.Wise County, Virginia	37,383	0.4380%	\$3,261,523
.Wythe County, Virginia	28,684	0.3361%	\$2,502,568
.York County, Virginia	68,280	0.8000%	\$5,957,167
.Alexandria city, Virginia	159,428	1.8678%	\$13,909,478
.Bristol city, Virginia	16,762	0.1964%	\$1,462,420
.Buena Vista city, Virginia	6,478	0.0759%	\$565,181
.Charlottesville city, Virginia	47,266	0.5538%	\$4,123,776
.Chesapeake city, Virginia	244,835	2.8684%	\$21,360,910
.Colonial Heights city, Virginia	17,370	0.2035%	\$1,515,466
.Covington city, Virginia	5,538	0.0649%	\$483,169
.Danville city, Virginia	40,044	0.4691%	\$3,493,685
.Emporia city, Virginia	5,346	0.0626%	\$466,418
.Fairfax city, Virginia	24,019	0.2814%	\$2,095,565
.Falls Church city, Virginia	14,617	0.1712%	\$1,275,277
.Franklin city, Virginia	7,967	0.0933%	\$695,090
.Fredericksburg city, Virginia	29,036	0.3402%	\$2,533,279
.Galax city, Virginia	6,347	0.0744%	\$553,751
.Hampton city, Virginia	134,510	1.5759%	\$11,735,479
.Harrisonburg city, Virginia	53,016	0.6211%	\$4,625,442
.Hopewell city, Virginia	22,529	0.2639%	\$1,965,568
.Lexington city, Virginia	7,446	0.0872%	\$649,635
.Lynchburg city, Virginia	82,168	0.9627%	\$7,168,841
.Manassas city, Virginia	41,085	0.4813%	\$3,584,508
.Manassas Park city, Virginia	17,478	0.2048%	\$1,524,888
.Martinsville city, Virginia	12,554	0.1471%	\$1,095,288
.Newport News city, Virginia	179,225	2.0998%	\$15,636,690
.Norfolk city, Virginia	242,742	2.8439%	\$21,178,304
.Norton city, Virginia	3,981	0.0466%	\$347,327
.Petersburg city, Virginia	31,346	0.3672%	\$2,734,818

.Poquoson city, Virginia	12,271	0.1438%	\$1,070,597
.Portsmouth city, Virginia	94,398	1.1059%	\$8,235,862
.Radford city, Virginia	18,249	0.2138%	\$1,592,155
.Richmond city, Virginia	230,436	2.6997%	\$20,104,653
.Roanoke city, Virginia	99,143	1.1615%	\$8,649,844
.Salem city, Virginia	25,301	0.2964%	\$2,207,415
.Staunton city, Virginia	24,932	0.2921%	\$2,175,221
.Suffolk city, Virginia	92,108	1.0791%	\$8,036,068
.Virginia Beach city, Virginia	449,974	5.2718%	\$39,258,497
.Waynesboro city, Virginia	22,630	0.2651%	\$1,974,380
.Williamsburg city, Virginia	14,954	0.1752%	\$1,304,679
.Winchester city, Virginia	28,078	0.3290%	\$2,449,697
Total Funds Distributed (excludes Fairfax County)			\$644,573,383
Source: U.S. Census Bureau, Population Division			
Release Date: March 2020			

¹ **Note:** Percentages are displayed as rounded numbers, however, the distributions are calculated using the full values.

Appendix B - Guidance From U.S. Treasury

Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments April 22, 2020

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.¹

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government

officials responsible for spending Fund payments.

¹ See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19- related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in

connection with the COVID-19 public health emergency.

- Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
 4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
 - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
 5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
 6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures²

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.³
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

² In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

³ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

¹ The Guidance is available at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Appendix C - Frequently Asked Questions

The content below was provided by the US Department of the Treasury.

Coronavirus Relief Fund Frequently Asked Questions April 22, 2020

Do governments have to return unspent funds to Treasury?

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Inspector General of the Department of the Treasury of amounts received from the Coronavirus Relief Fund (the “Fund”) that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

May a State receiving a payment transfer funds to a local government?

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Inspector General if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

May governments retain assets purchased with these funds?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

What records must be kept by governments receiving payment?

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

**Coronavirus Relief Fund
Frequently Asked Questions
Updated as of May 4, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).¹ Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

Eligible Expenditures

Are governments required to submit proposed expenditures to Treasury for approval?

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

May a State receiving a payment transfer funds to a local government?

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

May a unit of local government receiving a Fund payment transfer funds to another unit of government?

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?

No. For example, a county recipient is not required to transfer funds to smaller cities within the county’s borders.

Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

Are States permitted to use Fund payments to support state unemployment insurance funds generally?

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to

the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

May Fund payments be used for COVID-19 public health emergency recovery planning?

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

Are expenses associated with contact tracing eligible?

Yes, expenses associated with contract tracing are eligible.

To what extent may a government use Fund payments to support the operations of private hospitals?

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax

requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

May recipients create a “payroll support program” for public employees?

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

May Fund payments be used to assist impacted property owners with the payment of their property taxes?

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

The Guidance provides that ineligible expenditures include “payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

Questions Related to Administration of Fund Payments

Do governments have to return unspent funds to Treasury?

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

What records must be kept by governments receiving payment?

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act

May recipients deposit Fund payments into interest bearing accounts?

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

May governments retain assets purchased with payments from the Fund?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

¹ The Guidance is available at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Appendix D - Certification for Use of Coronavirus Relief Fund

Note: Provided for reference only - download a fillable .pdf copy of this form from the Secretary of Finance's Website under "Recent News" at: <http://finance.virginia.gov/>

**CERTIFICATION for RECEIPT of
CORONAVIRUS RELIEF FUND PAYMENTS
by
INSERT NAME OF LOCAL GOVERNMENT**

We the undersigned represent insert name of local government (the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
 - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
 - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to

invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.

8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

For counties only

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____



COMMONWEALTH of VIRGINIA

Aubrey L. Layne, Jr., MBA, CPA
Secretary of Finance

P.O. Box 1475
Richmond, Virginia 23218

July 28, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

From: Aubrey L. Layne, Jr.
Secretary of Finance

Subject: Second and Final Allocation of Federal Coronavirus Relief Funds

Overview

On May 12, 2020, I advised you of Governor Northam's decision to provide the first round of allocations to local governments from the federal Coronavirus Relief Fund (CRF) authorized pursuant to the federal *Coronavirus Aid, Relief, and Economic Security Act* (CARES Act). On June 1, 2020, each locality received its share of the first half, or fifty (50) percent, of the locally-based allocations (not including Fairfax County that received its funds directly).

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities continue to experience the same COVID-19 related expenses as the Commonwealth.

Therefore, the Governor recently announced the second and final round to allocate the remaining fifty (50) percent of the locally-based allocations from the CRF to local governments. When completed, the state will have distributed 100 percent of the local allocations the Commonwealth received under the CARES Act providing a total of \$1.3 billion for local governments.

Just like the first round, the second round will be based on population. Consequently, the second round of allocations will be for the same amount that you received in the first round on June 1, 2020. In order to receive the second allocation, localities are required to submit a new certification form and complete an online survey regarding the use of the CRF funds.

As soon as these two documents are fully completed and submitted, the Department of Accounts will initiate the transfer of funds to the local Treasurer. Localities may expect to receive the transfer by the state Comptroller within five business days following confirmation of receipt of these completed documents.

County and City Elected Officials and Administrators

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Guidance

It is extremely important for you to know that all of the same conditions that existed for the first round of CRF allocations continue for the second round of allocations. To that end, I encourage you to refer to my May 12, 2020, memorandum and to the federal guidance and frequently asked questions located at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

This information is routinely updated and has been revised several times since my May 12, 2020, memorandum. Compliance with the federal guidance is your responsibility and failure to do so could result in disallowed expenses requiring you to repay the associated funds to the federal government. As stated previously, if you fail to repay any funds spent for nonqualifying expenses as required by the federal government, the state Comptroller will recover such amounts from future state payments to your locality via the State Aid Intercept Program.

In addition to the revised federal guidance, on July 2, 2020, the U.S. Treasury's Office of the Inspector General issued information related to reporting and audit requirements that had not been published at the time of my original communication to you. Information regarding the audit and reporting requirements can be found at the same link provided above. Further, the State Comptroller's office has subrecipient monitoring responsibilities that will necessitate evaluation and additional correspondence with localities regarding the use of funds.

As a reminder, the overarching federal guidance states that these funds must be used for qualifying expenses of state and local governments. Specifically, the CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The federal guidance continues to state that the CRF funds can be used only for the direct costs associated with the response to the COVID-19 pandemic and cannot be used to address revenue shortfalls. State and local government officials have requested that this restriction be lifted or that additional federal funds be provided to address the loss of state and local revenue. To date, no action has been taken by Congress to allow that flexibility or to provide funding for that purpose.

CRF funds should be considered "one time" monies and should not be used for ongoing services and/or base operations. Because the funds must be expended by December 30, localities are advised not to create services with expenses beyond that period. Any expenses beyond December 30, 2020, must be paid entirely by the locality from local funds.

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Allocation of CRF Funds to Localities

The remaining fifty (50) percent of the locally-based allocations will be distributed to counties and cities by the Department of Accounts (DOA) after receipt from the locality of a new, signed certification form and after completion of a survey on the locality's actual and planned uses of the CRF funds. This distribution will be made to the local treasurer in the same manner that the first round of funds were distributed within five business days following receipt of the completed documents.

Each locality's allocation will be based on the proportion that the locality's population represents of the statewide total population. Appendix A reflects the population used by U.S. Treasury to allocate CRF funds to the states. This population data is the basis for determining the allocations to each locality.

This table also reflects each locality's share of the remaining distribution based on the population data displayed. Please note that the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Requirements: Survey on the Use of Funds and Certifications

General

The amounts listed in Appendix A reflect the funds that will be transferred to each locality after:

1. completion of an online survey located at: (NOTE: *the link to this survey will be provided by separate communication later this week*), and
2. receipt of a certification form (Appendix D) from the locality signed by the chief executive officer, the chief financial officer (Treasurer), and the chief elected officer.

Before signing the certification, I recommend that you read and understand the federal guidance and the frequently asked questions contained in Appendix B and Appendix C, respectively. The most recent information on this guidance and the frequently asked questions can be obtained at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Please note that the certification statement includes an acknowledgment that you may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. Since these funds are being provided to you "up front" rather than on a reimbursement basis, it is important for you to understand that the burden of ensuring that all CRF funds are spent for qualifying purposes falls to the local government.

You are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements. The State Comptroller is responsible for all subrecipient monitoring and may require additional information in the future from each locality to address that responsibility.

If the federal government determines that you have used CRF funds for purposes that do not qualify, you must return those funds to the state promptly so that they may be returned to the federal government. As a condition of receiving CRF funds, you are agreeing that the state can use state aid intercept to recover any funds necessary for expenses that were not for a qualifying purpose or that were unexpended as of December 30, 2020.

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For Counties Only

As previously stated, the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Counties must ensure that an equitable share of the CRF funds it receives are shared with and granted to each town within its jurisdiction. Just as with the funds retained by the county, the funds granted to towns must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The county issuing the grant is responsible for the ensuring compliance with each town's documentation requirements and must ensure that the use of the funds meets the requirements set forth by the federal government.

Completion of Survey

The Commonwealth has partnered with Accenture to create a survey to collect data on how each locality has used or plans to use its allocation of CRF funds. The survey instrument, which must be completed online, will be made available later this week by separate communication. This communication will include instructions regarding access to and completion of the survey. For questions about completion of the survey, please contact Jason Saunders, General Government Coordinator, Department of Planning and Budget, at jason.saunders@dpb.virginia.gov.

We are requesting that this survey be completed no later than **5:00pm, Monday, August 10, 2020**, so that we may provide a report on the use of the CRF by locality to the General Assembly when it convenes for a special session beginning on August 18, 2020. For surveys that are not received by this due date, this report will reflect that the survey results were not received from that locality by the requested due date. More importantly, the survey must be completed, along with submission of the certification form, in order to receive the second distribution of CRF funds.

Submission of Certification

The certification in Appendix D contains more specific details on the responsibilities of the local governing body. A fillable .pdf form can be downloaded from the Secretary of Finance's Website under "Recent News" at: <http://finance.virginia.gov/>

The signed certification form should be submitted no later than **August 10, 2020**, to the Department of Accounts in electronic or hard copy form:

By Email to: GACCT@DOA.Virginia.gov

By US Mail to: Department of Accounts
Attention: Local CRF Certification
PO Box 1971
Richmond, VA 23218-1971

If you have any questions regarding the appropriate use of CRF funds, please refer to the U.S. Treasury Website and guidance. For questions about this process, you may contact my office at (804) 786-1148. If you have technical questions about the certification form or the distribution of

County and City Elected Officials and Administrators

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the funds, please contact Melinda Pearson, Director, General Accounting, Department of Accounts, at melinda.pearson@doa.virginia.gov or by phone at 804-225-2376.

Appendix A – Local Allocations

Annual Estimates of the Resident Population for Counties in Virginia: as of July 1, 2019	Statewide Total = 8,535,519	% of Total ¹	Current Allocation Base ²= \$744,691,122
Locality	Population		
.Accomack County, Virginia	32,316	0.3786%	\$2,819,446
.Albemarle County, Virginia	109,330	1.2809%	\$9,538,621
.Alleghany County, Virginia	14,860	0.1741%	\$1,296,478
.Amelia County, Virginia	13,145	0.1540%	\$1,146,851
.Amherst County, Virginia	31,605	0.3703%	\$2,757,414
.Appomattox County, Virginia	15,911	0.1864%	\$1,388,173
.Arlington County, Virginia	236,842	2.7748%	\$20,663,551
.Augusta County, Virginia	75,558	0.8852%	\$6,592,144
.Bath County, Virginia	4,147	0.0486%	\$361,810
.Bedford County, Virginia	78,997	0.9255%	\$6,892,184
.Bland County, Virginia	6,280	0.0736%	\$547,906
.Botetourt County, Virginia	33,419	0.3915%	\$2,915,679
.Brunswick County, Virginia	16,231	0.1902%	\$1,416,092
.Buchanan County, Virginia	21,004	0.2461%	\$1,832,518
.Buckingham County, Virginia	17,148	0.2009%	\$1,496,097
.Campbell County, Virginia	54,885	0.6430%	\$4,788,505
.Caroline County, Virginia	30,725	0.3600%	\$2,680,638
.Carroll County, Virginia	29,791	0.3490%	\$2,599,150
.Charles City County, Virginia	6,963	0.0816%	\$607,495
.Charlotte County, Virginia	11,880	0.1392%	\$1,036,484
.Chesterfield County, Virginia	352,802	4.1333%	\$30,780,614
.Clarke County, Virginia	14,619	0.1713%	\$1,275,451
.Craig County, Virginia	5,131	0.0601%	\$447,660
.Culpeper County, Virginia	52,605	0.6163%	\$4,589,583
.Cumberland County, Virginia	9,932	0.1164%	\$866,529
.Dickenson County, Virginia	14,318	0.1677%	\$1,249,190
.Dinwiddie County, Virginia	28,544	0.3344%	\$2,490,354
.Essex County, Virginia	10,953	0.1283%	\$955,607
.Fairfax County, Virginia	1,147,532	13.4442%	N/A
.Fauquier County, Virginia	71,222	0.8344%	\$6,213,845
.Floyd County, Virginia	15,749	0.1845%	\$1,374,040
.Fluvanna County, Virginia	27,270	0.3195%	\$2,379,202
.Franklin County, Virginia	56,042	0.6566%	\$4,889,448
.Frederick County, Virginia	89,313	1.0464%	\$7,792,215
.Giles County, Virginia	16,720	0.1959%	\$1,458,756

Appendix A – Local Allocations

.Gloucester County, Virginia	37,348	0.4376%	\$3,258,469
.Goochland County, Virginia	23,753	0.2783%	\$2,072,358
.Grayson County, Virginia	15,550	0.1822%	\$1,356,678
.Greene County, Virginia	19,819	0.2322%	\$1,729,131
.Greensville County, Virginia	11,336	0.1328%	\$989,022
.Halifax County, Virginia	33,911	0.3973%	\$2,958,604
.Hanover County, Virginia	107,766	1.2626%	\$9,402,168
.Henrico County, Virginia	330,818	3.8758%	\$28,862,595
.Henry County, Virginia	50,557	0.5923%	\$4,410,903
.Highland County, Virginia	2,190	0.0257%	\$191,069
.Isle of Wight County, Virginia	37,109	0.4348%	\$3,237,617
.James City County, Virginia	76,523	0.8965%	\$6,676,337
.King and Queen County, Virginia	7,025	0.0823%	\$612,904
.King George County, Virginia	26,836	0.3144%	\$2,341,338
.King William County, Virginia	17,148	0.2009%	\$1,496,097
.Lancaster County, Virginia	10,603	0.1242%	\$925,071
.Lee County, Virginia	23,423	0.2744%	\$2,043,566
.Loudoun County, Virginia	413,538	4.8449%	\$36,079,596
.Louisa County, Virginia	37,591	0.4404%	\$3,279,670
.Lunenburg County, Virginia	12,196	0.1429%	\$1,064,054
.Madison County, Virginia	13,261	0.1554%	\$1,156,971
.Mathews County, Virginia	8,834	0.1035%	\$770,732
.Mecklenburg County, Virginia	30,587	0.3583%	\$2,668,598
.Middlesex County, Virginia	10,582	0.1240%	\$923,239
.Montgomery County, Virginia	98,535	1.1544%	\$8,596,799
.Nelson County, Virginia	14,930	0.1749%	\$1,302,585
.New Kent County, Virginia	23,091	0.2705%	\$2,014,601
.Northampton County, Virginia	11,710	0.1372%	\$1,021,652
.Northumberland County, Virginia	12,095	0.1417%	\$1,055,242
.Nottoway County, Virginia	15,232	0.1785%	\$1,328,933
.Orange County, Virginia	37,051	0.4341%	\$3,232,557
.Page County, Virginia	23,902	0.2800%	\$2,085,357
.Patrick County, Virginia	17,608	0.2063%	\$1,536,230
.Pittsylvania County, Virginia	60,354	0.7071%	\$5,265,654
.Powhatan County, Virginia	29,652	0.3474%	\$2,587,023
.Prince Edward County, Virginia	22,802	0.2671%	\$1,989,387
.Prince George County, Virginia	38,353	0.4493%	\$3,346,151
.Prince William County, Virginia	470,335	5.5103%	\$41,034,915
.Pulaski County, Virginia	34,027	0.3987%	\$2,968,725
.Rappahannock County, Virginia	7,370	0.0863%	\$643,004
.Richmond County, Virginia	9,023	0.1057%	\$787,222

Appendix A – Local Allocations

.Roanoke County, Virginia	94,186	1.1035%	\$8,217,365
.Rockbridge County, Virginia	22,573	0.2645%	\$1,969,407
.Rockingham County, Virginia	81,948	0.9601%	\$7,149,647
.Russell County, Virginia	26,586	0.3115%	\$2,319,526
.Scott County, Virginia	21,566	0.2527%	\$1,881,550
.Shenandoah County, Virginia	43,616	0.5110%	\$3,805,328
.Smyth County, Virginia	30,104	0.3527%	\$2,626,458
.Southampton County, Virginia	17,631	0.2066%	\$1,538,237
.Spotsylvania County, Virginia	136,215	1.5959%	\$11,884,234
.Stafford County, Virginia	152,882	1.7911%	\$13,338,365
.Surry County, Virginia	6,422	0.0752%	\$560,295
.Sussex County, Virginia	11,159	0.1307%	\$973,580
.Tazewell County, Virginia	40,595	0.4756%	\$3,541,757
.Warren County, Virginia	40,164	0.4706%	\$3,504,154
.Washington County, Virginia	53,740	0.6296%	\$4,688,608
.Westmoreland County, Virginia	18,015	0.2111%	\$1,571,739
.Wise County, Virginia	37,383	0.4380%	\$3,261,523
.Wythe County, Virginia	28,684	0.3361%	\$2,502,568
.York County, Virginia	68,280	0.8000%	\$5,957,167
.Alexandria city, Virginia	159,428	1.8678%	\$13,909,478
.Bristol city, Virginia	16,762	0.1964%	\$1,462,420
.Buena Vista city, Virginia	6,478	0.0759%	\$565,181
.Charlottesville city, Virginia	47,266	0.5538%	\$4,123,776
.Chesapeake city, Virginia	244,835	2.8684%	\$21,360,910
.Colonial Heights city, Virginia	17,370	0.2035%	\$1,515,466
.Covington city, Virginia	5,538	0.0649%	\$483,169
.Danville city, Virginia	40,044	0.4691%	\$3,493,685
.Emporia city, Virginia	5,346	0.0626%	\$466,418
.Fairfax city, Virginia	24,019	0.2814%	\$2,095,565
.Falls Church city, Virginia	14,617	0.1712%	\$1,275,277
.Franklin city, Virginia	7,967	0.0933%	\$695,090
.Fredericksburg city, Virginia	29,036	0.3402%	\$2,533,279
.Galax city, Virginia	6,347	0.0744%	\$553,751
.Hampton city, Virginia	134,510	1.5759%	\$11,735,479
.Harrisonburg city, Virginia	53,016	0.6211%	\$4,625,442
.Hopewell city, Virginia	22,529	0.2639%	\$1,965,568
.Lexington city, Virginia	7,446	0.0872%	\$649,635
.Lynchburg city, Virginia	82,168	0.9627%	\$7,168,841
.Manassas city, Virginia	41,085	0.4813%	\$3,584,508
.Manassas Park city, Virginia	17,478	0.2048%	\$1,524,888
.Martinsville city, Virginia	12,554	0.1471%	\$1,095,288

Appendix A – Local Allocations

.Newport News city, Virginia	179,225	2.0998%	\$15,636,690
.Norfolk city, Virginia	242,742	2.8439%	\$21,178,304
.Norton city, Virginia	3,981	0.0466%	\$347,327
.Petersburg city, Virginia	31,346	0.3672%	\$2,734,818
.Poquoson city, Virginia	12,271	0.1438%	\$1,070,597
.Portsmouth city, Virginia	94,398	1.1059%	\$8,235,862
.Radford city, Virginia	18,249	0.2138%	\$1,592,155
.Richmond city, Virginia	230,436	2.6997%	\$20,104,653
.Roanoke city, Virginia	99,143	1.1615%	\$8,649,844
.Salem city, Virginia	25,301	0.2964%	\$2,207,415
.Staunton city, Virginia	24,932	0.2921%	\$2,175,221
.Suffolk city, Virginia	92,108	1.0791%	\$8,036,068
.Virginia Beach city, Virginia	449,974	5.2718%	\$39,258,497
.Waynesboro city, Virginia	22,630	0.2651%	\$1,974,380
.Williamsburg city, Virginia	14,954	0.1752%	\$1,304,679
.Winchester city, Virginia	28,078	0.3290%	\$2,449,697
Total Funds Distributed (excludes Fairfax County)			\$644,573,383
Source: U.S. Census Bureau, Population Division			
Release Date: March 2020			

¹ **Note:** Percentages are displayed as rounded numbers, however, the distributions are calculated using the full values.

² **Note:** The total allocation base includes Fairfax County in order to correctly calculate the allocation for the remaining localities.

Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

Guidance for State, Territorial, Local, and Tribal Governments Updated June 30, 2020¹

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.²

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

¹ This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

² See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
 6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures³

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.⁴
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

³ In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

⁴ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

The content below was provided by the U.S. Department of the Treasury.

Coronavirus Relief Fund Frequently Asked Questions Updated as of July 8, 2020

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).¹ Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

Eligible Expenditures

Are governments required to submit proposed expenditures to Treasury for approval?

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

¹ The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

May a State receiving a payment transfer funds to a local government?

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

May a unit of local government receiving a Fund payment transfer funds to another unit of government?

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

Are States permitted to use Fund payments to support state unemployment insurance funds generally?

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers’ compensation coverage. Is the cost of this expanded workers compensation coverage eligible?

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

May Fund payments be used for COVID-19 public health emergency recovery planning?

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

Are expenses associated with contract tracing eligible?

Yes, expenses associated with contract tracing are eligible.

To what extent may a government use Fund payments to support the operations of private hospitals?

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

May recipients create a “payroll support program” for public employees?

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

May Fund payments be used to assist impacted property owners with the payment of their property taxes?

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

May a State impose restrictions on transfers of funds to local governments?

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

May recipients use Fund payments to provide loans?

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

May funds be used to satisfy non-federal matching requirements under the Stafford Act?

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

Questions Related to Administration of Fund Payments

Do governments have to return unspent funds to Treasury?

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

What records must be kept by governments receiving payment?

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

May recipients deposit Fund payments into interest bearing accounts?

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

May governments retain assets purchased with payments from the Fund?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

Are Fund payments to State, territorial, local, and tribal governments considered grants?

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Are Fund payments subject to other requirements of the Uniform Guidance?

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?

Yes. The CFDA number assigned to the Fund is 21.019.

If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

Appendix D: Certification for Use of Coronavirus Relief Fund

Note: Provided for reference only - download a fillable .pdf copy of this form from the Secretary of Finance's Website under "Recent News" at: <http://finance.virginia.gov/>

**CERTIFICATION for RECEIPT of
CORONAVIRUS RELIEF FUND PAYMENTS
by
INSERT NAME OF LOCAL GOVERNMENT**

We the undersigned represent insert name of local government (the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality 's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
 - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
 - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to

invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.

8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

For counties only

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

**Coronavirus Relief Fund
Frequently Asked Questions
Updated as of August 10, 2020¹**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).² Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

A. Eligible Expenditures

1. *Are governments required to submit proposed expenditures to Treasury for approval?*

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

2. *The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?*

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

3. *The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?*

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

¹ On August 10, 2020, these Frequently Asked Questions were revised to add Questions 49–52. The previous revision was made on July 8.

² The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

4. *May a State receiving a payment transfer funds to a local government?*

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

5. *May a unit of local government receiving a Fund payment transfer funds to another unit of government?*

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

6. *Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?*

No. For example, a county recipient is not required to transfer funds to smaller cities within the county’s borders.

7. *Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?*

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

8. *Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?*

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

9. *Are States permitted to use Fund payments to support state unemployment insurance funds generally?*

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

10. *Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?*

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

11. *The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?*

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

12. *In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?*

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

13. *If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?*

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

14. *May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?*

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

15. *May Fund payments be used for COVID-19 public health emergency recovery planning?*

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

16. *Are expenses associated with contact tracing eligible?*

Yes, expenses associated with contact tracing are eligible.

17. *To what extent may a government use Fund payments to support the operations of private hospitals?*

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

18. *May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?*

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

19. *May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?*

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

20. *Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?*

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

21. *May recipients create a “payroll support program” for public employees?*

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

22. *May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?*

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

23. *May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?*

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

24. *The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?*

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

25. *The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?*

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

26. *May Fund payments be used to assist impacted property owners with the payment of their property taxes?*

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

27. *May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?*

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

28. *Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?*

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

29. *The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?*

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

30. *The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?*

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

31. *May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?*

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

32. *Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?*

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

33. *Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?*

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

34. *May a State impose restrictions on transfers of funds to local governments?*

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

35. *If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?*

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

36. *May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?*

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

37. *Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?*

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

38. *May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?*

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

39. *May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?*

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

40. *May recipients use Fund payments to provide loans?*

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

41. *May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?*

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

42. *May funds be used to satisfy non-federal matching requirements under the Stafford Act?*

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

43. *Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?*

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

44. *May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?*

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

45. *May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?*

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

46. *May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?*

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

47. *The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?*

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

48. *May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?*

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

49. *Are States permitted to use Coronavirus Relief Fund payments to satisfy non-federal matching requirements under the Stafford Act, including “lost wages assistance” authorized by the Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (August 8, 2020)?*

Yes. As previous guidance has stated, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund’s eligibility criteria and the Stafford Act. States are fully permitted to use payments from the Fund to satisfy 100% of their cost share for lost wages assistance recently made available under the Stafford Act.

50. *At what point would costs be considered to be incurred in the case of a grant made by a State, local, or tribal government to cover interest and principal amounts of a loan, such as might be provided as part of a small business assistance program in which the loan is made by a private institution?*

A grant made to cover interest and principal costs of a loan, including interest and principal due after the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”), will be considered to be incurred during the covered period if (i) the full amount of the loan is advanced to the borrower within the covered period and (ii) the proceeds of the loan are used by the borrower to cover expenses incurred during the covered period. In addition, if these conditions are met, the amount of the grant will be considered to have been used during the covered period for purposes of the requirement that expenses be incurred within the covered period. Such a grant would be analogous to a loan provided by the Fund recipient itself that incorporates similar loan forgiveness provisions. As with any other assistance provided by a Fund recipient, such a grant would need to be determined by the recipient to be necessary due to the public health emergency.

51. *If governments use Fund payments as described in the Guidance to establish a grant program to support businesses, would those funds be considered gross income taxable to a business receiving the grant under the Internal Revenue Code (Code)?*

Please see the answer provided by the Internal Revenue Service (IRS) available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

52. *If governments use Fund payments as described in the Guidance to establish a loan program to support businesses, would those funds be considered gross income taxable to a business receiving the loan under the Code?*

Please see the answer provided by the IRS available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

B. Questions Related to Administration of Fund Payments

1. *Do governments have to return unspent funds to Treasury?*

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

2. *What records must be kept by governments receiving payment?*

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

3. *May recipients deposit Fund payments into interest bearing accounts?*

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

4. *May governments retain assets purchased with payments from the Fund?*

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

5. *What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?*

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

6. *Are Fund payments to State, territorial, local, and tribal governments considered grants?*

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

7. *Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?*

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

8. *Are Fund payments subject to other requirements of the Uniform Guidance?*

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

9. *Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?*

Yes. The CFDA number assigned to the Fund is 21.019.

10. *If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?*

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

11. *Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?*

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

12. *If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?*

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

