

**FLUVANNA COUNTY BOARD OF SUPERVISORS****REGULAR MEETING AGENDA**

Fluvanna County Library, 214 Commons Blvd.

Palmyra, VA 22963

January 6, 2021

Regular Meeting at 4:00 pm

TAB	AGENDA ITEMS
1	CALL TO ORDER
2	PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
	2021 Organizational Meeting of the Fluvanna County Board of Supervisors
	Election of Chair
	Election of Vice Chair
	Adoption of a Resolution Entitled "Organizational Meeting of the Fluvanna County Board of Supervisors 2021"
	Adoption of 2021 Regular Meeting Calendar
	Adoption of Board Bylaws and Rules of Practice and Procedures
	Regular Meeting
3	ADOPTION OF AGENDA
4	COUNTY ADMINISTRATOR'S REPORT
5	PUBLIC COMMENTS #1 (5 minutes each)
6	PUBLIC HEARING
7	ACTION MATTERS
A	Historic Courthouse Historical Marker – Memorandum of Agreement with VDOT – Eric Dahl, County Administrator
7A	APPOINTMENTS
B	Thomas Jefferson Planning District Commission – Caitlin Solis, Clerk to the Board
8	PRESENTATIONS (normally not to exceed 10 minutes each)
C	Fork Union Property Site Development – Bryan Rothamel, Economic Development Coordinator
D	Burn Building Update – Cyndi Toler, Purchasing Officer
E	Children's Services Act Semi-annual Update – Bryan Moeller, CSA Coordinator
F	Strategic Initiatives Update – Kelly Belanger Harris, Asst. County Administrator
G	FY21 Revenue Review – Mary Anna Twisdale, Director of Finance
9	CONSENT AGENDA
H	Minutes of December 16, 2020 – Caitlin Solis, Clerk to the Board
I	Minutes of Adjourned December 16, 2020 Meeting – Caitlin Solis, Clerk to the Board

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J CRMF - PW21-005 - FUSD Roof Replacement – Dale Critzer, Asst. Director of Public Works

10 – UNFINISHED BUSINESS

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

FY22 NON-PROFIT BUDGET PRESENTATIONS (normally not to exceed 5 minutes each)

L Central Virginia Small Business Development Center

M Fluvanna County Arts Council

N Fluvanna Chamber of Commerce

O Fluvanna Leadership Development Program

P Fluvanna/Louisa Housing Foundation

Q Foothills Child Advocacy Center

R Hospice of the Piedmont

S Jefferson Area Board of Aging

T Child Health Partnership

U Legal Aid Justice Center

V Monticello Area Community Action Agency

11 – NEW BUSINESS

TBD

12 – PUBLIC COMMENTS #2 (5 minutes each)

13 – CLOSED MEETING AND DINNER RECESS

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

MEETING DATE:	January 6, 2021					
AGENDA TITLE:	Election of Chair					
MOTION(s):	I move to elect _____ as Chair of the Fluvanna County Board of Supervisors for calendar year 2021.					
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 of Supervisors					
PRESENTER(S):	Eric Dahl, County Administrator					
RECOMMENDATION:	N/A					
TIMING:	Routine					
DISCUSSION:	<p>As has been your practice in the past, the County Administrator opens the meeting and calls for the nominations for Chair, followed by voting of the members.</p> <ol style="list-style-type: none"> 1. The County Administrator shall call for nominations from the membership. 2. Any member, after being recognized by the County Administrator, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominee(s). 3. When all nominations have been made, the County Administrator shall close the nominating process and call for the vote. 4. Each member may cast one vote for any one nominee. 5. A majority of those voting shall be required to elect the officer. <p>Upon the election of the Chair, the elected chair will then call for the nomination and election of the Vice Chair. The Annual Organizational meeting of the Board will be conducted first and then move to the Regular meeting and conduct of business.</p>					
FISCAL IMPACT:	N/A					
POLICY IMPACT:	N/A					
LEGISLATIVE HISTORY:	Code of Virginia § 15.2-1422. Electing a chairman and vice-chairman; mayor and vice-mayor					
ENCLOSURES:	Code of Virginia: Information regarding Annual Organizational meeting of the Board of Supervisors.					
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other	
	X					

§ 15.2-1422. Electing a chairman and vice-chairman; mayor and vice-mayor

Unless the chairman or mayor is elected by popular vote, every governing body, at its first meeting after taking office, shall elect one of its number as presiding officer. Such officer shall be called "chairman" if a member of a board of supervisors and "mayor" if a member of a city or town council. Such member, if present, shall preside at the first meeting and all other meetings during the term for which so elected. The governing body also shall elect a vice-chairman or vice-mayor, as the case may be, who shall preside at meetings in the absence of the chairman or mayor and may discharge any duty of the chairman or mayor during his absence or disability. Chairmen and vice-chairmen, mayors and vice-mayors, may be so elected to serve for terms corresponding with their terms as supervisors or councilmen or may be elected for such other period as determined by the governing body. Whenever any board or council at the time of such election, fails to designate the specific term of office for which a chairman or vice-chairman, a mayor or vice-mayor, is elected, it shall be presumed that such officers were elected for a term of one year and shall serve until their successors have been elected and qualify. Chairmen and vice-chairmen, mayors and vice-mayors, may succeed themselves in office. In the case of the absence from any meeting of the chairman and vice-chairman, mayor and vice-mayor, the members present shall choose one of their number as temporary presiding officer.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Election of Vice Chair				
MOTION(s):	I move to elect _____ as Vice Chair of the Fluvanna County Board of Supervisors for calendar year 2021.				
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 of Supervisors				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	<p>As has been your practice in the past, the County Administrator opens the meeting and calls for the nominations for Chair, followed by voting of the members.</p> <p>Upon the election of the Chair, the elected chair will then call for the nomination and election of the Vice Chair.</p> <p>The Annual or Organizational meeting of the Board will be conducted first and then move to the Regular meeting and conduct of business.</p>				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	Code of Virginia § 15.2-1422. Electing a chairman and vice-chairman; mayor and vice-mayor				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

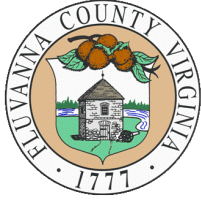
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Unless the chairman or mayor is elected by popular vote, every governing body, at its first meeting after taking office, shall elect one of its number as presiding officer. Such officer shall be called "chairman" if a member of a board of supervisors and "mayor" if a member of a city or town council. Such member, if present, shall preside at the first meeting and all other meetings during the term for which so elected. The governing body also shall elect a vice-chairman or vice-mayor, as the case may be, who shall preside at meetings in the absence of the chairman or mayor and may discharge any duty of the chairman or mayor during his absence or disability. Chairmen and vice-chairmen, mayors and vice-mayors, may be so elected to serve for terms corresponding with their terms as supervisors or councilmen or may be elected for such other period as determined by the governing body. Whenever any board or council at the time of such election, fails to designate the specific term of office for which a chairman or vice-chairman, a mayor or vice-mayor, is elected, it shall be presumed that such officers were elected for a term of one year and shall serve until their successors have been elected and qualify. Chairmen and vice-chairmen, mayors and vice-mayors, may succeed themselves in office. In the case of the absence from any meeting of the chairman and vice-chairman, mayor and vice-mayor, the members present shall choose one of their number as temporary presiding officer.

FLUVANNA COUNTY BOARD OF SUPERVISORS

AGENDA ITEM STAFF REPORT

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Resolution/Organizational Meeting of the Fluvanna County Board of Supervisors				
MOTION(s):	<p>I move to adopt the resolution entitled “Organizational Meeting of the Fluvanna County Board of Supervisors 2021” which designates the location, day, and time of meetings.</p> <p>Meeting Place:</p> <ul style="list-style-type: none"> Circuit Courtroom of the Fluvanna County Courts Building <p>Meeting Times:</p> <ul style="list-style-type: none"> Day Meetings begin at 4:00 p.m. and end at 8:00 p.m., unless extended Night Meetings begin at 7:00 p.m. and end at 11:00 p.m., unless extended When scheduled, Work Sessions begin at 4:00 p.m. prior to the regular evening meeting 				
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 of Supervisors				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approval				
TIMING:	Routine				
DISCUSSION:	During the month of July, only one meeting will be held on the first Wednesday starting at 4:00 p.m., breaking for dinner, then reconvening at 7:00 p.m. for public hearings.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Resolution				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 01-2021

A RESOLUTION RECOGNIZING THE 2021 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

At the annual Organizational Meeting of the Fluvanna County Board of Supervisors held in the Fluvanna County Courts Building at 4:00 PM on Wednesday, January 6, 2021, the following resolution was adopted by the Board of Supervisors, the vote being as shown below and recorded in the minutes of the meeting.

WHEREAS, the Code of Virginia requires an annual organizational meeting for the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates and,

WHEREAS, the Board of Supervisors does now conduct such an organizational meeting;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors that it does hereby designate the Meeting Room in the Circuit Courtroom in the Fluvanna Courts Building as its meeting place for Regular Meetings to be held on the first Wednesday of each month at 4:00 p.m. and the third Wednesday of each month at 7:00 p.m., except for the month of July when the only meeting shall be on the first Wednesday starting at 4:00 p.m., breaking for dinner, then reconvening at 7:00 p.m. for additional business or public hearings. When scheduled, Work Sessions will be held the third Wednesday of each month at 4:00 p.m. prior to the regular meeting.

BE IT FURTHER RESOLVED by the Board of Supervisors that it does hereby designate the fourth Wednesday at 7:00 p.m. as the meeting date for any such regular meeting that is postponed due to weather or such other circumstances.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 6th day of January, 2021;

	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						

A Copy, teste:

Caitlin Solis
Clerk to the Board of Supervisors
Fluvanna County, Virginia

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Board of Supervisors 2020 Regular Meeting Calendar				
MOTION(s):	I move to adopt the 2021 Board of Supervisors' Regular Meeting Calendar as presented.				
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 of Supervisors				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approval				
TIMING:	Routine				
DISCUSSION:	During the month of July, only one meeting will be held on the first Wednesday starting at 4:00 p.m., breaking for dinner, then reconvening at 7:00 p.m. for public hearings.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Board of Supervisors 2021 Regular Meeting Calendar				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				



2021 Regular Meeting Calendar

Fluvanna County Board of Supervisors
All Meetings on Wednesday

Date	Regular Meetings	Work Sessions (When Scheduled)
Jan 6	4:00 pm	
Jan 20	7:00 pm	4:00 pm
Feb 3	4:00 pm	
Feb 17	7:00 pm	4:00 pm
Mar 3	4:00 pm	
Mar 17	7:00 pm	4:00 pm
Apr 7	4:00 pm	
Apr 21	7:00 pm	4:00 pm
May 5	4:00 pm	
May 19	7:00 pm	4:00 pm
Jun 2	4:00 pm	
Jun 16	7:00 pm	4:00 pm
Jul 7	4:00 pm & 7:00 pm	
Aug 4	4:00 pm	
Aug 18	7:00 pm	4:00 pm
Sep 1	4:00 pm	
Sep 15	7:00 pm	4:00 pm
Oct 6	4:00 pm	
Oct 20	7:00 pm	4:00 pm
Nov 3	4:00 pm	
Nov 17	7:00 pm	4:00 pm
Dec 1	4:00 pm	
Dec 15	7:00 pm	4:00 pm

Adopted this 6th day of January 2021 by the Fluvanna County Board of Supervisors

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Board of Supervisors' Bylaws and Rules of Practice and Procedures				
MOTION(s):	I move to readopt the current Board of Supervisors' Bylaws and Rules of Practice and Procedures.				
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 of Supervisors				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approval				
TIMING:	Routine				
DISCUSSION:	The current Board of Supervisors' Bylaws and Rules of Practice and Procedures are presented for consideration, with revisions relating to travel reimbursement.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Board of Supervisors' Bylaws and Rules of Practice and Procedures				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

FLUVANNA COUNTY BOARD OF SUPERVISORS



2021 BYLAWS AND RULES OF PRACTICE & PROCEDURES

Adopted
Pending January 6, 2021

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Fluvanna County Board of Supervisors BYLAWS AND RULES OF PRACTICE AND PROCEDURES

I. CREATION. Fluvanna County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of five members with one elected from each of the five Election Districts.

II. SEAL OF THE BOARD. When affixed to any paper or document by the Clerk for the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPAL ADDRESS. 132 Main Street, Palmyra, Virginia, mailing address: P.O. Box 540, Palmyra, Virginia 22963.

IV. RULES

A. These Bylaws and Rules of Practice and Procedures ("Rules") are adopted and shall apply to the Board of Supervisors of Fluvanna County. These Rules are intended to expedite transaction of the business of the Board of Supervisors in an orderly fashion. The Bylaws and Rules are deemed to be procedural only. The failure strictly to observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with law.

B. All meetings and business shall be conducted in accordance with these Rules, Robert's Rules of Order Newly Revised (11th Edition), and the law of Virginia. In the event of conflict, the law of Virginia shall govern. A decision of the Chair with respect to the interpretation, applicability, or enforcement of these Rules may be overruled by a majority vote of the Members present and voting.

C. Except as otherwise provided by law, any rule of the Board may be suspended temporarily, upon approval of the majority of the Board members present and voting. The temporary suspension shall apply only to the matter under immediate consideration and, in no case, shall it extend beyond an adjournment.

D. No rule of the Board shall be adopted or amended except by majority vote of the Board.

V. CONSTRUCTION. As used in these Rules, the masculine shall include the feminine and the singular the plural unless otherwise specified herein. The word "shall" is mandatory and not discretionary; the word "may" is permissive and discretionary. The word "approve" shall be considered to be followed by the words "or disapprove".

VI. DEFINITIONS. As used in these Rules, the following terms are defined:

A. Action of Record. An action taken or decision made by the Board recorded in the Minutes of the Meetings. Except as otherwise required by law, an Action of Record may take the following forms:

1. Motions and seconds with the recorded votes of the members.
2. Consensus agreement of the Board without vote by the Board.
3. Directive of the Chair in the exercise of that office during the conduct of an official meeting of the Board.

B. Board. The Fluvanna County Board of Supervisors.

C. County Code. The Code of Fluvanna County.

D. Directive. An exercise of discretionary authority granted to the Chair from the Board empowering the Chair as follows:

1. To enforce the protocols of these Rules for the conduct of business and discourse before the Board to ensure proper decorum, civility, fairness and order.
2. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption or disturbance of a meeting of the Board of Supervisors consistent with adopted policies and procedures of the Board.
3. To charge any person or persons with civil or criminal offenses pursuant to federal, state or local laws for the misconduct, disruption or disturbance of a meeting of the Board.

E. Item of Business. A matter to be presented before the Board at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

F. Meeting or Official Meeting. Any Annual Organizational, Regular, or Special Meeting of the Board of Supervisors. The following terms may also be used to further define and specify purposes for meetings. Meetings as defined herein are not exclusive of each other and may be concurrently conducted.

1. Annual Organizational Meeting: Pursuant to § 15.2-1416 of the Virginia Code, the Board's first meeting in the month of January. The County Administrator shall preside during the election of the Chair of the Board.

2. **Joint Meeting:** A Joint Meeting may be conducted simultaneously with one or more public bodies for the purpose of review, inquiry and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of record may be taken at said meeting, and a quorum of both the Board and other body(ies) is required to Call to Order and conduct a Joint Special Meeting.

3. **Public Information Meeting:** A Public Information Meeting shall be limited to the dissemination of information to and/or from the public where the Board of Supervisors will take no Action of Record at said meeting. A quorum of the Board of Supervisors is not required to Call to Order and conduct a Public Information Meeting. Public Information Meetings may be called in the name of the Board of Supervisors or administratively by the County Administrator.

4. **Public Hearing:** A public hearing shall be conducted at said meeting and the Board of Supervisors may take Action of Record on such matters as may arise from the Public Hearing. A quorum of the Board of Supervisors is required to Call to Order and conduct a Public Hearing.

5. **Recessed Meeting:** A meeting conducted at a date, place and time set by the Board of Supervisors as a continuation of a previously held meeting. A Recessed Meeting shall be scheduled no later than the date of the next Regular Meeting.

6. **Rescheduled Meeting:** A Rescheduled Meeting shall be for the purpose of conducting a meeting of the Board of Supervisors where, by virtue of necessity or at the discretion of the Board of Supervisors, the originally scheduled meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these Rules. Action of Record may be taken on any Item of Business presented at a Rescheduled Meeting, and a quorum of the Board of Supervisors is required to Call to Order and conduct a Rescheduled Meeting.

7. **Work Session Meeting:** A Work Session Meeting shall be for the purpose of in-depth review, inquiry and discussion of specified Items of Business where Action of Record may be taken by the Board of Supervisors. A quorum of the Board of Supervisors is required to Call to Order and conduct said meeting. Work Session Meetings may also be called and scheduled for the purposes of presentations to the Board of Supervisors for educational and informational purposes.

G. **Primary Motion.** The first motion presented following informal discussion of any Item of Business at a Board meeting.

H. **Substitute Motion.** A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Board meeting.

I. **Virginia Code.** The 1950 Code of Virginia, as amended.

VII. BOARD CHAIR

A. At the first meeting of the year, the Board selects one of its members to serve as Chair. The Chair is a voting member and serves for one year, or until his successor shall be elected and qualify as such.

B. The Chair, when present, shall preside at all meetings of the Board and shall take the Chair at the hour appointed for every Board meeting and shall immediately call the members to order and, except in the absence of a quorum, shall proceed with the business of the Board in the manner prescribed by these Rules. The Chair shall preserve order and decorum and shall decide all questions of order.

C. Upon the death, resignation or other permanent disability of the Chair to fulfill the duties of his office, the Board shall elect a new Chair at its next regularly scheduled meeting or as soon thereafter as possible.

VIII. BOARD VICE CHAIR

A. At the first meeting of the year, the Board selects one of its members to serve as Vice Chair. The Vice Chair is a voting member and serves for one year, or until his successor shall be elected and qualify as such.

B. In the absence, or inability to act, of the Chair, the Vice Chair shall have and exercise all the powers and duties of the Chair.

IX. BOARD MEMBERS

A. Notification of Absence. If any Board member is unable to attend a meeting, all reasonable effort shall be made to notify the Chair and the County Administrator as soon as possible to ensure there are sufficient members present and voting to consider all agenda items. The County Administrator shall continue an agenda item if there will not be a sufficient number of Board members present and voting at the meeting to approve the item.

B. Conflicts of Interest. At such times a Board member may find himself with a conflict of interest, the Board member shall state the nature of the conflict of interest prior to an issue being heard and shall remove himself from the meeting. The member shall not vote or in any manner act on behalf of the board with respect to the issue for which a conflict has been declared, until such time as the issue has been decided. The member shall not attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the issue is discussed; and will not discuss the issue with other governmental officers or employees in their official capacity at any time.

X. COUNTY ADMINISTRATOR. The County Administrator shall assume the general duties as set forth in the Code of Virginia, Section 15.2-1541. He shall maintain an office at the same address as the Board. The County Administrator, or a designated representative, shall attend each

meeting of the Board and shall provide such information to the Board as necessary to assist Board members in their deliberations and decision making.

XI. CLERK FOR THE BOARD. The Executive Assistant to the County Administrator is appointed and shall serve as Clerk for the Board per Section 15.2-1538.

XII. COUNTY ATTORNEY. The County Attorney shall perform the duties set forth in Code Section 15.2-1542. The County Attorney or his deputy or assistant county attorney designated by him shall attend each meeting of the Board and shall serve as adviser to the Board on issues of law relating to the Board's business. The County Attorney assists the Board in analyzing the facts, provides advice and action in legal matters, and represents the Board in civil actions.

XIII. PARLIAMENTARY PROCEDURE. The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Bylaws and Rules of Procedure and Robert's Rules of Order as may be directed by the Chair, or as required as a result of a point of order raised by any one or more Board members. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.

XIV. QUORUM FOR THE EXERCISE OF BOARD BUSINESS. A majority of the Board shall constitute a quorum for the purpose of conducting Board business.

XV. MEETINGS

A. Regular Meeting Schedule

1. Meetings are held on the first Wednesday of each month at 4:00 p.m. and on the third Wednesday of each month at 7:00 p.m. in the Fluvanna County Circuit Courtroom.

2. Meetings held on the first Wednesday will adjourn/recess no later than 8:00 p.m., and meetings held on the third Wednesday will adjourn/recess no later than 11:00 p.m.

3. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time, by majority vote of the board members present and voting.

4. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside.

5. If neither the Chair nor the Vice Chair is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chair.

B. Work Sessions Schedule. When needed, Work Sessions are held on the third Wednesday of each month at 4:00 pm, prior to the 7:00 pm Regular Meeting, in the Fluvanna County Circuit Courtroom, unless another location is announced. Other days/times may be scheduled by majority consent of the Board.

C. Closed Meetings

1. Closed Meetings will be held as needed, but may only be convened in conformance with Section 2.2-3711 of the Code of Virginia (1950), as amended.

2. No resolution, ordinance, rule, contract, regulation, or motion agreed to in a Closed Meeting shall become effective until the Board reconvenes in an Open Session and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion which shall have its substance reasonably identified in the open meeting.

3. At the conclusion of a Closed Meeting, the Board shall reconvene in Open Session immediately thereafter and shall take a roll call vote certifying that to the best of each member's knowledge:

a. Only public business matters lawfully exempted from Open Session requirements were discussed; and

b. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

Any member who believes that there was a departure from the above requirements shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place.

4. The failure of the certification to receive the affirmative vote of a majority of the members present and voting during the Closed Meeting shall not affect the validity or confidentiality of the Closed Meeting with respect to matters considered therein in compliance with the Freedom of Information Act.

5. The Board may permit non-members to attend a Closed Meeting if their presence will reasonably aid the Board in its consideration of an issue. Except as otherwise directed by the Board, the County Attorney and the County Administrator shall attend all Closed Meetings.

D. Special Meetings. The Board may hold Special Meetings as it deems necessary, at such times and places as it finds convenient, and may adjourn such special meetings from time to time as it finds convenient and necessary. Special Meetings shall be called and scheduled per §15.2-1418.

XVI. AGENDA ITEM SUBMISSION

A. All agenda items are due to the Clerk for the Board by COB Tuesday the week before the Board meeting, with the exception of presentations which are due by COB Tuesday the week of the meeting.

B. All agenda items require a *BOS Agenda Item Staff Report*. Staff Report and motion samples are available in the “Library/00-BOS Submissions” folder under “Procedures and Formats.”

C. Copy all files into the “Library/00-BOS Submissions” folder (if you do not have access to the county’s shared drive, email the materials to clerk@fluvannacounty.org).

D. Items can be in any file format (e.g., doc, docx, pdf, ppt, pptx, xls,xlsx)

E. NO paper copies of requested Agenda Items are required.

F. Name the submission files as follows:

For Agenda Category:	Name Your File:
06 Public Hearing	06-Short title of item similar to agenda
07 Action Matters	07-
07A Appointments	07A-
08 Presentations	08-
09 Consent Agenda	09-
10 Unfinished Business	10-
11 New Business	11-

XVII. AGENDA PREPARATION

A. The Clerk, under the direction of the County Administrator, shall prepare the agenda for meetings.

B. The County Administrator may at his discretion, and individual Board members may by request to the County Administrator, place matters of business on the Agenda according to the schedule in paragraph XVI.A above for discussion, information and/or action by the Board as are germane to the affairs and interests of the Board and county. However, this does not prevent the County Administrator or Board members, at their discretion, from having items included which are received after the regular cutoff date.

C. Any Constitutional Officer, department head, agency head, or citizen may also submit items for Agenda consideration provided such requests are received in advance according to the schedule in paragraph XVI.A above.

D. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.

E. If the County Administrator considers a requested agenda item not appropriate for consideration by the Board, he shall inform the Chair for a decision. This does not prevent retaining the item on the agenda by majority consent of the Board.

F. The Chairman and County Administrator shall style routine, non-controversial matters requiring Board action on a Consent Agenda. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of any Board member present. Only one motion is necessary to adopt all recommendations and action items on the Consent Agenda.

G. The Clerk for the Board shall submit the draft agenda to the Chair on the Wednesday in the week before a regularly scheduled meeting for the Chair's review and approval. Agendas for special or other meetings may have the preparation and approval timeline modified to accommodate the available timeframe.

H. Issues for which actions will be required shall normally have all materials in the agenda package for advance study.

I. The Board agenda and related materials shall be received by each member of the Board and the County Attorney not later than the Friday before the scheduled regular meeting. The Clerk for the Board may request an adjustment to the delivery schedule due to special circumstances.

J. The Clerk shall prepare extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator, the Public Library, and on the County website. The Clerk shall also have at least one hard copy available at each regular meeting.

XVIII. ORDER OF BUSINESS. The Order of Business shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

1 – Call to Order
2 – Pledge of Allegiance and Moment of Silence
3 – Adoption of Meeting Agenda
4 – County Administrator's Report
5 – Public Comments #1
6 – Public Hearing
7 – Action Matters
7A – Appointments
8 – Presentations
9 – Consent Agenda
10 – Unfinished Business
11 – New Business
12 – Public Comments #2
13 – Closed Meeting (as needed)
14 – Adjourn

XIX. CONDUCT OF BUSINESS

A. Basic Principles: The following principles should be observed at all times in the transaction of public business before the Board.

1. Only one subject may claim the attention of the Board at one time.
2. Each item presented for consideration is entitled to full and free discussion.
3. Every member has rights equal to every other member except as to procedural matters within the competence of the Chair.
4. The will of the majority must be carried out, and the rights of the minority must be preserved.
5. The personality and desires of each member should be merged into the larger unit of the Fluvanna County Board of Supervisors.

B. The Board shall adopt an agenda for each meeting by recorded vote of a majority of the Board members present and voting. The adoption of the agenda shall be the first item for action following the Call to Order, Pledge of Allegiance, and Moment of Silence.

C. Items shall be heard in order of the agenda, except as the Board decides when adopting the agenda and that the Board may vote to call up any matter at any time.

D. Except as provided in subsection F. of this Section XX, the Board shall take no Action of Record on any matter that is not on the Meeting Agenda unless a modification to the Meeting Agenda is requested at the time of Approval of the Agenda. Modification of the Meeting Agenda requires a majority vote of Board members present and voting.

E. The Board shall consider all items on the agenda before taking any other items, unless an unlisted item is brought by majority consent of the Board members present and voting.

F. Items not on the agenda shall be heard as the final items of the Board's business, time permitting, or shall be carried over to the next regular meeting or a special meeting as determined by majority consent of the Board.

G. Exhibits before the Board shall become the property of the Board and shall be filed with the Clerk and shall be deemed a part of the record of the meeting at which submitted.

H. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chair" or "Madam Chair" (as appropriate), stating their name,

their address, and awaiting acknowledgment by the Chair. The Chair may permit a dialogue without individual recognition between members of the Board or between a member and a citizen if such dialogue is orderly and contributes to the expeditious conduct of business.

I. Should it be desired by the Chair, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator's Office. The Clerk shall take down verbal resolutions as accurately as possible to reflect the intent of the Board.

J. Prior to initiating a public hearing, the Chair shall recount, either verbatim or by reference, the rules under which the hearing shall be operated, but the Board may amend the rules during the hearing by giving notice of the change to those gathered (e.g., a change to the time limitation for individual speakers).

K. At the beginning of the public hearing, the Chair shall call upon the County Administrator or the other staff member handling the matter at hand to present a description of the issue placed before the hearing, or the Chair may do so himself.

L. Subject to revocation or extension by the majority of the Board assembled, the Chair may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter. Regardless, every Board member is entitled to speak on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.

M. All members or citizens shall limit their comments before and to the Board. The Chair may prohibit questions from citizens until a speaker has finished his presentation.

N. The Board of Supervisors has set forth the following rules for time limits for various agenda items or comments from the public, unless modified by majority consent of the Board:

1. Action Item presentations shall be limited to thirty (30) minutes.
2. Presentations shall be limited to ten (10) minutes.
3. Public Comments shall be limited to five (5) minutes per individual.

O. Once a notice for Public Hearing has been advertised (regardless of the nature), the Public Hearing will be conducted, unless the Board formally defers the matter to a future meeting. The postponement or cancellation of a public hearing shall be as follows:

1. Any public hearing scheduled for a Board of Supervisors meeting that has been publicly advertised shall not be postponed based on a request from a non-County government entity or person absent extreme mitigating circumstances. The Chair, with concurrence of the County

Administrator, will determine when such circumstances exist. If mitigating circumstances exist, the petitioner will bear any cost incurred by the County in providing public notification of the change and for the cost of advertising the new date of the hearing.

2. The Chair, with the concurrence of the County Administrator, shall have the authority to postpone a public hearing based on the weather or other extraordinary circumstances.

3. In all cases, County staff will ensure all Board members are provided timely notification of schedule changes. Further, staff will ensure the public and general news media are notified of changes to schedules which have been announced in public. The public hearing shall be rescheduled, if appropriate, and advertised as required by law.

XX. MOTIONS

A. Motions by Board members shall require a second.

Exceptions. The following do not require a second:

- To Raise a Question of Privilege
- Questions of Order
- Objection to the Consideration of a Question
- Call up Motion to Reconsider
- Nominations
- Leave to Withdraw a Motion
- Inquiries of any kind

B. Motions shall not be formally discussed prior to being duly seconded.

C. After a motion is properly made and seconded, the Chair shall restate the motion and open the floor to discussion.

D. The Chair shall routinely refrain from making or seconding motions in order to fairly and impartially preside over the Board deliberations and discussion. In any case, the Chair shall not make or second a motion without first temporarily surrendering the chair to the Vice Chair, if present and willing to temporarily accept the gavel, or to another member present and willing to temporarily accept the gavel. In such event, he should not resume the chair until the motion is decided.

E. A maker of a motion may not speak against his motion.

F. The Chair shall call for and cause the vote to be recorded after the motion is properly made before the Board, has been seconded, and has been duly discussed. Any member believing a motion has been duly discussed may move or call for the previous question. Such motion shall not be debatable. However, if any member objects, the Chair shall call for a vote on the motion.

calling for the previous question. If that motion carries, the Chair shall proceed to call for the vote on the motion before the Board. If the motion calling for the previous question is defeated, the debate on the main motion shall continue.

G. A substitute motion may be made by any member to any motion properly on the floor. Once seconded, the substitute motion shall take precedence and all debate or action on the existing motion shall cease until the substitute motion is decided. Debate on a substitute motion is permissible. If the substitute motion is passed by a majority vote of the members then present and voting, the original motion is supplanted by the substitute motion. A second substitute motion can be made only after the first substitute motion is decided by vote of the Board.

H. When a motion is made and then cannot obtain a second, the motion will die for lack of a second and does not require a vote. However, in the event that a motion which is not seconded is nevertheless voted on by the Board and passes by a majority of the members present and voting, the failure of a second shall not invalidate the adoption of such motion.

I. Defeated Motions

1. Same Meeting: A defeated motion can be brought back for consideration at the same meeting if the members present agree to do so by a majority vote. Only a member who voted on the prevailing side may make the motion to reconsider the issue. The rule restricting renewal of a motion in the same session does not apply to a motion that died for lack of a second.

2. Subsequent Meeting: Except as otherwise provided by law, a defeated motion that is still applicable can be re-introduced at a subsequent meeting as new business (under the normal process for new business).

XXI. VOTING

A. All Actions of Record must be approved by vote unless there is unanimous consent.

B. When the question is called and there is no dispute, the Chair shall call for the vote.

C. Whenever any member wishes to abstain from voting on any question, he shall so state and, if because of a conflict, shall indicate in accordance with the Virginia Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., and his abstention shall be announced by the Chair and recorded by the Clerk.

D. The Chair's vote on all issues before the Board shall be recorded with the prevailing side, unless the Chair clearly votes otherwise.

E. The Clerk shall record the name of each member voting and how he voted.

F. A tie vote fails. The Board does not designate a tiebreaker pursuant to § 15.2-1421 of the Virginia Code.

G. Except as otherwise provided by law, motions shall be carried by a majority of the members present and voting in the affirmative (§15.2-1420), except that a majority affirmative vote of all members shall be required for any appropriation exceeding \$500.00, the imposition of taxes, and the authorization for borrowing money (§15.2-1428).

XXII. RECORDING OF MEETINGS. The Clerk for the Board shall record each regular meeting. These recordings are the property of the Fluvanna County Board of Supervisors and are public records as provided by the Virginia Freedom of Information Act. Interested persons may listen to the recordings on the County website or in the County Administrator's office, or may obtain copies of the recording by making appropriate arrangements with the County Administrator's office. Costs will be borne by the person making the request. The original recordings shall not be borrowed or removed from the County Office Building, except under the specific prior authorization of the County Administrator.

XXIII. ORDERLY CONDUCT

A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian.

B. In maintaining decorum and propriety of conduct, the Chair shall not be challenged and no debate shall be allowed until after the Chair 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 to discuss the matter by majority vote of the Board members present and voting.

C. 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.

D. When a person engages in such breaches, the Chair may order the person's removal from the building, or may order the person to stand silent, may order the person removed from the County property, and may, at his discretion, bring formal charges for disruption of a public meeting.

XXIV. AD HOC COMMITTEES. Ad hoc committees will be appointed by the Chair as needed. Constitutional Officers may be appointed to committees.

XXV. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES (BCC)

A. The Board may appoint such advisory boards, committees and commissions as it may deem necessary pursuant to Code Section 15.2-1411.

B. Information on all nominees for such appointments, whether to represent the County as a whole or a particular election district, shall be included in the Board package for the meeting at which the appointment will be considered. It shall be the policy of the Board as a whole to scrutinize and agree upon all appointees to represent the County in any capacity.

C. Appointments shall generally not be made more than 45 days prior to the commencement of a term for which the appointment is made.

XXVI. OFFICIAL BOARD TRAVEL AND EXPENSE REIMBURSEMENT

A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.

B. A Board member shall obtain advance Board approval for official out-of-state travel.

C. Supervisors are not eligible for mileage reimbursement for regularly scheduled BOS meetings (held generally on the 1st and 3rd Wednesdays).

D. Supervisors are eligible for mileage reimbursement for travel to and from:

1. BOS special meetings and work sessions not scheduled in conjunction with a regular meeting. Examples include periodic strategic planning meetings, budget meetings or other work sessions on different days from regular meetings, meetings with staff, etc.

2. Town hall meetings, community events, Chamber events, local area functions, etc., in support of their role as a County Supervisor.

3. Board, commission, and committee meetings when assigned as a part of their service as a County Supervisor (excluding Planning Commission and Social Services Board).

E. Supervisors may also be eligible for mileage reimbursement as private citizens for travel to and from various board, commission, and committee (BCC) meetings when assigned by the Board of Supervisors to such BCC roles.

F. Supervisors may complete and submit reimbursement claims following the procedures outlined in Policy 2.19, Travel and Expense Reimbursement.

XXVII. APPROVAL OF CERTAIN CHECKS, AUTHORIZATION TO SIGN WITH STAMP

A. The Chair, Vice Chair, County Administrator, and Treasurer are hereby authorized to sign and issue checks without prior approval of the Board for the following purposes: end of the month salaries, end of the month contracted personal services, utility payments, and other payments

deemed appropriate and necessary by the Chair, County Administrator, and Treasurer; such actions to be reviewed and ratified at the next appropriate meeting of the Board.

B. The Chair of the Board of Supervisors, and in his absence, the Vice Chair, are authorized to substitute his facsimile signature provided he/she signs a certified list of individual checks for which his facsimile signature is authorized; also the signature plates are in the sole possession of the Treasurer.

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

TAB A

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Historic Courthouse Historical Marker – Memorandum of Agreement with VDOT				
MOTION(s):	I move the Board of Supervisors approve a Memorandum of Agreement with the Virginia Department of Transportation regarding placement of a Historic Courthouse Historical Marker, subject to County Attorney's 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):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Normal				
DISCUSSION:	A Historical Marker describing the Historic Courthouse used to stand on property on the east side of Route 15, near BB&T Bank. The marker was destroyed when a car ran into it; PARC (Palmyra Area Revitalization Committee) has petitioned VDOT to put up a new historical marker, placing it on Court Square (road), on County property. This location is a change from a previous proposed location on the west side of Rt. 15. The proposed location would be leveled, and a small gravel pad would surround the marker. Estimated expense for a gravel parking pad for the new historical marker is \$500.00				
FISCAL IMPACT:	\$500.00				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Draft Memorandum of Agreement; Diagram of proposed location				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			

APPENDIX A

MEMORANDUM OF AGREEMENT
OUTLINE

~

Virginia Department of Transportation to Install an Official
Historical Marker on property not belonging to the
Department

I, _____ (PRINTED NAME),
 _____ (PRINTED TITLE), the undersigned;
 representing _____

 _____,
 (OFFICIAL NAME of the ORGANIZATION, GROUP, GOVERNMENT ENTITY, etc.),

holder of the deed or title to the land so described herein, give permission, authorize, or otherwise convey privilege to the VIRGINIA DEPARTMENT OF TRANSPORTATION and its authorized contractors to enter upon that land for the expressed purpose of preparing to erect, erecting, and maintaining a HISTORICAL MARKER as sanctioned by the DEPARTMENT OF HISTORIC RESOURCES. This permission, authorization, or privilege is to be uninterrupted and binding until such time both parties or representatives thereof, agree that it should cease.

GENERAL DESCRIPTION OF THE PROPERTY, INCLUSIVE OF BOOK AND PLAT REFERENCES WHERE APPROPRIATE, GENERAL MAILING ADDRESS, AND DESCRIPTIVE LANGUAGE RELATIVE TO THE AREA UPON THE PROPERTY WHERE THE HISTORICAL MARKER WILL BE LOCATED:

 _____.

 Signature and Date

I, _____ (PRINTED NAME),
 _____ (PRINTED TITLE), the undersigned;
 representing the Virginia Department of Transportation, accept the above OFFER, fee gratis, understanding its terms and conditions. By my signature below I make this an official MEMORANDUM OF AGREEMENT between the parties listed, and I pledge that the Virginia Department of Transportation and its authorized contractors will protect the integrity of the overall property and will perform its duties with as little disruption to the land or the land owner as practical.

 Signature and Date

13560 US-15
Palmira, Virginia



Google



Street View

BOS 2021-01-06 p.45/240



Google



Palmyra United
Methodist Church

BOS 2011-01-06 p.47/240

James Madison Hwy

1001

1002

1005

Fluvanna County
Treasurer

ara Wright
oshorn PC

15

Premier Emb
& Design
Embroidery sho

601

Court Square

BB&T

Court Square

1001

1004

Fluvanna County
Historical

15

Google



IDSP Historical Marker Program



OPERATIONS MANUAL



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I. PROGRAM OVERVIEW

A. PROGRAM BACKGROUND

Created in 1926, the Commonwealth of Virginia's program for Historical Markers along the highways and byways of Virginia is the oldest program of its kind in America. At the start of Virginia's Historical Marker program, a handful of Historical Markers were installed between Richmond and Mount Vernon along what is now US Route 1. Today, this program has grown to include more than 2,500 Historical Markers and still continues to grow each year.

The leadership of the program has changed over the years from the Conservation and Development Commission, to the State Library, to the Department of Historic Resources (DHR) and its predecessor agency the Virginia Landmarks Commission. Currently, the Historical Marker program is managed by the DHR. This lead role is established by Title **10.1-2204** of the *Code of Virginia*.

Since 1949, the Virginia Department of Transportation (VDOT) has been an instrumental part of the Historical Marker program. The *Code of Virginia* charges VDOT with responsibility for the installation and maintenance of the Historical Markers within VDOT right-of-way. VDOT is not responsible for the installation, maintenance, and repair of historical markers placed by or located in a locality.

B. OVERVIEW OF THIS DOCUMENT

This document is intended to serve as the official document outlining the roles and responsibilities of the VDOT IDSP Contractor with the Historical Marker Program and the required coordination that will be necessary with VDOT Central Office Traffic Engineering Division, VDOT District and Regional Staff and the Department of Historic Resources (DHR) in order to manage the program.

II. PROGRAM ROLES AND RESPONSIBILITIES

A. SPONSOR

The Sponsor is the person, group, or agency desiring that a person, place, or event be recognized through the installation of a Historical Marker. The Sponsor initiates the process of erecting a Historical Marker by submitting a marker application to DHR for consideration.

B. DEPARTMENT OF HISTORIC RESOURCES

Per the Code of Virginia, DHR is tasked to *"Approve the proposed text and authorize the manufacture of highway historical markers."* As such, DHR serves as a point of contact between marker Sponsors, the DHR contracted foundry, VDOT and the IDSP Contractor. DHR administers the application and review process for new markers, including review and approval of the historical content with the DHR Board (for historic significance and accuracy), and orders new markers from the foundry. DHR hosts a public website for describing the program and for making inquiries on Historic Markers which draws from the Historical Marker Database.

(http://www.dhr.virginia.gov/hiway_markers/hwmarker_info.htm)

C. TRAFFIC ENGINEERING DIVISION, CENTRAL OFFICE

Central Office Traffic Engineering Division (TED) provides general program oversight and assists DHR and the VDOT IDSP Contractor in resolving issues involving historical markers on VDOT Right-of-Way. General involvement with IDSP Contractor Operations may include, but not be limited to:

1. Review of marker assessments
2. Issuing supplementary work orders for taking corrective action
3. Monitoring progress of operations
4. Review and approval of estimates submitted by the IDSP Contractor for completing various operational aspects of the Historical Marker Program
5. Acting as moderator should internal issues arise (i.e. specific to VDOT and its role in this overall program).

D. VDOT DISTRICT OFFICES

VDOT District Office and regional staff members provide program support for the marker program. District Traffic Engineers (DTEs) or their designee review and approve site plans submitted by the IDSP Contractor as well as reviewing site staking for new markers or for relocating existing markers when approved by DHR and VDOT. Site plan reviews will include a review of the location of any VDOT utilities or other VDOT assets in proximity to the proposed marker location. District Office and regional staff also will oversee unveiling ceremonies for Historical Markers and will provide any necessary traffic management for those occasions.

E. IDSP CONTRACTOR

The IDSP Contractor will be responsible for all other operational functions of the Historical Marker program with regard to coordination with VDOT, DHR and DHR's Contracted Foundry for receiving markers to be installed, installation, relocation, minor repair and general maintenance of historical markers located on State Right-of-Way as follows:

1. Retrieving and storing markers knocked down, damaged by vehicular accident or vandalism until a reinstallation or replacement is scheduled
2. Notifying DHR of markers damaged or destroyed due to accident. DHR will make a determination if a new marker is to be ordered to replace the damaged marker or if the marker is to be retired
3. Recycling or disposing of markers damaged beyond minor repair after clearing with DHR
4. Coordinating with DHR and private groups adopting markers being retired or replaced.
5. When available, obtaining accident reports from police and submitting, along with an estimate for repairs, to driver's insurance companies for reimbursement for markers damaged or destroyed by vehicular accidents
6. When work is required to replace, refurbish, relocate or install a new marker, the Contractor shall submit an estimate to VDOT for review and approval prior to beginning work (See Program Funding)

7. Once an estimate for work is approved, the Contractor may perform site visits to establish appropriate site locations, making recommendations for DHR and VDOT District / Region approval, performing site staking and submitting site plans prior to installation (as applicable – not required when utilizing existing post at existing location). Site Plan may be schematic or based upon GIS mapping (oriented with north at the top of page), labeled with proposed marker location, Route numbers / names and GPS coordinates displayed in an 8.5 x 11 format as well as a site photo with the staked location. Site plans should be submitted to VDOT through the approved IDSP on-line workflow system unless otherwise approved by the IDSP Manager / Program Administrator.
8. Site selection and installation of New or Relocated Historical Markers shall be in accordance with VDOT Standards and Specifications and the provisions of this manual, including installation of marker panels, posts, concrete, site preparation, site clearing and site stabilization (E&S) measures
9. Clearing all marker installations / relocations with MISS UTILITY and any VDOT utilities or other VDOT assets prior to installation
10. Once the estimate and site selection is approved by VDOT and all other concerns have been met:

New Markers: Notify the DHR Highway Marker Program Manager of the approved site. DHR will then submit a Purchase Order directly to the contracted foundry

Marker Refurbishments or Replacements: A DRAFT Purchase Order is submitted to the DHR Highway Marker Program Manager for review and approval for markers to be refurbished or replaced (damaged beyond repair). DHR reviews the historical content for accuracy to determine if revisions to the text are required. Once approved, the IDSP Contractor submits a Purchase Order to the DHR contracted Foundry for a replacement or refurbishment. Markers to be refurbished are subsequently retrieved from the field, packaged and arrangements for shipping are made with the Foundry.

Marker Relocation: Marker relocations may proceed once the estimate and site selection is approved by VDOT / DHR (Purchase Order not applicable).

11. Coordination with the DHR contracted foundry for making Purchase Orders (replacement or refurbished as approved by DHR), for shipping markers to be refurbished and for receiving replacement or refurbished markers shipped to the agreed upon location (per the IDSP Contract) to be installed
12. When marker unveiling ceremonies are requested, the IDSP Contractor shall install the marker with a durable cover and notify DHR and designated VDOT staff that the marker is in place. VDOT staff will then coordinate the unveiling ceremony with DHR and the Sponsoring entity and VDOT will provide any necessary traffic management for the event
13. Ordering and installing new black powder coated posts for all new marker installations, relocations or replacement of posts that have been damaged or destroyed
14. Obtaining and delivering all other materials, equipment and incidentals to the site as necessary to erect the marker.

15. Providing all necessary traffic control in accordance with the VDOT Work Area Protection Manual in order to safely erect a marker
16. Making routine on-site marker and post repairs and maintenance when such repairs or maintenance are identified in the marker assessment, while performing other work in the area or otherwise as identified by VDOT or DHR. Such repairs made on site may include, but not limited to, touch up painting of posts or marker panels, resetting markers that are leaning, tightening set screws on bell housing, site clearing, repairing or replacing eroded or cracked foundations, washing of markers to remove dirt, debris, mold, moss, mildew, etc. (See "Care of Marker Panels").
17. Whenever maintenance is performed on a marker, if the post is not being replaced and is chipped or rusted, the post shall be prepped, primed and painted black with rust preventative paint suitable for coating galvanized pipe.
18. Updating the On-Line database for all new marker installations, refurbishments, maintenance, repairs and/or site improvements associated with the historical marker program and providing VDOT and DHR a monthly summary of markers that have received maintenance, repairs, refurbishment or replacement.
19. Updates to the database shall include a description of activities, before and after marker photos as applicable, and updated GPS Coordinates if the marker location has changed or was found to be inaccurate.
20. Markers that are located on private property or within the corporate limits of Cities and Towns, Henrico or Arlington County and do not fall on VDOT maintained Right-of-Way are not the responsibility of the IDSP contractor except where directed by the IDSP Manager, Contract Administrator
21. Coordination with designated VDOT Central Office IDSP staff, VDOT District staff and DHR staff as necessary to resolve issues related to historical markers

III. PROGRAM FUNDING

1. New Historical Markers are funded primarily by private or other public sponsors working directly with DHR for reviewing historical significance and accuracy of text. Once an approved Historical Marker is ordered by DHR and is received by the Contactor from the designated foundry, it becomes the property of the Commonwealth of Virginia.
2. The other sources of funding for maintaining Historical Markers as well as for replacing or refurbishing damaged or destroyed markers may include special funding initiatives such as dedicated recreational access funds, VDOT Highway Maintenance Program funds, as well as the VDOT IDSP budget where deemed appropriate and as approved by the VDOT IDPS Manager / Program Administrator. These funding sources are tapped in order to cover the operational aspects of the Historical Marker Program. The IDSP Contractor submits an estimate for the following items when found necessary or when requested by DHR or VDOT (including a description of the need and "before" photographs) for review and approval prior to work being performed:
 - a. New Marker Installation

- b. Marker Replacement (Damage beyond repair***)
- c. Marker Refurbishment
- d. Marker Relocation for safety, public access or other issues as determined by VDOT

*** See Section, MAJOR DAMAGE (VANDALISM, ACCIDENT OR DETERIORATION) for Accident Reports. In cases where insurance companies cover all replacement costs, VDOT review and approval of the estimated costs is not necessary.

All other cost for completing marker assessments and for performing regular maintenance, minor repair of existing Historical Markers and posts that can be conducted in the field, or site clearing shall be the responsibility of the IDSP Contractor and are not reimbursable.

IV. APPLICATION AND ORDERING PROCESS

A. NEW MARKERS:

The application and ordering process for a new Historical Marker consists of the following steps:

1. The Sponsor submits a Marker application to DHR for consideration. There are four application deadlines throughout the year.
2. DHR's Marker Program Manager evaluates the applications (rejecting those for topics that clearly do not meet the criteria for regional, statewide, or national significance), checks the facts, conducts additional research, and works closely with each sponsor to produce a comprehensive, educational 100-word treatment of the topic. The Program Manager then sends the proposed marker text to DHR's Marker Editorial Committee for review. Once the committee approves the text, they are forwarded to the Board of Historic Resources, which meets quarterly and is responsible for the official approval of new and replacement highway markers.

Note: Localities may operate local marker programs with their own unique marker design to commemorate people, places, and events of local importance. Such programs may be established only with the approval of the Board of Historic Resources and are not the responsibility of the IDS Contractor. Once a local marker program is in place, the locality may install and maintain markers within the VDOT right-of-way by obtaining a permit issued under the guide of the "Land Use Permit Regulations." The Marker shall be placed according to the guidelines and safety standards provided in this document. The permit fee and surety bonds shall be waived.

3. DHR notifies the IDSP Contractor of the pending Historical Marker by submitting a Purchase Order to the designated foundry and providing a copy to the Contractor, including the approved text for the Marker and a general description of the requested site.
4. DHR begins working with the Sponsor to plan the Marker dedication/unveiling ceremony (as necessary) once the marker has been ordered.

5. The Purchase Order is received by the designated Foundry who fabricates the marker and ships it to the location designated by the Contractor and VDOT.
6. Once the marker is received and inspected, the Contractor schedules the marker installation.

B. REFURBISHED OR REPLACEMENT MARKERS:

The ordering process for Historical Markers to be refurbished or replaced consists of the following steps:

1. An existing marker is identified as needing refurbishment or replacement due to accident or deterioration through a number of channels:
 - a. Contractor self-inspections assessments
 - b. VDOT District
 - c. Reported by the Sponsor or the public to VDOT or the IDSP Contractor
2. DHR and VDOT review the list of markers requiring refurbishment or replacement on an annual basis or as needed and prepare a priority list for the IDSP Contractor.
3. The Contractor prepares an estimate for each marker to be refurbished or replaced including the cost of marker refurbishment or replacement from the foundry, materials (pole, concrete, E&S measures) and installation costs including any traffic management that may be required. If a refurbished or replacement marker is also being relocated, the cost of coordination with VDOT and Miss Utility, site selection and field staking for markers shall also be included in the estimate.
4. Markers are refurbished or replaced on a schedule developed by the contractor and as reviewed and approved by VDOT based upon the availability of funding. If there are funding shortfalls, the schedule may be adjusted accordingly at VDOT's discretion.
5. The contractor prepares and submits a purchase order (See Appendix) for marker refurbishments or replacements to the designated foundry based upon the VDOT/DHR approved priority list and approved funding and schedules installation once markers are received.

V. SITE SELECTION AND INSTALLATION PROCESS

Site selection and installations shall be in accordance with the most current:

- Manual of Uniform Traffic Control Devices (MUTCD)
- Virginia Supplement to the MUTCD
- VDOT Road and Bridge Standards and Specifications
- VDOT Road Design Manual
- Work Area Protection Manual
- Historical Marker Program Operations Manual
- The Historical Marker standard detail is included in the Appendix.

A. GUIDANCE ON SITE SELECTION

The placement of Historical Markers on roadways is, to some extent, governed by the classification of the roadway. The following sections describe Marker placement for specific types of roads and areas where the roads are located.

NON-LIMITED ACCESS PRIMARY HIGHWAYS AND SECONDARY ROADS

The following applies to Historical Markers placed on non-limited access primary highways and secondary roads, unless otherwise approved by the DTE or designee:

Rural Areas

In rural areas, the Historical Marker should be installed beyond the ditch line and outside of the clear zone within VDOT's right-of-way (see detail in Appendix). In addition, a safe pull-off area should be available to allow for motorists to safely and easily enter and exit the pull-off area and view the marker from their vehicle. If the marker cannot be read from the pull off location, then the site should be designed such that a person may safely exit their vehicle and approach the Historical Marker.

Urban Areas

In urban areas with sidewalk present, Historical Markers installed behind the sidewalk should be set back two feet from the edge of the sidewalk measured to the closest edge of the Historical Marker. In locations where no curb exists, the Historical Marker installation height should be set to optimize viewing. Historical Markers installed between the curb and sidewalk should be installed parallel with the curb to prevent vehicle damage or obstruction of the sidewalk.

INTERSTATE HIGHWAYS AND OTHER LIMITED ACCESS ROUTES

On interstate highways and other limited access routes, Historical Markers may only be placed in rest areas and waysides, preferably in a landscaped section. If the Historical Marker is located in a landscaped section of the rest area or wayside that is outside of the walkway, the Marker should be installed at a height of five to seven feet, measured from the ground to the bottom of the Marker. If the Historical Marker is located near a sidewalk or walkway, the Marker should be installed in accordance with the VDOT standards and specifications.

B. INSTALLATION PROCESS

The installation process for a new marker requested by DHR, replacement or refurbishment of an existing marker or for a marker to be relocated consists of the following steps:

1. The IDSP Contractor coordinates with the designated VDOT District / Regional representative to identify an appropriate location for the New Marker or marker to be relocated as described by DHR. The Marker site must be near the actual location of the noted place or event and suited to visitor recognition and use.
2. The Contractor submits a site plan to VDOT and prepares the site by completing the following activities:
 - a. Staking the location;

- b. Requesting a utility check (Miss Utility and VDOT Utility);
 - c. Adjusting the staked location, if necessary;
 - d. Purchasing and preparing the materials necessary for installation of the Marker;
3. The District Traffic Engineer or other VDOT designee evaluates the requested site for the following:
 - a. Ability for motorists to safely pull into and out of the viewing area;
 - b. Encroachment on the errant vehicle clear zone;
 - c. Conflict with other existing traffic control devices (e.g., signs or signals, including sign clutter potential);
 - d. Ability to provide adequate or appropriate sight distance for approaching motorists; and
 - e. Potential projects that may impact the installation of the proposed Historical Marker (e.g., Six-Year Improvement Plan, developer proposals, maintenance projects, etc.).
4. Once the site selection has been reviewed and approved by VDOT, the Contractor notifies DHR for New Markers such that they may order the marker from the foundry. For replacement markers or markers to be refurbished, the IDSP Contractor orders the marker directly from the foundry once DHR reviews and concurs (or revises) the text.
5. For new, replacement or refurbished markers, the Marker is shipped by the designated foundry to the shipping address provided by the IDSP Contractor. When the marker is received, the Contractor shall immediately inspect the marker to ensure that there has been no damage during shipping prior to signing the marker order papers. If noticeable damage is found, the manufacturer (Sewah Studios at 888-557-3924) should be contacted immediately. Otherwise, Markers should generally be inspected for the following items for quality control:
 - Marker Panel shall be examined for consistency of texture and presence of any pin holes (holidays) or other irregularities in the metal casting.
 - Powder coating (silver and black) shall be examined for proper coverage and sheen.
 - Powder coating (silver, black and clear) shall be examined for any evidence of peeling (delamination), paint bubbles, scrapes or any other irregularity on the surface.

A Quality Assurance / Quality Control Sheet is sent by e-mail to the Contractor in advance of the marker being shipped. Once a marker is received and is inspected as being in acceptable condition, the IDSP Contractor signs the report, scans and e-mails the report to the IDSP Manager, Program Administrator. Once the Marker is received by VDOT in good, installation-ready condition, the Historical Marker is the property of the Commonwealth of Virginia and then becomes a VDOT asset.

If damages or defects are found on the Historical Marker(s), the Contractor shall return the Historical Marker(s) to the supplier at the supplier's expense. VDOT will notify DHR of such return and work with DHR, the Sponsor, and the Foundry to determine if reshipment

can be made in time for the planned installation or if the installation date and/or unveiling date must change.

If the Sponsor desires to install plants around or near a Historical Marker (either newly installed or already existing), work must be paid for by the Sponsor and accomplished under a VDOT Land Use Permit.

6. If the Sponsor has requested an unveiling ceremony, the Contractor securely covers the marker with canvas or opaque plastic notifies the designated VDOT District representative when completed. VDOT evaluates the site for additional accommodations that might be necessary for the unveiling such as traffic management or law enforcement as needed.
7. The Contractor collects GPS coordinates of the final Marker location and a minimum of three digital photos for record keeping. One photo must be taken from a distance of approximately 15 feet that shows the entire Historical Marker and pertinent features of the area immediately surrounding the Historical Marker. The second photo must be focused on the Historical Marker face and capture enough detail so that the Historical Marker is readable. The third photo must capture the back of the Marker.
8. Posts for all new historical marker installations shall be black powder coated to compliment the state seal design which was revised in 2017.
9. Note: VDOT will not purchase land or otherwise pursue easements for the installation of Historical Markers.
10. Where Historical Markers are to be placed along a VDOT-maintained highway, but outside of VDOT right-of-way, the Sponsor must ensure that appropriate, durable, and recorded documentation is provided that states that the general public may access the site to view the Marker and that VDOT and its contractors are provided a perpetual right of entry to install the Historical Marker and to access the Historical Marker for maintenance, repair, and replacement. One of two uniquely different situations can occur:

PUBLIC

When the Marker placement is to occur in an area not held by VDOT, but on property held by a public entity, VDOT may enter into a Memorandum of Agreement (MOA – example provided in Appendix) that allows both the placement and perpetual maintenance, repair, and replacement of the Historical Marker by the VDOT IDSP Contractors.

PRIVATE

When a Marker is planned to be placed in an area held by a private land owner(s), but maintained by VDOT, a parcel of land large enough to accommodate the placement, maintenance, repair, and replacement of the Historical Marker must be acquired by the sponsor on behalf of VDOT, fee gratis, or the Sponsor must enter into a memorandum of agreement with VDOT (Form to be provided to the Sponsor by VDOT and the VDOT signed copy to be provided to the IDSP Contractor) prior to marker installation.

Fee Gratis or MOA Authority

Agreements with private or public land owners may be signed by a VDOT District Representative with oversight of construction and/or maintenance activities occurring within the VDOT Right-of-Way, such as the District Traffic Engineer (DTE), District Operations and Maintenance Manager (DOMM), District Maintenance Engineer (DME) or Resident Administrator / Engineer (RA/RE). It is the responsibility of the VDOT District or Residency to obtain MOA's or other agreements as described with copies of the agreement to be provided to the IDSP Contractor, the local VDOT Residency and DHR for their records.

An activity checklist is included in the Appendix for reference.

VI. MAINTENANCE PROCESS

A. RECORD KEEPING

The Contractor coordinates with VDOT District and Regional staff, DHR and Central Office TED to maintain an updated database of Historical Markers including, but not limited to the following activities:

- Initial Installation of a Marker
- Removal / Retirement of a Marker
- Relocation of a Marker / Updated GPS Coordinates
- Installation of a Replacement Marker
- Refurbishment or maintenance activities
- Photographs of work performed

B. PREVENTATIVE/ROUTINE ASSESSMENT AND MAINTENANCE

The Contractor shall perform proactive preventative maintenance, including cleaning panels and performing minor on-site repairs on markers while performing other routine activities throughout the region. The Contractor should observe marker conditions on a regular basis and record problems as they arise by making a notation in the marker database that can be flagged for future correction. Minor repairs and routine maintenance are the responsibility of the Contractor and are not reimbursable.

The Contractor shall follow a five-year marker self-inspection/assessment and maintenance schedule for Historical markers as approved by the IDSP Manager / Program Administrator to assess and maintain markers including, but not limited to, the following:

- Marker location – Confirm accuracy of location description and GPS Coordinates. Marker should be located at a site that is safely accessible via a grass, graveled or paved shoulder, a graveled or paved pull off or nearby parking. Recommendations for relocation should be a part of the marker assessment where access is dangerous or nonexistent.
- Panel condition – Touch-up painting may be required for minor blemishes due to impacts from mowing operations, falling debris or corrosion on cast iron markers. Panels in good or fair condition should be touched up based upon findings/recommendations of the marker assessment.
- Post condition and connections – inspect panel condition and panel connectivity to post. Tighten or replace hardware as necessary.
- Foundation condition – inspect for erosion, plumb, and Marker stability. Make corrections as necessary.
- Sight Lines – Observe as to whether site clearing is required to increase visibility and/or to prevent mold and mildew from accumulating.
- Regular Cleaning: Cleaning marker panels and posts as part of regular maintenance shall be performed a minimum of once every five years. For cleaning follow a 3-step process:
 1. Rinse Marker and carefully remove any loose surface deposits with a wet rag or sponge. Do not use a high pressure sprayer.
 2. Use a soft brush (nonabrasive) and a dilute solution of a mild detergent, e.g., pH-neutral liquid hand dishwashing detergent in warm water (DO NOT use solvents) to remove dust, salt and other deposits.
 3. Ensure that surfaces are thoroughly rinsed with clean fresh water after cleaning to remove all residues.
- Perform any “touch-up” painting work after panel and post have been cleaned and dried.
- Should a Marker be identified as damaged or in poor condition, the contractor shall follow the procedures outlined in the following section for Major Damage (Vandalism, Accident or Deterioration).

C. MAJOR DAMAGE (VANDALISM, ACCIDENT OR DETERIORATION)

When a Historical Marker is damaged by vandalism or accident or is earmarked for refurbishment or replacement based upon scheduled marker condition assessments, the Contractor should take immediate action and complete the following steps:

1. Determine and record the extent of the damage and any other pertinent site evidence that will aid in filing an insurance claim. This step should be coordinated and performed in conjunction with the State Police and DHR, as appropriate. Obtain a copy of any accident report filed by law enforcement and pursue a claim to be filed for accidents. Record pertinent information in the database.
2. For insurance claims, develop an estimate for site restoration, including repair and/or replacement costs for the marker panel, post, incidental materials, equipment and labor. Once the claim is settled and payment received, coordinate with DHR as necessary to proceed with a new marker order and reinstallation when the panel is received from the foundry.
3. If an accident report is not generated, DHR shall be notified. DHR will coordinate with the Sponsor to determine if a marker refurbishment or replacement will be requested. In such cases the Contractor shall provide an estimate to VDOT for review and approval of the cost of the installation. The Sponsor shall pay for fabrication of the new marker panel (to be billed directly to the Sponsor) and the Contractor will re-install in accordance with the established procedures (Sections II – V).
4. If the sponsor is not known, does not request the re-installation of the Marker, and/or if the marker is approved for refurbishment/replacement by DHR and VDOT per the results of regular self-inspections/assessments, the marker will be refurbished or replaced in accordance with the established procedures (Sections II – V).
5. Ensure that the VDOT Contract Manager has secured the appropriate papers when a VDOT contractor is at fault or that the local VDOT office has filed the appropriate papers when a VDOT employee is at fault.
6. During the installation process, follow established procedures for site selection and location of markers.
7. Plan and execute the necessary refurbishment/replacement of the Historical Marker and site restoration per established procedures. Record all activities in the database and inform DHR when work is complete.

D. MARKER RELOCATION

If any condition exists that renders the Historical Marker to be in a position that is less than desirable by current standards, the Contractor shall identify those conditions during routine self-inspections/assessments or otherwise for further consideration by DHR and VDOT, prior to work being performed. Engineering judgment shall be used to determine if a Historical Marker that does not meet current standards should be relocated.

If the recommended relocation is approved by DHR and VDOT, the Contractor follows the established procedures in Sections II - V for Contractor responsibilities in the site selection and the installation process.

E. MARKERS IMPACTED BY CONSTRUCTION

When VDOT becomes aware of preliminary plans for construction, reconstruction, widening, or other similar work efforts that might impact an existing Historical Marker not necessarily being evaluated for maintenance, VDOT District / Regional staff will inform the IDSP Contractor.

The Contractor confirms if the Historical Marker(s) exists within the planned limits of the effort and will notify DHR accordingly. If a Historical Marker is in an area where disturbance is likely, but the site allows for resetting the Historical Marker without affecting the accuracy of the Historical Marker text or the mapping of its location, The IDSP Contractor coordinates with VDOT to ensure that contract language is included in the Plans, Specifications, and Estimates (PS&E) package that provides the potential contractor/state crews the information that they need to implement any remedial actions, and advise DHR accordingly.

If the Historical Marker needs to be relocated in such a manner that the text will be affected or the mapping will change, the IDSP Contractor shall notify DHR. In those cases where the text of the Marker must change, DHR will provide the necessary and appropriate text. The IDSP Contractor should ensure that the PS&E package requires the roadway contractor to purchase and install the replacement Historical Marker under the guidance of DHR. The Roadway Contractor will also be responsible for coordinating with DHR for possible marker adoption. Otherwise an old marker panel not being used should be disposed of or recycled by the Roadway Contractor.

During the preliminary engineering phase of project development, the following additional information must be considered:

1. If parking is needed in order to safely access the marker, the IDSP Contractor must notify the project designer that parking should be included in the construction plans at the project expense. Parking designed and constructed for this purpose alone is projected to generate no more than 10 vehicle trips per day. Consequently, a highway entrance to parking for a Historical Marker is considered a Low Volume Commercial Entrance in the Access Management Regulations. Stopping sight distance and the “private entrance” construction design requirements apply as specified in Appendix F of the Road Design Manual. A turn-around area should be considered so that vehicles re-entering the roadway are not required to back into the traffic flow.

In some cases, a simple pull-off area may be suitable if it provides appropriate protection from passing vehicles. The pull-off/parking area, at a minimum, shall include space for one parked vehicle. The parking space shall be designed and constructed in accordance with the applicable standards in Section 2E-37 of the Road Design Manual.

2. In addition, the IDSP Contractor ensures that the VDOT contract:

- Requires the roadway contractor to notify the Engineer at least 24 hours prior to removal or relocation activities.
- Requires the roadway contractor to safely store the Historical Marker until it is appropriate to reinstall. As an option and to ensure protection of the Historical Marker, the roadway contractor may be directed, by provisions in the contract, to deliver the Historical Marker to a specified location in the District where it will be stored by VDOT until all construction is completed and reinstallation can be performed by the roadway contractor.
- Requires the roadway contractor to coordinate the reinstallation of the Historical Marker with the Engineer to ensure the site is acceptable and the time of reinstallation is appropriate with respect to the potential for damage due to continued construction in the area.
- Requires the roadway contractor to provide the IDSP Contractor information on the planned dates for removal and reinstallation of the Historical Marker so that the reinstallation may be confirmed and recorded in the database by the IDSP Contractor who also notifies DHR of these activities.

F. DISPOSAL, DONATING, AND LOANING OF HISTORICAL MARKERS

Disposal of Historical Markers:

1. Aluminum Historical Markers should be taken to a nearby licensed aluminum recycling facility for disposal/recycling. If no licensed recycling facility is located within 50 miles of the Historical Marker location, the Marker may be taken to a licensed landfill for disposal/recycling.
2. Cast iron Historical Markers should be taken to a licensed landfill for disposal/recycling.
3. Surplus Historical Markers shall be disposed of in accordance with the above, unless either of the following circumstances apply:
 - a. DHR requests the Historical Marker for its own use
 - b. Marker to be provided to a local government, private group or organization for display inside a facility. Re-display of retired or replaced markers outdoors is prohibited.

Donating Historical Markers:

1. The authority to donate Historical Markers to groups or organizations is held by DHR. Donation intentions must be provided in writing by and obtained from DHR.
2. The IDSP Contractor, at DHR's direction (as reviewed and approved by the VDOT IDSP Manager / Program Administrator), will remove the Marker that is to be replaced or retired and store it for up to 60 days until the recipient picks up the Marker. If the

Marker is not picked up within the allotted timeframe, the marker may be disposed of or recycled.

Loaning Historical Markers:

3. A Historical Marker may be loaned by the Commissioner of Highways with concurrence of the Director of DHR. Such a loan shall be for a duration of no more than 90 days. The loan recipient must be a museum or other public agency operated at public expense. Historical Markers may not be loaned for periods longer than 90 days or to privately-held concerns or organizations unless permitted by the General Assembly.
4. The following conditions apply to loaning Historical Markers, unless otherwise permitted by the General Assembly:
 - a. The request for loaning an Historical Marker shall be in writing to the DHR Highway Marker Program Manager specifying the purpose for the loan, how the Marker will be protected, the party that will perform the removal from the original site, transportation to the recipient, and re-erection at the original site, and the party that is accountable for repairs should damage occur. All costs associated with this action shall be borne by the recipient.
 - b. If the VDOT IDSP Contractor is responsible for removal, transportation to and from the recipient, and re-erection; the recipient shall provide funding to cover the cost of this work.
 - c. If the recipient or a private contractor is to remove, transport, and re-erect the Historical Marker, the recipient shall agree in writing to repair or replace the Historical Marker if damage occurs. In addition, the work shall be accomplished under a land use permit issued under the authority of the appropriate Area Land Use Engineer.

APPENDIX

APPENDIX A

MEMORANDUM OF AGREEMENT
OUTLINE

~

Virginia Department of Transportation to Install an Official
Historical Marker on property not belonging to the
Department

I, _____ (PRINTED NAME),
 _____ (PRINTED TITLE), the undersigned;
 representing _____

 _____,
 (OFFICIAL NAME of the ORGANIZATION, GROUP, GOVERNMENT ENTITY, etc.),

holder of the deed or title to the land so described herein, give permission, authorize, or otherwise convey privilege to the VIRGINIA DEPARTMENT OF TRANSPORTATION and its authorized contractors to enter upon that land for the expressed purpose of preparing to erect, erecting, and maintaining a HISTORICAL MARKER as sanctioned by the DEPARTMENT OF HISTORIC RESOURCES. This permission, authorization, or privilege is to be uninterrupted and binding until such time both parties or representatives thereof, agree that it should cease.

GENERAL DESCRIPTION OF THE PROPERTY, INCLUSIVE OF BOOK AND PLAT REFERENCES WHERE APPROPRIATE, GENERAL MAILING ADDRESS, AND DESCRIPTIVE LANGUAGE RELATIVE TO THE AREA UPON THE PROPERTY WHERE THE HISTORICAL MARKER WILL BE LOCATED:

 _____.

 Signature and Date

I, _____ (PRINTED NAME),
 _____ (PRINTED TITLE), the undersigned;
 representing the Virginia Department of Transportation, accept the above OFFER, fee gratis, understanding its terms and conditions. By my signature below I make this an official MEMORANDUM OF AGREEMENT between the parties listed, and I pledge that the Virginia Department of Transportation and its authorized contractors will protect the integrity of the overall property and will perform its duties with as little disruption to the land or the land owner as practical.

 Signature and Date

APPENDIX B
HISTORICAL MARKER PROGRAM
CONTRACTOR ACTIVITY CHECKLIST

Date of notice from DHR of a proposed Historical Marker, (mm/dd/yyyy): ____/____/____

The VDOT IDSP Contractor shall:

1. Contact the Highway Marker Program Manager at DHR and VDOT District to verify:

- Sponsor Name: _____
 - Contact Info (Phone / E-mail) _____
- VDOT District Representative / Title: _____
 - Contact Information (Phone / E-mail) _____

2. Develop a preliminary site plan, stake the proposed marker location and meet with DHR, District VDOT Representative and/or Sponsor in the field to determine the following: _____ Date: ____/____/____

- Will site reconstruction (guard rail, curb, parking [handicap], footpath, pull-off, etc.) be necessary? Yes / No
- Will right-of-way, easements, or MOA be necessary? Yes / No
- Will traffic management be necessary by VDOT during unveiling of marker? Yes / No
- Will projects in the Six-Year-Improvement Plan affect the proposed site?
- Conflict with any VDOT assets / Utilities

Comments/notes: _____

3. Once a site(s) has been determined, and any necessary agreements regarding reconstruction, R/W, Easements, MOA, and/or traffic management have been executed, contact the following to clear site with any potential private development:

Area Land Use Engineer _____ Date: ____/____/____

Comments/notes: _____

**APPENDIX B
HISTORICAL MARKER PROGRAM
CONTRACTOR ACTIVITY CHECKLIST**

Miss Utility Site Clearance

Date: ____/____/____

Comments/Notes _____

4. If the site is not in conflict with other plans (VDOT or Developer), VDOT or other Utilities, proceed to Step 5. If conflicts exist, begin again with Step 1 as appropriate.

5. If the site proves to be satisfactory, finalize site plan with any necessary revisions and submit to VDOT District representative for final site plan approval. Submit plan and estimated cost of installation to VDOT IDSP Manager / Program Administrator for review and approval.

Comments/notes: _____

6. Notify DHR so the final text may be prepared, and the marker ordered for shipment to the IDP Contractor:

7. Establish an unveiling date through DHR (DHR will communicate with the Sponsor) in order to properly schedule the installation date.

Date: ____/____/____

Comments/notes: _____

ESTABLISHED UNVEILING DATE

1. Receive, inspect and store Historic Marker until time of installation.

APPENDIX B
HISTORICAL MARKER PROGRAM
CONTRACTOR ACTIVITY CHECKLIST

Comments/notes: _____

2. Install Historical Marker three to four weeks prior to planned unveiling date
 - Capture photos, of the site per the Operations Manual and record in the database
 - Record / populate other pertinent data in the database for marker installations
 - Notify DHR and the VDIT District Representative that the Marker and been installed and is ready for the unveiling ceremony.

Comments/notes: _____

APPENDIX C

COMMONWEALTH OF VIRGINIA
Department of Historic Resources (DHR) and Department of Transportation (VDOT)
PURCHASE REQUISITION

DHR		Please note: VDOT will be expecting written notification of shipment dates to verify the expected time of delivery. Please provide the ordering agency (DHR or VDOT) a copy of the bill of lading to confirm delivery.			
VDOT					
Authorized By (Print Name): _____ Date: _____ Signature: _____ Phone Number: _____					
Contractor: Sewah Studios Address: Millcreek Road P.O. Box 298 Marietta, OH 45750 Phone No: (740) 373-2087 or toll free (888) 557-3924			Date: _____ REQ/ PO#: Contract No: E194-76016		
Delivery: Regular Emergency		Delivery Terms: _____ Days	Contractor Fin No.: _____	Processed by: Initials _____	
Ship to: E-mail: _____ Name: _____ Address: _____ State: _____ Zip Code _____			Invoice should be directly billed to: Name: _____ Address: _____ _____ _____		
Description of Goods and Services					
NEW	REFURBISH	ITEM	QUANTITY	UNIT PRICE	TOTAL
Marker Designation: _____		Marker			
Title: _____		Post			
Text is _____ characters and title is _____ characters					
The signature line of this marker should read: "Department of Historic Resources, _____" See below for text to appear on the marker.					
Total Cost					
AGENCY CODE	FY	PROJECT UPC	ACTIVITY CODE	COST CENTER	AMOUNT

APPENDIX C**New Historical Marker Text**Text reviewed and approved by (DHR ONLY):
_____Date:

Contractor shall submit a graphic image or photograph of the DRAFT layout of text to DHR for review and approval prior to fabrication of the Historical Marker.



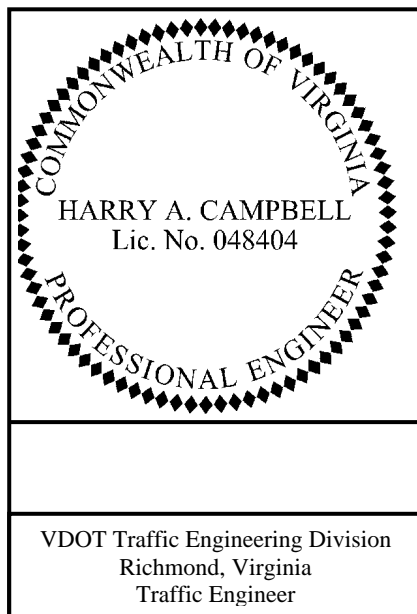
COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION
DIVISION: Traffic Engineering

Special Design Drawing

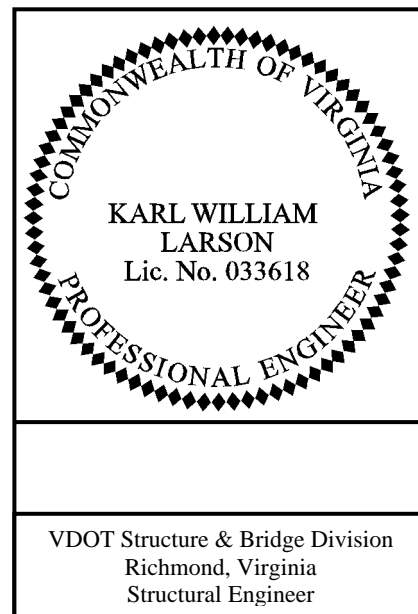
Historical Sign Marker Foundation

September 1, 2016

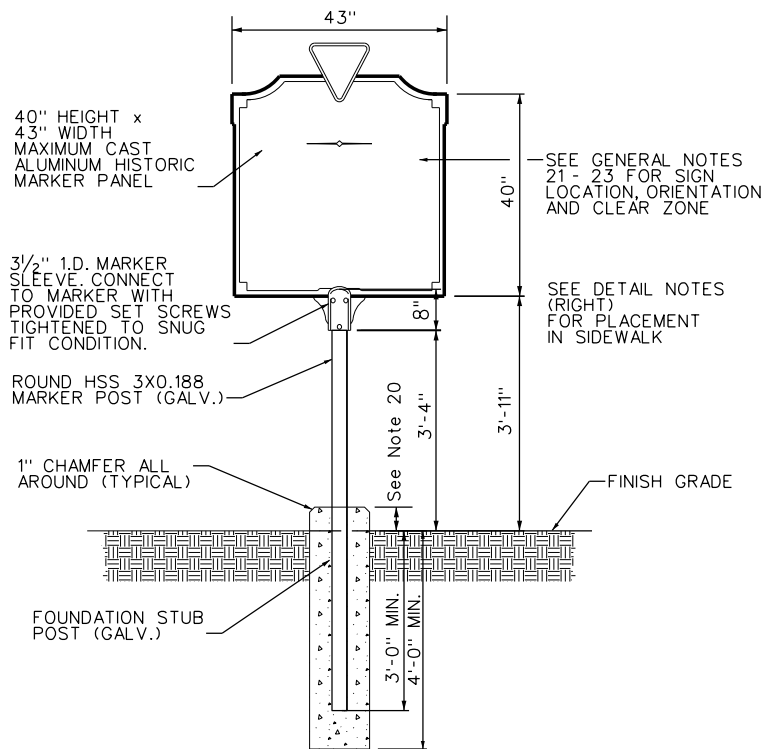
Drawings Submitted By: Harry A. Campbell, P.E. & Karl W. Larson, P.E.



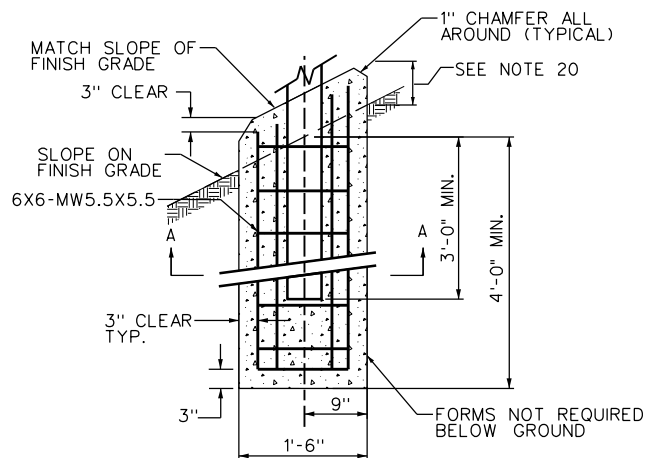
Responsible for all attached pages



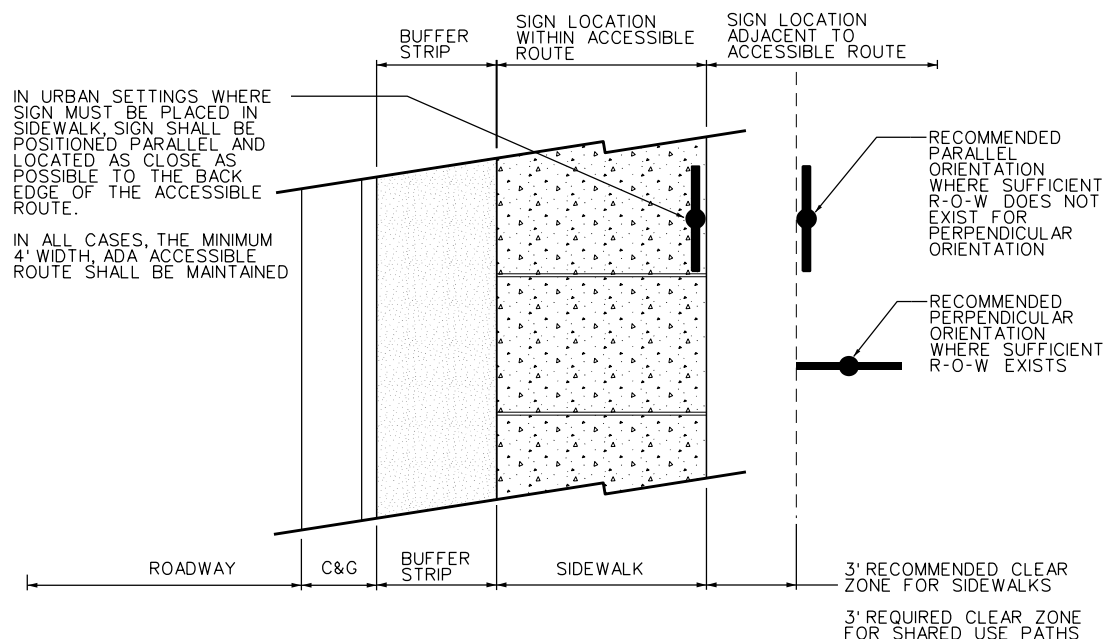
Responsible for all attached pages



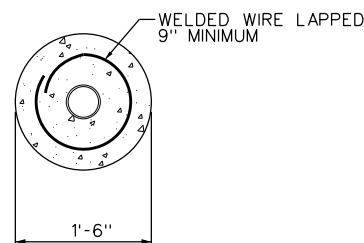
MARKER STRUCTURE
ELEVATION DETAIL - NOT TO SCALE



MARKER STRUCTURE FOUNDATION
ENLARGED FOUNDATION DETAIL
SECTION VIEW - NOT TO SCALE



OPTIONS FOR MOUNTING MARKER STRUCTURE
WITHIN OR ADJACENT TO SIDEWALK
PLAN VIEW - NOT TO SCALE



MARKER STRUCTURE FOUNDATION
SECTION A - A DETAIL
PLAN VIEW - NOT TO SCALE

NON-BREAKAWAY
HISTORICAL MARKERS SHALL BE LOCATED OUTSIDE OF THE VEHICULAR CLEAR ZONE

VDOT
VIRGINIA DEPARTMENT
OF
TRANSPORTATION

HISTORICAL MARKER FOUNDATION DETAIL

SPECIFICATION REFERENCE	SPECIAL DESIGN SECTION DRAWING NAME	SHEET 1 OF 2
105 510	HISTORIC SIGN MARKER FOUNDATION	

GENERAL NOTES AND DESIGN SPECIFICATIONS

BOS 2021-01-06 p.76/240

DESIGN SPECIFICATIONS:

- 1) VDOT ROAD AND BRIDGE SPECIFICATIONS (Current Edition)
- 2) AASHTO STANDARD SPECIFICATIONS FOR STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINAIRES, AND TRAFFIC SIGNALS, 6TH EDITION.
- 3) VDOT ROAD AND BRIDGE STANDARDS (Current Edition)

DESIGN CRITERIA:

- 4) WIND: 25 YEAR RECURRENCE INTERVAL; 120 MPH
- 5) HISTORICAL MARKER SUPPORT ASSEMBLY:
 - a. ROUND HSS 3X0.188 MARKER POST (GALV.)
 - b. SEE DETAILS FOR MOUNTING HEIGHT
- 6) WATER TABLE BELOW BOTTOM OF FOUNDATION
- 7) BEARING CAPACITY: 1500 PSF
- 8) SOIL FRICTION ANGLE: 24 DEG.
- 9) SOIL DENSITY: 120 PSF
- 10) FOUNDATION FACTOR OF SAFETY
 - a) GLOBAL STABILITY:1.3
 - b) OVERTURNING:1.5
 - c) TORSION:2.0

CONCRETE:

- 11) CONCRETE FOUNDATION SHALL BE CLASS A3 IN ACCORDANCE WITH VDOT SPECIFICATION 221 OR A PREAPPROVED BAG MIX FROM THE DEPARTMENT'S APPROVED LIST NO. 31.
- 12) WELDED WIRE FABRIC SHALL CONFORM TO VDOT SPECIFICATIONS 223.

STRUCTURAL STEEL:

- 13) ALL STRUCTURAL STEEL SHALL COMPLY WITH VDOT SPECIFICATIONS AND THE FOLLOWING:
 - a. PLATES ASTM A36
 - b. POST ASTM A500 GR B
 - c. BOLTS ASTM A325 SAE J429 GRADE 5, ZINC COATED
 - d. NUTS A563
 - e. WASHERS F436
 - f. WELDS FEXX = 70 KSI FILLET WELD IN ACCORDANCE WITH VDOT SPECIFICATIONS AND AWS D1.1 (FOR REPAIR WORK ONLY)
- 14) HOT-DIP GALVANIZE AFTER FABRICATION ALL COMPONENTS (EXCEPT MARKER) IN ACCORDANCE WITH VDOT SPECIFICATION SECTION 233.

FOUNDATION NOTES:

- 15) DETERMINE IF IN-SITU SOIL IS SAND OR CLAY BY VISUAL ANALYSIS IN ACCORDANCE WITH ASTM D2488.
- 16) CONFIRM THAT THE WATER TABLE IS BELOW THE BOTTOM OF THE FOUNDATION.
- 17) CONFER WITH ENGINEER FOR MITIGATING SUBSTANDARD SOIL / SITE
- 18) CONFIRM SLOPE OF GRADE AT SITE OF INSTALLATION IS LESS THAN 3:1.
- 19) PROVIDE DRILLED SHAFT FOUNDATION PER DETAILS THIS SHEET IN CONFORMANCE WITH VDOT SPECIFICATIONS.
- 20) IF FOUNDATION IN SIDEWALK, TOP OF FOUNDATION SHALL BE FINISHED FLUSH WITH TOP OF SIDEWALK CONCRETE. ALL OTHER LOCATIONS SHALL BE AT LEAST 1" ABOVE EXIST. GRADE AND A MAXIMUM OF 8" ABOVE EXISTING GRADE.

SIGN LOCATION / CLEAR ZONE:

- (21) HISTORICAL MARKERS SHALL BE LOCATED OUTSIDE THE VEHICULAR CLEAR ZONE IN ACCORDANCE WITH APPENDIX A OF THE ROAD DESIGN MANUAL.
- (22) GEOMETRIC DESIGN FOR MARKER PULL-OFFS SHALL BE DESIGNED IN ACCORDANCE WITH THE ROAD DESIGN MANUAL SECTION 2E-39
- (23) OFF STREET PARKING, WHERE PROVIDED, SHALL BE DESIGNED IN ACCORDANCE WITH APPENDIX C OF THE ROAD DESIGN MANUAL.

POWDER COATING GALVANIZED STEEL ELEMENTS

THIS WORK CONSISTS OF SURFACE PREPARATION AND APPLICATION OF POWDER COATING OVER GALVANIZED METAL ELEMENTS AND HARDWARE IN SHOP FACILITIES AS SHOWN IN SPECIFICATIONS, PLANS OR AS DIRECTED BY THE ENGINEER.

THE POLYESTER POWDER SHALL BE A SUPER DURABLE TGIC POLYESTER THERMOSET COATING. POWDER COATINGS SHALL BE A SEMI-GLOSS FINISH UNLESS OTHERWISE SPECIFIED. ALL PIGMENTED AND CLEAR TGIC COATINGS SHALL BE OUT-GAS-FORGIVING (OGF) FORMULATIONS OR BY THE MANUFACTURER'S OGF ADDITIVE.

THE POWDER COAT SHALL BE BLACK IN COLOR AND SHALL MATCH FEDERAL STANDARD 595-27038.

PRIOR TO THE GALVANIZING OPERATION, THE POWDER COATING APPLICATOR SHALL IDENTIFY TO THE GALVANIZER ALL SURFACES RECEIVING POWDER COATING AFTER GALVANIZING TO ENSURE THAT THE GALVANIZING METHOD USED ON THESE ASSEMBLIES IS COMPATIBLE WITH SUBSEQUENT APPLICATION OF A POWDER COATING. ALL SURFACES OR ASSEMBLIES RECEIVING POWDER COATING SHALL NOT BE WATER-QUENCHED, NOR RECEIVE A CHROMATE CONVERSION COATING AFTER THE GALVANIZING PROCESS.

AFTER SURFACE PREPARATION, ALL COMPONENTS RECEIVING POWDER COATING SHALL BE SUFFICIENTLY PREHEATED TO PREVENT PIN HOLES FROM FORMING IN THE POLYESTER POWDER.

THE COATING SHALL BE APPLIED AT A CURED FILM THICKNESS OF 7 +/- 2 MILS IN ACCORDANCE WITH THE POWDER COATING MANUFACTURER'S RECOMMENDATIONS. THE APPLIED FILM THICKNESS OF THE POLYESTER POWDER SHALL BE MEASURED IN ACCORDANCE WITH ASTM D 7091.

THERE WILL BE NO SEPARATE MEASUREMENT AND PAYMENT FOR POWDER COATING APPLICATION TO STEEL ELEMENTS. ALL MATERIALS, LABOR, EQUIPMENT, TOOLS, SUBMITTAL INFORMATION, QUALITY CONTROL TESTING AND INCIDENTALS NECESSARY TO COMPLETE THE POWDER COATING WORK SHALL BE INCLUDED IN THE COST OF THE SIGN.

NON-BREAKAWAY
HISTORICAL MARKERS SHALL BE
LOCATED OUTSIDE OF THE
VEHICULAR CLEAR ZONE



HISTORICAL MARKER FOUNDATION NOTES

SPECIFICATION REFERENCE	SPECIAL DESIGN SECTION DRAWING NAME	SHEET 2 OF 2
105 510	HISTORIC SIGN MARKER FOUNDATION	

FLUVANNA COUNTY BOARD OF SUPERVISORS
BCC APPOINTMENTS STAFF REPORT

TAB B

MEETING DATE:	Jan 6, 2021			
AGENDA TITLE:	Board, Commission, and Committee Appointments			
MOTION:	I move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s):			
Board/Commission/Committee		Appointees	Begins Term	Ends Term
Thomas Jefferson Planning District Commission (TJPDC)			01/01/2021	12/31/2023

BCC VACANCIES AND APPLICANTS				
BCC Vacancies	Applicants	Appt	District	Current BCC Appointments / Other Notes
Thomas Jefferson Planning District Commission (TJPDC)	Keith Smith	Reappt	Cunningham	Current member of TJPDC
DISCUSSION:				
ENCLOSURES:	Candidate Applications			



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

Name: Keith Smith		Election <input type="checkbox"/> Columbia <input checked="" type="checkbox"/> Cunningham <input type="checkbox"/> Fork Union District: <input type="checkbox"/> Palmyra <input type="checkbox"/> Rivanna <input type="checkbox"/> Other	
Mailing Address (including City, State, & ZIP) 35 Acre Ln Palmyra Va. 22963		Physical Address (if different)	
Years Lived in Fluvanna 30	Cell Phone – preferred? <input checked="" type="radio"/> 434-531-0795	Home Phone – preferred? <input type="radio"/>	Email keithsmith011163@gmail.com
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provides dates of education and experience.): please see attached resume			
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: TJPDC			
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): Please see the attached resume.			
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: I respectfully request the opportunity to continue representing Fluvanna on the TJPDC and advocating for Fluvanna's regional interests.			
Applicants are considered as vacancies occur and your application will be kept on file for three years. Fluvanna County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. Submit by email (clerk@fluvannacounty.org) or mail to: Clerk, Board of Supervisors, PO Box 540, Palmyra, VA 22963 By signing below you are indicating that you have read and understand the attached Fluvanna County BCC Attendance Policy and that you agree to abide by the Bylaws of any Board, Commission, or Committee to which you may be appointed.			
Applicant's Signature Keith Smith		Date Dec 12, 2017	

PLEASE INDICATE BELOW ANY BOARDS, COMMISSIONS, OR COMMITTEES ON WHICH YOU WISH TO SERVE.

X	Board, Commission, Committee
	Agricultural/Forestral District Advisory Committee
	Audit Committee
	Board of Zoning Appeals (BZA)
	Building Code of Appeals Board
	Central Virginia Regional Jail (CVRJ) Authority
	Columbia Task Force (CARE)
	Community Policy & Management Team (CPMT)
	Economic Development Authority (EDA)
	Economic Develop. & Tourism Advisory Council (EDTAC)
	Family Assessment and Planning Team
	Finance Board
	Fluvanna Partnership for Aging Committee
	Fork Union Sanitary District (FUSD) Advisory Committee
	James River Water Authority (JRWA)

X	Board, Commission, Committee (cont.)
	JAUNT Board
	Jefferson Area Board of Aging (JABA) Advisory Council
	Jefferson Area Board of Aging (JABA) Board of Directors
	Library Board of Trustees
	Monticello Area Community Action Agency (MACAA)
	Parks & Recreation Advisory Board
	Piedmont Virginia Community College (PVCC) Board
	Planning Commission
	Region Ten Community Services Board
	Rivanna River Basin Commission
	Social Services Board
X	Thomas Jefferson Planning District Commission (TJPDC)
	Thomas Jefferson Water Resources Protection Foundation
	Youth Advisory Council (YAC)

Fluvanna County Board, Committee, and Commission Attendance Policy

(Approved June 17, 2015)

1. BCC members shall attend at least two-thirds of all scheduled meetings in each calendar year while serving.
2. The Chairperson of the board, commission, or committee shall notify the Clerk to the Board of Supervisors of any absences exceeding this policy.
3. The Clerk shall report these findings to the Board of Supervisors, typically in closed session.
4. Appointees who do not meet the attendance requirement without a valid reason(s) may be deemed to have rendered an implied resignation of that appointment.
5. The Board may choose to accept the resignation and appoint another person to fill the appointed position. The Board may also override the implied resignation and extend the appointment, if extenuating circumstances so dictate.
6. This requirement shall apply to all boards, commissions, or committees listed on the attached application form, provided however, that if State or County Ordinance addresses attendance requirements in an alternative manner, such law shall prevail.

Office Use Only		
Application Received On:		
Acknowledgement Sent:		
Renewal Date:		
Renewal Date:		
Renewal Date:		
Renewal Date:		

Tuesday, December 12, 2017

Keith B Smith

35 Acre Lane * Palmyra, VA 22963 * (434)531-0795 * keithsmith011163@gmail.com

An experienced, self-motivated professional with outstanding communications skills, problem solving skills and customer service.

Profile:

- Over 30 years' experience in all phases of, General Real Estate, Land Planning & Development, General Contracting and Business Management to include but not limited to General & Detailed Management, Local Public Policies, Problem Solving, Sales, Marketing, Financing, and Public Relations & Advertising.
- Excellent time management skills and a personal work ethic characterized by persistence, tenacity, willingness to listen, flexibility, creativity as well as versatility.
- Very open minded to new challenges and willing to learn & hone skills through continued education and open communications.
- Detail-oriented, with good organizational, multitasking, and problem-solving skills.
- Outgoing, energetic with a proven ability to create and maintain positive and beneficial relationships with peers, administration, management, government officials and the general public.

Experience:

- 2009 – Present: Roy Wheeler Reality Co.
 - *Licensed to practice Real Estate Agent in the State of Virginia.*
- 1999 – Present: YES Business Management L.L.C.
 - *Consulting and facilitating services for local business and individuals conducting business and land planning / economic development projects with local Governments.*
- 1997 – 2011: Acres Development L.L.C.
 - *Land Planning and Development.*
- 1987 – Present: Bridge Hampton Builders Inc.
 - *Virginia State Class A General Contractor.*

Military Experience:

- 1980 to 1986 USMC, Military Police / Marine Security Guard at US Embassies abroad.
 - Sgt. Honorably discharged.

Education / Professional Studies and Certifications:

- Gen. Douglas Mac Arthur, Levittown, Long Island, NY. High School Graduation, Vocational Horticultural Degree.
- SUNY The State University of New York: Farmingdale NY, Horticultural / Landscaping, completed one year of a two-year associates degree.
- US Air Force Police Academy: Lackland AFB TX, Law Enforcement. Received Federal Police certification.

- USMC Marine Security Guard: Quantico VA, US Embassy security, received Top Secret clearance.
- EMT: Lake Monticello Rescue Squad
- Va. State Class A Contractors License: Richmond Va., Received Class A License.
- Basic Principles of Real Estate: Charlottesville Va., Received license to practice Real Estate in the State of Va.

Additional Skills:

- Experienced & knowledgeable in computer applications incl. CAD, Microsoft Word, Excel, PowerPoint.

Current public service affiliations and memberships:

- *Board Member of the Thomas Jefferson Planning District Corporation.*
- *Member of the Thomas Jefferson Planning District Commission.*
- *Board Member of the Thomas Jefferson Community Land Trust.*
- *2016 Graduate of the Charlottesville/Albemarle Chamber of Commerce "Leadership Class"*
- *Member of various committees within the Charlottesville Area Association of Realtors.*

References:

- **Mr. Chip Boyles** Phone Number, (804) 979-7310 ext 110
 - **ED, Thomas Jefferson Planning District**
- **Mr. Lenoard Bozza.** Phone Number, (516) 652-8314
 - **President, Lake Monticello Vol. Fire and Rescue Inc.**
- **Mr. Michael Guthrie** Phone Number, (434) 227-9118
 - **CEO, Roy Wheeler Realty Inc.**
- **Lt. Col. Raymond Beal III** Phone Number, (904) 451-1537
 - **Lt. Col. USMC JAG, Appellate Judge retired.**

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB C

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Fork Union Property Site Development				
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):	Bryan Rothamel, Economic Development Coordinator				
PRESENTER(S):	Bryan Rothamel, Economic Development Coordinator Carolyn Howard & Deborah Flippo, Draper Aden Associates Helen Cauthen, Central Virginia Partnership for Economic Development				
RECOMMENDATION:	N/A				
TIMING:	N/A				
DISCUSSION:	<ul style="list-style-type: none"> The Fork Union Property is available for economic development projects. The site was studied by the state economic development organization in 2019. The 2019 study showed the property as a Tier 2 property, needing additional due diligence to prepare it to be sold for economic development projects. Draper Aden Associates were part of the engineering firms conducting the 2019 study. They also are a contracted engineering firm for the County. DAA has proposed completing the requirements to make the property Tier 3. The County would then have a more marketable property for future projects. Work that would be required for YAE Wellness is included in this study. 				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	-Presentation -DAA proposal				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

2206 South Main Street
Blacksburg, Virginia 24060
(540) 552-0444 • Fax (540) 552-0291
www.daa.com

December 22, 2020

Mr. Bryan Rothamel
Economic Development Coordinator
Fluvanna County
132 Main Street
Post Office Box 540
Palmyra, VA 22963
Via Email Only to: brothamel@fluvannacounty.org

**RE: Proposal for Professional Services
Fork Union – Due Diligence
Draper Aden Associates Proposal No. 18060133**

Dear Bryan,

On behalf of Draper Aden Associates, thank you for the opportunity to present our proposal to the Fluvanna County Economic Development Authority (EDA) and the Board of Supervisors to provide professional services for the 133.8-acre proposed industrial site located at 5725 James Madison Highway in Fluvanna County, Virginia, and as shown on Figure 1.

We understand the EDA would like to raise the Virginia Economic Development Partnership (VEDP) Virginia Business Ready Sites Program (VBRSP) tier level of the parcels shown on Figure 1 from a Tier 2 to a Tier 3. Draper Aden Associates will provide the following due diligence services to advance the parcels to a Tier 3, and to determine the development potential and infrastructure investment needed.

1. Preliminary Geotechnical Exploration & Report
2. Boundary Survey
3. Topographic Survey
4. Phase I Environmental Site Assessment
5. Waters of the US Delineation and Determination
6. Cultural Resources Review
7. Threatened & Endangered Species Review
8. Preliminary Engineering Report
9. Master Plan Development
10. Rezoning Assistance
11. Traffic Impact Analysis (required for rezoning)

Draper Aden Associates is pleased to present the following for your review and approval.

I. SCOPE OF SERVICES

Draper Aden Associates will compile and review readily available information from Fluvanna County and other sources to support our findings in the tasks below. Draper Aden Associates will attend one kick-off meeting in Fluvanna County to further understand the goals and objectives of this overall, and gather any additional information from the County.

A. Preliminary Geotechnical Exploration and Report

Draper Aden Associates will arrange for a subcontracted ATV/track-mounted drill rig to be mobilized to the project site. Unless otherwise advised, it is assumed that DAA and our subcontractor(s) have permission to enter the site at any convenient location. Private utility locating services are not included.

Draper Aden Associates will perform seven (7) SPT borings at the site to depths of 20 feet below existing grades or refusal, whichever occurs first. Rock coring is not included. The boring locations will be selected by DAA to provide representative coverage of the site and will be field-located in accessible areas using a hand-held Global Positioning System (GPS) unit. The existing ground surface elevations at the boring locations will be estimated from Google Earth or other available topographic and/or survey information. Chainsaw clearing is expected to be required to access the boring locations. The boreholes will be backfilled with soil cuttings after completion of drilling.

Upon completion of the borings, we will perform laboratory testing on selected soil samples including; natural moisture content, grain-size analysis, and plasticity testing.

We will prepare and deliver a preliminary geotechnical engineering report which presents the results of our field and laboratory testing, as well as our preliminary recommendations regarding the geotechnical implications of the subsurface conditions for site development.

Schedule: Commencement of field services is subject to drilling contractor availability. We expect to be able to mobilize for the explorations within two weeks following your written notice to proceed. We anticipate that the test borings will require three days to complete. We anticipate that laboratory testing will be completed within two weeks of the completion of field services, and our geotechnical report will be submitted within approximately two weeks following the completion of laboratory services. **It should be emphasized that this schedule is an estimate, and it is based on utility clearance schedule, drill rig availability, normal workloads, and appropriate weather conditions. In addition, the ongoing COVID-19 pandemic and associated government directives may impact the schedule for this work, particularly the field and laboratory components.**

Deliverables: An electronic copy of our Preliminary Geotechnical Engineering Report will be provided to the County in PDF format. If requested, one hard copy of the report will also be provided.

Assumptions and Limitations:

- ❖ The borings will be field-located using a hand-held Global Positioning System (GPS) unit, and the existing ground surface elevations at the exploration locations will be estimated from the grades shown on the available site plans, or from available topographic and/or survey information, or from Google Earth. If greater accuracy is required, a professional, instrumented survey or boring stakeout can be performed as an additional service.
- ❖ Private utility location will not be required or will be provided by others.
- ❖ The client will notify Draper Aden Associates of any private utilities within the site. Neither Draper Aden Associates nor our subcontracted drillers will be responsible for damage to property or utilities based on inaccurate information provided by others.
- ❖ Access to the site can be obtained with an ATV/track-mounted drill rig during normal business hours. Work performed outside of normal business hours may result in additional charges from our drilling subcontractor.
- ❖ The Client will notify Draper Aden Associates of any access constraints (specific points-of-entry, locked gates, etc.) as well as any areas to be avoided or not to be disturbed prior to our mobilization to the site.
- ❖ Requests for revisions to our final report more than 30-days following issuance will be considered as changes in our scope of work and may be subject to additional fee agreements.

Additional Services

If necessary or requested, we can provide the following supplemental services in addition to those outlined above, including, but not limited to, the following:

- ❖ Professional, instrumented boring stakeout or survey.
- ❖ Private utility location or subsurface utility engineering services.
- ❖ Permit acquisition.
- ❖ Traffic control.
- ❖ Heavy clearing (beyond limited chainsaw clearing) to access the boring locations.
- ❖ Delay time, if unable to reach the boring locations for reasons beyond the control of DAA.
- ❖ Additional explorations/depths beyond the scope outlined above.
- ❖ Collection of rock cores or Shelby tubes.
- ❖ Site restoration beyond backfilling the boreholes once.
- ❖ Geophysical evaluation or seismic site characterization.
- ❖ Slope stability analysis.
- ❖ Design-phase geotechnical exploration and report preparation.
- ❖ Construction observation and testing services.
- ❖ Additional consultation or meeting attendance.

B. Boundary Survey

Draper Aden Associates will conduct a field survey to recover existing property boundary corner monuments. The property boundary will be established by analyzing the character and position of the existing corner monuments, deeds and plats of record, and other visible field evidence. The boundary survey will include the exterior boundary lines of the five parcels only. Recent clearing and grading have likely obliterated most of the internal boundary markers.

The horizontal & vertical datum will tie to our previous survey of the Fire Station (NAD83/South Zone, NAVD88).

Deliverables: An electronic copy of our Boundary Survey will be provided to the County in PDF format.

Assumptions and Limitations:

- ❖ Setting of property corners is not included within the scope of this work.
- ❖ The boundary will be shown on the topographic survey, but we will not provide a separate, recordable plat.

C. Topographic Survey

We will conduct an Aerial Survey for the project using a sUAS/drone aircraft. A licensed pilot will plan the flights based on the extents of the project. The survey will include setting ground control, locating the ground control and collecting check point measurements, flying the site with the drone and post-process the photos using photogrammetry software. Draper Aden Associates will augment the aerial survey with conventional surveying methods to supplement the photogrammetry in areas where imagery is occluded. The location of utilities will be limited to above ground observable evidence only. A topographic base map will be prepared from field collected data to accurately depict existing site conditions.

Deliverables: An electronic copy of our Topographic Survey will be provided to the County in PDF format.

D. Phase 1 Environmental Site Assessment

Draper Aden Associates will conduct Phase I Environmental Site Assessments (ESA) in general accordance with EPA requirements for All Appropriate Inquiry (AAI) (environmental due diligence). Toward meeting those requirements, the study will be conducted in general accordance with ASTM Practice E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM).

The purpose of such an assessment is to identify "recognized environmental conditions" (RECs) as defined by ASTM. RECs mean the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property (1) due to a release to the environment, (2) under conditions indicative of a release to the environment, or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not RECs.

ASTM Practice E 1527-13 does not encompass a variety of environmental conditions that may nonetheless affect the suitability of a property for specific development (for example indoor air quality, potential asbestos-containing materials, potential lead-based coatings, potential wetlands, threatened or endangered species, radon, or historic resources either on or adjacent to the subject property). However, during the site reconnaissance, if information is revealed or features observed that indicate the potential presence of one or more of these conditions at the site and not previously noted, it will be documented and communicated. If additional services are required to

assess any of these conditions further Draper Aden Associates can provide a fee estimate as a lump sum or provided on a time and materials basis.

Expanded File and Records Review – Optional, To be Determined if needed, not included in the current scope and fee: At the start of the project, Draper Aden Associates will submit a Freedom of Information Act (FOIA) request to the Virginia Department of Environmental Quality (VDEQ) for information that may be available for the site or adjacent properties. Should a significant amount of information be discovered that will require review, we will contact you to discuss an additional scope and fee.

Deliverables: An electronic copy of the Phase 1 ESA will be provided to the County in PDF format.

E. Waters of the US Delineation and Determination

Draper Aden Associates will complete field delineation of the boundaries of Waters of the U.S. features for parcels shown on Figure 1. Delineation will be conducted in accordance with the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual (1987 edition) and subsequent regional supplements. The delineated boundaries will be denoted by field flagging and recorded using a sub-meter, mapping grade GPS instrument. Appropriate documentation of existing conditions will be completed during the fieldwork including, at a minimum, documentation of field data stations (pertaining to wetlands and uplands) and one cross-section (pertaining to streams only). The locations of field data stations will be denoted by field flagging and recorded using a sub-meter, mapping grade GPS instrument.

A land survey of the delineated boundaries is not a part of this scope of work. Wetland and stream boundaries recorded on the mapping grade GPS meter instrument will be used to map the wetlands and streams on a Draper Aden Associates developed base map or an electronic aerial map/photo procured from a publicly available source.

Our fee also includes completion of USACE pre-application form (USACE-required form for site access), preparation and submittal of a Preliminary Jurisdictional Determination (PJD) report to USACE, coordinate and complete one site visit with USACE/DEQ to confirm the delineated boundaries, reasonable revisions and finalization of the PJD.

F. Cultural Resources Review

Draper Aden Associates will complete a preliminary archeological and architectural review for the parcels shown on Figure 1. The proposed level of evaluation is commensurate with the typical level of evaluation required, under the Virginia DEQ administered Environmental Impact Review (EIR) process for certain types of State projects and/or similar level of evaluation as required under the federal National Environmental Policy Act (NEPA) Environmental Assessment (EA) process under the assumption that the site is likely to receive a Finding of No Significant Impact.

Draper Aden Associates will perform a review of Virginia Department of Historic Resources (DHR) archives and resources database through the DHR VCRIS (Virginia Cultural Resource Information System), identify documented historic resources on and near the project site (0.5-mile radius is

currently assumed), and present that information on a site map. Historical use information, if available from previously completed or new Phase I Environmental Site Assessments (ESAs), will also be reviewed as it relates to historical site uses that might be pertinent to a DHR project review. We will also perform a site reconnaissance for the potential presence of undocumented historic resources (e.g., family cemetery plots). Additional reconnaissance (windshield survey) for historic resources within the vicinity of the subject parcel (0.5-mile radius is currently assumed) will also be conducted.

Draper Aden Associates will contact DHR and request a review of the project site and potential effect, if any, to historic resources from future site development as part of their Technical Assistance process. Site-specific surveys including archeological survey, if recommended by DHR, is unknown at this time and is therefore beyond the scope of this task. This task does not constitute a formal project review or coordination with regulatory agencies as may be required for state or federal funding in the future, but will be used to identify potential resources that may affect project planning and site development.

Draper Aden Associates will summarize the results of the above evaluation in a brief summary report with associated maps, and any recommendations for site development and additional evaluations, if any required.

G. Threatened & Endangered Species Review

Draper Aden Associates will complete a preliminary/screening level Threatened & Endangered (T&E) species review of the parcels shown on Figure 1. Virginia DEQ administered EIRs and the federal NEPA EA process generally require a review for the potential presence of state and federally threatened and endangered species that could be affected by site development. The potential for threatened and endangered species could warrant future site-specific species survey (to confirm or disconfirm the actual presence of a species) or may require development to adhere to certain project restrictions, such as time of year restrictions for tree clearing. Draper Aden Associates will perform a preliminary review for potential threatened and endangered species. This includes a review of publicly accessible databases through the Virginia Department of Conservation and Recreation (VDCR), the Virginia Department of Game and Inland Fisheries (VDGIF), and the US Fish and Wildlife Service (USFWS) for potential presence of state or federally threatened and endangered plant and animal species in the area. Since the databases available provide a list of species within a larger area beyond the subject property (i.e., minimum 2-mile radius to county wide) a review of species habitat (as published or observed during cultural resources or wetland reconnaissance) will be incorporated into the research in an effort to eliminate potential presence of species without a site-specific species survey.

We will compile this information into a summary table of species identified. This task excludes coordination with or project review by regulatory agencies that may be required for state or federal funding or wetland permitting in the future.

H. Preliminary Engineering Report

Draper Aden Associates will perform the following tasks to be included in the comprehensive preliminary engineering report (PER) for the parcels shown on Figure 1 for industrial development suitability.

1. Sewer Analysis: The sewer analysis will be divided into two components:
 - a. Design flows
 - b. Onsite collection system / septic system

Anticipated design flows will be determined using local, regional, and state design standards and guidelines. Average and peak daily flows will be calculated based on existing and proposed zoning and land use of the parcels. Using these flows, we will determine the septic system sizing for the development.

2. Water Analysis: The water system analysis will consider the following:
 - a. Average daily demands and fire flow demands
 - b. Capacity of existing site infrastructure
 - c. Alternatives if existing infrastructure is determined to not be able to meet demands
 - d. Site layout for new water mains

Average daily demands and fire flow demands will be determined using local, regional, and state design standards and guidelines as well as existing and proposed zoning and land use. The existing 6-inch water main will be analyzed to determine their ability to supply the required flows.

If it is determined that the existing infrastructure is not capable of supplying sufficient flow to meet all requirements, we will analyze alternatives for increasing available flow as an additional service.

I. Master Plan Development

1. Site Visit / Research: We will complete site reconnaissance and review existing data and information gathered as part of the above referenced tasks.
2. Opportunities and Constraints Mapping: We will compile the information gathered in the above referenced tasks into a base map so the existing site conditions can be graphically communicated. The information will be analyzed to create an Opportunities and Constraints Map for internal use.
3. Plans: We will prepare a concept development plan, based on the opportunities and constraints mapping, to inform estimates of probable costs. The concept plan will include the following elements. Please note these plans are not suitable for permitting or construction.

- ❖ Road improvements and extensions, utility extensions, potential lot divisions, and conceptual building layouts
 - ❖ Mass Grading
 - ❖ Conceptual Stormwater Management (SWM) planning
 - ❖ Site Data. We will incorporate site data about general utility availability and capacity (as readily available), net acreage per parcel, and other information helpful in marketing the sites.
4. Estimates of Probable Development Cost: Draper Aden Associates will prepare order of magnitude estimates of probable development costs based on the concept development plans. Estimates will include professional service fees and construction costs to forward the site per tier to "site readiness" (Tier 5).
 5. Letter Report: We will summarize our findings and recommendations in a letter report. The report will also include a summary of the opportunities and constraints, infrastructure information, concept development plans, and applicable figures and appendices to support our findings.
- We will send a draft report to the EDA to solicit input and comments. Based on the County's review, we will finalize the report and submit to the EDA.
6. Meetings: We will attend two meetings in Fluvanna County to discuss and solicit comments regarding the draft report and present our findings to the EDA. We will also participate in coordination conference calls with the EDA.

Deliverables: We will provide the EDA with a PDF of the initial concept development plans and the draft and final letter report.

J. Rezoning Assistance

Draper Aden Associates will assist the County with the rezoning of parcels 130, 138, and 139, as shown on Figure 1, from A-1 to Industrial, Light. We will complete the following tasks in support of the rezoning.

1. Complete the application, including the Master Plan, copy of Tax Map, and general location map, and provide to the EDA for submittal to the County.
2. Attend the technical review committee meeting, one Planning Commission meeting, and one Board of Supervisors meeting.

K. Traffic Impact Analysis

EPR, PC, our subconsultant from Charlottesville, will prepare the Traffic Impact Analysis (TIA) in support of the rezoning to industrial. EPR will complete the following task to develop the TIA.

1. Prepare for and attend formal, virtual scoping meeting with VDOT.

2. Collect data including a tube count at the existing entrance location to get hourly data, and also a TMC at Route 6 /US Route 15 intersection.
3. Complete a site visit. Draper Aden Associates will provide sight distance verification, as part of the Master Plan Development task.
4. Review crash history mapping and interpret the data.
5. Analyze existing, future no-build, and build (existing and no-build is just the Route 6 /US Route 15 intersection; build includes the site entrance).
6. Prepare a report for submittal and review by VDOT.
7. Revise the report based on one review by VDOT. Additional revisions due to additional VDOT comments are not included in the proposed fee.

Additional intersections requested by VDOT during the scoping meeting for traffic counts and analysis are not included in the proposed fee.

II. SCHEDULE

The above referenced services are proposed to be complete within 100 days of your authorization to proceed.

III. FEES AND CONTRACT TERMS

Draper Aden Associates proposes to provide the basic services and related in-house reimbursables, as presented in our Scope of Services for the lump sum fees shown below. For these tasks, we will invoice monthly based on the percentage complete of each task. All services will be provided in accordance with our current contract with Fluvanna County.

A. Preliminary Geotechnical Exploration & Report	\$ 9,960
B. Boundary Survey.....	\$ 8,500
C. Topographic Survey	\$ 18,800
D. Phase I Environmental Site Assessment	\$ 7,900
E. Waters of the US Delineation and Determination	\$ 14,800
F. Cultural Resources Review	\$ 3,500
G. Threatened & Endangered Species Review	\$ 3,900
H. Preliminary Engineering Report	\$ 19,700
I. Master Plan Development	\$ 13,100
J. Rezoning Assistance	\$ 4,600
K. Traffic Impact Analysis (required for rezoning).....	\$ 6,600

IV. ASSUMPTIONS / LIMITATIONS

- A.** If the scope of the project is revised by any party after acceptance of this proposal, we reserve the right to re-negotiate our schedule and fee accordingly.
- B.** Any additional out-of-town travel or meetings authorized by your office will be invoiced on a time and materials basis in addition to the fee presented herein.
- C.** Analysis and/or design of off-site utility, stormwater management, and other improvements are not included in this scope of services.

Mr. Bryan Rothamel
December 22, 2020
Page 10 of 11

V. SUPPLEMENTAL SERVICES

If necessary or requested, we can provide the following supplemental services in addition to those outlined above, including, but not limited to, the following:

- ❖ Presentation graphics and/or attendance or presentations at meetings, beyond what is included above.
- ❖ Additional topographic, boundary, easement, or right-of-way and utility surveys, beyond what is included above, and preparation of easement plats.
- ❖ Design beyond the conceptual phase, including development of construction and permit plans and documents.

Our current scope does not include items unless specifically described herein. Any additional services requested can be undertaken on a time and material basis or negotiated lump sum fee based on your requirements in addition to the fees outlined herein. If any additional services should become necessary or desirable, a Request for Additional Services will be submitted.

On behalf of Draper Aden Associates, thank you for the opportunity to provide our proposal for engineering services. If this proposal meets with your approval, please sign the Authorization to Proceed below and return it to us. Please keep a copy of the proposal for your records. Please note that it is the policy of Draper Aden Associates that no deliverables or other products of service will be submitted without a formal agreement between parties or written authorization acknowledging the scope of work and fees associated with the proposed work. We appreciate your efforts toward this end.

If you have any questions regarding the above information, please feel free to contact Carolyn Howard at 540-557-1398. We look forward to working with you to advance the Fork Union site to attract additional investment and jobs for your County!

Sincerely,

DRAPER ADEN ASSOCIATES



Carolyn A. Howard, PE
Senior Associate / Regional Manager
Site Development & Infrastructure



Srikanth Nathella, PE
Vice President / Principal
Environmental Division Manager

Mr. Bryan Rothamel
 December 22, 2020
 Page 11 of 11

Attachment: Figure 1

cc: Ms. Deborah K. Flippo, Economic Development Program Manager
 Ms. Cheryl Stockton, LS, Survey Team Leader
 Mr. F. Douglas Pinckney, PE, Senior Project Engineer, Geotechnical Services

AUTHORIZATION TO PROCEED
Proposal for Professional Services
Fork Union – Due Diligence
Draper Aden Associates Proposal No. 18060133

I/We agree and accept Draper Aden Associates' proposal to provide the above described services for the tasks initialed below. We understand the Scope of Services as provided herein and agree to the fees estimated for these services. We further acknowledge that Draper Aden Associates will provide a proposal for any change in the Scope of Services described herein and that a signed agreement to provide those additional services will be executed prior to any work being performed.

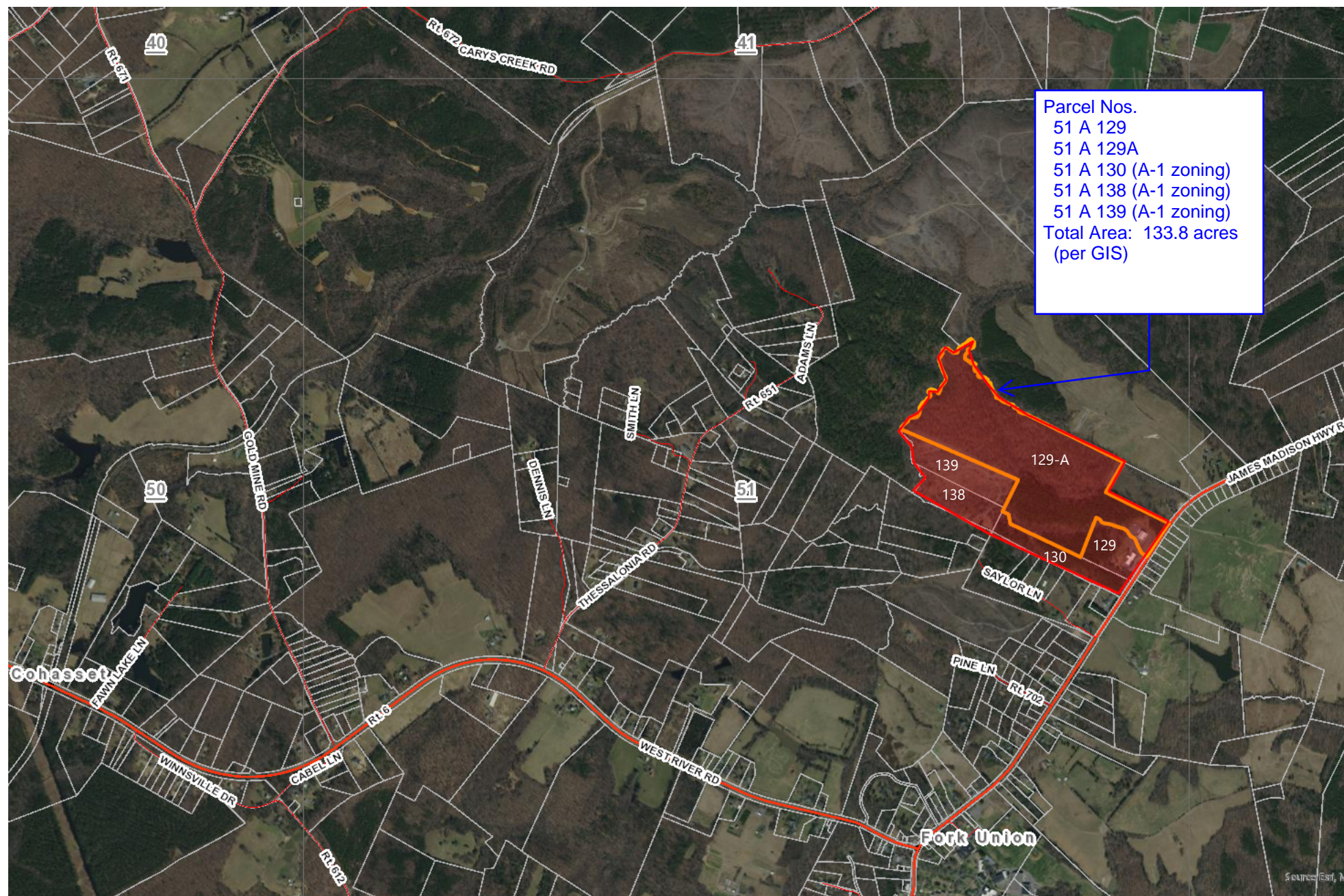
- A. Preliminary Geotechnical Exploration & Report
- B. Boundary Survey
- C. Topographic Survey
- D. Phase I Environmental Site Assessment
- E. Waters of the US Delineation and Determination
- F. Cultural Resources Review
- G. Threatened & Endangered Species Review
- H. Preliminary Engineering Report
- I. Master Plan Development
- J. Rezoning Assistance
- K. Traffic Impact Analysis (required for rezoning)

Printed Name

Title

Signature

Date



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

TAB D

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Burn Building 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):	Cyndi Toler, Purchasing Officer				
PRESENTER(S):	Cyndi Toler, Purchasing Officer				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	<ul style="list-style-type: none"> • IFB from September 2020 <ul style="list-style-type: none"> ○ The low bid came in at \$987,721.00 • The board decided at that time to reissue the IFB with no changes and hope for better results. • The Burn Building Committee has since been made aware of a building completed in Harrisonburg using the same grant. <ul style="list-style-type: none"> ○ The final cost on this building was approximately \$650,000. ○ While the design is different from the one provided by Fire Programs, it still meets all the strict specifications of the grant. • In an effort to save money in the overall construction cost, the Committee would like to change the design to the more economical version as done by Harrisonburg. • To date, the County has spent \$44,860 on this project. This includes Soil Testing, Site Plans, and the original Design. <ul style="list-style-type: none"> ○ \$30,000 of this cost is covered under the grant. • Changing the design at this point will mean the County will come out of pocket an additional \$22,460 for this design cost. 				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				

ENCLOSURES:	N/A				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
			X		

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB E

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Children's Services Act Semi-annual 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):	Bryan Moeller, CSA Coordinator				
PRESENTER(S):	Bryan Moeller, CSA Coordinator				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	<ul style="list-style-type: none"> Purchase of Services for FY 2020 amount was under less than \$350,000.00 Significant increase in new cases in second half of calendar year 2020 Educational costs continues to be primary driver of annual increase in POS spending Additional staff may be needed for continued growth of program 				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	N/A				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB F

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Strategic Initiatives Update				
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):	Kelly Belanger Harris, Assistant County Administrator				
PRESENTER(S):	Kelly Belanger Harris, Assistant County Administrator				
RECOMMENDATION:	N/A				
TIMING:	Normal				
DISCUSSION:	Review of 2018-2019 Strategic Initiatives Discussion of 2021 Priorities				
FISCAL IMPACT:	Undetermined				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Strategic Initiatives 2018-2019				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

2018-19 STRATEGIC INITIATIVES UPDATES – FLUVANNA COUNTY

Updated: Dec 30, 2020

#	STRATEGIC INITIATIVE / Action Item	STATUS / NOTES
A1	Work with FRA to identify support options for Fire and Rescue volunteers.	ONGOING
A2	Continue to research and evaluate county-wide broadband expansion opportunities.	COMPLETE
A3	Hold review meeting on ordinance enforcement (trash, buildings, vehicles) with Health Dept., Planning, Building Inspections, Public Works, and County Attorney.	COMPLETE
A5	Improve partnership with the school system for shared use of county and school owned facilities.	ONGOING
A6	Identify and assess resident concerns about roadway and public safety issues, and coordinate with VDOT for appropriate actions.	ONGOING
A7	Initiate comprehensive review of the Hwy 53 corridor from Lake Monticello Road to Ruritan Lake Road (e.g., Safety improvements at LM Monish Gate; 3-way stoplight at Food Lion; sight improvement at Ruritan Lake Road and Hwy 53; etc.)	COMPLETE
B1	Assess options to communicate more efficiently, effectively, and economically with Fluvanna residents.	ONGOING
B3	Meet with local Pastors to discuss effective communications and community support.	ONGOING: email list; have not met in person, COVID preempted
B4	Promote tax due dates, public hearings, etc., in FAN Mail.	ONGOING
B6/B7	Hold an Elected Official's Breakfast for our State Representatives in Fall of 2018, 2019	COMPLETE: Held on Oct 6, 2018 & Oct 1, 2019

#	STRATEGIC INITIATIVE / Action Item	STATUS / NOTES
B8	Conduct 2019 Fluvanna County Residents Survey and analyze results.	COMPLETE: Dec 18, 2020 (537 responses)
C1	Continue Columbia area renewal efforts including improved enforcement of County/State codes and Health Department regulations.	ONGOING
C2	Complete a Master Water and Sewer (Plan Phase I) to identify sources for the county's long-term water needs; particularly for each of its community planning areas.	IN PROCESS
C4	Create master report and marketing plan regarding County tower assets and rental options.	ONGOING
C5	Investigate the use of Overlay Zones for the Zion Crossroads Community Planning Area to support economic development.	COMPLETE
C6	Create a County-wide overlay map showing utilities and other key features that support business growth and development.	COMPLETE
C7	Review and pursue opportunities and options for a Palmyra Village Streetscape project to improve safety, parking, walkability, and overall appearance.	IN PROCESS
C8	Successfully oversee and manage Fluvanna County aspects of the James River Water Project.	ONGOING
C9	Successfully oversee and manage the design and construction of the Zion Crossroads water and sewer system.	ONGOING
D1	Draft and adopt a formal County-wide economic development and tourism strategy inclusive of an implementation schedule.	COMPLETE
D2	Develop a "This is Fluvanna County" video message to be shared with county citizens and businesses as well as use with county economic development initiatives.	COMPLETE: Transformed to #fromFluvanna in-house blog; social media marketing
D3	Coordinate development activity at Fluvanna's northern border with Louisa County, including possible natural gas line along 250 and discussing "shared" parcels.	ONGOING

#	STRATEGIC INITIATIVE / Action Item	STATUS / NOTES
D4	Conduct 2018 local Business Climate Survey and analyze results.	COMPLETE: Spring 2020 – Survey conducted related to COVID-19 business needs
D9	Review higher density options between PDA and R4.	ONGOING
D10	Review options, pros, cons, costs, etc., of creating a “teaching farm” at PG Park,	ONGOING
E2	Reduce the County’s reliance on creating and mailing paper checks for payments and implement expanded ACH/EFT transaction options.	ONGOING: Positive Pay fraud prevention program implemented; first steps towards expanding ACH/EFT/paperless check transactions
E3	Create monthly Treasurer’s Report for BOS Package and quarterly in-person briefing on the data.	COMPLETE
E4	Implement credit card payment option for citizen at all County funds collection points through MUNIS Cashiering process.	UPDATE: Fluvanna will join a cooperative contract through the State for credit card services; implementation expected by end of FY21.
E6	Implement easy to access electronic format code of ordinances (MuniCode or similar).	COMPLETE
A4	Perform strategic review of existing and needed partnerships with local area support and other non-profit groups. (Needed? Effective? Consolidate resource contributions?)	NO UPDATE
B2	Marketing campaign to let residents know about accomplishments and where their tax dollars go.	NO UPDATE
D5	Hold an Economic Development Discussion Forum for local businesses with planning, zoning, building inspections, infrastructure components.	COVID PREEMPTED
D7	Investigate opportunities for park expansion or Rivanna River access points to support expanded recreational activities	NO UPDATE

#	STRATEGIC INITIATIVE / Action Item	STATUS / NOTES
D8	Investigate allowing large lot subdivisions in A-1 as alternative to current cluster subdivisions. (Amend the zoning and subdivision ordinances to allow for varying lot sizes, from small clustered lots to large parcels suitable for continued farming and rural living.)	NO UPDATE SINCE Jan 2020
B5	Expand County Website to receive, answer, and post questions from residents.	NOT PURSUING
C3	Incorporate well-drilling logs provided by the Fluvanna Health Dept. into the county's geographic information system (GIS).	NOT PURSUING
C10	Pursue Phase II of Fork Union streetscape project.	NO UPDATE
D6	Investigate and pursue with State offices the installation of select Boat Ramps along the Rivanna and James Rivers to support additional recreational and tourism opportunities.	NO UPDATE
E1	Review local business license/registration options and pros/cons.	NOT PURSUING
E5	Expand Fluvanna County Website Data Dashboard with key metrics.	DISCONTINUED AT THIS TIME

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

TAB G

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	FY21 Revenue Review				
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):	Mary Anna Twisdale, Finance Director				
PRESENTER(S):	Mary Anna Twisdale, Finance Director				
RECOMMENDATION:	Information only				
TIMING:	N/A				
DISCUSSION:	FY21 Revenue Review				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	N/A				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			

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

TAB H

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors December 16, 2020 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday, December 16, 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 December 16, 2020.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library, 214 Commons Blvd.
Palmyra, VA 22963
December 16, 2020
Work Session at 4:00pm - CANCELED
Regular Meeting 7:00pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District

ABSENT: Tony O’Brien, Rivanna District, Vice Chair
Donald W. Weaver, Cunningham District
Fred Payne, County Attorney

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

- *Due to hazardous weather concerns, Mrs. Eager is attending the meeting virtually/by telephone*
 - Patricia Eager, (Calling from 1107 Mechunk Creek Drive)
- * Due to hazardous weather concerns, Mrs. Booker is attending the meeting virtually/by telephone*
 - Mozell Booker, (Calling from 258 Bass Lane)
- * Due to hazardous weather, Mr. Sheridan is attending the meeting virtually/by telephone*
 - John M. (Mike) Sheridan, (Calling from 445 Covered Bridge Road)

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE
At 7:00pm Chair Sheridan called to order the Regular Meeting of December 16, 2020.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

14 - ADJOURN

MOTION:	At 7:01pm the motion was made to adjourn the regular meeting of Wednesday, December 16, 2020 until December 17, 2020 at 7:00pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Absent	Yes	Absent
RESULT:	3-0				

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair

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

TAB I

MEETING DATE:	January 6, 2021				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors December 16, 2020 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Adjourned Regular Meeting on Wednesday, December 16, 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 Adjourned Regular Meeting of December 16, 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
December 16, 2020
Adjourned Regular Meeting 7:00pm**

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Tony O’Brien, Rivanna District, Vice Chair (*entered meeting at 7:05pm*)
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. Booker is attending the meeting virtually/by telephone*
- Mozell Booker, (*Calling from 258 Bass Lane*)
**Due to health concerns, Mrs. Eager is attending the meeting virtually/by telephone*
- Patricia Eager, (*Calling from 1107 Mechunk Creek Drive*)

1 – RECONVENE, CALL TO ORDER

At 7:01pm, Chair Sheridan called to order the Adjourned Regular Meeting of December 16, 2020.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked the board if Item *H- Families First Coronavirus Response Act (FFCRA) Emergency Sick Leave and Expanded FMLA Provisions Set to Expire* could be deferred and Item *G - FY20 Comprehensive Annual Financial Report (CAFR)*, could be moved ahead of the action matters.

MOTION:	Accept the Agenda, for the December 16, 2020 Adjourned Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Staff and Community Recognitions

- Huge THANK YOU to Public Safety personnel during yesterday’s ice storm and downed tree’s clean up!
 - Fire & Rescue Volunteers, Sheriff’s Office, E-911, VDOT, Lake Monticello PD and Maintenance.
 - They had over 150 CAD (Computer Aided Dispatch) entries and 80 911 calls
- Thanks to CVEC and Dominion for power restoration efforts
 - CVEC peak outage – 4,600
 - Dominion peak outage – 3,304
- Thanks to the Public Works Grounds crew for prepping and de-icing county facilities yesterday and this morning.

Announcements and Updates

Governor Northam released his New Statewide Measures to Contain COVID-19 – Executive Order 72
The following measures will took place effective on Monday, December 14 and remain in place through January 31, 2021, unless rescinded or amended.

- Executive Order Seventy-Two directs Virginians to stay at home between the hours of 12:00 a.m. and 5:00 a.m.
- Expansion of mask mandate – all Virginians over the age of five are required to wear face coverings in indoor and outdoor public spaces
- Reduction in public and private gatherings – limited to 10 individuals down from 25
- On-site alcohol curfew - The on-site sale, consumption, and possession of alcohol is prohibited after 10:00 p.m. All restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, and tasting rooms must close by midnight.

Virginia is averaging 1,500 newly-reported COVID-19 cases per day, up from a statewide peak of approximately 1,200 in May.

Fluvanna County Pandemic Metrics: 12/14/2020

November 30th, 2020

- Cumulative Cases: 498
- 7-day rolling sum (11/23-11/30): 17 cases
- Percent Positivity, rolling 7-day average: 2.9%

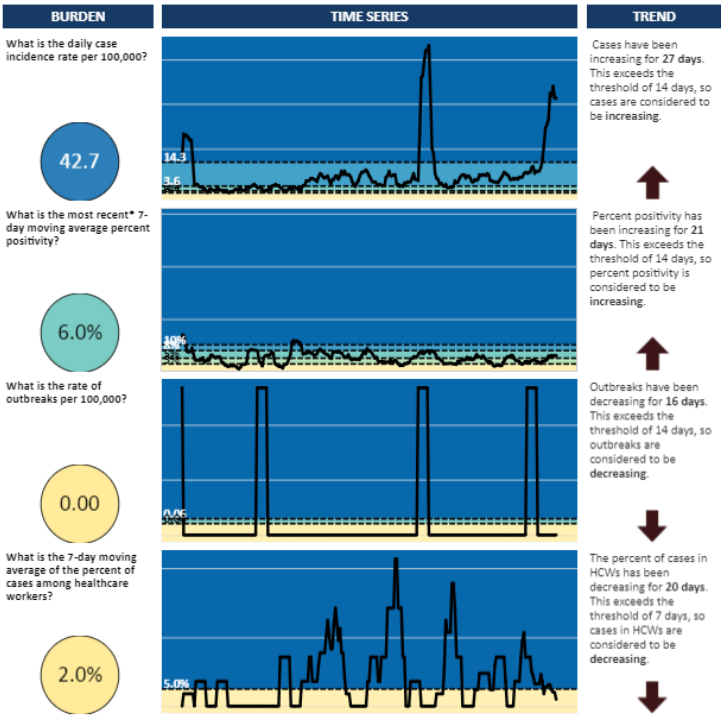
December 7th, 2020

- Cumulative Cases: 553
- 7-day rolling sum (11/30-12/07): 55 cases
- Percent Positivity, rolling 7-day average: 6.1%

December 14th, 2020

- Cumulative Cases: 633
- 7-day rolling sum (12/07-12/14): 80 cases
- Percent Positivity, rolling 7-day average: 6.0%*

*This Metric is from Dec. 10th



**Pleasant Grove Park's
Community of Lights Celebration!**
December 18th and 19th
6PM until 9PM

- The Event will be held at Pleasant Grove Park, visitors will be able to drive a loop around the park and view holiday themed displays, Santa will be greeting vehicles as they drive by
- We will be practicing safety protocols recommended for COVID-19, including facemask and social distancing when appropriate.

Spotlight on Business:

DetailMeNow

- Located in Crofton Plaza, 112 Crofton Place
- www.detailmenowva.com | (434) 510-7239
- www.facebook.com/DetailMeNowVA
- Chamber of Commerce Emerging Business of the Year
- eGift cards available for the perfect quick gift option.

Next BOS Meeting:

Day	Date	Time	Purpose	Location
Wed	Jan 6	4:00pm	2021 Organizational Meeting / Regular Meeting	Library
Wed	Jan 6	7:00pm	Rescheduled Work Session – Non-profits	Library
Wed	Jan 20	4:00pm	Budget Work Session – Non Profit Presentations	Library
Wed	Jan 20	7:00pm	Regular Meeting	Library

5 - PUBLIC COMMENTS #1

At 7:12pm, Chair Sheridan opened the first round of Public Comments.

- After discussion, the Board of Supervisors asked to have public comments submitted via email attached to the minutes to be included in the public record

With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:16pm.

6 - PUBLIC HEARING

Joint Mutual Aid Agreement between Fluvanna County, Fork Union Sanitary District and the Louisa County Water Authority for Mutual Aid Related to the Water and Waste Water Systems and Required Ordinance – Eric Dahl, County Administrator

- Pursuant to Section 15.2-1300 of the Code of Virginia, 1950, as amended, Fluvanna County, the Fork Union Sanitary District (“FUSD”) and the Louisa County Water Authority (“LCWA”) agree that the proper operation of all water and waste water systems controlled by them is in the best interests of the public and therefore the parties desire to enter into a joint agreement for mutual aid related to their respective water and waste water systems.
- The Mutual Aid Agreement together with exhibits thereto sets out the purposes under which such aid may be requested and the terms governing a response between the Parties to such requests and other matters related thereto.
- Enabling legislation requires localities to approve such agreements by ordinance.

At 7:19pm, Chair Sheridan opened the Public Comments.
With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:19pm.

MOTION:	Approve “AN ORDINANCE APPROVING THE MUTUAL AID AGREEMENT AND EXHIBITS THERETO BETWEEN FLUVANNA COUNTY, FORK UNION SANITARY DISTRICT, AND THE LOUISA COUNTY WATER AUTHORITY FOR MUTUAL AID RELATED TO THE WATER AND WASTE WATER SYSTEMS”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Dominion Right of Way Agreement – Eric Dahl, County Administrator

- In November 2018, VDOF leased a parcel from the County in order to build a storage building; VDOF and the County has requested the Dominion utility lines on the leased property be buried
- Dominion must be granted an easement across County property in order to bury the utility lines
- Pursuant to Section 15.2-1800 of the Code of Virginia, 1950, the Board cannot convey an easement until a Public Hearing is held
- This Right of Way allows Dominion electric transmission lines and equipment to be placed in the easement area that travels across County property to the VDOF storage building
- VDOF, Dominion, and the County Attorney have approved the Right of Way Agreement; there is no cost to the County

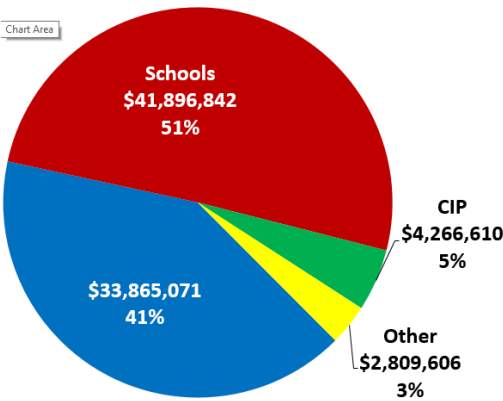
At 7:22pm, Chair Sheridan opened the Public Comments.
With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:22pm.

MOTION:	Approve 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.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

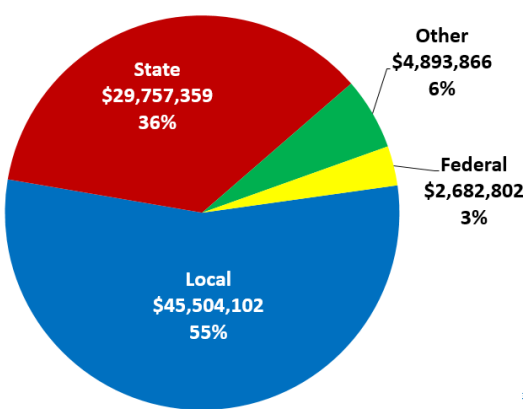
8 - PRESENTATIONS

FY20 Comprehensive Annual Financial Report (CAFR) – Mary Anna Twisdale, Finance Director
Budget Summary

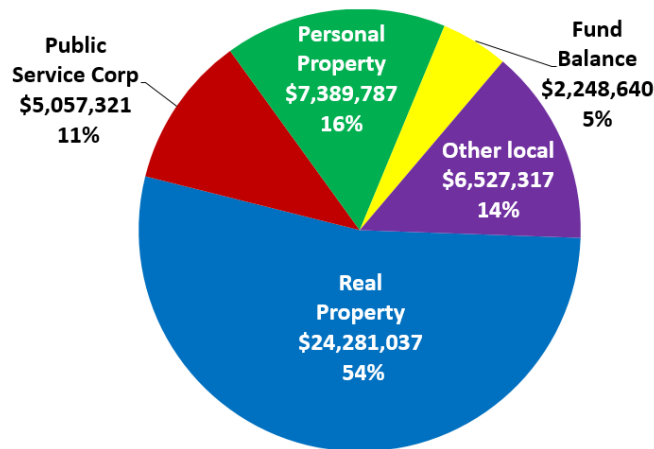
Total Expenditures:



Total Revenues:

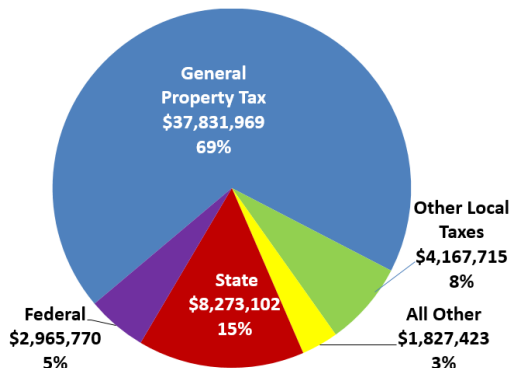


Board of Supervisors Minutes
Revenue from Local Sources Only:



Comprehensive Annual Financial Report:

FY20 General Fund Revenues:

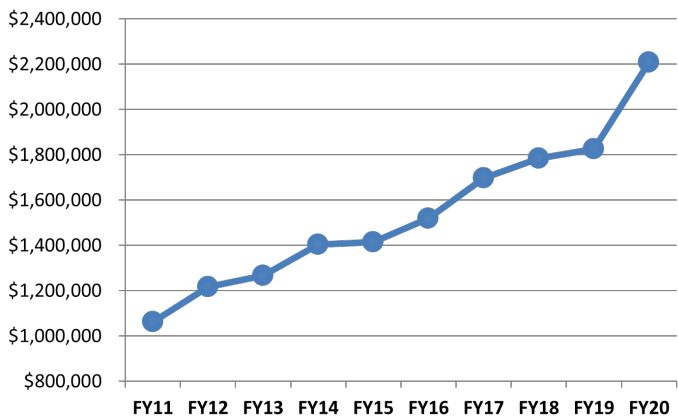


A	B	C	D	E	F
Revenue Source	FY19 Actual	FY20 Amended Budget	FY20 Actual	Over/(Under) Budget	FY19 to FY20 Inc/Dec
General Property Taxes	\$36,606,379	\$37,153,145	\$37,831,969	\$678,824	3.35%
Other local taxes	3,729,925	4,466,500	4,167,715	(\$298,785)	11.74%
Permits and fees	266,135	293,600	312,286	\$18,686	17.34%
Fines and forfeitures	66,715	61,500	57,037	(\$4,463)	-14.51%
Use of money	590,296	178,000	221,540	\$43,540	-62.47%
Charges for services	949,687	919,603	1,011,500	\$91,897	6.51%
Miscellaneous	120,081	134,537	81,846	(\$52,691)	-31.84%
Recovered Cost	195,792	227,247	143,214	(\$84,033)	-26.85%
Commonwealth	8,039,911	7,946,953	8,273,102	\$326,149	2.90%
Federal	1,700,485	1,440,359	2,965,770	\$1,525,411	74.41%
Total	\$52,265,406	\$52,821,444	\$55,065,979	\$2,244,535	5.36%

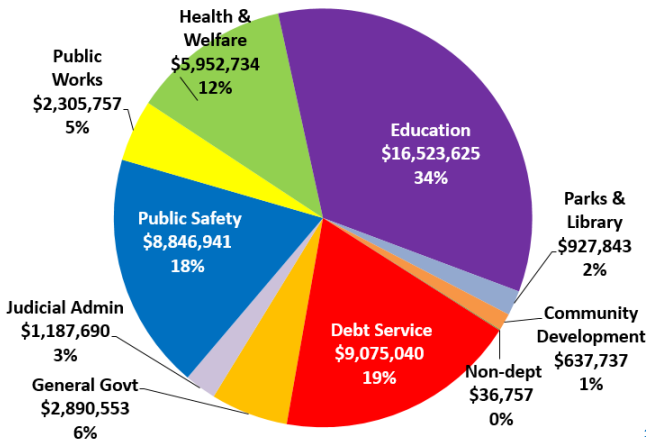
FY20 Top four Local Revenues:

A	B	C	D	E	F	G
Revenue Source	FY16	FY17	FY18	FY19	FY20	FY19 to FY20 Inc/Dec
Real Estate Taxes	\$21,511,249	\$22,171,385	\$22,614,196	\$23,789,823	\$24,432,282	2.7%
Personal Property Taxes	5,404,855	5,897,231	6,204,439	6,963,184	7,297,986	4.8%
Public Service Corporation	4,981,936	4,451,833	5,363,122	5,143,581	5,483,117	6.6%
Local Sales Taxes	1,518,328	1,696,819	1,783,287	1,826,331	2,208,895	20.9%

Sales Tax Revenues – FY11 to FY20:



FY20 General Fund Expenditures:



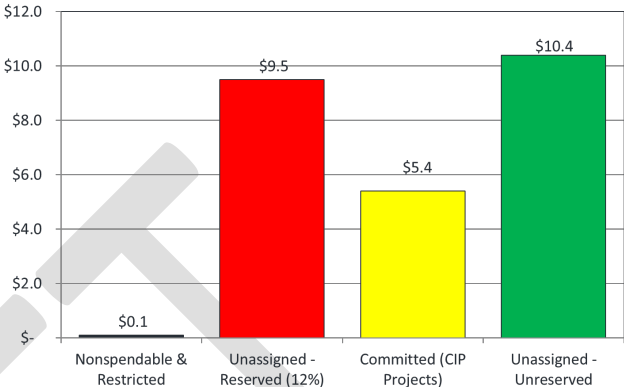
A	B	C	D	E	F
Expenditure	FY19 Actual	FY20 Amended Budget	FY20 Actual	Over/(Under) Budget	FY19 to FY20 Inc/Dec
General Govt	\$2,928,940	\$3,125,650	\$2,890,553	(\$235,097)	-1.31%
Judicial Admin	1,156,453	1,232,929	1,187,690	(\$45,239)	2.70%
Public Safety	8,111,487	8,878,430	8,846,941	(\$31,489)	9.07%
Public Works	2,464,093	2,537,295	2,305,757	(\$231,538)	-6.43%
Health & Welfare	5,891,086	5,889,573	5,952,734	\$63,161	1.05%
Education	16,544,579	17,864,597	16,523,625	(\$1,340,972)	-0.13%
Parks, Rec. & Library	910,949	1,036,511	927,843	(\$108,668)	1.85%
Comm. Development	741,256	1,254,972	637,737	(\$617,235)	-13.97%
Non-departmental	33,693	451,062	36,757	(\$414,305)	9.09%
Debt Service	9,108,278	9,242,684	9,075,040	(\$167,644)	-0.36%
Total	\$47,890,814	\$51,513,703	\$48,384,677	(\$3,129,026)	1.03%

FY20 General Fund Results:

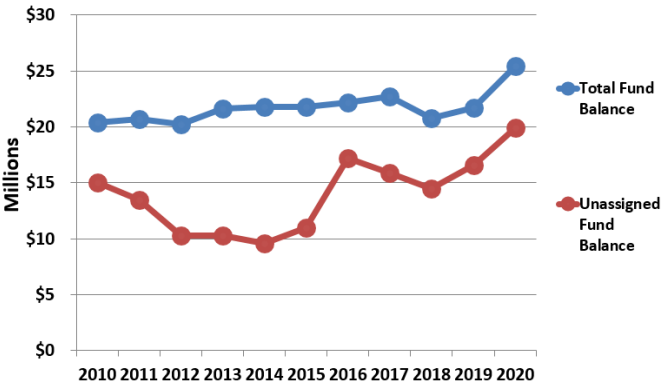
Year Ended June 30, 2020	
Revenue	\$ 55,065,979
Expenditures	(48,384,677)
Excess of revenues over expenditures	6,681,302
Transfers out (CIP & Sewer)	(2,969,716)
Change in fund balance	3,711,586
Fund balance beginning of year	21,693,269
Fund balance at end of year	\$ 25,404,855

General Fund Balance June 30, 2020:

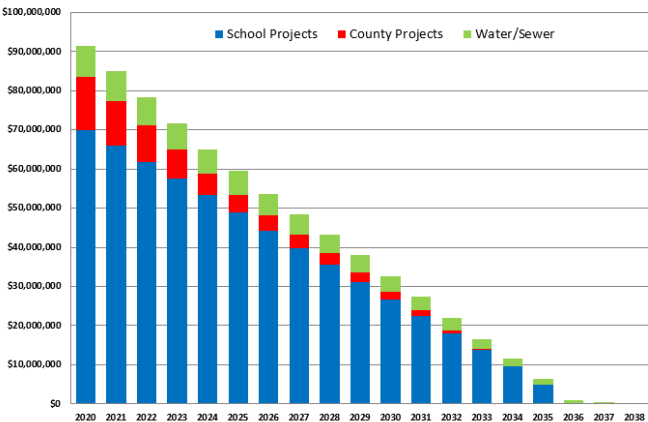
As of June 30, 2020	
Non-spendable (Prepaid expenses, N.R.)	\$36,731
Restricted (e.g., FUSD Debt Reserve)	\$59,520
Committed (e.g., CIP Projects)	\$5,368,959
Assigned (Prior obligations)	\$0
Unassigned	\$19,939,645
Total	\$25,404,855
Unassigned Fund Balance Target per Policy	\$9,522,851
Excess Above Target	\$10,416,794



General Fund Balance – FY10 to FY20:



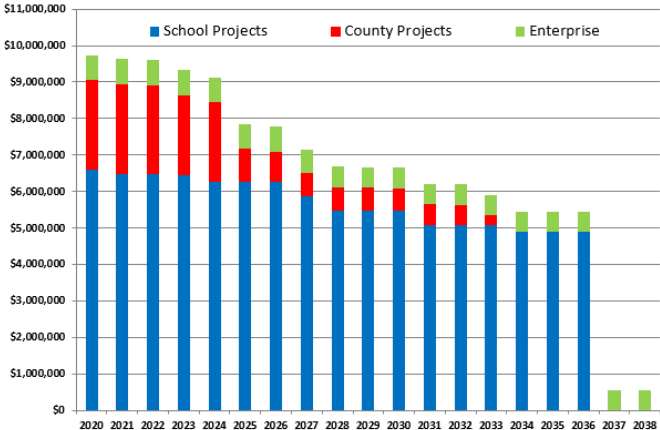
Total Debt (at end of FY20):



Debt & Capital Leases - June 30, 2020:

A	B	C	D
Outstanding Debt	2019	2020	FY19 to FY20 Inc/Dec
General Obligation Bonds	\$ 74,391,999	\$70,200,165	-6%
Literary Fund Loans	0	0	0%
State Moral Obligation Bonds	2,095,000	1,930,000	-8%
Qualified Energy Conservation Bond	6,944,928	6,466,608	0%
Capital Leases	5,978,573	4,814,688	-19%
Water/Sewer Bonds	8,318,959	7,962,398	-4%
Total	\$97,729,459	\$91,373,859	-7%

Annual Debt Service (at end of FY20):



- Sales tax went up due to online sales being included and people spending money locally during the pandemic.
- Ms. Twisdale commended the Finance staff for their hard work throughout the year.
- David Foley, RFC, gave an overview of the audit performed by Robinson, Farmer & Cox and Associates.
 - o Independent Auditors report, Internal control over financial reporting, and report on compliance with major Federal programs.
 - o Mr. Foley gave an unmodified opinion on the County’s financial statements. Unmodified opinion is the cleanest opinion an auditor can give on a set of financial statements and acknowledges Fluvanna County’s statements have been prepared in accordance with the generally accepted accounting principles.

7 - ACTION MATTERS

Agreement with VDOT Regarding “Watch for Children” Signs – Eric Dahl, County Administrator

- VDOT no longer places “Watch for Children” signs along streets at the request of localities. Localities may, after entering into an agreement with VDOT, place such signs in locations approved by VDOT. All costs associated with erecting, maintaining and replacing damaged “Watch for Children” signs are the responsibility of the locality.
- It is estimated that it will cost \$300-\$400 per sign to install “Watch for Children” signs to VDOT Standards and will be paid out of the Public Works budget.
- The County currently has no written policy regarding the installation of “Watch for Children” signs. A request for a “Watch for Children” sign was considered and approved by the Board on April 5, 2017 in the Sycamore Landing neighborhood.



MOTION:	Approve the Agreement titled “ADDENDUM # 1 TO ORIGINAL AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF“WATCH FOR CHILDREN” SIGNS BY COUNTY” between the County of Fluvanna and the Virginia Department of Transportation, and 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:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY21 CARES Act Budget Transfer – Liz McIver, Management Analyst

The County received \$2,379,202 in CARES Act funding due to the COVID19 pandemic. These funds were allocated to the CARES Act Department Contingency Line. Funds will be further disbursed to the following categories to cover the various expenses associated with responding to the COVID-19 health crisis:

- A. Full-Time Salaries (E-911 Salaries)
- B. Full-Time Salaries (includes FMLA & Emergency Sick Leave)
- C. ADP Supplies (Increased Internet Bandwidth for Teleworking)
- D.

MOTION:	Approve a transfer of \$342,000 from FY21 CARES Act Contingency line to CARES Act lines below: A. Full-Time Salaries \$330,000 B. Emergency Sick Leave \$10,000 C. ADP Supplies \$ 2,000				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Board of Supervisors Minutes
Compensation Board Funded Bonus for Sworn Personnel in the Sheriff's Office – Jessica Rice, Human Resources Manager

Legislative Amendment to FY21 Comp Board Budget

- Special session of the General Assembly amendment to Compensation Board funding dictates a one-time bonus to be paid effective December 1, 2020; “\$500 bonus payment on December 1, 2020 for Compensation Board funded sworn sheriffs, deputies and regional jail officers.”- Bonuses must be paid in the County’s December payroll.
- The bonus is approved by the legislature and funded through the Comp Board for sworn positions only, and is not funded for nonsworn (civilian) positions in sheriffs’ offices and regional jails, such as cooks, medical, dispatch or administrative positions.
- Fluvanna County is required to accept the funding, and it may only be used for bonuses
- Fluvanna County Sheriff’s Office has 36 sworn law enforcement officers. Only 20 of those positions are Compensation Board funded that are eligible to receive this bonus. County receiving \$10,765 to cover the 20 bonuses and associated payroll taxes.

BOS Options for consideration

- Option 1 (Required): Proceed with allocating the \$500 bonus to a portion of the Sworn Law Enforcement Officers, as funded by the legislation and Compensation Board funding.
- Option 2: Approve a \$500 bonus to all 36 full-time Sworn Law Enforcement Officers (includes sheriff and deputies).
- Option 3: Approve a \$500 bonus to all paid public safety personnel, to include Sworn Law Enforcement, Administrative position, and E911 staff.
- Option 4: Approve a \$250 bonus to all permanent part-time and \$500 bonus to all permanent full-time County employees.

Option	Number of Employees	Total Cost Bonus + FICA	Less Comp Board Funding	Total Cost to County
1	20	\$10,765	\$10,765	\$0
2	36	\$19,377	\$10,765	\$8,612
3	51.5	\$27,720	\$10,765	\$16,955
4	163.5	\$88,004	\$10,765	\$77,239

Option 1- Approx. ½ of Sworn LE
Option 2- All Sworn LE
Option 3- All Public Safety
Option 4- All permanent staff

- Intent of State Funded Bonus
 - County FY21 Adopted Budget
 - County Employee Appreciation events
 - Status of current departmental expenditures
- After a lengthy discussion, the Board of Supervisors voted for Option 4

MOTION:	Approve a supplemental appropriation of \$10,765 to the Sheriff’s Office FY21 full-time salary and FICA budget lines to cover a one-time \$500 bonus for 20 Compensation Board funded sworn law enforcement officers, as required by the Compensation Board funding.				
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 a \$500 one-time bonus for County staff as presented: <ul style="list-style-type: none">• <u>Option 4</u>: Approve a \$250 bonus to all permanent part-time and \$500 bonus to all permanent full-time County employees at a cost of \$77,239 with funding from departmental savings and other savings within the FY21 operational budget.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	No
RESULT:	4-1				

COVID-19 Municipal Utility Relief Program for FUSD – Bryan Estes, Assistant Director for Public Works-Utilities

- On December 7, 2020, the County received notification of the COVID-19 Municipal Utility Relief Program grant award.
- The Fork Union Sanitary District has been awarded federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds pursuant to the Appropriation Act mandated State Corporation

- Commission application process in the amount of \$6,358.07, to assist with municipal utility customer relief for all eligible customers of Fork Union Sanitary District.
- The goal of this program is to assist municipal utility customers experiencing economic hardship due and arrearage assistance due to the COVID-19 pandemic.
 - Any customer – with the exception of any government entity – shall be eligible for such arrearage assistance. Municipal utilities are encouraged to pay the full amount of arrearages owed by eligible customers that apply for arrearages owed from the March 1, 2020, through the December 30, 2020 time period. Funds can only be used to provide direct assistance to customer accounts over 30 days in arrears during the covered period. Municipal utilities must prioritize assistance first to customers with accounts over 60 days in arrears and then for accounts 30 days in arrears.
 - The awarded municipal utility and their city or county fiscal agent will be required to certify to abide by U.S. Treasury guidance and other regulatory matters concerning the use of CRF funds. The intent is for this allocation to pass through the county or city directly to the municipal utility to serve eligible municipal utility customers.
 - All applicants must certify that all administrative expenses for direct program implementation and direct relief provided to eligible customer arrearages for the covered time period March 1, 2020 – December, 30 2020 will be expended and any unspent funds returned to DOA by COB Friday January 29, 2021.
 - Chiefly, municipal utilities must justify and document use of CRF funds by assisting customers who are experiencing economic hardship due to the COVID-19 pandemic. Therefore, such customers must complete an application that will require self-certification by municipal utility customers in order to be considered eligible for arrearage relief.

MOTION:	Ratify the County of Fluvanna to act as fiscal agent in the distribution of the \$6,358.07 CARES Act funds awarded from the Virginia Department of Housing and Community Development to assist with the COVID-19 Municipal Utility Relief Program for all eligible customers of the Fork Union Sanitary District.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

None.

8 - PRESENTATIONS

Families First Coronavirus Response Act (FFCRA) Emergency Sick Leave and Expanded FMLA Provisions Set to Expire – Jessica Rice, HR Manager – DEFERRED

9 - CONSENT AGENDA

The following items were discussed before approval:
I – Minutes of December 2, 2020 – Caitlin Solis, Clerk to the Board
N – AP Report October 2020 – Liz McIver, Management Analyst

The following items were approved under the Consent Agenda for December 16, 2020:
Minutes of December 2, 2020 – Caitlin Solis, Clerk to the Board
Approval of Open Space Contract for Jerry Goodson – Andrew M. Sheridan, Jr., Commissioner of the Revenue
CRMF – PW21-003 Carysbrook Gym1 – Liz McIver, Management Analyst
FCPS Transportation CIP Transfer of Funds – Liz McIver, Management Analyst
FY21 FCPS Supplemental Appropriation Request BOS - Security Grant – Liz McIver, Management Analyst
AP Report October 2020 – Liz McIver, Management Analyst
AP Report November 2020 – Liz McIver, Management Analyst

MOTION:	Approve the consent agenda, for the December 16, 2020 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for October and November 2020, in the amount of \$4,865,016.96.				
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
Possible improvements/expenditures for CARES Act Funds:

- MACAA Food Bank
 - MACAA has seen increased need: 5-6 more families per day than before COVID-19
 - Several very successful food drives sponsored by community organizations

- EW Thomas’ Grocery: accepts donations to be used by MACAA foodbank. The money is held until purchases are made by MACAA, or by MACAA clients
 - The Fluvanna community has donated over \$35,000 this year; those funds are running out
- CARES Funds guidance for food delivery
- Obstacles:
 - No express authority to give funds directly to MACAA
 - County must purchase the food
 - Purchases must be made by Dec 30, 2020
- Proposed solution: MACAA places order for food, EW Thomas’ bills the County directly
 - CARES Act Compliant: County purchases the food; order is completed by Dec 30, 2020; County has until Jan 15, 2021 to pay the bill.

US Treasury Guidance

- 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.
- 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.

MOTION:	Authorize funds to purchase food for individuals and families affected by COVID-19, including senior citizens and other vulnerable populations, to enable Fluvanna non-profit organizations providing food to serve the Fluvanna residents, utilizing CARES Act Funding in an initial amount of \$10,000, and further authorize the County Administer to provide additional funds not to exceed \$80,000.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- Mr. Dahl gave the board an update on the public comment made by Mr. Pace regarding firearms used in close proximity to his subdivision. The department of wildlife resources has been made aware.
- Mr. O’Brien suggested looking at ordinances in surrounding counties to see if there are additional ordinances that Fluvanna County could adopt.
- Mr. Payne suggested looking at a report but not necessarily adopting the new ordinances
- The board directed staff, the county attorney and the sheriff to review the county gun ordinances

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 9:22pm, 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 9:22pm.

13 - CLOSED MEETING

None.

14 - ADJOURN

MOTION:	Adjourn the adjourned regular meeting of Wednesday, December 16, 2020 at 9:23pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
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

Good evening, All,

I am writing to express my support for the county's plan to disburse CARES Act funding to the food bank at MACAA.

I am sure you are aware that Beth Thomas of EW Thomas Grocery Store and Bertha Armstrong have a long-standing process of securing groceries for the food bank.

This spring, as the pandemic began, it occurred to several community members that an economic crisis was looming, and that more Fluvanna residents would become food insecure. At the same time, quarantine orders were issued, and people would not be able to easily donate to the food bank in person. MACAA does not have the ability to accept credit card donations over the telephone.

A solution was found when Beth Thomas agreed to take donations for the food bank over the phone at EW's, and keep the funds on account for Mrs. Armstrong to use as needed.

Lynn Stayton Eurell donated her talents as a graphic artist, creating flyers and, early in March, "Feeding Fluvanna" was launched. Flyers were posted throughout the community and on social media, and advertisements were placed in the Fluvanna Review, encouraging Fluvanna residents to donate - and donate they did. Over the course of this pandemic, over \$35,000 has been donated to MACAA using this system.

The Fluvanna Rotary also has held enormously successful food and donation drives...but it is not enough.

Bertha Armstrong reports that the food pantry at MACAA is serving five or six additional families, above their usual numbers, EACH DAY. Meanwhile, a recent plea for more donations has been largely unsuccessful. The good citizens of this county have been exceptionally generous, in true Fluco fashion, but I fear that many of them are finding themselves with less money to spare for donations as this pandemic continues to steal jobs and livelihoods.

I strongly encourage the Fluvanna County Board of Supervisors to allocate CARES Act funding to the food pantry. There are few more fundamental necessities than food - and you can ensure that during this dark winter of the pandemic, no one in Fluvanna goes hungry.

Thank you for all you do in service to this community,

Respectfully,

Tricia Johnson
Columbia District
317 Shannon Hill Road

Dear Members of the Board of Supervisors,
At the November 18 BOS meeting, Sheriff Hess requested that you sign on to a resolution the Virginia Sheriff Association crafted concerning qualified immunity. The vote was slated to be held December 16 though I don't see it on the agenda for tonight's meeting. If/when it does come up for a vote, I encourage you to vote "no" and before voting that you share a copy of the resolution with the community.

According to criminal defense attorney, T. Greg Doucette, Qualified Immunity "is a doctrine created from scratch by judges. It was never enacted into law by a legislature or signed by an executive; judges created it on their own" (@greg_doucette May 28, 2020). While police departments and sheriff offices generally oppose its removal, there is growing public support across the country for its abolition including various second amendment advocate groups who are joining forces with victims and national and state legislatures pushing for change. Police may commit acts that are deemed unlawful, or ones that violate a person's rights, but still be afforded qualified immunity because of how it can be applied. Also, it's clear that the threshold for cases brought forward is quite high, and it is inflammatory to suggest that frivolous lawsuits will flood the courts instead of expecting that this will begin a more equitable process of allowing citizens the right to redress wrongs in a court of their peers. To argue that law enforcement would lose staff or have difficulty hiring, implies that professionals do not want to be held to the highest standards when it comes to their job performance. Why would the BOS approve this idea? The examples of physical harm caused by police in the line of duty has been evident in news coverage for some time, but only this year has there been such a spotlight. We have witnessed –

sometimes literally on video – how law enforcement across the country has used excessive force with many cases resulting in death. To name just a few of these individuals: George Floyd, Breonna Taylor, Rayshard Brooks, Daniel Prude and Walter Wallace, Jr.

I suggest that to support this resolution and to encourage lobbying on its behalf contradicts the resolution you adopted this summer in support of racial justice after the killing of George Floyd. Data shows that black and brown people are disproportionately impacted by police violence (<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>). As of last week, 1039 people have been killed by law enforcement across the U.S. this year. According to a research collaborative tracking this data, “black people have been 28% of those killed by police in 2020 despite being only 13% of the population.” If someone argues that police face justice in criminal courts for actions resulting in citizens’ deaths, it’s important to understand that over “98% of killings by police from 2013-2020 have not resulted in officers being charged with a crime.” And while some, not all cities, are seeing a reduction in police killings, rural and suburban killings have been trending upwards over the last several years (<https://mappingpoliceviolence.org>).

Some of the issues with qualified immunity are highlighted in this May 2020 Reuters article: Reuters found among the cases it analyzed more than three dozen in which qualified immunity protected officers whose actions had been deemed unlawful.... The increasing frequency of such cases has prompted a growing chorus of criticism from lawyers, legal scholars, civil rights groups, politicians and even judges that qualified immunity, as applied, is unjust.... In the cases it accepts, the court nearly always decides in favor of police. The high court has ... allowed police to request immunity before all evidence has been presented. And if police are denied immunity, they can appeal immediately – an option unavailable to most other litigants, who typically must wait until after a final judgment to appeal.... The Supreme Court in 2009 raised the bar even higher [when] it gave courts the option to simply ignore the question of whether a cop used excessive force and instead focus solely on whether the conduct was clearly established as unlawful.... [A]ppeals courts have increasingly ignored the question of excessive force. In such cases, when the court declines to establish whether police used excessive force in violation of the Fourth Amendment, it avoids setting a clearly established precedent for future cases, even for the most egregious acts of police violence. In effect, the same conduct can repeatedly go unpunished.... As opponents of qualified immunity point out, denial of immunity doesn’t automatically mean cops will be held liable for alleged excessive force. When such cases go to trial, juries may side with police after weighing the facts of a case.... Several lawyers told Reuters they decline to take cases they think may have merit in large part due to the high barrier of qualified immunity (<https://www.reuters.com/investigates/special-report/usa-police-immunity-scotus/>)

These excerpts come from an article in “Reason Free Minds and Free Markets,” November 2020: The doctrine [Qualified Immunity] shields public servants from federal civil suits unless their misbehavior was “clearly established” in previous case law.... That standard sounds benign. Quite the opposite, as it requires that any alleged wrongdoing be outlined with near-exacting precision in a court precedent within the same federal circuit or via the Supreme Court. A salient example: The 9th Circuit Court of Appeals gave qualified immunity to two cops who stole \$225,000 while executing a search warrant. Though the judges agreed the officers “ought to have recognized that the alleged theft was morally wrong,” the two cops couldn’t have known for certain without a specific case on the books telling them so. Their victims were not afforded the right to sue.... The majority of the American public opposes the doctrine. There have been several legislative attempts to fix it, although they’ve been dead on arrival (<https://reason.com/2020/11/20/qualified-immunity-supreme-court-prison-guards-cell-feces-sewage-trent-taylor/>).

A November Reuters notes that “in their opposition to qualified immunity, gun rights groups, typically supportive of police, find themselves allied with a broad coalition spanning the political spectrum, including gun control advocates.” The article cites cases of gunowners killed in their homes by police officers. Lawsuits resulted in court rulings which in effect meant that the victims gave up their Fourth Amendment rights (protection against illegal search and seizure) when they exercised their Second Amendment rights (<https://www.reuters.com/investigates/special-report/usa-police-immunity-guns/>). There is ample reason to believe that bills which amend the Code of Virginia to provide for “civil action for deprivation of rights” would move us one step closer to promoting, or establishing in some cases, trust between the community and those tasked with safeguarding it.

Please do not sign onto this resolution.

Millie Fife
889 Jefferson Drive, Palmyra

December 14, 2020
Mr. Eric Dahl
Fluvanna County Administrator
132 Main St.
Palmyra, VA 22963
Dear Mr. Dahl:

Board of Supervisors Minutes

December 17, 2020

With respect to the draft resolution concerning Qualified Immunity proposed by the Fluvanna County Sheriffs Office and presented to the Fluvanna County Board of Supervisors, the Fluvanna County NAACP Branch follows the position of the NAACP Virginia State Conference as explicitly expressed by the Conference President, Mr. Robert Barnette as stated below:

"It is imperative that the Governor's call for a Special Session to address police reform and criminal justice issues does just that in a meaningful way that ensures equity and transparency in our criminal justice system.

The Virginia State Conference of the NAACP will settle for nothing less than a ban on chokeholds and strangle-holds, an end to no-knock warrants, ending qualified immunity, sentencing reform, and establishing Civilian Review Boards with Subpoena power. Our stance on these issues is firm ... For far too long, the Commonwealth has funded injustice, it is now time that justice be funded."

(VSC NAACP Call to Action to address the Special Session of the General Assembly, Aug 4, 20.)

Very Respectfully
Ben Hudson, President
Fluvanna County NAACP Branch

My name is Joseph L. Creasy, and I am a resident of Fluvanna County, residing at 38 Jennings Drive, Palmyra, VA22963.

The attached copy of the resolution proposed by the Fluvanna County Sheriffs Office in support of the Virginia Sheriff's Association on subject topic is deplorable. This resolution suggests that the judicial doctrine of qualified immunity for law enforcement officials is unquestionable and essentially absolute. On its face, this interpretation of immunity leaves no room for objective considerations based on individual expertise, experience, training, integrity, and common sense but seemingly relies on robotic action devoid of elements of thoughtful and objective decision-making common to reasonable people.

The U.S. Supreme Court has struggled with the concept of qualified immunity since 1871 and continues to do so into 2020. This then begs the question of why would anyone seek to perpetuate a practice based on a false premise or at least one that is without a solid foundation at a minimum? The following excerpt from a LAWFARE article on "Policing in America" entitled "Hold Police Accountable by Changing Public Tort Law, Not Just Qualified Immunity" by Paul Stern, Wednesday, June 24, 2020 is informative and can serve to put forth a well-reasoned and objective approach for the construction of a resolution that is much more balanced and equitable than the one in question: Politicians, scholars and jurists on both sides of the aisle have pointed to the elimination of qualified immunity as a means to ensure greater law enforcement accountability in the wake of George Floyd's tragic death. Congressional Democrats recently introduced the Justice in Policing Act of 2020, which aims to establish a national standard for policing and combat racial bias in policing-by, among other things, doing away with qualified immunity. Organizations along the political spectrum, including the American Civil Liberties Union and the Cato Institute, have joined in the call to eliminate the doctrine. Justice Clarence Thomas recently dissented from the denial of certiorari in a case involving qualified immunity, raising his "strong doubts" about the doctrine as it relates to actions brought against officers acting under the color of state law.

The judicially created doctrine was conceived as a means of striking the proper balance between permitting compensation for the conduct of officials acting with ill motives, while not punishing those officers who, in good faith, did not know that their conduct would violate the constitutional rights of the plaintiff. Part of that analysis required a subjective assessment of whether the official acted with permissive intent. The Supreme Court later found the subjective element of the good-faith defense incompatible with its concern that well-intentioned officers often had to endure the stresses and burdens of a fact-intensive investigation, extensive discovery and a trial. Casting aside the subjective standard, the Supreme Court devised an objective test, which asked whether the officer's conduct violated "clearly established statutory or constitutional rights of which a reasonable person would have known."

The basic premise that a constitutional right be "clearly established" may appear innocuous enough, lest the official be financially responsible for conduct for which there was no reasonable basis to know it would subsequently be deemed unconstitutional. However, the Supreme Court later clarified that the factual context of the legal precedent must be sufficiently specific so that officers are not confused about whether it applied in their particular circumstances. As a result, courts are tasked with determining whether "every reasonable official would have understood that what he is doing violates that right." In other words, the fact that the conduct was unconstitutional must be "beyond debate." Given that each encounter with law enforcement is factually unique, and courts do not need to resolve the issue of whether the conduct was indeed constitutional before concluding that the immunity

applies, the doctrine has been chastised as protecting "all but the plainly incompetent or those who knowingly violate the law."

While a great deal of recent writing has focused on the inequity created by qualified immunity, it is important to keep in perspective the extent to which its elimination could serve as a meaningful reform mechanism. The U.S. Supreme Court has historically drawn a sharp distinction between constitutional torts, such as excessive force, and common-law torts, such as assault, battery and negligence. Many acts of police wrongdoing may not constitute constitutional violations and thus would not be addressed by reforms to qualified immunity.

Accountability would then have to stem from state tort law.

Consequently, to the extent that public tort law can serve as a viable mechanism for law enforcement accountability, eliminating statutory privileges and indemnification regulations may serve as a greater vehicle for reform than qualified immunity. That is not to suggest that the federal government cannot play a role in promoting reform. However, when it comes to federal statutes, Congress should once again examine the Federal Tort Claims Act instead of focusing solely on actions based on U.S.C. 1 8 as a means of initiating law enforcement accountability.

Having been born and raised in Fluvanna County in the era of segregation and its challenges for people of color and in a community of people largely of lesser means, I find it difficult to believe that the community as a whole, to include our law enforcement officials, sincerely feel that the proposed resolution is needed or required. I believe that the citizens of this community look for honesty, integrity and transparency which is achieved through the voluntary exercise of their rightful involvement and equitable participation in open and inclusive governance.

As a concerned citizen of Fluvanna County, I seriously encourage the Board of Supervisors to reject the proposed resolution for reasons previously stated and to maintain confidence, trust and support among our community at large.

Sincere regards,
Joseph L. Creasy



Capital Reserve Maintenance Fund Request

TAB J

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request in the amount of for the purpose(s) of:

Section 1 - REQUEST

Requesting Department/Agency	Dept/Agency Contact	Date of Request	
Phone	Fax	Fiscal Year	
Reserve Fund Purpose Category:			
Description of Project/Repair	Qty	Unit Price	Total Price

Total Request:

Description and justification for proposed use.

Department/Agency Head Name	Signature <i>Dale Critzer</i>	Date
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Section 2 - REVIEW

Recommended? <input type="checkbox"/> Yes <input type="checkbox"/> No	County Finance Director	Date
Recommended? <input type="checkbox"/> Yes <input type="checkbox"/> No	County Administrator	Date

Section 3 - BOARD OF SUPERVISORS

Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No	Decision Date	Comments
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FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB K

MEETING DATE:	January 6, 2021				
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"> 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. <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			

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Community Investment Collaborative/Central Virginia Small Business Development Center	\$ 15,752	\$ -	\$ -
Address:	P.O. Box 2976	Contact E-mail:	rhaydock@cvsbdc.org	
Contact:	Charlottesville, VA 22902	Contact Phone:	434-295-8198	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Central Virginia Small Business Development Center (CV SBDC) local match	\$ 15,752	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. Bullets preferred.)				
<p>CV SBDC, supported by the Small Business Administration (SBA) and several other agencies, serves as the business assistance office for entrepreneurs in Central Virginia; with resources to help and improve success when businesses start, grow and compete. CV SBDC expanded in response to COVID 19 and the growing needs of Central Virginia's entrepreneurs. CV SBDC provides:</p> <ul style="list-style-type: none"> •part-time Business Advisors working to help reinvent business operations and strategies for pandemic and post pandemic success; •cash flow optimization strategies, help preparing business plans and pitch decks for grants, loans and equity investments (including valuation, purchase and sale assistance); •part-time Technical Experts in: cybersecurity, eCommerce, online marketing and communications, online bookkeeping (with POS, CRMs, etc.), new markets (online, government, international), industry specific experts (retail, hospitality, craft beverage, and more); •access to locally and nationally curated professionals, information, programming and other resources delivered in person and through our new website at cvsbd.org; •one-on-one confidential business counseling in all areas of operations, finance, logistics, product development and access to capital; •one-on-one confidential technical counseling AND "hands on" training and assistance to fix or create solutions for success now. <p>Our total budget increased from under \$200k to ~\$320k thanks to a SBA emergency grant. Central VA clients served increased from 181 advised clients (often 5 hours or more) and 682 event attendees last year, to more than double at 434 advised clients and 1095 event attendees for FY2019/20. CV SBDC was also given responsibility for 3 more counties, to take effect 01/2021; totalling 10 municipalities. 2021/22 base match contribution from the SBA is \$117,475 (up from \$91,000). To maintain existing contracted experts and add one needed full-time experienced Business Advisor the CV SBDC budget must increase to a over \$400,000.</p>				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Community Investment Collaborative/Central Virginia Small Business Developm	\$ 15,752	\$ -	\$ -

Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)

Revenue Requests			
Fluvanna County	15,752		
Albemarle County	63,470		
City of Charlottesville	27,696		
Orange County	21,349		
Louisa County	21,349		
Greene County	8,078		
Nelson County	7,500		
Culpeper County	30,000		
Madison County	6,000		
Rappahannock County	5,000		
SBA Funding	117,475	committed if matched	
Fundraising/Gifts & Bequests	15,000		
TOTAL INCOME	338,669		

Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)

If our budget falls short we will: lose business advisors and technical experts; need to schedule weeks or months out to manage our increased client numbers and needs; cut back on community outreach and educational programming; and, not have time to facilitate region specific services like UVA Propel. We appreciate and respect that this is a challenging time to request additional funding. SBDC services have prevented closings, launched new businesses, and increased tax revenue through greater reporting and growth. If entrepreneurs are not reinventing for today's climate, they will likely fail. Now more than ever, we are helping with mergers, acquisitions and business sale(s), equity investments, strategic alliances and creative marketing solutions. And our reported numbers do not illustrate the whole story. We don't track every encounter and we assist with projects that advance business, like the Quad County Business Summit (running Quad Tank, securing speakers and helping manage aspects of the event). Our staff, and budget, is stretched beyond sustainable capacity now with our ~\$320,000 budget. Central Virginia entrepreneurs, and thus CV SBDC, need support. We must find capital for our operations to continue to sustain, grow, and start businesses in today's challenging yet opportunistic climate. This investment creates jobs, increases tax base, and builds strong communities.

Section 6 - ADDITIONAL INFORMATION

A sign of our business now, 12 startups signed up for our monthly 'How To Start a Business' class (vs. normally 2-4). **CVSBDC has served 99 entrepreneurs in Fluvanna County in fiscal year 2019/20; a significant increase that shows no sign of slowing**, thanks to a great partnerships with Fluvanna professionals (like Bryan Rothamel, Rudy Garcia and Ruthann Carr) and successful business partners sharing their experiences. **Last year's numbers included 21 counseled business owners and 78 education event attendees (an increase from 14 clients and 49 attendees the prior year)**. CV SBDC responded quickly to COVID and the need for businesses to reinvent. We removed accessibility barriers, updated offerings, added a multi-language regional and content rich website and a new Director that is working hard to improve services and expand capacity. Our ask is a fraction of the value received as 1) our contracted professionals all offer us reduced rates, 2) we receive an SBA match and resources from Community Investment Collaborative, SBA, George Mason University, Virginia SBDC and a number of other providers and 3) in 2020, we started gaining traction with additional community donors (reaching nearly \$16,000). Our Board of Advisors, which includes Fluvanna's Bryan Rothamel, unanimously agree that we must maintain our current services and grow to add one full-time business counselor that can give greater attention to rural entrepreneurship and lifestyle businesses while our director, who specializes in technology and growth businesses, adds attention to expansion for high impact entrepreneurs. **This year, CV SBDC's impact (business growth or capital received) increased from ~\$3.2M in 2018/19 to over \$7.3M in 2019/20 with only a 19% survey response rate.** **DATA NOTE: As reported in America's SBDCs report in 2017; Virginia SBDC clients' average annual sales growth was 15.5% compared to 1.1% for non-SBDC businesses in Virginia. Virginia SBDC clients' average annual employment growth was 27.6% compared to 5.3% for the average non-SBDC Virginia business.**

FY22 NON-PROFIT AGENCY FUNDING REQUEST		Fluvanna County	
Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD
Agency:	Fluvanna County Arts Council	\$ 10,000	\$ -
Address:	285 Turkeysag, Trail Ste 102 Box 210 Palmyra, VA 22963	Contact E-mail:	fluvannaartscouncil@gmail.com
Contact:	Sharon Harris, FCAC President	Contact Phone:	(434) 842-1333
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD
Program 1:			\$ -
Program 2:			\$ -
Program 3:			\$ -
Program 4:			\$ -
Program 5:			\$ -
Program 6:			\$ -
Program 7:			\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)			
Funds are used to provide live musical, theatrical, youth, dance and other arts performances for the Fluvanna community that are affordable and accessible.			
AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD
Agency:			\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)			
During normal performance seasons, we rely on income from ticket sales to enable us to provide quality affordable entertainment. With the matching grant from the County and the Virginia Commission for the Arts, we are able to keep ticket prices affordable to be able to provide accessible programming for the greater Fluvanna community. We also seek donations from the community. However as a result of the pandemic and its impact on our community, we have seen a reduction in donations. With the closing of Carysbrook to the public and out of health and safety concerns, we were unable to offer in-person, ticketed performances this season which has meant this has not been a source of funding for us this year. We have received some donations associated with our virtual programming, but this has been limited. We remain committed to making the performing arts available to our community, most particularly during a time of uncertainty, social isolation, and despair when the arts can provide a source of comfort and connection, and we will continue to seek sources of funding.			
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)			
Without county funds, which are also connected to a matching grant, we may be unable to provide arts programming for the community.			
Section 6 - ADDITIONAL INFORMATION			

In response to COVID-19, we worked to find creative and safe ways to bring the arts to our community at a time when community engagement and connection through the arts are so important. We worked with local and regional performers to find artists willing and able to provide virtual programming that is affordable and accessible. We have been able to offer virtual performances using Zoom and Facebook Live. With our transition to virtual programming, we moved to a pay-what-you-can donation model. This enabled us to avoid losing money on the fees charged by our ticketing service as we aware we would need to reduce prices even further to encourage audiences to engage with us in the virtual space. With these virtual performances, we have reached audiences of over 200 during the live events. To continue to encourage youth engagement with the arts, we partnered with Empowered Players to support their efforts to connect with area students through virtual camps, classes, and performances. We are also working with Empowered Players to highlight the work of local artists through their #vocallocal program. This is a social media campaign that supports local artists of all kinds by sharing their work with the community on social media.

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna County Chamber of Commerce	\$ 5,000	\$ -	\$ -
Address:	P.O. Box 93, Palmyra, VA 22963	Contact E-mail:	ruthann.carr@fluvannachamber.org	
Contact:	Ruthann Carr	Contact Phone:	434-589-3262	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
	The Chamber of Commerce Directory/Guide 2022	\$ 3,500	\$ -	\$ -
Program 2:	Business Education Workshops and Outreach	\$ 1,500	\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				

The printed Chamber Guide is an important, sought-after handbook to Fluvanna County for current and prospective residents and businesses. It contains essential information not only on member businesses but also: public/private schools, history, government, services, utilities, media, transportation, health care, community organizations and churches. In the past three issues the guide included fluvanna/senior resource listings. In 2020, it took 103 hours of paid staff time gathering/verifying information, soliciting ads, layout and editing to produce the Guide. Please consider that: 1. Twenty pages of the 44-page Guide is devoted to information on Fluvanna County. (Advertising value \$6,375) 2. The Guide includes four pages of Fluvanna/senior resource information the county no longer needs to print separately (5,000 free Guides are distributed to residents, visitors, businesses and state federal and local institutions.) Public schools and county government offer it to prospective employees/businesses. With county support, we'd like to print an additional 1,000 copies in 2022. 3. The Chamber office is the gateway to our community, frequently being the first stop for citizens seeking information on government and tourism. 4. The Chamber filled its advocacy role with Chamber Board members serving on the county Economic Development and Tourism Advisory Council, James River Water Authority, Economic Development Authority and Finance Board. In the next year, the Chamber will continue to support businesses, advocate for a strong, growing, sustainable business climate, provide education and position itself as the best way to connect Fluvanna businesses with customers, the county and the community. 5. Throughout the 2020 Pandemic, the Chamber remained open to the public 20 hours per week. We held more than 20 virtual Town Hall meetings and acted as a clearing house for information on grants, loans and other forms of help available to local businesses. The Chamber also engaged and educated the public by holding two, virtual networking breakfasts featuring eight Fluvanna businesses, held a Planning for Life seminar and recognized two Fluvanna businesses for their community contributions. Most recently, the Chamber solicited letters of support from our members for YAE Wellness, a business considering Fork Union as a site for their operations.

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna County Chamber of Commerce	\$ 5,000	\$ -	\$ -

Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)

The Chamber's primary source of funding is membership dues.

Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)

County residents continue to rate strong economic development as important. The Chamber shares that view as expressed by our vision statement "Growing Every Business." We applaud the county's efforts and look forward to continuing to work with the Economic Development Coordinator. We also appreciate the support of individual county leaders and county departments. County funding provided to the Chamber shows the county is serious about creating a healthy business environment.

Section 6 - ADDITIONAL INFORMATION

TAB O

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna Leadership Development Program	\$ 1,000	\$ -	\$ -
Address:	51 Plum Ct., Palmyra, VA 22963	Contact E-mail:	misprint0949@gmail.com	
Contact:	Jackie Bland	Contact Phone:	434-589-1444	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Fluvanna Leadership Development Program	\$ 1,000	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>The Fluvanna Leadership Development Program funds are used for:</p> <ul style="list-style-type: none"> * Promotional materials and ads to recruit students * A familiarization bus tour throughout the county (bus rental, driver, and lunch at a Fluvanna dining facility) * Duplication of materials * Licenses for website and other software to facilitate the program * Catered graduation dinner at class completion, to include speakers and invited guests 				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna Leadership Development Program	\$ 1,000	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
The Fluvanna Leadership Development Program charges a minimal class participation fee of \$50 which does not fully cover the costs of the program.				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
Totally run by volunteers, FLDP would be required to raise the tuition or cease the program without support from the County. The program includes a historical tour of Palmyra as well as a tour of the county which helps students get oriented to the history and nuances of Fluvanna's various regions and depth and breadth of Fluvanna. Without support we would no longer be able to fund the tours. The program facilitates citizens understanding of the needs of the county and the need to get involved in being part of a solution, not only for the county administration, but also for other challenges or opportunities in Fluvanna County.				
Section 6 - ADDITIONAL INFORMATION				
FLDP's accounts are audited annually with no issues noted. The FLDP Steering Committee consists of past class participants (alumni) who have volunteered to stay engaged to assure continued success of the program. These folks work tirelessly to assure a quality experience for the class members. Without Fluvanna County's support, both financially and in supporting the program, we would have a difficulty fulfilling the promise of this program, now in it's 18th year. Over the course of the 18 years, more than 300 alumni have gone on to positions in the county: county administration and school board, other positions on county boards and commissions, and volunteer positions with organizations like the Chamber of Commerce, the Historical Society, Meals on Wheels, and numerous others.				

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna/Louisa Housing Foundation	\$ 19,600	\$ -	\$ -
Address:	PO Box 160, Louisa VA 23093	Contact E-mail:	khyland@louisa.org	
Contact:	Kim Hyland	Contact Phone:	540-967-3485	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Emergency Home Repairs	\$ 5,000	\$ -	\$ -
Program 2:	VA Housing: Choice Rental Vouchers	\$ 5,000	\$ -	\$ -
Program 3:	Portable Aluminum Handicap Ramps	\$ 5,000	\$ -	\$ -
Program 4:	HOME Program: First Time Homebuyer/Affordable Rental Units	\$ 4,600	\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>*Essential Home Repair Program: We help income eligible residents obtain grants and offer no-interest loans for major home repairs, keeping residents <i>warm, safe & dry</i>. Typical repairs and replacements are Roofing, HVAC, hot water tanks, well pumps, wells, septic systems, plumbing and electrical repairs. We currently have repair loans to residents of Fluvanna exceeding \$650,000. In FY2019-20, we helped 36 Fluvanna families with \$44,000 in repairs and provided over \$21,000 in grant funding. In Sept 2020, we obtained a grant from SERCAP for \$25,250 for water line replacement in Bremono Bluff. We administered \$15,000 in Repairwork for the FROM Fluvanna grant for home repairs this fall. *Housing Choice Vouchers: We administer the HUD program that provides rental assistance to eligible residents. There are about 50 vouchers in Fluvanna. Daily administration of this program is a full-time job for one of our staff and alleviates the need for the County to administer this program. *Aluminum Handicap Ramps: We provide handicap ramps for temporary use at no cost. When no longer needed, the ramps are dismantled and moved to the next family. We had five new installations this year and have a total of 40 installed in Fluvanna. We provide funding for materials to build wood ramps with volunteer groups. *HOME Program: With HUD funding and Foundation assets, we purchase property and build new homes for first time homebuyers and provide down payment assistance. Our staff provides initial credit counseling. We utilized funding to pay for new affordable rental properties. We finished two new homes in Houchens Place this year, with residents on a rent-to-own program.</p>				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Fluvanna/Louisa Housing Foundation	\$ 19,600	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
<p>We receive office space in addition to \$25,650/year from Louisa County. The 2 counties provide approximately 5% of FLHF income. We receive administrative funds from Virginia Housing to manage the Housing Choice Voucher program, however, these funds do not cover the entire cost of managing the program. We receive admin fees for managing the HOME program and Indoor Plumbing programs. We use rental income from our rental properties to substantially fund operating costs. We pay over \$7,000 in Real Estate Taxes back to Fluvanna for these properties. We apply for local grants to support the Emergency Home Repair Program. We work with TJPDC in the application of HPG funds for residents under 50% AMI. The FLHF largely supports the Repair Program through internally <u>recycled funds</u>. The \$16,000 traditionally received from Fluvanna County augments our rental income to pay our full-time employees and allows us to provide our broad range of programs. We are requesting an additional \$3600 for phone and internet as a new, additional expense for us this year.</p>				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
<p>We have not received an increase in funding from either county in many years, however, many of our regular expenses have increased. We have recently added another employee to meet the local demand and will require an additional \$3600 in telephone and internet expense per year. Any reduction of funding would make it difficult to provide the services that we have consistently provided to the citizens of Fluvanna for 30 years. We operate on a lean budget, but are faced with increases in contractor's fees and increasing demand from the community. In the long term, we would like to develop additional affordable rental properties in order to fund a greater percentage of our operating cost. The Foundation has developed sizeable program income from repayments of funds for home repairs. We re-loan this money back to the community for new Essential Home Repairs. We carry \$650,000 (in-house) of zero-interest loans for Fluvanna residents. We are managing to sustain assistance to our low-income and elderly by using funds wisely.</p>				
Section 6 - ADDITIONAL INFORMATION				
<p>The Housing Foundation's activities are geared toward assisting low-income citizens of the community, especially the fixed-income elderly and/or disabled residents. Our home repairs and accessibility modifications are often critical to remain in their homes. These activities generate a greater economic impact to our local area. The following dollar spending provides much greater exponential economic return to Fluvanna County: *</p> <ul style="list-style-type: none"> * \$69,000 spent with local contractors and suppliers for essential repairs, * The Housing Choice Vouchers provided landlords with stable, market rate rental income on their Fluvanna County rental properties, * FLHF rental properties returned \$7,000 in Fluvanna real estate taxes, and over \$7,500 in necessary repairs and maintenance to local vendors, * Construction of two new homes in Palmyra has provided payments of over \$355,000 to local contractors and suppliers, * Our anticipated purchase of property and construction of a new home for a Fluvanna first time home buyer will generate an additional \$197,000 in real estate and construction payments. <p>And while we provide the temporary aluminum handicap ramps at no cost to our clients, these ramps greatly improve the ability of these residents to get out and enjoy life in our community. We are always happy to report on the dollar spending, but far more important is to share the real gratitude expressed by our clients when we are able to provide them assistance with their daily lives and keep our elderly in their homes, providing a safe, warm, and dry residence.</p>				

TAB Q

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Foothills Child Advocacy Center		\$ -	\$ -
Address:	1106 East High Street; Charlottesville, VA 22902	Contact E-mail:	churst@foothillscac.org	
Contact:	Cynthia Hurst	Contact Phone:	540-447-6823	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Fluvanna Child Abuse Victim Outreach Expansion Program	\$ 12,000	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				

ABOUT FOOTHILLS

- Foothills Child Advocacy Center is a non-profit, 501(c)3 agency designed to provide a culturally sensitive, coordinated community response to child victims in a child-friendly setting. Our goals are to minimize trauma, promote healing, and ensure child safety.
- Foothills coordinates and/or participates in the Fluvanna child abuse Multidisciplinary Team (MDT). The MDT case review meetings increase communication and mutual accountability, reduce duplication of services, and help to ensure that children are safe and that their needs are met. Foothills also conducts coordinated, legally sound forensic interviews that reduce the number of times a child is interviewed and so reduces the child's trauma, while at the same time gathers accurate information that will help to keep the child safe, and provides non-offending caregivers ongoing support to help them provide safe, healing environments for their children and reduce the risk of the child's re-victimization.

ABOUT THIS REQUEST

- Since FY 2012, Foothills has been providing courtesy services to assist the Fluvanna County Commonwealth's Attorney, Fluvanna County Law Enforcement, and Fluvanna County Child Protective Services (CPS) in child abuse investigations and family support. The children and families are referred to Foothills by Fluvanna County Law Enforcement or CPS.
- Until December 2016, the children and families had no choice but to travel to Foothills' facility in Charlottesville, which presented an obstacle for families due to lack of transportation as well as the amount of time needed to travel back and forth in addition to the time for the forensic interview. Thanks to Victims of Crime Act (VOCA) funding, Foothills was able to launch its Victim Outreach Expansion Program and hire a part-time forensic interviewer to travel to Fluvanna and other localities surrounding Charlottesville. The Fluvanna Department of Social Services created a child-friendly space for providing forensic interviews and other services, and in the spring of 2017, Foothills used \$4,000.00 of the VOCA grant funds to purchase forensic interview recording equipment that was permanently installed in the Fluvanna space. In 2020, Foothills purchased a new recording system for onsite use that includes updated equipment for traveling to Fluvanna and other outlying localities. This equipment also allows for tele-forensic interviews during the pandemic.
- In FY 2020 (July 1, 2019, through June 30, 2020), Foothills served 33 new children and 39 caregivers from Fluvanna. Nine of these children were served on site in Fluvanna. The other 24 children were served onsite at Foothills' facility due to the pandemic. Families and agency employees seem to feel safer traveling to Foothills, where we immediately set up COVID-19 protocols that include taking

temperatures, asking screening questions, and distributing masks to all visitors. We expect that in 2022 business as usual will have resumed with our outlying forensic interviewer traveling to Fluvanna to conduct interviews in the recently purchased 2020 Kia Optima (\$24,000--covered by VOCA funding but listed in expenses below for accuracy in reporting), which reduces mileage costs. (The mileage costs listed below were incurred prior to the vehicle purchase).

JUSTIFICATION OF FUNDING NEEDS

- Foothills is seeking funding from the five counties served by the Child Abuse Victim Outreach Expansion Program (Buckingham, Fluvanna, Greene, Madison, and Nelson). In FY 2020, Foothills served a total of 68 new children from these localities. Thirty-three of these children, or 48.5 percent, were referred by Fluvanna County CPS or Law Enforcement.
- The total annual cost for serving the five counties in FY 2020 was \$78,685.00, including \$36,731.00 for forensic interviewer services, \$15,509.00 for ongoing family support services, \$1,309.00 for staff mileage, and \$2,703.00 for administrative costs, and \$2,033.00 for program supplies; plus \$20,400.00 for a car to travel to outlying counties. The total annual cost for bringing services to Fluvanna children and families is 48.5 percent of the total, or \$38,162.00.
- A renewable Victims of Crime Act (VOCA) grant administered by the Virginia Department of Social Services, will cover the cost (\$7,526.00) of the ongoing family support services and part of the cost (\$18,636.00) for forensic interview services for FY 2022 for Fluvanna families. That leaves a balance of \$12,000.00 that will be needed to provide these services to Fluvanna in FY 2022.
- Foothills respectfully requests \$12,000.00 towards providing services to child victims and their families from Fluvanna County in FY 2022. This funding will ensure that Foothills can continue to serve children and families in Fluvanna. Further, this funding will be used as a match for the federal VOCA funding, ensuring that these VOCA funds can be used to serve children and families in Fluvanna.

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Foothills Child Advocacy Center	\$ -	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
<p>A renewable VOCA grant administered by the Virginia Department of Social Services, will cover all of the cost, \$7,526.00, of the ongoing family support services and part of the cost, \$18,636.00, of the forensic interview services for Fluvanna families in FY 2022. That leaves a balance of \$12,000.00 to cover the total cost of \$38,162.00 for providing services to children and families in Fluvanna.</p> <p>(Please note that Foothills is seeking a total of \$13,000.00 in funding from the four other counties, Buckingham, Greene, Madison, and Nelson, which represent 51.5% of the children served by the Child Abuse Victim Outreach Expansion Project in FY 2020. Foothills is committed to the continuation of services for Fluvanna County and will raise any additional funds needed through private contributions from individuals and foundations.)</p>				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
<p>Foothills will not be able to send a forensic interviewer to Fuvanna to provide services in 2022, which will significantly reduce the number of child victims and families from Fluvanna who receive the needed services.</p>				
Section 6 - ADDITIONAL INFORMATION				

Why This Program is Needed in Fluvanna County

- Foothills' data shows that most of the children served in FY 2020 had immediate and continuing needs for physical and psychological safety and security: 62% were at medium or high-risk of victimization; 91% received safety planning services; and 50% needed well-coordinated competent follow-up and intervention throughout the investigation and prosecution.
- Children are more likely to experience abuse in 2020. "The odds of being psychologically maltreated and physically abused during the pandemic were 112 and 20 times higher, respectively, among children that were maltreated in the year prior to the pandemic." (US National Library of Medicine, National Institutes of Health, September 2020). Foothills has responded swiftly with additional trainings for mandated reporters on how to identify child abuse virtually and increased our media outreach to inform the community.
- According to national research, children who are sexually abused are at a significantly greater risk for post-traumatic stress, suicide, substance abuse, pregnancy at a young age, and other negative consequences, and they are more likely to become involved in crime, to perform poorly academically, and to have serious health problems as adults (Darkness to Light, 2017).
- The earlier that the abuse is stopped and child victims receive services, the more likely they are to avoid such consequences.
- The Child Advocacy Center (CAC) model, based on trauma-informed care, is considered a best practice for allegations of criminal child maltreatment.
- In communities with a CAC, there are increased joint investigations by police and CPS, increased likelihood of mental health referrals for the child, increased caregiver satisfaction with services, and other positive impacts (Cross et al, 2008).
- Child abuse not only has costly consequences for its victims but also for society, not only in terms of quality of life and community safety but also financially. The child advocacy center model decreases trauma for child victims and promotes healing, making it less likely that those children will become involved with the juvenile justice or foster care systems – at great expense to the taxpayers.
- In FY17, Foothills successfully underwent a rigorous evaluation during the re-accreditation process by the NCA, which signified that it had achieved the highest level of multidisciplinary collaboration and coordinated service delivery to child victims. Foothills has been a fully accredited child advocacy center since 2011.

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Hospice of the Piedmont	\$ 10,000	\$ -	\$ -
Address:	675 Peter Jefferson Pkwy Ste. 300 Charlottesville, VA 22911	Contact E-mail:	adam.wagner@hopva.org	
Contact:	Adam Wagner, Associate Director of Development	Contact Phone:	(434) 817-6905	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Center for Children	\$ 10,000	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>Hospice of the Piedmont's Center for Children is the only free, trauma-informed, grief therapy provider in our community. Dozens of children in Fluvanna County, and hundreds more in the surrounding community, would be left with nowhere else to turn if not for the skilled, dedicated care they receive from the Center for Children. Approximately 70% of our participants come from families with low income or in poverty. For these children, whose families would otherwise not be able to afford private therapy (which can average \$120/hour), the Center for Children is a lifeline. The Center for Children provides all the art supplies and materials the child and their family needs to ensure that is absolutely no financial burden on them. As one of our art therapists states, "they can't even put food on their table, we cannot expect them to buy watercolors". Without our services, these children would not receive the help they need to process their grief. This lack of processing can lead to later developmental and behavioral issues, which can cause lesser outcomes as their lives continue. Our goal is to provide access to any child in our community in need, regardless of their background or circumstance, and ensure that any child in our community struggling with trauma or loss has somewhere to turn.</p>				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Hospice of the Piedmont	\$ 10,000	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
Hospice of the Piedmont is grateful to be the recipient of philanthropic support from private citizens, government entities, and institutional partners.				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
Every partnership we have is vital to the continued success and growth of our Center for Children. Isolation is a concern, even for the healthiest children from the most stable households. For children who are experiencing grief or trauma, that isolation can be even more damaging. In this age of COVID19, as children are more isolated than ever before, our Center for Children team needs to be able to use every resource available to them to ensure that they can reach every child in need. We must send them where we have the resources to send them. This application cycle, more than ever before, is going to be critical to our program's continued success.				
Section 6 - ADDITIONAL INFORMATION				

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Jefferson Area Board of Aging - JABA	\$ 85,000	\$ -	\$ -
Address:	674 Hillsdale Drive Charlottesville, VA 22901	Contact E-mail:	mkeane@jabacares.org	
Contact:	Marta Keane, CEO	Contact Phone:	434-817-5238	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Adult Care Center	6,596	\$ -	\$ -
Program 2:	Senior Health and Wellness	18,556	\$ -	\$ -
Program 3:	Community Resource Services	59,848	\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>*Community Resource Services supports multiple distinct programs providing direct support for older adults, people with disabilities, and caregivers to promote safely aging in place. These services support individuals and families in making informed decisions by helping them understand their needs and unique situations and translate this information into strategies and plans based on available community resources. These programs include: Information and Assistance, Insurance Counseling, Legal Assistance Program, Ombudsman Program, Options Counseling, and Volunteer Services. *Senior Health and Nutrition supports shared programming and meals for the weekly Fork Union Active Older Adult Program as well as 3 current outreach sites in partnership with Fluvanna County Parks and Recreation. This request funds a nurse 8 hours a week (total) at the Fork Union Active Older Adult Center to meet the needs of Fluvanna residents at a time when chronic diseases such as diabetes and hypertension are on the rise in the elderly population. The nurse provides close monitoring and and education for self-management which are essential to preventing serious negative outcomes. This program also provides chilled, home delivered meals to county residents who are unable to prepare their own meals or who need additional nutritional options due to ill health and lack of mobility. *Fluvanna funding provides scholarships for Fluvanna county residents who may not be able to afford the full daily rate in DSS/DMAS and VA certified Adult Care Center. The Adult Care Center provides day care services for adults 18 and older who have dementia-related and/or physical disabilities who need assistance with daily health or personal care needs.</p>				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Jefferson Area Board of Aging - JABA	\$ 85,000	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
Anticipated: Federal Government (\$959,967), State Government (\$584,691), Fundraising by JABA (\$448,578), Client fees (\$400,000), local jurisdictions (Albemarle - \$377, 985, Charlottesville - \$319,192, Greene - \$105,046, Louisa - \$269,110, Nelson - \$101,500)				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
<p>In 2020, JABA served 1,424 Fluvanna County residents. Data shows that the 65+ population in Fluvanna County is growing. People 65+ comprised 20.23% of the population in 2018. By 2030 this will almost increase to 24% of county residents. Our most vulnerable group, those 85+ will increase at a faster rate, 99% by 2040. We know 20% of Fluvanna seniors live alone, many with a limited income, with fewer personal supports in place. Non-funding would affect the lower income older population in Fluvanna County by:</p> <ul style="list-style-type: none"> *Loss of a familiar, convenient entry point into aging and disability services networks. *Increased time and frustration involved in finding services and supports to meet their needs. *Increased demand on county services around aging issues. 				
Section 6 - ADDITIONAL INFORMATION				
<p>(continued from section 5)*Decreased awareness of resources and services to assist individuals and families with their aging issues and questions.</p> <ul style="list-style-type: none"> *Reduced availability of staff who provide intensive support and coordination of multiple services. *Fewer meals available to those who need it. *Premature institutionalization, poor nutrition, less access to services and supports that allow them to age in their community of choice. *Less ready access to medical care. *Increased isolation resulting in increased depression, stress, fear and loneliness. <p>Non-funding would affect family caregivers by:</p> <ul style="list-style-type: none"> *Putting their own health at risk as many caregivers are elderly themselves. *Reducing their ability to continue their employment for their own and their family's financial security. *Decreasing access to eldercare resources they need, thus reducing not only their quality of life but also that of the seniors in their care. 				

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Child Health Partnership	\$ 54,121	\$ -	\$ -
Address:	1469 Greenbrier Place, Charlottesville, VA 22901	Contact E-mail:	jon.nafziger@childhealthpartnership.org	
Contact:	Jon Nafziger, Executive Director	Contact Phone:	434-465-0895	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Child Health Partnership Family Support	\$ 54,121	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>Child Health Partnership partners with families to create nurturing home environments and promote the health and well-being of children in our community. We serve babies and children age 0-6 and pregnant women from low income families. Fluvanna County funds support the salaries of a Nurse and Family Support Specialist who offer Fluvanna families the following services through home visits, virtual visits, calls and drop-offs: 1) health assessments, health education, and improved access to health care services; 2) parenting education, learning activities and coaching to help families create nurturing homes and prepare their children for school; 3) support for family self-sufficiency through employment and connecting families to community resources; 4) regular developmental screenings and activities to promote healthy child development; 5) home safety screenings and resources. We anticipate resuming in-person visits during FY2021. In FY2020, Child Health served 65 Fluvanna children from 40 families, a 27% increase in children from FY19. In FY2021 year to date, <i>Child Health</i> has served 33 children from 22 families. Goals for FY2022:</p> <ul style="list-style-type: none"> • 95% of children have an established medical home • 85% of children will be up to date on well child visits • 75% increase in parenting knowledge by families in the program for one year. 				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Child Health Partnership	\$ 54,121	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
For Child Health Partnership in Fluvanna County, other funding sources include CHIP of Virginia (Virginia General Fund and TANF), United Way-Thomas Jefferson Area, Medicaid reimbursements for prenatal nursing services (for eligible families), grants and individual donations.				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
The loss of Fluvanna County funding would require us to close our program in Fluvanna. County funds cover almost half of the cost of serving Fluvanna families. Child Health raises the remaining support required, but would not be able to absorb the County's share. Our team approach also requires two staff, both a community health nurse and a family support specialist, for each locality. Child Health families often lack the traditional support systems needed to give families the information, resources and confidence to raise healthy children. These families frequently face trauma, unforeseen circumstances, generational poverty, health crises and financial challenges. Our work improves positive parenting and the school readiness of low-income children in Fluvanna County, helping families move toward self-sufficiency and decreasing future taxpayer support. Child Health Partnership's prevention services work with the families with the youngest children to prevent the need for more expensive out-of-home/foster care services in the future.				
Section 6 - ADDITIONAL INFORMATION				
Child Health's Fluvanna County staff are located at 5578 Richmond Road, Suite 1, in Troy (Zion Crossroads). Families enrolled in Child Health face many barriers to raising healthy children in nurturing homes, but also have many strengths. At enrollment (FY20), local Child Health families demonstrate many risk factors: 100% are low income, 62% had moved during the past year and 22% had moved at least twice, 56% lack a high school diploma, 10th grade was the average grade completed, 25% had an unmet food need, 24% of mothers have a mental health diagnosis, 19% are smokers, 19% of mothers and 13% of babies and children have a chronic medical condition, and 32% of babies were born low birth weight (FY20 enrollment data, CHIP of Virginia).				

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Legal Aid Justice Center	\$ 7,500	\$ -	\$ -
Address:	1000 Preston Ave, Suite A, Charlottesville, VA 22903	Contact E-mail:	twallace@justice4all.org	
Contact:	Tim Wallace, Director of Development	Contact Phone:	773-426-5948	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Economic Justice Program	\$ 7,500	\$ -	\$ -
Program 2:			\$ -	\$ -
Program 3:			\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				
<p>The Legal Aid Justice Center will use a grant from the County of Fluvanna to fund our work through the Economic Justice Program (EJP). Our lawyers and other advocates in EJP help low-income Fluvanna residents with legal issues that can impede their ability to provide for their families or themselves. We provide legal services in the areas of consumer/finance, public benefits, health, housing, employment and individual rights, among other issues. We meet the needs of individual clients by providing advice or representation in court and administrative agency hearings. We also perform outreach services and provide self-help materials to empower low-income families to be their own advocates. This funding will go to services that will keep people in their homes, help the sick and disabled receive access to services, and protect the rights of the working poor to be paid fairly for their work and treated fairly in the marketplace.</p> <p>While our offices are closed to walk-ins due to the pandemic. Our intake is open and our attorneys continue to go to court when necessary to represent our clients.</p>				

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Legal Aid Justice Center	\$ 7,500	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
<p>We are seeking funding from the City of Charlottesville, Albermarle County, the United Way, JABA, the Adiuvars Relief Fund, the Charlottesville Area Community Founadtion, and others. We also allocate a portion of our state funding through the Legal Services Corporation of Virginia and a portion of our unrestricted donations from individuals and law firms.</p>				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
<p>Our organization serves much of Central Virginia and operates more or less on a first-come, first-served basis. We prioritize cases where more is at stake and pass on cases where a lawyer would be unable to bring about a markedly different outcome. Otherwise, if we have the capacity and the legal expertise, we serve the clients who come to us and do relatively little advertising of our services. If we advertised broadly, we would immediately be overwhelmed with demand.</p> <p>With that said, when a locality provides funding to Legal Aid in return for a commitment from us to serve families in that community, we actively monitor client numbers and do outreach as necessary to ensure that clients from that community are being served at consistent levels. If we receive less or no funding, we will lower our commitment commensurately. Our services will still be available, but no longer targetted.</p>				
Section 6 - ADDITIONAL INFORMATION				
<p>We closed 15 cases in Fluvanna County benefiting 50 individuals during FY19</p> <p>Health Related Benefits (medicaid appeals mostly): 5 Housing (eviction): 2 Consumer (predatory lending/debt defense): 3 Education (special education advocacy): 3 Wills & Estates: (wills & power of attorney): 2</p> <p>These cases generated \$9,300 in direct financial judgements. Please note this is a decrease in our usual numbers, which we attribute mostly to the courts being closed for much of the last quarter of the fiscal year.</p>				

TAB V

FY22 NON-PROFIT AGENCY FUNDING REQUEST

Fluvanna County

Section 1 - AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Monticello Area Community Action Agency (MACAA)	\$ 60,000	\$ -	\$ -
Address:	1025 Park Street Charlottesville, VA 22901	Contact E-mail:	shanks@macaa.org	
Contact:	Sarah Hanks, Executive Director	Contact Phone:	434-295-3171, ext. 3027	
Section 2 - FUNDING REQUESTS BY PROGRAM AREA		FY22 Prog Rqst	FY22 COAD	FY22 BOS
Program 1:	Rural Outreach/Navigation	\$ 40,000	\$ -	\$ -
Program 2:	Head Start	\$ 10,500	\$ -	\$ -
Program 3:	Project Discovery	\$ 9,500	\$ -	\$ -
Program 4:			\$ -	\$ -
Program 5:			\$ -	\$ -
Program 6:			\$ -	\$ -
Program 7:			\$ -	\$ -
Section 3 - DESCRIPTION AND JUSTIFICATION OF FUNDING NEEDS (Briefly describe how the funding would be used. <u>Bullets preferred.</u>)				

Funding awarded to MACAA will be used as follows:

Rural Outreach/Navigation:

- Through June 30, 2020, Rural Outreach provided 881 individuals in 415 households in Fluvanna County with emergency services to ensure they were able to remain in safe, stable housing; this represents an increase of 25% in total households served and a 22% increase in individuals served in FY20.
- The FY21 Rural Outreach budget has increased by 24% to accommodate the increased need expressed by Fluvanna County residents (total operating budget is projected to be \$187,138). Due to the impact of COVID-19, the need for emergency services to include but not limited to rent and mortgage relief, utility assistance, and other crisis interventions is expected to continue to rise.
- Rural Outreach is expected to expand services to include a whole-family, two-generation approach to breaking cycles of generational poverty. (Note, these programs and services will be referred to as "Navigation/Navigating Thriving Futures.")
- Funding provided by Fluvanna County will be used to support Rural Outreach operations to include personnel expenses, client services, phone/internet, insurance costs, supplies, etc. If awarded, this funding will reflect approximately 21% of the total cost of Rural Outreach operations.

Head Start:

- Annually, Head Start serves 20 income or categorically eligible (i.e. homeless or in foster care) preschool students in partnership with Fluvanna County Public Schools.
- The program includes but is not limited to a comprehensive evidence-based curriculum, physical, mental, and behavioral health assessments, referrals, and services, as well as family engagement/support services (i.e. family goal setting, education and/or workforce development for parents, financial literacy support, income/benefit support enrollment, etc.).
- The total cost per student for FY21 is \$14,530 per academic year; there is no cost to the family for Head Start programming.
- MACAA Head Start must secure a 25% local match (non-federal share), or \$490,399, annually; per student served in Fluvanna County, MACAA must secure \$2,302, or a total of \$46,047, to maintain federal award requirements for operations of one Head Start classroom.
- Funding provided by Fluvanna County will be used to support overall program delivery for 20 preschool students experiencing low income and their families during the 2021-2022 academic year.

Project Discovery:

- Project Discovery serves income-eligible and/or prospective first-generation college students and their families enrolled in Fluvanna County High School. The program provides enrolled students with mentoring relationships, workshops, college visits and campus tours, as well as access to scholarships and income supports that make post-secondary educational opportunities accessible for all interested students.
- Funding for MACAA Project Discovery includes a grant award from Project Discovery of Virginia, Inc. and a 100% match (cash and in-kind) by local programs. Annually, MACAA Project Discovery must demonstrate a local investment of no less than \$54,960 to continue program operations in the region; total match requirements are estimated at \$13,740 for up to 25 students served in Fluvanna County.
- Funding provided by Fluvanna County will be used to support overall program delivery for up to 25 students who meet the program enrollment criteria during the 2021-2022 academic year.

AGENCY INFORMATION		FY22 Total Rqst	FY22 COAD	FY22 BOS
Agency:	Monticello Area Community Action Agency (MACAA)	\$ 60,000	\$ -	\$ -
Section 4 - OTHER FUNDING SOURCES (Please list any other source(s) of funding for the program(s).)				
<p>Fluvanna Rural Outreach:</p> <ol style="list-style-type: none"> 1. Federal Community Service Block Grant (CSBG) 2. Federal Temporary Assistance for Needy Families (TANF) 3. Thrift Shop sales 4. Energy Share administrative fee 5. Donations: cash and in-kind <p>Head Start:</p> <ol style="list-style-type: none"> 1. Federal Head Start Grant 2. Federal Head Start Training & Technical Assistance Grant 3. Federal Community Service Block Grant (CSBG) 4. USDA/CACFP (Child, Adult Care Food Program) 5. United Way 6. City of Charlottesville 7. Louisa County 8. Nelson County 9. Albemarle County 10. Donations: cash and in-kind <p>Project Discovery:</p> <ol style="list-style-type: none"> 1. Federal Community Service Block Grant (CSBG) 2. Federal Temporary Assistance for needy Families (TANF) 3. Project Discovery of Virginia, Inc. 4. City of Charlottesville 5. Louisa County 6. Nelson County 7. Nelson County Community Fund (NCCF) for Nelson County student scholarships 8. Donations: cash and in-kind 				
Section 5 - IMPACT IF NOT FUNDED BY FLUVANNA COUNTY (Briefly explain the impact on each program area if not funded by Fluvanna County.)				
<p>Rural Outreach/Navigation: A reduction in local funding support may result in limited staffing and hour of service within Fluvanna County, as well as a reduction in direct client services during times of crisis. The food pantry, thrift store, and emergency utility/housing assistance would be less available/ accessible to families experiencing emergency circumstances. As a result, families experiencing low income or other crisis circumstances may be evicted from safe, stable housing, necessary utilities, and nutritional meals. A reduction in funding would result in increased community needs to be met by other social service agencies, as well as secondary crises for impacted families to include but not limited declining health, mental health concerns, poor academic performance in school-age students, and poor school/work attendance which may result in lost income or unemployment.</p> <p>Head Start: A reduction in local funding would compromise high-quality service delivery in Fluvanna County to include, but not limited to: the ability to provide competitive salaries, recruit, and retain qualified teachers; purchase needed classroom supplies; and invest in program improvements such as professional development for teachers, teaching resources, and the replacement or enhancement of program materials. These reductions would make it difficult to provide ideal learning conditions and support services (i.e. family support, mental health consultation and services, etc.) for children and families experiencing low income, homelessness, developmental or learning disabilities, and other circumstances that qualify for participation in Head Start.</p> <p>Project Discovery: A reduction in local funds would make it difficult for the program to meet a required local funding match (cash and in-kind) and would limit enrollment and opportunities for low-income/first-generation college-bound FCHS students. Specifically, a reduction in funding would limit or eliminate the availability of scholarships, campus visits, workshops and support services that are essential for the success of students pursuing post-secondary education and family-support wage jobs in the community.</p>				
Section 6 - ADDITIONAL INFORMATION				

As the state- and federal-appointed Community Action Agency for the region, MACAA embodies our nation's spirit of hope, changes people's lives, and improves communities. When local leaders partner with MACAA and leverage our collective resources and experiences, we are able to promote sustainable solutions that connect more families to opportunity – and make Fluvanna a better place to live for everyone.

MACAA Mission Statement: To improve the lives of people with low income by helping them become self-reliant, thereby enhancing the economic vitality and well-being of our community.

MACAA History: The Monticello Area Community Action Agency (MACAA) was founded in 1965 as a result of President Lyndon B. Johnson's Economic Opportunity Act. While it has evolved and changed over the years, MACAA has always been committed to helping alleviate and help find solutions for individuals and families experiencing poverty.

Geographic Service Area: MACAA serves the City of Charlottesville and the Counties of Albemarle, Fluvanna, Louisa, and Nelson.

Client Demographics: MACAA aims to serve the most vulnerable children and families in Louisa County. While enrollment and eligibility requirements vary by program due to state and federal mandates, most programs serve families at or below 125% of the federal poverty level. Specifically, MACAA prioritizes families experiencing extreme poverty, homelessness, and financial emergencies.

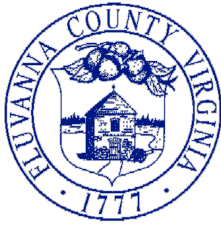
Overview of Programs and Goals: MACAA holds itself accountable for success by focusing on measurable program goals. As a designated Community Action Agency, MACAA utilizes "Results Oriented Management and Accountability" (ROMA) practices to ensure that our services are efficient, effective, and aligned with local community goals. Furthermore, MACAA strives to maximize funding and reduce duplication of services by partnering with local and regional service providers, faith-based organizations, and government/social service agencies to ensure the most pressing needs of Fluvanna County residents are met.

MACAA's programs fall under one of three impact areas that reflect current and emerging needs in our communities:

- Education and Human Development (Head Start, Project Discovery)
- Economic Empowerment (Rural Outreach/Navigation)
- Health Equity (Rural Outreach/Navigation)

FLUVANNA COUNTY BOARD OF SUPERVISORS MEETING PACKAGE ATTACHMENTS

Incl?	Item
<input checked="" type="checkbox"/>	BOS Contingency Balance Report
<input type="checkbox"/>	Building Inspections Report
<input checked="" type="checkbox"/>	Capital Reserve Balances Memo
<input checked="" type="checkbox"/>	CARES Fund Balance Memo
<input type="checkbox"/>	Fluvanna County Bank Balance and Investment Report
<input checked="" type="checkbox"/>	Unassigned Fund Balance Report
<input 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
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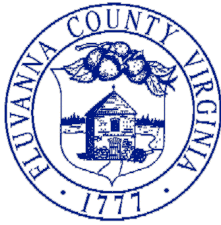
BOS 2021-01-06 p.169/240
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(434) 591-1910
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www.fluvannacounty.org

MEMORANDUM

Date: January 06, 2021
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: Fire & Rescue Fleet Study – 08.05.20	-\$1,500
Less: Registrar's Office Relocation – 08.19.20	-\$5,400
Less: Fluvanna Hiring Event – 11.04.20	-\$2,000
Less: Drug Court County Match – 12.02.20	-\$45,000
Available:	\$76,100



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MEMORANDUM

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Date: January 6, 2021
From: Liz McIver - Management Analyst
To: Board of Supervisors
Subject: FY21 Capital Reserve Balances

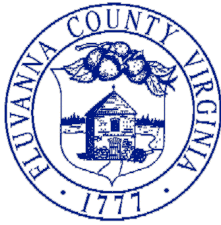
The FY21 Capital Reserve account balances are as follows:

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
Less: Carysbrook Gym Heating System Replacement – 12.17.20	-\$34,346.50
FY21 Available:	\$406,306.50

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

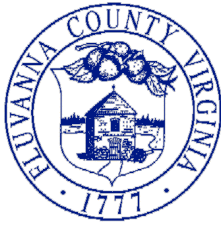
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MEMORANDUM

Date: January 6, 2021
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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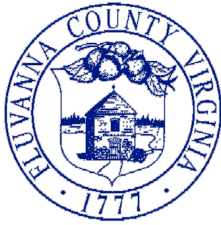
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Less: FY21 Emergency Supplies for Fire & Rescue 08.05.20	-\$15,000
Less: FY21 FCPS Supplies for Opening Prep 08.05.20	-\$301,017
Less: FY21 Advertising of COVIDWISE App 08.05.20	-\$5,000
Less: FY21 Economic Development Grant – Local Business Hand Sanitizer	-\$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)	-\$1,008,196
Less: FY21 Public Safety, Public Health & Human Services Salaries (July - September)	-\$502,066



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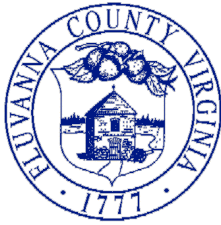
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Less: FY21 Public Safety, Public Health & Human Services Salaries (October - December)	-\$505,000
Add: FY21 Economic Development Grant - Unspent funds	\$300,000
Less: FY21 Scottsville Area Broadband Expansion - 10.21.20	-\$60,000
Less: FY21 Ambulance 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
Less: FY21 Power Cot - 11.18.20	-\$18,154
Add: FY21 Power Cot - Paid out of EMS Cares Funds	\$18,154
Add: FY21 Interest Earned	\$3,000
Add: FY21 EMS CARES Funds	\$24,944
Less: FY21 EMS CARES Funds	-\$24,944
Less: FY21 FCPS Additional Technology for Tele-learning	-\$150,000
Less: FY21 E911 Salaries (July - September)	-\$330,000
Less: FY21 Emergency Sick Leave	-\$10,000
Less: FY21 Increase in Internet Bandwidth for teleworking	-\$2,000
Less: FY21 Restricted Contribution to Non-Profits to provide food	-\$10,000
Current CARES Fund Balance	\$74,644



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MEMORANDUM

Date: January 6, 2021
From: Liz McIver – Management Analyst
To: Board of Supervisors
Subject: Unassigned Fund Balance

FY20 Year End Audited Total Unassigned Fund Balance:	\$19,939,645
Unassigned Fund Balance – 12% Target Per Policy:	\$9,522,851
Unassigned Fund Balance – Excess Above Policy Target:	\$10,416,794
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
Less: FY20-21 Sheriff's Office Volunteer Funds Carryover – 11.18.20	\$3,575
Current Unassigned Fund Balance	\$9,926,287



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.

County and City Elected Officials and Administrators
Cabinet Secretaries
May 12, 2020
Page 2

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>

County and City Elected Officials and Administrators
Cabinet Secretaries
May 12, 2020
Page 3

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: _____



COMMONWEALTH of VIRGINIA

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

P.O. Box 1475
Richmond, Virginia 23218

December 30, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

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

Subject: Extension of Expenditures of Coronavirus Relief Funds

On December 23, 2020, I sent you a memorandum titled, “*Extension for Expenditures of Coronavirus Relief Funds.*” That memorandum announced passage of a new relief bill that extends the federal deadline established in the CARES Act. The President has now signed this legislation. While the details of this legislation have not been fully published, the general information indicates that the December 30, 2020 deadline established in the CARES Act for incurring expenditures will be extended by one year, until December 31, 2021.

It is important for us to see the details of this legislation before providing you with more specific guidance, but I wanted you to be aware that the Commonwealth is extending all previous deadlines. More importantly, you will be able to continue to incur expenditures beyond December 30, 2020.

As these details become available, I will update you with additional guidance. Until then, please continue to follow the guidance issued by the U.S. Department of Treasury regarding what constitutes a qualifying expenditure from the CRF. Other than the extension of the deadline, we have not been informed about any other changes to the requirements of the CARES Act.

**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.