



FLUVANNA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
November 2, 2022 at 5:00 pm

TAB	AGENDA ITEMS
1	CALL TO ORDER
2	PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
3	ADOPTION OF AGENDA
4	COUNTY ADMINISTRATOR'S REPORT
5	PUBLIC COMMENTS #1 (5 minutes each)
6	PUBLIC HEARING
7	ACTION MATTERS
A	Approval of the TJPDC Regional Legislative Program – David Blount, Deputy Director/Director of Legislative Services, TJPDC
B	Authorization to Advertise Chapter 8 Fire Protection and Public Safety Ordinance – Eric Dahl, County Administrator
C	Resolution Recommending Appointment to the Board of Equalization – Eric Dahl, County Administrator
7A	APPOINTMENTS
8	PRESENTATIONS (normally not to exceed 10 minutes each)
D	Community Investment Collaborative (CIC) Update – Stephen Davis, President – Community Investment Collaborative
E	Central Virginia Small Business Development Center (CVSBDC) Update – Rebecca Haydock, Director – Central Virginia Small Business Development Center
F	HOME-ARP Funding – Eric Dahl, County Administrator
G	2023 Reassessment Update – Randy Willis, Pearson Mass Appraisal
H	Zion Crossroads West Waterline Funding Update – Eric Dahl, County Administrator
9	CONSENT AGENDA
I	Minutes of October 19, 2022 – Caitlin Solis, Clerk to the Board
J	Temporary Staff Stipend for Additional Duties – Gatewood – Donna Snow, Director of Human Resources
K	Phone System Maintenance for E911 – Agreement to Correct Amendment to End-User Agreement with CenturyLink Communications LLC – Donna Allen, Purchasing Officer
10	UNFINISHED BUSINESS
	TBD
11	NEW BUSINESS

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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.*

TBD

12 – PUBLIC COMMENTS #2 (5 minutes each)

13 – CLOSED MEETING

TBD

14 – ADJOURN



County Administrator Review

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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.

Fluvanna County...The heart of Virginia and your gateway to the future!

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

TAB A

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	2023 Thomas Jefferson Planning District Legislative Program				
MOTION(s):	I move the Board of Supervisors approve the 2023 Thomas Jefferson Planning District Legislative Program as presented.				
BOS GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	David C. Blount, Deputy Director/Director of Legislative Services TJPDC				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	<p>The draft program lists three top legislative priorities for 2023 as follows:</p> <ol style="list-style-type: none"> 1. Public Education Funding 2. Budgets and Funding 3. Broadband <p>The accompanying "Legislative Positions" section focuses on the most critical recommendations and positions in other areas of current interest and concern in the region.</p>				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Thomas Jefferson Planning District 2023 Legislative Program Draft and Memo				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



October 28, 2022

TO: Members, Fluvanna County Board of Supervisors
Fluvanna County Administrator

FROM: David C. Blount, Director of Legislative Services

RE: 2023 TJPDC Legislative Program Approval

Attached for your review and consideration is the draft 2023 TJPDC Legislative Program. I will be seeking approval of it at your November 2 meeting. The draft program lists three top legislative priorities for 2023 as follows:

- 1) Public Education Funding
- 2) Budgets and Funding
- 3) Broadband

The accompanying "Legislative Positions" section focuses on the most critical recommendations and positions in other areas of current interest and concern in the region. Items in this section that have been substantively amended are noted following this memo.

A summary of the priority positions will be produced and distributed later for you to use in continuing to communicate with your legislators.

I look forward to discussing the draft program and seeking approval of it at your November 2 meeting. Thank you.

Recommended Action: Approve the draft 2023 TJPDC Legislative Program

Substantive Changes to Legislative Positions Section

Education (p. 4; first bullet): Added support for new school construction assistance programs.

General Government (p. 5):

>Added specific items for which state funding for elections is sought, to include voting equipment, registrar costs, early voting requirements and election security standards (fifth bullet).

>Added language to support funding for localities for cybersecurity to protect critical systems and sensitive data (eighth bullet).

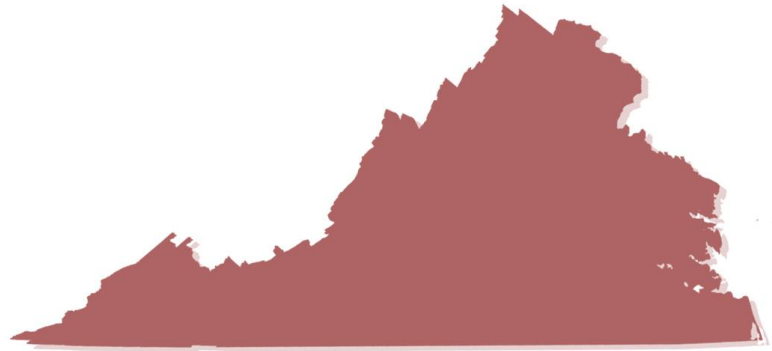
Housing (p. 6; first bullet): Added language to place additional emphasis on incentives and local authority to promote housing that is affordable.

Land Use and Growth Management (p. 7; fifth bullet): Added language concerning compliance with regulations by event spaces.

Public Safety (p. 7):

>Added four new bullets as follows:

- 1) to encourage state support for paid and volunteer fire/EMS/first responders;
 - 2) to urge state assistance to localities in recruiting and retaining law enforcement personnel;
 - 3) to support legislation to help law enforcement combat the act of making a hoax call (swatting);
- and
- 4) to support indexing jail per diem costs as a fixed percentage of the actual statewide daily expense average.



Thomas Jefferson Planning District

2023 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

DRAFT
October 2022

Ned Gallaway, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities.

The State will spend billions of dollars on direct aid to public education in the current biennium. While we appreciate additional state teacher salary and other one-time and ongoing education dollars approved during the current biennium, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. Local governments consistently go “above and beyond” to close this funding gap by appropriating twice as much K-12 funding as required by the state.

We believe localities need an adequately-defined SOQ so that state funding better aligns with what school divisions are actually providing in their schools. This could include recognizing additional instructional positions and increasing state-funded staffing ratios for various non-instructional positions in the education funding formula. Localities and school divisions also should have flexibility in the use of state funds provided for school employee compensation.

Further, we urge state efforts to support 1) adequate pipeline programs for teachers, especially in critical shortage areas; and 2) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities and public schools, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State continues to fine-tune revenue and spending priorities for the current biennium, we encourage support for K-12 education, health and public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. Especially in these critical times, the State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We believe a changed business landscape will necessitate a review of revenue sources to localities, along with new ideas and actions to broaden and diversify local revenue streams. Any tax reform efforts also should examine the financing and delivering of state services at the local level and how revenue is generated relevant to our economic competitiveness. Accordingly, we support the legislature 1) making additional revenue options available to localities in order to

diversify the local revenue stream; and 2) further strengthening for counties, those revenue authorities that were enhanced during the 2020 legislative session. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to the local option sales tax, unless a viable revenue-replacement to local governments is established.

Broadband

PRIORITY: The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas.

Access to high-speed internet is essential in the 21st century for economic growth, equity in access to public education and health services, community growth and remote work. Localities understand the importance of robust broadband for economic viability; the COVID-19 pandemic further stressed the need for broadband for homes and businesses, and to address K-12 education and telemedicine access without delay. Cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost are key. Approaches that utilize both fiber and wireless technologies, public/private partnerships and regulated markets that provide a choice of service providers and competitive prices should be utilized. Accordingly, we support the ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.

We believe state and federal support for broadband expansion should include the following:

- While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we encourage continued efforts to offset further funding needs and to address concerns such as easement usage associated with deployment.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.

LEGISLATIVE POSITIONS

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools; additionally, we support rate setting by the state for private day placements.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources is crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities, we appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded. We also support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities. The State also should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.
- We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges, and training should be available for local governments to meet ongoing costs associated with local stormwater programs.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include investing in regional projects.
- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.
- We support local authority to address choices and impacts associated with utility-scale installation of clean energy resources. As the move to non-carbon sources of energy continues, we support the creation of stronger markets for distributed solar and authority for local governments to install small solar facilities on government-owned property and use the electricity for schools or other government-owned buildings located nearby.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to carry out their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation, whether they are traditional, electronic, internet-based, virtual or otherwise, while encouraging a level playing field for competing services in the marketplace.
 - We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; procedures for adopting ordinances; and procedures for conducting public meetings.
 - The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.
 - Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
 - We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections has been decreasing. Specifically, we request that the State adequately fund costs associated with voting equipment, registrar costs, early voting requirements and election security standards.
 - We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for public bodies to determine how to accommodate public comment and participation. Any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning creation of customized records.
 - We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
 - We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
 - We support enhanced state funding for local and regional libraries.
 - We support expanding local authority to regulate smoking in public places.
-

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping the disabled, the poor, the young and the elderly achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care that helps divert people from needing a state hospital level of care, as well as having services such as outpatient and permanent supportive housing available. We also support measures to address census pressures at state hospitals that will enable them to receive admissions of individuals subject to temporary detention orders without delays.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households.

- We support the following: 1) local authority and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Land Use and Growth Management

The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, and to support local authority to plan and regulate land use. Accordingly, we take the following positions:

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support broader impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.
- We support changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without

regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building and fire code regulations.

- We request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and support greater flexibility for all localities in the preservation and management of trees.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support for paid and volunteer fire/EMS/first responders, given the ever-increasing importance they play in local communities.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We support legislation to help law enforcement combat the act of making a hoax call that reports an immediate threat to human life, with the intent of triggering a significant and urgent emergency response, usually involving a SWAT team (known as "swatting").
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to offset future surprises and to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report. Further, local and regional jails should have a choice as to whether they will keep state-responsible inmates in their facility after the 60-days from the date of the final sentencing order.
- We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities. The State should provide financial support for localities using such camera systems.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents, and tourism; and for

keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to implement the “Smart Scale” prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to carry out local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT

TAB B

MEETING DATE:	November 2, 2022					
AGENDA TITLE:	Authorization to advertise an ordinance to repeal existing Chapter 8 Fire Protection And Public Safety of the Fluvanna County Code, and to adopt and reenact a replacement ordinance entitled Chapter 8 Fire Protection, Emergency Services, and Public Safety of the Fluvanna County Code.					
MOTION(s):	<p>I move the Board of Supervisors approve County Staff and the County Attorney to prepare and advertise the Notice of a Public Hearing to be held on December 7, 2022, at 7:00 pm, contained in the Board packet for the proposed:</p> <ul style="list-style-type: none"> Ordinance to: (i) repeal Chapter 8 Fire Protection and Public Safety of the Fluvanna County Code, in its entirety; and (ii) adopt and reenact the proposed attached replacement Ordinance entitled Chapter 8 Fire Protection, Emergency Services, and Public Safety of the Fluvanna County Code, in its entirety. 					
BOS GOALS?	Yes	No	If yes, list goal(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:	Routine					
DISCUSSION:	The current Chapter 8 Fire Protection and Public Safety ordinance is being significantly revised to allow the County in the near future to establish a Fluvanna County Department of Emergency Services, which allows the County to hire employee's to provide EMS, and assist to augment the existing volunteer agencies providing EMS. The reenacted Chapter 8 Fire Protection, Emergency Services, and Public Safety primary ordinance additions set forth the establishment of the County Department, defines the power and duties of volunteer agencies, defines members of a the official safety program, establishment and composition of the system, responsibility and roles within the system, creates a Fluvanna County System Advisory Board and defines the responsibilities, and outlines system policy requirements and compliance.					
FISCAL IMPACT:	TBD based upon the future EMS department structure selected and the number of associated employees needed within the structure. At minimum, the County already has a little over \$1.0M built into the existing budget to cover start-up costs for the Department of Emergency Services.					
POLICY IMPACT:	N/A					

LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> • Cover to the ordinance • Reenacted Chapter 8 Fire Protection, Emergency Services, and Public Safety of the Fluvanna County Code • Public Hearing Advertisement 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			X

AN ORDINANCE TO:

REPEAL CHAPTER 8 FIRE PROTECTION AND PUBLIC SAFETY OF THE FLUVANNA COUNTY CODE, IN ITS ENTIRETY, INCLUDING WITHOUT LIMITATION SECTIONS 8-1 FIRE COMPANIES, 8-2 REGULATIONS GOVERNING USE OF COUNTY FIRE TRUCKS, 8-3 OFFICIAL SAFETY PROGRAM, 8-4 CERTIFICATION OF FIREFIGHTERS AGED 16 YEARS AND OLDER, 8-5 DISPOSAL OF UNCLAIMED PERSONAL PROPERTY IN THE POSSESSION OF THE SHERIFF, 8-6 EMERGENCY MEDICAL SERVICES COST RECOVERY INCLUDING ALL SUBPARTS 8-6-1, 8-6-2, 8-6-3 AND 8-6-4 THEREOF, AND 8-7 EMPLOYMENT OF OFF-DUTY DEPUTY SHERIFFS, AND ALL SUBPARTS OF ANY OF THE FOREGOING SECTIONS; AND

TO ADOPT AND REENACT A REPLACEMENT ORDINANCE ENTITLED CHAPTER 8 FIRE PROTECTION, EMERGENCY SERVICES, AND PUBLIC SAFETY OF THE FLUVANNA COUNTY CODE, IN ITS ENTIRETY, INCLUDING WITHOUT LIMITATION SECTIONS 8-1 DEFINITIONS, 8-2 ESTABLISHMENT OF THE FLUVANNA COUNTY DEPARTMENT OF EMERGENCY SERVICES, 8-3 VOLUNTEER AGENCIES, 8-4 OFFICIAL SAFETY PROGRAM, 8-5 ESTABLISHMENT AND COMPOSITION OF SYSTEM, 8-6 RESPONSIBILITIES OF THE SYSTEM, 8-7 EMERGENCY MEDICAL SERVICES AGENCY CHIEF, 8-8 FLUVANNA COUNTY SYSTEM ADVISORY BOARD ESTABLISHED, 8-9 FLUVANNA COUNTY SYSTEM ADVISORY BOARD RESPONSIBILITIES, 8-10 FLUVANNA COUNTY SYSTEM POLICIES, 8-11 COMPLIANCE WITH SYSTEM POLICIES; REMEDIATION, 8-12 CRIMINAL AND DRIVING RECORD CHECKS, 8-13 REGULATIONS GOVERNING USE OF COUNTY FIRE TRUCKS , 8-14 CERTIFICATION OF FIREFIGHTERS AGED 16 YEARS AND OLDER , 8-15 DISPOSAL OF UNCLAIMED PERSONAL PROPERTY IN THE POSSESSION OF THE SHERIFF, 8-16 EMERGENCY MEDICAL SERVICES COST RECOVERY INCLUDING ALL SUBPARTS 8-16-1, 8-16-2, 8-16-3 AND 8-16-4 THEREOF, AND 8-17 EMPLOYMENT OF OFF-DUTY DEPUTY SHERIFFS, AND ALL SUBPARTS OF ANY OF THE FOREGOING SECTIONS.

BE IT ORDAINED by the Board of Supervisors of the County of Fluvanna, Virginia, that the Fluvanna County Code be, and such Code is hereby, amended, as follows:

- (1) Chapter 8 Fire Protection And Public Safety of the Fluvanna County Code is hereby repealed in its entirety, including without limitation Sections 8-1 Fire companies, 8-2 Regulations governing use of county fire trucks, 8-3 Official safety program, 8-4 Certification of firefighters aged 16 years and older, 8-5 Disposal of unclaimed personal property in the possession of the Sheriff, 8-6 Emergency medical services cost recovery including all subparts 8-6-1, 8-6-2, 8-6-3 and 8-6-4 thereof, and 8-7 Employment of off-duty deputy sheriffs, and all subparts of any of the foregoing Sections; and
- (2) The attached replacement ordinance entitled Chapter 8 Fire Protection, Emergency Services, and Public Safety is hereby adopted and reenacted in its entirety as Chapter 8 Fire Protection, Emergency Services, and Public Safety of the Fluvanna County Code,

including without limitation, Sections 8-1 Definitions, 8-2 Establishment of the Fluvanna County Department of Emergency Services, 8-3 Volunteer Agencies, 8-4 Official Safety Program, 8-5 Establishment and Composition of System, 8-6 Responsibilities of the System, 8-7 Emergency Medical Services Agency Chief, 8-8 Fluvanna County System Advisory Board established, 8-9 Fluvanna County System Advisory Board Responsibilities, 8-10 Fluvanna County System Policies, 8-11 Compliance with System Policies; Remediation, 8-12 Criminal and driving record checks, 8-13 Regulations governing use of County fire trucks, 8-14 Certification of firefighters aged 16 years and older, 8-15 Disposal of unclaimed personal property in the possession of the Sheriff, 8-16 Emergency medical services cost recovery including all subparts 8-16-1, 8-16-2, 8-16-3 and 8-16-4 thereof, and 8-17 Employment of off-duty deputy sheriffs, and all subparts of any of the foregoing Sections.

Chapter 8 - FIRE PROTECTION, EMERGENCY SERVICES, AND PUBLIC SAFETY

Footnotes:

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State Law reference— For state law as to forest wardens and fires generally, see Code of Va., § 10.1-1134.1 et seq.; as to smoke detectors in certain buildings, see Code of Va., § 15.2-922; as to Line of Duty Act, see Code of Va., § 9.1-400 et seq.; as to arson and related crimes, see Code of Va., § 18.2-77 et seq.; as to fire protection generally, see Code of Va., § 27-1 et seq.; as to emergency services generally, see Code of Va., § 32.1-111.1 et seq.

Sec. 8-1. – Definitions.

For purposes of this Chapter 8, unless otherwise required by the context, the following terms, whether capitalized or not, shall have the meanings set forth in this Section 8-1.

Active Volunteer Agency(ies) is as defined in Section 8-3.

Agency Volunteer(s) means volunteer members of the Volunteer Agencies, and is distinct from County employees or County Volunteers.

Ambulance(s) means any vehicle, vessel or aircraft, which holds a valid permit issued by the Office of Emergency Medical Services, that is specially constructed, equipped, maintained and operated, and is intended to be used for emergency medical care and the transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless. The word "ambulance" may not appear on any vehicle, vessel or aircraft that does not hold a valid permit.

Board means the Fluvanna County Board of Supervisors.

County employee(s) or *County staff* means employees of the County who provide rescue and emergency medical services as members of the coordinated fire and rescue system.

County Volunteer(s) means volunteers of the Fluvanna County Department of Emergency Services who provide rescue and emergency medical services as members of the coordinated fire and rescue system. County Volunteers are distinct from Agency Volunteers.

EMS Department or *Fluvanna County Department of Emergency Services* means the County agency responsible for delivering rescue and emergency medical services together with its EMS Chief, EMD, EMC, employees and County Volunteers.

EMS Department Policy(ies) means policies of the EMS Department.

Director of Emergency Management or *EMD* means that person so appointed by the Board and confirmed in the County's Emergency Operations Plan.

Emergency Management Coordinator or EMC means the person so designated by the County Administrator and in the County's Emergency Operations Plan who serves as the designated agent of the EMS Chief for day-to-day operations of the System, as and while so authorized by the EMS Chief.

Emergency Medical Services Agency Chief or EMS Chief means the director of the Fluvanna County Department of Emergency Services as established by Section 8-7, and the Fluvanna County Coordinated Fire and Rescue System, as established in Section 8-5. The EMS Chief is the Director of Emergency Management appointed by the Board and confirmed in the County's Emergency Operations Plan.

Emergency Medical Service(s) Vehicle or EMS Vehicle(s) means any vehicle, ambulance, vessel, or aircraft that holds a valid emergency medical services vehicle permit issued by the Office of Emergency Medical Services and that is equipped, maintained, or operated to provide emergency medical care or transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless.

Fire Company(ies) means a volunteer fire company or volunteer fire department located in Fluvanna County.

Fluvanna County Fire and Rescue Association or the FRA consists of certain members of the Fire Companies. The FRA in conjunction with the EMS Chief and the EMC ensures that fire and emergency services are provided in the most effective and efficient manner possible.

Members means members of the System including without limitation the EMS Department, the FRA, the EMS Chief, the County employees of the EMS Department, the County Volunteers, the EMC, the EMD, the Volunteer Agencies, the Volunteer Agency chiefs, and the Agency Volunteers.

Office of Emergency Medical Services or OEMS means the Virginia Department of Health's Office of Emergency Medical Services.

Policies means the Department Policies together with the System Policies.

State means the Commonwealth of Virginia.

System Advisory Board or the Fluvanna County System Advisory Board, established in Section 8-8, advises the Emergency Services Agency Chief and the Emergency Management Coordinator and performs additional functions as provided in Section 8-9.

Rescue Squad(s) means a volunteer rescue squad or volunteer emergency medical services organization, as described by Virginia Code §32.1-111.1 et seq, located in Fluvanna County.

System or Fluvanna County Coordinated Fire and Rescue System means the combined force of the EMS Department, FRA and the Volunteer Agencies, the Sheriff's Office and its law enforcement personnel, and all other law enforcement personnel of the County, as such System is further defined in Section 8-5.

System Policy(ies) means policies of the System as defined in Section 8-10.

Volunteer Agency(ies) means the Fire Companies and the Rescue Squads collectively together with the Volunteer Agency chiefs and Agency Volunteers.

(Ord. __-__-__)

State Law reference— Code of Va., § 32.1-111.1 and § 32.1—111.4:6.

Sec. 8-2. – Establishment of the Fluvanna County Department of Emergency Services.

The Fluvanna County Department of Emergency Services (the EMS Department) is hereby established. The EMS Department shall provide emergency medical services throughout the County in accordance with State laws, County ordinances, System Policies, EMS Department Policies, and all other duly adopted policies of the County. As required by section 32.1-111.4:6 of the Code of Virginia, the EMS Department shall be managed by the Emergency Medical Services Agency Chief (EMS Chief). The EMS Chief shall be the EMD appointed by the Board. The EMS Department shall be responsible for services related to civilian protection and evacuation in disasters and for the administration of local, State, and all other matters set forth in this Chapter 8, and, in coordination with the EMD, federal emergency response, assistance, and recovery programs within the County. When the County Administrator is the appointed EMD, then the County Administrator is also the EMS Chief.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-6.1 and 32.1-111.4:6.

Sec. 8-3 – Volunteer Agencies.

Volunteer Agencies may be formed, named, and dissolved in accordance with State law and approval by the Board. They shall operate in conformity with applicable federal and State laws, County ordinances, and the System Policies. Each Volunteer Agency shall at minimum adopt by-laws, policies, guidelines, and protocols for their internal administrative functions, as specifically required by State law, System Policies, or ordinances, and regulations or other applicable law. Volunteer Agencies may have any additional by-laws, policies, guidelines, and protocols for their internal administrative functions as they deem necessary or appropriate, except if constrained by applicable State Law or local ordinance.

Any approval heretofore granted for the Active Volunteer Agencies, as defined below, shall remain in effect; provided, however, that no such approval shall be deemed to relieve any such Volunteer Agency of the continuing duty of compliance with sections 27-6.01 et seq. and 32.1-111.1 et seq. of the Code of Virginia and other applicable law.

Volunteer Agencies shall have all the powers and duties granted to them by State law. The operational head of each Volunteer Agency shall be known as the chief. Each Volunteer Agency chief shall exercise the authority granted to them by State law and the by-laws of their organizations, so long as their actions do not conflict with the provisions of this Chapter or the System Policies.

Volunteer Agencies are hereby delegated and shall execute the following responsibilities in conformity with their respective organizational by-laws and chains of command, including at minimum: (i) managing performance; (ii) management of response areas and apparatus response orders; (iii) electing and promoting a chief, officers and other personnel; (iv) recruiting and retaining Agency Volunteers; (v) managing officers and personnel, including oversight, training, and keeping records; (vi) preparing annual

budgets for submission to the County, and managing their budgets; (vii) collecting and forwarding to the EMC such data, statistics and other information as may be necessary to assure the efficient and economical operation of the System; (viii) caring for and maintaining the station, station facilities, vehicles, apparatus and equipment; and (ix) implementing and enforcing appropriate minimum policies and standards for their members

The following Volunteer Agencies (collectively (a) and (b) below are referred to in this Chapter 8 as the “*Active Volunteer Agencies*”), and any others that may be duly established in the future, along with County Volunteers, constitute an indispensable part of the public safety program for the County:

- a. Fluvanna County Volunteer Fire Department Incorporated, at present consisting of Fork Union Volunteer Fire Company, Kents Store Volunteer Fire Company, and Palmyra Volunteer Fire Company;
- b. Lake Monticello Volunteer Fire Department and Rescue Squad, Inc.; and
- c. Fluvanna Rescue Squad, Incorporated.

In taking this measure to assure the most efficient and effective service possible and to meet the challenges of the growth and development of the jurisdiction, the Board specifically recognizes the essential and historical contributions of Agency Volunteers and the necessity of continuing and expanding Agency Volunteer and County Volunteer participation, which shall help the County to discharge its responsibilities.

Volunteer Agency chiefs each shall provide general oversight and management of the Volunteer Agency functions. Such oversight and management shall include at minimum:

- a. Strategy development for the retention and expansion of the volunteer base.
- b. Policy development of any Volunteer Agency policies.
- c. Oversight the implementation of the Volunteer Agency’s policies and System Policies for its Members. All System Policies shall be developed only through the procedures established by Section 8-10.
- d. As required by applicable law, each Volunteer Agency shall have, implement and enforce at minimum policies which are required by law, including without limitation, policies covering:
 - i. standard operating guidelines for the delivery of services;
 - ii. performance standards, such as minimum staffing and response time goals;
 - iii. maintaining a command structure and incident command system that complies with federal and state incident management standards and applicable laws;
 - iv. minimum personnel, training, licensure, and reporting requirements including maintaining a list of active Agency Volunteers;
 - v. minimum standards regarding apparatus and equipment care and maintenance;
 - vi. exposure control plan;
 - vii. background check policy;
 - viii. vehicle operations policy (driver policy); and
 - ix. substance abuse policy.

The Volunteer Agencies must have such policies as required by law, however the Volunteer Agencies may choose to either adopt and enforce their own policies which comply with applicable law or alternatively, they may choose to implement some or all of the Department Policies. Department Policies are not mandated for the Volunteer Agencies.

(Ord. __-__-__)

History prior Sec. 8-1. – Fire Companies (Ord. 11-18-15).

State Law reference— Code of Va., § 15.2-955, 27-6.1, 27-13, 27-14, 32.1-111.4:6, 32.1-111.4:7 and 32.1-111.4:8.

Sec. 8-4 – Official Safety Program.

Pursuant to the authority contained in sections 27-6.01 et seq. and 32.1-111.1 et seq. of the Code of Virginia, this Chapter 8 establishes the official safety program of the County. The official safety program of the County shall be carried into effect by the Members including following persons, organizations, entities, or departments, whose membership in the System shall be deemed to be an integral part of the official safety program of this County:

- a. The EMS Department, together with its EMS Chief, the EMC, County employees and County Volunteers,
- b. The EMD;
- c. The Sheriff's Office and its law enforcement personnel;
- d. The FRA, and the Fire Companies together with their chief and Agency Volunteers;
- e. The Rescue Squads together with their chief and Agency Volunteers; and
- f. All other law enforcement personnel of the County not included in subsection (c) above.

(Ord. __-__-__)

History prior Sec. 8-3. – Official Safety Program (Min. Bk. 7, p. 169; Comp. 1974, ch. 8; Ord. 2-3-75; Ord. 5-2-83; Ord. 11-18-15).

State Law Reference— Code of Va., § 27-6.01 et seq. and 32.1-111.1.

Sec. 8-5 – Establishment and Composition of System.

The Board, determined to provide for the public safety, health and welfare of County citizens and communities, hereby establishes the Fluvanna County Coordinated Fire and Rescue System (System), a coordinated and integrated fire and emergency medical services system composed of those Members set forth above in (a) through (f) of Section 8-4, including without limitation, the EMS Department and the Volunteer Agencies. The System is responsible for providing fire, rescue, and emergency medical services throughout the County in accordance with applicable federal and State laws, County ordinances, and the duly adopted System Policies.

The System shall work to develop an integrated and seamless approach to the provision of emergency services to promote the interests and welfare of county citizenry and communities, to perform with maximum cost-effectiveness consistent with safety objectives, to account for service delivery and resource utilization, and to communicate and consider all views regarding the System.

(Ord. __-__-__)

State Law Reference— Code of Va., 27-6.01 et seq., 32.1-111.1 et seq., 32.1-111.4:6.

Sec. 8-6 – Responsibilities of the System.

Collectively the System shall be responsible for:

- (1) Managing and regulating the provision of fire prevention, protection, investigation, suppression, education, and firefighting services, and for the provision of services related to hazardous materials and similar hazards which pose a threat to life, property, and the environment;
- (2) Managing and regulating the delivery of prehospital emergency patient care and rescue services consistent with state emergency medical service regulations and the guidance of each organization's Operating Medical Director (OMD);
- (3) Local disaster mitigation, preparedness, response, and recovery in coordination with the EMD and EMC;
- (4) Providing any additional, related services that are essential for the provision of high-quality fire and emergency medical services; and
- (5) Performing and delivering services consistent with System Policies, State laws, County and ordinances.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-7, 27-14, 32.1-111.14 and 44-146.19.

Sec. 8-7. – Emergency Medical Services Agency Chief.

The head of the EMS Department shall be known as the EMS Chief. The EMS Chief is the EMD appointed by the Board. The EMS Chief may delegate functions to the EMC as the EMS Chief deems appropriate. The EMS Chief and the EMC are County employees who shall be a part of the EMS Department. The EMS Department shall have as many other officers and employees as the Board and EMS Chief may approve. The EMS Chief shall have the following duties:

2. Provide general oversight and management of the EMS Department's functions, and may delegate authority to the EMC, other officials, and staff of the EMS Department. Such oversight and management shall include at minimum:
 - a. Strategy development, in collaboration with the System Advisory Board, for the retention and expansion of the volunteer base within the EMS Department and System to ensure that the health of the volunteer system remains a high priority.
 - b. Policy development of EMS Department Policies and System Policies which are essential to the effective and equitable provision of high-quality, countywide fire and rescue services. Oversight of the implementation of the Department Policies and System Policies for County employees and County volunteers. All System Policies shall be developed only through the procedures established by Section 8-10.
 - c. EMS Department Policies shall include, but not be limited to:

- i. standard operating guidelines for the System's delivery of fire, rescue, and emergency medical services;
 - ii. System performance standards, such as minimum staffing and response time goals;
 - iii. maintaining a command structure and incident command system that complies with federal and state incident management standards and applicable laws;
 - iv. minimum personnel, training, licensure, and reporting requirements;
 - v. minimum standards regarding apparatus and equipment;
 - vi. vehicle operations policy;
 - vii. drug and alcohol policy; and
 - viii. other guidelines, protocols, and policies required by applicable law relating to the System. In no event shall any County, System or EMS Department regulations or directives be interpreted to waive requirements of federal, State, and local laws and regulations, including without limitation, those related to licensing.
- d. Determining EMS Department fleet size, deployment, and functions and minimum standards regarding apparatus and equipment.
- e. Recommendations as to the Department funding by the County and Department budget matters. In conjunction with the FRA, making recommendations as the System funding by the County and System budget matters including recommendation related to equipment and EMS Vehicles
- f. In conjunction with the FRA, establishing a process for setting and maintaining first due areas, response districts and apparatus response orders.
- 3. In coordination with the FRA and EMD, provide general management, planning, preparation, response, and recovery for any disaster relating to fires, hazardous materials, rescues, or emergency medical services that may occur in the County.
- 4. Serve with the FRA and EMC on the System Advisory Board and call meetings of the System Advisory Board as deemed appropriate; and attend meeting of the System Advisory Board called by the FRA. In no way shall this subsection diminish the authority of the County Administrator to supervise the EMS Chief and EMC.
- 5. Make day-to-day operational decisions necessary for the Department on matters not specifically addressed by Department Policies or System Policies.
- 6. Establish and enforce System Policies and EMS Department Policies on County employees and County volunteers that are required for the administration and operation of the System and the EMS Department, for purposes of providing the safest, most effective, and most efficient fire, rescue, and emergency medical services possible. Such Policies and regulations shall be consistent with this Chapter but may provide for additional and more stringent requirements.
- 7. Recommend hiring, appointing and termination of members of the EMS Department including compensated County employees and County Volunteers, in accordance with the County's Personnel Policies, EMS Departmental regulations and System Policies. The EMS Chief shall Investigate applicants and incumbents for positions in the EMS Department, including County employees and County Volunteers, including a review of criminal and driving records as required under Section 8-12 and applicable law.
- 8. In coordination with the EMD, Maintain and implement the County's Emergency Operations Plan.
- 9. Coordinate and assist the EMD in the EMD's responsibilities and duties. The EMD shall have authority to enter into and take all actions necessary to implement and carry out agreements for mutual aid, disaster preparedness, and provision of services related to hazardous materials, rescue, fire suppression, investigation, medical services or other emergency response services deemed necessary in the judgment of the EMD for emergency response in events exceeding the

capabilities of the County as permitted under the County's Emergency Operations Plan and applicable law. To the extent permitted under applicable law, the EMD shall have the authority to enter into contracts on behalf of the County and to expend funds after a declared disaster or emergency declaration to provide for the public safety during such events, in accordance with applicable laws and regulations and policies of the County. The EMD shall have the authority to take all actions necessary to obtain funding and assistance from other localities and from State or federal agencies for those purposes.

10. Develop strategies for the recruitment and retention of the County Volunteer base and the Agency Volunteer base.
11. Exercise all powers authorized by State law as necessary for the provision of fire and emergency medical services and shall be authorized at all times to: (i) take immediate action to prevent or mitigate imminent harm to the health, safety, or welfare of persons, or property; to ensure operational readiness of the System to deliver fire and emergency medical services; and to comply with all applicable laws; and (ii) to exercise any authority otherwise provided in this Chapter. Such immediate action may be taken concurrently with the described in this Section.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-14, 32.1-111.4, 32.1-111.4:6, and 44-146.19.

Sec. 8-8. – Fluvanna County System Advisory Board established.

The Fluvanna County System Advisory Board (System Advisory Board) is hereby established and shall serve as an advisory group to the EMS Chief, EMC and EMS Department. The System Advisory Board shall be consulted prior to the issuance of any System Policies. The System Advisory Board shall consist of the EMS Chief, the EMC, and the members of the Fluvanna County Fire and Rescue Association (the "FRA"), the FRA includes at least one representative from each recognized Active Volunteer Agency. The System Advisory Board shall: (i) collaborate concerning the delivery of fire, rescue, and emergency medical services; (ii) encourage open communication and collaboration between the Members of the System; (iii) Communicate issues of importance to the EMS Chief and EMC related to the System or any Volunteer Agency. System Policies can only be established (i) if approved by both the EMS Chief and the FRA; or alternatively, (ii) System Policies can be established by the Board.

Nothing in this Chapter limits the First Amendment rights of private citizens to communicate directly with the County Administrator or Board.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-14 and 32.1-111.4:6.

Sec. 8-9. – Fluvanna County System Advisory Board Responsibilities.

The System Advisory Board shall perform the following duties:

1. Hold meetings to discuss any matters related to the System or System Policies upon the request of the FRA or EMS Chief;
2. The EMS Chief and the FRA are the only voting members of the System Advisory Board;
3. At the FRA or EMS Chief's request, review all proposed System Policies and provide comments through the collaborative procedures established in Section 8-10 and ensure the communication of duly adopted System Policies to all Members of the System.
4. Consider specific concerns at the FRA or EMS Chief's request and provide input regarding incident management, noncompliance with System Policies, and quality in the delivery of emergency services.
- 5.
6. Review and provide input and recommendations on new initiatives for the System's operating and capital improvement budgets.
7. Meet upon the request of the FRA or EMS Chief, or at least annually, in order to perform its responsibilities under this Section, and to discuss the health and welfare of the System.

Nothing in this Chapter limits the First Amendment rights of private citizens to communicate directly with the County Administrator or Board.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-14 and 32.1-111.4:6.

Sec. 8-10. – Fluvanna County System Policies.

1. The System Policies include: (i) all of the requirements of applicable federal and State law and County Code, and (ii) any System Policies.
2. The Board recognizes that policies must be developed through a collaborative process. The procedures in this Section are intended to assist the EMS Chief, FRA, EMC, and the System Advisory Board in the collaborative and careful development of System Policies.
3. **System Policies can only be adopted if unanimously approved by the System Advisory Board whose only voting members are the FRA and EMS Chief, or alternatively, if approved by the Board.**
4. Any Member of the System may suggest new System Policies or amendments to the EMC, FRA, or EMS Chief through the Member's chain of command.
5. EMS Department regulations that affect only County employees or County Volunteers shall be adopted at the discretion of the EMS Chief without collaboration with the System Advisory Board. Volunteer Agency regulations that effect on such Volunteer Members shall be adopted at the discretion of the respective chief without collaboration with the System Advisory Board.
6. Draft policies for the System approved by either the EMS Chief or FRA shall be submitted to System Advisory Board for review.
7. The System Advisory Board members shall review and evaluate all draft System policies proposed. Within thirty (30) calendar days of receiving the initial draft policy, each member shall: (i) support the policy as worded; (ii) support the policy with specific revisions; or (iii) decline to support the policy. Each member may accompany its decision with a written explanation of its position, although it must provide a written explanation in the event it declines to support the policy. If a member fails to respond, such response shall be deemed support of the policy as worded. At any

point during this collaborative process the EMS Chief or FRA may request that the System Advisory Board meet to discuss the draft policy.

8. The EMS Chief and FRA shall consider the comments and recommendations. The EMS Chief or FRA may then re-submit the draft with any revisions deemed appropriate
9. After completing the collaborative process above, the EMS Chief and FRA shall each take one of the following actions: (i) adopt the draft policy; (ii) adopt the draft policy with specific revisions; or (iii) decline to adopt the policy.
10. If the EMS Chief and the FRA both approve adoption of a new policy, such policy shall become a part of the System Policies and take effect immediately and shall become effective without any approval by the Board.
11. Any Volunteer Agency may appeal a decision of the System Advisory Board to adopt a System Policy or a decision declining to adopt a System Policy to the Board. Within seven (7) calendar days of the vote to appeal to the Board, the Volunteer Agency shall submit a written notice of appeal, including a statement of the basis for the appeal, to the clerk of the Board. The written notice of appeal will be accompanied by a packet, compiled by County staff, containing at minimum a copy of the policy. The Board shall consider the appeal at a subsequent meeting and issue a decision that the appeal of the policy should be sustained or not sustained, in whole or in part.
12. The FRA or the EMS Chief may submit any proposed System Policy directly to the Board for approval.

Nothing in this Chapter limits the First Amendment rights of private citizens to communicate directly with the County Administrator or Board.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-14 and 32.1-111.4:6.

Sec. 8-11. – Compliance with System Policies; Remediation.

1. Each Member of the System shall help to enforce duly adopted System Policies.
2. *Material Noncompliance* with a System Policy means a failure to adhere to a Policy or a provision of this Chapter which:
 - a. is committed on two or more separate occasions, or on a single occasion if the alleged conduct is committed intentionally after notice that the conduct would violate System Policy;
 - b. threatens property or the health, safety or welfare of any person;
 - c. impairs the operational readiness of the System to deliver fire and emergency medical services;
 - d. violates any applicable civil federal, State, or local law; or
 - e. involves the violation of a policy provision regarding public funds.
3. Each Volunteer Agency chief and the EMS Chief shall be entitled to communicate concerns about noncompliance with Policies directly to the chiefs of those organizations believed to be materially noncompliant. Should such efforts to achieve a mutually agreeable resolution of material noncompliance fail, the complaining Volunteer Agency chief or the EMS Chief shall initiate a formal procedure for material noncompliance in accordance with this Section.

4. Any Volunteer Agency chief or the EMS Chief may initiate a formal Complaint of Material Noncompliance with System Policy ("Complaint") by submitting the Complaint in writing to the System Advisory Board. The Complaint must state, at a minimum, which System Policy has been violated and a summary of the relevant facts. If cause is found by the System Advisory Board and a determination that the charged organization has materially non-complied with Policy is found, then the System Advisory Board shall design a plan for remediating the noncompliance and provide it to the charged organization. If the EMS Chief or FRA determine that the nature of the material noncompliance is so serious as to merit consideration of removal of the organization from the System or reduction in its funding by the Board, then either may make a recommendation to the County Administrator for referral to the Board, which shall retain at all times the sole authority to remove a Volunteer Agency from the System, pursuant to sections 27-10 and 32.1-111.4:7 of the Code of Virginia, and to determine annual appropriations.
5. After a determination of material noncompliance has been made and the plan of remediation has been issued to the charged organization, the charged organization may appeal, in writing, the determination of material noncompliance, the plan of remediation, or both, to the County Administrator for referral to the Board within thirty (30) calendar days of receiving the plan of remediation. The appeal must state the decision being appealed and the basis for the appeal. The decision of the Board shall end the appeal process.

Nothing in this Chapter limits the First Amendment rights of private citizens to communicate directly with the County Administrator or Board.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-14 and 32.1-111.4:6.

Sec. 8-12. – Criminal and driving record checks.

In accordance with sections 19.2-389 and 32.1-111.5 of the Code of Virginia and this Chapter 8 and in the interest of public welfare and safety, the EMS Chief shall review or cause to be reviewed the criminal records and motor vehicle driving records of applicants and incumbents for County employment and County Volunteer status to determine if the past criminal conduct of any person with a criminal record or motor vehicle driving record would be compatible with the nature of the employment or service in accordance with applicable law.

In accordance with sections 19.2-389 and 32.1-111.5 of the Code of Virginia and this Chapter 8 and in the interest of public welfare and safety, each Volunteer Agency chief shall review or cause to be reviewed the criminal records and motor vehicle driving records of applicants and incumbents for status as an Agency Volunteer within its Volunteer Agency to determine if the past criminal conduct of any person with a criminal record or driving record would be compatible with the nature of the membership or service in accordance with applicable law. Volunteer Agencies shall each be responsible for the investigation of applicants to their Volunteer Agency and compliance with applicable law. Each Volunteer Agency shall ensure that only eligible persons under this Chapter and applicable law are members of their respective Volunteer Agency. Termination of Agency Volunteers shall be the responsibility of the Volunteer Agency.

To the fullest extent permitted under applicable law, records related to such criminal records or driving records of past or current members of the EMS Department or Agency Volunteers shall be maintained by the EMS Chief or Volunteer Agency chief, respectively, for at least five (5) years after the member of the EMS Department or Agency Volunteer, respectively, resigns or is no longer serving as a part of the System. To the extent permitted by applicable law, each Volunteer Agency must maintain a copy of any applicable certificate of eligibility from OEMS and the background check and driving record for each Agency Volunteer, which records shall be made available to the EMS Chief upon request.

(Ord. __-__-__)

State Law reference— Code of Va., § 27-6.2 and 32.1-111.5.

Sec. 8-13. - Regulations governing use of County fire trucks.

Fire trucks, Ambulances and EMS Vehicles owned or paid for by the County with public funds shall be used for emergency use only with the following exceptions:

- (1) Parades within the County and the Town of Scottsville;
- (2) Fire training purposes;
- (3) Driver training;
- (4) Cleaning landfill equipment;
- (5) Wet down of public areas and ballfields for County sanctioned functions; and
- (6) Other uses deemed necessary by or acceptable to the County Administrator or EMS Chief.

Private use of such fire trucks is prohibited. Examples of such excluded uses include, but are not limit to, the following:

- (1) Filling of private swimming pools;
- (2) Filling baptismal pools; and
- (3) Pumping out private basements.

(Ord. __-__-__)

History prior Sec. 8-2. – Regulations governing use of county fire trucks (Comp. 1974, ch. 8; Ord. 5-15-85).

Sec. 8-14. - Certification of firefighters aged 16 years and older.

- (A) Any person residing anywhere in the Commonwealth, aged 16 years or older, who is a member of a Fire Company within the County is hereby authorized, with parental or guardian approval, (i) to seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) to work with or participate in activities of such Fire Company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire

Programs. Nothing herein shall prohibit participation by such persons in nonhazardous activities of a Fire Company, including fire prevention efforts and training courses approved by the Virginia Fire Services Board that are designed to provide situational awareness. No person who achieved certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, on or before January 1, 2006, between the ages of 15 and 16, shall be required to repeat the certification after his sixteenth birthday.

- (B) Any trainer or instructor of such persons mentioned in subsection (A) of this Section and any member of a paid or Fire Company who supervises any such persons shall be exempt from the provisions of section 40.1-103 of the Code of Virginia, provided that the provisions of section 40.1-100 of the Code of Virginia have not been violated, when engaged in activities of a Fire Company, and provided that the Fire Company or the governing body of the County has purchased insurance which provides coverage for the injury or death of such persons in their performance of activities under this Section.
- (C) Children aged 16 years or older may participate in all activities of a Fire Company; provided, however, that no person under the age of 18 years shall enter a burning structure or a structure which contains burning materials prior to obtaining certification under National Fire Protection Association 1001, level one, fire fighter standards, pursuant to the provisions of subsection (A) of this Section, except where entry into a structure that contains burning materials is during training necessary to attain certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs.

(Ord. __-__-__)

History prior Sec. 8-4. – Certification of firefighters aged 16 years and older (Ord. 4-16-08).

State Law reference— Participation of children in activities of a volunteer fire company, see Code of Va., §§ 40.1-79.1 and 40.1-100.

Sec. 8-15. - Disposal of unclaimed personal property in the possession of the Sheriff.

Any unclaimed personal property which has been in the possession of the Sheriff and unclaimed for a period of more than 60 days may be (i) sold at public sale in accordance with the provisions of this Section or (ii) retained for use by the Sheriff. As used herein, "unclaimed personal property" shall be any personal property belonging to another which has been acquired by a law-enforcement officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (section 55.1-2500 et seq. of the Code of Virginia). Unclaimed bicycles and mopeds may also be disposed of in accordance with section 15.2-1720 of the Code of Virginia, and unclaimed firearms shall only be disposed of in accordance with section 15.2-1721 of the Code of Virginia after having been in the possession of the Sheriff and unclaimed for a period of more than 120 days.

Prior to the sale or retention for use by the Sheriff of any unclaimed item, the Sheriff or his duly authorized agents shall make reasonable attempts to notify the rightful owner of the property, obtain from the attorney for the Commonwealth in writing a statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the County

once a week for two successive weeks, notice that there will be a public display and sale of unclaimed personal property. Such property, including property selected for retention by the Sheriff, shall be described generally in the notice, together with the date, time and place of the sale and shall be made available for public viewing at the sale. The Sheriff or his duly authorized agents shall pay from the proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale. The balance of the funds shall be held by such officer for the owner and paid to the owner upon satisfactory proof of ownership. Any unclaimed item retained for use by the Sheriff shall become the property of the County and shall be retained only if, in the opinion of the Sheriff, there is a legitimate use for the property by the Sheriff and that retention of the item is a more economical alternative than purchase of a similar or equivalent item.

If no claim has been made by the owner for the property or proceeds of such sale within 60 days of the sale, the remaining funds shall be deposited in the general fund of the County and the retained property may be placed into use by the Sheriff. Any such owner shall be entitled to apply to the County within three years from the date of the sale and, if timely application is made therefor and satisfactory proof of ownership of the funds or property is made, the County shall pay the remaining proceeds of the sale or return the property to the owner without interest or other charges or compensation. No claim shall be made, nor any suit, action or proceeding be instituted for the recovery of such funds or property after three years from the date of the sale.

(Ord. __-__-__)

History prior Sec. 8-5. – Disposal of unclaimed personal property in the possession of the Sheriff (Ord. 11-18-09; Ord. 11-18-15).

State Law reference— Local disposition of unclaimed property, see Code of Va., § 15.2-1719.

Sec. 8-16. - Emergency medical services cost recovery.

(Ord. __-__-__)

History prior Sec. 8-6. – Emergency medical services cost recovery (Ord. 3-18-15).

Sec. 8-16-1. - Purpose and finding of fact.

Pursuant to section 32.1-111.14 of the Code of Virginia, it is hereby determined that the powers set forth herein must be exercised in order to assure the provision of adequate and continuing emergency services and to preserve, protect and promote the public health, safety, and general welfare.

(Ord. __-__-__)

History prior Sec. 8-6-1. – Purpose and finding of fact (Ord. 3-18-15).

State Law reference— See Code of Va., § 32.1-111.14.

Sec. 8-16-2. - Definitions.

Emergency medical services agency or EMS agency means any person engaged in the business, service, or regular activity, whether or not for profit, of transporting persons who are sick, injured, wounded, or otherwise incapacitated or helpless, or of rendering immediate medical care to such persons; and that holds a valid license as an emergency medical services agency issued in accordance with Virginia Code § 32.1-111.6.

(Ord. __-__-__)

History prior Sec. 8-6-2. – Definitions (Ord. 3-18-15).

State Law reference— See Code of Va., § 32.1-111.1.

Sec. 8-16-3. - Permits required.

No agency shall charge fees for transport services provided by a private emergency medical services vehicle within the County in response to a call for service originating from the County without first obtaining a permit from OEMS. Agencies permitted pursuant to this article shall comply with all terms and conditions of their permits from OEMS.

(Ord. __-__-__)

History prior Sec. 8-6-3. – Permits required (Ord. 3-18-15).

State Law reference— See Code of Va., § 32.1-111.14.

Sec. 8-16-4. - Fees for emergency medical services vehicle transports.

- (A) Reasonable fees shall be charged for transport services provided by EMS Vehicles operated by the EMS Department, Volunteer Agencies, fire departments, rescue agencies, or by any private agency permitted under this Chapter, including charging insurers for services provided by an emergency medical services vehicle as authorized by section 38.2-3407.9 of the Code of Virginia. The schedule of fees shall be established by resolution of the Board. In no event shall a person be denied transport for emergency medical services due to his or her ability to pay.
- (B) Funds collected from service fees established by this chapter shall be used for purposes of defraying costs and improving services associated with providing emergency medical transport services, including but not limited to capital, facility vehicle, equipment and supply costs, and professional services.

- (C) The County Administrator shall establish policies and procedures to implement this Section in accordance with applicable law, including, but not limited to, payment standards for persons demonstrating economic hardships.

(Ord. __-__-__)

History prior Sec. 8-6-4. – Fees for emergency medical services vehicle transports (Ord. 3-18-15).

State Law reference— See Code of Va., § 32.1-111.14.

Sec. 8-17. - Employment of off-duty deputy sheriffs.

Upon individual application to and approval by the Sheriff, deputy sheriffs may engage in off-duty employment, including employment which may occasionally require such deputies to use their police powers in the performance of such employment, subject to such rules, regulations and conditions applying to such off-duty employment as the Sheriff may prescribe.

(Ord. __-__-__)

(Seal)

PUBLIC HEARING
Fluvanna County Board of Supervisors
Wednesday, December 7th, 2022 at 7:00 p.m.

Pursuant to Virginia Code §15.2-1427, §10.1-1134.1 et seq., §15.2-922, §9.1-400 et seq., §18.2-77 et seq., §27-1 et seq., and §32.1-111.1 et seq., the Fluvanna County Board of Supervisors will hold a Public Hearing on December 7th, 2022, at 7 p.m. at the Carysbrook Performing Arts Center, at 8880 James Madison Highway, Fork Union, Virginia 23055, for citizens of the County to have the opportunity to appear before and be heard by the Board of Supervisors and in order to receive public input and comments on the following items:

AN ORDINANCE TO:

REPEAL CHAPTER 8 FIRE PROTECTION AND PUBLIC SAFETY OF THE FLUVANNA COUNTY CODE, IN ITS ENTIRETY, INCLUDING WITHOUT LIMITATION SECTIONS 8-1 FIRE COMPANIES, 8-2 REGULATIONS GOVERNING USE OF COUNTY FIRE TRUCKS, 8-3 OFFICIAL SAFETY PROGRAM, 8-4 CERTIFICATION OF FIREFIGHTERS AGED 16 YEARS AND OLDER, 8-5 DISPOSAL OF UNCLAIMED PERSONAL PROPERTY IN THE POSSESSION OF THE SHERIFF, 8-6 EMERGENCY MEDICAL SERVICES COST RECOVERY INCLUDING ALL SUBPARTS 8-6-1, 8-6-2, 8-6-3 AND 8-6-4 THEREOF, AND 8-7 EMPLOYMENT OF OFF-DUTY DEPUTY SHERIFFS, AND ALL SUBPARTS OF ANY OF THE FOREGOING SECTIONS; AND

TO ADOPT AND REENACT A REPLACEMENT ORDINANCE ENTITLED CHAPTER 8 FIRE PROTECTION, EMERGENCY SERVICES, AND PUBLIC SAFETY OF THE FLUVANNA COUNTY CODE, IN ITS ENTIRETY, INCLUDING WITHOUT LIMITATION SECTIONS 8-1 DEFINITIONS, 8-2 ESTABLISHMENT OF THE FLUVANNA COUNTY DEPARTMENT OF EMERGENCY SERVICES, 8-3 VOLUNTEER AGENCIES, 8-4 OFFICIAL SAFETY PROGRAM, 8-5 ESTABLISHMENT AND COMPOSITION OF SYSTEM, 8-6 RESPONSIBILITIES OF THE SYSTEM, 8-7 EMERGENCY MEDICAL SERVICES AGENCY CHIEF, 8-8 FLUVANNA COUNTY SYSTEM ADVISORY BOARD ESTABLISHED, 8-9 FLUVANNA COUNTY SYSTEM ADVISORY BOARD RESPONSIBILITIES, 8-10 FLUVANNA COUNTY SYSTEM POLICIES, 8-11 COMPLIANCE WITH SYSTEM POLICIES; REMEDIATION, 8-12 CRIMINAL AND DRIVING RECORD CHECKS, 8-13 REGULATIONS GOVERNING USE OF COUNTY FIRE TRUCKS, 8-14 CERTIFICATION OF FIREFIGHTERS AGED 16 YEARS AND OLDER, 8-15 DISPOSAL OF UNCLAIMED PERSONAL PROPERTY IN THE POSSESSION OF THE SHERIFF, 8-16 EMERGENCY MEDICAL SERVICES COST RECOVERY INCLUDING ALL SUBPARTS 8-16-1, 8-16-2, 8-16-3 AND 8-16-4 THEREOF, AND 8-17 EMPLOYMENT OF OFF-DUTY DEPUTY SHERIFFS, AND ALL SUBPARTS OF ANY OF THE FOREGOING SECTIONS.

The full text of the proposed ordinance to (i) repeal Chapter 8 Fire Protection and Public Safety of the Fluvanna County Code, in its entirety, and (ii) adopt and reenact the replacement Ordinance entitled Chapter 8 Fire Protection, Emergency Services, and Public Safety of the Fluvanna County Code, in its entirety, may be viewed during regular business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, at the Administration Office located at 132 Main Street, Palmyra, VA, 22963, up to the date of the public hearing. For convenience, it is also available online at [\[please provide link info\]](#). For additional information please contact Caitlin Solis, Clerk to the Board, at 434-591-1910 or csolis@fluvannacounty.org.

All interested persons wishing to be heard are invited to attend the public hearing.

TO: Fluvanna Review

Advertise on the following dates: November 24, 2022 and December 1, 2022

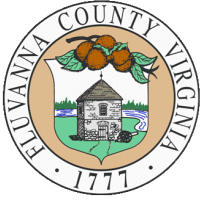
Authorized by: Fluvanna County Board of Supervisors

Bill to: Fluvanna County Board of Supervisors
P.O. Box 540, Palmyra, VA, 22963
Caitlin Solis
Clerk to the Board
Fluvanna County, Virginia 22963
Email csolis@fluvannacounty.org
(434) 591-1910 FAX (434) 591-1913

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

TAB C

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Resolution Recommending Appointment to the Board of Equalization				
MOTION(s):	I move the Board of Supervisors adopt a resolution entitled, "A RESOLUTION RECOMMENDING APPOINTMENT TO THE BOARD OF EQUALIZATION."				
BOS GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		XX			
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Immediate				
DISCUSSION:	The attached Resolution directs submission of the nominees for Circuit Court consideration and formal appointment and provides direction for making administrative support available to the BOE.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> • Resolution Recommending Appointment to the Board of Equalization • Exhibit A - § 58.1-3370. Appointment • Exhibit B – Virginia § 58.1-3374. Qualifications of members; vacancies • Exhibit C – Candidates for Consideration • Candidate Applications 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 18-2022

A RESOLUTION RECOMMENDING APPOINTMENT TO THE BOARD OF EQUALIZATION

WHEREAS, Virginia Code Section 58.1-3370 requires the appointment of a Board of Equalization in each tax year immediately following the year a general reassessment is conducted in the County; and

WHEREAS, it is the desire of the Board of Supervisors of Fluvanna County to request that the Circuit Court of the County appoint such a Board and to suggest to the court the members to be appointed; and

WHEREAS, the Board of Supervisors desires to provide necessary clerical assistance for such Board of Equalization in accordance with Virginia Code Section 58-1-3376; and

WHEREAS, a general reassessment of the County has recently been completed; and

WHEREAS, the Fluvanna County Board of Supervisors requests the Board of Equalization to meet as frequently as necessary to hear all appeals from landowners concerning their reassessment; and

WHEREAS, the Fluvanna County Board of Supervisors encourages the Board of Equalization to meet with the assessors and review and evaluate their method of assessing the value of land in this reassessment.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Fluvanna County, as follows:

- 1) That the County Attorney be, and he is hereby, **DIRECTED** to request the appointment by the Circuit Court of the County of a Board of Equalization as required by law; and that, in so doing, the County Attorney submit to the court a suggested list of members for such Board of Equalization, such list being attached to this resolution as Exhibit A; and
- 2) That the County Administrator be, and he is hereby, **AUTHORIZED AND DIRECTED** to provide necessary clerical assistance for such Board of Equalization, by the hiring of additional personnel or otherwise providing support as may be necessary; and
- 3) That the Commissioner of the Revenue be, and he is hereby, **REQUESTED** to assist such Board of Equalization.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 2nd day of November 2022:

	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						
Christopher Fairchild, Cunningham District						

Attest:

John M. Sheridan, Chair
Fluvanna County Board of Supervisors

Code of Virginia
Title 58.1. Taxation
Subtitle III. Local Taxes
Chapter 32. Real Property Tax
Article 14. Boards of Equalization

§ 58.1-3370. Appointment

A. The circuit court having jurisdiction within each city and each county other than those counties operating under § 58.1-3371 shall, in each tax year immediately following the year a general reassessment or annual or biennial assessment is conducted in such city or county, appoint for such city or county a board of equalization of real estate assessments, unless such county or city has a permanent board of equalization appointed according to law. In addition, at the request of the local governing body, the circuit court may appoint alternate members as provided in subsection B of § 58.1-3373, and the provisions of that subsection shall apply mutatis mutandis.

B. The term of any board of equalization appointed under the authority of this section shall expire one year after the effective date of the assessment for which it was appointed. However, if a taxpayer applies to the commissioner of the revenue or other official performing the duties imposed on commissioners of the revenue for relief from a real property tax assessment prior to the expiration of the board of equalization's term, and the term of the board of equalization expires prior to a final determination on such application for relief, and the taxpayer advises the circuit court that he wishes to appeal the determination to the board of equalization, then the circuit court may reappoint the board of equalization to hear and act on such appeal.

Code 1950, § 58-895; 1975, c. 575; 1979, c. 577; 1983, c. 304; 1984, cc. 273, 675; 1991, c. 240; 2014, c. 19; 2018, c. 604.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
Title 58.1. Taxation
Subtitle III. Local Taxes
Chapter 32. Real Property Tax
Article 14. Boards of Equalization

§ 58.1-3374. Qualifications of members; vacancies

Except as provided in § [58.1-3371](#) or [58.1-3373](#), every board of equalization shall be composed of not less than three members nor more than five members or the number of local election districts in the locality, whichever is greater. In addition to such regular members, at the request of the local governing body, the circuit court for any locality shall appoint one alternate member in the case of a board with less than five members, and two alternate members in the case of a board with five or more members. The qualifications, terms and compensation of alternate members shall be the same as those of regular members. A regular member when he knows he will be absent from or will have to abstain from any proceeding at a meeting shall notify the chairman of the board of equalization at least 24 hours prior to the meeting of such fact. The chairman may select an alternate to serve in the absent or abstaining member's place and the records of the board shall so note. Such alternate member may vote on any proceeding in which a regular member is absent or abstains.

All members of every board of equalization, including alternate members, shall be residents, a majority of whom shall be freeholders, in the county or city for which they are to serve and shall be selected from the citizens of the county or city. Appointments to the board of equalization shall be broadly representative of the community. Thirty percent of the members of the board shall be commercial or residential real estate appraisers, other real estate professionals, builders, developers, or legal or financial professionals, and at least one such member shall sit in all cases involving commercial, industrial or multi-family residential property, unless waived by the taxpayer. No member of the board of assessors shall be eligible for appointment to the board of equalization for the same reassessment. In order to be eligible for appointment, each prospective member of such board shall attend and participate in the basic course of instruction given by the Department of Taxation under § [58.1-206](#). In addition, at least once in every four years of service on a board of equalization, each member of a board of equalization shall take continuing education instruction provided by the Tax Commissioner pursuant to § [58.1-206](#). Any vacancy occurring on any board of equalization shall be filled for the unexpired term by the authority making the original appointment.

On any board or panel thereof considering appeals of commercial or multi-family residential property in a locality with a population exceeding 100,000, 30 percent of the members of such board or panel shall be commercial or multi-family residential real estate appraisers who are licensed and certified by the Virginia Real Estate Appraiser Board to serve as general real estate appraisers, other commercial or multi-family real estate professionals or licensed commercial or multi-family real estate brokers, builders, developers, active or retired members of the Virginia State Bar, or other legal or financial professionals whose area of practice requires or required knowledge of the valuation of property, real estate transactions, building costs, accounting, finance, or statistics. For the purposes of this section, commercial or multi-family residential property shall be defined as any property that is either operated as or zoned for use as commercial, industrial or multi-family residential rental property.

Code 1950, § 58-899; 1979, c. 577; 1983, c. 304; 1984, c. 675; 1995, c. [24](#); 2003, c. [1036](#); 2009, c. [25](#); 2010, c. [552](#); 2011, c. [10](#); 2013, c. [197](#); 2016, c. [38](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Exhibit A:

List of Recommended Appointees to the Board of Equalization for 2023

Mr. Daniel T. Nunziato – Cunningham District – former member of Economic Development Authority; Former BOE Member: 2019, 2021

Mrs. Gloria Vest – Columbia District – former Chief Deputy Treasurer of Fluvanna County; former BOE Member: 2019, 2021

Mr. Ron Lauziere – Cunningham District – former Board member of the Thomas Jefferson Soil and Water Conservation District; former board member of the Thomas Jefferson Housing Improvement Corporation; founding director of the Fluvanna/Louisa Housing Foundation; former board member of the Piedmont Housing Alliance; Former BOE Member: 2021

Mr. Scott Marshall – Cunningham District – Fluvanna Count Economic Development Authority 2002-2020, Fluvanna County Parks and Recreation 2002-2014, Former Alternate BOE Member: 2021

Mr. Nelson Cook Jr. – Columbia District – Director of preconstruction for a company in Richmond, former chief estimator in Seattle, WA, Current Member of the Parks and Recreation Advisory Board; New applicant to serve on the 2023 Board of Equalization



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

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. Before completing the application, please review the membership requirements for the Board, Commission, or Committee for which you are interested. Applicants who do not meet membership requirements will not be put forward for consideration.

Name: Daniel T. Nunziato	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
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provide dates of education and experience. You may also provide a resume/CV.): BA, Economics, New England College [1971] . Graduate, Professional Management Program, CBS School of Management [1983] and the Virginia Rural Leadership Development Program, Virginia Tech [1993]. I have also attended Graduate Degree Programs at Manhattan College and participated in numerous professional training programs. I have over 40+ years [1971 to 2012] management experience in both the public and private sector for such organizations as the CBS Television Network, Ziff-Davis Publishing Company, Simon & Schuster, Jefferson-Madison Regional Library, University of Virginia and Zonin USA. I also was the President & Managing Partner of Palmyra Corporation [1990-2009] which owned the Palmyra Office Center and had other local investments. Served from 1967 to 1970 in the US Army as a Military Intelligence Specialist.	
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: Fluvanna County Board of Equalization [2019 and 2021 - Secretary]. Fluvanna County Board of Assessors [1992-1993] Chairman & Secretary, Fluvanna County Economic/Industrial Development Authority. County Representative on the MACAA and Thomas Jefferson Housing Improvement Corp board's. Thomas Jefferson Regional Sustainability Council [1994]. Fluvanna County Officer of Elections.	
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): Founding President, Fluvanna Housing Foundation. Formerly served as a Director, Treasurer and President of the Fluvanna County Chamber of Commerce. Since my retirement in 2012 I have at various times been a volunteer for the Virginia Film Festival, JABA and The Senior Center and Real Oldies 97.9 WREN, a low power, non profit radio station which is part of the Virginia Radio Coop.	
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: Since my wife and I moved to Fluvanna County in May 1988, I have witnessed a dramatic change in the County and the surrounding area. As the County continues to grow, I believe that I possess the education and experience that can benefit the community. I have a proven record in community involvement for over 30 years. I also believe that I have demonstrated that I have the judgement to exercise the skills necessary to interpret and apply the rules, policies and procedures that are required for an appointed position.	

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.

**PLEASE INDICATE BELOW THE BOARDS, COMMISSIONS, OR COMMITTEES (BCC)
ON WHICH YOU WISH TO SERVE.**

X	BCC	X	BCC	X	BCC
	Agricultural/Forestral District Advisory Committee		Finance Board		Piedmont Virginia Community College (PVCC) Board
X	Board of Equalization (BOE)		Fluvanna Partnership for Aging Committee (FPA)		Planning Commission (PC)
	Board of Zoning Appeals (BZA)		Fork Union Sanitary District (FUSD) Advisory Committee		Region Ten Community Services Board
	Building Code of Appeals Board		James River Water Authority (JRWA)		Rivanna River Basin Commission
	Central Virginia Regional Jail (CVRJ) Authority		JAUNT Board		Social Services Board
	Columbia Task Force (CARE)		Jefferson Area Board of Aging (JABA) Advisory Council		Thomas Jefferson Planning District Commission (TJPDCC)
	Community Policy & Management Team (CPMT)		Jefferson Area Board of Aging (JABA) Board of Directors		Thomas Jefferson Water Resources Protection Foundation
	Economic Development Authority (EDA)		Library Board of Trustees		
	Economic Develop. & Tourism Advisory Council (EDTAC)		Monticello Area Community Action Agency (MACAA)		
	Family Assessment and Planning Team (FAPT)		Parks & Recreation Advisory Board (RAB)		

Submit by email (clerk@fluvannacounty.org) or mail to:

County of Fluvanna, Attention: Clerk, Board of Supervisors, PO Box 540, Palmyra, VA 22963

By signing below you are indicating that you have read and understand the 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.

In accordance with Virginia Code §2.2-3705.1, by submitting this application, it is presumed that you are providing your personal contact information to be used for communicating with the County, and unless otherwise indicated by you, your personal contact information will not be shared publicly.

Applicant's Signature <i>(Typing name below serves as digital signature)</i> Daniel T. Nunziato		Date September 20th, 2022	
Mailing Address (including City, State, & ZIP) PO Box 358, Palmyra, VA 22963		Physical Address (if different) 182 Fox Hollow Lane, Palmyra, VA 22963	
Years Lived in Fluvanna 34+	Phone # 434-996-4587	Alternate Phone # 434-589-4587	Email Address dan_nunziato@yahoo.com
Office Use Only			
Application Received On:		Application Received By:	
Acknowledgement Sent:			
Renewal Date:		Remarks:	
Renewal Date:			
Renewal Date:			
Renewal Date:			



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

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. Before completing the application, please review the membership requirements for the Board, Commission, or Committee for which you are interested. Applicants who do not meet membership requirements will not be put forward for consideration.

Name: Gloria W. Vest	Election <input checked="" type="checkbox"/> Columbia <input type="checkbox"/> Cunningham <input type="checkbox"/> Fork Union District: <input type="checkbox"/> Palmyra <input type="checkbox"/> Rivanna <input type="checkbox"/> Other
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provide dates of education and experience. You may also provide a resume/CV.): Employed for Fluvanna County 42 years, retired from Treasurer's Office.	
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: Prior BOE, currently FRA, Secretary. Voter's registration and work polls.	
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): Fluvanna Rescue, Treasurer-Evergreen Baptist Church, also Sunday School Teacher, Pastor's Aide, Missionary, Executive Board. Member NAACP, member and secretary Fluvanna Sunday School Union.	
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: Served prior on BOE, I like keeping involved with Fluvanna Government	

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.

**PLEASE INDICATE BELOW THE BOARDS, COMMISSIONS, OR COMMITTEES (BCC)
ON WHICH YOU WISH TO SERVE.**

X	BCC	X	BCC	X	BCC
	Agricultural/Forestral District Advisory Committee		Finance Board		Piedmont Virginia Community College (PVCC) Board
X	Board of Equalization (BOE)	X	Fluvanna Partnership for Aging Committee (FPA)		Planning Commission (PC)
	Board of Zoning Appeals (BZA)		Fork Union Sanitary District (FUSD) Advisory Committee		Region Ten Community Services Board
	Building Code of Appeals Board		James River Water Authority (JRWA)		Rivanna River Basin Commission
	Central Virginia Regional Jail (CVRJ) Authority		JAUNT Board		Social Services Board
	Columbia Task Force (CARE)		Jefferson Area Board of Aging (JABA) Advisory Council		Thomas Jefferson Planning District Commission (TJPDC)
	Community Policy & Management Team (CPMT)		Jefferson Area Board of Aging (JABA) Board of Directors		Thomas Jefferson Water Resources Protection Foundation
	Economic Development Authority (EDA)		Library Board of Trustees		
	Economic Develop. & Tourism Advisory Council (EDTAC)		Monticello Area Community Action Agency (MACAA)		
	Family Assessment and Planning Team (FAPT)		Parks & Recreation Advisory Board (RAB)		

Submit by email (clerk@fluvannacounty.org) or mail to:

County of Fluvanna, Attention: Clerk, Board of Supervisors, PO Box 540, Palmyra, VA 22963

By signing below you are indicating that you have read and understand the 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.

In accordance with Virginia Code §2.2-3705.1, by submitting this application, it is presumed that you are providing your personal contact information to be used for communicating with the County, and unless otherwise indicated by you, your personal contact information will not be shared publicly.

Applicant's Signature <i>(Typing name below serves as digital signature)</i>		Date	
Gloria W. Vest		9/27/22	
Mailing Address (including City, State, & ZIP)		Physical Address (if different)	
553 Franklin Lane, Palmyra, VA 22963			
Years Lived in Fluvanna	Phone #	Alternate Phone #	Email Address
67	4345893472	4349877959	ggnavest@gmail.com

Office Use Only

Application Received On:	9/27/2022	Application Received By:
Acknowledgement Sent:	9/27/2022	Caitlin Solis
Renewal Date:		Remarks:
Renewal Date:		Confirmed receipt of application by phone.
Renewal Date:		
Renewal Date:		



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

Name: Nelson H Cook Jr		Election <input checked="" type="checkbox"/> Columbia <input 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) 5056 Venable Road Kents Store, VA 23084		Physical Address (if different)	
Years Lived in Fluvanna 1 Month	Cell Phone – preferred? (585)967-3355	Home Phone – preferred?	Email nelsoncookleedap@gmail.com
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provides dates of education and experience.): Currently director of preconstruction for construction company in Richmond Past chief estimator in Seattle, WA (2010 to 2020) Past US Navy SeaBee (1992 to 1997)			
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: Chairman of Junior Builders Exchange (Rochester, NY) 2006 to 2008			
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): Deacon Board Chairman, Puyallup Community Baptist Church (2015 to 2019)			
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: We are new to the county and I would like to serve our new community.			
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 <i>(Typing name below serves as digital signature)</i>		Date 8/28/2020	

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

X	Board, Commission, Committee (cont.)
	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)
	Palmyra Area Revitalization Committee (PARC)
X	Parks & Recreation Advisory Board
	Piedmont Virginia Community College (PVCC) Board
	Planning Commission
	Region Ten Community Services Board
	Rivanna River Basin Commission
	Social Services Board
	Thomas Jefferson Planning District Commission (TJPDC)
	Thomas Jefferson Water Resources Protection Foundation
	Youth Advisory Council (YAC)
	OTHER:

Fluvanna County Board, Committee, and Commission Attendance Policy

(Approved June 17, 2015)

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

(585) 967-3355

nelsoncookeleadap@gmail.comLinkedIn: [Nelson H Cook Jr](#)

NELSON H COOK JR, LEED AP, ASSOC DBIA

PROFESSIONAL PROFILE

My experience has covered many delivery methods as well as project types. I have been responsible for management oversight as well as hands-on for all phases of a construction project estimate. Including coordinating estimators, subcontractors, and material vendors. I have a proven track record of ensuring estimates are completed on schedule and with accuracy.

- Excellent client facing skills to confirm goals are met and relationships maintained.
- Capable of effectively reviewing estimates for pricing, risks and take-offs.
- Diligent communication and coordination skills to allow for a total team "buy-in" approach during the preconstruction process.
- Exceptional ability in bid package development to reduce risk and provide complete analysis.
- Proven design management and leadership skills to safeguard all stakeholder's needs.
- Skilled at assessing current training and processes to ensure continuous improvement of personnel and procedures.
- Ability to analyze subcontractor and supplier proposals for thorough and complete project approach.
- Demonstrated leadership in both the preconstruction process and business wide.

PROFESSIONAL ACHIEVEMENTS

- Preconstruction Director leading team of 6 handling the preconstruction process for revenue greater than 300 million per year.
- Instituted project hand-off to ensure operations has complete and detailed information helping to ensure project goals are met.
- Established a historical cost data capture system to better predict project costs during client interactions and cost studies.
- Lead Estimator for progressive design build at International Arrivals Facility. Project measures over 500,000 sqft with a budget in excess of \$500,000,000.
- Awarded quarterly "Best Purchasing Process" for region while purchasing 16 trade packages with a value in excess of \$75,000,000.
- Standardized model-based take-off organization to allow for efficient evaluation of design changes allowing for quicker response and ability to better manage design decision process.
- Developed basis of design template for multi-family fixtures and finishes to allow for communicating level of quality to both subcontractors and client.
- Awarded 4.4 million in contracts from Aug '13 to Aug '14, an increase of over 200% from previous year.
- Built and maintained database thus reducing time expended for 2D take off by over 50%.
- Lead estimator for 135 million dollars negotiated GMP multifamily high rise.
- Lead estimator for reroofing project more than 900,000 sqft for major aerospace manufacturing company.
- Lead estimator for 14 million dollar negotiated GMP multifamily concrete/wood multifamily mid-rise construction.
- Standardized subcontractor "table sheets" to reduce tabulation and evaluation errors. Reduction was approximately 20%.

SKILLS

- Proficient in Sage 300 “Timberline” estimating software
- Associate DBIA
- LEED Accredited Professional
- Highly skilled in digital take-off software including On-Screen Takeoff and PlanSwift
- Administrator for Assemble Systems (model-based takeoff)
- Proficient user of Autodesk BIM 360

WORK HISTORY**DIRECTOR OF PRECONSTRUCTION, BREEDEN CONSTRUCTION, RICHMOND VA**

July 2020 - Present

CHIEF ESTIMATOR, KATERRA/UEB BUILDERS, SEATTLE WA

October 2018 – July 2020

SENIOR ESTIMATOR, CLARK CONSTRUCTION GROUP, SEATTLE WA

September 2015 – October 2018

LEAD ESTIMATOR, ALUTIIQ LLC, TACOMA WA

August 2013 – September 2015

SENIOR ESTIMATOR, PCL CONSTRUCTION, BELLEVUE, WA

January 2012 – August 2013

SENIOR ESTIMATOR, ABSHER CONSTRUCTION, PUYALLUP, WA

October 2010 – January 2012

CHIEF ESTIMATOR, LECHASE CONSTRUCTION SERVICES LLC, ROCHESTER, NY

January 1999 - October 2010

PROJECT MANAGER / ESTIMATOR, ALLIED BUILDERS INC, BROCKPORT, NY

January 1996 - January 1999

ESTIMATOR, THE BELL CORPORATION, ROCHESTER, NY

January 1992 - January 1996

BUILDER, UNITED STATES NAVY, VARIOUS LOCATIONS

January 1987 - January 1992

EDUCATION**UNITED STATES NAVY “A” SCHOOL**Graduated technical school with a 3.8 evaluation and 3rd in a class of 60.**NORTH TONAWANDA HIGH SCHOOL**

High school diploma

REFERENCES**AVAILABLE UPON REQUEST**



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

Name: Ronald P. Lauziere		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) 2649 Antioch Road Scottsville, VA 24590		Physical Address (if different) N/A	
Years Lived in Fluvanna 32 years +	Cell Phone – preferred? 434-996-3700	Home Phone – preferred? 434-286-4591	Email rlauziere@aol.com or ronlauziere@gmail.com
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provide dates of education and experience.): Licensed real estate broker, Commonwealth of Virginia; license real estate broker, State of North Carolina; licensed professional land surveyor, State of Maryland, inactive/expired on "retired status"; former licensed land surveyor, Commonwealth of Virginia, inactive/expired status; B.S., Business Administration, Old Dominion University; M.B.A., Colorado State University; A.A.S., Civil Engineering, Northern Virginia Community College; A.S. Business Administration, Northern Virginia Community College			
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: Served as member and chairman of the Fluvanna County Planning Commission			
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): Former board member of the Thomas Jefferson Soil and Water Conservation District; former board member of the Thomas Jefferson Housing Improvement Corporation; founding director of the Fluvanna/Louisa Housing Foundation; former board member of the Piedmont Housing Alliance (organizing member); former board member for Caring For Creatures; Reserve Deputy Sheriff for the FCSO, currently on leave of absence due to risk of covid infection; former committee member, Civil Engineering Advisory Committee, Northern Virginia Community College and adjunct instructor			
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: Always looking for ways to share my experience serving the community			
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Applicant's Signature Ronald P. Lauziere		(Typing name below serves as digital signature) November 20, 2020	

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
X	Board of Equalization (BOE)
	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 (FAPT)
	Finance Board
	Fluvanna Partnership for Aging Committee
	Fork Union Sanitary District (FUSD) Advisory Committee
	James River Water Authority (JRWA)
	JAUNT Board

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

Fluvanna County Board, Committee, and Commission Attendance Policy

(Approved June 17, 2015)

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



APPLICATION TO SERVE ON BOARDS/COMMISSION/COMMITTEES

County of Fluvanna

Name: Scott Marshall		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) 38 Bridlewood Drive Palmyra, VA 22963		Physical Address (if different)	
Years Lived in Fluvanna 24	Cell Phone – preferred? 434-953-6812	Home Phone – preferred?	Email bridle-wood@comcast.net
EXPERIENCE/PROFESSIONAL EXPERTISE/EDUCATION (Please provides dates of education and experience.): Bryant College 1991 - BS Business Administration			
CURRENT OR PRIOR SERVICE ON BOARDS/COMMISSIONS/OR COMMITTEES: Fluvanna Economic Development 2002-22020 Fluvanna Parks & Recreation 2002-2014			
CIVIC ACTIVITIES AND MEMBERSHIPS (Roles with fraternal, business, church, or social groups – please provide dates): LMOA BOD 1999-2002 (Vice President / Secretary) LMOA Compliance 2002-Present FYSA Soccer - Coach 2002-2014 Fork Union Masonic Lodge - 2000-present			
REASON(S) FOR WANTING TO SERVE FLUVANNA COUNTY: I like to participate and volunteer for my community.			
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 Scott Marshall		Date 11-17-2020	

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

X	Board, Commission, Committee
	Agricultural/Forestral District Advisory Committee
x	Board of Equalization (BOE)
	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 (FAPT)
	Finance Board
	Fluvanna Partnership for Aging Committee (FPA)
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	James River Water Authority (JRWA)
	JAUNT Board

X	Board, Commission, Committee (cont.)
	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)
	Palmyra Area Revitalization Committee (PARC)
	Parks & Recreation Advisory Board (RAB)
	Piedmont Virginia Community College (PVCC) Board
	Planning Commission
	Region Ten Community Services Board
	Rivanna River Basin Commission
	Social Services Board
	Thomas Jefferson Planning District Commission (TJPDC)
	Thomas Jefferson Water Resources Protection Foundation
	Youth Advisory Council (YAC)
	OTHER:

Fluvanna County Board, Committee, and Commission Attendance Policy

(Approved June 17, 2015)

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

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

TAB D

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Community Investment Collaborative (CIC) Update				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jennifer Schmack, Economic Development Director				
PRESENTER(S):	Stephen Davis, President – Community Investment Collaborative				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	Stephen Davis, President, is providing a 2022 Community Investment Collaborative update.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Presentation				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

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

TAB E

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Central Virginia Small Business Development Center (CVSBDC) Update				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jennifer Schmack, Economic Development Director				
PRESENTER(S):	Rebecca Haydock, Director – Central Virginia Small Business Development Center				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	Rebecca Haydock, Director, is providing a 2022 Central Virginia Small Business Development Center update.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Presentation				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

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

TAB F

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	HOME-ARP Funds Designation				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, which goal(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:	<p>The Thomas Jefferson Planning District Commission (TJPDC) is working on the Regional HOME Consortium's HOME-ARP Allocation Plan, as required by HUD, to access HOME-ARP funds awarded to the region. HOME-ARP will provide one-time funds for activities such as supportive services, shelter, and housing for qualifying populations.</p> <p>HOME-ARP funds must be used to benefit individuals or families from the following qualifying populations:</p> <ul style="list-style-type: none"> • homeless • at-risk of homelessness • fleeing/attempting to flee domestic, dating, or sexual violence and/or human trafficking and stalking • other populations experiencing housing instability • veterans or families of veterans that meet one or more of these criteria (full information can be found on the HUD Exchange website: https://www.hudexchange.info/programs/home-arp/overview/). <p>The full HOME-ARP award for the region is \$2,452,270. The TJPDC will retain 5% for planning and development of the annual action plan, and 10% for administration of the program. Per the Cooperative Agreement that established the region's HOME Consortium, the remaining \$2,084,429.50 will be split evenly among the 6 participating localities in the consortium – with each thus receiving \$347,404.92.</p> <p>With the allocated amount, localities can choose to fund supportive services, acquisition and development of non-congregate shelters, tenant based rental</p>				

	assistance (TBRA), development of affordable rental housing, and non-profit operating and capacity building (both capped at 5% of the total award).				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	American Rescue Plan was signed into law in March 2021.				
ENCLOSURES:	<ul style="list-style-type: none"> • TJPDC Letter on HOME-ARP • HOME-ARP Allocation Plan Template with Guidance • Guidance on Qualifying Populations, Targeting And Preferences • Fluvanna Louisa Housing Foundation Proposal 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

October 6, 2022

Dear member jurisdictions,

One part of the 2021 American Rescue Plan Act is a one-time allocation given to participating jurisdictions (PJ's) in the HOME Investment Partnerships Program, known as HOME-ARP. We thank you for your patience as TJPDC staff works to complete the required components of HUD's HOME-ARP Allocation Plan so we can access these funds for our region. As you may recall, HOME-ARP funds must be used to benefit individuals or families from the following qualifying populations: homeless, at-risk of homelessness, fleeing/attempting to flee domestic, dating, or sexual violence and/or human trafficking and stalking, other populations experiencing housing instability, and veterans or families of veterans that meet one or more of these criteria (full information can be found on the HUD Exchange website: <https://www.hudexchange.info/programs/home-arp/overview/>).

The full HOME-ARP award for the region is \$2,452,270. The TJPDC will retain 5% for planning and development of the annual action plan, and 10% for administration of the program. Per the Cooperative Agreement that established the region's HOME Consortium, the remaining \$2,084,429.50 will be split evenly among the 6 participating localities in the consortium – with each thus receiving \$347,404.92.

Since our last conversations, the TJPDC has solicited and contracted Partners for Economic Solutions, a consulting firm, to complete the required Gaps and Needs analysis component of the Allocation Plan. PES consulted with agencies and service providers in the region that serve the qualifying populations. They collected information that indicates the gaps in service and needs for these populations. These data should inform the activities each locality chooses to allocate this funding towards.

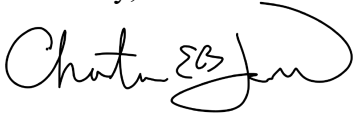
With the allocated amount, localities can choose to fund supportive services, acquisition and development of non-congregate shelters, tenant based rental assistance (TBRA), development of affordable rental housing, and non-profit operating and capacity building (both capped at 5% of the total award). The next step in this process is that each locality should decide how it will spend its funding, to which organization and for which activity, and how the gaps and needs analysis informed that choice. Localities can choose to implement this funding directly, choose an organization performing an eligible activity, or join other localities and pool funding. If localities intend to give a preference to one or more qualifying population, that preference must be indicated in the plan, and justified according to the data. **Preferences that violate the Fair Housing Act (single sex housing or non-congregate shelter, adults-only housing or non-congregate shelter, etc.) are not allowed.**

With all of this in mind, we are asking localities to 1) review the Gaps and Needs analysis, 2) select organizations and/or projects that are eligible per the grant guidelines, 3) indicate any preferences in qualifying populations, and 4) detail any process your locality will engage in to select a subrecipient.

Attached are the Gaps and Needs Analysis (data from PES is highlighted in red) and the HOME-ARP Guidelines.

The TJPDC would like to set up a meeting with your jurisdiction's leadership in order to review and finalize these choices in preparation for a public comment period on the draft allocation plan later this calendar year. Please reach out with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine EB Jacobs", with a large, stylized flourish at the end.

Christine EB Jacobs
Executive Director

HOME-ARP Allocation Plan Template with Guidance

Consultation

Discussions were held with representatives of:

- CoC(s) serving the Thomas Jefferson region;
- homeless service providers;
- domestic violence service providers;
- veterans' groups;
- public housing agencies (PHAs);
- public agencies that address the needs of the qualifying populations; and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

These consultations occurred either in small groups or one-on-one interviews that covered current programs and services, the number and types of persons served, intake and referrals process, gaps in local homeless services, priority gaps to be addressed, and the differential needs among urban and rural jurisdictions.

Following is the list of consultations with organizations and dates.

Agency/Organization Consulted	Type of Agency/ Organization	Method of Consultation	Date
Albemarle County Housing Dept.	Housing & Policy	Small group discussion	7/1/22
Albemarle County Dept. of Social Services	Social Services	Small group discussion	7/1/22
Albemarle County Victim/Witness Program	Government	Small group discussion	6/28/22
ARC of the Piedmont	Support	Small group discussion	6/30/22
Charlottesville Redevelopment and Housing Authority	Public Housing	Interview	7/22/22
City of Charlottesville Deputy City Manager for Racial Equity, Diversity and Inclusion	Housing & Policy	Small group discussion	7/1/22
City of Charlottesville Deputy City Manager for Operations	Housing & Policy	Interview	7/14/22
City of Charlottesville Dept. of Human Services	Social Services	Small group discussion	7/1/22
City of Charlottesville Dept. of Human Rights	Social Services	Small group discussion	7/1/22
City of Charlottesville Victim/Witness Program	Government	Small group discussion	6/28/22
The Crossings	Housing	Small group discussion	6/29/22
Fluvanna County Dept. of Social Services	Social Services	Small group discussion	7/1/22
Fluvanna/Louisa Housing Foundation	Housing	Small group discussion	6/29/22
Greene County	Government	Small group discussion	6/29/22
Greene County Dept. of Social Services	Social Services	Small group discussion	7/1/22
The Haven	Support	Small group discussion	7/15/22
Jefferson Area Board for Aging	Support	Interview	7/1/22
Legal Aid Justice Center	Legal Services	Small group discussion	7/7/22
Louisa County Dept. of Social Services	Social Services	Small group discussion	7/1/22

Monticello Area Community Action Agency	Supportive Services	Small group discussion	6/30/22
Nelson County	Government	Small group discussion	7/1/22
Nelson County Community Development Foundation	Housing	Interview	7/12/22
On Our Own	Support	Interview	7/11/22
PACEM	Housing	Interview	7/13/22
Piedmont Housing Authority	Housing	Small group discussion	6/29/22
Premier Circle	Housing	Interview	6/21/22
Region Ten Community Services Board	Support	Interview	8/11/22
Scottsville	Government	Small group discussion	6/29/22
Sexual Assault Resource Agency	Support	Small group discussion	6/30/22
The Shelter for Help in Emergency	Support & Housing	Small group discussion	6/30/22
Skyline CAP	Housing	Small group discussion	6/29/22
Thomas Jefferson Area Coalition for the Homeless	Continuum of Care & Housing	Interview	6/21/22
United Way of Greater Charlottesville	Support	Interview	7/14/22
Veterans Services	Government	Interview	7/21/22
The Women's Initiative	Support	Small group discussion	6/30/22

Summarize feedback received and results of upfront consultation with these entities:

The region has a network of organizations providing housing and services for the homeless, but it is limited relative to the extent of the need. The very high rents and housing shortages throughout the region impact not just the homeless but most low-income households as well. Some rental units are being sold, and others are being renovated for lease through Airbnb. Rental units are particularly limited in the region's four rural counties, which have had minimal multi-family development. The shortage of housing units and landlords willing to accept Housing Choice Vouchers is limiting recipients' ability to use those vouchers. There is a shortage of land for new housing, particularly in the City of Charlottesville but also in other counties. In the rural counties, it is often an issue of water and sewer infrastructure. Few of the sites that might be available are well located relative to services or public transportation.

The inventory of housing for the homeless includes a day shelter, a high-barrier shelter for adult males and females with 63 beds, a low-barrier thermal shelter (24 beds) for 20 weeks per year, 92 units for medically-vulnerable adult males (most of which will not be available after April 2023), 35 units of housing with permanent supportive housing, 102 vouchers with supportive services, 52 hotel rooms, 25 shelter beds for victims of domestic violence, and 6 units of transitional housing. Efforts are underway to develop another 80 units of supportive housing at the Premier Circle site by 2025, but only 22 vouchers have been secured to date.

Almost all of the inventory is located in Charlottesville and Albemarle County with few, if any, resources in the four rural counties – Fluvanna, Greene, Louisa and Nelson counties. The inventory does not include a low-barrier, year-round shelter, emergency shelter for families, a youth shelter with appropriate supervision, or sufficient transitional housing and resources to support families and individuals in successfully moving out of shelters and achieving housing stability. Some private and government resources exist to prevent imminent homelessness or to help transition a family to permanent housing, but that assistance is typically limited to a single month, which may not be sufficient to prevent future homelessness.

In the rural counties, homelessness can be hard to see. Most homeless families are doubling or tripling up with family or friends, living in sheds or other substandard housing, or living in their cars or tents. Home repair services could help some of those families prevent homelessness.

Homeless individuals with mental illness and/or substance abuse issues are barred from high-barrier shelters, and some are being barred from low-barrier shelters and other services due to behavioral problems. The waiting lists for mental health services are very long, and worker shortages are impacting the treatment capacity of some support organizations, including those supporting persons with developmental disabilities.

Several interviewees noted a need for better communication and coordination among the various service providers. The Housing Management Information System (HMIS) is used extensively by Charlottesville and Albemarle County service providers but not much by potential referral sources in the rural counties.

Key priorities identified by the participants were:

- funding and replacement units for Premier Circle;
- a low-barrier, year-round shelter, including better accommodations for families;
- permanent housing, particularly basic one-bedroom units;
- transitional housing for women and families;
- additional housing counselors and navigation services to work with landlords and households at risk of homelessness;
- housing repair resources for low-income families living in substandard housing and at risk of homelessness, particularly in the rural counties;
- a shelter for youth with appropriate supervision; and
- transportation funds to help clients access required services.

Public Participation

In accordance with Section V.B of the Notice (page 13), PJs must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submission of the plan, PJs must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of **no less than 15 calendar days**. The PJ must follow its adopted requirements for “reasonable notice and an opportunity to comment” for plan amendments in its current citizen participation plan. In addition, PJs must hold **at least one public hearing** during the development of the HOME-ARP allocation plan and prior to submission.

PJs are required to make the following information available to the public:

- The amount of HOME-ARP the PJ will receive, and
- The range of activities the PJ may undertake.

Throughout the HOME-ARP allocation plan public participation process, the PJ must follow its applicable fair housing and civil rights requirements and procedures for effective communication, accessibility, and reasonable accommodation for persons with disabilities and providing meaningful access to participation by limited English proficient (LEP) residents that are in its current citizen participation plan as required by 24 CFR 91.105 and 91.115.

Template:

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice:*** Click or tap to enter a date.
- ***Public comment period:*** *start date* - Click or tap to enter a date. *end date* - Click or tap to enter a date.
- ***Date(s) of public hearing:*** Click or tap to enter a date.

Describe the public participation process:

Enter narrative response here.

Describe efforts to broaden public participation:

Enter narrative response here.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

Enter narrative response here.

Summarize any comments or recommendations not accepted and state the reasons why:

Enter narrative response here.

Needs Assessment and Gaps Analysis

Homeless Needs Inventory and Gap Analysis Table

[illegible]

Describe the size and demographic composition of qualifying populations within the PJ's boundaries:

Homeless as defined in 24 CFR 91.5

The Point-in-Time Count for January 2022 identified 437 homeless individuals including 219 individuals in emergency shelters as well as those with vouchers, in hotels, in transitional housing or in Rapid Re-Housing. Of those 26 were unsheltered. The total count included 72 females, 154 males, and 10 non-binary, questioning or trans-gender persons. Just over 51 percent were White, 45 percent Black, 2 percent of multiple races and 1 percent American Indian, Alaska Native or Indigenous and 1 percent Asian or Asian American. Three percent were Hispanic/Latinx of any race. Fifty-five or almost one-quarter of the homeless individuals qualified as chronically homeless, with 10 of those unsheltered.

Nine homeless households were counted, including seven in emergency shelters and two in transitional housing. These households represented 30 persons, including 20 children under the age of 18. No family households were identified as unsheltered. Fifty-three percent of household members were White, 33 percent were Black and 13 percent were of multiple races. Twenty-three percent identified themselves as Hispanic/Latinx. None were considered chronically homeless. An additional 25 persons were in a domestic violence shelter.

Of the 26 unsheltered adults, 10 had a serious mental illness, 10 had a substance use disorder and five were survivors of domestic violence.

At Risk of Homelessness as defined in 24 CFR 91.5

The Continuum of Care worked with 82 individuals across 52 households, of which 15 were households with children, that were within two weeks of being homeless in Fiscal Year 2021. More typically, the average is 90 to 100 individuals per year who are eligible for homeless prevention services.

The Legal Aid Justice Center receives calls for 5 to 10 evictions per month, most often from women of color with one or more children. These households are at high risk of being homeless within two weeks.

Throughout the six-jurisdiction region, 105 unlawful detainer eviction cases were on the court dockets for the two-week period from 7/22/22 through 8/4/22. Not all of these cases went to trial, even fewer went to actual evictions, and not all of these households became homeless, but the number gives a sense of scale as to the potential number of households potentially at risk of homelessness.

Five households in the Rapid ReHousing Program will need to find alternative housing this year. The Haven will continue working with them to help them make that transition.

The need for households that meet the definition of at risk of homelessness is estimated at 10 family units.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

The Point-in-Time Count revealed 48 adult survivors of domestic violence. Shelter for Help in Emergency (SHE), the region's primary shelter for domestic violence victims, reports seeing 200 families per year with an additional 10-15 male victims who are placed in hotels. Another 400 are seen who do not require housing. Sexual Assault Resource Agency (SARA) assists 300 to 400 assault victims annually; those that need shelter are transported to SHE. SARA has seen an uptick in teenagers being sexually trafficked but has no statistics. Without an appropriate youth shelter, they often return to their traffickers.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

The Comprehensive Housing Affordability Strategy (CHAS) data for 2014 to 2018 showed that the region had 4,870 renter households with incomes between 0 and 30 percent of Area Median Income (AMI) and an additional 2,195 households with incomes between 30 and 50 percent of AMI with one or more severe housing problems. These housing problems are defined as spending more than 50 percent of income for gross rent, overcrowding with more than 1.5 persons per room, lack of complete kitchen facilities, and/or lack of complete plumbing facilities. With a 7.9-percent increase in regional population since 2016 coupled with the rapid increase in rents, these counts significantly underestimate the extent of households at great risk of housing instability. The 2014-2018 data indicate a shortage of 7,065 units affordable to households with incomes up to 50 percent of AMI; more than two-thirds of the gap is for households with incomes up to 30 percent of AMI. The gap is larger than might be thought considering the number of rental units affordable to households with incomes at 50 percent of AMI because many of those units are occupied by households that could afford to rent more expensive units, but choose not to. Their demand squeezes out lower-income households from many of the units they might be able to afford.

Regional Housing Needs Inventory and Gap Analysis Table - CHAS 2014-2018 Data

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Total Rental Units	33,250		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	5,140		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		4,870	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		2,195	
<i>Current Gaps</i>			7,065

Shown in the following table by jurisdiction, the gap in the number of units affordable to households with incomes at 50 percent of AMI includes 2,720 units in Charlottesville and 3,050 units in Albemarle County – 82 percent of the regional total. At the 50 percent of AMI level in 2014 to 2018, the housing gaps in Fluvanna, Greene and Nelson counties were more modest due to greater affordability with 195 to 245 households with severe housing problems. Louisa's housing problems were more extensive with 620 households experiencing severe housing problems.

Housing Needs Inventory and Gap Analysis by Jurisdiction Table - CHAS 2014-2018 Data

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Charlottesville			
Total Rental Units	10,570		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	1,335		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		2,170	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		550	
Current Gaps			2,720
Albemarle County			
Total Rental Units	15,220		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	1,620		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		1,815	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		1,235	
Current Gaps			3,050

**Housing Needs Inventory and Gap Analysis by Jurisdiction Table - CHAS 2014-2018 Data
(Continued)**

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Fluvanna County			
Total Rental Units	1,585		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	345		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		195	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		50	
Current Gaps			245
Greene County			
Total Rental Units	1,460		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	430		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		75	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		120	
Current Gaps			195

Housing Needs Inventory and Gap Analysis by Jurisdiction Table - CHAS 2014-2018 Data (Continued)

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Louisa County			
Total Rental Units	2,755		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	610		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		410	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		210	
Current Gaps			620
Nelson County			
Total Rental Units	1,660		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	NA		
Rental Units Affordable to HH at 50% AMI (Other Populations)	800		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		205	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		30	
Current Gaps			235

A related indicator of the need for housing assistance is the extent of poverty in the region. Summarized in the following table, the region had almost 27,000 people living below the poverty level in 2016-2020, a rate of 11.2 percent. Among Black or African American residents, the rate

reached 18.5 percent. With almost 3,100 families living below the poverty level, the percentage was lower at 4.9 percent of all families. Just under 40 percent of the families living below the poverty level were headed by Black or African American persons – 17.1 percent of those families.

Population and Families Below the Poverty Level by Race, 2016-2020						
Jurisdiction	Population			Families		
	Total	Number Below Poverty Level	Percent Below Poverty Level	Total	Number Below Poverty Level	Percent Below Poverty Level
All Races						
Charlottesville	44,552	10,290	23.1%	8,950	304	3.4%
Albemarle County	101,147	7,753	7.7%	26,522	955	3.6%
Fluvanna County	25,308	1,199	4.7%	7,131	200	2.8%
Greene County	19,615	1,922	9.8%	5,372	381	7.1%
Louisa County	36,372	4,136	11.4%	10,249	861	8.4%
Nelson County	14,720	1,687	11.5%	4,372	380	8.7%
Total Region	241,714	26,987	11.2%	62,596	3,081	4.9%
Householder - White Alone						
Charlottesville	44,552	6,271	20.0%	6,616	357	5.4%
Albemarle County	83,115	5,698	6.9%	22,484	652	2.9%
Fluvanna County	20,233	603	3.0%	6,164	111	1.8%
Greene County	16,273	1,025	6.3%	4,761	238	5.0%
Louisa County	28,929	2,394	8.3%	8,439	506	6.0%
Nelson County	12,461	1,232	9.9%	3,709	234	6.3%
Total Region	205,563	17,223	8.4%	52,173	2,098	4.0%
Householder - Black or African American Alone						
Charlottesville	8,391	2,096	25.0%	1,745	471	27.0%
Albemarle County	8,937	1,213	13.6%	2,183	212	9.7%
Fluvanna County	3,482	285	8.2%	790	56	7.1%
Greene County	1,498	202	13.5%	370	92	24.9%
Louisa County	5,164	1,226	23.7%	1,482	249	16.8%
Nelson County	1,932	420	21.7%	614	146	23.8%
Total Region	29,404	5,442	18.5%	7,184	1,226	17.1%
Source: American Community Survey, 2016-2020.						

Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing (Optional):

For emergency shelter, the inventory at the January Point-in-Time Count included:

- Albemarle County Department of Social Services – 14 hotel vouchers for homeless families;
- Albemarle County Schools Families in Crisis – five emergency vouchers for homeless families;
- PACEM – 24 thermal shelter beds available 20 weeks of the year;
- Salvation Army shelter – 63 year-round beds and 14 overflow beds;
- Thomas Jefferson Area Coalition for the Homeless – 86 of the 92 beds at Premier Circle for medically vulnerable individuals (most of which will be gone in April 2023) plus 33 hotel vouchers, which are no longer funded; and
- The Shelter for Help in Emergency domestic violence shelter – 25 beds for women and children from across the region who are fleeing domestic violence or sexual assault as well as hotel rooms for male survivors and women and children when they first access SHE services.

Transitional housing is limited to:

- The Shelter for Help in Emergency domestic violence shelter – two units (six beds) for women with children; and
- Monticello Area Community Action Agency (MACAA) – four units for families investing in transformational change to work their way out of poverty.

Permanent supportive housing includes:

- McGuire VA Medical Center provides supportive services to 34 veterans with vouchers under the Veterans Affairs Supportive Housing (VASH) program;
- Region Ten Community Services Board – 38 vouchers for permanent supportive housing for persons with mental health;
- Thomas Jefferson Health District – 28 vouchers for persons with HIV/AIDS; and
- Virginia Supportive Housing – 35 beds at The Crossings.

The Rapid Re-Housing Program includes:

- The Haven manages 25 housing vouchers for homeless individuals; and
- Virginia Supportive Housing – five vouchers for veterans' families under the Supportive Services for Veterans Families (SSVF) program funded by the U.S. Department of Veterans Affairs.

Other permanent housing is provided by:

- Charlottesville Redevelopment and Housing Authority (CRHA) – 12 Emergency Housing Vouchers (now 15 vouchers); and

- Region Ten Community Services Board – 25 vouchers for individuals with severe mental illnesses under Virginia Department of Behavioral and Developmental Services programs.

The 2014-2018 CHAS data indicated a total of 5,140 rental housing units affordable to households with incomes up to 50 percent of AMI.

Since 2016, CoStar, a national real estate data firm, reports that the average multi-family unit rent in the Thomas Jefferson region increased by 26.9 percent from \$1,217 in 2016 to \$1,544 in mid-2022. CoStar's database includes 15,529 rental units in 236 developments ranging in size from 1 to 468 units. Rent data are available for 128 developments with 12,432 units – 80 percent of the total units. Among the developments which provided rent development, the number of developments with average unit rents affordable to low-income households in June 2022 are as follows:

Number of Multi-Family Rental Developments with Rents Affordable to Low-Income Households by Bedroom Size, Thomas Jefferson Region, June 2022						
Unit Size	Median Rent	Number with Unit Type and Rent Data	Developments with Average Rents Affordable at			
			0%-30% of AMI		30%-50% of AMI	
			Number	Percent	Number	Percent
Studio	\$1,216	15	1	7%	4	27%
One-Bedroom	\$1,211	87	3	3%	28	32%
Two-Bedroom	\$1,514	109	5	5%	34	31%
Three-Bedroom	\$1,784	59	2	3%	12	20%
Source: CoStar, 2022; Partners for Economic Solutions, 2022.						

Only eight developments with a total of 228 units have average rents for units of any size affordable to households with incomes up to 30 percent of AMI. The 46 developments with average rents affordable to households at 30 to 50 percent of AMI have 3,280 units. Despite an increase in the number of units and households, the number of units affordable to households with incomes up to 50 percent of AMI has fallen 36 percent from 5,140 units in 2014-2018 to 3,280 units in 2022.

The shortages in units at affordable rents is evidenced by the difficulties that households with housing choice vouchers have in finding units in Charlottesville and Albemarle County they can access with their vouchers. Many are forced to seek housing farther out away from transit access, jobs and services.

Describe the unmet housing and service needs of qualifying populations:

Homeless as defined in 24 CFR 91.5

The opening of Premier Circle to serve medically vulnerable individuals has met an important gap, particularly in a time of growing numbers of older persons facing homelessness. At least 50 to 70 of the 92 units will be lost in April 2023 when construction begins on 80 units of permanent supportive housing. There is a gap of roughly \$400,000 in

the funding needed to support these individuals through April and their rehousing. Unless the current residents can be rehoused and those units replaced, this will create a significant gap. An additional \$400,000 is needed to maintain the 22 remaining units for another 12 months from May 2023 through April 2024.

Twenty-four of the shelter beds are available only for 20 weeks in cold weather. This indicates a need for a low-barrier year-round shelter.

Service providers noted that the region has an insufficient number of beds for persons with mental illness or substance abuse issues, as evidenced by the number of unsheltered individuals with mental illness (10) or substance abuse (10) issues found in the Point-in-Time Count.

Service providers also identified a lack of funding for 1) emergency transportation to shelters for sexual abuse victims, particularly at night, and 2) transportation vouchers to access housing and other services. Lack of access to public restrooms is a continuing problem for both unhoused individuals and the public at large, specifically along the mall in downtown Charlottesville.

At Risk of Homelessness as defined in 24 CFR 91.5

The key gap relates to homeless families. Though few were identified in the Point-in-Time Count, local social service agencies report many families that would qualify on the basis of doubling and tripling up or living in substandard conditions. Statistics reported to the U.S. Department of Education indicate that the six school districts had 299 students who were homeless during the 2020-2021 school year.

With the end of the Rent Relief Program, many more families are at risk of eviction, particularly in the face of rapidly rising rents, which preclude their ability to locate other suitable housing. The region has some limited funding available to help families make the transition, e.g., security deposit or first month's rent; however, those one-time grants are not necessarily sufficient to get the families into a stable housing situation.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

The Shelter for Help in Emergency is well equipped to provide up to 90 days of housing for domestic violence victims and has no waiting list. It is much more limited in its ability to help those victims transition into permanent housing with only two transitional housing units. SARA has seen an uptick in teenagers being sexually trafficked but has no statistics. Without an appropriate youth shelter, they often return to their traffickers.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability as defined by HUD in the Notice

In the rural counties where housing instability is often seen in households living in substandard housing, deterioration of those units can trigger a loss of shelter. This is particularly true for seniors without the means to maintain their aging homes. Repairs to roofs, HVAC systems and access ramps could allow these seniors to age in place.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

Some community development professionals from the rural counties were not fully aware of the services available to the homeless regionally. Outreach to those agencies would be appropriate so as to emphasize the importance of linking their clients to available services through HMIS. Establishing a standard protocol of sending referrals from the rural counties through the Homeless Hot Line or The Haven would reinforce the Coordinated Entry system.

The number of transitional housing units is woefully inadequate with only six units explicitly reserved for persons transitioning from homelessness. The regional housing shortage impedes housing voucher holders from securing housing accessible to jobs, transit and services. Hiring housing navigators to build direct relationships with landlords and help them mitigate the risks of accepting vouchers could help to reduce landlords' reluctance to participate.

Under Section IV.4.2.ii.G of the HOME-ARP Notice, a PJ may provide additional characteristics associated with instability and increased risk of homelessness in their HOME-ARP allocation plan. These characteristics will further refine the definition of "other populations" that are "At Greatest Risk of Housing Instability," as established in the HOME-ARP Notice. If including these characteristics, identify them here:

Enter narrative response here.

Identify priority needs for qualifying populations:

Enter narrative response here.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

Enter narrative response here.

HOME-ARP Activities

Template:

Describe the method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

Enter narrative response here.

Describe whether the PJ will administer eligible activities directly:

Enter narrative response here.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

Enter narrative response here.

In accordance with Section V.C.2. of the Notice (page 4), PJs must indicate the amount of HOME-ARP funding that is planned for each eligible HOME-ARP activity type and demonstrate that any planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.

Template:**Use of HOME-ARP Funding**

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ #		
Acquisition and Development of Non-Congregate Shelters	\$ #		
Tenant Based Rental Assistance (TBRA)	\$ #		
Development of Affordable Rental Housing	\$ #		
Non-Profit Operating	\$ #	# %	5%
Non-Profit Capacity Building	\$ #	# %	5%
Administration and Planning	\$ #	# %	15%
Total HOME ARP Allocation	\$ #		

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

Enter narrative response here.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

Enter narrative response here.

HOME-ARP Production Housing Goals**Template**

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

Enter narrative response here.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

Enter narrative response here.

Preferences

A preference provides a priority for the selection of applicants who fall into a specific QP or category (e.g., elderly or persons with disabilities) within a QP (i.e., subpopulation) to receive assistance. A *preference* permits an eligible applicant that qualifies for a PJ-adopted preference to be selected for HOME-ARP assistance before another eligible applicant that does not qualify for a preference. A *method of prioritization* is the process by which a PJ determines how two or more eligible applicants qualifying for the same or different preferences are selected for HOME-ARP assistance. For example, in a project with a preference for chronically homeless, all eligible QP applicants are selected in chronological order for a HOME-ARP rental project except that eligible QP applicants that qualify for the preference of chronically homeless are selected for occupancy based on length of time they have been homeless before eligible QP applicants who do not qualify for the preference of chronically homeless.

Please note that HUD has also described a method of prioritization in other HUD guidance. Section I.C.4 of Notice CPD-17-01 describes Prioritization in CoC CE as follows:

“Prioritization. In the context of the coordinated entry process, HUD uses the term “Prioritization” to refer to the coordinated entry-specific process by which all persons in need of assistance who use coordinated entry are ranked in order of priority. The coordinated entry prioritization policies are established by the CoC with input from all community stakeholders and must ensure that ESG projects are able to serve clients in accordance with written standards that are established under 24 CFR 576.400(e). In addition, the coordinated entry process must, to the maximum extent feasible, ensure that people with more severe service needs and levels of vulnerability are prioritized for housing and homeless assistance before those with less severe service needs and lower levels of vulnerability. Regardless of how prioritization decisions are implemented, the prioritization process must follow the requirements in Section II.B.3. and Section I.D. of this Notice.”

If a PJ is using a CE that has a method of prioritization described in CPD-17-01, then a PJ has preferences and a method of prioritizing those preferences. These must be described in the HOME-ARP allocation plan in order to comply with the requirements of Section IV.C.2 (page 10) of the HOME-ARP Notice.

In accordance with Section V.C.4 of the Notice (page 15), the HOME-ARP allocation plan must identify whether the PJ intends to give a preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project.

- Preferences cannot violate any applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a).
- The PJ must comply with all applicable nondiscrimination and equal opportunity laws and requirements listed in 24 CFR 5.105(a) and any other applicable fair housing and civil rights laws and requirements when establishing preferences or methods of prioritization.

While PJs are not required to describe specific projects in its HOME-ARP allocation plan to which the preferences will apply, the PJ must describe the planned use of any preferences in its

HOME-ARP allocation plan. This requirement also applies if the PJ intends to commit HOME-ARP funds to projects that will utilize preferences or limitations to comply with restrictive eligibility requirements of another project funding source. **If a PJ fails to describe preferences or limitations in its plan, it cannot commit HOME-ARP funds to a project that will implement a preference or limitation until the PJ amends its HOME-ARP allocation plan.**

For HOME-ARP rental housing projects, Section VI.B.20.a.iii of the HOME-ARP Notice (page 36) states that owners may only limit eligibility or give a preference to a particular qualifying population or segment of the qualifying population if the limitation or preference is described in the PJ's HOME-ARP allocation plan. Adding a preference or limitation not previously described in the plan requires a substantial amendment and a public comment period in accordance with Section V.C.6 of the Notice (page 16).

Template:

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

Enter narrative response here.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Enter narrative response here.

Referral Methods

PJs are not required to describe referral methods in the plan. However, if a PJ intends to use a coordinated entry (CE) process for referrals to a HOME-ARP project or activity, the PJ must ensure compliance with Section IV.C.2 of the Notice (page10).

A PJ may use only the CE for direct referrals to HOME-ARP projects and activities (as opposed to CE and other referral agencies or a waitlist) if the CE expands to accept all HOME-ARP qualifying populations and implements the preferences and prioritization established by the PJ in its HOME-ARP allocation plan. A direct referral is where the CE provides the eligible applicant directly to the PJ, subrecipient, or owner to receive HOME-ARP TBRA, supportive services, admittance to a HOME-ARP rental unit, or occupancy of a NCS unit. In comparison, an indirect referral is where a CE (or other referral source) refers an eligible applicant for placement to a project or activity waitlist. Eligible applicants are then selected for a HOME-ARP project or activity from the waitlist.

The PJ must require a project or activity to use CE along with other referral methods (as provided in Section IV.C.2.ii) or to use only a project/activity waiting list (as provided in Section IV.C.2.iii) if:

1. the CE does not have a sufficient number of qualifying individuals and families to refer to the PJ for the project or activity;
2. the CE does not include all HOME-ARP qualifying populations; or,

3. the CE fails to provide access and implement uniform referral processes in situations where a project's geographic area(s) is broader than the geographic area(s) covered by the CE

If a PJ uses a CE that prioritizes one or more qualifying populations or segments of qualifying populations (e.g., prioritizing assistance or units for chronically homeless individuals first, then prioritizing homeless youth second, followed by any other individuals qualifying as homeless, etc.) then this constitutes the use of preferences and a method of prioritization. To implement a CE with these preferences and priorities, the PJ **must** include the preferences and method of prioritization that the CE will use in the preferences section of their HOME-ARP allocation plan. Use of a CE with embedded preferences or methods of prioritization that are not contained in the PJ's HOME-ARP allocation does not comply with Section IV.C.2 of the Notice (page10).

Template:

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

Enter narrative response here.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

Enter narrative response here.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

Enter narrative response here.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

Enter narrative response here.

Limitations in a HOME-ARP rental housing or NCS project

Limiting eligibility for a HOME-ARP rental housing or NCS project is only permitted under certain circumstances.

- PJs must follow all applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a). This includes, but is not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, section 504 of Rehabilitation Act, HUD's Equal Access Rule, and the Americans with Disabilities Act, as applicable.

- A PJ may not exclude otherwise eligible qualifying populations from its overall HOME-ARP program.
- Within the qualifying populations, participation in a project or activity may be limited to persons with a specific disability only, if necessary, to provide effective housing, aid, benefit, or services that would be as effective as those provided to others in accordance with 24 CFR 8.4(b)(1)(iv). A PJ must describe why such a limitation for a project or activity is necessary in its HOME-ARP allocation plan (based on the needs and gap identified by the PJ in its plan) to meet some greater need and to provide a specific benefit that cannot be provided through the provision of a preference.
- For HOME-ARP rental housing, section VI.B.20.a.iii of the Notice (page 36) states that owners may only limit eligibility to a particular qualifying population or segment of the qualifying population if the limitation is described in the PJ's HOME-ARP allocation plan.
- PJs may limit admission to HOME-ARP rental housing or NCS to households who need the specialized supportive services that are provided in such housing or NCS. However, no otherwise eligible individuals with disabilities or families including an individual with a disability who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

Template

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

Enter narrative response here.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Enter narrative response here.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

Enter narrative response here.

HOME-ARP Refinancing Guidelines

If the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds, the PJ must state its HOME-ARP refinancing guidelines in accordance with [24 CFR 92.206\(b\)](#). The guidelines must describe the conditions under which the PJ will refinance existing debt for a HOME-ARP rental project, including:

- ***Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity***

Enter narrative response here.

- ***Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.***

Enter narrative response here.

- ***State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.***

Enter narrative response here.

- ***Specify the required compliance period, whether it is the minimum 15 years or longer.***

Enter narrative response here.

- ***State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.***

Enter narrative response here.

- ***Other requirements in the PJ's guidelines, if applicable:***

Enter narrative response here.

or alternative requirement is necessary to expedite or facilitate the use of HOME-ARP funds. Pursuant to ARP, the per-unit cost limits (42 U.S.C. 12742(e)), commitment requirements (42 U.S.C. 12748(g)), matching requirements (42 U.S.C. 12750), and set-aside for housing developed, sponsored, or owned by community housing development organizations (CHDOs) (42 U.S.C. 12771) in NAHA do not apply to HOME-ARP funds.

This Notice describes the requirements applicable to a participating jurisdiction's (PJ's) use of HOME-ARP funds. Consolidated plan requirements for HOME are in title I of NAHA and [24 CFR part 91](#). HOME program regulations are in [24 CFR part 92](#). Except as described in ARP and this Notice, HOME statutory and regulatory provisions apply to a PJ's use of HOME-ARP funds. Sections I-IX of this Notice describe the HOME-ARP requirements imposed on a PJ for the use of HOME-ARP funds to assist the qualifying populations through HOME-ARP projects or activities. The Appendix describes the waivers and alternative requirements imposed on PJs for the use of HOME-ARP funds and is included in any reference to "this Notice." Specific citations in the Notice shall mean the statute or regulation cited, as may be revised by the Appendix to this Notice. PJs and insular areas must comply with all applicable statutory, regulatory, and alternative requirements, as described in this Notice, including the Appendix.

IV. QUALIFYING POPULATIONS, TARGETING AND PREFERENCES

ARP requires that funds be used to primarily benefit individuals and families in the following specified "qualifying populations." Any individual or family who meets the criteria for these populations is eligible to receive assistance or services funded through HOME-ARP without meeting additional criteria (e.g., additional income criteria). All income calculations to meet income criteria of a qualifying population or required for income determinations in HOME-ARP eligible activities must use the annual income definition in [24 CFR 5.609](#) in accordance with the requirements of [24 CFR 92.203\(a\)\(1\)](#).

A. Qualifying Populations

1. **Homeless**, as defined in [24 CFR 91.5](#) *Homeless* (1), (2), or (3):

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or

- (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
- (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

2. At risk of Homelessness, as defined in [24 CFR 91.5](#) *At risk of homelessness*:

- (1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition in this section; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42

U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

Domestic violence, which is defined in [24 CFR 5.2003](#) includes felony or misdemeanor crimes of violence committed by:

- 1) A current or former spouse or intimate partner of the victim (the term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence which is defined in [24 CFR 5.2003](#) means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

Sexual assault which is defined in [24 CFR 5.2003](#) means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking which is defined in [24 CFR 5.2003](#) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person's individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

Human Trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) *Sex trafficking* means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) *Labor trafficking means* the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

4. **Other Populations** where providing supportive services or assistance under section 212(a) of NAHA ([42 U.S.C. 12742\(a\)](#)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

- (1) **Other Families Requiring Services or Housing Assistance to Prevent Homelessness** is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in [24 CFR 91.5](#), are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) **At Greatest Risk of Housing Instability** is defined as household who meets either paragraph (i) or (ii) below:

- (i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

- (ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, **AND** meets one of the following conditions from paragraph (iii) of the “At risk of homelessness” definition established at [24 CFR 91.5](#):
- (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
 - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan

Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

B. Use of Funds to Benefit Qualifying Populations

ARP states that funds must be used to primarily benefit the qualifying populations through the four eligible activities: (1) TBRA, (2) development and support of affordable housing, (3) provision of supportive services; and (4) acquisition and development of non-congregate shelter (NCS) units. Recognizing the urgent needs of individuals and families in qualifying populations, HUD is requiring that:

- 100% of HOME-ARP funds used by a PJ for TBRA, supportive services, and acquisition and development of non-congregate shelter units must benefit individuals and families in qualifying populations. Individuals and families in qualifying populations may be assisted by one or more of the HOME-ARP eligible activities, consistent with the requirements in this Notice.
- Not less than 70 percent of affordable rental housing units acquired, rehabilitated, or constructed with HOME-ARP funds by a PJ must be occupied by households in the qualifying populations. Units that are not restricted to occupancy by qualifying populations are subject to income targeting and rent requirements established under the

HOME-ARP Rental Program rules and are only permitted in projects with rental units restricted for occupancy by qualifying populations.

HUD recognizes that, because many households in the qualifying populations are unable to pay rents sufficient to cover unit operating costs, PJs and project owners should attempt to obtain Federal or state project-based rental subsidies, if available. Since project-based rental subsidies can be difficult to secure, additional flexibility may be necessary to structure and underwrite projects so that they remain both affordable and financially viable. HUD is providing PJs with additional flexibilities in [Section VI.B.](#) to structure and underwrite HOME-ARP rental projects so they remain financially viable during the minimum compliance period. One of these flexibilities is permitting up to 30 percent of HOME-ARP rental housing units funded by a PJ to be occupied by low-income households. PJs are encouraged to use this flexibility only when it is required to facilitate development of a HOME-ARP rental project.

PJs must determine and document that households meet the definition of a qualifying population or, for the portion of HOME-ARP rental units not restricted to these populations, that households are low-income.

C. Preferences Among Qualifying Populations, Referral Methods, and Subpopulations

1. Preferences

ARP establishes the qualifying populations that are eligible for assistance with HOME-ARP funds. A PJ may establish reasonable preferences among the qualifying populations to prioritize applicants for HOME-ARP projects or activities based on the PJ's needs and priorities, as described in its HOME-ARP allocation plan. For example, a PJ may set a preference among qualifying individuals and families for a HOME-ARP non-congregate shelter for individuals and families who are homeless; fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and veterans and families with a veteran family member that meet the criteria of one of these prior qualifying populations, consistent with its HOME-ARP allocation plan.

The PJ must comply with all applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in [24 CFR 5.105\(a\)](#) when applying preferences through its referral methods. Persons who are eligible for a preference must have the opportunity to participate in all HOME-ARP activities of the PJ in which they are eligible under this Notice, including activities that are not separate or different, and cannot be excluded because of any protected characteristics or preferential status.

Targeted assistance: If HOME-ARP funds are used for TBRA, the PJ may establish a preference for individuals with special needs or persons with disabilities among the HOME-ARP qualifying populations. Within the qualifying populations, participation may be limited to persons with a specific disability only, if necessary, to provide effective housing, aid, benefit, or services that would be as effective as those provided to others in accordance with [24 CFR 8.4\(b\)\(1\)\(iv\)](#). The PJ may also provide a preference for a specific category of individuals with disabilities (e.g., persons with HIV/AIDS or chronic mental illness) within the qualifying



FLUVANNA-LOUISA HOUSING FOUNDATION

BETTER HOUSING. STRONGER COMMUNITY.

Fluvanna County Senior Living

Concept: 8 one-bedroom units for Seniors

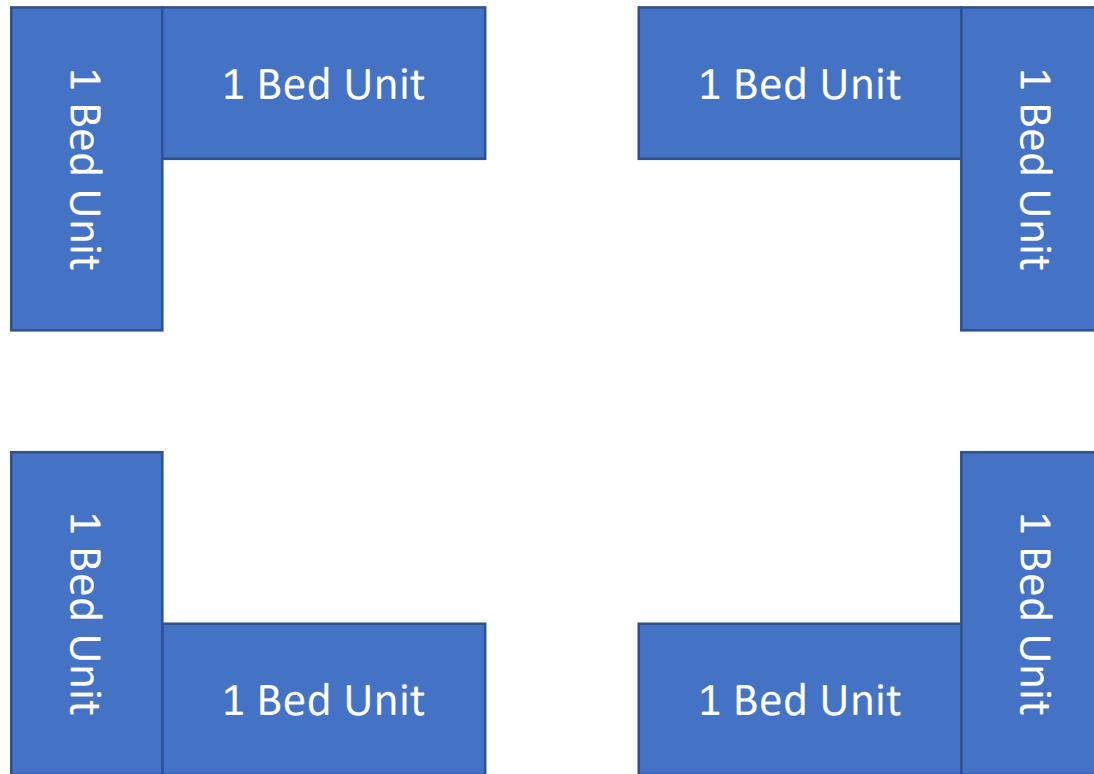
- Quad Plex Design utilized by FLHF in previous build (Jefferson Hwy)
- Two of these quadplexes would create 8 units with a courtyard in the middle
- 526 square feet per unit, offers independent living with low maintenance housing, wheelchair accessibility into unit, one story, accessible bathroom facilities
- Land needed to build (4-5 acres) dependent on water & septic requirements
- Cost estimate \$650,000 not including land, water, septic



Two Quads with shared courtyard



**FLUVANNA-LOUISA
HOUSING FOUNDATION**
BETTER HOUSING. STRONGER COMMUNITY.



Funding



**FLUVANNA-LOUISA
HOUSING FOUNDATION**

BETTER HOUSING. STRONGER COMMUNITY.

- HOME-ARP Funds = \$347,000
- FLHF Administered HOME CHDO Funds = \$150,000
- FLHF Funds = \$153,000
- Estimate for 8 units = \$650,000
- Not including land, water, sewer
 - Would County have land for this use, possible donation, or purchase

Discussion



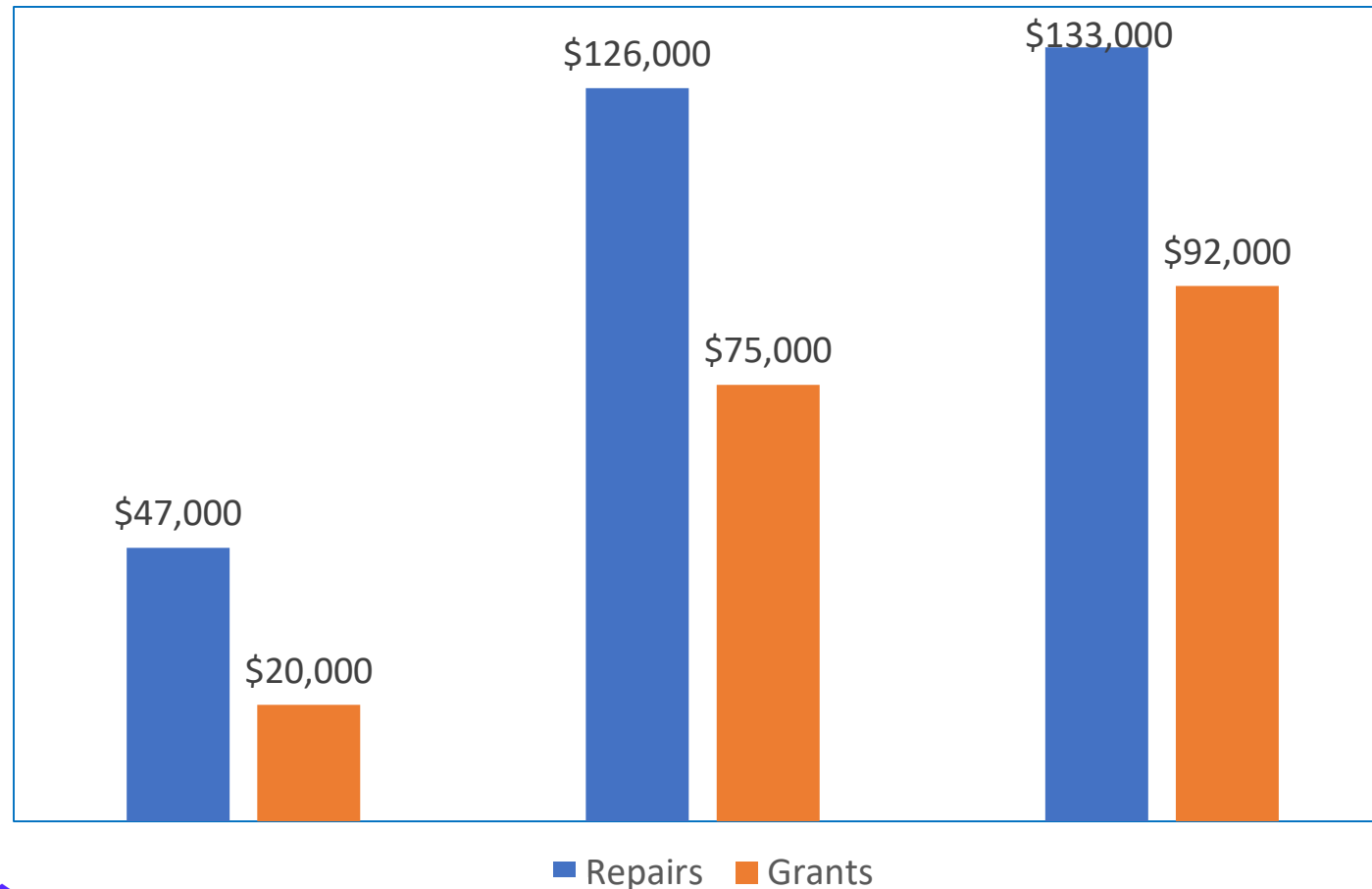
**FLUVANNA-LOUISA
HOUSING FOUNDATION**
BETTER HOUSING. STRONGER COMMUNITY.

- Rental Units to be managed by FLHF
 - Tenants to be charged commensurate with income = 30%
 - Those who sell their home to utilize new housing could receive lifetime rights
- Selection Criteria
 - Preference to Fluvanna Seniors living in older housing in disrepair
 - Option to purchase housing in exchange for lifetime rights in new unit
 - Rehab older unit and sell or lease to qualifying families in the area
- Rezoning requirements, land size requirements
- Location – Fork Union, Palmyra, Kents Store, Bremono Bluff, Columbia
- County involvement
- Preference for site with room to add another 8 units in 2 years

Selection Criteria

Senior Housing	Intake Application Completed	Age	<62=0 62-74=1 75-85=2 >85=3	Live in County	Own Home	# in household	State of Home - Repair Need	Years residency in County	Financial Barriers AMI	Physical or Mental Barriers	Housing Instability	Crowded Housing	Sale of current housing?	Assessed Value of Home	Household Gross Annual Income	Household Gross Monthly Income	30% of Income towards Housing	Points
Points breakdown				No=1 Yes=2	No=1 Yes=2	1=1 2=2	None=0 Minor=1 Major=2 Demolish=3	1-2 years=1 3-5 years=2 6-9 years=3 10+ years=4	>80%=0 <80%=1 <50%=2 <30%=3	Anyone in household =1	Own=0 Rent=1 Family=2 Friends=3	No=0 Yes=1	No=1 Yes=2	\$XXX,XXX	\$XX,XXX	\$X,XXX	\$X,XXX	
Joe Smith	Yes	78	2	2	1	1	2	4	3	0	1	0	1	\$ -	\$ 17,000	\$ 1,417	\$ 425	12
Jane Doe	Yes	76	2	2	2	3	2	4	3	1	0	1	2	\$ 52,000	\$ 12,000	\$ 1,000	\$ 300	16
Frank Jones (Lake)	Yes	72	1	2	2	2	0	3	0	0	0	0	2	\$ 205,000	\$ 58,700	\$ 4,892	\$ 1,468	7
Maggie Mae (Fork Un)	Yes	90	3	2	2	1	3	4	3	1	0	0	2	\$ 87,000	\$ 18,000	\$ 1,500	\$ 450	14
Jennifer Smarts (Cville)	Yes	55	0	1	2	1	0	0	0	0	0	0	2	\$ 300,000	\$ 90,000	\$ 7,500	\$ 2,250	3
															\$ -	\$ -	\$ -	0

Fluvanna County Repairs FY20-22 Comparison



In the past 2 years:
283% Increase in Repairs
460% Increase in Grants
Next year will see another
substantial increase . . .

**FLHF has sold 4 Houses
to First Time Home
Buyers in Fluvanna in the
past 18 months**



**FLUVANNA-LOUISA
HOUSING FOUNDATION**
BETTER HOUSING. STRONGER COMMUNITY.

FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT

TAB G

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	2023 Reassessment Briefing				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
PRESENTER(S):	Randy Willis, Assessor for Pearson's Appraisal Service, Inc.				
RECOMMENDATION:	N/A				
TIMING:	N/A				
DISCUSSION:	Initial overview of 2023 reassessment data.				
FISCAL IMPACT:	TBD				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Fluvanna County 2023 Reassessment General Overall Summary By Class				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

October 27, 2022

Fluvanna County 2023 Reassessment general overall summary by class

Class 2 Single family less than 20 acres.

Includes developed and undeveloped parcels.

Overall change in market value for county is a 12% increase.

This would include Lake Monticello.

Land in this class will generally increase approximately 5% with this generally occurring in neighborhood 2. Land values in neighborhood 1 will generally remain the same other than isolated areas that sales indicate otherwise.

Class 5 A-1 20 to 99 acres.

Includes developed and undeveloped parcels.

Overall change in market value for county is a 5% increase.

Class 6 A-1 100 acres and up.

Includes developed and undeveloped parcels.

Overall change in market value for county is a 6% increase.

Class 4 Commercial/Industrial

Based on sales activity and review of this classification value changes will vary with some increasing, some decreasing, and some not changing .

Overall

Overall change in value of taxable property is a 10.6 increase at this time. This could change slightly prior to finalizing project.

Observations of note:

Sales activity and demand remain strong in Fluvanna county. Mortgage rates have more than doubled since this time last year and may increase again in November. That is and will be a market factor moving forward. Second quarter of 2022 statistics versus same period in 2021 shows sales activity down only 4% in the county. Average days on the market for that period was 13. Listings for that period 2021 was 34 compared to 90 in second quarter 2022. Median sales price was \$336,000 and is a 18% increase in comparison. This is a statistic only and most were probably newer homes.

Reassessment notification.

Reassessment notices are targeted to be mailed November 14, 2022 or the week of.

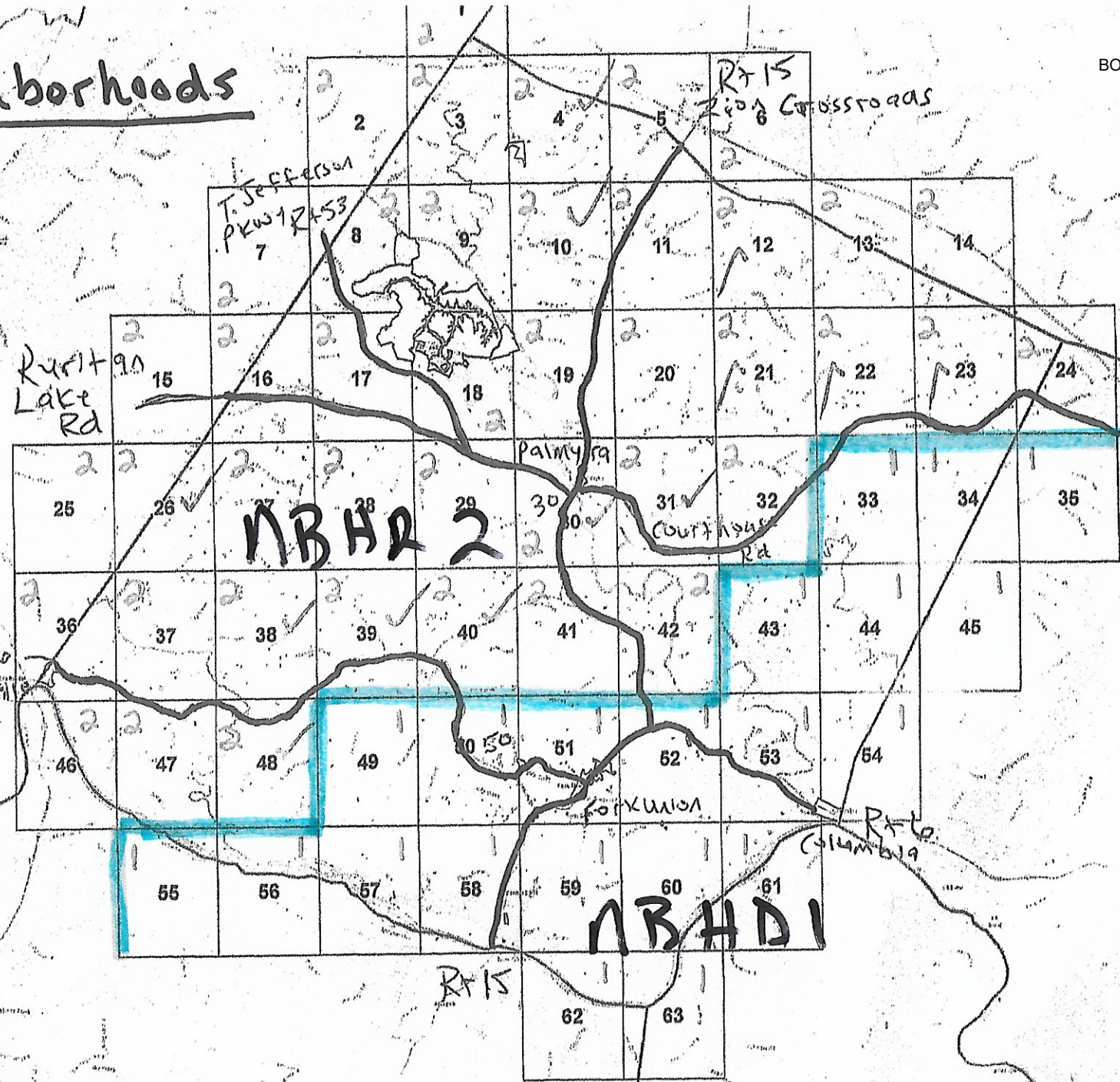
Informal appeals will begin when we start getting calls for.

Pearson's will again encourage appeals by phone appointment. Will also accept appeals by email or written correspondence. We want to communicate with any property owner that has questions. If necessary we will meet in person upon request. The 2021 informal appeals were done primarily by phone and email and seemed to suit most property owners.

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

Neighborhoods

ABHD



Venable Rd

09/11/19

FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT

TAB H

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Zion Crossroads West Waterline Extension Update				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, list goal(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:	Routine				
DISCUSSION:	<p>In February 2020, the Virginia Department of Environmental Quality (DEQ) approached the County about extending the Zion Crossroads waterline on Hwy 250 1.1 miles west of where it currently terminates on Memory Lane, to properties contaminated by an old petroleum release. Four petroleum impacted properties currently have water treatment systems until a permanent solution is provided. In addition, two nearby properties are at risk of petroleum contamination. This project extension helps to provide a reliable water source to the affected residents of the County and advances a Phase 2 component earlier with the assistance of DEQ. The estimated cost of the waterline extension in June 2020 was \$1.5 million.</p> <p>The County has funding agreements with DEQ; the first is for Engineering Services, where DEQ will fund up to \$200,000, and the second is for Construction Services, where DEQ will fund up to \$800,000 and/or the excess of remaining Engineering funds.</p> <p>The board approved a project agreement with Dewberry Engineers which includes, but is not limited to, preliminary design; subsurface utility engineer; surveying; geotechnical engineering; environmental investigation and permitting; PRV design; final design. Final design is complete.</p> <p>In January 2022, a presentation was given to the board about construction cost increases on this project and the board wanted to pursue external funding sources first before considering funding from the County. In April 2022, we applied for the Bipartisan Infrastructure Law (BIL) federal funding administered through the Virginia Department of Health (VDH). We applied for a grant in the amount \$1.5M to cover the estimated project cost increases. The table below shows the changes in costs over a 2 year period.</p>				

	ZXR West Waterline Extension		June 2020 Est.	Nov. 2021 Est.	Apr. 2022 Est.
	Engineering Costs				
	Design, Survey, Geo-Tech., Environmental		\$ 130,000	\$ 149,769	\$ 175,565
	Bidding, Construction Admin., Constuction Insp.		\$ 70,000	\$ 100,000	\$ 125,000
	Legal Costs				
	RFP/Contracts, Doc Prep (deeds, plats, appraisal review, title)		\$ 75,000	\$ 75,000	\$ 75,000
	Easement Acquisition Estimates				
	Acquire easements from property owners for 1.1 mile project		\$ 35,000	\$ 35,000	\$ 35,000
Estimated Construction Cost		\$ 1,200,000	\$ 1,997,600	\$ 2,569,600	
ESTIMATED TOTAL		\$ 1,510,000	\$ 2,357,369	\$ 2,980,165	
<p>On October 18, 2022, the County received notice that VDH was declining to award an offer of financial assistance for the project this year.</p> <p>Dewberry Engineers indicated that the April 2022 construction estimate would be similar in cost for today, if not possibly a little higher. All construction estimates include a 10% contingency.</p> <p>Next Step decision:</p> <ul style="list-style-type: none">• DEQ does NOT currently have additional funding to offset the cost increase• The County could reapply again for the Bipartisan Infrastructure Law (BIL) federal funding. The application deadline is April 2023 and funding notices would not be received until September/October 2023.• The County could use unassigned fund balance to fund the project.• The County could chose not to pursue the project any further.					
FISCAL IMPACT:	<p>Project Funding Approvals To Date:</p> <p>\$1,000,000 - DEQ funding reimbursement</p> <ul style="list-style-type: none">• \$200,000 engineering costs (has mostly been expended on engineering, about \$25K remains).• \$800,000 construction costs <p>\$500,000 - The County received debt proceeds which were approved June 17, 2020 (issued August 2020), which were combined with debt issuance and proceeds to finish the Phase 1 Zion Crossroads Water and Sewer Project.</p>				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	<ul style="list-style-type: none">• Virginia Department of Health Grant Notification				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			X

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

TAB I

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors October 19, 2022 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday October 19, 2022, be adopted.				
BOS GOALS?	Yes	No	If yes, list goals(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:	N/A				
ENCLOSURES:	Draft Minutes for October 19, 2022.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
October 19, 2022
Regular Meeting 7:00pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Tony O’Brien, Rivanna District, Vice Chair *(entered meeting at 7:08pm)*
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District

ABSENT: Chris Fairchild, Cunningham District

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

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE
At 7:03pm, Chair Sheridan called to order the Regular Meeting of October 19, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the October 19, 2022 Regular Meeting of the Board of Supervisors, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Absent	Yes
RESULT:	3-0				

4 - COUNTY ADMINISTRATOR’S REPORT
Mr. Dahl reported on the following topics:
Announcements and Updates - New Employees

- Tara Bolton ,Communications Officer, E911, Started October 10th
- Stacey Morris, Communications Officer, E911, Started October 10th

18th Annual Halloween Festival and Trunk or Treat

- Saturday, October 29th at Pleasant Grove Park
- The Semi-Scary Haunted Trail and Trunk or Treat starts at 6:30 pm and ends at 8:30 pm.
- Free and Open to the Public
 - If you plan on handing out candy or treats from a trunk you must Register your Vehicle’s Trunk at <https://fluvanna.recdesk.com> or call
 - (434) 589-2016 Monday thru Friday, 9am - 4pm.
 - Trunks must be registered by 12 Noon, Thursday, October 27th!

Annual Friends of the Library Book Sale 2022

- Thursday, October 6- Saturday, October 22

Hours of the Library

- Thursday, October 6 - Saturday, October 8 - Full Price
- Tuesday, October 11 - Saturday, October 15 - 1/2 Price Sale (Library Closed Monday, October 10)
- Monday, October 17 - Saturday, October 22 - \$5/Bag - We Provide the Bag!

- A SPECIAL THANKS TO OUR 2022 Book Sale Corporate SPONSOR - Monticello Country Real Estate & Our Lady of Peace
- Contact the Library if you have any questions! All proceeds benefit the Friends of the Fluvanna Library.

October Is Domestic Violence Awareness Month

- If you are the victim of domestic violence, or know someone who is, help is only a phone call away.
- Call the Fluvanna Victim/Witness Assistance Program at 591-1985 or the
- Shelter for Help in Emergency (SHE) at 293-8509 for assistance.

Habitat for Humanity 27th Home Dedication

- 3 PM on Sunday, November 13th at 440 Charney Way, Palmyra.
- The upcoming Home Dedication will honor a special lady who has worked very hard to become a Fluvanna homeowner.
- This is an event to also thank and honor our local volunteers, church communities, business partners and donors who have helped make this home happen.
- Houchens Place is a 64-acre neighborhood we own and are developing.

- Once complete, it will hold 26 homes and a recreation area. We are able to offer affordable homes to our partner families because we use local volunteers to help us build homes and enable us to sell them at cost.
- This saves each homebuyer approximately \$40,000.
- All of our homebuyers must meet qualifications to become part of our program including either living or working in Fluvanna County and successfully completing our financial literacy and homeownership classes.

Spotlight on Business - Quad County Business Summit

- In conjunction with the Quad County Business Summit, the QuadTank pitch competition was held on October 12, 2022
- 19 businesses, including 6 from Fluvanna applied to compete
- 2 Fluvanna businesses, Sweet Art Emporium and Herbert’s Wine Jelly were selected as semi-finalists
- Southern Revere Cellars from Louisa County claimed the \$6,750 cash prize

Spotlight on Business – Business Education Series

- Build Your Social Media, Guides Social Media Plan Building, and Networking Social
- Tuesday October 27
- 12:00pm -6:00pm
- Register at Fluvanna Chamber.org – Open to Chamber of Commerce members and non-members.

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Nov 2	5:00 PM	Regular Meeting	Performing Arts Center
Thu	Nov 10	8:30AM	Elected Officials Breakfast	Library
Wed	Nov 16	7:00 PM	Regular Meeting	Performing Arts Center
Wed	Dec 7	5:00 PM	Regular Meeting	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 7:11pm, Chair Sheridan opened the first round of Public Comments.

- Corven Flynn, 319 Shiloh Church Rd, mentioned a community event at Fork Union Baptist Church, and made comments regarding road safety, and real estate assessments.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:15pm.

6 - PUBLIC HEARING

Noise Control Ordinance – Eric Dahl, County Administrator & Fred Payne, County Attorney

- The principal purpose of this action would be to provide for a new standard for review of noise complaints which the Sheriff believes will be easier and more equitable to enforce, as well as to substitute civil penalties as specifically authorized by statute in lieu the current criminal penalties.
- This ordinance will repeal Chapter 15.1 and add new Chapter 15.2 to regulate excessive noise and activities related and to provide for penalties for violations.

At 7:15pm, Chair Sheridan opened the Public Hearing.

- Mrs. Booker asked Mr. Payne to speak on points made by a citizen via email sent to the Board earlier in the day.

With no one else wishing to speak, Chair Sheridan closed the Public Hearing at 7:30pm.

MOTION:	Adopt an ordinance to: (i) Repeal Chapter 15.1 of the Fluvanna County Code, in its entirety; (ii) to Add a New Chapter 15.2 in its Place to Regulate Excessive Noise and Activities Related thereto and to Provide for Penalties for Violations thereof in its entirety				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

7 - ACTION MATTERS

FY23 CIP Additional Funding Request for Fork Union Tanker 20 – John Lye, Chair of Fluvanna FRA and Chris Aley, Fork Union Fire Chief

- In the approved FY23 CIP budget, \$604,000 was approved for Fork Union Tanker 20. Chief Aley has received three bid proposals, but due to the current unexpected high inflation right now, all of the bids have come in at a higher price than were expected when preparing the FY23 CIP request for this apparatus.
- The current lowest Unit Cost is \$669,171.00. If the County choses to prepay on the contract upfront, discounts are available as follows:

- Opt 1) Prepay at signing \$450,000.00, \$22,758.00 Discount, Final cost \$646,413
- Opt 2) Prepay at signing \$550,000.00, \$26,258.00 Discount, Final cost \$642,913
- At the September 7, 2022 Board of Supervisors meeting, \$38,913 of additional funding was approved for Fork Union Tanker 20. Upon further research into the cooperative contract selected by Fork Union Fire, additional funding of \$2,000 is needed for the HGAC Cooperative Contract fee and \$3,321 for the Performance Bond Fee. With the County choosing to make a prepayment to save on overall costs, a performance bond is needed to protect the County’s upfront payment.

MOTION:	Approve additional funding for the FY23 CIP Fork Union Tanker 20 in the amount of \$5,321, with funding to come from ARPA funds				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Fork Union Rosenbauer Pumper/Tanker Purchase Agreement – Donna Allen, Purchasing Officer; Tori Melton, Director of Finance

- In the FY23 budget, \$604,000 was budgeted for replacement of Fork Union Tanker 20.
- In September 2022 the board increased that amount by \$38,913 due to price increases from Manufacturers, totaling \$642,913 in approved funding for the equipment.
- There is a request from the FRA for additional funding of \$5,321. Additional funding was needed to cover the \$2,000 cost for the HGAC Cooperative Contract fee and \$3,321 Performance Bond fee. With the County choosing to make a prepayment to save on overall cost, the performance bond protects the County’s upfront payment.
- There is a sizable discount given to us if we prepay for a large portion of the vehicles. The details of those discounts are listed below:
 1. Fork Union Pumper - **Total Cost \$648,234**; Prepayment amount \$550,000; Discount Amount \$26,258

MOTION:	Approve the agreement between Fluvanna County and Rosenbauer South Dakota, LLC for the purchase of a Rosenbauer Commander 2000 Gallon Tanker totaling \$648,234, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Palmyra Village Streetscape Project - VDOT: Transportation Alternatives Program Grant Award – Eric Dahl, County Administrator

- The Transportation Alternatives Program (TAP) is intended to help grant fund community based projects such as sidewalks and enhance the transportation experience by improving both the cultural and historical aspects of a locality’s transportation infrastructure and seeks to strengthen the local economy and further improve the quality of life for its residents.
- The VDOT - Transportation Alternatives Program (TAP) Grant will provide funding to construct concrete sidewalks and related concrete curbing along Stone Jail Street, remove Court Square (road) that bisects the lawn area between Civil War Park and the Historic Courthouse, provide properly marked and much needed angled and parallel parking spaces along the new proposed one-way road system and to further improve the Palmyra Village VDOT roads.
- The Palmyra Village Streetscape Project is a part of the Board’s current BOS Goals, C3.1.
- On September 1, 2021, the board authorized and approved submission of the grant application.
- The County received notification on September 2, 2022 of being awarded the VDOT TAP grant funding in the amount of \$1,271,325 for the project.
- VDOT’s original estimates for the project have increased from a year ago, increasing the County match from \$268,600 to \$317,831



Palmyra Village Streetscape Project – Scope of Services

- Project Management Preparation of roadway plans to include drainage plans, signing and pavement marking plans, maintenance of traffic plans, erosion and sediment control plans, cross sections, utility relocation plans, and right of way plans.
 - Public Involvement activities Environmental studies and acquisition of required environmental documents from applicable state and federal agencies.
 - Acquisition of required stormwater management permits.
 - Administration of right of way acquisition and utility relocations.
 - Compilation of final plans, specifications, and estimate for the roadway and sidewalk improvement features into a bid proposal package.
 - Bid proposal bidability review.
 - Administration and advertisement of proposal Administration of bidder questions.
 - Receipt of bids Administration of Contract award.
 - Administration and oversight of construction, construction engineering services, and construction project close-out.
- In order to move forward with the grant award, the County must:
 - Approve and allocate its 20% match of \$317,831 of the total project cost of \$1,589,156. The County match will be expended over 4 fiscal years between FY23 and FY26, per the VDOT Administered – Locally Funded Project Administration Agreement.
 - Adopt the “Resolution Affirming Commitment To Fund The Locality Share Of Projects Under Agreement With The Virginia Department Of Transportation And Provide Signature Authority.”
 - After some discussion, Chair Sheridan asked for a vote.

MOTION:	Approve a supplemental appropriation of \$317,831 from unassigned fund balance to allocate its required 20% match for the VDOT Transportation Alternatives Program (TAP) grant for the Palmyra Village Streetscape CIP project				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	Adopt the resolution entitled “Resolution Affirming Commitment To Fund The Locality Share Of Projects Under Agreement With The Virginia Department Of Transportation And Provide Signature Authority” for the Palmyra Village Streetscape project				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

8 – PRESENTATIONS

Central Virginia Partnership for Economic Development Update – Helen Cauthen, CVPED President
Helen Cauthen, President of the Central Virginia Partnership for Economic Development, gave an overview of the CVPED mission, advancing innovative strategies for regional economic prosperity. Ms. Cauthen reviewed the CVPED Leadership, Partnership with Go Virginia and Virginia Career Works, the Program of Work and Results; and discussed the Attract, Retain and Align Talent Initiative.

9 - CONSENT AGENDA

The following items were discussed before approval:

G - Virginia Department of Environmental Quality Local Government Guarantee – Eric Dahl, County Administrator

The following items were approved under the Consent Agenda for October 19, 2022:

- Minutes of October 5, 2022 – Caitlin Solis, Clerk to the Board
- Virginia Department of Environmental Quality Local Government Guarantee – Eric Dahl, County Administrator
- CRMF - Central Fire Control Systems – Don Stribling, FCPS
- CRMF - FCHS Hot Water Heater – Don Stribling, FCPS
- CRMF - FCHS Track Surface – Don Stribling, FCPS
- CRMF - FMS Fire Control Main Board – Don Stribling, FCPS
- CRMF - FMS Fire Control System – Don Stribling, FCPS

MOTION:	Approve the consent agenda, for the October 19, 2022 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan

ACTION:	Motion			Second	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

10 - UNFINISHED BUSINESS

Cost of Community Services - Mr. O’Brien brought up the Cost of Community Services documents provided by Mr. Dahl, and asked for a breakdown of census information by households by married, unmarried, with children, and no children.

11 - NEW BUSINESS

- Mrs. Booker mentioned the memorial for Gequetta Murray-Key, Dr. James Kelley, Palmyra District Representative for the School Board, confirmed the memorial will be held at the Fluvanna County High School at 1pm Sunday, October 30, 2022.

12 - PUBLIC COMMENTS #2

At 8:29pm, 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 8:29pm.

13 - CLOSED MEETING

MOTION:	At 8:29pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.6, & A.19 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – Boards, committees, and commissions attendance compliance and County Attorney fees; Investment of Funds – Louisa County Water Agreement; Public Safety – Structure of Emergency Services.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	At 9:32pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, October 19, 2022 at 9:32pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia
RESOLUTION No. 17-2022

**A RESOLUTION AFFIRMING COMMITMENT TO FUND
THE LOCALITY SHARE OF PROJECTS UNDER AGREEMENT
WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION
AND PROVIDE SIGNATURE AUTHORITY**

WHEREAS, the County of Fluvanna is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share; and

THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of Fluvanna County hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED that the County Administrator and/or his designees is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 19th day of October 2022.

	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						
Chris Fairchild, Cunningham District						

Attest:

John M. Sheridan, Chair

Fluvanna County Board of Supervisors

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

TAB J

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Temporary Staff Stipend for Additional Duties – Gatewood				
MOTION(s):	I move the Board of Supervisors to approve a temporary stipend for Roger Gatewood, Communications Officer at the rate of \$50 per week, retroactive to October 17, 2022, while serving as a Communications Team Lead, with such funds to come from the FY23 personnel contingency budget.				
STRATEGIC GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Donna Snow, Director of Human Resources				
PRESENTER(S):	Donna Snow, Director of Human Resources				
RECOMMENDATION:	I recommend approval of the motion as stated above.				
TIMING:	Effective 10/17/2022				
DISCUSSION:	Mr. Gatewood will be serving as Communication Team Lead in E911, while another team lead is out on approved leave. Filling this role carries additional workload and supervisory responsibility. In addition to these additional responsibilities, Mr. Gatewood will continue with regular Communication Officer's job tasks. I am recommending approval of a \$50 stipend per week to compensate him for the extra responsibilities. The temporary stipend will be in effect for approximately 1.5 months in total.				
FISCAL IMPACT:	A \$50 stipend per week will come from the FY23 personnel contingency budget.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X		X	COAD

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

TAB K

MEETING DATE:	November 2, 2022				
AGENDA TITLE:	Phone System Maintenance for E911 – Agreement to Correct Amendment to End-User Agreement with CenturyLink Communications LLC				
MOTION(s):	I move the Board of Supervisors to approve the Agreement to Correct Amendment to the End-User Agreement between the County of Fluvanna together with the Fluvanna County Sheriff's Office and CenturyLink Communications, LLC, to correct that Amendment to End-User Agreement dated August 9, 2022 and modify the firewall quote at a savings to the County of \$201.42, as more particularly set out in the Agreement, and further authorize the County Administrator to approve reasonable modifications thereto in consultation with the County Attorney and execute the final agreement subject to approval as to form by the County Attorney.				
BOS GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Donna Allen, Purchasing Officer				
PRESENTER(S):	Donna Allen, Purchasing Officer				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	<ul style="list-style-type: none"> May 26, 2020, the board approved the End User Agreement with CenturyLink for a PSAP call system We do not anticipate this new system being fully completed and installed in 2022 due to implementation schedules and the Grant has been extended August 19, 2020, the Board approved an amendment adding maintenance to the End User Agreement. On August 3, 2022 the Board approved an Amendment dated August 9, 2022, to cover a software upgrade, firewall and installation at total cost of \$20,907.60 for: \$2,048.00 for the Software Upgrade; \$10,076.50 for the Firewall; and \$8,783.10 for the Integration Install. Per the Amendment, the County received a discount from the Contract Price under the End User Agreement of \$12,312.45: (i) \$8,783.10 for removal of labor hours associated with SMS/NG911 which the parties agreed would be done at a later date (the "Integration Install"); and (ii) \$3,529.35 for discount from Motorola bundle. After the Amendment was executed, CenturyLink notified the County that it had referenced an incorrect cooperative HGAC agreement as the basis for the pricing. This Agreement to Correct fixes that incorrect reference. In addition, CenturyLink also notified the County that the Firewall Quote (Exhibit 2) contained an incorrect product reference and has been modified and replaced to refer to the correct firewall "60E" at a savings over the prior Amendment 				

	pricing of \$201.41. Now the total under the Amendment as correct by the Agreement to Correct is \$20,706.18 (instead of \$20,907.6). <ul style="list-style-type: none"> Anticipated completion now no later than June 1, 2023 (unchanged by Agreement to Correct), unless extended by Virginia Department of Emergency Management (Grant agency) 				
FISCAL IMPACT:	Savings of \$201.42. Total under the Amendment as correct by the Agreement to Correct is \$20,706.18 (instead of \$20,907.6). \$20,706.18 less \$12,312.45 credit to be covered under E911 Telecommunications budget				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> RA478585 Agreement to Correct Amendment EX2 Updated Firewall 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X	X		E-911

AGREEMENT TO CORRECT AMENDMENT TO END-USER AGREEMENT

This **Agreement To Correct Amendment to the End-User Agreement** (the “**Correction Agreement**”) dated the ____ day of _____, 2022 is between **CenturyLink Communications, LLC**, a Delaware limited liability company authorized to transact business in Virginia, f/k/a Qwest Communications Company, LLC, a wholly owned subsidiary of CenturyLink, Inc. and (“**CenturyLink**” or “**Contractor**”) and **Fluvanna County** together with the **Fluvanna County Sheriff’s Office** (collectively referred to as “**County**”), a public entity organized under the laws of the Commonwealth of Virginia, to correct that Amendment to End-User Agreement dated August 9, 2022 (the “**Amendment**”) which amends that End-User Agreement (the “**End-User Agreement**”) dated June 4, 2020. CenturyLink and County are sometimes referred to herein as the “**parties**”, or each as a “**party**”. Any terms defined in the End-User Agreement shall have the same meaning when used herein unless the context requires otherwise.

WHEREAS, the parties previously entered into that purchase order under and modification of the End User Agreement pursuant to Quote Number VA-CTL3460594 fully executed on September 3, 2020 (the “**2020 Modification**”); and the Amendment. The End User Agreement as modified by 2020 Modification and further by the Amendment is referred to herein collectively as the “**Contract**”;

WHEREAS, per the Amendment the parties have agreed to certain discounts to the County against amounts owed by the County as set forth therein and also to add certain additional services pursuant to the Quotes, as defined in the Amendment, including those defined in the Amendment as: (i) the “**Software Upgrade Quote**”; (ii) the “**Firewall Quote**”; and (iii) the “**Integration Install Quote**”. Collectively the labor, work, warranties, software, hardware, installation, equipment, materials, products and services described in the Quotes or related thereto is referred to herein as the “**2022 Products and Services**”;

WHEREAS, after the Amendment was fully executed, the Contractor informed the County that: (i) the 2022 Products and Services were actually being purchased pursuant to Contract between Houston-Galveston Area Council (“**HGAC**”) and CenturyLink Communications, LLC, dated August 4, 2020 under that HGAC Solicitation No. EC07-20 “911 Equipment & Emergency Notification Software and Services” (the “**2020 HGAC Solicitation**”), as amended by that Amendment No. 1 to Contract No. EC07-20 dated April 4, 2022, (the contract as amended, referred to herein as the “**2020 HGAC Contract**”); and (ii) that certain items identified in the Firewall Quote attached as Exhibit 2 to the Amendment (the “**Original Firewall Quote**”), were actually not available for sale under the 2020 HGAC Contract and that therefore the Firewall Quote had to be revised and replaced with the attached updated quote dated October 19, 2022 (the “**Updated Firewall Quote**”). The Updated Firewall Quote is attached hereto as “**Updated Firewall Quote**” and made a material part hereof. The 2020 HGAC Contract together with the attachments thereto and 2020 HGAC Proposal and Contractor’s Response to the 2020 HGAC Proposal, both of which pursuant to Article 1 of the Special Provisions of the 2020 HGAC Contract are incorporated into the 2020 HGAC Contract by reference, are incorporated into this Correction Agreement as material parts hereof. The 2020 HGAC Contract is available at: <https://www.hgacbuy.org/contracts/documents?contractid=96>, except that the Contractor’s response was provided by to the County separately by the Contractor by email dated October 12, 2022, such pdf entitled “COMPRESSED R105405 TX911 HGAC ITB - CenturyLink Response EC07-20” is also made a material part hereof;

WHEREAS, the Updated Firewall Quote is \$201.42 LESS THAN the Original Firewall Quote;

WHEREAS, therefore the representation and warranty made by Contractor in the last sentence of Paragraph 1 of the Amendment is incorrect and needs to be corrected and the Parties are entering into this Correction Agreement to correct such reference;

Now therefore, the parties agree to correct the Amendment as follows:

I. Paragraph 1 of the Amendment is corrected as follows:

*1. Recitations and Background. The foregoing recitations are hereby made a material part of this Amendment. The 2022 Products and Services detailed in the Quotes are covered by grant funds pursuant to a Virginia Infrastructure Technologies Agency PSAP grant (the “**Grant**”). The County is a member of HGAC and may cooperatively procure 2022 Products and Services from the 2020 HGAC Contract pursuant to Virginia Code Section 2.2-4304. The County desires to purchase the 2022 Products and Services off of the 2020 HGAC Contract as more specifically identified in the Quotes. CenturyLink represents and warrants that all Products and Services are offered pursuant to the 2020 HGAC Contract at prices consistent with the 2020 HGAC Contract.*

II. The Updated Firewall Quote attached hereto replaces that Original Firewall Quote, being Exhibit 2 to the Amendment. All references in the Amendment to the “Firewall Quote” or “Exhibit 2” shall mean to this Updated Firewall Quote. “Quotes” as used in the Amendment means collectively the Software Upgrade Quote, the Updated Firewall Quote and the Integration Install Quote.

III. CenturyLink will provide and County will purchase the 2022 Products and Services described in the Quotes attached to the Amendment and consistent with the requirements of the 2020 HGAC Contract; and CenturyLink will install the same consistent with the other provisions of the Amendment. All other provisions of the Amendment remain the same including without limitation all discounts noted therein and that the Contractor shall be paid the following amounts for the 2022 Products and Services (i) **\$2,048.00** for those 2022 Products and Services set forth in the **Software Upgrade Quote**; (ii) **\$9,875.08** those 2022 Products and Services set forth in the **Firewall Quote being the Updated Firewall Quote attached hereto**; and (iii) **\$8,783.10** those 2022 Products and Services set forth in the **Integration Install Quote**.

IV. Miscellaneous. The headings of the sections of this Amendment are inserted for convenience only and do not alter or amend the provisions hereof. A word importing the masculine or neuter gender only may extend and be applied to females and to corporations as well as males, and vice versa. A word importing the singular number only may extend and be applied to several persons or things as well as to one person or thing; and a word importing the plural number only may extend and be applied to one person or thing, as well as to several persons or things. This Amendment may be executed in multiple counterparts each of which shall be deemed an original and together which shall constitute the Amendment. This Amendment may be executed in duplicate originals, any of which shall be equally authentic. In addition to allowing electronic signatures upon an electronic copy of this Amendment, as provided by Virginia law, facsimile signatures upon any signature page will be considered to be original signatures. This Amendment, together with exhibit(s) hereto, contains the entire understanding of the parties with respect to the subject matter hereof and is to be modified only by a writing signed by the parties to this Amendment. **Except as specifically amended hereby, the Contract remains in full force and effect.**

Witness the following duly authorized signatures and seals as of the dates set forth below:

**Fluvanna County, a political subdivision of the
Commonwealth of Virginia**

CenturyLink Communications, LLC

(SEAL)

Authorized Signature

Authorized Signature

Name Typed or Printed

Eric M. Dahl

Name Typed or Printed

Title

County Administrator

Title

Date

Date

Fluvanna County Sheriff's Office

Approved as to Form:

Eric Hess, Fluvanna County Sheriff

Kristina M. Hofmann, Deputy Fluvanna County
Attorney

Date: _____

LUMEN®

Quote Number: 58438739
Customer: Fluvanna County 911 Center
Lumen Products: CPE
Lumen Installation: Yes
Lumen Maintenance: Centurion On-Site Maintenance
Created On: 10/19/2022
Expiration Date: 11/18/2022
Account Manager: Tina Pursel /SW8G
Sales Engineer: James Mcleod
Pramata #:

UPDATED QUOTE : This quote provides cost to install a **60e firewall** to support remote access.

Customer Notes:

Catalog Number	Description	Unit Price	Qty	Total Price	Service Term (Months)
LOCATION: Main site					
Materials					
03800-03060	FIREWALL 60E	\$ 552.00	1	\$ 552.00	
04000-00400	M&R NETWORK/IP AGENT LIC	\$ 104.81	1	\$ 104.81	
Support					
03800-03065	WARR FIREWALL 60E 5YR	\$ 822.40	1	\$ 822.40	60
809800-16347	M&R IP DEVICE SRVC 5YR	\$2,003.38	1	\$ 2,003.38	60
950999/DEDOSM	MAINTANENCE	\$1,750.00	1	\$ 1,750.00	60
Implementation					
QINTR-CTL	Integration	\$2,857.94	1	\$ 2,857.94	
809800-00201	VPN CFG SVCS	\$ 253.16	1	\$ 253.16	
809800-17006	FIELD ENG-EXPRESS	\$ 92.41	16	\$ 1,478.56	
Shipping and Handling					
Shipping & Handling	Shipping & Handling	\$ 52.83	1	\$ 52.83	
Materials Total				\$656.81	
Support Services Total				\$4,575.78	
Implementation Total				\$4,589.66	
Shipping and Handling Total				\$52.83	
Grand Total Price to Customer				\$9,875.08	

Terms and Conditions Governing This Order

1. This confidential Order may not be disclosed to third parties and is non-binding until accepted by Lumen, as set forth in section 2. "Lumen" is defined for purposes of this Order as CenturyLink Communications, LLC d/b/a Lumen Technologies Group and its affiliated entities providing Services under this Order. Customer places this Order by signing (including electronically or digitally) or otherwise acknowledging (in a manner acceptable to Lumen) this document and returning it to Lumen. Pricing is valid for 90 calendar days from the date indicated unless otherwise specified.

see below modified.

Terms and Conditions Governing This Order

1. This Order is non-binding until accepted by Lumen. Lumen is defined for purposes of this Order as Centurylink Communications, LLC d/b/a Lumen Technologies Group and its affiliate entities provided services under this Order. This Order is subject to the End-User Agreement entered into between the two parties on June 4th 2020.

Customer Representative:

Customer Signature:

Job Title:

Date:

**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 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 type="checkbox"/>	ARPA Fund Balance Memo
<input type="checkbox"/>	

MEMORANDUM

Date: November 2, 2022
From: Tori Melton – Director of Finance
To: Board of Supervisors
Subject: FY23 BOS Contingency Balance

The FY23 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$162,000
Less: Career Development Circuit Court Clear & Commissioner of Revenue	-15,393
Less: Comprehensive Safety Action Plan Grant – Safe Streets - TJPDC	-30,000
Less: Comprehensive Economic Development Strategy (CEDS) - TJPDC	-2,097.04
Less: 2022 Board of Supervisors Planning Retreat	-5,000
Available:	\$109,509.96

MEMORANDUM

Date: November 2, 2022
From: Tori Melton – Director of Finance
To: Board of Supervisors
Subject: FY23 Capital Reserve Balances

The FY23 Capital Reserve account balances are as follows:

County Capital Reserve:

FY22 Carryover	\$512,518
FY23 Budget Allocation:	\$250,000
Less: Fluvanna County District Court Microphone System Replacement	-5,963
Less: Ground Water Well Monitoring at Convenience Center	-27,050
Less: Public Safety Building 5 ton heat pump	-6,408
Less: Generator at Carysbrook Fuel Pumps	-30,000
Less: 4 ton heat pump at Fluvanna County Community Center	-8,522.36
Less: HVAC leaking evaporator coil at the Fluvanna County Library	-6,301.01
FY23 Available:	\$678,273.63

Schools Capital Reserve:

FY22 Carryover	\$387,600
FY23 Budget Allocation:	\$200,000
Less: FCHS Tennis Court Repair	-63,100
Less: Emergency Radios for FCPS School and Departments	-23,910
Add: Closed CRM Project – 08/27/2022	4,884
Less: Central Elementary purchase of 3 HVAC chiller fans	-10,560
Less: Central Elementary HVAC Chiller replacing failed parts	-11,090
Less: FCHS main chiller	-6,740
Less: Fluvanna Middles School HVAC Chiller	-9,178
Add: Insurance recovery from VACORP for vandalism at FMS	38,498.27
Less: Repair and updating equipment at FMS due to vandalism	-38,498.27
Less: Central Fire Control System	-4,460
Less: FCHS Hot Water Heater	-4,435
Less: FCHS Track Surface	-16,850
Less: FMS Fire Control Main Board	-4,990
Less: FMS Fire Control System	-5,275
FY23 Available:	\$431,896

MEMORANDUM

Date: October 19, 2022
From: Tori Melton – Director of Finance
To: Board of Supervisors
Subject: Unassigned Fund Balance

*FY22 Year End (Unaudited) Unassigned Fund Balance:	\$13,835,655
Less: Palmyra Village Streetscape Project 10.19.22	-317,831
Current (Unaudited) Unassigned Fund Balance:	\$13,517,824

*Audited FY22 Year End Unassigned Fund Balance will be available upon
 Completion of the FY22 Comprehensive Annual Financial Report

