

**FLUVANNA COUNTY BOARD OF SUPERVISORS**

**EMERGENCY CALLED MEETING AGENDA**

Morris Room, County Administration Bldg.

132 Main Street, Palmyra VA 22963

August 15, 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	Waiver to Administer an Existing Split Precinct – Joyce Pace, General Registrar
7A	APPOINTMENTS
8	PRESENTATIONS (normally not to exceed 10 minutes each)
9	CONSENT AGENDA
10	UNFINISHED BUSINESS
	TBD
11	NEW BUSINESS
	TBD
12	PUBLIC COMMENTS #2 (5 minutes each)
13	CLOSED MEETING
	TBD
14	ADJOURN

County Administrator Review

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

## **PLEDGE OF ALLEGIANCE**

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

## **GENERAL RULES OF ORDER**

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

## **RULES OF PROCEDURE FOR PUBLIC HEARINGS**

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

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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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

August 15, 2022

From: Caitlin Solis, Clerk to the Board of Supervisors  
To: Mr. John M. Sheridan, Columbia District, Chair  
Mr. Tony O'Brien, Rivanna District, Vice Chair  
Mrs. Mozell Booker, Fork Union District  
Mrs. Patricia Eager, Palmyra District  
Mr. Chris Fairchild, Cunningham District

## VIA ELECTRONIC DELIVERY

### RE: Called Special Meeting of the Board of Supervisors

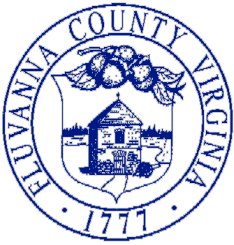
Please find attached Notification for a Called Meeting, today, August 15, 2022 at 5:00pm, in the Morris Room of the County Administration Building, in order to consider authorizing Joyce Pace, General Registrar, to complete all necessary procedures required to submit a request for a Waiver to Administer a Split Precinct.

The Board of Elections meets Tuesday, August 16, 2022 at which time they will consider this request for a waiver.

Sincerely,

Caitlin Solis  
Clerk to the Board of Supervisors

cc (by email):  
County Administrator  
County Attorney



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## BOARD OF SUPERVISORS

John M. "Mike" Sheridan  
*Columbia District*

Anthony P. "Tony" O'Brien  
*Rivanna District*

Mozell H. Booker  
*Fork Union District*

Patricia B. Eager  
*Palmyra District*

Chris Fairchild  
*Cunningham District*

## COUNTY ADMINISTRATION

Eric M. Dahl  
*County Administrator*

Caitlin Solis  
*Clerk to the Board*

August 15, 2022

From: Chair, Fluvanna County Board of Supervisors  
To: Clerk to the Board of Supervisors

### **Re: Called Special Meeting of the Board of Supervisors**

I hereby request that you formally notify the members of the Board of Supervisors, the County Administrator, and the County Attorney that I am calling a Special Meeting of the Board of Supervisors pursuant to §15.2-1417 and §15.2-1418.

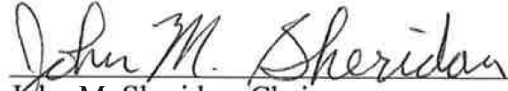
**Issues to Be Discussed:** Waiver to Administer a Split Precinct

**Meeting Day/Date:** Monday, August 15, 2022

**Time:** 5:00pm

**Location:** Morris Room, County Administration Building

Thank you for your prompt attention to this matter.

  
\_\_\_\_\_  
John M. Sheridan, Chair  
Fluvanna County Board of Supervisors

cc (by email):  
County Administrator  
County Attorney

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

<b>MEETING DATE:</b>	August 17, 2022								
<b>AGENDA TITLE:</b>	Waiver to Administer an Existing Split Precinct								
<b>MOTION(s):</b>	<p><b>I move the Board of Supervisors authorize Joyce Pace, General Registrar, and Kelly Harris, Assistant County Administrator, to complete the procedures required by the Virginia Department of Elections for requesting the “Waiver to Administer a Split Precinct” application for the November 2022 election,</b></p> <p><b>and further adopt the resolution approving the application for a waiver to administer a split precinct for House districts in the County of Fluvanna, as follows:</b></p> <p><b>That the Board of Supervisors approves the application to the Virginia Department of Elections for a waiver to allow the administration of a split precinct by the Fluvanna County Electoral Board and Fluvanna County Registrar’s Office for the following split precinct:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><b>Precinct Number &amp; Name</b></td> <td style="width: 40%;"><b>Split District Type</b></td> </tr> <tr> <td><b>401 - Cunningham</b></td> <td><b>House Districts 55, 56</b></td> </tr> </table> <p><b>And, that this resolution shall be in effect from and after its adoption.</b></p>					<b>Precinct Number &amp; Name</b>	<b>Split District Type</b>	<b>401 - Cunningham</b>	<b>House Districts 55, 56</b>
<b>Precinct Number &amp; Name</b>	<b>Split District Type</b>								
<b>401 - Cunningham</b>	<b>House Districts 55, 56</b>								
<b>STRATEGIC INITIATIVE?</b>	Yes	No	<b>If yes, list initiative(s):</b>						
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other				
		<b>X</b>							
<b>STAFF CONTACT(S):</b>	Kelly Harris, Assistant County Administrator								
<b>PRESENTER(S):</b>	Eric Dahl, County Administrator								
<b>RECOMMENDATION:</b>	Approve								
<b>TIMING:</b>	Immediate								
<b>DISCUSSION:</b>	<p>The Code of Virginia, 24.2-307, requires the elimination of split precincts for elections held in November, 2022 and all subsequent elections. Fluvanna has one split district in the Cunningham District, near the Town of Scottsville – House Districts 55 and 56.</p> <p>Under the provisions of 24.2-307, localities are required to comply with the following:</p> <p style="padding-left: 40px;"><i>Each precinct shall be wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city. In each year ending in one, the governing body of each county and city shall establish the precinct boundaries to be consistent with</i></p>								

	<p><i>any congressional district, Senate district, House of Delegates district, and local election district that was adopted by the appropriate authority by June 15 of that year. If congressional districts, Senate districts, House of Delegates districts, or local election districts have not been adopted by the appropriate authority by June 15 of a year ending in one, the governing body may use the congressional districts, Senate districts, House of Delegates districts, or local election districts as such districts existed on June 15 of that year as the basis for establishing the precinct boundaries to be used for the elections to be held in November of that year. Such governing body shall establish precinct boundaries to be consistent with any subsequent changes to the congressional districts, Senate districts, House of Delegates districts, or local election districts. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with fewer than the minimum number of registered voters as permitted by § 24.2-309. A governing body granted a waiver to administer a split precinct or directed to establish a precinct with fewer than the minimum number of registered voters may use such a precinct for any election held that year.</i></p> <p>The Department of Elections requires a copy of the minutes from a Board of Supervisors meeting, in which the governing body formally requests a waiver until such a time as redistricting can be completed.</p>				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	Virginia Code Section 24.2-307				
<b>ENCLOSURES:</b>	Official Advisory from the Department of Elections				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other



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DEPARTMENT *of* ELECTIONS

## Official ELECT Advisory

**DATE:** May 6, 2021

**SUBJECT:** Waiver to Administer an Existing Split Precinct

**WHY THIS IS NEEDED:** The Code of Virginia § [24.2-307](#) requires the elimination of split precincts for elections held in November, 2021 and all subsequent elections.

**HOW THIS AFFECTS YOU:** The governing bodies of localities are required to establish precincts that are wholly contained within a single congressional district, Senate district, House of Delegates district, and local election district. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct, it may apply for a waiver. Additionally, if precinct boundaries that are consistent with any Congressional district, Senate district, House of Delegates district, and local election district that will be adopted by the appropriate authority, cannot be established before the 60 day precinct change prohibition pursuant to § [24.2-306](#), a governing body may request a waiver.

**ACTIONS NEEDED:** As delegated by the State Board of Elections on March 31, 2021, ELECT has created a simple waiver application for localities to request to administer a split precinct(s), which the governing body **must** approve to apply for.

Once approved by the governing body, a general registrar can fill out the waiver application and attach the governing body's meeting minutes or resolution. A locality may only administer a split precinct for elections held in the year the waiver is granted.

The waiver application can be accessed here: (<https://fs28.formsite.com/vaelect/SplitWaiver/index.html>).

**CONTACT:** For technical matters:

Submit questions via JIRA ticket to the System Support Team

**For all other matters:**


Regions 1 & 3 (Tidewater & North Central) Zakia Williams:  
[Zakia.Williams@elections.virginia.gov](mailto:Zakia.Williams@elections.virginia.gov); (804) 864-8954

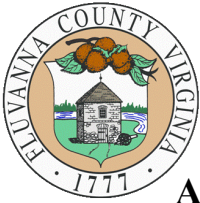
Regions 2 & 5 (South Central & Northern) Taylor Melton:  
[Taylor.Melton@elections.virginia.gov](mailto:Taylor.Melton@elections.virginia.gov); (804) 593-2274

Region 6 (Western) Garry Ellis:  
[Garry.Ellis@elections.virginia.gov](mailto:Garry.Ellis@elections.virginia.gov); (804) 864-8910

Regions 4 & 7 (Southwest & Southern) Tanya Pruett:  
[Tanya.Pruett@elections.virginia.gov](mailto:Tanya.Pruett@elections.virginia.gov); (804) 864-8931

**ADVISORY NUMBER:**

 **CAB-530** - Waiver to Administer an Existing Split Precinct PUBLISH ADVISORY



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia  
**RESOLUTION No. 15-2020**

**A RESOLUTION APPROVING THE APPLICATION FOR A  
WAIVER TO ADMINISTER A SPLIT PRECINCT FOR  
HOUSE DISTRICTS IN THE COUNTY OF FLUVANNA**

BE IT RESOLVED by the Board of Supervisors of the County of Fluvanna, Virginia:

That the Board of Supervisors approves the application to the Virginia Department of Elections for a waiver to allow the administration of a split precinct by the Fluvanna County Electoral Board and Fluvanna County Registrar's Office for the following split precinct:

<u>Precinct Number &amp; Name</u>	<u>Split District Type</u>
401 - Cunningham	House Districts 55, 56

And, that this resolution shall be in effect from and after its adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at an emergency meeting of the Board held on the 15<sup>th</sup> day of August 2022, by the following vote:

<b>Supervisor</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>MOTION</b>	<b>SECOND</b>
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						

Adopted this 15<sup>th</sup> Day of August 2022  
by the Fluvanna County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Caitlin Solis, Clerk  
Fluvanna County Board of Supervisors  
County Board of Supervisors





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STATE BOARD *of* ELECTIONS

**Waiver to Administer a  
Split Precinct**

Pursuant to Virginia Code § 24.2-307, split precincts must be eliminated in any congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city, unless a waiver is granted by the State Board.

A locality may only administer a split precinct for elections held in the year the waiver is granted (i.e. you must request a new waiver each year), and the governing body of the locality must approve to apply for a waiver to administer a split precinct.

Please type the information below. **Requests must be received at least two (2) weeks before the next scheduled State Board meeting to be heard at that meeting.**

Locality: Fluvanna County Date: 8/15/2022

Contact Name/Title: Joyce Pace, Registrar Phone Number: 434-589-3593

Email Address: jpace@fluvannacounty.org

Date the Governing Body's Meeting Occurred: 8/15/2022

Supporting Documentation (Please Attach):

- Governing Body's Resolution
- Governing Body's Meeting Minutes

Any Previous Waiver Requests Submitted?  Yes  No

If Yes, When? 2021 - waiver request for existing splits in  
Columbia, Fork Union, and Cunningham

Was it Granted?  Yes  No

Precinct #	Precinct Name/District	Please explain the reason for the waiver request and include the number of voters impacted.
401	Cunningham	House District map placed the Town of Scottsville in 55 and the balance of Fluvanna County in 56 -- affects 22+/- voters

*\*You may add additional pages/rows if more space is required.*