

**A RESOLUTION TO APPROVE AN AMENDMENT TO THE POLICY
PERMITTING THE ECONOMIC DEVELOPMENT AUTHORITY OF
FLUVANNA COUNTY, VIRGINIA,
TO PARTICIPATE IN AUTHORITY MEETINGS SUBJECT TO CERTAIN
CONDITIONS PURSUANT TO VIRGINIA CODE SECTION 2.2-3708.3**

WHEREAS, the Board of Directors of the Economic Development Authority of Fluvanna County, Virginia, adopted a policy (“Policy”) at the Authority’s August 8, 2022 regular meeting wherein Directors may request and the Board may approve remote participation for medical or personal reasons; and

WHEREAS, there is a proposed amendment to the Policy to correct the Virginia Code citation to Section 2.2-3708.3.

NOW, THEREFORE, BE IT RESOLVED ON THIS 8th DAY OF April 2024, that the Economic Development Authority of Fluvanna County, Virginia, hereby adopts the following Remote Electronic Participation Policy:

Remote Electronic Participation

The Authority will permit an Authority member to participate in an Authority meeting electronically from a remote location, provided that:

- A. Notification to Chair of Inability to Attend Because of Disability, Medical Condition, or Personal Matter.** On or before the day of the meeting, the Authority member shall notify the Chair that the member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member’s physical attendance; ii) a family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance; or (iii) a personal matter and identifies with specificity the nature of the personal matter, such as a family event or business commitment. If the Chair is unable to attend, then the Chair must notify the Vice Chair and Assistant Secretary’s Office.

- B. Quorum Physically Assembled; Approval of Remote Electronic Participation.** A quorum of the Authority must be physically assembled at the primary or central meeting location. The Authority members present must approve the participation. However, the decision shall be based solely

on the criteria in Section A without regard to the identity of the member or matters that will be considered or voted on during the meeting.

- C. **Duty of Secretary to Record Action.** If the Authority approves the member's participation through electronic communication, the Secretary shall record in the Authority's minutes the remote location from which the member participated, which need not be open to the public. If electronic participation is approved for a disability or medical condition, the minutes must simply state that fact. If electronic participation is approved for personal matter, the minutes must identify the specific nature of the personal matter cited by the member. If the absent member's remote participation is disapproved because participation would violate this policy, the disapproval must be recorded in the Authority's minutes with specificity.

- D. **Audibility of Absent Member.** The Chair or designee shall arrange for the voice of the absent Authority member to be heard by all persons in attendance at the meeting location. If, for any reason, the voice of the absent member cannot reasonably be heard, the meeting may continue without the participation of the absent member.

- E. **Limitation on Remote Electronic Participation in Calendar Year.** Electronic participation by the absent member as provided in this Rule for a personal reason shall not exceed two Authority meetings or 25 percent of the meetings held in a calendar year rounded up to the next whole number, whichever is greater. (Virginia Code § 2.2-3708.3)

- F. A member's remote electronic participation, if approved by the Authority, is not considered an absence.

- G. This Policy is an adoption of Virginia Code Section 2.2.-3708.3 (B) and is restated to fulfill the written policy requirement and for convenience. Future amendments to statutory provisions related to the conduct of meetings by remote electronic means are hereby incorporated mutatis mutandis without requiring formal action of the Authority.

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MOTION

I move the Authority to adopt this Resolution as its amendment to the written policy authorizing remote electronic participation.

I, Rudy Garcia, do hereby certify that the foregoing writing is the Resolution duly adopted by the Economic Development Authority of Fluvanna County, Virginia, by a vote of 6 to 0 as recorded below, at a meeting held on April 8, 2024.



Rudy Garcia, Chair

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Rudy Garcia, Chair	✓					
Joshua Bower, Vice Chair	✓					
Valerie Palamountain, Secretary	✓					
Ben Hudson, Treasurer	✓					
Jeffrey Potter	✓					
Brittany Gray	✓					
Raghvendra Singh				X		