



AGENDA
Spotsylvania County
Board of Supervisors Meeting
Board Room/Richard E Holbert Building

**January 12, 2021
4:30 PM**

Call to Order

Organization of the Board of Supervisors

1. Organization of the Board of Supervisors
2. Adoption of the Board of Supervisors' Bylaws and Code of Ethics

Pledge of Allegiance, Invocation

Approval of Agenda Including Possible Agenda Additions

1. Direction Requested on \$2.4 Million Reserved for Schools
2. Direction Requested on \$2.0 Million Reserved for County Technology and Building Access Improvements
3. Request to Approve an Additional 1.00 FTE for a Child Protective Services Supervisor Position
4. Authorization to Advertise Public Hearings for Amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment
5. MOU Agreement Between Health Department and the County for FREM to Assist in COVID Vaccine

Presentation of Consent Agenda

1. Approval of the Minutes of the December 8, 2020 Board of Supervisors Meeting
2. Appointment of Gerald Childress to the Planning Commission (Chancellor District)
3. Appointment of Nicole Cole to the Citizen Budget Review Committee (Salem District)
4. Approval of Contract to Mid-Atlantic Communications, Inc. for Mobile Equipment Installation Services for FREM.
5. Approval of Waiver of Protective Covenants of Spotsylvania County Industrial Park for Monument Fifteen, LLC
6. Approval of a Letter Supporting a Limited Access Change for I-95 Exit 126 along U.S. Route 1

SB

7. Resolution to Authorize in Absence of the County Administrator
8. US 17 Limited Access Break Request for New Post 7-Eleven

Public Comment on Consent Agenda

Vote on Consent Agenda

Public Presentations

Board Reports

Presentations/Reports by Staff

1. Seeking Direction for Internal Audit Function
2. Department of Social Services (DSS) Advisory Board Presentation
3. Budget Adjustment & Appropriation for Bonuses Stemming from State Requirement for Bonuses for Certain Sheriff's Office Positions
4. FEMA Flood Insurance Rate Map (FIRM) Revisions
5. Overview of Geohub Site for Review and Comment on the Draft Comprehensive Plan
6. Residential Refuse Decal Presentation

County Administrator/County Attorney Reports

1. Informational Matters

Recess

Closed Meeting

1. Closed Meeting

Public Presentations - Cont. 6:30 PM (3 minutes per speaker)

Public Hearings

1. Public Hearing for Lease Office Space for Congresswoman Abigail Spanberger
2. Public Hearing for the FY 21-26 Secondary Six Year Transportation Improvement Plan

New Business

1. Next Board of Supervisors Meeting is January 26, 2021 at 6:00 p.m.

Adjournment

The finalized agenda may be found on the County website at www.spotsylvania.va.us under the Board of Supervisors tab on or before the Saturday preceding the meeting date. By order of the Spotsylvania County Board of Supervisors, the Board reserves the right to amend this agenda on the day of the Board meeting. The Board of Supervisors encourages the participation of all County citizens. For those with special needs, please notify the County Administrator's Office of any accommodation required prior to the meeting you wish to attend.

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Organization of the Board of Supervisors

Type: Action

Agenda Title: Organization of the Board of Supervisors

Organize the Board of Supervisors for calendar year 2021 in accordance with Section 2-4 of the Bylaws by doing the following:

Recommendation:

1. Elect the Chair and Vice-Chair in accordance with the Bylaws
2. Determine the seating arrangements
3. Adopt a resolution for the Schedule of Meetings for 2021

Summary:

The first meeting of each year is the annual organizational meeting of the Board of Supervisors. At this time, the Chair and Vice-Chair are elected, and the time and place of meetings are set.

Financial Impact: None

Staff Contacts: Aimee R. Mann, Deputy Clerk

Legal Counsel: None

Additional Background/Other Considerations: None

Consequence of Denial/Inaction: N/A

ATTACHMENTS:

File Name	Description	Type
2021_Schedule_of_Meetings.doc	2021 Schedule of Meetings	Resolution

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021, on a motion by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021-

Adopting the Spotsylvania County Board of Supervisors' Schedule of Meetings for 2021

BE IT RESOLVED by the Spotsylvania County Board of Supervisors, that all Board of Supervisors meetings for 2021 shall be held in the Board Meeting Room of the Holbert Building, 9104 Courthouse Road, Spotsylvania, Virginia 22553, unless otherwise noted in the following schedule, and

BE IT FURTHER RESOLVED, that the dates and times for such meetings shall be in accordance with the following schedule:

Date	Time
January 12	4:30 p.m.
January 26	6 p.m.
February 9	4:30 p.m.
February 23	6 p.m.
March 9	4:30 p.m.
March 23	6 p.m.
March 30.....	6:30 p.m. at Courtland High School
April 6	6 p.m.
April 8	6 p.m.
April 13	4:30 p.m.
April 27	6 p.m.
May 11	4:30 p.m.
May 25	6 p.m.
June 22	4:30 p.m.

July 27 4:30 p.m.
August 10 4:30 p.m.
August 24 6 p.m.
September 14 4:30 p.m.
September 28 6 p.m.
October 12 4:30 p.m.
October 26 6 p.m.
November 9 4:30 p.m.
December 14 4:30 p.m.
January 11, 2022 4:30 p.m.

(SEAL)

A COPY TESTE:

Aimee R. Mann
Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Adoption of the Board of Supervisors' Bylaws and Code of Ethics

Type: Action

Agenda Title: Adoption of the Board of Supervisors' Bylaws and Code of Ethics

Recommendation:

Legal Counsel: Karl R. Holsten, County Attorney

Additional Background/Other Considerations:

Consequence of Denial/Inaction: The Bylaws and Code of Ethics will remain the same.

ATTACHMENTS:

File Name	Description	Type
Code_of_Ethics_2021.PDF	Code of Ethics 2021	Backup Material
BOS_Bylaws_Presentation_1.12.2021_-_REVISED.pdf	BOS Bylaws Presentation	Backup Material
CLEAN_Board_Bylaws_for_2021_1.11.2021.pdf	CLEAN Board Bylaws 2021	Backup Material
DRAFT_Board_Bylaws_for_2021_1.11.2021.pdf	DRAFT Board Bylaws 2021	Backup Material



SPOTSYLVANIA COUNTY CODE OF ETHICS

Preamble

The citizens and businesses of Spotsylvania County, Virginia, are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. In keeping with the County of Spotsylvania's Commitment to Excellence, the effective functioning of democratic government therefore requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Spotsylvania County Board of Supervisors has adopted this Code of Ethics for members of the Board and of the County's boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Spotsylvania County and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Spotsylvania County Board of Supervisors, boards, commissions, and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the Commonwealth of Virginia and the County of Spotsylvania in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Code of the County of Spotsylvania; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and County ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges

or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, and committees, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Board of Supervisors and boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Supervisors by County staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Supervisors or boards, committees and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist, pursuant to the Virginia Conflict of Interest Act.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They shall refrain from accepting any favors, or promises, or suggestions of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Annually, members shall refrain from accepting any gift valued at greater than

\$50.00 or any combination of gifts from a single source valued at greater than \$100.00 in the aggregate. As used in this Code of Ethics, “gifts” shall not include political campaign contributions.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as County staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board of Supervisors or any board, committee, commission or proceeding of the County, nor shall members of boards, committees or commissions appear before their own bodies or before the Board of Supervisors on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the Board of Supervisors, boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions or otherwise speaking without the express direction or authorization of their body, members shall not state they represent their body or Spotsylvania County, nor will they allow the inference that they do.

14. Policy Role of Members

The Board of Supervisors determines the policies of the County with the advice, information and analysis provided by the public, boards, commissions, and committees, and County staff. The Board of Supervisors delegates authority for the administration of the County to the County Administrator.

Members therefore shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of staff to implement Board policy decisions.

15. Independence of Board and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, members of the Board of Supervisors shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee or commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the County, the Spotsylvania County Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Board of Supervisors, applicants to boards, committees and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the Spotsylvania County Code of Ethics. In addition, the Board of Supervisors, boards, committees and commissions, shall annually review the Code of Ethics and the Board of Supervisors shall consider recommendations from boards, committees and commissions to update it as necessary.

18. Compliance and Enforcement

The Spotsylvania County Code of Ethics expresses standards of ethical conduct expected of members of the Spotsylvania County Board of Supervisors, boards, committees and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees and commissions and the Chairman of the Board of Supervisors have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Board of Supervisors may impose sanctions on members whose conduct does not comply with the County's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Board of Supervisors also may remove members of Board-appointed boards, committees and commissions from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Board of Supervisors, board, committee or commission decision.

Model of Excellence

Spotsylvania County Board of Supervisors, Boards, Committees and Commissions

MEMBER STATEMENT

As a member of the Spotsylvania County Board of Supervisors, or of a Spotsylvania County board, committee or commission, I agree to uphold the Code of Ethics for elected and appointed officials adopted by the County and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual members, County staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Spotsylvania County;
- Treat all people with whom I interact in the manner I wish to be treated.

We affirm that we reviewed and adopted this Code of Ethics effective January 12, 2021.

Reviewed and agreed to:

Timothy J. McLaughlin
Chancellor District Supervisor

Deborah Frazier
Salem District Supervisor

David Ross
Courtland District Supervisor

Kevin W. Marshall
Berkeley District Supervisor

Chris Yakabouski
Battlefield District Supervisor

Gary F. Skinner
Lee Hill District Supervisor

Barry Jett
Livingston District Supervisor

Ed Petrovitch
County Administrator

Karl R. Holsten
County Attorney

**Board of
Supervisors
Bylaws:**
Annual Review and
Proposed Changes

Section 2-5

Section 2-5. Quorum and method of voting

- A. At any meeting, a majority of the Board shall constitute a quorum.
- B. All actions authorized by the Board shall be pursuant to an electronic vote except for actions required by law to be taken pursuant to a roll-all vote which shall be taken by a roll-call vote and an action to adjourn which may be taken by an oral vote of "aye" or nay. In the event of a malfunction of the electronic voting system, questions shall be decided by an oral vote of "aye" or "nay" or a roll call vote. The Clerk of the Board or his designee shall announce the result of the vote.
- C. Any member may request a roll call vote at any time.
- D. If there is an abstention, it shall be the responsibility of the Chair to note the abstention for the record and request that the member abstaining state his or her reason for abstaining for the record.
- E. A tie vote fails.
- F. A motion to approve which fails shall be deemed a denial of the question on the floor.

Section 4-1(B)

Section 4-1(B)

B. At regular meetings of the Board on the 4th Tuesday of the month, the order of business shall generally be as follows:

◦ 1.	Call to Order	6:00 p.m.
◦ 2.	Pledge of Allegiance - Invocation	
◦ 3.	Approval of Agenda Including Possible Agenda Additions	6:01 p.m.
◦ 4.	Award Presentations and Special Recognitions	6:02 p.m.
◦ 5.	Presentation of Consent Agenda	6:03 p.m.
◦ 6.	Public Comment on Consent Agenda	
◦ 7.	Vote on Consent Agenda	
◦ 8.	Public Presentations	6:04 p.m.
◦ 9.	Board Reports	
◦ 10.	Public Hearings (if necessary)	6:1030 p.m.
◦ 11.	Presentations/Reports by Others	
◦ 12.	Work Session	
◦ 13.	Closed Meeting (if necessary)	
◦ 14.	Adjournment	9:30 p.m.

Section 4-1(E)(13)

13. Members of the public may submit public comments in writing to be read into the record by County staff. Those desiring to submit written comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Comments submitted through the County's website shall be designated "public comment" when submitted through the website portal designated for these public comments and shall identify the meeting at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked "public comments" and shall identify the meeting at which the comments are to be submitted. Comments not marked for a specific meeting shall be read at the next meeting on or after the date which they are received. Public comments...CONT

Section 4-1 (E) (13) – Cont.

submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written comments not received by County staff by 12:00 PM on the day of a meeting are not required to be presented to the Board. Written comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

Section 4-1 (E) (5)

5. Unless the speaker requires an accommodation, each individual speaker shall address the Board from the podium using only the podium microphone. Any material or information to be displayed on the County computer during the Public Presentations portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided ~~to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting.~~ to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use....
[Remainder of paragraph remains the same]

Section 4-5

...

J. When a vote upon any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side provided that such motion shall be made at the session of the Board at which it was decided. Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration. A vote on any matter previously voted upon at a prior meeting may not be added to any agenda, including under the “Possible Agenda Additions”, or otherwise renewed at any future meeting of the Board unless the motion to renew or request to add is brought forth by a member of the prevailing side of the matter previously voted upon.

Section 5-3(C)

C. The Clerk shall solicit comments from the public. Each speaker must clearly state his or her name, and either his or her address or his or her election district. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. The speaker's time shall not be extended. At the end of each speaker's time, the microphone shall be turned off. No person at a public hearing shall be permitted to yield time to a speaker. Any material or information to be displayed on the County computer by a member of the public during the Public Hearing portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided ~~to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting.~~ to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be... CONT.

Section 5-3(C) - Cont.

...uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Members of the public may submit public hearing comments in writing to be read into the record by County staff. Those desiring to submit written public hearing comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Public hearing comments submitted through the County's website portal designated for these public hearing comments shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked...CONT

Section 5-3(C) - Cont.

“public hearing comments” and shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments not marked for a specific public hearing item on an agenda and not reasonably understood by County Staff to be associated with a public hearing item on an agenda shall be read at the next meeting on or after the date which they are received during the general public comment period. Public hearing comments submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written public hearing comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written public hearing comments not received by County staff by 12:00 PM on the day of a meeting are not required to be presented to the Board. Written public hearing comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

Section 7-1

SECTION 7-1. Preparation.

A. The Clerk shall prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 4-1 entitled "Order of Business."

B. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, Board members may request that items be placed on the agenda by contacting the Clerk at least nine (9) days prior to the Board meeting for which they wish the item scheduled. The Clerk shall place items requested by a Board member on the agenda for the next regular meeting following the request, subject to Paragraph A, of this section.

CONT.

Section 7-1 (Cont.)

C. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, All ~~all~~ items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline shall be placed either on the next regular agenda or, at the requesting Supervisor's discretion, in the "Possible Agenda Additions" section of the current agenda for consideration, provided the request is received by the Clerk no later than 4:00 p.m. two (2) business days prior to the meeting for which it is being requested to be considered. This section shall be labeled as Possible Agenda Additions at the end of the proposed agenda.

D. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, Nothing ~~nothing~~ herein prohibits the Board from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Items in the Possible Agenda Additions section of the agenda must be ratified for inclusion on the current meeting's agenda using this process. Members must use discretion in requesting the addition to items on the agenda. It is considered desirable to have items listed on the published agenda.

CONT.

Section 7-1 (Cont.)

E. At the beginning of each meeting, after the Call to Order and Invocation, and prior to the Consent Agenda being addressed, the Board shall vote to set the agenda for the meeting. Items submitted under Possible Agenda Additions, as well as other additions a Supervisor may wish to propose except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, shall be considered for the agenda, and may be added as prescribed in subsection 7-1(D). Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, Items items not accepted on the current meeting's agenda shall automatically be placed on the next meeting's agenda unless withdrawn by the requesting Supervisor.



QUESTIONS?

SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS BYLAWS



SECTION 1 - PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of By-Laws and Rules of Procedure

- A. To enable County government to transact business expeditiously and efficiently affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Board Member;
- C. To preserve a spirit of cooperation among Board members; and
- D. To determine the will of the Board on any matter.

Section 1-2. Five basic principles underlying By-Laws and Rules of Procedure

- A. Only one subject may claim the attention of the Board at one time;
- B. Each item presented for consideration is entitled to full and free discussion;
- C. Every member has rights equal to every other member;
- D. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- E. The personality and desires of each member should be merged into the larger unit -- the Spotsylvania County Board of Supervisors.

SECTION 2 – MEETINGS

Section 2-1. When and where regular meetings held

The time and place of regular meetings of the Board of Supervisors (hereinafter referred to as the Board) shall be established at each annual organizational meeting. Regular meetings shall be held in the Board of Supervisors Meeting Room of the R. E. Holbert Memorial Building on the 2nd Tuesday of each month at 4:30 p.m. and on the 4th Tuesday of most months at 6:00 p.m.

Section 2-1.1. Continued Meetings

A regular meeting shall be continued to the immediately following Thursday at the same time and place as the regular meeting if the Chair, or Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Section 2-2. Meeting termination

Meetings of the Board shall terminate not later than 12:00 midnight; provided, however, with majority consent of those members present, a meeting may be extended.

Section 2-3. Special or Emergency Meetings

A. The Board may hold such special or emergency meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. A special or emergency meeting of the Board shall be called pursuant to Section 15.2-1417 of the Code of Virginia (1950), as amended.

B. Special or emergency meetings may be called by the Chairman or any two (2) members in writing to the County Administrator for any purpose stated in the notice of the special or emergency meeting pursuant to Section 15.2-1418 of the Code of Virginia (1950), as amended. Only matters specified in the notice shall be considered unless all of the members of the Board are present.

C. Notice, reasonable under the circumstances, to the public of any special or emergency meeting shall be given contemporaneously with the notice provided the members of the Board and the County Attorney.

Section 2-3.1. Legal Holiday

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.

Section 2-4. Annual organizational meetings

A. The first meeting in January of each year shall be known as the annual meeting. The County Administrator shall preside during the annual meeting pending the election of the Chair of the Board.

B. The Chair shall be elected at the annual meeting for a term of one year, ending at the commencement of the organizational meeting the following year.

C. Following the election of the Chair, he or she shall assume the Chair and conduct the election of the Vice Chair for the same term.

D. Following the election of the Vice Chair, the Board shall:

1. Establish dates, times and places for the regular meetings; and
2. Adopt its By-Laws and Rules of Procedure and Code of Ethics.

Section 2-4.1. Procedure for Election of Officers

A. The following procedures shall be followed to elect the Chairman and Vice-Chairman:

1. The presiding officer shall call for nominations from the membership.
2. Any member, after being recognized by the presiding officer, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
3. When all nominations have been made, the presiding officer shall close the nominating process and call for the vote.
4. The presiding officer shall call the name of each nominee in the order nominated and tally the respective votes.
5. Each member may cast one vote for any one nominee.
6. A majority of those voting shall be required to elect the officer.

B. Officers shall serve until replaced.

Section 2-4.2. Seating Arrangement

The Board Chair shall occupy the center seat on the dias with the Vice Chair occupying the seat at his or her immediate left. The remaining members of the Board shall determine their seating arrangement by seniority with the most senior member selecting his or her seat first and

the remaining members selecting their respective seats in seniority order based on years served on the Board. In the event that two or more Board members have equal seniority, the selection of seating for those members shall be by alphabetical order.

Section 2-5. Quorum and method of voting

- A. At any meeting, a majority of the Board shall constitute a quorum.
- B. All actions authorized by the Board shall be pursuant to an electronic vote except for actions required by law to be taken pursuant to a roll-call vote which shall be taken by a roll-call vote and an action to adjourn which may be taken by an oral vote of “aye” or “nay”. In the event of a malfunction of the electronic voting system, questions shall be decided by an oral vote of “aye” or “nay” or a roll call vote. The Clerk of the Board or his designee shall announce the result of the vote.
- C. Any member may request a roll call vote at any time.
- D. If there is an abstention, it shall be the responsibility of the Chair to note the abstention for the record and request that the member abstaining state his or her reason for abstaining for the record.
- E. A tie vote fails.
- F. A motion to approve which fails shall be deemed a denial of the question on the floor.

Section 2-6. Closed Meeting

- A. Closed Meetings should only be used when the matter to be discussed is too sensitive for discussion in public.
- B. No meeting shall become a Closed Meeting until the Board takes an affirmative record vote in open session. Any member dissenting in such vote shall state the reason for the dissent.
 - 1. The motion shall state specifically the purpose or purposes which are the subject of the meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the Closed Meeting.
 - 2. Members shall request the assistance of the County Attorney when making additions to the published Closed Meeting agenda.
- C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Meeting shall become effective until the Board reconvenes in an open meeting and takes

a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

D. At the conclusion of a Closed Meeting, the Board shall reconvene in open session immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements were discussed; and
2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

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

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

F. The Board may permit non-members to attend a Closed Meeting if their presence will reasonably aid the Board in its consideration of an issue.

SECTION 3 – OFFICERS

Section 3-1. Chair and Vice Chair

A. The Chair shall preside over all meetings of the Board. The Vice Chair serves in the absence of the Chair. In the absence from any meeting of both the Chair and Vice Chair, the members present shall choose one of their members as temporary chair.

B. Except as set forth otherwise in the approved bylaws of a Board Committee or as controlled by ordinance, the Chair shall make all appointments to committees created by the motion or resolution of the Board ("Board Committees"). Such appointees shall serve for a one year term that ends upon the expiration of the Chair's term at the commencement of the organizational meeting the following year. A member's status as an appointee to a Board Committee terminates contemporaneously with his or her termination of status as a Board member, whether by resignation, end of elected term, or otherwise. Substitutes or alternates to Board Committees may participate only if so authorized by the Chair.

Section 3-2. Clerk

The Clerk of the Board shall be the County Administrator and his or her duties, responsibilities and compensation shall be as set out in Sections 15.2-1538 and 15.2-1539 of the

Code of Virginia (1950), as amended. The Clerk shall also be the timekeeper for all time limited presentations and advise the Chair when time for a report or presentation has expired.

Section 3-3. Parliamentarian

The County Attorney, or his designee, shall serve as the Parliamentarian for the purpose of interpreting these By-Laws and Rules of Procedure, Robert's Rules of Order and the Code of Virginia (1950), as amended, as may be directed by the Chair, or as required as result of a point of order raised by any one or more Board members. If the County Attorney or his designee is unavailable, the County Administrator shall serve as the Parliamentarian.

Section 3-4. Preservation of order

A. At meetings of the Board, the presiding officer shall preserve order and decorum.

B. Board members shall not speak until recognized by the Chair. Board members shall address the Chair or address other members through the Chair. After being recognized by the Chair, a Board member shall not be interrupted, except when a point of order is called or when requested to yield the floor by another member.

SECTION 4 – CONDUCT OF BUSINESS

Section 4-1. Order of business

A. At regular meetings of the Board on the 2nd Tuesday of the month, the order of business shall generally be as follows:

1.	Call to Order	4:30 p.m.
2.	Pledge of Allegiance - Invocation	
3.	Approval of Agenda Including Possible Agenda Additions	4:31 p.m.
4.	Award Presentations and Special Recognitions	4:32 p.m.
5.	Presentation of Consent Agenda	4:33 p.m.
6.	Public Comment on Consent Agenda	
7.	Vote on Consent Agenda	
8.	Public Presentations	
9.	Board Reports	
10.	Board Work Session (if necessary)	
11.	VDOT Report	
12.	Presentations/Reports by Staff	
13.	County Administrator/County Attorney Reports	
14.	Recess	5:00 p.m.
15.	Closed Meeting (if necessary)	5:15 p.m.
16.	Reconvene; Certification of Closed Meeting	6:15 p.m.
17.	Public Presentations	6:30 p.m.
18.	Public Hearings (if necessary)	6:30 p.m.
19.	New Business	

20. Unfinished Business
21. Public Presentations Continued (if necessary)
22. Adjournment 9:30 p.m.

B. At regular meetings of the Board on the 4th Tuesday of the month, the order of business shall generally be as follows:

1. Call to Order 6:00 p.m.
2. Pledge of Allegiance - Invocation
3. Approval of Agenda Including Possible Agenda Additions 6:01 p.m.
4. Award Presentations and Special Recognitions 6:02 p.m.
5. Presentation of Consent Agenda 6:03 p.m.
6. Public Comment on Consent Agenda
7. Vote on Consent Agenda
8. Public Presentations 6:04 p.m.
9. Board Reports
10. Public Hearings (if necessary) 6:30 p.m.
11. Presentations/Reports by Others
12. Work Session
13. Closed Meeting (if necessary)
14. Adjournment 9:30 p.m.

C. The above orders of business may be modified by the County Administrator to facilitate the business of the Board.

D. Board members' reports are limited to 5 minutes each. This time may be extended at the discretion of the Chair.

E. Presentations by the public are governed by the following rules:

1. Public Presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Board. They shall not serve as a forum for debate with the Board.
2. Remarks shall be addressed directly to the Board and not to staff, the audience or the media.
3. The Chair shall open the Public Presentations.
4. The Clerk will explain the Public Presentations policy and will call on individuals who have signed up to speak. At the conclusion of those presentations other speakers may be permitted to speak.
5. Unless the speaker requires an accommodation, each individual speaker shall address the Board from the podium using only the podium microphone. Any material or information to be displayed on the County

computer during the Public Presentations portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building. Only one person is permitted to stand at the podium at a time. Each speaker shall clearly state his or her name, and either his or her address or his or her election district.

6. There shall be a time limit for each individual speaker of three (3) minutes. If a speaker represents a group, there shall be a time limit of five (5) minutes. The speaker's time shall not be extended. At the end of each speaker's time, the microphone shall be turned off. No person at a public presentation shall be permitted to yield time to a speaker. No speaker shall address the Board more than once during Public Presentations at any single Board meeting.
7. There shall be no comment during Public Presentations on a matter for which a public hearing is scheduled during the same meeting or on an item on the Consent Agenda at that same meeting.
8. There shall be no comment during Public Presentations on a matter that has already been the subject of a previous public hearing where no final vote has been taken.
9. Any issue raised by the public which the Board wishes to consider may be put on the agenda for the next Board meeting by a majority vote.
10. Board members shall not discuss issues raised by the public except by consent of a majority of the Board members present.
11. Public comment shall be germane to policies, affairs, and services of the county government. Public comment shall not be used to make political campaign speeches or private advertisements.
12. The above rules notwithstanding, members of the public may present written comment to the Board or to individual Board members at any time during the meeting. Such written comments shall be submitted through the Clerk.

13. Members of the public may submit public comments in writing to be read into the record by County staff. Those desiring to submit written comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Comments submitted through the County's website shall be designated "public comment" when submitted through the website portal designated for these public comments and shall identify the meeting at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked "public comments" and shall identify the meeting at which the comments are to be submitted. Comments not marked for a specific meeting shall be read at the next meeting on or after the date which they are received. Public comments submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written comments not received by County staff by 12:00 P.M. on the day of a meeting are not required to be presented to the Board. Written comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

Section 4-2. Consent Agenda

- A. The Consent Agenda shall be presented by the County Administrator.
- B. After the Consent Agenda has been presented by the County Administrator, the Chair shall open public comment on any item or items on the Consent Agenda prior to any item being removed from the Consent Agenda by a Board member pursuant to Section 4-2 (E). Public comment on any item or items on the Consent Agenda shall be governed by the same requirements set out in Section 5-3 (C) herein.
- C. The vote on the Consent Agenda shall be introduced by a motion "to approve," and shall be considered by the Board as a single item.
- D. There may be a short discussion of Consent Agenda items to answer questions or clarify a matter. There shall be no lengthy debate or discussion of a Consent Agenda item.
- E. After public comment, if any, and upon request of any Board member, an item or items shall be removed from the Consent Agenda and transferred on the agenda for consideration immediately following the vote to approve the Consent Agenda.

Section 4-3. Conduct of Meetings

When two or more members of the Board wish to speak at the same time, the Chair shall name the one to speak. The Chair may call a brief recess at any time. The Chair may order the expulsion of a disorderly member of the public, subject to appeal to the full Board.

Section 4-4. Form of petitions, etc.

Every petition, communication or address to the Board shall be in respectful language and is encouraged to be in writing.

Section 4-5. Motions

A. Members are required to obtain the floor before making motions or speaking, which they can do while seated.

B. Motions need not be seconded.

C. Informal discussion of a subject is permitted while no motion is pending.

D. While a motion is pending, it is the main motion. A member other than the proponent of the main motion may move to make a perfecting amendment, also known as a friendly amendment. A perfecting amendment proposes changes to the wording of the main motion that are designed to improve the main motion. A perfecting amendment cannot be accepted or rejected by the proponent of the main motion. It requires an affirmative vote of the Board to adopt a perfecting amendment.

E. While a motion is pending, a member other than the proponent of the main motion may make a substitute motion. A substitute motion is intended to replace the main motion rather than to amend it.

F. Perfecting amendments and substitute motions shall be allowed to any main motion. Perfecting amendments take precedence over substitute motions and may be discussed prior to being voted on. Only one perfecting amendment may be made at a time, but subsequent perfecting amendments may be made after the resolution of each preceding perfecting amendment. Once the perfecting amendments have been voted on, any substitute motion shall have precedence over the main motion and may be discussed prior to being voted on. If the substitute motion fails, the main motion, as amended by any adopted perfecting amendments, can then be voted on. If the substitute motion passes, the substitute motion shall be deemed the main motion and shall stand as having been passed by such vote. If a substitute motion fails, a second substitute motion may be made. No more than two (2) substitute motions may be made.

G. The Chair need not rise while putting questions to vote.

H. The Chair can speak in discussion without rising or leaving the chair; and, can make motions and vote on all questions.

I. A motion to call the question is not in order until every member of the Board has had an opportunity to speak.

J. When a vote upon any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side provided that such motion shall be made at the session of the Board at which it was decided. Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration. A vote on any matter previously voted upon at a prior meeting may not be added to any agenda, including under the "Possible Agenda Additions", or otherwise renewed at any future meeting of the Board unless the motion to renew or request to add is brought forth by a member of the prevailing side of the matter previously voted upon.

K. A motion to rescind shall not be in order for a land use decision involving a rezoning or a special use permit.

Section 4-6. Decisions on points of order

The Chair, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order. A Board member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

Section 4-7. Motion to adjourn

At a meeting of the Board, a motion to adjourn shall always be in order.

Section 4-8. Suspending rules

One or more of these By-Laws and Rules of Procedure may be suspended temporarily by a two-thirds vote of the members present, or by unanimous consent.

Section 4-9. Robert's Rules of Order

The proceedings of the Board, except as otherwise provided in the By-Laws and Rules of Procedure and by applicable state law, shall be governed by Robert's Rules of Order.

SECTION 5 – PUBLIC HEARINGS

Section 5-1. Chair to conduct public hearings

The Chair shall conduct all public hearings.

Section 5-2. Hearing presentations

Hearings may begin with a brief presentation from a staff member or a representative from the cognizant board, authority, commission or committee by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

Section 5-3. Order of public hearings

The order of public hearings shall be as follows:

A. The Chair shall open the public hearing.

B. In land use cases the applicant and his or her representative(s) shall be the first speaker(s) after the staff presentation. There shall be a time limit of ten (10) minutes for the applicant's and his or her representative's presentation. The use of conceptual plans, renderings, and similar graphic exhibits shall be prohibited in the course of hearings on applications for rezonings and special use permits unless the applicant shall first have provided the Board with instruments executed in such form as to assure development and construction in conformity with any such conceptual plan rendering or similar graphic exhibit.

C. The Clerk shall solicit comments from the public. Each speaker must clearly state his or her name, and either his or her address or his or her election district. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. The speaker's time shall not be extended. At the end of each speaker's time, the microphone shall be turned off. No person at a public hearing shall be permitted to yield time to a speaker. Any material or information to be displayed on the County computer by a member of the public during the Public Hearing portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Members of the public may submit public hearing comments in writing to be read into the record by County staff. Those desiring to submit written public hearing comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Public hearing comments submitted through the County's website portal designated for these public hearing comments shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked "public hearing comments" and shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments not marked for a specific public hearing item on an agenda and not reasonably understood by County staff to be associated with a

public hearing item on an agenda shall be read at the next meeting on or after the date which they are received during the general public comment period. Public hearing comments submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written public hearing comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written public hearing comments not received by County staff by 12:00 P.M. on the day of a meeting are not required to be presented to the Board. Written public hearing comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

D. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

E. Upon the conclusion of public comments or the applicant's rebuttal in a land use case, the Chair shall close the public hearing.

Section 5-4. Close of hearing

When a public hearing has been closed by the Chair, no further public comment shall be permitted. Board members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, or committee, or a staff member for clarification prior to taking any vote, if a vote is in order.

Section 5-5. Debate

Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

SECTION 6 – APPEAL PROCEDURES

Section 6-1 Hearing presentations

Hearings may begin with a brief presentation from one or more staff members and any witnesses staff wishes to present. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

The appellant or his or her representative(s) may present next. There shall be a time limit of fifteen (15) minutes for the appellant's and his or her representative's presentation. The appellant can present other witnesses during his or her time period, if desired.

There shall be no cross-examination. Board members, however, may direct questions to the appellant, the staff member(s), and any witnesses for clarification prior to taking any vote, if a vote is in order.

Section 6-2 Debate

The Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

SECTION 7 – AGENDA

Section 7-1. Preparation

A. The Clerk shall prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 4-1 entitled "Order of Business."

B. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, Board members may request that items be placed on the agenda by contacting the Clerk at least nine (9) days prior to the Board meeting for which they wish the item scheduled. The Clerk shall place items requested by a Board member on the agenda for the next regular meeting following the request, subject to Paragraph A, of this section.

C. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, all items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline shall be placed either on the next regular agenda or, at the requesting Supervisor's discretion, in the "Possible Agenda Additions" section of the current agenda for consideration, provided the request is received by the Clerk no later than 4:00 p.m. two (2) business days prior to the meeting for which it is being requested to be considered. This section shall be labeled as Possible Agenda Additions at the end of the proposed agenda.

D. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, nothing herein prohibits the Board from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Items in the Possible Agenda Additions section of the agenda must be ratified for inclusion on the current meeting's agenda using this process. Members must use discretion in requesting the addition to items on the agenda. It is considered desirable to have items listed on the published agenda.

E. At the beginning of each meeting, after the Call to Order and Invocation, and prior to the Consent Agenda being addressed, the Board shall vote to set the agenda for the meeting. Items submitted under Possible Agenda Additions, as well as other additions a Supervisor may wish to propose except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, shall be considered for the agenda, and may be added as prescribed in subsection 7-1(D). Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, items not accepted on the current meeting's agenda shall automatically be placed on the next meeting's agenda unless withdrawn by the requesting Supervisor.

Section 7-2. Tabled Land Use Cases

A. Land use cases tabled for six months or less shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than nine (9) days prior to a scheduled Board meeting, any Board member may instruct the Clerk to place the case on the agenda.
- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook.
- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted on at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future meeting. Upon approval by a majority vote of the members present and voting, the case will be placed on the agenda.
- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the matter off the table to be voted. Upon a vote of two-thirds of the Board members present and voting, the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

B. Land use cases tabled for longer than six months shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than fourteen (14) days prior to a scheduled Board meeting, any Board member may instruct the County Administrator to place the case on the agenda for that meeting. The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting.

- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook.
- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future Board meeting not less than fourteen (14) days from the date of the meeting at which the motion is made. Upon approval by a majority of the members present and voting, the case will be placed on the specified agenda.
- (b) The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting. In addition, the Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the case off the table to be voted. Upon a unanimous vote of the Board members present and voting, the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

Section 7-3. Delivery of Agenda

The Board notebook, including the agenda and related materials, shall be received by each member of the Board and the County Attorney seven (7) days prior to each regularly scheduled Board meeting. All documents related to an agenda item should be prepared and submitted to the Clerk in time to be included in the Board notebook.

Section 7-4. Copies

The Clerk shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator. The Clerk shall also have copies available at each meeting.

Section 7-5. Comments, queries of Board members

Board members are to observe the following rules during the discussion of agenda items:

- A. Comments of Board members must be constructive. The Chair shall ensure that comments are constructive.
- B. The Chair shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The Chair shall rule other comments out of order.
- C. Board Members may address questions to the County Administrator or staff present at the meeting. Staff members should be at the podium or speaker's table when answering Board members' questions. All legal questions should be addressed to the County Attorney.

SECTION 8 - BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

Section 8-1. Appointments to boards, authorities, commissions, and committees

Members of boards, authorities, commissions and committees not created by the motion, resolution, or ordinance of the Board shall be appointed by consent of the Board. Proposed appointments shall be included in the Consent Agenda. Resumes, curricula vitae, or other materials which demonstrate the qualifications of the prospective appointee should be included unless the prospective appointee previously has served as a Board appointee. Subject to any state law provisions to the contrary, appointees' terms shall run concurrently with the term of the Board member making the motion to appoint, unless a shorter term is specified by the Board. Subject to any state law provisions to the contrary, all appointees to boards, commissions and committees serve and may be removed, with or without cause, at the pleasure of the Board.

Section 8-2. Attendance

A. Members of any Board Committee, or of any committee to which the Board of Supervisors appoints a member, shall be expected to attend every scheduled meeting of the committees to which they have been appointed. It shall be the duty of the chairman of any Board Committee to report the attendance of committee members annually to the Board of Supervisors. Any member of a committee who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of the committee in any year, at the discretion of the Board of Supervisors, may be deemed to have forfeited his or her membership on the committee. In the event that the Board of Supervisors determines that a committee member has forfeited his or her appointment pursuant to this section, the Clerk of the Board of Supervisors shall notify, in writing, the committee member of his or her removal from the committee based upon his or her failure to attend the required percentage of scheduled meetings and shall thank the member for his or her service to the community. Upon the appointment of any committee member, the Clerk of the Board of Supervisors shall forward to the member a copy of this section.

B. Notwithstanding the foregoing provision, a member of the Planning Commission may be removed from office by the Board of Supervisors without limitation in the event that the commission member is absent from any three (3) consecutive meetings of the commission, or is absent from any four (4) meetings of the commission within any twelve (12) month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

Section 8-3. Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees

A. Any board, authority, commission or committee established by the Board of Supervisors, whether by ordinance, resolution, or motion and whether a standing or ad hoc committee, shall be governed by bylaws submitted to and approved by the Board of Supervisors.

B. The bylaws of the nine (9) standing Board Committees (Capital Construction Committee, Citizen Budget Review Committee (CBRC), Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and Transportation Committee (the “Standing Committees”)) are set forth in the appendix to these Bylaws. The Board shall make any changes to the bylaws of a Standing Committee by simple majority vote.

SECTION 9 – GENERAL OPERATING POLICY

Section 9-1. Citizens Contacting Board Members

Members of the Board who are contacted by a citizen living in an election district other than the election district which the Board member represents, should recommend that the citizen contact his or her respective Board member and should further advise the Board member in whose election district the citizen resides or owns property of the purpose of the contact.

Section 9-2. Actions by individual members of the Board

It shall be the policy of the Board that no one member shall exert individual action or direct any county employee or initiate any action that would require a county employee to perform any action contrary to the laws, ordinances or policies of Spotsylvania County or which would require the expenditure of public funds in any amount without the approval of the Board.

Section 9-3. Expenses of members of the Board

It shall be the policy of the Board that each member shall be responsible for his or her own reimbursable expenses, which includes meals, hotel accommodations, and travel. Special transportation charges and other charges related to attendance at seminars or conferences may be charged to the county or covered through other arrangements as may be made by the County Administrator.

Section 9-4. Numbering and indexing of resolutions, ordinances, and proclamations

It shall be the responsibility of the Clerk to number and index all resolutions, ordinances and proclamations of the Board. The resolutions shall be numbered consecutively, and use the last two digits of the calendar year. Example: for the first resolution in January, 1993, the resolution number would be shown as: Resolution No. 93-01. Proclamations shall also be numbered consecutively.

Section 9-5. Minutes of the Board meetings

The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings and a summary of the Board's proceedings at each meeting. They shall reflect the issues discussed and Board comments. Minutes shall be considered for approval within thirty (30) days of the meeting they record.

Section 9-6. Complaints

A. Any complaint made to the Board or a Board member alleging that any Board member or Board appointee violated the Board's Code of Ethics or similar policy or other governing rules adopted or approved by the Board, and any complaint regarding the character and fitness of any prospective candidate for a Board appointment, shall be submitted to the Clerk and then forwarded by the Clerk to the Board members and the County Attorney and, if a complaint regarding a Board appointee, also to the other members of the Board Committee on which the Board appointee sits, for their consideration.

B. Any complaint regarding the character and fitness of any prospective candidate for a Board appointment, shall, to the extent permitted by law, be discussed by the Board in a Closed Meeting. This shall not be interpreted to limit the Board's consideration of any other matter which may be discussed in a Closed Meeting pursuant to law.

C. Any Board member may, on behalf of the Board, request an opinion of the County Attorney regarding any matter identified in Section 9-6 (A) and may present information for the County Attorney's consideration. Board members shall maintain the confidentiality of any opinion provided by the County Attorney or the Office of the County Attorney and any other attorney-client privileged communication or attorney work product related to this or any other matter unless otherwise authorized by the Board. This shall not be interpreted to limit a Board member from requesting an opinion of the County Attorney on any other matter.

D. The Board shall ensure a response is provided to the complainant within forty-five (45) days after the completion of the Board's inquiry.

E. Any action by the Board to appoint, remove, discipline, demote, or to undertake any similar action regarding any Board member or Board appointee, as applicable and allowed by law, shall not be effective until the Board acts in an open meeting and takes a vote of the membership on such action.

Section 9-7. Amending bylaws

These bylaws may be amended with the concurrence of two-thirds of the members present at any meeting subsequent to the introduction of a suggested bylaws amendment.

APPENDIX

CAPITAL CONSTRUCTION COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Capital Construction Committee (the “Committee”).

Section 1-2. Object.

The committee comprehensively examines options, costs, benefits and impacts of decisions in order to gain consensus of the Board of Supervisors (the “Board”) on project-related issues.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The Capital Construction Committee shall have five members: two members of the Board as annually appointed by the Chairman of the Board of Supervisors, the County Administrator, the Division Director of Capital Construction, and the Director of Public Utilities/Public Works.

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The Capital Construction Committee functions without officers. Minutes of the meetings are recorded and reports made to the Board as the Committee deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

The Capital Construction Committee meets the second Friday of every month except January at 10:00 a.m. Meetings are not public.

CITIZEN BUDGET REVIEW COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Citizen Budget Review Committee (the “CBRC”).

Section 1-2. Object.

The CBRC exists to review the County Administrator’s Recommended Budget and the School Board’s Proposed Budget to ensure BOS priorities are met in the most cost effective manner, and to report to the Board of Supervisors (BOS) information and potential adjustments to the budget to increase effectiveness and efficiency in achieving BOS budget priorities. In addition, the CBRC, at the request of the BOS, shall conduct studies of financial issues and report results to the BOS.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

At beginning of the term of a Supervisor, and at the first regular meeting of the Board of Supervisors, with the approval of the other Supervisors, that Supervisor shall appoint one member and may appoint one alternate to the Citizen Budget Review Committee. The term of any appointee shall coincide with the term of the appointing Supervisor, unless that appointment is terminated earlier by the appointing Supervisor, by the vote of a simple majority of the Board of Supervisors, or by the resignation of the appointee. In the event an appointment is vacated prior to the normal expiration date, the appointing Supervisor shall appoint a replacement member to serve for the remainder of that Supervisor’s term of office, subject to approval of the BOS as a whole.

Section 2-2. Regular Members and Alternates.

The CBRC shall be made up of seven (7) members. A member shall be a citizen of Spotsylvania County. Members of the committee should be citizens with prior expertise in public or private sector budgeting. Citizens should represent a cross-section of communities of interest within the county (i.e. suburban, rural, business, etc.). Each member of the Board of Supervisors may appoint one alternate, subject to the alternate’s approval by the BoS as a whole. An alternate shall be a voting member of the CBRC only when serving at a regular meeting in the place of the regular member whom the alternate was appointed to replace.

Section 2-3. Absences.

Members are expected to fully participate in the activities of the committee, including attendance

at all regular and special meetings. In addition, members shall actively engage in the review, analysis and evaluation of budgets as well as projects assigned to them. Member absences for three consecutive meetings, or overall attendance at 75% or less of the meetings in a one year period, shall be reported by the Chairman to the appointing Supervisor.

Section 2-4. No Compensation.

CBRC members shall serve without monetary compensation.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

The principal Officers of the CBRC shall be the Chairman, Vice-Chairman and Secretary, all of whom shall be elected from the membership, by the membership.

Section 3-2. Chairman.

The Chairman shall preside at all meetings. S/he shall be responsible for direct coordination with the County Administrator on all issues affecting the operation of the committee, as well as material issues revealed during the efforts of the committee.

Section 3-3. Vice-Chairman.

The Vice Chairman shall take the place of the Chairman and perform the Chairman's duties whenever the Chairman is absent or unable to act. The Vice Chairman shall also perform other duties as requested by the Chairman and approved by a majority of the membership.

Section 3-4. Secretary.

The Secretary shall keep the minutes of all meetings, and submit the minutes to the Chair for approval by the committee prior to publication on the County website. The Secretary shall have charge of the papers, presentations and records of the committee.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings of the CBRC shall be conducted at regularly scheduled intervals as determined by the needs of the CBRC and agreed to by the membership, but no less than once per month. Regular meetings shall be conducted at the location provided by the County Administrator. The schedule of regular meetings shall be provided to the BOS and the County Administrator, and shall be published on the County website. These meetings shall be open to the public. The County shall make available meeting space within existing County operational locations based on the expected

frequency of meetings as determined by the committee.

Section 4-2. Special Meetings.

Special meetings of the CBRC may be called by the Chair with the consent of a majority of members. Special meetings shall be scheduled at least 72 hours in advance to allow notification of the BOS and the County Administrator. A general purpose for the meeting shall be provided as part of the notification. Special meetings shall be advertised on the County website.

Section 4-3. Other Types of Meetings.

In addition to the meetings above, members of the CBRC may need to communicate in person with various organizational elements within the County. Therefore, the CBRC may schedule meetings or appointments as part of the mission of the committee. Meetings or appointments shall be coordinated through the County Administrator or the designated point of contact within a department. Some of these may be:

- o Initial strategy discussion with the BOS and/or County Administrator
- o Introductory or kickoff meetings with departmental staff
- o Interviews with County staff
- o Discussion of preliminary results

Section 4-4. Organizational Meeting.

The Officers shall be elected annually in May, following approval of the next fiscal year's County budget. Members may hold an office for successive terms. Vacancies in Officer positions shall be filled promptly by majority vote of the remaining members no later than the next scheduled regular meeting.

Section 4-5. Quorum.

A quorum of at least four (4) members shall be required to conduct formal business such as approval of minutes, project plans and presentations. Issues may be discussed and information exchanged at meetings that do not have a quorum, but neither official business nor votes may be taken at these meetings..

Section 4-6. Conduct of Meetings

Meetings shall be conducted in an orderly fashion in accordance with a previously published agenda.

Section 4-7. Order of Business.

Minutes shall be taken at all meetings. A typical regular meeting agenda shall include:

- a. Confirmation of attendance and existence of a quorum (as appropriate)
- b. Approval of minutes of prior meeting(s)
- c. Reports of project and/or review status
- d. New Business

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Organization and Schedule of Activities.

CBRC shall be organized around the Fiscal Year budget cycle. The start of committee activities shall begin in May to coincide with the end of the approval process for the next fiscal year budget. The committee shall determine a general schedule for regular meetings, and establish a general framework for addressing projects assigned by the BOS, and for reviewing and analyzing the next fiscal year's budget. The committee shall develop an overall plan of action for the ensuing budget cycle and present the plan to the BOS and County Administrator.

Section 5-2. Research.

The CBRC shall be permitted access to data required to perform the review for both the budget and special projects assigned by the BOS. Questions regarding the sensitivity of releasing data requested by the committee shall be submitted to the County Administrator, who shall consult with the County Attorney and the BOS to make a final determination, as appropriate. The CBRC shall have access to County and School staff for the purpose of obtaining information necessary to the conduct of the mission as authorized by the Board of Supervisors and coordinated with the County Administrator. The CBRC will coordinate this access through the County Administrator and designated points of contact within each department.

Section 5-3. Level of Detail.

The CBRC shall have access to budget data including line item data and departmental budgets. This data shall be provided by the County staff in a format agreed upon by the CBRC and County Administrator. Requests for additional or follow-up information required by the CBRC shall be made to the County Administrator.

Section 5-4. Restricted Use.

Data provided by the County shall be available to and used by the committee members exclusively for the mission of the CBRC. No data shall be shared with individuals or organizations outside the committee other than the BOS and administration officials.

Section 5-5. Outcomes.

The Citizen Budget Review Committee shall provide a report to the Board of Supervisors

regarding the County Administrator's Recommended Budget and the School Board's Proposed Budget, including specific actions or spending strategies as deemed appropriate by the committee. An initial Budget Review Report shall be delivered to the Board as soon as possible, but no later than the Board meeting where the tax rate advertisement determination is made. If necessary, the Committee may provide a supplementary follow-up presentation to the Board. In order to give the Board time to consider the CBRC findings. Budget staff will schedule this presentation as soon as possible, but not later than the last scheduled budget meeting prior to the Board meeting scheduled for budget adoption. In cases where 2 or more members disagree with the report of the majority, a Minority Report may be included as an addendum to the Final Report.

Interim reports and recommendations may be presented to the Board of Supervisors prior to the presentation of the County Administrator's Recommended Budget at the request of the Committee or the Board.

Section 5-6. Forms of Results.

The CBRC shall review and analyze budget materials and information derived from research. The results of this process may take the form of informational highlights, statements of fact and general assessments with options for BOS action, with conclusions and recommendations optional. Each CBRC recommendation shall include an impact statement which estimates both the financial and functional impact of each recommendation. Functional impacts should discuss the effect on services provided to citizens and should reference any related policies or goals adopted by the Board of Supervisors. The primary objective is to provide information to the BOS that may assist them in deciding on actions that will improve the efficiency and effectiveness County operations.

Section 5-7. Presentation of Results.

Along with the Budget reports noted in section 5-5, an opportunity may be provided for special project presentations to the BOS and the County Administrator throughout the year. The CBRC may also present interim status reports on their budget review work to the BOS as requested by the Board or the CBRC. Preliminary versions of all reports shall be presented to the County Administrator prior to presentation to the BOS.

Section 5-8. Informational Items.

From time to time, the CBRC may acquire information of an urgent or sensitive nature. The Chairman or designated committee member shall immediately make this information known to the County Administrator or County Attorney for action as appropriate.

Section 5-8. Freedom of Information Act

Any request for statements and/or information about the proceedings, analysis or conclusions of the CBRC, made to any member of the CBRC, shall be directed to the County Administrator.

Any Freedom of Information Act (FOIA) request shall be directed to the designated FOIA official for the County.

ARTICLE 6 – AMENDMENT OF BYLAWS

Section 6-1. Board Approval Required to Amend.

From time to time, the members of the CBRC may deem it appropriate to modify the provisions of these bylaws. Any member may request consideration of a change, and may submit proposed language to accomplish that change. The CBRC shall discuss the proposed change during any regular or special meeting, following which a vote regarding the proposed change shall occur. After adoption of the Bylaws, any changes or amendments to the Bylaws must be approved by a majority of the membership of the CBRC. If approved by the CBRC, the proposed change shall be sent to the County Administrator and the BOS for review, discussion, and approval, as applicable. If approved by the BOS, the change shall be incorporated into these bylaws.

EXTENSION LEADERSHIP COUNCIL BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Extension Leadership Council (the “ELC”).

Section 1-2. Object.

As needed, the ELC shall develop and implement a program plan that will direct Virginia Cooperative Extension’s resources toward the resolution of identified issues and concerns.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The ELC shall have a minimum of three members: one member of the Board and one alternate member of the Board as annually appointed by the Chairman of the Board of Supervisors, the County Administrator, and the Virginia Tech Unit Administrative Assistant.

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The ELC functions without officers. Minutes of the meetings are recorded and reports made to the Board as the Council deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Meetings.

The Council meets as needed.

FINANCE COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Finance Committee (the “Committee”).

Section 1-2. Object.

The Finance Committee exists to review matters of a financial nature coming forward to the Board including supplemental appropriations, transfers, grant applications, grant acceptances, and proposed changes to fiscal/procurement policies.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The Finance Committee shall have six members: two members of the Board as annually appointed by the Chairman of the Board of Supervisors; the Treasurer; the Commissioner of the Revenue; the Finance Director; and as appointed by the County Administrator, a Deputy County Administrator, who shall function as an ex-officio member.

Section 2-2. Alternates and Delegates.

The Chairman of the Board of Supervisors, in addition to appointing annually two members of the Board of Supervisors to serve as member so the Finance Committee (the “Supervisor Members”), also appoints annually a member of the Board of Supervisors to serve as an alternate member of the Finance Committee in the event one of the Supervisor Members cannot or does not attend a Finance Committee meeting (the “Alternate”). At any one Finance Committee meeting, the Alternate can take the place of either Supervisor Member, but not both Supervisor Members. When attending a meeting in place of a Supervisor Member, the Alternate is for such a meeting a “Member.”

The Treasurer, the Commissioner of the Revenue, and the Finance Director may each appoint one delegate to attend meetings in his or her place (a “Delegate”). A Delegate who attends a meeting in place of his or her regular member is for such a meeting a “Member,” and the attendance of the Delegate fulfills the regular member’s attendance requirement set forth in Section 8-2 of Spotsylvania County Board of Supervisors Bylaws.

An Alternate or Delegate shall be a voting member of the Finance Committee only when serving at a regular or special meeting in the place of the Supervisor Member or regular member whom the Alternate or Delegate was appointed to replace.

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The Finance Committee functions without officers. The Director of Finance records the minutes of the meetings and reports to the Board of Supervisors as the Committee deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

The Finance Committee meets once a month at 3:30 p.m. on the Thursday of the week that falls between the first and second Board of Supervisor meetings.

IT STEERING COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the IT Steering Committee (the “Committee”).

Section 1-2. Object.

The Committee, an advisory body to the County Administrator, is responsible to review and prioritize County technology initiatives to ensure that technology projects are strategically aligned with County objectives and IT governance principles and best practices.

Section 1-3. Goals.

The Committee seeks to align technology priorities with available funding; foster collaboration and partnership through shared responsibility for selection, prioritization, and implementation of technology projects; establish and follow best practices for the selection, prioritization, and implementation of technology projects; and ensure complete and timely communications regarding technology projects and priorities.

Section 1-4. Responsibilities.

The Committee shall evaluate and select new technology projects for inclusion in Capital or Fiscal year budget requests, develop and implement criteria for prioritizing technology projects, integrate and prioritize all proposed County technology projects on one list for the County Administrator’s consideration, ensure that all technology projects align with County goals, develop and implement best practices policies and procedures for implementing new technology projects, and monitor and report on the performance of implemented technology projects. The Committee shall also evaluate off-cycle project requests and emerging items for integration into the County’s technology program.

ARTICLE 2 - MEMBERS

Section 2-1. Mandatory Members.

A. The Committee shall have seven Mandatory Members, each of whom is a “Member” when the term is used herein without modification:

1. Membership by Office. Five Members are members by virtue of their Spotsylvania County employment or public office: the County Chief Information Officer (“CIO”), the County Finance Director, the Director of Public Utility/Public Works, the Sheriff, and the Fire Chief.

2. Membership by Designation. The County Administrator shall designate a Deputy County Administrator to serve as a permanent member and a department head annually to serve a one-year term.

B. The Committee shall have three core members: the CIO, the Finance Director, and the designated Deputy County Administrator (the “Core Members”).

Section 2-2. Delegate Members.

The Mandatory Members may each appoint one delegate to attend meetings in his or her place (a “Delegate”). A Delegate must hold a deputy or assistant director level position within the County. A Delegate who attends a meeting in place of his or her Mandatory Member is for such meetings a “Member.”

ARTICLE 3 – OFFICERS

Section 3-1. Chair.

The CIO shall act as permanent chair of the Committee. The Chair shall preside over meetings of the Committee and shall communicate Committee recommendations to the County Administrator.

ARTICLE 4 – MEETINGS

Section 4-1. Mandatory Meetings.

The Committee shall meet in January, March, August, September, October, and December of each year (the “Mandatory Meetings”). The Committee shall set dates and times for its Mandatory Meetings in the following year at the December meeting of each year.

Section 4-2. Additional Meetings.

Any Core Member or the County Administrator may call for additional meetings as needed.

Section 4-3. Quorum.

Attendance by the CIO or his or her Delegate, the Finance Director or his or her Delegate, the Deputy County Administrator or his or her Delegate, and one additional Member constitutes a quorum for the transaction of business. Without a quorum, the Committee may conduct any business on the agenda that does not result in a recommendation or other formal action of the Committee.

Section 4-4. Recommendations.

Recommendations to the County Administrator require the affirmative vote of a majority of the Members present at a meeting. In the event of a tie vote, the matter under consideration shall be

reported to the County Administrator, with the names of those voting in favor and those voting against, for his consideration. The report shall indicate that, due to the tie vote, the matter does not carry a recommendation. Matters considered by the Committee that receive neither an affirmative vote nor a tie vote are not reported to the County Administrator, except as may be necessary or desirable to provide the County Administrator with an accurate recitation of matters considered by the Committee.

Section 4-5. Parliamentary Authority.

Except as otherwise provided by these bylaws or the bylaws of the Board, the proceedings of the Committee shall be governed by Robert's Rules of Order.

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. By a majority vote of Members present, the Committee may vote to recommend an amendment to the Board of Supervisors.

MINORITY AFFAIRS COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Spotsylvania County Minority Affairs Committee” (the "Committee")

Section 1-2. Object.

The Committee shall promote the advancement of minority opportunities in the areas of County employment and procurement. The Committee shall work to support the employment of a more representative and diverse County workforce, an open and fair recruitment process which provides equal opportunity for all applicants, and communication aimed at the minority community about employment opportunities in County government.

The Committee shall encourage the expansion of procurement efforts to recruit participation of minority-owned enterprises in the County’s procurement process in order to increase the purchase of goods and services from these minority-owned businesses.

The Committee shall achieve these goals through the evaluation and updating of County policies and procedures, as well as education of County employees on workforce diversity issues. The Committee shall coordinate outreach to the minority community regarding County employment and business opportunities.

ARTICLE 2 - MEMBERS

Section 2-1. Appointed Members.

A. Public Members.

The Committee shall consist of seven (7) Public Members, one from each Spotsylvania County district, who shall have voting rights. Each Supervisor shall recommend for membership one individual to represent his district on the Committee. Members shall be appointed by a majority vote of the Board. The Committee membership shall be ethnically diverse and reflective of the racial and ethnic minority groups present in the County. To the extent practicable, Committee membership shall consist of at least one member from each minority group residing in the County, as identified by the most recent statistics available from the U.S. Census Bureau. Upon a particular group reaching 3% of the population in the County, the group shall be represented on the Committee by a minimum of two (2) members.

B. NAACP Members.

In addition to Public Members, the Board, by a majority, shall appoint one person who is a member of the NAACP to serve on the Committee for a term of two (2) years.

C. Spotsylvania County Sheriff.

In addition to Public Members and a member of the NAACP, the Board, by a majority, shall designate the current County Sheriff as a voting member of the Committee.

D. Board Members.

The Chairman of the Board shall appoint two members of the Board to serve as voting members on the Committee.

Section 2-2. Ex-officio Members.

The Committee shall include three ex-officio members who shall not have voting rights. These ex-officio members are the designee of the County Administrator, who shall serve as the Lead Staff person for the Committee, the County Director of Human Resources, and the County Purchasing Manager.

Section 2-3. Absences.

Any appointed member who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of the Committee in any year or who fails to attend three (3) consecutive regular meetings of the Committee and provides no adequate excuse for such absences shall be deemed to have tendered his resignation. The Chair, with concurrence of a majority of the Committee, shall recommend to the Board to replace that member with a new appointment.

Section 2-4. Vacancy, Replacement, and Removal.

Public Members shall serve terms consistent with the term of the Board Supervisor for their district. A Public Member may be removed from membership in the Committee by a majority vote of the Board.

The Chairman of the Board may, at any time, withdraw his appointment of a Supervisor and designate another Supervisor to serve on the Committee.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

At the initial organizational meeting of the Committee, the appointed members shall elect a Chair and Vice Chair by majority vote. Thereafter, a nominations committee shall be appointed by the Chair of the Committee prior to February 1st of each year. The nominations committee shall report to the Committee at its first regularly scheduled meeting in February of each year. Nominations of the Chair and Vice Chair shall be presented at said regular February meeting. Election of the Chair and Vice Chair shall follow immediately.

A candidate receiving a majority vote of the appointed membership of the Committee shall be declared elected. The candidate shall take office immediately and serve for one year or until his/her successor shall take office.

Vacancies in offices shall be filled immediately by regular election procedures.

The nominations committee appointed by the Chair of the Committee shall consist of the Chair and two additional appointed members of the Committee

Section 3-2. Chair.

The Chair shall be a member of the Committee and shall have the duty to preside at all meetings of the Committee; rule on all procedural questions with such procedural rulings subject to being reversed by a vote of at least a two-thirds majority of the appointed members present; be informed immediately of any communications related to the Committee and report the same at the next regular meeting; and carry out other duties as assigned by the Committee.

The Chair or Vice Chair shall sign all official papers involving the authority of the Committee (e.g. reports and recommendations to the Board).

Section 3-3. Vice-Chair.

The Vice Chair shall be a member of the Committee and shall have the duty to act in absence or inability of the Chair to act, have the powers to function in the same capacity as the Chair when the Chair is absent or unable to act, and preside at the meeting at such times as the Chair may step down in order to bring a motion before the Committee.

Section 3-4. Secretary.

Lead Staff or his designee will serve as Secretary for the Committee. The Secretary shall not have voting rights and shall have the duty to supervise the keeping of minutes of the Committee and retain these in the Human Resources Department, notify all members of all meetings, keep a file of all official records and reports of the Committee, certify all records and reports of the Committee, assist in the drafting of the annual report to the Board, and other reports, as requested, provide notice of all meetings in accordance with the Virginia Freedom of Information Act requirements in accordance with the Code of Virginia (1950, as amended), and attend to all correspondence of the Committee. The Committee shall approve all correspondence by a majority vote prior to distribution of any communication on behalf of the Committee.

The minutes shall become part of the public record. The Secretary shall insure that minutes are kept for all regular meetings and all other adjourned and special meetings. The Secretary shall sign all minutes and certify that the minutes are true and correct.

Section 3-5. Parliamentarian.

The Chair shall preside at all meetings of the Committee, and shall function as Parliamentarian. In the event the Chair is unable to preside, the Vice Chair shall preside.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings of the Committee shall be held semi-annually in February and August, on the third Thursday of each month at 7:00 p.m. in the Spotsylvania County Human Resources Department Conference Room, or at such other location as the Committee may deem appropriate. The time of each meeting will be set out in the Notices posted at the Holbert Building and the County Administrator's office. When a meeting date falls on a legal holiday, the meeting shall be held on the day following the holiday unless otherwise designated by the Committee.

Section 4-2. Special Meetings.

Special meetings shall be called at the request of the Chair or at the request of a quorum of the membership. At least five days prior to special meetings, written notice of such meeting shall be given to each member and to those requesting notice of meetings under the Virginia Freedom of Information Act. A written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice. See, Code of Virginia Section 15.2-2214 (1950, as amended).

Section 4-3. Quorum.

A quorum shall consist of a majority of the appointed members of the Committee. Voting shall be governed by Robert's Rules of Order. At the request of any appointed member voting may be by roll call. A record of the voting shall be kept as a part of the minutes.

Section 4-4. Open to Public.

All meetings, hearings, records and accounts shall be open to the public.

Section 4-5. Conduct of Meetings

All motions made at any meeting of the Committee shall be restated by the Chair before a vote is taken. A motion may be passed by the affirmative vote of a majority of the appointed members present. The names of persons making and seconding motions and the vote shall be recorded.

Parliamentary procedure in all Committee meetings shall be governed by the adopted rules of order, namely, Robert's Rules of Order, except as the same are modified by these bylaws. Meetings shall be conducted in accordance with procedures prescribed in these By-Laws and decisions reached only after full consideration and debate on the issue in question.

Section 4-6. Order of Business.

The order of business for a meeting shall be as follows:

- a. Call to order by the Chair.
- b. Recording of members present by Secretary.
- c. Determination of a quorum.
- d. Review and approval of the minutes.
- e. Public Presentations.
- f. Unfinished business.
- g. New business.
- h. Adjournment.

The above order of business may be modified by the Chair to facilitate the business of the Committee.

The agenda for all Committee meetings shall be prepared by the Chair in consultation with Lead Staff and with input from all Committee members.

Section 4-7. Public Presentations.

Presentations by the public are limited to three speakers and are governed by the following rules:

Public Presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Committee. They shall not serve as a forum for debate with the Committee.

Remarks shall be addressed directly to the Committee and not to staff, the audience or the media.

The Chair shall open the Public Presentations.

The Chair will explain the Public Presentations policy and will call on those individuals who, in advance, have made arrangements to speak, through the Secretary. Upon conclusion of scheduled speakers, if less than three presentations have been made, other members of the public shall be permitted to speak on a first-come basis until a maximum number of three presentations have occurred.

Each speaker shall clearly state his or her name, address and district.

There shall be a time limit for each individual speaker of three minutes. No speaker shall address the Committee more than once during Public Presentations at any single Committee meeting.

Any issue raised by the public which the Committee wishes to consider may be put on the agenda for the next Committee meeting by a majority vote.

Committee members shall not discuss issues raised by the public except by consent of a majority of the Committee members present.

The above rules notwithstanding, members of the public may present written comment to the Committee or to individual Committee members at any time during the meeting. Such written comments shall be submitted through the Secretary.

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. The Committee may vote to recommend to the Board of Supervisors an amendment to these bylaws. Such a recommendation requires the affirmative vote of two-thirds vote of the entire appointed membership after 30 days prior written notice of the intention to amend these bylaws, which notice shall contain in detail the amendment to be considered.

PARKS AND RECREATION COMMISSION BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Spotsylvania County Parks and Recreation Commission (the “Commission”).

Section 1-2. Object.

The Commission shall serve as the advisory body of the Spotsylvania County Parks and Recreation Department. The Commission shall serve as a liaison between the Parks and Recreation Director (the “Director”), the Board of Supervisors, and the citizens of the community. It has no final authority or responsibility for administration. It is the purpose of the Commission to assist with the County’s Department of Parks and Recreation programs, facilities and services, and facilitate studies which will help to advance the County’s programs, to promote vital citizens involvement, and to serve as a sounding board for the public. The Commission shall consult and advise the Director in improving and expanding parks and recreation activities and programs.

ARTICLE 2 - MEMBERS

Section 2-1. Appointed by Board of Supervisors.

The Commission shall be appointed by the Board of Supervisors with members from each of the districts in the County. The Director shall serve as a non-voting, ex-officio member to the Commission.

Section 2-2. Number and Terms.

The Commission shall consist of seven (7) members. The Board of Supervisors shall appoint members for a term of four (4) years.

Section 2-3. Absences.

No member shall accumulate an annual total of more than four (4) absences. If this limitation is exceeded, for reasons other than personal illness, death of a member of immediate family, or other unusual circumstance, that respective member shall be recommended for removal from the Commission.

Section 2-4. Vacancy, Replacement, and Removal.

Vacancies occasioned by removal, resignation, or otherwise shall be reported to the Board of Supervisors, and shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office.

The Board of Supervisors may, on recommendation of the Commission, remove any member of the Commission for misconduct or neglect of duty.

Section 2-5. No Compensation.

Commission members shall serve without monetary compensation. Members shall be reimbursed for travel and subsistence necessary to attend professional recreation meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of Spotsylvania County.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

The officers of the Commission shall be a Chairperson and a Vice-Chairperson. The officers shall be elected at the organizational meeting at the first meeting of the calendar year to serve for one year or until a successor shall be elected.

Section 3-2. Chairperson.

The Chairperson shall preside at all meetings, appoint committees, call special meetings when he/she deems it advisable, and perform all such duties as usually handled by a chairperson, except when such duties are properly delegated. The Chairperson may succeed himself or herself.

Section 3-3. Vice-Chairperson.

The Vice-Chairperson of the Commission, in the absence of the Chairperson, shall perform all the duties of the Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the Commission shall elect a Chairperson Pro Tempore who shall perform the duties of the Chairperson. The Vice-Chairperson shall be charged with the responsibility to see that all standing and temporary committees function as planned by the Commission.

Section 3-4. Secretary.

The Secretary (member of the staff) shall perform the usual duties pertaining to the office. The Secretary shall be the custodian of all documents committed to her care.

The Secretary shall issue or cause to be issued notices of regular and special meetings. Also, the Secretary must issue minutes of the previous meetings to the Commission members prior to the meetings.

Section 3-5. Director's Relationship.

The Director shall have a continuing responsibility to explain the organization, responsibilities, working relations and objectives to the Commission, and to assist them in details of organization, and in all matters related to a good organization. The Director shall work closely with the Commission in matters of interest to the operation of an efficient program. The Director is an ex-officio member (by virtue of his office) and attends commission meetings. The Director keeps the Commission informed concerning the interests, needs, objectives, progress, plans, and other factors of importance to them. The Director shall be the official medium of communication between employees of the Parks and Recreation Department and the Commission.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Regular meetings shall be held the third (3rd) Thursday of every other month during the year.

Section 4-2. Special Meetings.

Special meetings may be called by the Director of Parks and Recreation or the Chairperson.

Section 4-3. Time and Place.

The time and place for the meetings shall be designated by the Director of Parks and Recreation Spotsylvania County.

Section 4-4. Organizational Meeting.

The first regular meeting of each year shall be called the organizational meeting.

Section 4-5. Quorum.

Four members of the Commission shall constitute a quorum for purposes of a meeting. The majority of the members present in person at any duly constituted meeting shall have the full authority of the Commission for any purpose except the amendment of these By-Laws. Bylaws being amended would require a first and second reading for approval.

Section 4-6. Open to Public.

All meetings are open to the public.

Section 4-7. Conduct of Meetings

Meetings shall be conducted in accordance with procedures prescribed in these By-Laws and decisions reached only after full consideration and debate on the issue in question.

Section 4-8. Order of Business.

The following shall be the order of business of the Commission, but the Rules of Order may be suspended and any matters considered or postponed by action of the Commission.

- a. Call to Order
- b. Roll Call
- c. Approval of Minutes
- d. Public Presentations
- e. Report of Commission Members
- f. Staff Reports
- g. Report of Director of Parks and Recreation
- h. New Business
- i. Old Business
- j. Adjournment

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Recreation Recommendations.

The Commission shall make recommendations: for the establishment of a system of supervised recreation to the County; to set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas and structures, any lands or buildings owned by or leased to the County and for approval by the Board of Supervisors, and may suggest improvements of such lands, buildings, and structures as may be necessary to the recreation program within those funds allocated to the Department; in the construction, equipping, operation, and maintenance of parks, playgrounds, recreation centers, and all buildings and structures necessary or useful to Department function; in regard to other recreation facilities which are owned or controlled by the Department or leased or loaned to the Department.

Section 5-2. Acceptance Recommendations.

Advise in the acceptance by the County of any grant, gift, bequest or donation of any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation or parks.

Section 5-3. Community Liaison.

Interpret the recreation and parks services of the Department to the community and interpret the needs and desires of the community to the Director.

Section 5-4. Commission Policies.

Determine and establish the general policies to be followed in carrying out the purpose for which the Commission was established.

Section 5-5. Budget Recommendations.

A. The Director and Commission shall recommend to the Board of Supervisors an annual budget sufficient to finance the program of parks and recreation the Commission feels is necessary for the welfare of the residents of the County of Spotsylvania. The budget shall be submitted to the Board of Supervisors to hear the requests.

B. The Director along with the Commission shall annually recommend to the Board of Supervisors a budget for capital improvements (acquisition and development) in accordance with the Master Plan for Parks and Recreation for the County.

Section 5-6. Planning Duties and Responsibilities.

A. Prepare a Master Plan in cooperation with the acquisition and development of an adequate system of parks, facilities, and recreation programs for the residents of the County of Spotsylvania and update same yearly, consistent with the County's Master Plan.

B. Investigate and determine the needs and interests of the community for recreation facilities and programs and recommend a recreation program to meet those needs.

Section 5-7. Limitations on Authority.

The Commission shall have no authority to enter into any contract or incur any obligation binding the Board of Supervisors or Spotsylvania County.

ARTICLE 6 – REPORTS

Section 6-1. Reports.

The Commission shall make full and complete reports to the Board of Supervisors at such times as may be requested and at such other times as to the governing body may seem proper. The fiscal year of the Commission shall conform to that of the governing body of Spotsylvania County.

ARTICLE 7 – AMENDMENT OF BYLAWS

Section 7-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. By a majority vote of Members present, the Commission may vote to recommend an amendment to the Board of Supervisors.

PUBLIC SAFETY COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Public Safety Committee (the “PSC”).

Section 1-2. Object.

Following recommendation by the Fire and EMS Commission to disestablish its existence as a County Commission, the Spotsylvania County Board of Supervisors (BOS) wishes to establish a Public Safety Committee to advise them of top level public safety needs including law enforcement, fire and rescue, and emergency management issues affecting the County and its citizens.

The PSC mission shall be to monitor, evaluate, and propose policies, actions, priorities, programs, and innovative responses to challenges and opportunities that enhance the efficiency and effectiveness of County government, specifically regarding public safety issues.

ARTICLE 2 - MEMBERS

Section 2-1. Number and Term.

The PSC shall initially be comprised of 9 members approved by the BOS. There shall be six standing members and three rotating members appointed by the BOS for a two (2) year term.

a. Standing Members. Standing members of the PSC shall consist of the Sheriff or designee, County Administrator or designee, the Fire Chief or designee, Emergency Management Coordinator, 911 Communications Manager, and a representative from the Department of Information Services.

b. Rotating Members. Two members of the BOS and one County Citizen at large shall be rotating members (“Rotating Members”). All rotating members shall be residents of Spotsylvania County.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

Members shall annually elect a Chairman and Vice-Chairman.

Section 3-2. Chairman.

The Chairman shall preside at all meetings, and coordinate with all stakeholders.

Section 3-3. Vice-Chairman.

The Vice Chairman shall conduct the activities of the Chairman during his/her absence and shall perform other duties as directed.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings shall typically occur quarterly, with notice to BOS and the public via the County website and the public meetings bulletin board.

Section 4-2. Special Meetings.

Special meetings may be called by the Chair with the consent of a majority of members, and with 72-hour notice to all members and the public.

Section 4-5. Quorum.

A quorum of 5 members shall be required to conduct formal business. Informal discussions at meetings that lack a quorum shall not include decisional actions.

Section 4-6. Open to the Public.

Meetings are open to the public unless the PSC passes a closed meeting resolution.

Section 4-7. Conduct of Meetings

Meetings shall conform to a published agenda, as may be amended. Minutes shall be taken at all meetings.

Section 4-8. Order of Business.

Typical agendas shall include.

- a. Call to order, confirmation of attendance and quorum (as appropriate)
- b. Approval of minutes of prior meeting(s)
- c. Public comment
- d. Reports of projects and/or activities
- e. New /old business
- f. Tasking and agenda for next meeting

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Operation.

The PSC will make recommendations regarding current and future financial, organizational, policy, communication, preparedness, and/or other related public safety issues.

The PSC shall be organized around the Fiscal Year budget cycle, and shall have access via the County Administrator and Department Directors to financial, operational, staffing, policy, program, and related information regarding County activities. The PSC shall provide reports to the BoS at such time and in such format as requested by the BOS or suggested by the PSC.

ARTICLE 6 – REPORTS

Section 6-1. Reports.

The PSC shall provide reports to the BOS at such time and in such format as requested by the BOS or suggested by the PSC.

ARTICLE 7 – AMENDMENT OF BYLAWS

Section 7-1. Board Approval Required to Amend.

From time to time, it may be advantageous and appropriate to modify the provisions of these Bylaws. If approved by the PSC, the proposed change shall be sent to the BOS for consideration. If approved by the BOS, the change shall be incorporated into these bylaws.

TRANSPORTATION COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Transportation Committee.

Section 1-2. Object.

These bylaws establish the operation and management of the Transportation Committee (TC) in accordance with the laws of the Commonwealth of Virginia and the County of Spotsylvania, Virginia. The TC shall exist to provide a plan for the BoS to address transportation issues with various internal and external organizations; to provide the Board of Supervisors (BoS) with a long term plan to enhance safety, improve roadway capacity, and reduce motorist delay on Spotsylvania County's roads and intersections; to help ensure that all resources are implemented in the most cost effective and efficient manner to address solutions to Spotsylvania County's transportation issues; and to make recommendations to the BoS regarding transportation needs.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The TC shall initially be composed of 2-3 Board of Supervisors, 1 or 2 representatives from each of the election districts, a representative from the Spotsylvania County School District, a representative from the Planning Commission, at large business representatives as deemed necessary by the Board of Supervisors, all of which must be County residents. TC members shall serve at the pleasure of the BoS, have a general working knowledge or interest in transportation, and represent a diverse cross-section of the community. All of the preceding members shall be appointed by the BoS and shall serve a term of one (1) year or the remainder of a predecessor's term. Staff members shall be the County Administrator or his designee, the Finance Director or her designee and members of the Planning Department as deemed necessary by the Planning Director at such levels and in such numbers as are necessary for the orderly, efficient, and effective deliberation, communication and results-oriented action.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

Members shall annually elect a Chairman, Vice-Chairman, and Secretary, from the membership. Vacancies shall be filled by the remaining members at the earliest convenience.

Section 3-2. Chairman.

The Chairman shall preside at all meetings, and coordinate with all stakeholders.

Section 3-3. Vice-Chairman.

The Vice Chairman shall conduct the activities of the Chairman and Secretary if those officers are unable to do so, and shall perform other duties as directed.

Section 3-4. Secretary.

The secretary shall maintain TC records.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Public meetings shall typically occur at monthly intervals, with notice to BoS, Planning Commission, the County Administrator, and the public via the County website and the public meeting bulletin board.

Section 4-2. Special Meetings.

Special meetings may be called by the Chair or when requested by two or more members of the TC with a 72-hour notice to all members and the public.

Section 4-5. Quorum.

A “quorum” is defined herein as a majority of the appointed members of the TC at the time of its meeting. Any appointments which are not filled or characterized as “vacant” shall not be counted when determining a quorum. A quorum shall be required to conduct formal business. Informal discussions at meetings that lack a quorum shall not include decisional actions.

Section 4-6. Conduct of Meetings.

Meetings shall conform to a published agenda, as may be amended. All agendas, minutes, reports and other documents shall be posted publicly unless part of a validly held closed meeting. The TC shall be supported by County staff as needed and available, principally from the Planning Department, County Attorney’s office and County Administrator’s office.

Section 4-7. Order of Business.

Minutes shall be taken at all meetings. Typical agenda shall include but are not limited to the following:

- a. Call to order, confirmation of attendance and quorum (as appropriate)

- b. Approval of the minutes of prior meeting(s)
- c. Public Comment
- d. Reports of projects and/or activities
- e. New/ Old business
- f. Tasks and agenda for next meeting

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

From time to time, it may be advantageous and appropriate to modify the provisions of these bylaws. If approved by the TC, the proposed change shall be sent to the County Administrator and the BoS for consideration. If approved by the BoS, the change shall be incorporated into the bylaws.

AMENDMENTS

June 22, 1993

Section 4-1. Order of Business.

Amended to move Executive Session from the beginning of the meeting to 6:00 p.m.

March 8, 1994

Added Section 2.4.1. Procedure for Election of Officers.

February 13, 1996

Section 2-6. Executive Session.

(A) Amended to have Executive Session only when matter too sensitive for public discussion.

Section 3-3. Parliamentarian.

Added language "Robert's Rules of Order"

Section 4-1. Order of business

(A) Amended to change the order of business and also to eliminate all the times except for "Call to Order", "Executive Session", "Reconvene", and "Adjournment".

(B) Deleted "for presentations and appointments which are occasional in nature" and added "to facilitate the business of the Board.

Section 4-2. Consent Agenda

(B) Amended to allow short discussion of consent agenda items by the Board.

(C) Added "the County Administrator's report or"

Section 4-5. Motions

(C) Deleted "maximum of five minutes."

(D) Deleted "a vote" and added "action."

Section 4-9. Robert's Rules of Order

Added "Robert's Rules of Order"

Section 5-3. Order of public hearings

(B) Added "In Zoning cases"

(C) Added language "During the annual ...past the time limit."

(D) Added language "In a Zoning case."

- (E) Added language “public comments or”

Section 5-4. Member’s Participation

Deleted

January 27, 1998

Section 2-1. When and where regular meetings held

Amended to change meeting time on 3rd Tuesday from 7:30 to 7:00

Added Section 2-1.1. Continued Meetings

Added Section 2-4.2. Seating Arrangement

Section 4-1. Order of business

- D. Amended to designate Sheriff’s report to 4th Tuesday only; and added Unfinished business to the order of business.
- C. Amended to allow Chair to extend the 5 minute time limit for Board members’ reports.
- D. 2. Deleted “a speaker’s card”; and added “up to speak”.
12. Deleted the speaker’s card requirement.

Section 4-5. Motions

- E. Deleted
- F. Deleted

Section 4-6. Decisions on points of order

Amended to add that the Parliamentarian shall advise the Chair; the Chair shall make a ruling; and a member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

Section 6-1. Preparation

- D. Deleted “duly seconded and”.

Section 6-5. Comments, queries of Board members

- C. Amended to reflect that the Board may ask questions to Administrator or staff present and that the staff member should be at podium or speaker’s table.

June 23, 1998

Section 4-1. Order of business

- A. 10. Amended to change the time of Executive Session from 6:00 p.m. to 7:00 p.m.
12. Amended Reconvene from 7:30 to 8:00 p.m.
17. Moved Public Presentations to end of meeting.

- D.
 - 1. Amended to define the purpose of Public Presentations from members of the public.
 - 2. Remarks addressed to the Board and not to staff, audience or the media.
 - 6. Changed group time from 5 minutes to 3 minutes.
 - 8. Added no comment during Public Presentations on matters for which a public hearing was scheduled during the same meeting.
 - 9. No comment during Public Presentations on matters that were heard in a previous public hearing where no final vote has been taken.

July 28, 1998

Section 4-5. Motions

- A. Amended to require a member to be recognized by the chair prior to making a motion or speaking to a matter.

Section 4-8. Suspending Rules

Amended requiring a two-thirds vote of the members present, or by unanimous consent.

November 24, 1998

Section 4-1 Order of Business

Amended A.13 Public Presentations to 8:15 p.m.

January 26, 1999

Section 4-1. Order of business

- A. Amended to change
 - 1. Call to Order from 4:30 p.m. to 2:00 p.m., to provide time for a Board Work Session.
- D. Added number 12 to clarify that written comments to the Board will be accepted from the public at any time during the meeting.

January 11, 2000

Section 2-6. Closed Session

Changed the wording Executive Session to Closed Session in accordance with Virginia State law.

Section 4-1. Order of business

- A. Amended to change:
 - 11. Executive Session to read Closed Session
 - 15. Public Hearings deleted the time of 8:15 p.m.
 - 19. Executive Session to read Closed Session

April 25, 2000

Section 2-1. When and where regular meetings held

Added the wording relating to 2:00 p.m. work session

Section 4-1. Order of business

- A. Amended to change:
 - 11. Closed Session to read 6:00 p.m. instead of 7:00 p.m.
 - 13. Reconvene; Certification of Closed Session to read 7:00 p.m. from 8:00 p.m.
 - 14. Public Presentations to read 7:05 p.m. instead of 8:00 p.m.
- E. Added the 7:00 p.m. start time for the 3rd Tuesday work sessions

January 23, 2001

Changed the term “Supervisors” to “Board Member” throughout document.

Section 1-1. Purpose of By-Laws and Rules of Procedures

- A. Amended by adding sentence to reflect opportunity to citizens to witness operations of government.
- B. Added the words Board Member.
- D. Deleted the word “pleasure” and replaced it with the word “will”.

Section 2-4. Annual organization meetings

- A. Amended to change wording that the first meeting in January shall be known as annual meeting.

Section 4-1. Order of business

- A. Added #4 to add afternoon Public Presentations by up to two speakers at 2:00 p.m.
- D. Added #8 to add rules to govern Public Presentations at 2:00 p.m.

Section 4-5. Motions

- D. Changed paragraph to clarify actions by the Board that can be taken without a motion.
- J. Added sentence that a member present at a meeting but temporarily absent during a vote may move for reconsideration.

Section 5-3. Order of public hearings

- B. Added that conceptual plans, renderings, etc., shall be prohibited on applications for rezonings and special use permits, unless application requires development and construction in substantial conformity with plans, renderings, etc.

July 9, 2002

Section 4-1. Order of business

- A. Amended #13, 14, 15 - to change the Public Presentations and the Public Hearings from 7:00 p.m. to 6:30 p.m.
- D. Amended #8 to change public hearing time from 7:00 p.m., to 6:30 p.m.

August 13, 2002

Section 4-5. Motions.

- G. Amended to make a single vote on a substitute motion stand for both (i) adoption of the substitute motion as the main motion; and (ii) passage of such motion by the Board.

January 13, 2004

Section 2-1. When and where regular meetings held

Changed meeting time from 4:30 p.m. to 4:00 p.m. if no work session is scheduled and from 2:00 p.m. to 4:30 p.m. if a work session is scheduled.

Section 4-1. Order of business

- A. Amended No. 1. Call to Order, to change time of meeting without a work session scheduled to 4:00 p.m., and to 4:30 p.m. if a work session is scheduled. Amended #5 Consent Agenda time from 4:30 p.m. to 4:00 p.m.

February 24, 2004 (effective March 1, 2004)

Section 4-1A. Order of Business

Removal of items 6 and 7 (Highway Department and Sheriff's Report)

Change time for item 12 (Closed Session from 6:00 p.m. to 5:45 p.m.

Change time for item 13 (Reconvene); Certification of Closed Session, and item 15 (Public Presentations) from 6:30 p.m. to 6:00 p.m. and change the advertised public hearing to reflect 6:00 p.m.

Removal of item 21 (Closed Session if necessary)

Section 4-1E.

Change start time for 3rd Tuesday work sessions from 7:00 p.m. to 6:00 p.m.

Section 7-2. Attendance

Added this section to convey the Board's expectation that persons appointed to serve on county boards, authorities, etc., attend all regularly scheduled meetings and provides a mechanism for the Board to remove members who fail to attend 75% of the scheduled meetings in any year.

April 13, 2004

Section 4-1. Order of Business

Added No. 6 VDOT Report 4th Tuesday only

May 25, 2004

Section 4(D)(6)&(8). Order of Business

Clarification that any citizen may speak once during public presentation at any single Board meeting.

October 12, 2004

Section 2-1(A) and (B). When and where regular meetings held.

- (A) Changes regular meetings from 2nd and 4th Tuesday of each month to only the 2nd Tuesday of each month.
- (B) Work Session meetings held on the 4th Tuesday of each month.

Section 4-1(A)&(E). Order of Business.

- (A) Regular meetings on the 2nd Tuesday of each month.
- (A)(6) Change VDOT Report from 4th Tuesday to 2nd Tuesday of each month.
- (E) Meetings on 4th Tuesday shall be for the purpose of presentations and work sessions.

Section 6-3. Delivery of Agenda.

Change delivery day from Wednesday to Friday.

December 14, 2004

Section 2-4(B). Annual Organizational meetings

- (B) Deleted the last sentence – The Chair may not succeed himself or herself in office.

November 14, 2006

Section 2-5(B) Quorum and method of voting

- (B) Added language to conform to the new electronic voting system.

January 9, 2007

Section 2-4. Annual organizational meetings

- (B) Added language defining term.
- (C) Election of Vice Chair for same term.

Section 2-5. Quorum and method of voting.

- (B) Deleted language that any member may request a roll call vote.
- (C) Added language that any member may request a roll call vote and the order of voting.

- (F) Added that a motion to approve which fails shall be deemed a denial of the question on the floor.

Section 3-2. Clerk

Added language that the Clerk shall also be timekeeper.

Section 3-3. Parliamentary

Added the County Attorney's designee.

Section 3-4. Preservation of order

- (B) Added language that members shall not speak until recognized by the Chair and members shall address the Chair or address other members through the Chair.
- (D) Presentations by the public are governed by the following rules:
- (7) Deleted

Section 5-3. Order of public hearings

- (B) Added applicant and his/her representative – deleted applicant or his/her representative... Added language prohibiting conceptual plans, renderings, and similar graphic exhibits, unless the applicant shall first have provided the Board documents in such form as to assure development and construction in conformity of the plan rendering or similar graphic exhibits.
- (C) Added language that no person at a public hearing shall be permitted to yield time to a speaker.

Section 6-3. Delivery of Agenda

Added Thursday and deleted Friday.

Section 8-6. Amending bylaws

Amendments to bylaws may be amended at any meeting subsequent to the introduction of suggested bylaws amendment.

March 6, 2007

Section 2-5. Quorum and method of voting.

- (B) Added all actions authorized by the Board shall be pursuant to an electronic vote.

Section 4-5. Motions.

- (D) Deleted paragraph

May 22, 2007

Section 7-3. Planning Commission Members Attendance.

Added 7-3.

September 25, 2007

Section 7-1. Appointments to boards, authorities, commissions and committees

Appointment by consent rather than resolution. Appointments to be included in the consent agenda. Requirement of resumes, etc.

January 12, 2010

Section 2.1. When and where regular meetings held

Time changed from 4:00 p.m. to 4:30 p.m.

Section 2.3 Special Meetings

Paragraph B. – the words “the Chairman or” added before any two in the first sentence, and “pursuant to Section 15.2-1418 of the Code of Virginia (1950), as amended, added at the end of first sentence.

Section 2.6. Closed Session

The word Session changed to Meeting in section title, paragraphs A., B., C., D., E., and F.

Section 4.1 Order of Business

A. The order has been changed around, and new B. has been added and paragraphs relettered. Old E. has been taken out. Paragraph E.7. has been taken out and paragraphs have been renumbered. Paragraph A (new number 10), the words (if necessary) have been added. Paragraph B.6., the words (if required) have been added.

Section 5.3 Order of public hearings

The word Zoning has been changed to Land Use in paragraphs D. and E.

January 11, 2011:

Section 5-3. Order of public hearings

The provision limiting individual speakers to five minutes each during the annual public hearing on highway improvements was deleted from paragraph C.

Section 7-1. Appointments to boards, authorities, commissions, and committees

A sentence was added to require that the term of a board, authority, commission, or committee appointee shall be the same length as the term of the Board member from the election district where the appointee resides, unless a shorter term is specified by the Board.

January 10, 2012

Section 2-4.D.2 Annual organizational meetings

“and Code of Ethics” was added at the end of this paragraph.

Section 3-1 Chair and Vice Chair

“to Board Committees” was added after “alternates” in the last sentence of this section.

Section 4-1.E.6 Order of business

Adds a time limit of five minutes for any speaker who represents a group.

Section 4-1 Order of business

Adds a new paragraph number 11, changes number of former paragraph 11 to 12.

Section 4-3 Conduct of Meetings

Changes title of section from “Priority in speaking to Board” to “Conduct of Meetings; adds a new sentence to allow the Chair to call a brief recess at any time, and that the Chair may order the expulsion of a disorderly member of the public, subject to appeal to the full Board.

Section 4-5 Motions

Deletes paragraph D, E and F, rennumbers remaining paragraphs. Adds a new paragraph G to clarify that a motion to call the question is not in order until every member of the Board has an opportunity to speak.

Section 5-3 Order of public hearings

In paragraph B, changes “zoning” to “land use” in the first line. Reference to Section 5-4 (deleted February 13, 1996) removed; remaining sections renumbered.

Section 7-1 Appointments to boards, authorities, commissions and committees

Deletes “to serve specified terms as may be deemed to be appropriate by the Board” in the first sentence. Adds language to indicate Board appointees’ terms shall run concurrently with the term of the Board member making the motion to appoint. Adds a new sentence to indicate that appointees can be removed with or without cause at the pleasure of the Board.

Section 7-4 Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Adds a new section 7-4 to indicate that bylaws and rules of procedure of any board, authority, commission or committee not established by state law are to be submitted to the Board of Supervisors prior to becoming effective.

Section 8-3 Expenses of members of the Board

Minor grammatical changes were made to this section.

Section 8-5 Minutes of the board meetings.

Adds a provision that the minutes of the board meeting shall include a summary of the Board’s proceedings at each meeting.

January 8, 2013

Section 2-1 When and Where Regular Meetings Held:

Adds a reference to work session meetings, since the rule applies to all Board meetings.

Section 2-1.1 Continued Meetings:

Adds a reference to work session meetings, since the rule applies to all Board meetings.

Section 2-3 Special Meetings:

Adds a requirement that written notice to the public, reasonable under the circumstances, of the special meeting be given before the proposed date of the special meeting. This change insures a minimum notice period for a special meeting, as suggested by the Code of Virginia.

Section 2-5 Quorum and Method of Voting:

Specifies that the Clerk or his designee shall announce the result of the vote. This change is to conform to current practice.

Section 4.1.E Order of Business:

Merely corrects a grammatical error.

Section 4-2 Consent Agenda:

Specifies that a “pulled item” may be considered immediately following approval of the consent agenda, to conform to current practice.

Section 6-1 Agenda Preparation:

Changes the time for Board members to request agenda items from seven (7) to nine (9) days since the agenda is now delivered seven days prior to the meeting.

Section 6-2.A.1 Tabled Land Use Cases:

Makes the same timing change from seven (7) to nine (9) days.

Section 6-3 Delivery of the Agenda:

Provides that the agenda shall be delivered seven (7) days before the meeting to conform to current practice.

Section 6-5 Comments, Queries of Board Members:

Merely corrects grammatical errors.

January 14, 2014

Section 2-5 Quorum and method of voting

Amended to reflect that any Board member may request a roll call vote at any time. Remaining language in paragraph deleted.

Section 3-1 Chair and Vice Chair

Clarifies that Board committee appointees shall serve a one year term.

Section 6 – Appeal Procedures added

Former Section 6 – Agenda Renumbered to Section 7, sub-sections renumbered accordingly

(New) Section 7-2 Tabled Land Use Cases (formerly Section 6-2)

Subparagraph (A)(1)(b), (A)(2)(b), and (B)(1)(b) changed to reflect that the publication of the case will occur on the County's website instead of the newspaper.

Former Section 7 – Boards, Authorities, Commissions and Committees Renumbered to Section 8, sub-sections renumbered accordingly

(New) Section 8-1 Appointments to boards, authorities, commissions, and committees (formerly Section 7-1)

Added “subject to any state law provisions to the contrary” prior to the sentence beginning with “appointees”.

(New) Section 8-2 Attendance (formerly Section 7-2)

Added “may” prior to “be deemed to have forfeited his or her membership on the committee.”

Former Section 8 – General Operating Policy Renumbered to Section 9, sub-sections renumbered accordingly

April 14, 2015

Section 4-1(A) Order of Business

Changed consent agenda start time to 3:01 p.m.

Added public presentations start time 3:02 p.m.

Paragraphs renumbered accordingly

Section 4-1(B) Order of Business

Changed consent agenda start time to 6:01 p.m.

Added public presentations start time 6:02 p.m.

Paragraphs renumbered accordingly

January 12, 2016

Section 4-1 (A) Order of Business

Changed Call to Order start time to 4:30 p.m.

Changed consent agenda start time to 4:31 p.m.

Added public presentations start time 4:32 p.m.

Changed Public Presentations start time 6:30 p.m.

Paragraphs renumbered accordingly

February 9, 2016

Section 2-1. (A) When and where regular meetings held

Time changed from 3:30 p.m. to 4:30 p.m.

Section 4-1 (B) Order of Business

Added Board Reports
Paragraphs renumbered accordingly

January 10, 2017

Section 4-2 Consent Agenda:

Struck the following language: “under the County Administrator/County Attorney Report or New Business.” Items pulled from the Consent Agenda shall be considered immediately after adopting the Consent Agenda.

Section 7-1 Preparation:

Change in Section 7-1(C) adds a “Possible Agenda Additions” portion to the agenda for items that missed deadline set out in Section 7-1(B). Request must be received by Clerk no later than 4:00 p.m. two (2) business days prior to the meeting for which it is being requested to be considered. This Section placed at end of Agenda and labeled “Possible Agenda Items”.

Change in Section 7-1(D) requires that items in the “Possible Agenda Additions” must be ratified for inclusion by majority vote of the Board.

Change in Section 7-1(E) adds that at the beginning of the meeting, the Board shall vote to set the agenda, “Possible Agenda Additions” shall be considered for the agenda and may be added as prescribed in 7-1(D). Items not accepted shall automatically be placed on the next meeting’s agenda unless withdrawn by the requesting Supervisor.

January 9, 2018

Section 3-1. Chair and Vice Chair.

Added paragraph designations.

Added the following language: “committees created by the motion or resolution of the Board,” “except as set forth otherwise in the approved bylaws of a Board Committee or as controlled by ordinance,” and “that ends upon the expiration of the Chair’s term at the commencement of the organizational meeting the following year. A member’s status as an appointee to a Board Committee terminates contemporaneously with his or her termination of status as a Board member, whether by resignation, end of elected term, or otherwise.”

Section 4-1(A). Order of business.

Revised order of business to schedule the first Public Presentations before the Consent Agenda and to move Board Reports to immediately following the Consent Agenda. Renumbered items accordingly.

Section 4-1(B). Order of business.

Revised order of business to schedule Public Presentations before the Consent Agenda and to move Board Reports to immediately following the Consent Agenda. Renumbered items accordingly.

Section 4-1(E)(5). Order of business.

Added the following language: “Unless the speaker requires an accommodation, each individual speaker shall address the Board from the podium using only the podium microphone. Only one person is permitted to stand at the podium at a time.”

Section 4-1(E)(6). Order of business.

Added the following language: “The speaker’s time shall not be extended. At the end of each speaker’s time, the microphone shall be turned off. No person at a public presentation shall be permitted to yield time to a speaker.”

Section 4-2(A). Consent Agenda.

Punctuation correction.

Section 4-2(C). Consent Agenda.

Added the following language: “or items.”

Language amended to clarify that removed items are considered immediately following the vote to approve the Consent Agenda.

Section 4-5 (in whole). Motions.

Amended Paragraph designations to account for new paragraphs being added to section.

Section 4-5(D). Motions.

Added new paragraph D regarding perfecting amendments.

Section 4-5(E). Motions.

Added new paragraph E regarding substitute motions.

Section 4-5(F). Motions.

Amended and added language regarding perfecting amendments to any main motion including that perfecting amendments take precedence over substitute motions and may be discussed prior to being voted on and that only one perfecting amendment may be made at a time, but subsequent perfecting amendments may be made after the resolution of each preceding perfecting amendment.

Section 4-5(K). Motions.

Changed “conditional use permit” to “special use permit”.

Section 4-8. Suspending rules.

Moved the word “temporarily” in sentence to reflect proper word placement.

Section 5-2. Hearing presentations.

Replaced “and/or” with “or”. Added an “a” before representative.

Section 5-3(B). Order of public hearings.

Added that in land use cases, the applicant and his or her representatives shall be the first speakers after the staff presentation.

Section 5-3(C). Order of public hearings.

Removed the word “then.”

Added the following language: “The speaker’s time shall not be extended. At the end of each speaker’s time, the microphone shall be turned off.”

Struck the following language: “The Board, by unanimous consent, may allow any speaker to proceed past the time limit.”

Sections 5-3(D) and (E). Order of public hearings.

Removed capitalization of the word “land use” in each section.

Section 5-4. Close of hearing.

Added “or” before committee. Corrected comma placement.

Section 7-3. Delivery of Agenda.

Amended to state that each member of the Board and the County Attorney shall receive a Board notebook seven days prior to each regularly scheduled Board meeting. Added that all documents related to an Agenda item should be prepared and submitted to the Clerk in time to be included in the Board notebook.

Section 8-1. Appointments to boards, authorities, commissions, and committees.

Added that the members of boards, authorities, commissions and committees that are not created by the motion, resolution, or ordinance of the Board shall be appointed by consent of the Board. Capitalized “Consent Agenda”.

Added that resumes, curricula vitae or other materials of appointees do not need to be included on the Agenda if the prospective appointee previously has served as Board appointee.

Section 8-2. Attendance.

Incorporated Section 8-3 (Planning Commission Members Attendance) into Section 8-2 (Attendance).

Amended language for grammatical purposes.

Added designation of paragraphs (“A” and “B”).

Section 8-3. Planning Commission Members Attendance.

Original paragraph in Section 8-3 titled “Planning Commission Members Attendance” was moved to Section 8-2 as paragraph 8-2(B).

New Section 8-3/Old Section 8-4. Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

This Section was renumbered from 8-4 to 8-3.

Section 8-3(A). Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Amended to state that any board, authority, commission or committee that is established by the Board of Supervisors shall be governed by bylaws submitted to and approved by the Board of Supervisors.

Section 8-3(B). Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Added to incorporate into the Board of Supervisors' bylaws, the bylaws for the following boards, authorities, committees, and commissions: Capital Construction Committee, Citizen Budget Review Committee, Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and the Transportation Committee.

Appendix:

Added an Appendix which includes the bylaws for the following boards, committees, authorities and commissions: Capital Construction Committee, Citizen Budget Review Committee, Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and the Transportation Committee.

January 23, 2018

Section 4-1(E)(5) Order of business.

Added the following language: Any material or information to be displayed on the County computer during the Public Presentations portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Section 5-3(C) Order of public hearings.

Added the following language: Any material or information to be displayed on the County computer by a member of the public during the Public Hearing portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

February 13, 2018

Section 4-1(E)(5) Order of business.

Revision to Board of Supervisors Bylaws to require that each speaker must state his or her name and either his or her address or election district during Public Presentations.

Section 5-3(C) Order of public hearings.

Proposed revision to Board of Supervisors Bylaws to require that each speaker must state his or her name and either his or her address or election district during Public Hearings.

Appendix: Citizen Budget Review Committee Bylaws

Amendment of CBRC Bylaws to provide that, in addition to the appointing supervisor, the Board of Supervisors, by a simple majority vote, can remove an appointee from the CBRC.

February 27, 2018

Appendix: Transportation Committee Bylaws

Amendment of Transportation Committee Bylaws changing the quorum from nine (9) members to a majority of appointed members.

April 24, 2018

Section 9-6 Complaints

Section 9-6, Complaints, was added to Bylaws, and original Section 9-6 titled “Amending Bylaws” was renumbered to Section 9-7.

Section 9-7 Amending Bylaws

Section 9-6, originally titled “Amending Bylaws”, was renumbered to Section 9-7.

September 11, 2018

Appendix: Finance Committee Bylaws

Amendment of Finance Committee Bylaws adding Section 2-2, Alternates and Delegates.

September 25, 2018

Appendix: Public Safety Committee Bylaws

Amendment of Public Safety Committee Bylaws removing term limit language from Section 2-1(b).

October 23, 2018

Sections 4-1 and 4-2 – Order of Business

Amended the Order of Business for both regular and work session meetings to place the consent agenda before public presentations, but allowing public comment on any matter on the consent

agenda. Public comment will be allowed on any consent agenda item immediately after the consent agenda is presented but before any item is pulled. After any public comment and the vote on the consent agenda, the usual public presentations period will take place on any matters not set for a public hearing at that same meeting or which were on the consent agenda.

This amendment also adds an item to the order of business titled “Award Presentations and Special Recognitions” immediately after the approval of the agenda.

January 8, 2019

Paragraphs 2-1, 2-1.1, and 4-1(B)

Elimination of “Work Session” distinction.

Paragraph 2-4.1

Typographical Correction - Numbering. Paragraph “2.4.1.” should be “2-4.1.”

Paragraph 3-1(B)

Wording of Chair Appointments. The exception has been moved to the beginning of the sentence.

January 14, 2020

Paragraph 4-1(E)(11)

Removed the phrase “or personal attacks” from end of paragraph.

January 28, 2020

Appendix: Citizen Budget Review Committee Bylaws

- Amended Bylaws to state that the CBRC reviews the School Board’s Recommended Budget verses the Superintendent’s Recommended Budget.
- Amended Bylaws to state that the members are to schedule review report as late as possible but prior to advertisement of tax rate.
- Amended Bylaws to state that if a follow-up presentation is required, the bylaws allows said presentation to occur no later than the last scheduled budget meeting prior to BOS budget adoption meeting
- Amended Bylaws to state that any preliminary versions of CBRC reports must be presented to County Administrator prior to being presented to BOS

October 13, 2020

Appendix: Transportation Committee Bylaws

Amendment of Transportation Committee Bylaws changing the Planning Commission appointee from the Chair to a member of the Planning Commission.

January 12, 2021

Section 2-5. Added “except for actions required by law to be taken pursuant to a roll-call vote which shall be taken by a roll-call vote and an action to adjourn which may be taken by an oral vote of “aye” or “nay”.

Section 4-1(B). Changed Public Hearings time from 6:10 p.m. to 6:30 p.m.

Sections 4-1(E)(5) and 5-3(C). Added that any material or information that a speaker wants displaced on the County computer during the Public Presentations portion of a Board meeting, that the material or information must be provided to the Clerk no later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County’s Department of Information Services.

Section 4-1(E)(13). Added paragraph number 13 to Section 4-1(E) regarding providing public comments in writing.

Section 4-5. Added “A vote on any matter previously voted upon at a prior meeting may not be added to any agenda, including under the “Possible Agenda Additions”, or otherwise renewed at any future meeting of the Board unless the motion to renew or request to add is brought forth by a member of the prevailing side of the matter previously voted upon.”

Section 5-3(C). Added paragraph to Section 5-3(C) regarding providing public comments in writing.

Section 7-1. Added the language of “except for matters specifically prohibited from being considered by the Board as set forth in these bylaws” to paragraphs A through E.

SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS BYLAWS



SECTION 1 - PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of By-Laws and Rules of Procedure

- A. To enable County government to transact business expeditiously and efficiently affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Board Member;
- C. To preserve a spirit of cooperation among Board members; and
- D. To determine the will of the Board on any matter.

Section 1-2. Five basic principles underlying By-Laws and Rules of Procedure

- A. Only one subject may claim the attention of the Board at one time;
- B. Each item presented for consideration is entitled to full and free discussion;
- C. Every member has rights equal to every other member;
- D. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- E. The personality and desires of each member should be merged into the larger unit -- the Spotsylvania County Board of Supervisors.

SECTION 2 – MEETINGS

Section 2-1. When and where regular meetings held

The time and place of regular meetings of the Board of Supervisors (hereinafter referred to as the Board) shall be established at each annual organizational meeting. Regular meetings shall be held in the Board of Supervisors Meeting Room of the R. E. Holbert Memorial Building on the 2nd Tuesday of each month at 4:30 p.m. and on the 4th Tuesday of most months at 6:00 p.m.

Section 2-1.1. Continued Meetings

A regular meeting shall be continued to the immediately following Thursday at the same time and place as the regular meeting if the Chair, or Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Section 2-2. Meeting termination

Meetings of the Board shall terminate not later than 12:00 midnight; provided, however, with majority consent of those members present, a meeting may be extended.

Section 2-3. Special or Emergency Meetings

A. The Board may hold such special or emergency meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. A special or emergency meeting of the Board shall be called pursuant to Section 15.2-1417 of the Code of Virginia (1950), as amended.

B. Special or emergency meetings may be called by the Chairman or any two (2) members in writing to the County Administrator for any purpose stated in the notice of the special or emergency meeting pursuant to Section 15.2-1418 of the Code of Virginia (1950), as amended. Only matters specified in the notice shall be considered unless all of the members of the Board are present.

C. Notice, reasonable under the circumstances, to the public of any special or emergency meeting shall be given contemporaneously with the notice provided the members of the Board and the County Attorney.

Section 2-3.1. Legal Holiday

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.

Section 2-4. Annual organizational meetings

A. The first meeting in January of each year shall be known as the annual meeting. The County Administrator shall preside during the annual meeting pending the election of the Chair of the Board.

B. The Chair shall be elected at the annual meeting for a term of one year, ending at the commencement of the organizational meeting the following year.

C. Following the election of the Chair, he or she shall assume the Chair and conduct the election of the Vice Chair for the same term.

D. Following the election of the Vice Chair, the Board shall:

1. Establish dates, times and places for the regular meetings; and
2. Adopt its By-Laws and Rules of Procedure and Code of Ethics.

Section 2-4.1. Procedure for Election of Officers

A. The following procedures shall be followed to elect the Chairman and Vice-Chairman:

1. The presiding officer shall call for nominations from the membership.
2. Any member, after being recognized by the presiding officer, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
3. When all nominations have been made, the presiding officer shall close the nominating process and call for the vote.
4. The presiding officer shall call the name of each nominee in the order nominated and tally the respective votes.
5. Each member may cast one vote for any one nominee.
6. A majority of those voting shall be required to elect the officer.

B. Officers shall serve until replaced.

Section 2-4.2. Seating Arrangement

The Board Chair shall occupy the center seat on the dais with the Vice Chair occupying the seat at his or her immediate left. The remaining members of the Board shall determine their seating arrangement by seniority with the most senior member selecting his or her seat first and the remaining members selecting their respective seats in seniority order based on years served on the Board. In the event that two or more Board members have equal seniority, the selection of seating for those members shall be by alphabetical order.

Section 2-5. Quorum and method of voting

- A. At any meeting, a majority of the Board shall constitute a quorum.
- B. All actions authorized by the Board shall be pursuant to an electronic vote except for actions required by law to be taken pursuant to a roll-call vote which shall be taken by a roll-call vote and an action to adjourn which may be taken by an oral vote of “aye” or “nay”. In the event of a malfunction of the electronic voting system, questions shall be decided by an oral vote of “aye” or “nay” or a roll call vote. The Clerk of the Board or his designee shall announce the result of the vote.
- C. Any member may request a roll call vote at any time.
- D. If there is an abstention, it shall be the responsibility of the Chair to note the abstention for the record and request that the member abstaining state his or her reason for abstaining for the record.
- E. A tie vote fails.
- F. A motion to approve which fails shall be deemed a denial of the question on the floor.

Section 2-6. Closed Meeting

- A. Closed Meetings should only be used when the matter to be discussed is too sensitive for discussion in public.
- B. No meeting shall become a Closed Meeting until the Board takes an affirmative record vote in open session. Any member dissenting in such vote shall state the reason for the dissent.
 - 1. The motion shall state specifically the purpose or purposes which are the subject of the meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the Closed Meeting.
 - 2. Members shall request the assistance of the County Attorney when making additions to the published Closed Meeting agenda.
- C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Meeting shall become effective until the Board reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

D. At the conclusion of a Closed Meeting, the Board shall reconvene in open session immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements were discussed; and
2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

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

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

F. The Board may permit non-members to attend a Closed Meeting if their presence will reasonably aid the Board in its consideration of an issue.

SECTION 3 – OFFICERS

Section 3-1. Chair and Vice Chair

A. The Chair shall preside over all meetings of the Board. The Vice Chair serves in the absence of the Chair. In the absence from any meeting of both the Chair and Vice Chair, the members present shall choose one of their members as temporary chair.

B. Except as set forth otherwise in the approved bylaws of a Board Committee or as controlled by ordinance, the Chair shall make all appointments to committees created by the motion or resolution of the Board ("Board Committees"). Such appointees shall serve for a one year term that ends upon the expiration of the Chair's term at the commencement of the organizational meeting the following year. A member's status as an appointee to a Board Committee terminates contemporaneously with his or her termination of status as a Board member, whether by resignation, end of elected term, or otherwise. Substitutes or alternates to Board Committees may participate only if so authorized by the Chair.

Section 3-2. Clerk

The Clerk of the Board shall be the County Administrator and his or her duties, responsibilities and compensation shall be as set out in Sections 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended. The Clerk shall also be the timekeeper for all time limited presentations and advise the Chair when time for a report or presentation has expired.

Section 3-3. Parliamentarian

The County Attorney, or his designee, shall serve as the Parliamentarian for the purpose of interpreting these By-Laws and Rules of Procedure, Robert's Rules of Order and the Code of Virginia (1950), as amended, as may be directed by the Chair, or as required as result of a point of order raised by any one or more Board members. If the County Attorney or his designee is unavailable, the County Administrator shall serve as the Parliamentarian.

Section 3-4. Preservation of order

A. At meetings of the Board, the presiding officer shall preserve order and decorum.

B. Board members shall not speak until recognized by the Chair. Board members shall address the Chair or address other members through the Chair. After being recognized by the Chair, a Board member shall not be interrupted, except when a point of order is called or when requested to yield the floor by another member.

SECTION 4 – CONDUCT OF BUSINESS

Section 4-1. Order of business

A. At regular meetings of the Board on the 2nd Tuesday of the month, the order of business shall generally be as follows:

1.	Call to Order	4:30 p.m.
2.	Pledge of Allegiance - Invocation	
3.	Approval of Agenda Including Possible Agenda Additions	4:31 p.m.
4.	Award Presentations and Special Recognitions	4:32 p.m.
5.	Presentation of Consent Agenda	4:33 p.m.
6.	Public Comment on Consent Agenda	
7.	Vote on Consent Agenda	
8.	Public Presentations	
9.	Board Reports	
10.	Board Work Session (if necessary)	
11.	VDOT Report	
12.	Presentations/Reports by Staff	
13.	County Administrator/County Attorney Reports	
14.	Recess	5:00 p.m.
15.	Closed Meeting (if necessary)	5:15 p.m.
16.	Reconvene; Certification of Closed Meeting	6:15 p.m.
17.	Public Presentations	6:30 p.m.
18.	Public Hearings (if necessary)	6:30 p.m.
19.	New Business	
20.	Unfinished Business	
21.	Public Presentations Continued (if necessary)	
22.	Adjournment	9:30 p.m.

B. At regular meetings of the Board on the 4th Tuesday of the month, the order of business shall generally be as follows:

1.	Call to Order	6:00 p.m.
2.	Pledge of Allegiance - Invocation	
3.	Approval of Agenda Including Possible Agenda Additions	6:01 p.m.
4.	Award Presentations and Special Recognitions	6:02 p.m.
5.	Presentation of Consent Agenda	6:03 p.m.
6.	Public Comment on Consent Agenda	
7.	Vote on Consent Agenda	
8.	Public Presentations	6:04 p.m.
9.	Board Reports	
10.	Public Hearings (if necessary)	6: ~~10~~ <u>30</u> p.m.
11.	Presentations/Reports by Others	
12.	Work Session	
13.	Closed Meeting (if necessary)	
14.	Adjournment	9:30 p.m.

C. The above orders of business may be modified by the County Administrator to facilitate the business of the Board.

D. Board members' reports are limited to 5 minutes each. This time may be extended at the discretion of the Chair.

E. Presentations by the public are governed by the following rules:

1. Public Presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Board. They shall not serve as a forum for debate with the Board.
2. Remarks shall be addressed directly to the Board and not to staff, the audience or the media.
3. The Chair shall open the Public Presentations.
4. The Clerk will explain the Public Presentations policy and will call on individuals who have signed up to speak. At the conclusion of those presentations other speakers may be permitted to speak.
5. Unless the speaker requires an accommodation, each individual speaker shall address the Board from the podium using only the podium microphone. Any material or information to be displayed on the County computer during the Public Presentations portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided ~~to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting.~~ to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The

Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building. Only one person is permitted to stand at the podium at a time. Each speaker shall clearly state his or her name, and either his or her address or his or her election district.

6. There shall be a time limit for each individual speaker of three (3) minutes. If a speaker represents a group, there shall be a time limit of five (5) minutes. The speaker's time shall not be extended. At the end of each speaker's time, the microphone shall be turned off. No person at a public presentation shall be permitted to yield time to a speaker. No speaker shall address the Board more than once during Public Presentations at any single Board meeting.
7. There shall be no comment during Public Presentations on a matter for which a public hearing is scheduled during the same meeting or on an item on the Consent Agenda at that same meeting.
8. There shall be no comment during Public Presentations on a matter that has already been the subject of a previous public hearing where no final vote has been taken.
9. Any issue raised by the public which the Board wishes to consider may be put on the agenda for the next Board meeting by a majority vote.
10. Board members shall not discuss issues raised by the public except by consent of a majority of the Board members present.
11. Public comment shall be germane to policies, affairs, and services of the county government. Public comment shall not be used to make political campaign speeches or private advertisements.
12. The above rules notwithstanding, members of the public may present written comment to the Board or to individual Board members at any time during the meeting. Such written comments shall be submitted through the Clerk.
13. Members of the public may submit public comments in writing to be read into the record by County staff. Those desiring to submit written comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building

at 9104 Courthouse Road, Spotsylvania, VA 22553. Comments submitted through the County's website shall be designated "public comment" when submitted through the website portal designated for these public comments and shall identify the meeting at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked "public comments" and shall identify the meeting at which the comments are to be submitted. Comments not marked for a specific meeting shall be read at the next meeting on or after the date which they are received. Public comments submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written comments not received by County staff by 12:00 P.M. on the day of a meeting are not required to be presented to the Board. Written comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

Section 4-2. Consent Agenda

- A. The Consent Agenda shall be presented by the County Administrator.
- B. After the Consent Agenda has been presented by the County Administrator, the Chair shall open public comment on any item or items on the Consent Agenda prior to any item being removed from the Consent Agenda by a Board member pursuant to Section 4-2 (E). Public comment on any item or items on the Consent Agenda shall be governed by the same requirements set out in Section 5-3 (C) herein.
- C. The vote on the Consent Agenda shall be introduced by a motion "to approve," and shall be considered by the Board as a single item.
- D. There may be a short discussion of Consent Agenda items to answer questions or clarify a matter. There shall be no lengthy debate or discussion of a Consent Agenda item.
- E. After public comment, if any, and upon request of any Board member, an item or items shall be removed from the Consent Agenda and transferred on the agenda for consideration immediately following the vote to approve the Consent Agenda.

Section 4-3. Conduct of Meetings

When two or more members of the Board wish to speak at the same time, the Chair shall name the one to speak. The Chair may call a brief recess at any time. The Chair may order the expulsion of a disorderly member of the public, subject to appeal to the full Board.

Section 4-4. Form of petitions, etc.

Every petition, communication or address to the Board shall be in respectful language and is encouraged to be in writing.

Section 4-5. Motions

A. Members are required to obtain the floor before making motions or speaking, which they can do while seated.

B. Motions need not be seconded.

C. Informal discussion of a subject is permitted while no motion is pending.

D. While a motion is pending, it is the main motion. A member other than the proponent of the main motion may move to make a perfecting amendment, also known as a friendly amendment. A perfecting amendment proposes changes to the wording of the main motion that are designed to improve the main motion. A perfecting amendment cannot be accepted or rejected by the proponent of the main motion. It requires an affirmative vote of the Board to adopt a perfecting amendment.

E. While a motion is pending, a member other than the proponent of the main motion may make a substitute motion. A substitute motion is intended to replace the main motion rather than to amend it.

F. Perfecting amendments and substitute motions shall be allowed to any main motion. Perfecting amendments take precedence over substitute motions and may be discussed prior to being voted on. Only one perfecting amendment may be made at a time, but subsequent perfecting amendments may be made after the resolution of each preceding perfecting amendment. Once the perfecting amendments have been voted on, any substitute motion shall have precedence over the main motion and may be discussed prior to being voted on. If the substitute motion fails, the main motion, as amended by any adopted perfecting amendments, can then be voted on. If the substitute motion passes, the substitute motion shall be deemed the main motion and shall stand as having been passed by such vote. If a substitute motion fails, a second substitute motion may be made. No more than two (2) substitute motions may be made.

G. The Chair need not rise while putting questions to vote.

H. The Chair can speak in discussion without rising or leaving the chair; and, can make motions and vote on all questions.

I. A motion to call the question is not in order until every member of the Board has had an opportunity to speak.

J. When a vote upon any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side provided that such motion shall be made at the session of the Board at which it was decided. Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration. A vote on any matter

previously voted upon at a prior meeting may not be added to any agenda, including under the “Possible Agenda Additions”, or otherwise renewed at any future meeting of the Board unless the motion to renew or request to add is brought forth by a member of the prevailing side of the matter previously voted upon.

K. A motion to rescind shall not be in order for a land use decision involving a rezoning or a special use permit.

Section 4-6. Decisions on points of order

The Chair, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order. A Board member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

Section 4-7. Motion to adjourn

At a meeting of the Board, a motion to adjourn shall always be in order.

Section 4-8. Suspending rules

One or more of these By-Laws and Rules of Procedure may be suspended temporarily by a two-thirds vote of the members present, or by unanimous consent.

Section 4-9. Robert’s Rules of Order

The proceedings of the Board, except as otherwise provided in the By-Laws and Rules of Procedure and by applicable state law, shall be governed by Robert's Rules of Order.

SECTION 5 – PUBLIC HEARINGS

Section 5-1. Chair to conduct public hearings

The Chair shall conduct all public hearings.

Section 5-2. Hearing presentations

Hearings may begin with a brief presentation from a staff member or a representative from the cognizant board, authority, commission or committee by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

Section 5-3. Order of public hearings

The order of public hearings shall be as follows:

A. The Chair shall open the public hearing.

B. In land use cases the applicant and his or her representative(s) shall be the first speaker(s) after the staff presentation. There shall be a time limit of ten (10) minutes for the applicant's and his or her representative's presentation. The use of conceptual plans, renderings, and similar graphic exhibits shall be prohibited in the course of hearings on applications for rezonings and special use permits unless the applicant shall first have provided the Board with instruments executed in such form as to assure development and construction in conformity with any such conceptual plan rendering or similar graphic exhibit.

C. The Clerk shall solicit comments from the public. Each speaker must clearly state his or her name, and either his or her address or his or her election district. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. The speaker's time shall not be extended. At the end of each speaker's time, the microphone shall be turned off. No person at a public hearing shall be permitted to yield time to a speaker. Any material or information to be displayed on the County computer by a member of the public during the Public Hearing portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided ~~to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting.~~ to the Clerk as an electronic file not later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Members of the public may submit public hearing comments in writing to be read into the record by County staff. Those desiring to submit written public hearing comments to be read publically to the Board may do so immediately by submitting comments through the County's website or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Public hearing comments submitted through the County's website portal designated for these public hearing comments shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments submitted via the Treasurer's Office drop box shall be in a sealed envelope which is clearly marked "public hearing comments" and shall identify the public hearing item on the agenda at which the comments are to be submitted. Comments not marked for a specific public hearing item on an agenda and not reasonably understood by County staff to be associated with a public hearing item on an agenda shall be read at the next meeting on or after the date which they are received during the general public comment period. Public hearing comments submitted in writing to be read into the record shall be subject to the same time limits for in-person comments set out herein; however, the entirety of the written public hearing comments shall be submitted to the Board for consideration regardless of whether they are cut off from being read due to the applicable time limitations. Written public hearing comments not received by County staff by 12:00 P.M. on the day of a meeting are not required to be presented to the Board. Written public hearing comments shall otherwise be subject to the governing rules set out herein including that the submitter is required to provide his or her name and either address or election district.

D. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

E. Upon the conclusion of public comments or the applicant's rebuttal in a land use case, the Chair shall close the public hearing.

Section 5-4. Close of hearing

When a public hearing has been closed by the Chair, no further public comment shall be permitted. Board members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, or committee, or a staff member for clarification prior to taking any vote, if a vote is in order.

Section 5-5. Debate

Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

SECTION 6 – APPEAL PROCEDURES

Section 6-1 Hearing presentations

Hearings may begin with a brief presentation from one or more staff members and any witnesses staff wishes to present. The presentation shall summarize the facts about the issue. Board members may seek clarification during the presentation.

The appellant or his or her representative(s) may present next. There shall be a time limit of fifteen (15) minutes for the appellant's and his or her representative's presentation. The appellant can present other witnesses during his or her time period, if desired.

There shall be no cross-examination. Board members, however, may direct questions to the appellant, the staff member(s), and any witnesses for clarification prior to taking any vote, if a vote is in order.

Section 6-2 Debate

The Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

SECTION 7 – AGENDA

Section 7-1. Preparation

A. The Clerk shall prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 4-1 entitled "Order of Business."

B. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, Board members may request that items be placed on the agenda by contacting the Clerk at least nine (9) days prior to the Board meeting for which they wish the item scheduled. The Clerk shall place items requested by a Board member on the agenda for the next regular meeting following the request, subject to Paragraph A, of this section.

C. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, ~~All-all~~ items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline shall be placed either on the next regular agenda or, at the requesting Supervisor's discretion, in the "Possible Agenda Additions" section of the current agenda for consideration, provided the request is received by the Clerk no later than 4:00 p.m. two (2) business days prior to the meeting for which it is being requested to be considered. This section shall be labeled as Possible Agenda Additions at the end of the proposed agenda.

D. Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, ~~Nothing-nothing~~ herein prohibits the Board from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Items in the Possible Agenda Additions section of the agenda must be ratified for inclusion on the current meeting's agenda using this process. Members must use discretion in requesting the addition to items on the agenda. It is considered desirable to have items listed on the published agenda.

E. At the beginning of each meeting, after the Call to Order and Invocation, and prior to the Consent Agenda being addressed, the Board shall vote to set the agenda for the meeting. Items submitted under Possible Agenda Additions, as well as other additions a Supervisor may wish to propose except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, shall be considered for the agenda, and may be added as prescribed in subsection 7-1(D). Except for matters specifically prohibited from being considered by the Board as set forth in these bylaws, ~~Items-items~~ not accepted on the current meeting's agenda shall automatically be placed on the next meeting's agenda unless withdrawn by the requesting Supervisor.

Section 7-2. Tabled Land Use Cases

A. Land use cases tabled for six months or less shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than nine (9) days prior to a scheduled Board meeting, any Board member may instruct the Clerk to place the case on the agenda.
- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook.

- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted on at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future meeting. Upon approval by a majority vote of the members present and voting, the case will be placed on the agenda.
- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the matter off the table to be voted. Upon a vote of two-thirds of the Board members present and voting, the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

B. Land use cases tabled for longer than six months shall be handled as follows:

1. Prior to a Board Meeting

- (a) Not less than fourteen (14) days prior to a scheduled Board meeting, any Board member may instruct the County Administrator to place the case on the agenda for that meeting. The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting.
- (b) The Clerk will include the case on the agenda published on the County website prior to the meeting date and will cause the case history to be included in the Board notebook.
- (c) The case will first be considered by the Board to determine whether it should be taken off the table. A majority vote of the members present and voting is required to take the case off the table. If taken off the table, the case can be discussed and voted at that meeting.

2. At a Board Meeting

- (a) At any Board meeting a member can make a motion to place the case on the agenda of a future Board meeting not less than fourteen (14) days from the date of the meeting at which the motion is made. Upon approval by a majority of the members present and voting, the case will be placed on the specified agenda.
- (b) The Clerk will cause a public notice to be run in the newspaper not less than seven (7) days prior to the meeting notifying the public that the case will be on the agenda and that written comments can be submitted to the Clerk no later than the day prior to the meeting. In addition, the Clerk will include the case on the agenda published in the newspaper prior to the meeting date and will cause the case history to be included in the Board notebook. The case can be discussed and voted at that meeting.

3. Immediate Action Without Additional Notice

At any Board meeting a member can make a motion to take the case off the table to be voted. Upon a unanimous vote of the Board members present and voting, the case will be taken off the table. If taken off the table, the case can be discussed and voted at that meeting.

Section 7-3. Delivery of Agenda

The Board notebook, including the agenda and related materials, shall be received by each member of the Board and the County Attorney seven (7) days prior to each regularly scheduled Board meeting. All documents related to an agenda item should be prepared and submitted to the Clerk in time to be included in the Board notebook.

Section 7-4. Copies

The Clerk shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator. The Clerk shall also have copies available at each meeting.

Section 7-5. Comments, queries of Board members

Board members are to observe the following rules during the discussion of agenda items:

- A. Comments of Board members must be constructive. The Chair shall ensure that comments are constructive.
- B. The Chair shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The Chair shall rule other comments out of order.
- C. Board Members may address questions to the County Administrator or staff present at the meeting. Staff members should be at the podium or speaker's table

when answering Board members' questions. All legal questions should be addressed to the County Attorney.

SECTION 8 - BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

Section 8-1. Appointments to boards, authorities, commissions, and committees

Members of boards, authorities, commissions and committees not created by the motion, resolution, or ordinance of the Board shall be appointed by consent of the Board. Proposed appointments shall be included in the Consent Agenda. Resumes, curricula vitae, or other materials which demonstrate the qualifications of the prospective appointee should be included unless the prospective appointee previously has served as a Board appointee. Subject to any state law provisions to the contrary, appointees' terms shall run concurrently with the term of the Board member making the motion to appoint, unless a shorter term is specified by the Board. Subject to any state law provisions to the contrary, all appointees to boards, commissions and committees serve and may be removed, with or without cause, at the pleasure of the Board.

Section 8-2. Attendance

A. Members of any Board Committee, or of any committee to which the Board of Supervisors appoints a member, shall be expected to attend every scheduled meeting of the committees to which they have been appointed. It shall be the duty of the chairman of any Board Committee to report the attendance of committee members annually to the Board of Supervisors. Any member of a committee who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of the committee in any year, at the discretion of the Board of Supervisors, may be deemed to have forfeited his or her membership on the committee. In the event that the Board of Supervisors determines that a committee member has forfeited his or her appointment pursuant to this section, the Clerk of the Board of Supervisors shall notify, in writing, the committee member of his or her removal from the committee based upon his or her failure to attend the required percentage of scheduled meetings and shall thank the member for his or her service to the community. Upon the appointment of any committee member, the Clerk of the Board of Supervisors shall forward to the member a copy of this section.

B. Notwithstanding the foregoing provision, a member of the Planning Commission may be removed from office by the Board of Supervisors without limitation in the event that the commission member is absent from any three (3) consecutive meetings of the commission, or is absent from any four (4) meetings of the commission within any twelve (12) month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

Section 8-3. Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees

A. Any board, authority, commission or committee established by the Board of Supervisors, whether by ordinance, resolution, or motion and whether a standing or ad hoc committee, shall be governed by bylaws submitted to and approved by the Board of Supervisors.

B. The bylaws of the nine (9) standing Board Committees (Capital Construction Committee, Citizen Budget Review Committee (CBRC), Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and Transportation Committee (the “Standing Committees”)) are set forth in the appendix to these Bylaws. The Board shall make any changes to the bylaws of a Standing Committee by simple majority vote.

SECTION 9 – GENERAL OPERATING POLICY

Section 9-1. Citizens Contacting Board Members

Members of the Board who are contacted by a citizen living in an election district other than the election district which the Board member represents, should recommend that the citizen contact his or her respective Board member and should further advise the Board member in whose election district the citizen resides or owns property of the purpose of the contact.

Section 9-2. Actions by individual members of the Board

It shall be the policy of the Board that no one member shall exert individual action or direct any county employee or initiate any action that would require a county employee to perform any action contrary to the laws, ordinances or policies of Spotsylvania County or which would require the expenditure of public funds in any amount without the approval of the Board.

Section 9-3. Expenses of members of the Board

It shall be the policy of the Board that each member shall be responsible for his or her own reimbursable expenses, which includes meals, hotel accommodations, and travel. Special transportation charges and other charges related to attendance at seminars or conferences may be charged to the county or covered through other arrangements as may be made by the County Administrator.

Section 9-4. Numbering and indexing of resolutions, ordinances, and proclamations

It shall be the responsibility of the Clerk to number and index all resolutions, ordinances and proclamations of the Board. The resolutions shall be numbered consecutively, and use the last two digits of the calendar year. Example: for the first resolution in January, 1993, the resolution number would be shown as: Resolution No. 93-01. Proclamations shall also be numbered consecutively.

Section 9-5. Minutes of the Board meetings

The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings and a summary of the Board’s proceedings at each meeting. They shall reflect the issues discussed and Board comments. Minutes shall be considered for approval within thirty (30) days of the meeting they record.

Section 9-6. Complaints

A. Any complaint made to the Board or a Board member alleging that any Board member or Board appointee violated the Board's Code of Ethics or similar policy or other governing rules adopted or approved by the Board, and any complaint regarding the character and fitness of any prospective candidate for a Board appointment, shall be submitted to the Clerk and then forwarded by the Clerk to the Board members and the County Attorney and, if a complaint regarding a Board appointee, also to the other members of the Board Committee on which the Board appointee sits, for their consideration.

B. Any complaint regarding the character and fitness of any prospective candidate for a Board appointment, shall, to the extent permitted by law, be discussed by the Board in a Closed Meeting. This shall not be interpreted to limit the Board's consideration of any other matter which may be discussed in a Closed Meeting pursuant to law.

C. Any Board member may, on behalf of the Board, request an opinion of the County Attorney regarding any matter identified in Section 9-6 (A) and may present information for the County Attorney's consideration. Board members shall maintain the confidentiality of any opinion provided by the County Attorney or the Office of the County Attorney and any other attorney-client privileged communication or attorney work product related to this or any other matter unless otherwise authorized by the Board. This shall not be interpreted to limit a Board member from requesting an opinion of the County Attorney on any other matter.

D. The Board shall ensure a response is provided to the complainant within forty-five (45) days after the completion of the Board's inquiry.

E. Any action by the Board to appoint, remove, discipline, demote, or to undertake any similar action regarding any Board member or Board appointee, as applicable and allowed by law, shall not be effective until the Board acts in an open meeting and takes a vote of the membership on such action.

Section 9-7. Amending bylaws

These bylaws may be amended with the concurrence of two-thirds of the members present at any meeting subsequent to the introduction of a suggested bylaws amendment.

APPENDIX

CAPITAL CONSTRUCTION COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Capital Construction Committee (the “Committee”).

Section 1-2. Object.

The committee comprehensively examines options, costs, benefits and impacts of decisions in order to gain consensus of the Board of Supervisors (the “Board”) on project-related issues.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The Capital Construction Committee shall have five members: two members of the Board as annually appointed by the Chairman of the Board of Supervisors, the County Administrator, the Division Director of Capital Construction, and the Director of Public Utilities/Public Works.

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The Capital Construction Committee functions without officers. Minutes of the meetings are recorded and reports made to the Board as the Committee deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

The Capital Construction Committee meets the second Friday of every month except January at 10:00 a.m. Meetings are not public.

CITIZEN BUDGET REVIEW COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Citizen Budget Review Committee (the “CBRC”).

Section 1-2. Object.

The CBRC exists to review the County Administrator’s Recommended Budget and the School Board’s Proposed Budget to ensure BOS priorities are met in the most cost effective manner, and to report to the Board of Supervisors (BOS) information and potential adjustments to the budget to increase effectiveness and efficiency in achieving BOS budget priorities. In addition, the CBRC, at the request of the BOS, shall conduct studies of financial issues and report results to the BOS.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

At beginning of the term of a Supervisor, and at the first regular meeting of the Board of Supervisors, with the approval of the other Supervisors, that Supervisor shall appoint one member and may appoint one alternate to the Citizen Budget Review Committee. The term of any appointee shall coincide with the term of the appointing Supervisor, unless that appointment is terminated earlier by the appointing Supervisor, by the vote of a simple majority of the Board of Supervisors, or by the resignation of the appointee. In the event an appointment is vacated prior to the normal expiration date, the appointing Supervisor shall appoint a replacement member to serve for the remainder of that Supervisor’s term of office, subject to approval of the BOS as a whole.

Section 2-2. Regular Members and Alternates.

The CBRC shall be made up of seven (7) members. A member shall be a citizen of Spotsylvania County. Members of the committee should be citizens with prior expertise in public or private sector budgeting. Citizens should represent a cross-section of communities of interest within the county (i.e. suburban, rural, business, etc.). Each member of the Board of Supervisors may appoint one alternate, subject to the alternate’s approval by the BoS as a whole. An alternate shall be a voting member of the CBRC only when serving at a regular meeting in the place of the regular member whom the alternate was appointed to replace.

Section 2-3. Absences.

Members are expected to fully participate in the activities of the committee, including attendance

at all regular and special meetings. In addition, members shall actively engage in the review, analysis and evaluation of budgets as well as projects assigned to them. Member absences for three consecutive meetings, or overall attendance at 75% or less of the meetings in a one year period, shall be reported by the Chairman to the appointing Supervisor.

Section 2-4. No Compensation.

CBRC members shall serve without monetary compensation.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

The principal Officers of the CBRC shall be the Chairman, Vice-Chairman and Secretary, all of whom shall be elected from the membership, by the membership.

Section 3-2. Chairman.

The Chairman shall preside at all meetings. S/he shall be responsible for direct coordination with the County Administrator on all issues affecting the operation of the committee, as well as material issues revealed during the efforts of the committee.

Section 3-3. Vice-Chairman.

The Vice Chairman shall take the place of the Chairman and perform the Chairman's duties whenever the Chairman is absent or unable to act. The Vice Chairman shall also perform other duties as requested by the Chairman and approved by a majority of the membership.

Section 3-4. Secretary.

The Secretary shall keep the minutes of all meetings, and submit the minutes to the Chair for approval by the committee prior to publication on the County website. The Secretary shall have charge of the papers, presentations and records of the committee.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings of the CBRC shall be conducted at regularly scheduled intervals as determined by the needs of the CBRC and agreed to by the membership, but no less than once per month. Regular meetings shall be conducted at the location provided by the County Administrator. The schedule of regular meetings shall be provided to the BOS and the County Administrator, and shall be published on the County website. These meetings shall be open to the public. The County shall make available meeting space within existing County operational locations based on the expected

frequency of meetings as determined by the committee.

Section 4-2. Special Meetings.

Special meetings of the CBRC may be called by the Chair with the consent of a majority of members. Special meetings shall be scheduled at least 72 hours in advance to allow notification of the BOS and the County Administrator. A general purpose for the meeting shall be provided as part of the notification. Special meetings shall be advertised on the County website.

Section 4-3. Other Types of Meetings.

In addition to the meetings above, members of the CBRC may need to communicate in person with various organizational elements within the County. Therefore, the CBRC may schedule meetings or appointments as part of the mission of the committee. Meetings or appointments shall be coordinated through the County Administrator or the designated point of contact within a department. Some of these may be:

- o Initial strategy discussion with the BOS and/or County Administrator
- o Introductory or kickoff meetings with departmental staff
- o Interviews with County staff
- o Discussion of preliminary results

Section 4-4. Organizational Meeting.

The Officers shall be elected annually in May, following approval of the next fiscal year's County budget. Members may hold an office for successive terms. Vacancies in Officer positions shall be filled promptly by majority vote of the remaining members no later than the next scheduled regular meeting.

Section 4-5. Quorum.

A quorum of at least four (4) members shall be required to conduct formal business such as approval of minutes, project plans and presentations. Issues may be discussed and information exchanged at meetings that do not have a quorum, but neither official business nor votes may be taken at these meetings..

Section 4-6. Conduct of Meetings

Meetings shall be conducted in an orderly fashion in accordance with a previously published agenda.

Section 4-7. Order of Business.

Minutes shall be taken at all meetings. A typical regular meeting agenda shall include:

- a. Confirmation of attendance and existence of a quorum (as appropriate)
- b. Approval of minutes of prior meeting(s)
- c. Reports of project and/or review status
- d. New Business

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Organization and Schedule of Activities.

CBRC shall be organized around the Fiscal Year budget cycle. The start of committee activities shall begin in May to coincide with the end of the approval process for the next fiscal year budget. The committee shall determine a general schedule for regular meetings, and establish a general framework for addressing projects assigned by the BOS, and for reviewing and analyzing the next fiscal year's budget. The committee shall develop an overall plan of action for the ensuing budget cycle and present the plan to the BOS and County Administrator.

Section 5-2. Research.

The CBRC shall be permitted access to data required to perform the review for both the budget and special projects assigned by the BOS. Questions regarding the sensitivity of releasing data requested by the committee shall be submitted to the County Administrator, who shall consult with the County Attorney and the BOS to make a final determination, as appropriate. The CBRC shall have access to County and School staff for the purpose of obtaining information necessary to the conduct of the mission as authorized by the Board of Supervisors and coordinated with the County Administrator. The CBRC will coordinate this access through the County Administrator and designated points of contact within each department.

Section 5-3. Level of Detail.

The CBRC shall have access to budget data including line item data and departmental budgets. This data shall be provided by the County staff in a format agreed upon by the CBRC and County Administrator. Requests for additional or follow-up information required by the CBRC shall be made to the County Administrator.

Section 5-4. Restricted Use.

Data provided by the County shall be available to and used by the committee members exclusively for the mission of the CBRC. No data shall be shared with individuals or organizations outside the committee other than the BOS and administration officials.

Section 5-5. Outcomes.

The Citizen Budget Review Committee shall provide a report to the Board of Supervisors

regarding the County Administrator's Recommended Budget and the School Board's Proposed Budget, including specific actions or spending strategies as deemed appropriate by the committee. An initial Budget Review Report shall be delivered to the Board as soon as possible, but no later than the Board meeting where the tax rate advertisement determination is made. If necessary, the Committee may provide a supplementary follow-up presentation to the Board. In order to give the Board time to consider the CBRC findings. Budget staff will schedule this presentation as soon as possible, but not later than the last scheduled budget meeting prior to the Board meeting scheduled for budget adoption. In cases where 2 or more members disagree with the report of the majority, a Minority Report may be included as an addendum to the Final Report.

Interim reports and recommendations may be presented to the Board of Supervisors prior to the presentation of the County Administrator's Recommended Budget at the request of the Committee or the Board.

Section 5-6. Forms of Results.

The CBRC shall review and analyze budget materials and information derived from research. The results of this process may take the form of informational highlights, statements of fact and general assessments with options for BOS action, with conclusions and recommendations optional. Each CBRC recommendation shall include an impact statement which estimates both the financial and functional impact of each recommendation. Functional impacts should discuss the effect on services provided to citizens and should reference any related policies or goals adopted by the Board of Supervisors. The primary objective is to provide information to the BOS that may assist them in deciding on actions that will improve the efficiency and effectiveness County operations.

Section 5-7. Presentation of Results.

Along with the Budget reports noted in section 5-5, an opportunity may be provided for special project presentations to the BOS and the County Administrator throughout the year. The CBRC may also present interim status reports on their budget review work to the BOS as requested by the Board or the CBRC. Preliminary versions of all reports shall be presented to the County Administrator prior to presentation to the BOS.

Section 5-8. Informational Items.

From time to time, the CBRC may acquire information of an urgent or sensitive nature. The Chairman or designated committee member shall immediately make this information known to the County Administrator or County Attorney for action as appropriate.

Section 5-8. Freedom of Information Act

Any request for statements and/or information about the proceedings, analysis or conclusions of the CBRC, made to any member of the CBRC, shall be directed to the County Administrator.

Any Freedom of Information Act (FOIA) request shall be directed to the designated FOIA official for the County.

ARTICLE 6 – AMENDMENT OF BYLAWS

Section 6-1. Board Approval Required to Amend.

From time to time, the members of the CBRC may deem it appropriate to modify the provisions of these bylaws. Any member may request consideration of a change, and may submit proposed language to accomplish that change. The CBRC shall discuss the proposed change during any regular or special meeting, following which a vote regarding the proposed change shall occur. After adoption of the Bylaws, any changes or amendments to the Bylaws must be approved by a majority of the membership of the CBRC. If approved by the CBRC, the proposed change shall be sent to the County Administrator and the BOS for review, discussion, and approval, as applicable. If approved by the BOS, the change shall be incorporated into these bylaws.

EXTENSION LEADERSHIP COUNCIL BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Extension Leadership Council (the “ELC”).

Section 1-2. Object.

As needed, the ELC shall develop and implement a program plan that will direct Virginia Cooperative Extension’s resources toward the resolution of identified issues and concerns.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The ELC shall have a minimum of three members: one member of the Board and one alternate member of the Board as annually appointed by the Chairman of the Board of Supervisors, the County Administrator, and the Virginia Tech Unit Administrative Assistant.

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The ELC functions without officers. Minutes of the meetings are recorded and reports made to the Board as the Council deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Meetings.

The Council meets as needed.

FINANCE COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Finance Committee (the “Committee”).

Section 1-2. Object.

The Finance Committee exists to review matters of a financial nature coming forward to the Board including supplemental appropriations, transfers, grant applications, grant acceptances, and proposed changes to fiscal/procurement policies.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The Finance Committee shall have six members: two members of the Board as annually appointed by the Chairman of the Board of Supervisors; the Treasurer; the Commissioner of the Revenue; the Finance Director; and as appointed by the County Administrator, a Deputy County Administrator, who shall function as an ex-officio member.

Section 2-2. Alternates and Delegates.

The Chairman of the Board of Supervisors, in addition to appointing annually two members of the Board of Supervisors to serve as member so the Finance Committee (the “Supervisor Members”), also appoints annually a member of the Board of Supervisors to serve as an alternate member of the Finance Committee in the event one of the Supervisor Members cannot or does not attend a Finance Committee meeting (the “Alternate”). At any one Finance Committee meeting, the Alternate can take the place of either Supervisor Member, but not both Supervisor Members. When attending a meeting in place of a Supervisor Member, the Alternate is for such a meeting a “Member.”

The Treasurer, the Commissioner of the Revenue, and the Finance Director may each appoint one delegate to attend meetings in his or her place (a “Delegate”). A Delegate who attends a meeting in place of his or her regular member is for such a meeting a “Member,” and the attendance of the Delegate fulfills the regular member’s attendance requirement set forth in Section 8-2 of Spotsylvania County Board of Supervisors Bylaws.

An Alternate or Delegate shall be a voting member of the Finance Committee only when serving at a regular or special meeting in the place of the Supervisor Member or regular member whom the Alternate or Delegate was appointed to replace.

FC Bylaws Last Revised September 11, 2018

ARTICLE 3 – OFFICERS

Section 3-1. No Officers.

The Finance Committee functions without officers. The Director of Finance records the minutes of the meetings and reports to the Board of Supervisors as the Committee deems appropriate and as requested by the Board.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

The Finance Committee meets once a month at 3:30 p.m. on the Thursday of the week that falls between the first and second Board of Supervisor meetings.

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the IT Steering Committee (the “Committee”).

Section 1-2. Object.

The Committee, an advisory body to the County Administrator, is responsible to review and prioritize County technology initiatives to ensure that technology projects are strategically aligned with County objectives and IT governance principles and best practices.

Section 1-3. Goals.

The Committee seeks to align technology priorities with available funding; foster collaboration and partnership through shared responsibility for selection, prioritization, and implementation of technology projects; establish and follow best practices for the selection, prioritization, and implementation of technology projects; and ensure complete and timely communications regarding technology projects and priorities.

Section 1-4. Responsibilities.

The Committee shall evaluate and select new technology projects for inclusion in Capital or Fiscal year budget requests, develop and implement criteria for prioritizing technology projects, integrate and prioritize all proposed County technology projects on one list for the County Administrator’s consideration, ensure that all technology projects align with County goals, develop and implement best practices policies and procedures for implementing new technology projects, and monitor and report on the performance of implemented technology projects. The Committee shall also evaluate off-cycle project requests and emerging items for integration into the County’s technology program.

ARTICLE 2 - MEMBERS

Section 2-1. Mandatory Members.

A. The Committee shall have seven Mandatory Members, each of whom is a “Member” when the term is used herein without modification:

1. Membership by Office. Five Members are members by virtue of their Spotsylvania County employment or public office: the County Chief Information Officer (“CIO”), the County Finance Director, the Director of Public Utility/Public Works, the Sheriff, and the Fire Chief.

2. Membership by Designation. The County Administrator shall designate a Deputy County Administrator to serve as a permanent member and a department head annually to serve a one-year term.

B. The Committee shall have three core members: the CIO, the Finance Director, and the designated Deputy County Administrator (the “Core Members”).

Section 2-2. Delegate Members.

The Mandatory Members may each appoint one delegate to attend meetings in his or her place (a “Delegate”). A Delegate must hold a deputy or assistant director level position within the County. A Delegate who attends a meeting in place of his or her Mandatory Member is for such meetings a “Member.”

ARTICLE 3 – OFFICERS

Section 3-1. Chair.

The CIO shall act as permanent chair of the Committee. The Chair shall preside over meetings of the Committee and shall communicate Committee recommendations to the County Administrator.

ARTICLE 4 – MEETINGS

Section 4-1. Mandatory Meetings.

The Committee shall meet in January, March, August, September, October, and December of each year (the “Mandatory Meetings”). The Committee shall set dates and times for its Mandatory Meetings in the following year at the December meeting of each year.

Section 4-2. Additional Meetings.

Any Core Member or the County Administrator may call for additional meetings as needed.

Section 4-3. Quorum.

Attendance by the CIO or his or her Delegate, the Finance Director or his or her Delegate, the Deputy County Administrator or his or her Delegate, and one additional Member constitutes a quorum for the transaction of business. Without a quorum, the Committee may conduct any business on the agenda that does not result in a recommendation or other formal action of the Committee.

Section 4-4. Recommendations.

Recommendations to the County Administrator require the affirmative vote of a majority of the Members present at a meeting. In the event of a tie vote, the matter under consideration shall be reported to the County Administrator, with the names of those voting in favor and those voting against, for his consideration. The report shall indicate that, due to the tie vote, the matter does not carry a recommendation. Matters considered by the Committee that receive neither an affirmative vote nor a tie vote are not reported to the County Administrator, except as may be

necessary or desirable to provide the County Administrator with an accurate recitation of matters considered by the Committee.

Section 4-5. Parliamentary Authority.

Except as otherwise provided by these bylaws or the bylaws of the Board, the proceedings of the Committee shall be governed by Robert's Rules of Order.

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. By a majority vote of Members present, the Committee may vote to recommend an amendment to the Board of Supervisors.

MINORITY AFFAIRS COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Spotsylvania County Minority Affairs Committee” (the "Committee")

Section 1-2. Object.

The Committee shall promote the advancement of minority opportunities in the areas of County employment and procurement. The Committee shall work to support the employment of a more representative and diverse County workforce, an open and fair recruitment process which provides equal opportunity for all applicants, and communication aimed at the minority community about employment opportunities in County government.

The Committee shall encourage the expansion of procurement efforts to recruit participation of minority-owned enterprises in the County’s procurement process in order to increase the purchase of goods and services from these minority-owned businesses.

The Committee shall achieve these goals through the evaluation and updating of County policies and procedures, as well as education of County employees on workforce diversity issues. The Committee shall coordinate outreach to the minority community regarding County employment and business opportunities.

ARTICLE 2 - MEMBERS

Section 2-1. Appointed Members.

A. Public Members.

The Committee shall consist of seven (7) Public Members, one from each Spotsylvania County district, who shall have voting rights. Each Supervisor shall recommend for membership one individual to represent his district on the Committee. Members shall be appointed by a majority vote of the Board. The Committee membership shall be ethnically diverse and reflective of the racial and ethnic minority groups present in the County. To the extent practicable, Committee membership shall consist of at least one member from each minority group residing in the County, as identified by the most recent statistics available from the U.S. Census Bureau. Upon a particular group reaching 3% of the population in the County, the group shall be represented on the Committee by a minimum of two (2) members.

B. NAACP Members.

In addition to Public Members, the Board, by a majority, shall appoint one person who is a member of the NAACP to serve on the Committee for a term of two (2) years.

C. Spotsylvania County Sheriff.

In addition to Public Members and a member of the NAACP, the Board, by a majority, shall designate the current County Sheriff as a voting member of the Committee.

D. Board Members.

The Chairman of the Board shall appoint two members of the Board to serve as voting members on the Committee.

Section 2-2. Ex-officio Members.

The Committee shall include three ex-officio members who shall not have voting rights. These ex-officio members are the designee of the County Administrator, who shall serve as the Lead Staff person for the Committee, the County Director of Human Resources, and the County Purchasing Manager.

Section 2-3. Absences.

Any appointed member who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of the Committee in any year or who fails to attend three (3) consecutive regular meetings of the Committee and provides no adequate excuse for such absences shall be deemed to have tendered his resignation. The Chair, with concurrence of a majority of the Committee, shall recommend to the Board to replace that member with a new appointment.

Section 2-4. Vacancy, Replacement, and Removal.

Public Members shall serve terms consistent with the term of the Board Supervisor for their district. A Public Member may be removed from membership in the Committee by a majority vote of the Board.

The Chairman of the Board may, at any time, withdraw his appointment of a Supervisor and designate another Supervisor to serve on the Committee.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

At the initial organizational meeting of the Committee, the appointed members shall elect a Chair and Vice Chair by majority vote. Thereafter, a nominations committee shall be appointed by the Chair of the Committee prior to February 1st of each year. The nominations committee shall report to the Committee at its first regularly scheduled meeting in February of each year. Nominations of the Chair and Vice Chair shall be presented at said regular February meeting. Election of the Chair and Vice Chair shall follow immediately.

A candidate receiving a majority vote of the appointed membership of the Committee shall be declared elected. The candidate shall take office immediately and serve for one year or until his/her successor shall take office.

Vacancies in offices shall be filled immediately by regular election procedures.

The nominations committee appointed by the Chair of the Committee shall consist of the Chair and two additional appointed members of the Committee

Section 3-2. Chair.

The Chair shall be a member of the Committee and shall have the duty to preside at all meetings of the Committee; rule on all procedural questions with such procedural rulings subject to being reversed by a vote of at least a two-thirds majority of the appointed members present; be informed immediately of any communications related to the Committee and report the same at the next regular meeting; and carry out other duties as assigned by the Committee.

The Chair or Vice Chair shall sign all official papers involving the authority of the Committee (e.g. reports and recommendations to the Board).

Section 3-3. Vice-Chair.

The Vice Chair shall be a member of the Committee and shall have the duty to act in absence or inability of the Chair to act, have the powers to function in the same capacity as the Chair when the Chair is absent or unable to act, and preside at the meeting at such times as the Chair may step down in order to bring a motion before the Committee.

Section 3-4. Secretary.

Lead Staff or his designee will serve as Secretary for the Committee. The Secretary shall not have voting rights and shall have the duty to supervise the keeping of minutes of the Committee and retain these in the Human Resources Department, notify all members of all meetings, keep a file of all official records and reports of the Committee, certify all records and reports of the Committee, assist in the drafting of the annual report to the Board, and other reports, as requested, provide notice of all meetings in accordance with the Virginia Freedom of Information Act requirements in accordance with the Code of Virginia (1950, as amended), and attend to all correspondence of the Committee. The Committee shall approve all correspondence by a majority vote prior to distribution of any communication on behalf of the Committee.

The minutes shall become part of the public record. The Secretary shall insure that minutes are kept for all regular meetings and all other adjourned and special meetings. The Secretary shall sign all minutes and certify that the minutes are true and correct.

Section 3-5. Parliamentarian.

The Chair shall preside at all meetings of the Committee, and shall function as Parliamentarian. In the event the Chair is unable to preside, the Vice Chair shall preside.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings of the Committee shall be held semi-annually in February and August, on the third Thursday of each month at 7:00 p.m. in the Spotsylvania County Human Resources Department Conference Room, or at such other location as the Committee may deem appropriate. The time of each meeting will be set out in the Notices posted at the Holbert Building and the County Administrator's office. When a meeting date falls on a legal holiday, the meeting shall be held on the day following the holiday unless otherwise designated by the Committee.

Section 4-2. Special Meetings.

Special meetings shall be called at the request of the Chair or at the request of a quorum of the membership. At least five days prior to special meetings, written notice of such meeting shall be given to each member and to those requesting notice of meetings under the Virginia Freedom of Information Act. A written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice. See, Code of Virginia Section 15.2-2214 (1950, as amended).

Section 4-3. Quorum.

A quorum shall consist of a majority of the appointed members of the Committee. Voting shall be governed by Robert's Rules of Order. At the request of any appointed member voting may be by roll call. A record of the voting shall be kept as a part of the minutes.

Section 4-4. Open to Public.

All meetings, hearings, records and accounts shall be open to the public.

Section 4-5. Conduct of Meetings

All motions made at any meeting of the Committee shall be restated by the Chair before a vote is taken. A motion may be passed by the affirmative vote of a majority of the appointed members present. The names of persons making and seconding motions and the vote shall be recorded.

Parliamentary procedure in all Committee meetings shall be governed by the adopted rules of order, namely, Robert's Rules of Order, except as the same are modified by these bylaws. Meetings shall be conducted in accordance with procedures prescribed in these By-Laws and decisions reached only after full consideration and debate on the issue in question.

Section 4-6. Order of Business.

The order of business for a meeting shall be as follows:

- a. Call to order by the Chair.
- b. Recording of members present by Secretary.
- c. Determination of a quorum.
- d. Review and approval of the minutes.
- e. Public Presentations.
- f. Unfinished business.
- g. New business.
- h. Adjournment.

The above order of business may be modified by the Chair to facilitate the business of the Committee.

The agenda for all Committee meetings shall be prepared by the Chair in consultation with Lead Staff and with input from all Committee members.

Section 4-7. Public Presentations.

Presentations by the public are limited to three speakers and are governed by the following rules:

Public Presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Committee. They shall not serve as a forum for debate with the Committee.

Remarks shall be addressed directly to the Committee and not to staff, the audience or the media.

The Chair shall open the Public Presentations.

The Chair will explain the Public Presentations policy and will call on those individuals who, in advance, have made arrangements to speak, through the Secretary. Upon conclusion of scheduled speakers, if less than three presentations have been made, other members of the public shall be permitted to speak on a first-come basis until a maximum number of three presentations have occurred.

Each speaker shall clearly state his or her name, address and district.

There shall be a time limit for each individual speaker of three minutes. No speaker shall address the Committee more than once during Public Presentations at any single Committee meeting.

Any issue raised by the public which the Committee wishes to consider may be put on the agenda for the next Committee meeting by a majority vote.

Committee members shall not discuss issues raised by the public except by consent of a majority of the Committee members present.

The above rules notwithstanding, members of the public may present written comment to the Committee or to individual Committee members at any time during the meeting. Such written comments shall be submitted through the Secretary.

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. The Committee may vote to recommend to the Board of Supervisors an amendment to these bylaws. Such a recommendation requires the affirmative vote of two-thirds vote of the entire appointed membership after 30 days prior written notice of the intention to amend these bylaws, which notice shall contain in detail the amendment to be considered.

PARKS AND RECREATION COMMISSION BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Spotsylvania County Parks and Recreation Commission (the “Commission”).

Section 1-2. Object.

The Commission shall serve as the advisory body of the Spotsylvania County Parks and Recreation Department. The Commission shall serve as a liaison between the Parks and Recreation Director (the “Director”), the Board of Supervisors, and the citizens of the community. It has no final authority or responsibility for administration. It is the purpose of the Commission to assist with the County’s Department of Parks and Recreation programs, facilities and services, and facilitate studies which will help to advance the County’s programs, to promote vital citizens involvement, and to serve as a sounding board for the public. The Commission shall consult and advise the Director in improving and expanding parks and recreation activities and programs.

ARTICLE 2 - MEMBERS

Section 2-1. Appointed by Board of Supervisors.

The Commission shall be appointed by the Board of Supervisors with members from each of the districts in the County. The Director shall serve as a non-voting, ex-officio member to the Commission.

Section 2-2. Number and Terms.

The Commission shall consist of seven (7) members. The Board of Supervisors shall appoint members for a term of four (4) years.

Section 2-3. Absences.

No member shall accumulate an annual total of more than four (4) absences. If this limitation is exceeded, for reasons other than personal illness, death of a member of immediate family, or other unusual circumstance, that respective member shall be recommended for removal from the Commission.

Section 2-4. Vacancy, Replacement, and Removal.

Vacancies occasioned by removal, resignation, or otherwise shall be reported to the Board of Supervisors, and shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office.

The Board of Supervisors may, on recommendation of the Commission, remove any member of the Commission for misconduct or neglect of duty.

Section 2-5. No Compensation.

Commission members shall serve without monetary compensation. Members shall be reimbursed for travel and subsistence necessary to attend professional recreation meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of Spotsylvania County.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

The officers of the Commission shall be a Chairperson and a Vice-Chairperson. The officers shall be elected at the organizational meeting at the first meeting of the calendar year to serve for one year or until a successor shall be elected.

Section 3-2. Chairperson.

The Chairperson shall preside at all meetings, appoint committees, call special meetings when he/she deems it advisable, and perform all such duties as usually handled by a chairperson, except when such duties are properly delegated. The Chairperson may succeed himself or herself.

Section 3-3. Vice-Chairperson.

The Vice-Chairperson of the Commission, in the absence of the Chairperson, shall perform all the duties of the Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the Commission shall elect a Chairperson Pro Tempore who shall perform the duties of the Chairperson. The Vice-Chairperson shall be charged with the responsibility to see that all standing and temporary committees function as planned by the Commission.

Section 3-4. Secretary.

The Secretary (member of the staff) shall perform the usual duties pertaining to the office. The Secretary shall be the custodian of all documents committed to her care.

The Secretary shall issue or cause to be issued notices of regular and special meetings. Also, the Secretary must issue minutes of the previous meetings to the Commission members prior to the meetings.

Section 3-5. Director's Relationship.

The Director shall have a continuing responsibility to explain the organization, responsibilities, working relations and objectives to the Commission, and to assist them in details of organization, and in all matters related to a good organization. The Director shall work closely with the

Commission in matters of interest to the operation of an efficient program. The Director is an ex-officio member (by virtue of his office) and attends commission meetings. The Director keeps the Commission informed concerning the interests, needs, objectives, progress, plans, and other factors of importance to them. The Director shall be the official medium of communication between employees of the Parks and Recreation Department and the Commission.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Regular meetings shall be held the third (3rd) Thursday of every other month during the year.

Section 4-2. Special Meetings.

Special meetings may be called by the Director of Parks and Recreation or the Chairperson.

Section 4-3. Time and Place.

The time and place for the meetings shall be designated by the Director of Parks and Recreation Spotsylvania County.

Section 4-4. Organizational Meeting.

The first regular meeting of each year shall be called the organizational meeting.

Section 4-5. Quorum.

Four members of the Commission shall constitute a quorum for purposes of a meeting. The majority of the members present in person at any duly constituted meeting shall have the full authority of the Commission for any purpose except the amendment of these By-Laws. Bylaws being amended would require a first and second reading for approval.

Section 4-6. Open to Public.

All meetings are open to the public.

Section 4-7. Conduct of Meetings

Meetings shall be conducted in accordance with procedures prescribed in these By-Laws and decisions reached only after full consideration and debate on the issue in question.

Section 4-8. Order of Business.

The following shall be the order of business of the Commission, but the Rules of Order may be suspended and any matters considered or postponed by action of the Commission.

- a. Call to Order
- b. Roll Call
- c. Approval of Minutes
- d. Public Presentations
- e. Report of Commission Members
- f. Staff Reports
- g. Report of Director of Parks and Recreation
- h. New Business
- i. Old Business
- j. Adjournment

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Recreation Recommendations.

The Commission shall make recommendations: for the establishment of a system of supervised recreation to the County; to set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas and structures, any lands or buildings owned by or leased to the County and for approval by the Board of Supervisors, and may suggest improvements of such lands, buildings, and structures as may be necessary to the recreation program within those funds allocated to the Department; in the construction, equipping, operation, and maintenance of parks, playgrounds, recreation centers, and all buildings and structures necessary or useful to Department function; in regard to other recreation facilities which are owned or controlled by the Department or leased or loaned to the Department.

Section 5-2. Acceptance Recommendations.

Advise in the acceptance by the County of any grant, gift, bequest or donation of any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation or parks.

Section 5-3. Community Liaison.

Interpret the recreation and parks services of the Department to the community and interpret the needs and desires of the community to the Director.

Section 5-4. Commission Policies.

Determine and establish the general policies to be followed in carrying out the purpose for which the Commission was established.

Section 5-5. Budget Recommendations.

A. The Director and Commission shall recommend to the Board of Supervisors an annual budget sufficient to finance the program of parks and recreation the Commission feels is necessary for the welfare of the residents of the County of Spotsylvania. The budget shall be submitted to the Board of Supervisors to hear the requests.

B. The Director along with the Commission shall annually recommend to the Board of Supervisors a budget for capital improvements (acquisition and development) in accordance with the Master Plan for Parks and Recreation for the County.

Section 5-6. Planning Duties and Responsibilities.

A. Prepare a Master Plan in cooperation with the acquisition and development of an adequate system of parks, facilities, and recreation programs for the residents of the County of Spotsylvania and update same yearly, consistent with the County's Master Plan.

B. Investigate and determine the needs and interests of the community for recreation facilities and programs and recommend a recreation program to meet those needs.

Section 5-7. Limitations on Authority.

The Commission shall have no authority to enter into any contract or incur any obligation binding the Board of Supervisors or Spotsylvania County.

ARTICLE 6 – REPORTS

Section 6-1. Reports.

The Commission shall make full and complete reports to the Board of Supervisors at such times as may be requested and at such other times as to the governing body may seem proper. The fiscal year of the Commission shall conform to that of the governing body of Spotsylvania County.

ARTICLE 7 – AMENDMENT OF BYLAWS

Section 7-1. Board Approval Required to Amend.

The approval of the Board of Supervisors is required to amend these bylaws. By a majority vote of Members present, the Commission may vote to recommend an amendment to the Board of Supervisors.

PUBLIC SAFETY COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Public Safety Committee (the “PSC”).

Section 1-2. Object.

Following recommendation by the Fire and EMS Commission to disestablish its existence as a County Commission, the Spotsylvania County Board of Supervisors (BOS) wishes to establish a Public Safety Committee to advise them of top level public safety needs including law enforcement, fire and rescue, and emergency management issues affecting the County and its citizens.

The PSC mission shall be to monitor, evaluate, and propose policies, actions, priorities, programs, and innovative responses to challenges and opportunities that enhance the efficiency and effectiveness of County government, specifically regarding public safety issues.

ARTICLE 2 - MEMBERS

Section 2-1. Number and Term.

The PSC shall initially be comprised of 9 members approved by the BOS. There shall be six standing members and three rotating members appointed by the BOS for a two (2) year term.

a. Standing Members. Standing members of the PSC shall consist of the Sheriff or designee, County Administrator or designee, the Fire Chief or designee, Emergency Management Coordinator, 911 Communications Manager, and a representative from the Department of Information Services.

b. Rotating Members. Two members of the BOS and one County Citizen at large shall be rotating members (“Rotating Members”). All rotating members shall be residents of Spotsylvania County.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

Members shall annually elect a Chairman and Vice-Chairman.

Section 3-2. Chairman.

The Chairman shall preside at all meetings, and coordinate with all stakeholders.

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Section 3-3. Vice-Chairman.

The Vice Chairman shall conduct the activities of the Chairman during his/her absence and shall perform other duties as directed.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Meetings shall typically occur quarterly, with notice to BOS and the public via the County website and the public meetings bulletin board.

Section 4-2. Special Meetings.

Special meetings may be called by the Chair with the consent of a majority of members, and with 72-hour notice to all members and the public.

Section 4-5. Quorum.

A quorum of 5 members shall be required to conduct formal business. Informal discussions at meetings that lack a quorum shall not include decisional actions.

Section 4-6. Open to the Public.

Meetings are open to the public unless the PSC passes a closed meeting resolution.

Section 4-7. Conduct of Meetings

Meetings shall conform to a published agenda, as may be amended. Minutes shall be taken at all meetings.

Section 4-8. Order of Business.

Typical agendas shall include.

- a. Call to order, confirmation of attendance and quorum (as appropriate)
- b. Approval of minutes of prior meeting(s)
- c. Public comment
- d. Reports of projects and/or activities
- e. New /old business
- f. Tasking and agenda for next meeting

ARTICLE 5 – DUTIES AND RESPONSIBILITIES

Section 5-1. Operation.

The PSC will make recommendations regarding current and future financial, organizational, policy, communication, preparedness, and/or other related public safety issues.

The PSC shall be organized around the Fiscal Year budget cycle, and shall have access via the County Administrator and Department Directors to financial, operational, staffing, policy, program, and related information regarding County activities. The PSC shall provide reports to the BoS at such time and in such format as requested by the BOS or suggested by the PSC.

ARTICLE 6 – REPORTS

Section 6-1. Reports.

The PSC shall provide reports to the BOS at such time and in such format as requested by the BOS or suggested by the PSC.

ARTICLE 7 – AMENDMENT OF BYLAWS

Section 7-1. Board Approval Required to Amend.

From time to time, it may be advantageous and appropriate to modify the provisions of these Bylaws. If approved by the PSC, the proposed change shall be sent to the BOS for consideration. If approved by the BOS, the change shall be incorporated into these bylaws.

TRANSPORTATION COMMITTEE BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1-1. Name.

The organization shall be known as the Transportation Committee.

Section 1-2. Object.

These bylaws establish the operation and management of the Transportation Committee (TC) in accordance with the laws of the Commonwealth of Virginia and the County of Spotsylvania, Virginia. The TC shall exist to provide a plan for the BoS to address transportation issues with various internal and external organizations; to provide the Board of Supervisors (BoS) with a long term plan to enhance safety, improve roadway capacity, and reduce motorist delay on Spotsylvania County's roads and intersections; to help ensure that all resources are implemented in the most cost effective and efficient manner to address solutions to Spotsylvania County's transportation issues; and to make recommendations to the BoS regarding transportation needs.

ARTICLE 2 - MEMBERS

Section 2-1. Appointment by Board of Supervisors and Term.

The TC shall initially be composed of 2-3 Board of Supervisors, 1 or 2 representatives from each of the election districts, a representative from the Spotsylvania County School District, a representative from the Planning Commission, at large business representatives as deemed necessary by the Board of Supervisors, all of which must be County residents. TC members shall serve at the pleasure of the BoS, have a general working knowledge or interest in transportation, and represent a diverse cross-section of the community. All of the preceding members shall be appointed by the BoS and shall serve a term of one (1) year or the remainder of a predecessor's term. Staff members shall be the County Administrator or his designee, the Finance Director or her designee and members of the Planning Department as deemed necessary by the Planning Director at such levels and in such numbers as are necessary for the orderly, efficient, and effective deliberation, communication and results-oriented action.

ARTICLE 3 – OFFICERS

Section 3-1. Selection of Officers.

Members shall annually elect a Chairman, Vice-Chairman, and Secretary, from the membership. Vacancies shall be filled by the remaining members at the earliest convenience.

Section 3-2. Chairman.

TC Bylaws Last Revised October 13, 2020

The Chairman shall preside at all meetings, and coordinate with all stakeholders.

Section 3-3. Vice-Chairman.

The Vice Chairman shall conduct the activities of the Chairman and Secretary if those officers are unable to do so, and shall perform other duties as directed.

Section 3-4. Secretary.

The secretary shall maintain TC records.

ARTICLE 4 – MEETINGS

Section 4-1. Regular Meetings.

Public meetings shall typically occur at monthly intervals, with notice to BoS, Planning Commission, the County Administrator, and the public via the County website and the public meeting bulletin board.

Section 4-2. Special Meetings.

Special meetings may be called by the Chair or when requested by two or more members of the TC with a 72-hour notice to all members and the public.

Section 4-5. Quorum.

A “quorum” is defined herein as a majority of the appointed members of the TC at the time of its meeting. Any appointments which are not filled or characterized as “vacant” shall not be counted when determining a quorum. A quorum shall be required to conduct formal business. Informal discussions at meetings that lack a quorum shall not include decisional actions.

Section 4-6. Conduct of Meetings.

Meetings shall conform to a published agenda, as may be amended. All agendas, minutes, reports and other documents shall be posted publicly unless part of a validly held closed meeting. The TC shall be supported by County staff as needed and available, principally from the Planning Department, County Attorney’s office and County Administrator’s office.

Section 4-7. Order of Business.

Minutes shall be taken at all meetings. Typical agenda shall include but are not limited to the following:

- a. Call to order, confirmation of attendance and quorum (as appropriate)

- b. Approval of the minutes of prior meeting(s)
- c. Public Comment
- d. Reports of projects and/or activities
- e. New/ Old business
- f. Tasks and agenda for next meeting

ARTICLE 5 – AMENDMENT OF BYLAWS

Section 5-1. Board Approval Required to Amend.

From time to time, it may be advantageous and appropriate to modify the provisions of these bylaws. If approved by the TC, the proposed change shall be sent to the County Administrator and the BoS for consideration. If approved by the BoS, the change shall be incorporated into the bylaws.

AMENDMENTS

June 22, 1993

Section 4-1. Order of Business.

Amended to move Executive Session from the beginning of the meeting to 6:00 p.m.

March 8, 1994

Added Section 2.4.1. Procedure for Election of Officers.

February 13, 1996

Section 2-6. Executive Session.

(A) Amended to have Executive Session only when matter too sensitive for public discussion.

Section 3-3. Parliamentarian.

Added language “Robert’s Rules of Order”

Section 4-1. Order of business

(A) Amended to change the order of business and also to eliminate all the times except for “Call to Order”, “Executive Session”, “Reconvene”, and “Adjournment”.

(B) Deleted “for presentations and appointments which are occasional in nature” and added “to facilitate the business of the Board.

Section 4-2. Consent Agenda

(B) Amended to allow short discussion of consent agenda items by the Board.

(C) Added “the County Administrator’s report or”

Section 4-5. Motions

(C) Deleted “maximum of five minutes.”

(D) Deleted “a vote” and added “action.”

Section 4-9. Robert’s Rules of Order

Added “Robert’s Rules of Order”

Section 5-3. Order of public hearings

(B) Added “In Zoning cases”

(C) Added language “During the annual ...past the time limit.”

(D) Added language “In a Zoning case.”

(E) Added language “public comments or”

Section 5-4. Member's Participation

Deleted

January 27, 1998

Section 2-1. When and where regular meetings held

Amended to change meeting time on 3rd Tuesday from 7:30 to 7:00

Added Section 2-1.1. Continued Meetings

Added Section 2-4.2. Seating Arrangement

Section 4-1. Order of business

- D. Amended to designate Sheriff's report to 4th Tuesday only; and added Unfinished business to the order of business.
- C. Amended to allow Chair to extend the 5 minute time limit for Board members' reports.
- D. 2. Deleted "a speaker's card"; and added "up to speak".
12. Deleted the speaker's card requirement.

Section 4-5. Motions

- E. Deleted
- F. Deleted

Section 4-6. Decisions on points of order

Amended to add that the Parliamentarian shall advise the Chair; the Chair shall make a ruling; and a member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

Section 6-1. Preparation

- D. Deleted "duly seconded and".

Section 6-5. Comments, queries of Board members

- C. Amended to reflect that the Board may ask questions to Administrator or staff present and that the staff member should be at podium or speaker's table.

June 23, 1998

Section 4-1. Order of business

- A. 10. Amended to change the time of Executive Session from 6:00 p.m. to 7:00 p.m.
12. Amended Reconvene from 7:30 to 8:00 p.m.
17. Moved Public Presentations to end of meeting.
- D. 1. Amended to define the purpose of Public Presentations from members of the public.

2. Remarks addressed to the Board and not to staff, audience or the media.
6. Changed group time from 5 minutes to 3 minutes.
8. Added no comment during Public Presentations on matters for which a public hearing was scheduled during the same meeting.
9. No comment during Public Presentations on matters that were heard in a previous public hearing where no final vote has been taken.

July 28, 1998

Section 4-5. Motions

- A. Amended to require a member to be recognized by the chair prior to making a motion or speaking to a matter.

Section 4-8. Suspending Rules

Amended requiring a two-thirds vote of the members present, or by unanimous consent.

November 24, 1998

Section 4-1 Order of Business

Amended A.13 Public Presentations to 8:15 p.m.

January 26, 1999

Section 4-1. Order of business

- A. Amended to change
 1. Call to Order from 4:30 p.m. to 2:00 p.m., to provide time for a Board Work Session.
- D. Added number 12 to clarify that written comments to the Board will be accepted from the public at any time during the meeting.

January 11, 2000

Section 2-6. Closed Session

Changed the wording Executive Session to Closed Session in accordance with Virginia State law.

Section 4-1. Order of business

- A. Amended to change:
 11. Executive Session to read Closed Session
 15. Public Hearings deleted the time of 8:15 p.m.
 19. Executive Session to read Closed Session

April 25, 2000

Section 2-1. When and where regular meetings held

Added the wording relating to 2:00 p.m. work session

Section 4-1. Order of business

- A. Amended to change:
 - 11. Closed Session to read 6:00 p.m. instead of 7:00 p.m.
 - 13. Reconvene; Certification of Closed Session to read 7:00 p.m. from 8:00 p.m.
 - 14. Public Presentations to read 7:05 p.m. instead of 8:00 p.m.
- E. Added the 7:00 p.m. start time for the 3rd Tuesday work sessions

January 23, 2001

Changed the term “Supervisors” to “Board Member” throughout document.

Section 1-1. Purpose of By-Laws and Rules of Procedures

- A. Amended by adding sentence to reflect opportunity to citizens to witness operations of government.
- B. Added the words Board Member.
- D. Deleted the word “pleasure” and replaced it with the word “will”.

Section 2-4. Annual organization meetings

- A. Amended to change wording that the first meeting in January shall be known as annual meeting.

Section 4-1. Order of business

- A. Added #4 to add afternoon Public Presentations by up to two speakers at 2:00 p.m.
- D. Added #8 to add rules to govern Public Presentations at 2:00 p.m.

Section 4-5. Motions

- D. Changed paragraph to clarify actions by the Board that can be taken without a motion.
- J. Added sentence that a member present at a meeting but temporarily absent during a vote may move for reconsideration.

Section 5-3. Order of public hearings

- B. Added that conceptual plans, renderings, etc., shall be prohibited on applications for rezonings and special use permits, unless application requires development and construction in substantial conformity with plans, renderings, etc.

July 9, 2002**Section 4-1. Order of business**

- A. Amended #13, 14, 15 - to change the Public Presentations and the Public Hearings from 7:00 p.m. to 6:30 p.m.

D. Amended #8 to change public hearing time from 7:00 p.m., to 6:30 p.m.

August 13, 2002

Section 4-5. Motions.

G. Amended to make a single vote on a substitute motion stand for both (i) adoption of the substitute motion as the main motion; and (ii) passage of such motion by the Board.

January 13, 2004

Section 2-1. When and where regular meetings held

Changed meeting time from 4:30 p.m. to 4:00 p.m. if no work session is scheduled and from 2:00 p.m. to 4:30 p.m. if a work session is scheduled.

Section 4-1. Order of business

A. Amended No. 1. Call to Order, to change time of meeting without a work session scheduled to 4:00 p.m., and to 4:30 p.m. if a work session is scheduled. Amended #5 Consent Agenda time from 4:30 p.m. to 4:00 p.m.

February 24, 2004 (effective March 1, 2004)

Section 4-1A. Order of Business

Removal of items 6 and 7 (Highway Department and Sheriff's Report)

Change time for item 12 (Closed Session from 6:00 p.m. to 5:45 p.m.

Change time for item 13 (Reconvene); Certification of Closed Session, and item 15 (Public Presentations) from 6:30 p.m. to 6:00 p.m. and change the advertised public hearing to reflect 6:00 p.m.

Removal of item 21 (Closed Session if necessary)

Section 4-1E.

Change start time for 3rd Tuesday work sessions from 7:00 p.m. to 6:00 p.m.

Section 7-2. Attendance

Added this section to convey the Board's expectation that persons appointed to serve on county boards, authorities, etc., attend all regularly scheduled meetings and provides a mechanism for the Board to remove members who fail to attend 75% of the scheduled meetings in any year.

April 13, 2004

Section 4-1. Order of Business

Added No. 6 VDOT Report 4th Tuesday only

May 25, 2004

Section 4(D)(6)&(8). Order of Business

Clarification that any citizen may speak once during public presentation at any single Board meeting.

October 12, 2004**Section 2-1(A) and (B). When and where regular meetings held.**

- (A) Changes regular meetings from 2nd and 4th Tuesday of each month to only the 2nd Tuesday of each month.
- (B) Work Session meetings held on the 4th Tuesday of each month.

Section 4-1(A)&(E). Order of Business.

- (A) Regular meetings on the 2nd Tuesday of each month.
- (A)(6) Change VDOT Report from 4th Tuesday to 2nd Tuesday of each month.
- (E) Meetings on 4th Tuesday shall be for the purpose of presentations and work sessions.

Section 6-3. Delivery of Agenda.

Change delivery day from Wednesday to Friday.

December 14, 2004**Section 2-4(B). Annual Organizational meetings**

- (B) Deleted the last sentence – The Chair may not succeed himself or herself in office.

November 14, 2006**Section 2-5(B) Quorum and method of voting**

- (B) Added language to conform to the new electronic voting system.

January 9, 2007**Section 2-4. Annual organizational meetings**

- (B) Added language defining term.
- (C) Election of Vice Chair for same term.

Section 2-5. Quorum and method of voting.

- (B) Deleted language that any member may request a roll call vote.
- (C) Added language that any member may request a roll call vote and the order of voting.
- (F) Added that a motion to approve which fails shall be deemed a denial of the question on the floor.

Section 3-2. Clerk

Added language that the Clerk shall also be timekeeper.

Section 3-3. Parliamentarian

Added the County Attorney's designee.

Section 3-4. Preservation of order

- (B) Added language that members shall not speak until recognized by the Chair and members shall address the Chair or address other members through the Chair.
- (D) Presentations by the public are governed by the following rules:
 - (7) Deleted

Section 5-3. Order of public hearings

- (B) Added applicant and his/her representative – deleted applicant or his/her representative... Added language prohibiting conceptual plans, renderings, and similar graphic exhibits, unless the applicant shall first have provided the Board documents in such form as to assure development and construction in conformity of the plan rendering or similar graphic exhibits.
- (C) Added language that no person at a public hearing shall be permitted to yield time to a speaker.

Section 6-3. Delivery of Agenda

Added Thursday and deleted Friday.

Section 8-6. Amending bylaws

Amendments to bylaws may be amended at any meeting subsequent to the introduction of suggested bylaws amendment.

March 6, 2007

Section 2-5. Quorum and method of voting.

- (B) Added all actions authorized by the Board shall be pursuant to an electronic vote.

Section 4-5. Motions.

- (D) Deleted paragraph

May 22, 2007

Section 7-3. Planning Commission Members Attendance.

Added 7-3.

September 25, 2007

Section 7-1. Appointments to boards, authorities, commissions and committees

Appointment by consent rather than resolution. Appointments to be included in the consent agenda. Requirement of resumes, etc.

January 12, 2010

Section 2.1. When and where regular meetings held

Time changed from 4:00 p.m. to 4:30 p.m.

Section 2.3 Special Meetings

Paragraph B. – the words “the Chairman or” added before any two in the first sentence, and “pursuant to Section 15.2-1418 of the Code of Virginia (1950), as amended, added at the end of first sentence.

Section 2.6. Closed Session

The word Session changed to Meeting in section title, paragraphs A., B., C., D., E., and F.

Section 4.1 Order of Business

A. The order has been changed around, and new B. has been added and paragraphs relettered. Old E. has been taken out. Paragraph E.7. has been taken out and paragraphs have been renumbered. Paragraph A (new number 10), the words (if necessary) have been added. Paragraph B.6., the words (if required) have been added.

Section 5.3 Order of public hearings

The word Zoning has been changed to Land Use in paragraphs D. and E.

January 11, 2011:

Section 5-3. Order of public hearings

The provision limiting individual speakers to five minutes each during the annual public hearing on highway improvements was deleted from paragraph C.

Section 7-1. Appointments to boards, authorities, commissions, and committees

A sentence was added to require that the term of a board, authority, commission, or committee appointee shall be the same length as the term of the Board member from the election district where the appointee resides, unless a shorter term is specified by the Board.

January 10, 2012

Section 2-4.D.2 Annual organizational meetings

“and Code of Ethics” was added at the end of this paragraph.

Section 3-1 Chair and Vice Chair

“to Board Committees” was added after “alternates” in the last sentence of this section.

Section 4-1.E.6 Order of business

Adds a time limit of five minutes for any speaker who represents a group.

Section 4-1 Order of business

Adds a new paragraph number 11, changes number of former paragraph 11 to 12.

Section 4-3 Conduct of Meetings

Changes title of section from “Priority in speaking to Board” to “Conduct of Meetings; adds a new sentence to allow the Chair to call a brief recess at any time, and that the Chair may order the expulsion of a disorderly member of the public, subject to appeal to the full Board.

Section 4-5 Motions

Deletes paragraph D, E and F, rennumbers remaining paragraphs. Adds a new paragraph G to clarify that a motion to call the question is not in order until every member of the Board has an opportunity to speak.

Section 5-3 Order of public hearings

In paragraph B, changes “zoning” to “land use” in the first line. Reference to Section 5-4 (deleted February 13, 1996) removed; remaining sections renumbered.

Section 7-1 Appointments to boards, authorities, commissions and committees

Deletes “to serve specified terms as may be deemed to be appropriate by the Board” in the first sentence. Adds language to indicate Board appointees’ terms shall run concurrently with the term of the Board member making the motion to appoint. Adds a new sentence to indicate that appointees can be removed with or without cause at the pleasure of the Board.

Section 7-4 Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Adds a new section 7-4 to indicate that bylaws and rules of procedure of any board, authority, commission or committee not established by state law are to be submitted to the Board of Supervisors prior to becoming effective.

Section 8-3 Expenses of members of the Board

Minor grammatical changes were made to this section.

Section 8-5 Minutes of the board meetings.

Adds a provision that the minutes of the board meeting shall include a summary of the Board’s proceedings at each meeting.

January 8, 2013

Section 2-1 When and Where Regular Meetings Held:

Adds a reference to work session meetings, since the rule applies to all Board meetings.

Section 2-1.1 Continued Meetings:

Adds a reference to work session meetings, since the rule applies to all Board meetings.

Section 2-3 Special Meetings:

Adds a requirement that written notice to the public, reasonable under the circumstances, of the special meeting be given before the proposed date of the special meeting. This change insures a minimum notice period for a special meeting, as suggested by the Code of Virginia.

Section 2-5 Quorum and Method of Voting:

Specifies that the Clerk or his designee shall announce the result of the vote. This change is to conform to current practice.

Section 4.1.E Order of Business:

Merely corrects a grammatical error.

Section 4-2 Consent Agenda:

Specifies that a “pulled item” may be considered immediately following approval of the consent agenda, to conform to current practice.

Section 6-1 Agenda Preparation:

Changes the time for Board members to request agenda items from seven (7) to nine (9) days since the agenda is now delivered seven days prior to the meeting.

Section 6-2.A.1 Tabled Land Use Cases:

Makes the same timing change from seven (7) to nine (9) days.

Section 6-3 Delivery of the Agenda:

Provides that the agenda shall be delivered seven (7) days before the meeting to conform to current practice.

Section 6-5 Comments, Queries of Board Members:

Merely corrects grammatical errors.

January 14, 2014

Section 2-5 Quorum and method of voting

Amended to reflect that any Board member may request a roll call vote at any time. Remaining language in paragraph deleted.

Section 3-1 Chair and Vice Chair

Clarifies that Board committee appointees shall serve a one year term.

Section 6 – Appeal Procedures added

Former Section 6 – Agenda Renumbered to Section 7, sub-sections renumbered accordingly

(New) Section 7-2 Tabled Land Use Cases (formerly Section 6-2)

Subparagraph (A)(1)(b), (A)(2)(b), and (B)(1)(b) changed to reflect that the publication of the case will occur on the County’s website instead of the newspaper.

Former Section 7 – Boards, Authorities, Commissions and Committees Renumbered to Section 8, sub-sections renumbered accordingly

(New) Section 8-1 Appointments to boards, authorities, commissions, and committees (formerly Section 7-1)

Added “subject to any state law provisions to the contrary” prior to the sentence beginning with “appointees”.

(New) Section 8-2 Attendance (formerly Section 7-2)

Added “may” prior to “be deemed to have forfeited his or her membership on the committee.”

Former Section 8 – General Operating Policy Renumbered to Section 9, sub-sections renumbered accordingly

April 14, 2015

Section 4-1(A) Order of Business

Changed consent agenda start time to 3:01 p.m.

Added public presentations start time 3:02 p.m.

Paragraphs renumbered accordingly

Section 4-1(B) Order of Business

Changed consent agenda start time to 6:01 p.m.

Added public presentations start time 6:02 p.m.

Paragraphs renumbered accordingly

January 12, 2016

Section 4-1 (A) Order of Business

Changed Call to Order start time to 4:30 p.m.

Changed consent agenda start time to 4:31 p.m.

Added public presentations start time 4:32 p.m.

Changed Public Presentations start time 6:30 p.m.

Paragraphs renumbered accordingly

February 9, 2016

Section 2-1. (A) When and where regular meetings held

Time changed from 3:30 p.m. to 4:30 p.m.

Section 4-1 (B) Order of Business

Added Board Reports

Paragraphs renumbered accordingly

January 10, 2017

Section 4-2 Consent Agenda:

Struck the following language: “under the County Administrator/County Attorney Report or New Business.” Items pulled from the Consent Agenda shall be considered immediately after adopting the Consent Agenda.

Section 7-1 Preparation:

Change in Section 7-1(C) adds a “Possible Agenda Additions” portion to the agenda for items that missed deadline set out in Section 7-1(B). Request must be received by Clerk no later than 4:00 p.m. two (2) business days prior to the meeting for which it is being requested to be considered. This Section placed at end of Agenda and labeled “Possible Agenda Items”.

Change in Section 7-1(D) requires that items in the “Possible Agenda Additions” must be ratified for inclusion by majority vote of the Board.

Change in Section 7-1(E) adds that at the beginning of the meeting, the Board shall vote to set the agenda, “Possible Agenda Additions” shall be considered for the agenda and may be added as prescribed in 7-1(D). Items not accepted shall automatically be placed on the next meeting’s agenda unless withdrawn by the requesting Supervisor.

January 9, 2018

Section 3-1. Chair and Vice Chair.

Added paragraph designations.

Added the following language: “committees created by the motion or resolution of the Board,” “except as set forth otherwise in the approved bylaws of a Board Committee or as controlled by ordinance,” and “that ends upon the expiration of the Chair’s term at the commencement of the organizational meeting the following year. A member’s status as an appointee to a Board Committee terminates contemporaneously with his or her termination of status as a Board member, whether by resignation, end of elected term, or otherwise.”

Section 4-1(A). Order of business.

Revised order of business to schedule the first Public Presentations before the Consent Agenda and to move Board Reports to immediately following the Consent Agenda. Renumbered items accordingly.

Section 4-1(B). Order of business.

Revised order of business to schedule Public Presentations before the Consent Agenda and to move Board Reports to immediately following the Consent Agenda. Renumbered items accordingly.

Section 4-1(E)(5). Order of business.

Added the following language: “Unless the speaker requires an accommodation, each individual speaker shall address the Board from the podium using only the podium microphone. Only one person is permitted to stand at the podium at a time.”

Section 4-1(E)(6). Order of business.

Added the following language: “The speaker’s time shall not be extended. At the end of each speaker’s time, the microphone shall be turned off. No person at a public presentation shall be permitted to yield time to a speaker.”

Section 4-2(A). Consent Agenda.

Punctuation correction.

Section 4-2(C). Consent Agenda.

Added the following language: “or items.”

Language amended to clarify that removed items are considered immediately following the vote to approve the Consent Agenda.

Section 4-5 (in whole). Motions.

Amended Paragraph designations to account for new paragraphs being added to section.

Section 4-5(D). Motions.

Added new paragraph D regarding perfecting amendments.

Section 4-5(E). Motions.

Added new paragraph E regarding substitute motions.

Section 4-5(F). Motions.

Amended and added language regarding perfecting amendments to any main motion including that perfecting amendments take precedence over substitute motions and may be discussed prior to being voted on and that only one perfecting amendment may be made at a time, but subsequent perfecting amendments may be made after the resolution of each preceding perfecting amendment.

Section 4-5(K). Motions.

Changed “conditional use permit” to “special use permit”.

Section 4-8. Suspending rules.

Moved the word “temporarily” in sentence to reflect proper word placement.

Section 5-2. Hearing presentations.

Replaced “and/or” with “or”. Added an “a” before representative.

Section 5-3(B). Order of public hearings.

Added that in land use cases, the applicant and his or her representatives shall be the first speakers after the staff presentation.

Section 5-3(C). Order of public hearings.

Removed the word “then.”

Added the following language: “The speaker’s time shall not be extended. At the end of each speaker’s time, the microphone shall be turned off.”

Struck the following language: “The Board, by unanimous consent, may allow any speaker to proceed past the time limit.”

Sections 5-3(D) and (E). Order of public hearings.

Removed capitalization of the word “land use” in each section.

Section 5-4. Close of hearing.

Added “or” before committee. Corrected comma placement.

Section 7-3. Delivery of Agenda.

Amended to state that each member of the Board and the County Attorney shall receive a Board notebook seven days prior to each regularly scheduled Board meeting. Added that all documents related to an Agenda item should be prepared and submitted to the Clerk in time to be included in the Board notebook.

Section 8-1. Appointments to boards, authorities, commissions, and committees.

Added that the members of boards, authorities, commissions and committees that are not created by the motion, resolution, or ordinance of the Board shall be appointed by consent of the Board. Capitalized “Consent Agenda”.

Added that resumes, curricula vitae or other materials of appointees do not need to be included on the Agenda if the prospective appointee previously has served as Board appointee.

Section 8-2. Attendance.

Incorporated Section 8-3 (Planning Commission Members Attendance) into Section 8-2 (Attendance).

Amended language for grammatical purposes.

Added designation of paragraphs (“A” and “B”).

Section 8-3. Planning Commission Members Attendance.

Original paragraph in Section 8-3 titled “Planning Commission Members Attendance” was moved to Section 8-2 as paragraph 8-2(B).

New Section 8-3/Old Section 8-4. Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

This Section was renumbered from 8-4 to 8-3.

Section 8-3(A). Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Amended to state that any board, authority, commission or committee that is established by the Board of Supervisors shall be governed by bylaws submitted to and approved by the Board of Supervisors.

Section 8-3(B). Bylaws and Rules of Procedure of Boards, Authority, Commissions and Committees.

Added to incorporate into the Board of Supervisors’ bylaws, the bylaws for the following boards, authorities, committees, and commissions: Capital Construction Committee, Citizen Budget Review Committee, Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and the Transportation Committee.

Appendix:

Added an Appendix which includes the bylaws for the following boards, committees, authorities and commissions: Capital Construction Committee, Citizen Budget Review Committee, Extension Leadership Council, Finance Committee, IT Steering Committee, Minority Affairs Committee, Parks and Recreation Commission, Public Safety Committee, and the Transportation Committee.

January 23, 2018

Section 4-1(E)(5) Order of business.

Added the following language: Any material or information to be displayed on the County computer during the Public Presentations portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Section 5-3(C) Order of public hearings.

Added the following language: Any material or information to be displayed on the County computer by a member of the public during the Public Hearing portion of a Board meeting in the Richard E. Holbert Building Board Room must be provided to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting. A designated employee of the Department of Information Services shall review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer and shall upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

February 13, 2018

Section 4-1(E)(5) Order of business.

Revision to Board of Supervisors Bylaws to require that each speaker must state his or her name and either his or her address or election district during Public Presentations.

Section 5-3(C) Order of public hearings.

Proposed revision to Board of Supervisors Bylaws to require that each speaker must state his or her name and either his or her address or election district during Public Hearings.

Appendix: Citizen Budget Review Committee Bylaws

Amendment of CBRC Bylaws to provide that, in addition to the appointing supervisor, the Board of Supervisors, by a simple majority vote, can remove an appointee from the CBRC.

February 27, 2018

Appendix: Transportation Committee Bylaws

Amendment of Transportation Committee Bylaws changing the quorum from nine (9) members to a majority of appointed members.

April 24, 2018

Section 9-6 Complaints

Section 9-6, Complaints, was added to Bylaws, and original Section 9-6 titled “Amending Bylaws” was renumbered to Section 9-7.

Section 9-7 Amending Bylaws

Section 9-6, originally titled “Amending Bylaws”, was renumbered to Section 9-7.

September 11, 2018

Appendix: Finance Committee Bylaws

Amendment of Finance Committee Bylaws adding Section 2-2, Alternates and Delegates.

September 25, 2018

Appendix: Public Safety Committee Bylaws

Amendment of Public Safety Committee Bylaws removing term limit language from Section 2-1(b).

October 23, 2018

Sections 4-1 and 4-2 – Order of Business

Amended the Order of Business for both regular and work session meetings to place the consent agenda before public presentations, but allowing public comment on any matter on the consent agenda. Public comment will be allowed on any consent agenda item immediately after the consent agenda is presented but before any item is pulled. After any public comment and the vote on the consent agenda, the usual public presentations period will take place on any matters not set for a public hearing at that same meeting or which were on the consent agenda.

This amendment also adds an item to the order of business titled “Award Presentations and Special Recognitions” immediately after the approval of the agenda.

January 8, 2019

Paragraphs 2-1, 2-1.1, and 4-1(B)

Elimination of “Work Session” distinction.

Paragraph 2-4.1

Typographical Correction - Numbering. Paragraph “2.4.1.” should be “2-4.1.”

Paragraph 3-1(B)

Wording of Chair Appointments. The exception has been moved to the beginning of the sentence.

January 14, 2020

Paragraph 4-1(E)(11)

Removed the phrase “or personal attacks” from end of paragraph.

January 28, 2020

Appendix: Citizen Budget Review Committee Bylaws

- Amended Bylaws to state that the CBRC reviews the School Board’s Recommended Budget verses the Superintendent’s Recommended Budget.
- Amended Bylaws to state that the members are to schedule review report as late as possible but prior to advertisement of tax rate.
- Amended Bylaws to state that if a follow-up presentation is required, the bylaws allows said presentation to occur no later than the last scheduled budget meeting prior to BOS budget adoption meeting
- Amended Bylaws to state that any preliminary versions of CBRC reports must be presented to County Administrator prior to being presented to BOS

October 13, 2020

Appendix: Transportation Committee Bylaws

Amendment of Transportation Committee Bylaws changing the Planning Commission appointee from the Chair to a member of the Planning Commission.

January 12, 2021

Section 2-5. Added “except for actions required by law to be taken pursuant to a roll-call vote which shall be taken by a roll-call vote and an action to adjourn which may be taken by an oral vote of “aye” or “nay”.

Section 4-1(B). Changed Public Hearings time from 6:10 p.m. to 6:30 p.m.

Sections 4-1(E)(5) and 5-3(C). Added that any material or information that a speaker wants displaced on the County computer during the Public Presentations portion of a Board meeting,

that the material or information must be provided to the Clerk no later than 9:00 A.M. on the day of the meeting. The Clerk shall then immediately provide the file to the County's Department of Information Services.

Section 4-1(E)(13). Added paragraph number 13 to Section 4-1(E) regarding providing public comments in writing.

Section 4-5. Added “A vote on any matter previously voted upon at a prior meeting may not be added to any agenda, including under the “Possible Agenda Additions”, or otherwise renewed at any future meeting of the Board unless the motion to renew or request to add is brought forth by a member of the prevailing side of the matter previously voted upon.”

Section 5-3(C). Added paragraph to Section 5-3(C) regarding providing public comments in writing.

Section 7-1. Added the language of “except for matters specifically prohibited from being considered by the Board as set forth in these bylaws” to paragraphs A through E.

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Direction Requested on \$2.4 Million Reserved for Schools

Type: Action, Appropriation

Agenda Title: Direction Requested on \$2.4 Million Reserved for Schools

Recommendation: Staff requests that the Board of Supervisors provides direction as to the appropriation of the \$2.4 million in freed local funding available from the County's use of CARES funding for public safety salaries and which was previously reserved by the Board for the Schools pending the carryover data.

The Board will recall that the School Board requested \$2.5 million be allocated to the Schools' budget from available local funding as assistance in making individual electronic devices available to students, adding and providing hotspots, and otherwise making distance learning possible. Ultimately, the Board determined to appropriate \$100,000 of this \$2.5 million to the Schools for hotspots, and then reserved the \$2.4 million for consideration in conjunction with the Schools' carryover request.

Summary: Subsequently, the Schools received \$4.1 million in federal CARES funding through the State (this was in addition to two separate CARES allocation totaling \$2.9 million) and due to the fact that expenditures of that \$4.1 million had a very short turnaround time and had to be spent by the end of calendar year 2020, used the CARES funds for purchase of the individual electronic devices. The Schools have certain other pandemic-related needs for which they are requesting release of the \$2.4 million reserve:

General Description	Cost
Bipolar Ionization to Improve Air Quality in All Building Areas	\$1,430,133

Cleaning Materials & Supplies	603,313
Touchless Water Fountains in All Buildings	264,000
Personal Protective Equipment	102,554
Total	\$2,400,000

Additional details are forthcoming and will be added to this agenda item when they are available. Staff requests that the Board provides direction as to the appropriation of the \$2.4 million reserved for the Schools.

Financial Impact:

Please see the attached budget amendment and appropriation.

Staff Contacts:

Malysa Rhodes, Schools' Finance Director
Bonnie Jewell, Assistant County Administrator/Chief Financial Officer

Consequence of Denial/Inaction:

The Schools' report that there have been two consequences of not budgeting and appropriating the \$2.4 million to the Schools. First, the School Board had to reprioritize resources to implement technology for instructional services during a global pandemic. Eventually, with the announcement of the \$4.1 million in CARES funds, the school division was able to secure a funding source for this critical need. Next, like all school divisions in Virginia, Spotsylvania County Public Schools continues to wrestle with uncertainty and unplanned security needs during the pandemic. Again, like all divisions, this includes PPE, equipment, and resources/needs such as custodial, mental health, etc., specific to COVID. Unlike many school divisions, Spotsylvania continues to be the largest school division providing K-12 in-person learning and will continue to do so until resources run out.

ATTACHMENTS:

File Name	Description	Type
\$2.4M_Reserve_-_Budget_Adjustment.doc	Budget Adjustment	Budget Amendment
\$2.4M_Reserve_-_Appropriation.doc	Appropriation	Appropriation
SCPS_CARES_Request_BOS_Presentation_1-12-21.pdf	Schools Presentation	Presentation

FY 2021 Budget Amendment Request Form

Date: January 12, 2021

Department: Office of Budget & Grants

Contact person: Bonnie Jewell

Phone #: 540-507-7853

Explanation of need for budget amendment: The Board will recall that the School Board requested \$2.5 million be allocated to the Schools' budget from available local funding as assistance in making individual electronic devices available to students, adding and providing hotspots, and otherwise making distance learning possible. Ultimately, the Board determined to appropriate \$100,000 of this \$2.5 million to the Schools for hotspots, and then reserved the \$2.4 million for consideration in conjunction with the Schools' carryover request.

Subsequently, the Schools received \$4.1 million in federal CARES funding through the State (this was in addition to two separate CARES allocation totaling \$2.9 million) and due to the fact that expenditures of that \$4.1 million had a very short turnaround time and had to be spent by the end of calendar year 2020, used the CARES funds for purchase of the individual electronic devices. The Schools have certain other pandemic-related needs for which they are requesting release of the \$2.4 million reserve:

General Description	Cost
Bipolar Ionization to Improve Air Quality in All Building Areas	\$1,430,133
Cleaning Materials & Supplies	603,313
Touchless Water Fountains in All Buildings	264,000
Personal Protective Equipment	102,554
Total	\$2,400,000

Additional details are forthcoming and will be added to this agenda item when they are available. Staff requests that the Board provides direction as to the appropriation of the \$2.4 million reserved for the Schools.

Reminder: Agenda item summary must be attached if BOS approval is required.

Revenue Accounts Adjusted		Amount	
Acct #	210-0000-341.06-01 – Transfer from General Fund	\$	2,400,000
	Total Revenue Adjustment	\$	2,400,000

Expenditure Accounts Adjusted		Amount	
Acct #	110-9110-491.59-45 (FL-015) – Reserve for School Technology	\$	(2,400,000)
Acct #	110-9210-492.99-21 (FL-015) – Transfer to School Operating Fund	\$	2,400,000
Acct #	210-6100-452.61-02 – Administration & Health	\$	102,554
Acct #	210-6100-452.61-04 – Maintenance	\$	2,297,446
	Total Expenditure Adjustment	\$	2,400,000

Note: If amendment is between expenditure accounts only, net impact must be zero.

Position FTE Change		
Position Title	Existing FTE	Adjusted FTE

Transfer requests must be signed by the requestor(s). In the case of transfers between departments or capital projects, the transfer request must be signed by the director of each affected department, or by the project manager of each affected capital project. A typed signature will be accepted.

Bonnie Jewell, Assistant County Administrator

Name, Department

Name, Department

Recommendations

Budget: ☒ recommended ☐ not-recommended

Explanation if not recommended:

County Admin: ☒ recommended ☐ not-recommended

Explanation if not recommended:

Finance Committee: ☐ recommended ☐ not-recommended

Explanation if not recommended:

SPOTSYLVANIA COUNTY
Board of Supervisors

FISCAL YEAR 2021 APPROPRIATION

Board of Supervisors

January 12, 2021

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For \$2.4 million in support of the Schools' pandemic-related needs, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: (\$2,400,000)

SCHOOL OPERATING FUND: \$2,400,000

Additional COVID Needs for Public Education

Requested by the BOS on Dec. 18, 2020



SPOTSYLVANIA
COUNTY PUBLIC SCHOOLS

Public Education Unplanned Needs in Support of Services During Global Pandemic

*This is a summary of how supplemental
available state and local funds will be
used to support unplanned needs in
public education*

Funding Source	Expense Type	Amount
CARES Funds	Cleaning & PPE	1,839,614
	Technology	200,000
	Private School Funding	132,919
	Maintenance services and support	112,918
	Transportation services	75,000
	Printing	25,000
CARES/GEER Funds	Technology	215,109
	Instructional Delivery Supports	120,000
	SPED Services and Supports	95,832
	Facility Updates	37,500
	Cleaning Supplies	29,621
CRF Funds	Chromebooks	2,074,000
	PPE and Cleaning	2,021,473
Grand Total		6,978,986

Public Education Unplanned Needs in Support of Services During Global Pandemic

These are additional unfunded needs.

Overview Description	Total Cost
Bi-polar Ionization (to improve air quality in all building areas)	1,430,133
Personal Protective Equipment	102,554
Cleaning Materials & Supplies	603,313
Touchless Water Fountains	264,000
Grand Total	2,400,000

Prioritization Rubric



- What is the best long-term investment we can make with local funding to maintain and improve our learning environments?
- What are the most critical areas of health and safety for our staff and students?

Bipolar Ionization - Cost Breakdown

1,430,133

Elementary Schools

391,500

Middle Schools

253,000

High Schools

257,000

Other Facilities and Buildings

138,000

Control Setup

390,633

Personal Protective Equipment (PPE) - Cost Breakdown	102,554
Classroom, Nurse, Transportation PPE supplies (gloves, masks, hand sanitizer, face shields, wipes, etc.)	50,000
Sports/Band/Strings/Music PPE supplies (gloves, masks, hand sanitizer, face shields, wipes, etc.)	27,554
Plexiglass shields - materials for Student or Teacher areas (as needs present)	25,000

Cleaning Materials & Supplies - Cost Breakdown	603,313
Bus fogger and disinfectant (2x per week fogging schedule plus special daily bus sanitizations)	150,000
Building/Classroom cleaner disinfectant and related materials and supplies	453,313

Touchless Water Fountain - Cost Breakdown	264,000
Elementary - 85 total (5 per school)	93,500
Middle School - 70 total (10 per school)	77,000
High School - 75 total (15 per school)	82,500
Other Facilities/Buildings - 10 total	11,000

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Direction Requested on \$2.0 Million Reserved for
County Technology and Building Access
Improvements

Type: Action

Agenda Title: Direction Requested on \$2.0 Million Reserved for
County Technology and Building Access
Improvements

Recommendation: Staff requests that the Board of Supervisors provides direction as to the allocation of the \$2.0 million in freed local funding available from the County's use of CARES funding for public safety salaries and which was previously reserved by the Board for the County's technology needs. The need has now been reduced to approximately \$1.6 million.

In September 2020, the Board allocated \$1.3 million in local funding made available through the County's use of CARES funding for public safety salaries for the purpose of purchasing and installing necessary equipment, licensing, and software improvements associated with the County's response to the coronavirus emergency. This \$1.3 million was part of a total requested amount of \$3.3 million. The \$2.0 million balance was then reserved by the Board for these improvements, and was to be considered after the County's and Schools' FY 2020 operating results were known.

Staff is requesting that \$1.6 million of the reserved \$2.0 million be allocated now for the purposes originally requested, and as identified below and on the attached slides. Due to revisions in costs and refinement of needs, \$0.4 million is no longer necessary and can be shifted to the General Fund balance.

Breakdown of Technology	Reserved	Request

Summary:

Improvements		
Conference/training/Board room technology & sound attenuation upgrades for conferencing & remote interactions (10 conference rooms; 1 training room; 1 Board room; 11 F/R stations)	\$462,500	\$150,000
300 laptops & 150 camera/microphones for remote work	425,000	375,000
Building security/access improvements – 4 buildings/~22 access points	471,000	471,000
Licensing & security improvements for remote access	168,750	168,750
EOC upgrades to allow for social distancing, multiple specialized meetings, improved interactive displays	232,500	232,500
Security software – user training, monitoring, testing	150,000	150,000
Platform subscription for conferencing capabilities	100,000	100,000
Total	\$2,009,750	\$1,647,250

The attached budget adjustment shifts \$1.6 million of the \$2.0 million reserved for pandemic-enhanced technology needs to these specific, previously communicated needs, and shifts the \$0.4 million balance to the General Fund balance.

Financial Impact:

See summary above, attached budget adjustment, and attached appropriation.

Staff Contacts:

Bonnie Jewell, Assistant County Administrator/Chief Financial Officer
Jane Reeve, Chief Information Officer

Consequence of Denial/Inaction:

If the budget adjustment and appropriation are not approved, the County will not be able to move forward with these necessary technology and building access improvements, the need for which has been magnified by the on-going pandemic.

ATTACHMENTS:

File Name

Description

Type

Budget_Adjustment_- _\$2M_Held_for_County_Tech.doc	Budget Adjustment	Budget Amendment
Appropriation_- _\$2M_Held_for_County_Tech.doc	Appropriation	Appropriation
Presentation_- _January_12__2021.pptx	Presentation	Presentation

FY 2021 Budget Amendment Request Form

Date: January 12, 2021

Department: Office of Budget & Grants

Contact person: Bonnie Jewell

Phone #: 540-507-7853

Explanation of need for budget amendment: In September 2020, the Board allocated \$1.3 million in local funding made available through the County's use of CARES funding for public safety salaries for the purpose of purchasing and installing necessary equipment, licensing, and software improvements associated with the County's response to the coronavirus emergency. This \$1.3 million was part of a total requested amount of \$3.3 million. The \$2.0 million balance was then reserved by the Board for these improvements, and was to be considered after the County's and Schools' FY 2020 operating results were known.

Staff is requesting that \$1.6 million of the reserved \$2.0 million be allocated now for the purposes originally requested, and as identified below and on the attached slides. Due to revisions in costs and refinement of needs, \$0.4 million is no longer necessary and can be shifted to the General Fund balance.

Breakdown of Technology Improvements	Reserved	Request
Conference/training/Board room technology & sound attenuation upgrades for conferencing & remote interactions (10 conference rooms; 1 training room; 1 Board room; 11 F/R stations)	\$462,500	\$150,000
300 laptops & 150 camera/microphones for remote work	425,000	375,000
Building security/access improvements – 4 buildings/~22 access points	471,000	471,000
Licensing & security improvements for remote access	168,750	168,750
EOC upgrades to allow for social distancing, multiple specialized meetings, improved interactive displays	232,500	232,500
Security software – user training, monitoring, testing	150,000	150,000
Platform subscription for conferencing capabilities	100,000	100,000
Total	\$2,009,750	\$1,647,250

This budget adjustment shifts \$1.6 million of the \$2.0 million reserved for pandemic-enhanced technology needs to these specific, identified needs, and shifts the \$0.4 million balance to the General Fund balance.

Reminder: Agenda item summary must be attached if BOS approval is required.

Revenue Accounts Adjusted		Amount	
Acct #	110-0000-341.05-01 - Use of Fund Balance	\$	(362,500)
Acct #	310-0000-341.06-01 – Transfer from General Fund	\$	1,378,500
	Total Revenue Adjustment	\$	1,016,000

Expenditure Accounts Adjusted		Amount	
Acct #	110-9110-491.59-45 (FL-007) – Reserve for County technology & EOC upgrades	\$	(2,009,750)
Acct #	110-1251-405.33-20 (FL-004) – Licensing/security improvements for remote access	\$	168,750
Acct #	110-1251.405-33.20 (FL-006) – Cisco Webex	\$	100,000
Acct #	110-9210-492.99-31 – Transfer to Capital Projects Fund	\$	1,378,500
Acct #	310-9120-802.80-01 (FL-005) – Remote conferencing technology	\$	150,000
Acct #	310-9120-802.80-07 (FL-001) – Laptops with docking stations	\$	375,000
Acct #	310-9120-802.80-01 (FL-002) – Building security/access improvements	\$	471,000
Acct #	310-9120-802.80-01 (FL-017) – EOC technology upgrades	\$	232,500
Acct #	310-9120-802.39-10 (FL-018) – Security software	\$	150,000
	Total Expenditure Adjustment	\$	1,016,000

Note: If amendment is between expenditure accounts only, net impact must be zero.

Position FTE Change		
Position Title	Existing FTE	Adjusted FTE

Transfer requests must be signed by the requestor(s). In the case of transfers between departments or capital projects, the transfer request must be signed by the director of each affected department, or by the project manager of each affected capital project. A typed signature will be accepted.

Bonnie Jewell, Assistant County Administrator

Name, Department

Name, Department

Recommendations

Budget: ☒ recommended ☐ not-recommended

Explanation if not recommended:

County Admin: ☒ recommended ☐ not-recommended

Explanation if not recommended:

Finance Committee: ☐ recommended ☐ not-recommended

Explanation if not recommended:

**SPOTSYLVANIA COUNTY
Board of Supervisors**

FISCAL YEAR 2021 APPROPRIATION

Board of Supervisors

January 12, 2021

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For allocation of \$1.6 million of the \$2.0 million reserved for County technology, and return of \$0.4 million to the General Fund balance, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: (\$1,741,000)

CAPITAL PROJECTS FUND: \$1,378,500

Decision Requested on \$2M Reserved for County's COVID-Related Tech Needs



January 12, 2021



Decision on \$2M Reserved for Technology–

COVID-Amplified Needs

Technology Improvements -

Various technology & building access control improvements. Laptops/ other equipment for telework; conference room improvements at County facilities including F/R stations to allow for remote conferencing & more effective video communication; add'l public WiFi at public buildings; internet redundancy to allow for more reliable remote access to County data; continued subscriptions to Webex/Teams; security software. Emergency Operations Center (EOC) upgrades.

\$3,313,500

Less Previously Allocated

(1,303,750)

Less Funds No Longer Requested

(362,500)

Balance Requested – January 2021

1,647,250

BREAKDOWN FOLLOWS ON NEXT SLIDES ...



Decision on \$2M Reserved for Technology–

COVID-Amplified Needs	Original Request	Previously Approved
Breakdown of Technology Improvements -		
- Conference/training/Board room technology & sound attenuation upgrades for conferencing & remote interactions (7 conference rooms; 1 training room; 1 Board room; 11 F/R stations)	\$1,012,500	\$550,000
- 750 laptops & 500 camera/microphones for remote work	800,000	375,000
- Building security/access improvements – 4 buildings/~22 access points	506,000	35,000
- Licensing & security improvements for remote access	262,500	93,750
- EOC upgrades to allow for social distancing, multiple specialized meetings, improved interactive displays	232,500	0
- Expansion of public WiFi at public buildings	200,000	200,000
- Security software – user training, monitoring, testing	150,000	0
- Platform subscription for conferencing capabilities	<u>150,000</u>	<u>50,000</u>
	\$3,313,500	1,303,750



Decision on \$2M Reserved for Technology–

COVID-Amplified Needs	Balance Reserved	Request
Breakdown of Technology Improvements -		
- Conference/training/Board room technology & sound attenuation upgrades for conferencing & remote interactions (10 conference rooms; 1 training room; 1 Board room; 11 F/R stations)	\$462,500	\$150,000
- 300 laptops & 150 camera/microphones for remote work	425,000	375,000
- Building security/access improvements – 4 buildings/~22 access points	471,000	471,000
- Licensing & security improvements for remote access	168,750	168,750
- EOC upgrades to allow for social distancing, multiple specialized meetings, improved interactive displays	232,500	232,500
- Security software – user training, monitoring, testing	150,000	150,000
- Platform subscription for conferencing capabilities	<u>100,000</u>	<u>100,000</u>
	\$2,009,750	\$1,647,250

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Request to Approve an Additional 1.00 FTE for a
Child Protective Services Supervisor Position

Type: Action

Agenda Title: Request to Approve an Additional 1.00 FTE for a
Child Protective Services Supervisor Position

Recommendation: Staff recommends that the Board approve the request from the Department of Social Services to add a Child Protective Services Supervisor position. This will increase the departments total positions by 1.00 FTE.

Request for a second Services supervisor position in the Child Protective Services (CPS) Unit. This would create two CPS units.

The national standard recommendation for CPS supervisor to staff ratio is 1:5; Spotsylvania DSS currently has a 1:9 ratio. In July 2020, the state changed the policy to allow 60 days for workers to work with the families and complete assessments. This results in every family assessment being open longer than before, which creates higher caseloads and more cases open each month. As demonstrated in the attached caseload data, CPS team work volume has increased 83% since January 2020. Over the next month, we are transitioning staff over to this team to help with the steady increase in workload. This will result in the supervisor ratio increasing to 1:10 or more, resulting in our Agency being 2x over the recommended amount.

As of November 2020, this team has 112 open referral cases. Each of these cases must be reviewed by the supervisor prior to case closure and often requires staff to seek supervisory guidance and consultation. This level of intensive supervision is required due to the nature and complexity of CPS cases. This unit works with the one of the most vulnerable populations

Summary:

of abused and neglected children. Spotsylvania County's child fatality numbers are equal if not more than other localities two to three times our population size. The current supervisor has worked overtime 33 weeks out of the last 43 weeks of employment. Due to the nature of CPS work, there is a high rate of turnover, leading to a heavy training and oversight component that falls on this supervisor. In the last 11 months, this unit has handled very complex caseloads involving countless cases of young children with broken bones, severe sexual abuse, head traumas and various other injuries and concerns. The work is focused on evaluating risk and establishing child safety. The pace and volume of the work is unparalleled with high volume, high intensity, and high profile priorities. This is a unit with strict, codified response times on their cases and timeframes within which they are to complete and document their investigations, all of which must be reviewed by the supervisor prior to case closures. The complexity of the supervision related to this team is why the staffing recommendation is lower than the other Services areas, to allow for more intensive oversight and consultation.

This past year, this team experienced vacancies, new hires in training, and FMLA use. The supervisor has taken on casework as a necessity to ensure children are safe and we are compliant with mandates while maintaining their normal supervisory responsibilities. The supervisor reviews all CPS reports received by the Intake Unit to ensure the Department makes accurate decisions and to ensure no child slips through the cracks. They are responsible for training and onboarding staff in their unit while also training new staff in other units and supervisors in CPS on-call procedures. This supervisor is regularly on call rotation but also responds frequently afterhours to the needs of his staff who remain in the field into the evening hours and to the needs of workers and community partners.

This supervisor frequently works nights and weekends to meet program mandates and to review and approve extensive casework and documentation completed by their staff.

Financial Impact:

The FY 2021 cost of the position will be absorbed within the departments budget due to vacancy savings. For FY 2022, the \$109,084 (salary and benefits) cost of the position will be funded with 85% state funding and 15% local match.

Staff Contacts:

Amy Swift, Director of Social Services

If we do not staff the Child Protective Services team with the appropriate supervision support needed:

- We risk the lives and well-being of children in our community.
- We delay the timeframe in which risk and safety is properly assessed for each child/family.
- We limit our current supervisor's ability to adequately provide the needed oversight to Child Abuse and Neglect investigations, risking the effectiveness and timeliness of these investigations and reviews.
- We fail to provide adequate supervision support to field staff investigating allegations of abuse and neglect against children in our community.
- We will lose our current supervisor and will be challenged to find another to replace him at current workload expectations.
- We run the risk of losing CPS staff who feel unsupported by supervision and unable to effectively do their jobs.
- Our leadership will never be in a position to have time for community partner outreach and education.
- Our leadership will be unable to dedicate any time/resources to innovation, research and process improvement ventures.

Consequence of Denial/Inaction:**ATTACHMENTS:**

File Name	Description	Type
Budget_Adjustment_-_DSS_Request_to_approve_addl_CPS_Supervisor_Position.docx	Budget Adjustment DSS CPS Position Request	Budget Amendment

FY 2021 Budget Amendment Request Form

Date: 12/6/20

Department: Department of Social Services

Contact person: Amy Swift

Phone #: 507-7875

Explanation of need for budget amendment:

Recommendation: Staff recommends that the Board approve the request from the Department of Social Services to add a Child Protective Services Supervisor position. This will increase the departments total positions by 1.00 FTE.

Request for a second Services supervisor position in the Child Protective Services (CPS) Unit. This would create two CPS units.

The national standard recommendation for CPS supervisor to staff ratio is 1:5; Spotsylvania DSS currently has a 1:9 ratio. In July 2020, the state changed the policy to allow 60 days for workers to work with the families and complete assessments. This results in every family assessment being open longer than before, which creates higher caseloads and more cases open each month. As demonstrated in the attached caseload data, CPS team work volume has increased 83% since January 2020. Over the next month, we are transitioning staff over to this team to help with the steady increase in workload. This will result in the supervisor ratio increasing to 1:10 or more, resulting in our Agency being 2x over the recommended amount.

As of November 2020, this team has 112 open referral cases. Each of these cases must be reviewed by the supervisor prior to case closure and often requires staff to seek supervisory guidance and consultation. This level of intensive supervision is required due to the nature and complexity of CPS cases. This unit works with the one of the most vulnerable populations of abused and neglected children. Spotsylvania County's child fatality numbers are equal if not more than other localities two to three times our population size. The current supervisor has worked overtime 33 weeks out of the last 43 weeks of employment. Due to the nature of CPS work, there is a high rate of turnover, leading to a heavy training and oversight component that falls on this supervisor. In the last 11 months, this unit has handled very complex caseloads involving countless cases of young children with broken bones, severe sexual abuse, head traumas and various other injuries and concerns. The work is focused on evaluating risk and establishing child safety. The pace and volume of the work is unparalleled with high volume, high intensity, and high profile priorities. This is a unit with strict, codified response times on their cases and timeframes within which they are to complete and document their investigations, all of which must be reviewed by the supervisor prior to case closures. The complexity of the supervision related to this team is why the staffing recommendation is lower than the other Services areas, to allow for more intensive oversight and consultation.

This past year, this team experienced vacancies, new hires in training, and FMLA use. The supervisor has taken on casework as a necessity to ensure children are safe and we are compliant with mandates while maintaining their normal supervisory responsibilities. The supervisor reviews all CPS reports received by the Intake Unit to ensure the Department makes accurate decisions and to ensure no child slips through the cracks. They are responsible for training and onboarding staff in their unit while also training new staff in other units and supervisors in CPS on-call procedures. This supervisor is regularly on call rotation but also responds frequently afterhours to the needs of his staff who remain in the field into the evening hours and to the needs of workers and community partners.

This supervisor frequently works nights and weekends to meet program mandates and to review and approve extensive casework and documentation completed by their staff.

The FY 2021 cost of the position will be absorbed within the departments budget due to vacancy savings. For FY 2022, the \$109,084 (\$84,558 salary and \$24,525 benefits) cost of the position will be funded with 85% state funding and 15% local match.

Reminder: Agenda item summary must be attached if BOS approval is required.

Revenue Accounts Adjusted		Amount	
Acct #		\$	
	Total Revenue Adjustment	\$	0

Expenditure Accounts Adjusted		Amount	
Acct #		\$	
Acct #		\$	

	Total Expenditure Adjustment	\$	0

Note: If amendment is between expenditure accounts only, net impact must be zero.

Position FTE Change		
Position Title	Existing FTE	Adjusted FTE
Child Protective Services Supervisor	0.0	1.0

Transfer requests must be signed by the requestor(s). In the case of transfers between departments or capital projects, the transfer request must be signed by the director of each affected department, or by the project manager of each affected capital project. A typed signature will be accepted.

Amy Swift, DSS Director

 Name, Department

 Name, Department

Recommendations

Budget: ☒ recommended ☐ not-recommended

Explanation if not recommended:

County Admin: ☒ recommended ☐ not-recommended

Explanation if not recommended:

Finance Committee: ☐ recommended ☐ not-recommended

Explanation if not recommended:

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Authorization for Public Hearing for Amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment

Type: Action, Resolution

Agenda Title: Authorization to Advertise Public Hearings for Amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment

Recommendation: Staff recommends the Board adopt the attached resolution authorizing public hearings to consider amendments to the County Code in order to allow property owners to camp on their property.

Non-Staff Name and Title of Presenters: Adoption of the resolution will authorize public hearings to consider amendments to the County Code in order to allow property owners to camp on their property.

Summary: Adoption of the resolution will authorize public hearings to consider amendments to the County Code in order to allow property owners to camp on their property. The proposed ordinance changes must first go through legal review.

Financial Impact: N/A

Staff Contacts: Kimberly Pomatto, Zoning Administrator

Legal Counsel: Karl Holsten, County Attorney

If the Board authorizes public hearings, the ordinance amendment will complete legal review and then be scheduled for Planning Commission public hearings.

Additional Background/Other Considerations:

The Planning Commission will then provide a recommendation to the Board and the Board of Supervisors' public hearings will be scheduled. If the Board adopts the ordinances after their public hearings, the ordinances will be effective immediately.

Consequence of Denial/Inaction:

No public hearing will be scheduled.

Talking Points:

Adoption of the resolution will authorize public hearings to consider amendments to the County Code in order to allow property owners to camp on their property.

ATTACHMENTS:

File Name	Description	Type
Resolution_Authorization_to_Ad_Camping_1-12-2021.docx	Resolution Authorizing Public Hearings	Resolution

DRAFT

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021 on a motion by _____, seconded by _____ and passed _____, the Board adopts the following resolution:

RESOLUTION NO. _____

A RESOLUTION DIRECTING STAFF TO ADVERTISE AMENDMENTS TO
SPOTSYLVANIA COUNTY CODE CHAPTER 14 ARTICLE 1 – OFFENSES-
MISCELLANEOUS, SECTION 10 – CAMPING AND USE OR STORAGE OF
CAMPING EQUIPMENT

WHEREAS, the Board of Supervisors of Spotsylvania County (hereinafter the “Board”) desires to consider amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment; and

WHEREAS, the Board desires to allow property owners to camp on their property; and

WHEREAS, based upon public necessity, safety, convenience, the general welfare, and good zoning and subdivision practices, consideration of County Code amendments is appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby direct staff to advertise for public hearings the draft amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment.

(SEAL)

A COPY TESTE:

Aimee Mann

Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	MOU Agreement Between Health Department and the County for FREM to Assist in COVID Vaccine

Agenda Title:	MOU Agreement Between Health Department and the County for FREM to Assist in COVID Vaccine

Recommendation:	n/a

Non-Staff Name and Title of Presenters:	n/a

Summary:	FREM is seeking to serve as a contractor for the Virginia Department of Health, in order to provide services as vaccinators. By entering into this MOU, FREM personnel will be utilized to staff COVID vaccination clinics. The intention behind this effort is to increase the access to the COVID vaccine by Spotsylvania County residents and employees.

Financial Impact:	n/a

Staff Contacts:	Ed Petrovitch, County Administrator Jay Cullinan, Fire Chief, FREM

Legal Counsel:	Karl Holsten, County Attorney

Consequence of Denial/Inaction:	FREM will not assist with the COVID vaccine.

Talking Points:	n/a

ATTACHMENTS:

File Name	Description	Type
Updated_Spotsy_Fire_and_Rescue_MOU_Mass_Vac_01-11-21_(FINAL).docx	MOU Agreement	Agreement



Healthy People in Healthy Communities

www.vdh.virginia.gov

**VIRGINIA DEPARTMENT OF HEALTH
Rappahannock Area Health District
1320 Central Park Blvd, Suite 300
Fredericksburg, VA 22401**

MEMORANDUM OF UNDERSTANDING (MOU)

MOU Number: VDH-21-003-0122

- I. PARTIES TO THE AGREEMENT:** This Memorandum of Understanding (“MOU”) is entered into by the County of Spotsylvania, Virginia, through its Department of Fire, Rescue, and Emergency Management, hereinafter called “FREM” or the “Contractor” and Commonwealth of Virginia through the Department of Health, Rappahannock Area Health District, 1320 Central Park Blvd, Suite 300, Fredericksburg, VA 22401 hereinafter called the “Department.”

WHEREAS, Rappahannock Area Health District desires to enter into an agreement with the Contractor to provide COVID-19 vaccinations and;

WHEREAS, The Contractor desires to perform such services;

THEREFORE, in consideration of their respective undertakings, the Department and the Contractor hereby covenant and agree to the following terms.

- II. PERIOD OF AGREEMENT:** From execution date of Department signature on last page through December 31, 2021 and may be renewed upon written agreement of both parties for one successive one year periods, under the terms of the current agreement, and at a reasonable time (approximately 90 days) prior to the expiration.
- III. PURPOSE:** Both FREM and the Department are interested in working together to mass vaccinate for COVID-19.
- IV. SCOPE OF SERVICES:** FREM’s EMS personnel will participate in the Rappahannock Area Health District (RAHD) Covid-19 Vaccination program, under the auspices of the Virginia Department of Health, as vaccinators with the following scope of work: Brief recipient on all appropriate pre-administration information, administration of the Covid-19 vaccine, and entrance of required details in the applicable data system being utilized. May also be called upon to monitor post-vaccination waiting area, and in the case of adverse reaction administer emergency care under applicable Virginia Department of Health (VDH) and EMS protocols.
- V. COMPENSATION:** No money is involved with this MOU; therefore, this contract is for less than \$10,000. Personnel will compensated by FREM, this is a reassignment of duties.

APPROPRIATIONS: The Contractor and the Department acknowledges the understanding that this MOU is subject to appropriations and constraints by the County budget, the State budget, and the Federal government budget.

SMOKEFREE ENVIRONMENT: Public Law 103-277, also known as the Pro-Children Act of 1994, requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity adjusted routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 for each violation **and/or the imposition of an administration compliance order on the responsible entity.**

SUBCONTRACTS: No portion of the work shall be subcontracted without prior written consent of the purchasing agency. In the event that the Contractor desires to subcontract some part of the work specified herein, the Contractor shall furnish the Departments names, qualifications and experience of their proposed subcontractors and shall assure compliance with all requirements of the contract. Subcontracting with local health districts is not allowed.

INTEGRATION AND MODIFICATION: This MOU constitutes the entire understanding of the parties as to the matters contained herein. No alteration, amendment or modification of this MOU shall be effective unless in writing and signed by the duly authorized officials of both the Department and Contractor.

CONFIDENTIALITY OF PROPRIETARY INFORMATION, DUPLICATION AND DISCLOSURE: Subject to and conditioned upon the requirements of the Virginia Freedom of Information Act ("FOIA"), the Contractor agrees that proprietary information disclosed by the Department to the Contractor for the purpose of a Memorandum of Understanding shall be held in confidence and used only in the performance of the contract. Subject to and conditioned upon the requirements of FOIA, no item designed for or by the Department shall be duplicated or furnished to others without prior written consent. All products and materials including but not limited to papers, data, reports, forms, records, materials, creations, or inventions relating to this contract are sole and exclusive property of the Department. All such materials shall be delivered to the Department in usable condition at any time requested by the Department.

VI. TERMS AND CONDITIONS:

A. AUDIT:

The Department, its authorized agents, and/or state auditors shall have full access to and the right to examine any of said materials during said period.

B. APPLICABLE LAWS AND COURTS:

This contract shall be governed in all respects by the laws of the Commonwealth of Virginia, without regard to its choice of law provisions, and any litigation with respect thereto shall be brought in the circuit courts of the Commonwealth. The agency and the contractor are encouraged to resolve any issues in controversy arising from the award of the contract or any contractual dispute using Alternative Dispute Resolution (ADR) procedures (*Code of Virginia*, § 2.2-4366). ADR procedures are described in Chapter 9 of

the *Vendors Manual*. The contractor shall comply with all applicable federal, state and local laws, rules and regulations.

D. BACKGROUND CHECKS:

1. The Department may require a background check for Contractor staff assigned to any resulting agreement. If required, the background check shall be paid for by the Department. The Contractor employees will be required to complete a form granting authority to release information, or shall not be allowed participate in this work. The Contractor shall allow the Department access to review Contractor staff personnel and employment records.
2. Background investigation results will be reviewed by the Department, and are not releasable to the Contractor, however, can be provided to the individual of the investigation upon a written request.
3. In the event agreement award is made prior to completion of background checks, any unfavorable results shall be subject to the terms and conditions of this MOU.
4. The Department may remove any Contractor employee that the Contract Administrator feels threatens the health or safety of staff, security of the facility, or quality of the service provided by the Contractor.

E. CANCELLATION OF AGREEMENT:

The Department and the County respectively reserve the right to unilaterally cancel and terminate this MOU, in part or in whole, without penalty, upon 60 days written notice. Any contract cancellation notice shall not relieve the Contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

F. CHANGES TO THE AGREEMENT:

The parties may agree in writing to modify the scope of this MOU.

G. CONFIDENTIALITY OF PROPRIETARY INFORMATION AND PERSONALLY IDENTIFIABLE INFORMATION:

Subject to and conditioned upon the requirements of FOIA, the Contractor assures that information and data obtained as to proprietary information and personal facts and circumstances related to patients or clients will be collected and held confidential, during and following the term of this MOU, and will not be divulged without the individual's and the Department's written consent and only in accordance with federal law or the Code of Virginia. Contractors who utilize, access, or store proprietary information or personally identifiable information as part of the performance of an agreement are required to safeguard this information and immediately notify the Department of any breach or suspected breach in the security of such information. Subject to and conditioned upon the requirements of FOIA Contractors shall allow the Department to both participate in the investigation of incidents and exercise control over decisions regarding external reporting. Contractors and their employees working

on this project may be required to sign a confidentiality statement which shall be subject to and conditioned upon the requirements of FOIA.

H. DRUG-FREE WORKPLACE: Applicable for all contracts over \$10,000:

During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "*drug-free workplace*" means a site for the performance of work done in connection with a specific contract awarded to a contractor, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

I. IMMIGRATION REFORM AND CONTROL ACT OF 1986: Applicable for all contracts over \$10,000: By entering into a written contract with the Commonwealth of Virginia, the Contractor certifies that the Contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

J. RENEWAL OF AGREEMENT:

1. This MOU may be renewed by the Commonwealth upon written agreement of both parties for one year successive one year periods, under the terms of the current agreement, and at a reasonable time (approximately 90 days) prior to the expiration.

K. ANTI-DISCRIMINATION: By submitting this agreement contractor certifies to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and § 2.2-4311 of the *Virginia Public Procurement Act (VPPA)*. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (*Code of Virginia*, § 2.2-4343.1E).

In every contract over \$10,000 the provisions in 1. and 2. below apply:

1. During the performance of this contract, the contractor agrees as follows:

- a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
- c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
- d. If the contractor employs more than five employees, the contractor shall (i) provide annual training on the contractor's sexual harassment policy to all supervisors and employees providing services in the Commonwealth, except such supervisors or employees that are required to complete sexual harassment training provided by the Department of Human Resource Management, and (ii) post the contractor's sexual harassment policy in (a) a conspicuous public place in each building located in the Commonwealth that the contractor owns or leases for business purposes and (b) the contractor's employee handbook.
- e. The requirements of these provisions 1. and 2. are material parts of the contract. If the Contractor violates one of these provisions, the Commonwealth may terminate the affected part of this contract for breach, or at its option, the whole contract. Violation of one of these provisions may also result in debarment from State contracting regardless of whether the specific contract is terminated.
- f. In accordance with Executive Order 61 (2017), a prohibition on discrimination by the contractor, in its employment practices, subcontracting practices, and delivery of goods or services, on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, disability, or veteran status, is hereby incorporated in this contract.

2. The contractor will include the provisions of 1. above in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

- L. **ANTITRUST:** By entering into an agreement, the contractor conveys, sells, assigns, and transfers to the Commonwealth of Virginia all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by the Commonwealth of Virginia under said agreement.

- M. ASSIGNMENT OF AGREEMENT:** This MOU shall not be assignable by the Contractor in whole or in part without the written consent of the Department.
- N. DEFAULT:** In case of failure to deliver goods or services in accordance with the MOU terms and conditions, the Department, after due oral or written notice, may procure them from other sources but may not hold the Contractor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies which the Department may have.
- O. NONDISCRIMINATION OF CONTRACTORS:** A contractor shall not be discriminated against in the solicitation or award of this contract because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, faith-based organizational status, any other basis prohibited by state law relating to discrimination in employment or because the bidder or offeror employs ex-offenders unless the state agency, department or institution has made a written determination that employing ex-offenders on the specific contract is not in its best interest. If the award of this contract is made to a faith-based organization and an individual, who applies for or receives goods, services, or disbursements provided pursuant to this contract objects to the religious character of the faith-based organization from which the individual receives or would receive the goods, services, or disbursements, the public body shall offer the individual, within a reasonable period of time after the date of his objection, access to equivalent goods, services, or disbursements from an alternative provider.
- P. WHISTLEBLOWER PROTECTIONS:**
Congress has enacted the whistleblower protection statute 41 U.S.C. Section 4712 to encourage employees to report fraud, waste, and abuse without repercussions. This statute applies to all employees working for contractors, grantees, subcontractors, and sub grantees in accordance with this agreement. All contractors, grantees, sub grantees, and subcontractors for federal grants and contracts are required to:
1. Inform their employees in writing of the whistleblower protections under 41 U.S.C. Section 4712 in the predominant native language of the workforce, to include the specific requirements of the statute, and
 2. Include this term and condition in any agreement made with a subcontractor or sub grantee.
- The employees' rights under 41 U.S.C. Section 4712 shall survive termination of this agreement.
- Q. CONTINUITY OF SERVICES:**
- a.) The Contractor recognizes that the services under this contract are vital to the Department and must be continued without interruption and that, upon contract expiration, a successor, either the Department or another contractor, may continue them. The Contractor agrees:
 - (i) To exercise its best efforts and cooperation to effect an orderly and efficient transition to a successor;

- (ii) To make all Department owned facilities, equipment, and data available to any successor at an appropriate time prior to the expiration of the contract to facilitate transition to successor; and
 - (iii) That the Agency Contracting Officer shall have final authority to resolve disputes related to the transition of the contract from the Contractor to its successor.
- b) The Contractor shall, upon written notice from the Contract Officer, furnish phase-in/phase-out services for up to ninety (90) days after this contract expires and shall negotiate in good faith a plan with the successor to execute the phase-in/phase-out services. This plan shall be subject to the Contract Officer's approval.
- c) The Contractor shall be reimbursed for all reasonable, pre-approved phase-in/phase-out costs (i.e., costs incurred within the agreed period after contract expiration that result from phase-in, phase-out operations) and a fee (profit) not to exceed a pro rata portion of the fee (profit) under this contract. All phase-in/phase-out work fees must be approved by the Contract Officer in writing prior to commencement of said work.

R. CIVILITY IN STATE WORKPLACES:

The Contractor shall take all reasonable steps to ensure that no individual, while performing work on behalf of the Contractor or any subcontractor in connection with this agreement (each, a "Contract Worker"), shall engage in 1) harassment (including sexual harassment), bullying, cyber-bullying, or threatening or violent conduct, or 2) discriminatory behavior on the basis of race, sex, color, national origin, religious belief, sexual orientation, gender identity or expression, age, political affiliation, veteran status, or disability.

The Contractor shall provide each Contract Worker with a copy of this Section and will require Contract Workers to participate in agency training on civility in the State workplace if Contractor's (and any subcontractor's) regular mandatory training programs do not already encompass equivalent or greater expectations. Upon request, the Contractor shall provide documentation that each Contract Worker has received such training.

For purposes of this Section, "State workplace" includes any location, permanent or temporary, where a Commonwealth employee performs any work-related duty or is representing his or her agency, as well as surrounding perimeters, parking lots, outside meeting locations, and means of travel to and from these locations. Communications are deemed to occur in a State workplace if the Contract Worker reasonably should know that the phone number, email, or other method of communication is associated with a State workplace or is associated with a person who is a State employee.

The Department may require, at its sole discretion, the removal and replacement of any Contract Worker who the Department reasonably believes to have violated this Section.

This Section creates obligations solely on the part of the Contractor. Employees or other third parties may benefit incidentally from this Section and from training materials or other communications distributed on this topic, but the Parties to this agreement intend

this Section to be enforceable solely by the Department and not by employees or other third parties.

VII. CONFIDENTIALITY TERMS AND CONDITIONS: (These terms apply to technology and data exchanged with a contractor or government entity)

- A. Data Privacy:** In accordance with § 2.2-2009 of the *Code of Virginia*, during the performance of this contract, Contractor is required at all times to comply with all applicable federal and state laws and regulations, including those pertaining to information security and privacy.
- B. CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION:** Subject to and conditioned upon the requirements of FOIA, the Contractor assures that information and data obtained as to personal facts and circumstances related to patients or clients will be collected and held confidential, during and following the term of this agreement, and unless disclosure is required pursuant to court order, subpoena or other regulatory authority, disclosure will not be divulged without the individual's and the agency's written consent, and only in accordance with federal law, including the HIPAA Privacy rule or the Code of Virginia.

Contractors who utilize, access, or store personally identifiable information (PII), protected health information (PHI), and electronic protected health information (ePHI), in performance of a contract, and in support of the HIPAA Privacy and Security regulations, are required to safeguard PII and PHI by:

- a. implementing appropriate safeguards to prevent unauthorized use or disclosure of the information, including implementing requirements of the HIPAA Security Rule with regard to ePHI,
- b. ensure that any subcontractors the contractor may engage on its behalf, and will have access to PHI, agrees to the same restrictions and conditions that apply to the business associate with respect to such information, and
- c. immediately notifies the agency of any breach, or suspected breach, in the security of such information.

Contractors shall allow the agency to both participate in the investigation of incidents and exercise control over decisions regarding external reporting. Contractors and their employees working on this project may be required to sign a confidentiality statement.

C. Data and System Security Requirements:

Any Service, Licensed Services, Solution or Software provided under this Scope of Work must comply with all COVA Security and Enterprise Architecture ITRM policies, standards, and guidelines located at: <http://www.vita.virginia.gov/library/default.aspx?id=537> and all COVA Enterprise Architecture Data Standards and requirements located at: <http://www.vita.virginia.gov/oversight/default.aspx?id=10344>.

All parties agree to:

1. Adhere to all security standards to ensure secure data storage and transmission as expressed in Virginia's ITRM Standard SEC501 or SEC525 for Hosting Services (or subsequently adopted standard).
2. Subject to and conditioned upon the requirements of FOIA prohibit and prevent re-disclosure of any other party's data to any entity not covered by this agreement.
3. Prohibit and prevent storage of any party's data on mobile or portable data storage media without a documented business necessity approved in writing by the data stewards

of all parties; all data storage media are physically and logically secured and acknowledged by the VDH Chief Information Security Officer.

4. Provide immediate notification to all other parties if a breach, loss, theft, or other compromise of sensitive electronic or physical (paper) is suspected.

5. Meet the cloud hosting security requirements in SEC 525 by working with the COVA Enterprise Cloud Oversight Services team on the assessment review (http://shop.vita.virginia.gov/ProductDetail.aspx?id=6442475853&TX_ID=6442470061).

The assessment component is a pre-procurement questionnaire that will be completed by the proposed supplier(s) and reviewed by the Enterprise Services Director and the Security Architect. The assessment allows VITA to verify supplier ability to meet the commonwealth security and governance requirements for non-premise based services.

STATUS OF PERSONNEL: Jennifer Gill, District Administrator for the Covid-19 Mass Vaccination Program, has been designated as the Department administrator for this MOU.

VIII. SOVEREIGN IMMUNITY: Nothing herein shall be construed or interpreted as waiving the County and FREM's immunity from liability under the doctrine of sovereign immunity or under any statute of the Commonwealth, local ordinance, or other law.

IN WITNESS WHEREOF, the parties have caused this MOU to be duly executed intending to be bound thereby. This MOU becomes effective on the date of the last signature.

CONTRACTOR:	VIRGINIA DEPARTMENT OF HEALTH:
By: Jay Cullinan, CFO, EFO, NREMTP	By: Denise Bonds, M.D., MPH
Title: Spotsylvania County Fire Chief	Title: District Director
Date:	Date:

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Approval of the Minutes of the December 8, 2020
Board of Supervisors Meeting

Type: Action

Agenda Title: Approval of the Minutes of the December 8, 2020
Board of Supervisors Meeting

Recommendation: Approve the Minutes of the December 8, 2020 Board
of Supervisors Meeting.

Summary: The minutes are attached.

Financial Impact: N/A

Staff Contacts: Aimee R. Mann, Deputy Clerk

Legal Counsel: N/A

Additional Background/Other Considerations: None

ATTACHMENTS:

File Name	Description	Type
Min_120820.doc	December 8, 2020 Minutes	Minutes

PRESENT: Deborah H. Frazier, Salem District
Barry K. Jett, Livingston District
Kevin W. Marshall, Berkeley District
Timothy J. McLaughlin, Chancellor District
David Ross, Courtland District
Gary F. Skinner, Lee Hill District
Chris Yakabouski, Battlefield District

STAFF PRESENT: Mark L. Cole, Deputy County Administrator
Karl Holsten, County Attorney
Aimee R. Mann, Deputy Clerk

Chairman Skinner called the meeting to order at 4:30 p.m. Supervisor Yakabouski led the Pledge of Allegiance and Chairman Skinner gave the invocation.

APPROVAL OF AGENDA

On a motion by Vice Chairman Marshall and passed unanimously, the Board approved the agenda with the following additions:

- Approval of Letter of Support of GWRC Grant Application to Update Regional Hazard Mitigation Plan;
- Resolution Supporting Designating the Rappahannock River as a Scenic River;
- Budget Adjustment and Appropriation of CARES Act Broadband Award;
- Budget Adjustment & Appropriation of CARES Act Utilities Relief Program Award;
- Acceptance of and Budget Adjustment & Appropriation for Grant for Emergency Repairs to Burn Building.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

PUBLIC COMMENT ON CONSENT AGENDA

None

APPROVAL OF THE CONSENT AGENDA

The County Administrator read the synopsis as a brief preview of these agenda items for the public.

The following items were removed for separate consideration:

- Approval of Resolution to Reappoint Members to the Potomac and Rappahannock Transportation Commission (PRTC) and VRE Operations Board
- Budget Adjustment & Appropriation for Bonuses to Public Safety Scale Positions

Vice Chairman Marshall read the following statement:

I hereby disclose I have an interest in Consent Agenda Item #21, Budget Adjustment & Appropriation to Effectuate Board-Approved Mid-Year Pay Adjustments, on the December 8, 2020 Agenda, as an employee of Spotsylvania County earning over \$5,000 annually. My disclosure is on file with the clerk and is available to the public for review. Mark/Aimee, please record this disclosure in the minutes of this meeting as required by law.

On a motion by Supervisor Jett and passed unanimously, the Board approved the amended Consent Agenda as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

1. Approve the Minutes of the November 17, 2020 Board of Supervisors Meeting;
2. Acceptance of Holly Oak Lane, Ivy Hill Drive, Winterchase Court, Elk Creek Circle, and Split Oak Drive in Lee's Parke Pod D, Sections 1 & 2 into the Virginia Secondary Street System (Lee Hill District) as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-125

A RESOLUTION REQUESTING HOLLEY OAK LANE, IVY HILL DRIVE, WINTERCHASE COURT, ELK CREEK CIRCLE, AND SPLIT OAK DRIVE IN LEE'S PARK POD D, SECTIONS 1 & 2 BE ADDED TO THE STATE SYSTEM OF SECONDARY ROADS

WHEREAS, Holley Oak Lane, Ivy Hill Drive, Winterchase Court, Elk Creek Circle, and Split Oak Drive in Lee's Parke Pod D, Sections 1 & 2 and as described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, Spotsylvania County and the Virginia Department of Transportation have entered into a comprehensive agreement on June 6, 1997, for stormwater detention in Spotsylvania County.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Sec. 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

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

3. Acceptance of Spring Arbor Drive, Spring Arbor Lane, and Spring Arbor Circle in the River Crossing Subdivision into the Virginia Secondary Street System (Courtland District) as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-126

A RESOLUTION REQUESTING SPRING ARBOR DRIVE, SPRING ARBOR LANE, AND SPRING ARBOR CIRCLE IN RIVER CROSSINGS SUBDIVISION BE ADDED TO THE STATE SYSTEM OF SECONDARY ROADS

WHEREAS, Spring Arbor Drive, Spring Arbor Lane, and Spring Arbor Circle in the River Crossing Subdivision and as described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, Spotsylvania County and the Virginia Department of Transportation have entered into a comprehensive agreement on June 6, 1997, for stormwater detention in Spotsylvania County.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Sec. 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

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

4. Approval of Resolution to Transfer \$833,658 in Revenue Sharing Funding from UPC 51845 to UPC 109474 as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-127

A RESOLUTION ENDORSING THE TRANSFER OF \$833,658 IN REVENUE SHARING FUNDING FROM UPC 51845 TO UPC 109474

WHEREAS, the UPC 51845-Rte 1/Rte 620 (Harrison Rd) intersection project is complete and has a revenue sharing funding surplus of \$833,658 which needs to be transferred to another eligible project going to construction advertisement by 6/30/2021 to avoid losing the \$416,829 in the state portion of this revenue sharing funding.

WHEREAS, the UPC 109474-New Commuter Lot at Rte 1/Commonwealth Drive was selected in Smart Scale Round 1, but has an estimated project deficit of \$1.1 million to complete construction of a new 683 space commuter lot.

WHEREAS, County transportation staff have worked with VDOT to determine that UPC 109474-New Commuter Lot at Rte 1/Commonwealth Drive is the only eligible project in the county that can receive the \$833,658 in revenue sharing funding.

WHEREAS, the Transportation Committee reviewed and approved this transfer request at their November 19, 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Spotsylvania County Board of Supervisors endorses the transfer of 833,658 in revenue sharing funding from UPC 51845-Rte 1/Rte 620 to UPC 109474-Rte 1/Commonwealth Dr Commuter Lot.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Commonwealth of Virginia.

5. Approval of Agreement for the Wilderness Tower Co-location - Datastream;
6. Approval of Contract Modification #2 for Renewal to E-Merge Systems, Inc. for SCADA Services;
7. Approval of Contract Modification #2 for Renewal to Unassailable Solutions LLC for Audio Visual, Multi-Media Equipment, Components, Installation and Maintenance;
8. Approval of Contract Modification #3 for Renewal to Draper Aden Associates to Provide Professional Engineering Services for Solid Waste Engineering Services;
9. Approval of Contract Modification #3 for Renewal to SCS Engineers to Provide Professional Engineering Services for Solid Waste Engineering Services – Landfill Gas Monitoring;
10. Approve Proposed Updates to Procurement Policy as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-128

A RESOLUTION TO AMEND THE PROCUREMENT POLICY OF SPOTSYLVANIA COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of Spotsylvania County (hereinafter the “Board”) has in accordance with law, adopted a Procurement Policy to ensure that all County Procurement procedures are conducted in a fair and impartial manner and for such purposes as are set forth more particularly therein; and

WHEREAS, the Board further finds that it is desirable for the County to amend Articles and Sections of its Procurement Policy to further this purpose; and

WHEREAS, the Board finds that it is desirable for the County to amend the provisions of its Procurement Policy in order for the County to adopt and clarify portions of its existing policy to comply with law.

NOW, THEREFORE, the Board does by this resolution amend the Procurement Policy of Spotsylvania County, Virginia, as set forth in the attached revised version hereto which revisions are incorporated herein and made a part hereof. The Procurement Policy, as amended, shall be in force and effect upon adoption of this Resolution.

11. Approval of Purchase Order to Carter Machinery for CAT 826K Landfill Compactor;
12. Approval of Purchase Order to ePlus for Public Wireless – Wireless Equipment and Switches;
13. Approval of Purchase Order to Vac-Con, Inc. for a new Hydro-Excavator Truck;
14. Approval of Budget Adjustment and Purchase Order to CAS Severn, Inc. for Virtual Infrastructure Upgrade and New Backup Solution;
15. Approval of Shift of Budget from Contingency to Allow for Required but Unbudgeted Floodplain Mailings;
16. Authorization for Public Hearing for Renewal Office Lease for Congresswoman Abigail Spanberger;
17. Authorization to Advertise for a Public Hearing to Consider an Amended FY21-26 Secondary Six Year Plan;
18. Budget Adjustment & Appropriation to Effectuate Board's Prior Action to Allocate Local Funding Available Pursuant to the Second Round of CARES Act Funds as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-129

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For allocation of local funds made available through use of CARES Act allocations, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: (\$11,479,234)
CODE COMPLIANCE FUND: \$4,746
TRANSPORTATION FUND: \$3,716
CAPITAL PROJECTS FUND: \$6,479,234
UTILITIES OPERATING FUND: \$30,313

19. Budget Adjustment & Appropriation to Effectuate Board-Approve Mid-Year Pay Adjustments as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-130

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For mid-year pay adjustments, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$1,546,000
CODE COMPLIANCE FUND: \$58,577
TRANSPORTION FUND: \$6,025
CAPITAL PROJECTS FUND: \$2,971
UTILITIES OPERATING FUND: \$176,144

20. Reappointment of David Gossman to the Transportation Committee (Livingston District);
21. Resolution Authorizing Use of Fuel Tax Revenue for FY2021 Transportation Purposes as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-131

**A RESOLUTION AUTHORIZING USE OF \$1,750,000 OF FUEL TAX FUNDS FOR
VARIOUS FY 2021 & PRIOR TRANSPORTATION PURPOSES**

WHEREAS, Spotsylvania County ("County") is a member of the Potomac and Rappahannock Transportation District ("District"), a transportation district created pursuant to the

Transportation District Act of 1964 (Code of Virginia, §33.2-1900, et seq.) which participates in the operation of a rail commuter mass transportation system (Code of Virginia, §58.1-2295); and

WHEREAS, the Potomac and Rappahannock Transportation Commission (“PRTC”) is the governing body of the District; and

WHEREAS, the Commonwealth of Virginia levies a 2.1 percent sales tax on the price charged by a distributor for fuels sold to a retail dealer for retail sale in the District (§58.1-2295); and

WHEREAS, all taxes paid to the State Tax Commissioner, after subtraction of the direct costs of administration by the Tax Department, are deposited in a special fund held by the District (Code of Virginia §58.1-2299.20); and

WHEREAS, at the request of the member jurisdiction, revenue available from the fuels tax in excess of the required payments to VRE and PRTC may be expended for any transportation purpose (Code of Virginia, §58.1-2299.20); and

WHEREAS, the County planned as part of its FY 2021 budget to fund various transportation-related activities including transportation-related staff positions and operating costs, FRED transit operations, and debt service from previously issued transportation bonds; and

WHEREAS, the County desires to use a portion of the revenue from its fuel tax account for these purposes;

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby request PRTC to budget and appropriate the following amounts for reimbursement to Spotsylvania for a portion of its actual FY 2021 (and prior) transportation expenditures:

Transportation-related positions	\$300,000.00
Transportation operating costs	\$19,000.00
FRED bus service	\$76,694.00
Debt service on previous transportation bond issues	<u>\$1,354,306.00</u>
Total	\$1,750,000.00

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized and directed to submit to PRTC requests for reimbursement of expenses incurred by the County in connection with the expenditures identified above.

22. Approval of Letter of Support of GWRC Grant Application to Update Regional Hazard Mitigation Plan;
23. Resolution Supporting Designating the Rappahannock River as a Scenic River as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-132

VIRGINIA: At the adjourned meeting of the Spotsylvania County Board of Supervisors on Tuesday, December 8, 2020 in the Board meeting room of the Holbert Building, the following resolution was presented and adopted:

WHEREAS, the Virginia Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 for the purpose of identification, protection, and preservation of certain rivers, or sections of rivers, which possess high quality natural beauty; and

WHEREAS, the Virginia Department of Conservation and Recreation has been charged with administering the Scenic Rivers Program and developing an objective evaluation process to judge the suitability of river segments; and

WHEREAS, several Spotsylvania County residents joined staff from the Virginia Department of Conservation and Recreation to visit the Rappahannock River and evaluate its eligibility for Scenic River designation; and

WHEREAS, the Virginia Department of Conservation and Recreation completed its evaluation and determined that the portion of the Rappahannock River under review along Spotsylvania County was found to qualify as a Virginia Scenic River; and

WHEREAS, the Virginia Board of Conservation and Recreation supported the endorsement for designation as a Scenic River of a portion of the Banister River; then

THEREFORE, BE IT RESOLVED, that the Spotsylvania County Board of Supervisors does hereby support the designation of the Rappahannock River, from the State Route 3 Bridge to the Spotsylvania County line, as a Virginia Scenic River; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Spotsylvania County will contact our General Assembly representatives to request that they serve as patrons for the legislation that will codify the Scenic River designation.

Given under my hand this 8th day of December 2020.

24. Budget Adjustment and Appropriation of CARES Act Broadband Award as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-133

**Designation of Authorized Agents in the Execution and Administration of the
CARES Act Broadband Funds**

WHEREAS, Spotsylvania County has received a federal pass through grant from the Commonwealth of Virginia of Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$822,360 to be used for purchase of 5G equipment for the Belmont and Wilderness towers to expand the availability of high speed broadband services to facilitate distance learning, telehealth and telemedicine, and to increase telework capabilities during the COVID-19 pandemic; and

WHEREAS, the County is not required to provide a local match; and

WHEREAS, the County and the Chief Information Officer will administer the grant in accordance with the terms as set forth in the program guidelines, and all manner of guidance and frequently asked questions (FAQs) published by the Commonwealth and the U.S. Department of the Treasury.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are hereby designated as authorized agents any of whom may act in the execution and administration of the grant: Edward Petrovitch, County Administrator; Mark Cole, Deputy County Administrator; Bonnie Jewell, Assistant County Administrator/Chief Financial Officer; Jane Reeve, Chief Information Officer; and Annette B. D'Alessandro, Grants Manager; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the grant in the amount of \$822,360 is accepted and that the General Fund budget is hereby amended to reflect the increase in funds associated with the grant award; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2020, for expenditures in the amount of \$822,360 to be used for 5G equipment for the Belmont and Wilderness towers, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$822,360

25. Budget Adjustment & Appropriation of CARES Act Utilities Relief Program Award as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-134

**Designation of Authorized Agents in the Execution and Administration of the
CARES Act Utility Relief Program Funds**

WHEREAS, Spotsylvania County has received a federal pass through grant from the Commonwealth of Virginia of Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$762,991.62 to provide assistance to municipal water and wastewater customers; and

WHEREAS, the County is not required to provide a local match; and

WHEREAS, the County will administer the grant in accordance with the terms as set forth in the program guidelines, and all manner of guidance and frequently asked questions (FAQs) published by the Commonwealth and the U.S. Department of the Treasury.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are hereby designated as authorized agents any of whom may act in the execution and administration of the grant: Edward Petrovitch, County Administrator; Mark Cole, Deputy County Administrator; Bonnie Jewell, Assistant County Administrator/Chief Financial Officer; Ben Loveday, Assistant County Administrator; and Eric Slivka, Controller; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the grant in the amount of \$762,991.62 is accepted and that the General Fund budget is hereby amended to reflect the increase in funds associated with the grant award; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2020, for expenditures in the amount of \$762,992 to be used to provide assistance to qualifying municipal water and wastewater customers, to be expended only by order of the Board of Supervisors as follows:

UTILITIES OPERATING FUND: \$762,992

26. Acceptance of and Budget Adjustment & Appropriation for Grant for Emergency Repairs to Burn Building as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-135

Approving Acceptance, Appropriation, and Authorized Organizational Representatives for the FY 2021 Virginia Department of Fire Programs Grant Award for the Regional Burn Building

WHEREAS, during routine maintenance structure support damage was found to the floor beams and floor pan of the Rappahannock Regional Training Center; and

WHEREAS, no training can be held at this facility until this damage is repaired; and

WHEREAS, there are two active classes being held for new volunteer and career firefighter recruits; and

WHEREAS, live fire training is mandatory in order to obtain Firefighter I and II certification and is currently scheduled to take place in February 2021; and

WHEREAS, failure to immediately address the structural issues will result in significant cost and time in coordinating schedules, travel, and training to send the recruits to other live fire training structures located elsewhere in the Commonwealth; and

WHEREAS, the Virginia Department of Fire Programs awarded the Department of Fire, Rescue, and Emergency Management (FREM) a grant award in the amount of \$54,001 for needed emergency repairs at the Rappahannock Regional Training Center; and

WHEREAS, FREM proposes to utilize these state funds for equipment, structural engineering and construction costs to correct these issues; and

WHEREAS, the total costs for the proposed project is estimated at \$63,531; and

WHEREAS, FREM will pay the remaining balance of \$9,530 from their Fire Programs account; and,

WHEREAS, the grant award requires that the regional training facility be maintained and operational for a period of twenty years from completion of this project; and

WHEREAS, it is anticipated that there will be ongoing costs to the County and the regional partners for insurance and maintenance of the facility over time; and

WHEREAS, the period of performance for the grant ends December 7, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors, that the FY 2021 Virginia Department of Fire Programs Grant Award for the Regional Burn Building is approved; and

BE IT FURTHER RESOLVED that the following individuals are designated as authorized organizational representatives, any of whom may act in the execution and administration of the grant award agreement:

Edward Petrovitch, County Administrator, or
Mark Cole, Deputy County Administrator, or
Bonnie Jewell, Assistant County Administrator for Finance and Services/CFO, or
Jay Cullinan, Chief, or
Jason Irby, Deputy Fire Chief, or
Carl Roberts, Division Chief, or
Annette D'Alessandro, Grants Manager.

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the grant in the amount of \$54,001 is accepted and that the Capital Projects Fund budget is hereby amended to reflect the increase in funds associated with the grant award for equipment, structural engineering, and construction costs for the Rappahannock Regional Training Center.

CAPITAL PROJECTS: \$ 54,001

CONSENT AGENDA ITEMS FOR SEPARATE CONSIDERATION

Approval of Resolution to Reappoint Members to the Potomac and Rappahannock Transportation Commission (PRTC) and VRE Operations Board

On a motion by Chairman Skinner and passed unanimously, the Board approved the resolution as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-136

**A RESOLUTION APPOINTING MEMBERS OF THE SPOTSYLVANIA COUNTY
BOARD OF SUPERVISORS TO THE POTOMAC AND
RAPPAHANNOCK TRANSPORTATION COMMISSION AND
VIRGINIA RAILWAY EXPRESS FOR 2021**

WHEREAS, at its Board meeting held on December 8, 2020, the Spotsylvania County Board of Supervisors considered appointments to the Potomac and Rappahannock Transportation Committee (PRTC) and the Virginia Railway Express (VRE);

WHEREAS, Dr. Frazier and Mr. Skinner agreed to serve as the primary members representing Spotsylvania County on the PRTC and Mr. Skinner agreed to serve as the primary member representing Spotsylvania County on the VRE; and

WHEREAS, Mr. McLaughlin and Mr. Ross agreed to serve as the alternate members on the PRTC and Dr. Frazier agreed to serve as the alternate member on the VRE and each will provide equal representation of Spotsylvania County in the absence of its primary members;

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors on this the 8th day of December, 2020, that it be and hereby does reappoint Dr. Frazier and Mr. Skinner as its primary members representing Spotsylvania County on the PRTC and Mr. Skinner as its primary member representing Spotsylvania County on the VRE for 2021; and

BE IT FURTHER RESOLVED that Mr. McLaughlin and Mr. Ross are reappointed as the alternate members representing Spotsylvania County on the PRTC and Dr. Frazier as the alternate member representing Spotsylvania County on the VRE for 2021 and each will provide equal representation of Spotsylvania County in the absence of its primary members; and

BE IT STILL FURTHER RESOLVED that these appointments are effective January 1, 2021 through December 31, 2021.

Budget Adjustment & Appropriation for Bonuses to Public Safety Scale Positions

Vice Chairman Marshall read the following statement:

I hereby disclose I have an interest in Consent Agenda Item # 19, Budget Adjustment & Appropriation for Bonuses to Public Safety Scale Positions, on the December 8, 2020 Agenda, to the extent the discussion now includes consideration of bonuses to be given to all employees of which there are more than three, as an employee of Spotsylvania County earning over \$5,000 annually and would therefore be in consideration to receive a bonus. I am able to participate in the transaction fairly, objectively, and in the public interest. Mark/Aimee, please record this disclosure in the minutes of this meeting as required by law.

Supervisor Jett made a motion to include bonuses for all county employees, including part-time employees. After discussion, Supervisor Jett made a substitute motion to approve the bonuses for the 87 positions. The motion passed unanimously as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-137

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For a one-time, \$500 bonus for Compensation Board supported Sheriff's Office positions, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$46,828

Supervisor McLaughlin made a motion to table the additional recommended bonuses. The motion passed unanimously.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

PUBLIC PRESENTATIONS

Jackie Williams, Frank Webster, Brent Huntsinger, Laurie Newman, and Dawn Napper addressed the Board during public presentations.

BOARD OF SUPERVISORS REPORTS

During this time, Supervisors reported on items of interest and/or concern within their districts.

Supervisor McLaughlin stated that county employees should not be penalized for taking COVID leave and without objection, directed staff to bring a policy back for Board approval at the next meeting.

VDOT REPORT

Kyle Bates gave a winter weather briefing.

PRESENTATIONS/REPORTS BY STAFF

Presentation of FY 2020 Audit Results

The Code of Virginia requires that all general-purpose local governments publish a complete set of financial statements presented in conformity with accounting principles generally accepted in the United States of America and audited in accordance with governmental auditing standards generally accepted in the United States of America. The County's Comprehensive Annual Financial Report (CAFR) for fiscal year 2020 was audited by CliftonLarsonAllen, LLP. The results of their audit were presented by Greg Bussink, CPA, CGFM, CGMA.

Schools' FY 2020 Operational School Carryover Request

Supervisor Frazier read the following statement:

I hereby disclose I have an interest in Presentations/Reports by Staff Item # 2, Schools' FY 2020 Operational Carryover Request, on the December 8, 2020 Agenda, as an employee of Spotsylvania County Schools earning over \$5,000 annually. My disclosure is on file with the clerk and is available to the public for review. Mark/Aimee, please record this disclosure in the minutes of this meeting as required by law.

Based on the FY 2020 audit results, the Schools' budgeted, but unexpended local transfer for operations was \$5,490,388; 1.85% of the total School Operating Fund budget. Each month, State and other revenues were applied to Schools' expenditures first, and then a transfer of local funding for operations was made to balance revenue and expenditures for the month. What remains available at year's end is local funding. It should be noted that \$2.1 million of the \$5.5 million carryover is funding that was carried forward from FY 2019 to FY 2020, but which the Schools intentionally did not spend in response to the County Administrator's request for help in being conservative with expenditures after the onset of the pandemic.

At its meeting on November 16, the School Board approved the one-time FY 2020 operating carryover funds to be used for the purposes summarized below. The School Board requested that the Board of Supervisors approve the budget amendment and appropriation to carryover the \$5,490,388 in unexpended local funding for operations.

Area	Amount	Summary Description
Other Post-Employment Benefits (OPEB)	\$1,040,211	OPEB trust fund contribution
Classroom Teaching and Learning Materials and Support	\$1,037,888	Textbooks, software licenses, student enrichment opportunities, classroom supply district initiative, additional school-based allocations
Staff Bonus	\$3,412,289	\$900 staff bonus
Total	\$5,490,388	

Additionally, the School Board requested \$2.5 million be allocated to the Schools' budget from available local funding as assistance in making individual electronic devices available to students, adding and providing hotspots, and otherwise making distance learning possible. Ultimately, the Board determined to appropriate \$100,000 of this \$2.5 million to the Schools for hotspots, and then reserved the \$2.4 million for consideration in conjunction with the Schools' carryover request. Staff requested that the Board provide guidance as to the appropriation of the \$2.4 million.

Supervisor Frazier made a motion to allocate the entire carryover of \$5.4 million to the schools.

Supervisor McLaughlin made a substitute motion to approve \$3.4 million in bonuses to school employees. The motion failed 3 to 4 with Supervisors Frazier, Marshall, Skinner and Yakabouski opposed.

VOTE:

Ayes:	3	Jett, McLaughlin, Ross
Nays:	4	Frazier, Marshall, Skinner, Yakabouski
Absent:	0	
Abstain:	0	

Supervisor Frazier made a motion to allocate the entire carryover of \$5.4 million to the schools. The motion passed 5 to 2 with Supervisors McLaughlin and Ross opposed as follows:

VOTE:

Ayes:	5	Frazier, Marshall, Jett, Skinner, Yakabouski
Nays:	2	McLaughlin, Ross
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-138

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For appropriation of the unexpended FY 2020 local funding for operations to Schools, to be expended only by order of the Board of Supervisors as follows:

SCHOOL OPERATING FUND: \$5,435,164

SCHOOL FOOD SERVICE FUND: \$36,816

JOINT FLEET FUND: \$18,408

Vice Chairman Marshall made a motion to table the allocation of \$2.4 million and request exact COVID needs from the School Board. The motion failed 3 to 4 with Supervisors Frazier, McLaughlin, Ross and Skinner opposed.

VOTE:

Ayes:	3	Jett, Marshall, Yakabouski
Nays:	4	Frazier, McLaughlin, Ross, Skinner
Absent:	0	
Abstain:	0	

Chairman Skinner made a motion to allocate \$2.4 million to the schools. The motion failed 3 to 4 with Supervisors Jett, Marshall, McLaughlin and Ross opposed.

VOTE:

Ayes:	3	Frazier, Skinner, Yakabouski
Nays:	4	Jett, Marshall, McLaughlin, Ross
Absent:	0	
Abstain:	0	

PUBLIC PRESENTATIONS

None

Citizen Budget Review Committee (CBRC) Discussion

Chair Kathryn Dennis was present to answer questions. Discussion ensued regarding Board member expectations, department mandates, and cost saving measures previously presented by the CBRC to the Board of Supervisors.

Presentation of Draft Board Bylaws for 2021

Karl Holsten, County Attorney, presented the draft Board Bylaws for 2021.

PUBLIC HEARINGS

Budgeting of 2020 General Obligation and 2020 Water/Sewer Revenue & Refunding Bond Sale Proceeds

Ms. Jewell presented.

Chairman Skinner declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Vice Chairman Marshall and passed unanimously, the Board adopted the resolution as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-139

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For the projects, debt service, cost of issuance, and pay-off adjustments associated with the 2020 sale of General Obligation (GO) and Water/Sewer Revenue & Refunding bonds to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$8,388,452

TRANSPORTATION FUND: (\$54,103)

CAPITAL PROJECTS FUND: \$1,469,457

SCHOOL CAPITAL PROJECTS FUND: \$115,640

UTILITIES OPERATING FUND: \$17,337,564

UTILITIES CAPITAL PROJECTS FUND: (\$2,982,002)

Budgeting & Appropriations of Schools' Direct CARES Allocations

Ms. Jewell presented.

Chairman Skinner declared the public hearing opened.

The following citizens submitted comments in favor: Lisa Ehmer, Nicole McCloskey, Tiffany Suggs, Susan Woodford, Kathryn Gregorio, Megan Hopkins, Jaimie Ashton, Holly Angel, Lidia Gonzalez, Nicole Karayianes, Davis Oldham, Brenda Sapanghila, Lorry Casey, Kristen & Chris McKnight.

Chairman Skinner closed the public hearing.

On a motion by Supervisor Ross and passed unanimously, the Board adopted the resolution as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-140

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For appropriation of CARES Act funding allocated directly to Spotsylvania County Public Schools for support of learning and division needs related to the COVID pandemic, to be expended only by order of the Board of Supervisors as follows:

SCHOOL OPERATING FUND: \$6,978,986

Conveyance of Utility Easement to Rappahannock Electric Cooperative Tax Map 37-A-51

Rappahannock Electric Cooperative has requested a 15' public utility easement to run parallel with the existing right of way in front of Company 11 located at 9517 Crossroads Parkway. This easement does not conflict with the County's current or future use of the property.

Ben Loveday presented.

Chairman Skinner declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Vice Chairman Marshall and passed 5 to 2 with Supervisors Jett and Yakabouski absent from the vote, the Board approved the easement conveyance to Rappahannock Electric Cooperative.

VOTE:

Ayes:	5	Frazier, Marshall, McLaughlin, Ross, Skinner
Nays:	0	
Absent:	2	Jett, Yakabouski
Abstain:	0	

R19-0011 Monument Development Fifteen, LLC (Acorn Capital Company, L.C.) Upper Spotsy
Redevelopment - Lee Hill District

Mr. Pastwick presented.

Charlie Payne, on behalf of the applicant: He gave an overview of the project and stood to answer any questions.

Chairman Skinner declared the public hearing opened.

The following citizens submitted comments in opposition or with concerns: Roy McAfee and Linda Conrad.

The following citizen spoke with suggestions: Alex Liptenfells

Chairman Skinner closed the public hearing.

Charlie Payne, on behalf of the applicant: In response to citizen comments, he said he felt confident the site was safe.

On a motion by Chairman Skinner and passed 5 to 2 with Supervisors Jett and Yakabouski opposed, the Board adopted the ordinance as follows:

VOTE:

Ayes:	5	Frazier, Marshall, McLaughlin, Ross, Skinner
Nays:	2	Jett, Yakabouski
Absent:	0	
Abstain:	0	

AN ORDINANCE No. RO19-0011

To amend the zoning map to rezone approximately 14.27 acres from Industrial 2 (I-2) to Mixed Use High (MU-5)

PUBLIC HEARING: December 8, 2020

WHEREAS, Requests the rezoning of approximately 14.2732 acres from Industrial 2 (I-2) to Mixed Use 5 (MU-5) with proffers for residential and commercial development. The proposal for a mixed use development currently consists of not more than five hundred twenty-five (525) multi-family dwelling units, along with a minimum of 14,000 square feet of commercial use. The parcels are addressed as 11900, 11812, 11744, 11800 Main Street, 11711 Russo Drive, 11723 Russo Drive and are a minimum of approximately 1032 feet north of the intersection with Joseph Mills Drive (RT. 756). The parcels are located in the Primary Development Boundary. The properties are in an area identified as Employment Center on the Future Land Use Map of the Comprehensive Plan. Tax parcels 25-7-B, 25-7-C, 25-7-E, 25-7-F, 25-7-G and 25-7-P. Lee Hill Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval of the rezoning as stated in the staff report and executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on November 4, 2020, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project, with proffers revised to address concerns raised during the public hearing with a vote of 7-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on December 8, 2020, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the general welfare and good zoning practice are served by approval of the rezoning application.

NOW, THEREFORE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS

HEREBY ORDAINS:

§ 1. That the property known as Tax Parcels 25-7-B, 25-7-C, 25-7-E, 25-7-F, 25-7-G and 25-7-P currently zoned Industrial 2 (I-2) is rezoned to Mixed Use 5 (MU-5) with the proffered conditions.

§ 2. The Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted standards. To the extent anything in this rezoning is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

§ 3. This ordinance shall be in force and effect upon adoption.

CLOSED MEETING

On a motion by Vice Chairman Marshall and passed unanimously, the Board adopted a resolution to adjourn into closed meeting as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-141

To Adjourn into a Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the County, specifically, an employee of Fire, Rescue and Emergency Management; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, discussion of real property in the Berkeley District; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically, a recreational and entertainment business; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically regarding the matter of *In re: May 19, 2020 Decisions of the Board of Zoning Appeals for the County of Spotsylvania, Virginia on Appeal Applications A19-0003 and A20-0001*, filed in the Circuit Court for the County of Spotsylvania, Virginia, Case Number CL20-208; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding a real property matter and a personnel matter; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(1), (3), (5), (7), and (8), such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby authorize discussion of the aforesated matters.

RETURN TO OPEN MEETING AND CERTIFICATION

On a roll call vote, the Board returned to open meeting and adopted the following resolution:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2020-142

Return to Open Meeting

WHEREAS, the Spotsylvania County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors hereby returns to open session and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into Closed Meeting were heard, discussed or considered in the Closed Meeting.

NEW BUSINESS

None

ADJOURNMENT

On a motion by Supervisor Ross passed unanimously, the Board adjourned its meeting at 10:50 p.m.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Aimee R. Mann
Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Appointment of Gerald Childress to the Planning Commission (Chancellor District)

Type: Action

Agenda Title: Appointment of Gerald Childress to the Planning Commission (Chancellor District)

Recommendation: Mr. McLaughlin recommends the Board of Supervisors appoint Gerald Childress to the Planning Commission representing the Chancellor District. The appointment will be filling an unexpired term. The term will commence February 1, 2021 and expire December 31, 2023.

Non-Staff Name and Title of Presenters: N/A

Summary: Mr. McLaughlin would like to appoint Gerald Childress to the Planning Commission representing the Chancellor District. The term will commence February 1, 2021 and expire December 31, 2023.

Financial Impact: N/A

Staff Contacts: Niki Woodard, Assistant to County Administration

Additional Background/Other Considerations: N/A

Consequence of Denial/Inaction: The Chancellor District position would remain vacant.

Talking Points: N/A

ATTACHMENTS:

File Name	Description	Type
Gerald_Childress_BIO.pdf	Gerald Childress Bio	Resume

Gerald Childress
8418 Pathfinders Court
Spotsylvania, VA 22553
540-735-4221
gchildress@childressagency.com

Gerald Childress Bio

Gerald Childress committed to community and country at an early age. His career began as a Marine, proudly serving in Desert Storm. He is also a life time member of the Veterans of Foreign Wars. Upon founding The Childress Agency, Inc. (CAI) he proudly became a Certified Service Disabled Veteran Owned Small Business (SDVOSB) through the Veterans Administration. CAI is a full-service marketing firm, headquartered in his hometown of historic Fredericksburg, VA with satellite offices in Tysons, VA and Orlando, FL. They specialize in offering small and midsize companies the ability to have a top notch, marketing team normally only found in large companies.

Building upon his interest in technology from his time in the Marine Corps he launched an additional company, Childress Construction, LLC. Currently working in the IT construction field for Verizon Fios throughout Virginia, DC and Maryland.

Community and charitable work is important to Gerald, as well. Yearly he awards a \$25,000 grant to a local charity that needs marketing and communications support. Past recipients include Lloyd Moss Free Clinic, Fredericksburg SPCA, Other Side of the Dunes and Empower House. Additionally, he has served on several boards: Chairman of Government and Military Affairs Committee (GMAC), Families of the Wounded Fund, Chairman of Spotsylvania Economic Development Authority, Spotsylvania YMCA and FredTech to name a few.

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Appointment of Nicole Cole to the Citizen Budget Review Committee (Salem District)

Type:	Action

Agenda Title:	Appointment of Nicole Cole to the Citizen Budget Review Committee (Salem District)

Recommendation:	Dr. Frazier would like to recommend the Board of Supervisors appoint Nicole Cole to the Citizen Budget Review Committee (CBRC) representing the Salem District. Per the bylaws, terms shall coincide with the appointing Board members term. The term will commence immediately and expire December 31, 2023.

Non-Staff Name and Title of Presenters:	N/A

Summary:	Dr. Frazier would like to appoint Nicole Cole to the CBRC representing the Salem District. The term will commence immediately and expire December 31, 2023.

Financial Impact:	N/A

Staff Contacts:	Niki Woodard, Assistant to County Administration

Additional Background/Other Considerations:	N/A

Consequence of Denial/Inaction:	The Salem District position will remain vacant.

Talking Points:	N/A

ATTACHMENTS:

File Name	Description	Type
Nicole_Cole_Resume.pdf	Nicole Cole Resume	Resume

Nicole T. Cole, M.B.A

9909 Ashmeade Court Fredericksburg, VA 22407
540.318.0007 Nicole@NicoleCole.com

Education

M.B.A. Finance and Health Services Management, Kellogg Graduate School of Management, Northwestern University, 1997

B.S. Business Management, University of Maryland College Park 1991

Diploma, Highland Springs High School, Highland Springs - Henrico County, VA 1987

Independent Wealth Advisor

LPL Financial (Aug 2017 to Present)

Nicole Cole Financial Services Group (January 2009 – Present)

Phase V Consulting (June 2004 – December 2008)

- Transitioned in 2004 from consulting Fortune 500 healthcare companies on managing strategic goals to start her own financial services firm assisting individuals, families, and small businesses to achieve financial goals – Nicole has always put herself in her client's shoes by providing strategies to meet their vision of financial success.
- She uses a comprehensive, goals-oriented approach to help clients plan for their financial future. Her client centric process then focuses on determining the financial tools, assets, and resources that best accomplish the client's financial goals.
- Practice statistics:
 - 349 investment account across over 120 comprehensive financial planning and investment management clients
 - \$16.5 million in investment assets under management
 - Benefits planning and management for 6 local small businesses
 - Over \$30 million in insurance coverage placements for individuals, families and small businesses
- Nicole's professional registrations held with LPL Financial include the FINRA Series 7 and 6 Investment Company and Variable Contracts Products Representative and the Series 63 Uniform Securities Agent. The Series 65 registration is held with LPL Financial. She also holds Life, Health, and Variable Annuity licenses in VA, DC, MD, NC, FL, and IL.

Founder – President – College Funding Planning Specialist

D.B.A. The College Money Team (2009 to Present)

- Established The College Money Team business in 2009 to support families and scholars to more successfully plan and fund their post-secondary educational pursuits.
- Published as a co-author and college funding and financial aid expert, **College Funding Strategies, I Wish Someone Had Told Me** in March 2020.

- Service Statistics:
 - Over 200 individually engaged client families served in 11 years
 - Annually, 8 to 10 free “College Funding and Financial Aid” educational workshops presented to high schools and non-profit organizations serving parents and students
 - Assisted families in funding degrees from HBCUs, Ivy League, private and in and out of state public colleges and universities without incurring parent student loan debt
- Trained and certified as a college funding planning specialist by College Funding Educators of America (formerly College Planning Relief) in 2009.
- Served on the Board of College Funding Educators of America from 2015-2017

Community Activities and Philanthropy

- Board Member / Treasurer, Fox Point Community Home Owners Association
- Member of the Fredericksburg Chamber of Commerce since 2014
 - Leadership Fredericksburg graduate class of 2017
- Member Alpha Kappa Alpha Sorority Incorporated, Xi Upsilon Omega Chapter
 - Special Programs Chair, College Application Process Program
 - Target Committee Chair, A.S.C.E.N.D (College Prep) Program
 - Special Committees - Education
- President of the Board of HELP Consulting, Inc. an educational services non-profit
- Loisann’s Hope House Volunteer: Bags of Hope Fundraising Committee, Strategic Planning Committee
- Founding former member of the Greater Rappahannock Chapter of Jack and Jill of America

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Approval of Contract to Mid-Atlantic Communications, Inc.
for Mobile Equipment Installation Services for FREM

Type: Action

Agenda Title: Approval of Contract to Mid-Atlantic Communications, Inc.
for Mobile Equipment Installation Services for FREM.

Recommendation: Approve the award of a contract to Mid-Atlantic Communications, Inc. in the amount of \$129,500.00 for mobile equipment installations services for FREM. The contract has been reviewed and approved as to form by the County Attorney's Office.

An Invitation for Bid (IFB) was issued by the Spotsylvania County Procurement Division on September 18, 2020 to solicit bids from qualified contractors for the Mobile Equipment Installation Services. The bids were opened on October 14, 2020. Two (2) bids were received for this procurement as follows:

Summary:

CONTRACTOR	TOTAL BID PRICE
Mid-Atlantic Communications, Inc.	\$129,500.00
Dana Safety Supply	\$44,500.00

The low bidder Dana Safety Supply did not meet the specifications for this project and withdrew their bid.

Financial Impact: Adequate funding is budgeted and appropriated within project GP1201 for award of this contract for this purpose.

Staff Contacts: Jane Reeve, Chief Information Officer, Keith Pusso, Division
Director of Public Safety,
Brad Quann, Procurement Manager

Legal Counsel: Will Moore, Senior Assistant County Attorney

Additional Background/Other Considerations: This contract will provide a turnkey solution to install data terminal (MDT) docking stations, cradlepoint wireless network devices, external antennas and other ancillary equipment in fire apparatus ambulances and staff vehicles for the Spotsylvania County Fire Rescue and Emergency Management Department.

Comments: Providing safety and services to citizens may be jeopardized

Consequence of Denial/Inaction:

by insufficient equipment.

ATTACHMENTS:

File Name	Description	Type
Project_Budget_Wrksht_GP1201.pdf	Project Budget Worksheet - Mid Atlantic Communications	Backup Material
Mid_Atlantic_Communications_Contract.pdf	Mid Atlantic Communications - Contract	Contract



SPOTSYLVANIA COUNTY

Computer Aided Dispatch Upgrade/Replacement

Project Budget Worksheet

Project #: GP1201

	Current Budget (as of Jan. 4, 2021)	Revisions (Jan. 12, 2021)	Revised Balance (Jan 12, 2021)
<u>Project Costs:</u>			
Machinery & Equipment	\$3,374,986	(\$129,500)	\$3,245,486
Mid Atlantic Communications, Inc.	\$0	\$129,500	\$129,500
Total Project Costs	\$3,374,986	\$0	\$3,374,986
<u>Project Funding:</u>			
Cash	\$2,588,857	\$0	\$2,588,857
Bonds	\$786,129	\$0	\$786,129
Total Project Funding	\$3,374,986	\$0	\$3,374,986

SPOTSYLVANIA COUNTY
CONTRACT AGREEMENT
FOR GOODS AND SERVICES
Contract #21-03-EG

THIS AGREEMENT ("Agreement") is made this _____ day of _____, 2021 by and between the BOARD OF SUPERVISORS OF SPOTSYLVANIA COUNTY, a political subdivision of the Commonwealth of Virginia, ("COUNTY"); and, MID-ATLANTIC COMMUNICATIONS, INC., a Virginia Corporation ("CONTRACTOR"), in good standing and duly licensed to do business in the Commonwealth of Virginia.

WITNESS:

WHEREAS, the COUNTY desires to obtain goods and services for mobile equipment installation services for Spotsylvania County; and

WHEREAS, CONTRACTOR desires to provide mobile equipment installation services to Spotsylvania County.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises stated in this Agreement, the COUNTY and CONTRACTOR agree as follows:

ARTICLE 1

CONTRACT DOCUMENTS:

1.1. The documents listed in Section 1.2 of this Article shall constitute the Contract Documents ("Contract Documents"). These Contract Documents shall represent the entire agreement and understanding between the parties. Any oral or written understanding not incorporated in these Contract Documents is not binding on either party. These Contract Documents shall be amended only by written instrument signed by both parties. The Contract Documents are presented in descending order of priority with the first document listed being of the highest priority and governing over subsequently listed documents, in case of ambiguity. In the case of conflict between the Contract Documents, or provisions therein, the most exacting performance standard shall be undertaken.

1.2. The Contract Documents consist of:

1. Spotsylvania County Contract Agreement for Goods and Services, #21-03-EG between COUNTY and CONTRACTOR; and
2. County of Spotsylvania, Virginia, Invitation for Bid (IFB) # 21-03-EG, Mobile Equipment Installation Services, dated September 18, 2020; including Attachments A, B, C; and
3. Addendum #1 to Spotsylvania County IFB #21-03-EG for Mobile Equipment Installation Services dated October 5, 2020;
4. ATTACHMENT C, Bid Form, IFB #21-03-EG, Mobile Equipment Installation Services submitted by Mid-Atlantic Communications, Inc., signed and dated on October 8, 2020;
5. Email from Mid-Atlantic Communications, Inc. to Elaine Guinn, Spotsylvania County Procurement dated November 6, 2020 confirming total bid price as submitted on Attachment C Bid Form and acknowledgement of Addendum #1 dated October 5, 2020.

1.3. It is the intent of the Contract Documents to describe a functionally complete and whole understanding to be constructed in strict accordance with the Contract Documents. Any labor, services, documentation, materials, or equipment that may reasonably be inferred from the Contract Documents or from prevailing custom or trade usage as being required to produce the intended result shall be provided by the CONTRACTOR without increase in the contract price or contract timelines whether or not specifically called for.

ARTICLE 2

THE WORK AND AGREEMENT TERM LIMITS:

2.1. CONTRACTOR shall provide all materials, services, necessary tools, equipment, fuel, insurance, personnel and supervision to provide mobile equipment installation services at various locations in the COUNTY as set forth in the contract documents.

2.2. A brief summary of the work includes goods and services for a turnkey solution to install data terminal (MDT) docking stations, cradlepoint wireless network devices, external

antennas and other ancillary equipment in fire apparatus ambulances and staff vehicles for the Spotsylvania County Fire Rescue and Emergency Management Department.

ARTICLE 3

DATES OF COMMENCEMENT

3.1. The date of commencement shall be concurrent with the execution of this Agreement.

3.2. Time is of the essence.

3.3. Force Majeure. Neither party shall be liable hereunder by reason of any failure or delay in the performance of its obligations hereunder (except for the payment of money) on account of strikes, industry-wide material shortages, riots, insurrection, fires, flood, storm, explosions, earthquakes, pandemic flu, acts of God, war, governmental action or labor conditions. In the case of an industry wide material shortage, the CONTRACTOR shall provide to the COUNTY within 24 hours of CONTRACTOR'S determination that there exists an industry-wide material shortage, the following: 1) a written description of the specific material alleged to be in short supply; 2) a written list of all manufacturers, wholesalers, contractors and/or retailers from which CONTRACTOR has attempted to obtain, and/or contracted to obtain, said material; 3) a written description detailing all actions taken by CONTRACTOR to obtain said materials; 4) a written statement, signed by an authorized representative of CONTRACTOR, that CONTRACTOR has used due diligence to secure said materials in the most expeditious manner; and, 5) a written time frame in which CONTRACTOR anticipates that it will obtain said materials. The County, or its authorized representative, must concur that there is an industry-wide shortage of the specific material so identified by CONTRACTOR.

ARTICLE 4

CONTRACT PRICE AND TERMS OF PAYMENT:

4.1. The COUNTY shall pay for services out of appropriated funds and the COUNTY's performance under these Contract Documents is expressly subject to appropriation of funds by the Board of Supervisors.

4.2. The COUNTY agrees to pay fees not to exceed One Hundred Twenty-Nine Thousand Five Hundred Dollars (\$129,500.00) as delineated in Attachment C, Bid Form, IFB #21-03-EG submitted in response to County of Spotsylvania, Virginia, Invitation for Bid (IFB) # 21-03-EG, Mobile Equipment Installation Services, signed by Shawn M. Jacobs dated October 8, 2020.

4.3. Pursuant to Section 2.2-4354 of the Code of Virginia (1950, as amended), the CONTRACTOR covenants and agrees to:

1. Within seven (7) days after receipt of any amounts paid to the CONTRACTOR under this Agreement, (i) pay any subcontractor for its proportionate share of the total payment received from the COUNTY attributable to the work under the Contract Documents performed by such subcontractor, or (ii) notify the COUNTY and the subcontractor, in writing, of its intention to withhold all or part of the subcontractor's payment and the reason therefore;
2. Provide its federal employer identification number or social security number, as applicable, before any payment is made to the CONTRACTOR under the Agreement;
3. Pay interest, which shall accrue at the rate of one percent per month unless otherwise provided under the terms of the Contract Documents, on all amounts owed by the CONTRACTOR to any subcontractor that remain unpaid after seven (7) days following receipt by the CONTRACTOR of payment from the COUNTY for work performed by the subcontractor under this Agreement, except for amounts withheld as allowed in Section 4.4., subdivision 1 above; and
4. Include in its contracts with any and all subcontractors the requirements of 1, 2, and 3 above.

4.5. The parties hereby agree that any finance charge lawfully assessable against the COUNTY for failure to pay any payment(s) pursuant to the terms of this Agreement shall not exceed 2% per annum, and shall only accrue from the latest date such payment was due under the applicable provisions of this Agreement.

ARTICLE 5

RIGHTS AND RESPONSIBILITIES OF CONTRACTOR:

5.1. CONTRACTOR shall indemnify, defend and hold harmless the COUNTY and its employees, agents, and/or representatives from any and all claims, suits and actions for injury or damage sustained by any person or property from any act or omission by CONTRACTOR and/or its subcontractors or employees, or anyone else for whom CONTRACTOR is or may be responsible. This section shall survive the termination of this Agreement.

5.2. CONTRACTOR agrees to obtain a business license from the Spotsylvania County Commissioner of Revenue if required by the Code of Virginia (1950, as amended) and/or Spotsylvania County Code and to present such license for inspection by the COUNTY if requested. CONTRACTOR also agrees to maintain as current all required business licenses and permits required by the Commonwealth of Virginia and to present such licenses and permits as may be requested or required by the COUNTY.

5.3. CONTRACTOR shall maintain the following insurance coverage, naming COUNTY as additional insured, during the course of this Agreement, and provide the COUNTY with certificates of insurance for said coverage upon execution of this Agreement:

1. General Liability – in an amount not less than \$1,000,000 for any occurrence involving bodily injury, and not less than \$1,000,000 for any occurrence involving property damage. Coverage should be provided on a per project/per location basis.
2. Automobile Liability Policy – in an amount not less than \$1,000,000 combined single limit bodily injury and property damage. This coverage shall include liability for use of hired and non-owned vehicles; and
3. Workers' Compensation – in compliance with all states in which CONTRACTOR does business, including Coverage B Employer's liability in not less than the following amounts:
 - i. Bodily Injury by accident \$100,000 for each accident;
 - ii. Bodily Injury by disease, \$500,000 policy limit; and

iii. Bodily Injury by disease, \$100,000 for each employee.

5.4. During the performance of this Agreement, CONTRACTOR agrees that:

1. It will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the CONTRACTOR;
2. It will post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause; and
3. It will state in all solicitations or advertisements for employees placed by or on behalf of the contractor that such contractor is an equal opportunity employer. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient to meet this requirement, and CONTRACTOR agrees it will include the provisions of the foregoing paragraph in every subcontract or purchase order of over \$10,000.00, so that the provisions will be binding upon each subcontractor or vendor.

5.5. During the performance of this Agreement, the CONTRACTOR agrees to:

1. Provide a drug-free workplace for the CONTRACTOR'S employees and comply with the Federal Drug Free Workplace Act;
2. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the CONTRACTOR'S workplace and specifying the actions that will be taken against employees for violations of such prohibition;
3. State in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR that the CONTRACTOR maintains a drug-free workplace;
4. Include the provisions of the foregoing clauses in every subcontract or purchase

order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means any site at which the performance of work is done in connection with this contract awarded to the CONTRACTOR, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

5.6. CONTRACTOR acknowledges that the Spotsylvania County Procurement Policy is applicable to this Agreement.

5.7. Except as noted in the Contract Documents, neither this Agreement, nor any part hereof, may be assigned or subcontracted by CONTRACTOR to any other party without the express written permission of the COUNTY.

5.8. The CONTRACTOR providing goods or services to the COUNTY under these Contract Documents represents and warrants to the COUNTY that it is:

1. Conforming to the provisions of the Civil Rights Act of 1964, as amended, the Virginia Fair Employment Contracting Act of 1975, as amended, and the Virginia Human Rights Act, as amended, where applicable;
2. Not employing illegal alien workers or otherwise violating the provisions of the Immigration Reform and Control Act of 1986 and Virginia Code §2.2-4311.1;
3. Not requiring, and shall not require, any employee or subcontractor to sign an internal confidentiality agreement or statement prohibiting or otherwise restricting, or purporting to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a department or agency authorized to receive such information, or otherwise violate any federal and state laws and regulations protecting employees for reprisal against whistleblowing;
4. Complying with federal, state and local laws and regulations applicable to the performance of the services procured;

5. Complying fully with the Virginia Conflict of Interest Act; and
6. Authorized to transact business in the Commonwealth of Virginia.

Pursuant to Section 2.2-4311.2 of the Code of Virginia.

5.9. In the event of a termination under section 6.1 of this Agreement, CONTRACTOR acknowledges and agrees that it shall not be entitled to any compensation in excess of the value of the work performed. Under no circumstances shall CONTRACTOR, or any subcontractor, be entitled to anticipatory or unearned profits, unabsorbed overhead, opportunity costs or consequential or other damages as a result of a termination under this section. Payment to CONTRACTOR of any and all sums already earned by CONTRACTOR under the terms of Article 4 constitutes CONTRACTOR'S exclusive remedy for a termination hereunder.

5.10. CONTRACTOR agrees that it shall keep confidential all photographs, digital imagery, reports, information, or data given to CONTRACTOR by the COUNTY as well as any photographs, digital imagery, reports, studies, analysis, data tables, or calculations prepared by the CONTRACTOR under these Contract Documents. No release of any such data by the CONTRACTOR shall be made to any individual or organization without the prior written approval of the COUNTY, which approval the COUNTY shall be under no obligation to grant.

5.11. The CONTRACTOR shall not employ any employee who is a registered sex offender and shall enforce the same restriction upon all subcontractors and agents of CONTRACTOR. Prior to starting work and quarterly during performance of the work, the CONTRACTOR shall check the Virginia State Police Sex Offender Registry to verify sex offender status of all employees and agents of CONTRACTOR and sub-contractors who are employed by the CONTRACTOR or sub-Contractor. The CONTRACTOR shall furnish the COUNTY with evidence verifying compliance with the services. Notwithstanding any other provision of this Agreement, materially false statements by the CONTRACTOR about the sex offender status of its employees or agents shall be grounds for immediate termination of this Agreement.

ARTICLE 6

RIGHTS AND RESPONSIBILITIES OF COUNTY:

6.1. The COUNTY may cancel this Agreement and project for any reason upon ten (10) days'

written notice in compliance with the notice procedure set forth in Article 7, Section 7.1 to the parties named therein. Anything contained in the Agreement to the contrary notwithstanding, a termination under this section shall not waive any right or claim to damages which COUNTY may have with respect to work performed or failed to be performed when it should have been by the CONTRACTOR. In either case, the COUNTY may pursue any cause of action which it may have by law or under this Agreement on account of such damages claimed by the COUNTY.

6.2. In case of default by the CONTRACTOR for failure to deliver or perform in accordance with the Contract specifications or terms and conditions, the COUNTY may procure the articles or services from other sources and hold the defaulting CONTRACTOR responsible for any resulting additional purchase and administrative costs including, but not limited to, fees and charges of engineers, architects, attorneys, and other professionals and all court or other dispute resolution costs. If the completion of the contract work results in increased costs to the COUNTY, a letter will be sent to the defaulted CONTRACTOR requiring payment for additional costs ("Repayment"). When Repayment is requested, the CONTRACTOR will be removed from future bidding until the Repayment has occurred, and the COUNTY reserves the right to debar CONTRACTOR from doing further business with the COUNTY. Failure of a CONTRACTOR'S source to deliver is not considered to be an unavoidable cause upon which the CONTRACTOR may rely as to a delay in the work to be done under the terms of the Contract Documents, and the burden of proof rests with the CONTRACTOR to prove that any default was not related to CONTRACTOR's, or any subcontractor's or vendor's, acts or failure to act.

6.3. Pursuant to Section 2.2-4343.1 of the Code of Virginia of 1950, in all invitations to bid, requests for proposals, contracts, and purchase orders, the COUNTY does not discriminate against faith-based organizations.

"Faith-based Organization" means a religious organization that is or applies to be a CONTRACTOR to provide goods or services for programs funded by the block grant provided pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

If CONTRACTOR is a faith-based organization, then CONTRACTOR shall give to each individual who applies for or receives goods, services, or disbursements provided pursuant to this

Agreement the following notice:

NOTICE

Pursuant to Section 2.2-4343.1 of the Code of Virginia of 1950, as an applicant for or recipient of goods, services, or disbursements provided pursuant to a contract between the COUNTY and a faith-based organization, you are hereby notified as follows:

Neither the COUNTY'S selection of a charitable or faith-based provider of services nor the expenditure of funds under this contract is an endorsement of the provider's charitable or religious character, practices, or expression. No provider of services may discriminate against you on the basis of religion, a religious belief, or your refusal to actively participate in a religious practice. If you object to a particular provider because of its religious character, you may request assignment to a different provider. If you believe that your rights have been violated, please discuss the complaint with your provider or notify the County Administrator.

ARTICLE 7

MISCELLANEOUS:

7.1. The following persons shall be contact persons for the parties, and notice given them, by certified return receipt requested mail to the addresses shown, shall constitute valid notice under the requirements of this Agreement:

1. For COUNTY:

Edward Petrovitch
County Administrator
P.O. Box 99
Spotsylvania, VA 22553

With a copy to:

Spotsylvania County Attorney
9105 Courthouse Road
P.O. Box 308
Spotsylvania, VA 22553

2. For CONTRACTOR:

Shawn M. Jacobs, President
Mid-Atlantic Communications, Inc.
68A Cool Springs Road
Fredericksburg, VA 224058

The parties may amend such addresses by written notice to the opposite party at the given address.

7.2. The parties agree that the Contract Documents are governed by and shall be interpreted in accordance with the laws of the Commonwealth of Virginia, and that proper venue, in the event of litigation concerning this matter, shall be in the state or federal Courts having jurisdiction in or over Spotsylvania County, Virginia. The parties agree that any litigation involving these Contract Documents shall be brought only in such court.

7.3. In the event that any provision of this Agreement is unenforceable, then the parties agree that all other provisions of this Agreement have full force and effect and shall not be affected thereby.

7.4. The CONTRACTOR certifies that:

1. The bid or offer (1) was made without prior participation, understanding, agreement, or connection with any corporation, firm or person submitting a bid/offer for the same materials, supplies, equipment, or services with respect to the allocation of the business afforded by or resulting from the acceptance of the bid or proposal, (2) was in all respects fair and without collusion or fraud, and (3) was or was intended to be competitive and free from any collusion with any person, firm or corporation;
2. The CONTRACTOR did not offer or receive any kickback from any other bidder or contractor, supplier, manufacturer, or subcontractor in connection with the bid/offer on this solicitation. A kickback is defined as an inducement for the award of a contract, subcontracts or order, in the form of any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, unless consideration of substantially equal or greater value is exchanged. Further, no person shall demand or receive any payment, loan, subscription, advance, and deposit of money, services or anything of value in return for an agreement not to compete on a public contract;
3. The CONTRACTOR is not a party to nor has it participated in nor is it

obligated or otherwise bound by agreement, arrangement or other understanding with any person, firm or corporation relating to the exchange of information concerning bids, prices, terms or conditions upon which the contract resulting from the acceptance of its bid proposal is to be performed;

4. The CONTRACTOR understands that collusive bidding is a violation of the Virginia Governmental Frauds Act and federal law, and can result in fines, prison sentences, and civil damage awards and agrees to abide by all conditions of these provisions; and
5. The CONTRACTOR or subcontractor has not and will not confer on any public employee having official responsibility for a procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is exchanged.

7.5. CONTRACTOR warrants to COUNTY that:

1. The work performed pursuant to these Contract Documents shall conform to all professional principles generally accepted as standards of the industry in the Commonwealth;
2. The CONTRACTOR'S work performed shall be free of defects;
3. Any new materials and equipment furnished under these Contract Documents shall be of good quality and in working condition; and
4. The CONTRACTOR'S work performed shall meet all of the requirements set forth in these Contract Documents.

7.6. Any reports, studies, photographs, negatives, drawings, or other documents prepared by CONTRACTOR in the performance of its obligations under these Contract Documents shall be remitted to the COUNTY by the CONTRACTOR upon completion, termination or cancellation of this Agreement. CONTRACTOR shall not use, willingly allow or cause to have such materials used for any purpose other than performance of CONTRACTOR'S obligations under this Agreement without the prior written consent of the COUNTY. The COUNTY shall own the intellectual property rights to all materials produced under this Agreement.

7.7. Any failure of the COUNTY to demand rigid adherence to one or more of the terms and provisions as set forth in this Agreement, on one or more occasions, shall not be construed as a waiver nor deprive the COUNTY of the right to insist upon strict compliance with the terms of this Agreement. Any waiver of a term of this Agreement, in whole or in part, must be in writing and signed by the party granting the waiver to be effective.

7.8. The bankruptcy, takeover, merger, outright purchase of a majority of the voting capital stock by another organization, or other change in ownership or status of CONTRACTOR, or any assignment for the benefit of creditors shall fully obligate the newly formed organization, corporation or legal entity to fulfill all terms and conditions of this Agreement, and to perform or supply items in accordance with the specifications or descriptions contained herein. Should such newly formed organization, corporation or legal entity fail to fulfill all the terms and conditions of this Agreement or fail to perform or supply items in accordance with the specifications or descriptions contained herein to the satisfaction of the COUNTY, the COUNTY shall have the right unilaterally to terminate this Agreement and/or to pursue any remedy for damages and otherwise which is available at law and in equity. The COUNTY reserves the right to enforce any subcontract directly against the subcontractor, CONTRACTOR or any newly formed organization, corporation or legal entity. Failure of any sub-contractor to perform shall not relieve CONTRACTOR of its obligation to fulfill the terms and conditions of this Agreement as set forth herein.

7.9. CONTRACTOR and COUNTY agree that the provisions of the Contract Documents are binding upon the parties, their employees, agents, heirs, successors and assigns.

7.10. Contractual claims and disputes shall be conducted and resolved pursuant to Section 4-7 of the current Spotsylvania County Procurement Policy.

7.11. Article and Paragraph headings are inserted for convenience only and are not a part of this Agreement.

Remainder of Page Intentionally Left Blank)

WITNESS the following signatures and seals in agreement with the above terms for
Contract #21-03-EG, Mobile Equipment Installation Services:

SPOTSYLVANIA COUNTY, VIRGINIA

By: _____
EDWARD PETROVITCH Dated
COUNTY ADMINISTRATOR

MID-ATLANTIC COMMUNICATIONS, INC.

By: Shawn Jacobs 1/4/21
SHAWN M. JACOBS Dated
PRESIDENT

Approved as to form:

 1/4/2021
COUNTY ATTORNEY Dated



ATTACHMENT C
Bid Form
IFB #21-03-EG
Mobile Equipment Installation Services

In compliance with this Invitation for Bid, Addenda and to all the Terms and Conditions imposed therein and hereby incorporated by reference, the authorized undersigned offers and agrees to furnish the goods/services at the price(s) indicated on the Bid Form, in accordance with this Signed Bid Form.

The signer of this bid form must be an authorized officer of the company.

(Please include any documentation of authority. For example, resolution of the board of directors, articles of incorporation, etc.)

Name and Address of Firm:

Mid-Atlantic Communications, Inc.
68A Cool Springs Road
Fredericksburg
VA Zip Code: 22405

Date: 10/8/2020
 By: [Signature]
 (Signature In Ink)
 Name: Shawn M Jacobs
 (Please Print)
 Title: President

EIN: 54-1909224

E-mail: midatlanticsv@gmail.com

Phone: (540-) 371 6261

Fax: (540) 540-371-0816

If Corporation or LLC, list State of Incorporation or Corporation: Virginia

Contractors License Number: 2705082843

Commonwealth of Virginia State Corporation Commission Number: 03597706

(ATTACH A COPY OF YOUR STATE CORPORATION COMMISSION CERTIFICATE AND A LIST OF OFFICERS)

D-U-N-S Number: 049709116

The named party hereby submits a bid in response to this Spotsylvania County IFB to furnish construction services and materials as described in the Specification and bid form to this IFB. The entire Bid form, including Response Statement, license certifications, and any supplemental materials required to be provided by the bidder pursuant to the terms and conditions of the IFB, constitute the entire bid submission.

The party hereby certifies that such bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion or communication or conference, with any person to fix the bid price or affiant or any bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against Spotsylvania County or any person interested in the proposed contract.

The party submitting the forgoing bid acknowledges the provisions, terms and conditions of this IFB including all attachments and addenda, and agrees to be bound by those provisions, terms and conditions. Further, the party certifies that all information submitted in response to this IFB is correct and true.

Receipt of the following Addenda are acknowledged:

Addendum No. _____, dated _____	Addendum No. _____, dated _____
Addendum No. _____, dated _____	Addendum No. _____, dated _____
Addendum No. _____, dated _____	Addendum No. _____, dated _____

(RETURN THIS FORM)



ATTACHMENT C
Bid Form
IFB #21-03-EG
Mobile Equipment Installation Services

Response Statement

This Response Form is to be completed by the Bidder to more specifically describe and define the proposed services. Any deviations from the IFB specifications shall be stated on this form or attached to this form.

1. Item Description

Mobile Equipment Installation Services

2. Deviations from IFB Specifications

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG

Signature: Shawn Jacobs Name of Firm: Mid-Atlantic Communications, Inc.

(RETURN THIS FORM)



ATTACHMENT C
Bid Form
IFB #21-03-EG
Mobile Equipment Installation Services

A list of 3 References for which the Contractor has provided similar work over the last 5 years similar in Scope to that which is described herein shall be provided with the Bid Package. Spotsylvania County cannot be listed as a reference.

Please list references below:

Company Name: Stafford Sheriff Department
 Address: PO Box 189
Stafford Va 22555
 Phone Number: Captain Peters 1-540-658-4972
 Email Contact: lpeters@staffordcountyva.gov
 Project Name: _____
 Location Address: PO Box 189
Stafford Va 22555
 Additional Information: _____

Company Name: FBI
 Address: 475 Nelms Circle
Fredericksburg Va 22405
 Phone Number: Kerry Stiles 1-540-368-8685
 Email Contact: Eric Creel edcreel@fbi.gov
 Project Name: _____
 Location Address: 475 Nelms Circle
Fredericksburg Va 22405
 Additional Information: _____

Company Name: Fredericksburg Police Department
 Address: 2200 Cowan Blvd
Fredericksburg Va 22405
 Phone Number: 540-846-9828
 Email Contact: Captain Reed preed@pd.fredericksburgva.gov
 Project Name: _____
 Location Address: 2200 Cowan Blvd
Fredericksburg Va 22405
 Additional Information: _____

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG

Signature: Shawn Jacobs Name of Firm: Mid-Atlantic Communications, Inc.
(RETURN THIS FORM)



ATTACHMENT C
Bid Form
IFB #21-03-EG
Mobile Equipment Installation Services

SUBCONTRACTOR IDENTIFICATION SHEET

Bidder proposes to use the following Subcontractors who will perform work on this project.

Name of Firm, Address, and Contact Person By Subcontractor	Work to be Performed by Subcontractor	Value of work to be completed
None		

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG

Signature: Shawn Jacobs Name of Firm: Mid-Atlantic Communications, Inc.

(RETURN THIS FORM)

ATTACHMENT C
Bid Form

IFB #21-03-EG - Mobile Equipment Installation Services

BID ITEM #	FLEET #	ASSIGNMENT	YEAR	DESCRIPTION	Total Computers	One Dock & Mount/Pedestal front passenger	Docks Only existing pedestal	Ruggedized PC	Wireless Router	Power Supply	BID ITEM PRICE
1	322	COUNTY FIRE CHIEF	2016	CHEVY TAHOE	1	1		1	1	1	\$1250.00
2	355	DEP. CHIEF 2	2017	CHEVY TAHOE	1		1	1	1	1	\$600.00
3	356	DEP. CHIEF 3	2017	CHEVY TAHOE	1		1	1	1	1	\$600.00
4	316	EM1	2011	CHEVY TAHOE	1	1		1	1	1	\$1250.00
5	357	LOGISTICS 1	2017	FORD PICK UP	1	1		1		1	\$1250.00
6	307	LOGISTICS 2	2006	FORD ECON.	1	1		1		1	\$1250.00
7	360	LOGISTICS 3	2017	FORD F-350	1	1		1		1	\$1250.00
8	314	FIRE MARSHALL 1	2011	CHEVY TAHOE	1	1		1		1	\$1250.00
9	326	FIRE MARSHALL 2	2015	CHEVY TAHOE	1	1		1		1	\$1250.00
10	315	FIRE MARSHALL 3	2011	CHEVY TAHOE	1	1		1		1	\$1250.00
11	313	FIRE MARSHALL 4	2010	FORD F-250	1	1		1		1	\$1250.00
12	304	FIRE MARSHALL 5	2005	FORD EXPLOR.	1	1		1		1	\$1250.00
13	323	TRAINING 1	2013	CHEVY TAHOE	1	1		1		1	\$1250.00
14	305	TRAINING 2	2014	CHEVY TAHOE	1	1		1		1	\$1250.00
15	306	TRAINING 3	2006	FORD EXPED.	1	1		1		1	\$1250.00
16	311	TRAINING 4	2007	FORD F-350	1	1		1		1	\$1250.00
17	352	BATTALION 1	2019	CHEVY TAHOE	1	1		1	1	1	\$1250.00
18	309	BATTALION 2	2019	CHEVY TAHOE	1	1		1	1	1	\$1250.00
19	320	EMS-DC/SAFETY 1	2012	CHEVY TAHOE	1		1	1		1	\$650.00
20	321	SUPPORT 2(old ems)	2012	FORD F-250	1	1		1		1	\$1250.00
21	354	EMS 1 SUPERVISOR	2017	FORD F-250	1		1	1	1	1	\$550.00
22	351	EMS 2 SUPERVISOR	2016	FORD S. DUTY	1		1	1	1	1	\$650.00
23	310	SUPPORT 201	2007	FORD F-350	1	1		1		1	\$1250.00
24	303	SUPPORT 1(Company 11)	2007	FORD F-450	1	1		1		1	\$1250.00
25	300	SUPPORT 9(old sup. 2)	1995	FORD F-350	1	1		1		1	\$1250.00
26	N/A	Spare	N/A	N/A			2	3	2	2	\$950.00
27	74	AMB 1-2	2017	FORD F-450	2	1		1	1	1	\$1250.00
28	60	AMB 1-3	2015	FORD F-450	2	1		1	1	1	\$1250.00
29	347	EMS CHIEF 1	2016	CHEVY TAHOE	1		1	1		1	\$650.00
30	327	EMS CHIEF 2	2004	FORD EXPEDITION	1		1	1		1	\$650.00
31	328	EMS CHIEF 2-A	2004	FORD EXPEDITION	1	1		1		1	\$1250.00
32	329	EMS LIEUTENANT 1	1999	FORD CROWN VIC	1	1		1		1	\$1250.00
33	331	RESPONSE 1	2003	FORD CROWN VIC	1	1		1		1	\$1250.00
34	115	ENGINE 1	2010	SPARTAN PUMPER	2	1		2	1	1	\$1250.00
35	217	RESCUE ENGINE 1	2016	PIERCE VELOCITY	2	1		2	1	1	\$1250.00
36	201	TOWER 1	2019	Pierce Aerial	2	1		2	1	1	\$1250.00
37	202	TANKER 1	1996	F-ONE TANKER	2	1		2	1	1	\$1250.00
38	207	BRUSH 1	2004	FORD F-350	1	1		1		1	\$1250.00
39	332	CHIEF 2	2012	CHEVY TAHOE	1	1		1		1	\$1250.00
40	353	CHIEF 1	2017	CHEVY TAHOE	1	1		1		1	\$1250.00
41	336	SVFD SAFETY OFFICER	2007	FORD EXPEDITION	1	1		1		1	\$1250.00

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG
Signature: Shawn Jacobs Name of Firm: Mid-Atlantic Communications, Inc

ATTACHMENT C

Bid Form

IFB #21-03-EG - Mobile Equipment Installation Services

BID ITEM #	FLEET #	ASSIGNMENT	YEAR	DESCRIPTION	Total Computers	One Dock & pedestal required front passenger	Docks Only existing pedestal	Ruggedized PC	Wireless Router	Power Supply	BID ITEM PRICE
42	334	BATTALION CHIEF 4	2015	CHEVY TAHOE	1	1		1		1	\$1200.00
43	335	BATTALION CHIEF 8	2017	CHEVY TAHOE	1	1		1		1	\$1200.00
44	25	AMB 2-1	2006	FORD	2	1		1	1	1	\$1200.00
45	57	AMB 2-2	2012	FORD	2	1		1	1	1	\$1200.00
46	69	AMB 2-3	2016	FORD F-550	2	1		1	1	1	\$1200.00
47	121	ENGINE 2	2016	PIERCE PUMPER	2	1		2	1	1	\$1200.00
48	205	TANKER 2	2003	E-ONE CYCLONE	2	1		2	1	1	\$1200.00
49	215	BRUSH 2	2011	FORD F-350	1	1		1		1	\$1200.00
50		Boat 2	2020	Silver Ship	1	1		1		1	\$1200.00
51	61	AMB 3-1	2015	FORD F-450	2	1		1	1	1	\$1200.00
52	117	ENGINE 3	2014	ROSEN. PUMPER	2	1		2	1	1	\$1200.00
53	208	TANKER 3	2005	E-ONE TANKER	2	1		2	1	1	\$1200.00
54	211	BRUSH 3	2008	FORD F-350	1	1		1		1	\$1200.00
55	24	AMB 4-1	2005	INTER. 4300	2	1		1	1	1	\$1200.00
56	62	AMB 4-2	2015	FORD F-450 HOR.	2	1		1	1	1	\$1200.00
57	56	AMB 4-3	2009	CHEVY 4500 TITAN	2	1		1	1	1	\$1200.00
58	329	RESPONSE 4	2004	FORD EXPEDITION	1	1		1		1	\$1200.00
59	348	UTILITY 4	2004	FORD EXPEDITION	1	1		1		1	\$1200.00
60	110	ENGINE 4	2010	SPARTAN PUMPER	2	1		2	1	1	\$1200.00
61	118	ENGINE 401	2015	ROSEN. PUMPER	2	1		2	1	1	\$1200.00
62	359	BRUSH 4	2017	CHEVY SILVERADO	1	1		1		1	\$1200.00
63	213	RESCUE 4	2010	SPARTAN RESCUE	2	1		2	1	1	\$1200.00
64	29	AMB 5-1	2008	CHEVY 4500 TITAN	2	1		1	1	1	\$1200.00
65	71	AMB 5-2	2016	FORD F-550 HOR.	2	1		2	1	1	\$1200.00
66	125	ENGINE 5	2019	PIERCE PUMPER	2	1		2	1	1	\$1200.00
67	114	ENGINE 501	2009	PIERCE PUMPER	2	1		2	1	1	\$1200.00
68	209	RESCUE 5	2001	E-ONE CYCLONE	2	1		2	1	1	\$1200.00
69	204	TANKER 5	1999	PL/4 GUYS TANKER	2	1		2	1	1	\$1200.00
70	206	BRUSH 5	2011	FORD F-350	1	1		1		1	\$1200.00
71	414	UTILITY 5	2005	FORD F-250	1	1		1		1	\$1200.00
72	342	RESPONSE 5	2009	FORD EXPLORER	1	1		1		1	\$1200.00
73	333	CHIEF 501	2016	FORD F-250	1		1	1		1	\$950.00
74	344	SAFETY(CHANCELLOR)	2003	FORD EXPEDITION	1	1		1		1	\$1200.00
75	341	EMS 5	2005	FORD EXPEDITION	1	1		1		1	\$1200.00
76	349	CHIEF 5	2012	CHEVY TAHOE	1	1		1		1	\$1200.00
77	70	AMB 6-1	2016	FORD F-550 HOR.	2	1		1	1	1	\$1200.00
78	63	AMB 6-2	2015	FORD F-450 HOR.	2	1		1	1	1	\$1200.00

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG
 Signature: Shawn Jacobo Name of Firm: Mid-Atlantic Communications, Inc.

ATTACHMENT C

Bid Form

IFB #21-03-EG - Mobile Equipment Installation Services

BID ITEM #	FLEET #	ASSIGNMENT	YEAR	DESCRIPTION	Total Computers	One Dock & pedestal required front passenger	Docks Only existing pedestal	Ruggedized PC	Wireless Router	Power Supply	BID ITEM PRICE
79	122	ENGINE 6	2016	PIERCE PUMPER	2	1		2	1	1	\$1250.00
80	218	LADDER 6	2016	PIERCE QUINT	2	1		2	1	1	\$1250.00
81	51	AMB 7-1	2008	CHEVY C4500	2	1		1	1	1	\$1250.00
82	64	AMB 7-2	2015	FORD F-450 HOR.	2	1		1	1	1	\$1250.00
83	110	ENGINE 7	2015	ROSEN. PUMPER	2	1		2	1	1	\$1250.00
84	219	TANKER 7	2016	PIERCE TANKER	2	1		2	1	1	\$1250.00
85	210	BRUSH 7	2006	FORD F-350	1	1		1		1	\$1250.00
86	65	AMB 8-1	2015	FORD F-450 HOR.	2	1		1	1	1	\$1250.00
87	73	AMB 8-2	2017	FORD F-550 HOR.	2	1		1	1	1	\$1250.00
88	130	RESCUE ENGINE 8	2019	Pierce Pumper	2	1		2	1	1	\$1250.00
89	212	BRUSH 8	2008	FORD F-350	1	1		1	1	1	\$1250.00
90	220	TANKER 8	2016	PIERCE TANKER	2	1		2	1	1	\$1250.00
91	66	AMB 9-1	2015	FORD F-450 HOR.	2	1		1	1	1	\$1250.00
92	52	AMB 9-2	2008	CHEVY C4500	2	1		1	1	1	\$1250.00
93	120	ENGINE 9	2014	ROSEN. PUMPER	2	1		2	1	1	\$1250.00
94	209	TANKER 9	2005	E-ONE TANKER	2	1		2	1	1	\$1250.00
95	216	BRUSH 9	2003	DODGE	1	1		1		1	\$1250.00
96											\$1250.00
97	50	AMB 10-1	2008	CHEVY C4500	2	1		1	1	1	\$1250.00
98	67	AMB 10-2	2015	FORD F-450 HOR.	2	1		1	1	1	\$1250.00
99	221	LADDER 10	2016	PIERCE QUINT	2	1		2	1	1	\$1250.00
100	214	BRUSH 10	2011	FORD F-350	1	1		1		1	\$1250.00
101	68	AMB 11-1	2016	FORD F-550 HOR.	2	1		1	1	1	\$1250.00
102	113	Engine 11	2008	Pierce Engine	2	1		2	1	1	\$1250.00
103	222	LADDER 11	2016	PIERCE QUINT	2	1		2	1	1	\$1250.00
104											\$1250.00
105	111	RESCUE ENGINE 13	2007	E-ONE CYCLONE	1	1		1	1	1	\$1250.00
106	201	Tower 13	1999	E-One Aerial	1	1		1	1	1	\$1250.00
107	112	ENGINE 601	2008	PIERCE PUMPER	1	1		1	1	1	\$1250.00
					152	95	10	137	62	106	
											TOTAL BID PRICE = \$ 129,500.00
											THRU 107

Sign here to confirm accuracy of Bid Form and conformity with provisions of IFB #21-03-EG
 Signature: Shawn Jacobs Name of Firm: Mid-Atlantic Communications, Inc.

Elaine Guinn

From: Jenny Jacobs <midatlanticsv@gmail.com>
Sent: Friday, November 6, 2020 1:31 PM
To: Elaine Guinn
Cc: Bobbie Magee; Keith Pusso
Subject: [EXTERNAL]: RE: Bid Submission for IFB #21-03-EG Mobile Equipment Installation Services - Spotsylvania County

CAUTION: This email originated from an external source. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

Ms. Guinn:

My apologies, I was out of the office for a few days.

1. Total price is confirmed
2. Yes we will provide pedestals and mounting hardware, county is providing the docking station
3. Addendum was received

Please let me know if you need anything further.

Thank you,

Jenny Jacobs

Mid-Atlantic Communications, Inc.
68A Cool Springs Road
Fredericksburg, VA 22405
540-371-6261

From: Elaine Guinn <EGUINN@spotsylvania.va.us>
Sent: Thursday, October 29, 2020 8:39 AM
To: midatlanticsv@gmail.com
Cc: Bobbie Magee <BMagee@spotsylvania.va.us>; Keith Pusso <KPusso@spotsylvania.va.us>
Subject: Bid Submission for IFB #21-03-EG Mobile Equipment Installation Services - Spotsylvania County

Mr. Jacobs:

Thank You for your bid submission to IFB #21-03-EG Mobile Equipment Installation Services for Spotsylvania County. Mid-Atlantic Communications is the apparent low bidder for this project. After reviewing your bid submission, I need to verify a few items as follows:

- The Total bid price that was submitted on Attachment C Bid Form was \$129,500.00, after my evaluation the total bid price is \$129,800.00. Please confirm that you will honor your bid price of \$129,500.00.

- Confirm that the total bid price includes Mid-Atlantic Communications providing the pedestals and mounting hardware.
- You did not acknowledge that you received Addendum #1 dated October 5, 2020 on Attachment C Bid Form. Please confirm that you received Addendum #1 dated October 5, 2020.

If you concur with the above, please acknowledge via email and I can proceed with a Notice of Intent to Award. If you have any questions, please advise.

Elaine Guinn
Procurement Officer 1
Spotsylvania County, Room 414
8800 Courthouse Road
Spotsylvania, VA 22553
540-507-7599
eguinn@spotsylvania.va.us

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This email was Malware checked by Sophos <http://www.sophos.com>

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Approval of Waiver of Protective Covenants of Spotsylvania County Industrial Park for Monument Fifteen, LLC

Type:	Action
Agenda Title:	Approval of Waiver of Protective Covenants of Spotsylvania County Industrial Park for Monument Fifteen, LLC

Recommendation:	Staff recommends approval of the attached Waiver of Protective Covenants.

Summary:	Monument Fifteen, LLC has asked Spotsylvania County to waive certain protective covenants in the Spotsylvania Industrial Park/Bowman Center. The waiver would apply to certain parcels known as Tax Map 25-7-B, 25-7-C, 25-7-E, 25-7-F, 25-7-G, and 25-7-P, which were recently rezoned to Mixed Use. The specific covenants being waived are sections 7 (landscaping), 8 (signs), 9 (lighting), 12 (surface waters), and 16 (maintenance of railroad spur) of the attached covenant document. In addition, the County would acknowledge that the conditions set forth in paragraph 10 of the Covenants have previously been satisfied and, accordingly, the County no longer has any right to repurchase the property. Staff reviewed the requested waivers and finds that proffered conditions and/or code provisions are in place to address the development standards being waived.

Financial Impact:	The County will receive a payment of \$50,000.

Staff Contacts:	Wanda Parrish, Assistant County Administrator

Legal Counsel:	Karl Holsten, County Attorney

Consequence of Denial/Inaction:	The Protective Covenants will not be waived for the project.

ATTACHMENTS:

File Name	Description	Type
Final_WAIVER_OF_PROTECTIVE_COVENANTS.PDF	Waiver of Protective Covenants	Agreement
Covenants.pdf	Covenants	Agreement

Prepared by and Return to:
Shane Frick, Esq. (VSB # 87539)
MeyerGoergen PC
1802 Bayberry Court, Suite 200
Richmond, VA 23226
(804) 288-3600

Tax Map Numbers: 25-7-B, 25-7-C, 25-7-E, 25-7-F, 25-7-G, and 25-7-P

WAIVER
OF
PROTECTIVE COVENANTS

THIS WAIVER OF PROTECTIVE COVENANTS (this “Waiver”), is made this ____ day of _____, 2021, by **SPOTSYLVANIA COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “Developer”), **MONUMENT DEVELOPMENT FIFTEEN, LLC**, a Virginia limited liability company (“MD 15”), **11812 MAIN STREET LLC**, a Virginia limited liability company (“11812”), and **11744 MAIN STREET LLC**, a Virginia limited liability company (“11744” and, together with MD 15 and 11812, “Monument”).

RECITALS:

WHEREAS, Developer recorded the Protective Covenants of Spotsylvania County Industrial Park on September 28, 1983 in the Clerk’s Office, Circuit Court, Spotsylvania County, Virginia in Deed Book 597, Page 261 (the “Covenants”); and

WHEREAS, Monument is or will hereafter be the owner of those certain parcels of real property located in Spotsylvania County, Virginia identified as Tax Map Numbers 25-7-B, 25-7-C, 25-7-E, 25-7-F, 25-7-G, and 25-7-P and more particularly described on Exhibit A attached hereto (the “Property”). The Property is subject to the Covenants; and

WHEREAS, Developer reserved the right to waive the Covenants in paragraph 18 of the Covenants; and

WHEREAS, Monument has asked Developer to waive certain Covenants as set forth in this Waiver. Developer has agreed to waive these certain Covenants in exchange for the payment of \$50,000.00 (the “Waiver Payment”).

WAIVER:

NOW, THEREFORE, for and in consideration of the premises, the Waiver Payment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Covenants are hereby waived as follows:

1. Subject to Section 3 of this Waiver below, Developer hereby waives and otherwise agrees not to enforce sections 7, 8, 9, 10, 12, and 16 of the Covenants. In furtherance, and not in limitation, of the preceding sentence, Developer acknowledges that the conditions set forth in

paragraph 10 of the Covenants have previously been satisfied and, accordingly, Developer no longer has any right to repurchase the Property as set forth in paragraph 10.

2. Except as waived herein, the Covenants are, and shall remain, of full force and effect. Further and notwithstanding the waiver of a portion of the Covenants as to the Property, the Property shall remain subject to the Covenants and all applicable local, state, and federal building codes and regulations. This Waiver, subject to the conditions set forth herein, shall be effective as of the date it is recorded in the Clerk's Office, Circuit Court, Spotsylvania County, Virginia. This Waiver is binding upon the Developer, the Property, Monument, and their respective successors and assigns.

3. This Waiver is subject to and conditioned upon Monument (a) taking title to the Property and (b) making the Waiver Payment to the Developer. This Waiver shall be in full effect and binding upon the Developer immediately upon the satisfaction of conditions (a) and (b) set forth in the preceding sentence. Monument shall make the Waiver Payment in connection with the acquisition of the Property. Recordation of a deed or deeds conveying the Property to Monument will be deemed prima facie evidence of the satisfaction of condition (a). Upon receipt of the Waiver Payment, the Developer shall cause an acknowledgement, receipt, or other evidence of payment, in form and substance reasonably acceptable to Monument and the Developer, to be recorded in the Clerk's Office, Circuit Court, Spotsylvania County, Virginia within ten (10) days after the Developer receives the Waiver Payment. Such recordation will be prima facie of the satisfaction of condition (b).

[remainder of page left intentionally blank]

DEVELOPER:

Spotsylvania County, Virginia,
a political subdivision of the Commonwealth
of Virginia

By: _____(SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

The foregoing was acknowledged before me this ____ day of _____ 2021 by
_____, the _____ of Spotsylvania County,
Virginia, on behalf of the county.

Notary Public

My commission expires: _____

MD 15:

Monument Development Fifteen, LLC,
a Virginia limited liability company

By: _____(SEAL)

Name: _____

Title: _____

11812:

11812 Main Street LLC,
a Virginia limited liability company

By: _____(SEAL)

Name: _____

Title: _____

11744:

11744 Main Street LLC,
a Virginia limited liability company

By: _____(SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

The foregoing was acknowledged before me this ____ day of _____ 2021 by
_____, the _____ of Monument Development Fifteen,
LLC, 11812 Main Street LLC, and 11744 Main Street LLC, on behalf of the foregoing companies.

Notary Public

My commission expires: _____

EXHIBIT A

That certain parcel of land acquired by Springfield Contracting Corporation by deed dated April 3, 1987, from the County of Spotsylvania, Virginia, consisting of 17.4532 acres according to plat thereof made by Sullivan, Donahoe & Ingalls, dated March 24, 1987, which Deed is recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia (the "Clerk's Office") in Deed Book 728, page 748; and further that certain parcel of land of 0.9666 of an acre acquired by Springfield Contracting Corporation by Deed dated June 1, 1987, from the County of Spotsylvania, Virginia, which deed is recorded in the aforesaid Clerk's Office in Deed Book 740, page 471;

LESS AND EXCEPT 2.975 acres conveyed by Springfield Contracting Corporation to Georgia Foam Associates, by Deed dated October 14, 1987, recorded in the aforesaid Clerk's Office in Deed Book 759, page 275, and 1.1721 acres conveyed by Springfield Contracting Corporation to Michele J. Russo and Francis I. Russo, husband and wife, by Deed dated June 12, 1987, recorded in the aforesaid Clerk's Office in Deed Book 740, page 475.

The real estate described herein is designated as "Lot B, "Lot C", "Lot G", "Lot F", "Lot P", and "Lot E", on plat of survey entitled "PLAT OF DIVISION OF PART OF THE SPOTSYLVANIA COUNTY INDUSTRIAL PARK LEE HILL DISTRICT, SPOTSYLVANIA CO., VA" prepared by William W. Webb, Jr., Land Surveyor, dated August 21, 1987, which plat is attached to a deed dated January 8, 1991, from Kevin Huennekens, Trustee in Bankruptcy for Springfield Contracting Corporation, Debtor, to Fredericksburg Center Business and Industrial Park, L.P., which deed is recorded in the aforesaid Clerk's Office in Deed Book 952, page 459.

BEING the same real estate conveyed to Acorn Capital Company, L.C., a Virginia limited liability company, by Deed from Fredericksburg Center Development Associates, L.P., a Virginia limited partnership, dated November 18, 2002, recorded November 25, 2002 in the Clerk's Office, Circuit Court, Spotsylvania County, Virginia as Instrument No. 200200035479.

Madison
Cromwell, Linn, Moell.
P.O. Box 454
Hinton, W. Va. 24179
12-19-83

BOOK 597 PAGE 281

PROOFED
5580

PROTECTIVE COVENANTS OF
SPOTSYLVANIA COUNTY INDUSTRIAL PARK

WHEREAS, Spotsylvania County, Virginia ("Developer") is the owner of certain property described in Exhibit A attached hereto, which property is hereinafter referred to as "Spotsylvania County Industrial Park", and intends to develop the property so as to ensure the proper development and use of the property to protect the owner of each parcel contained within the bounds of the said property against improper development and use, the Developer hereby declares the covenants to which Spotsylvania County Industrial Park may be subject:

1. Use. This property shall only be used for such purposes or uses as approved by the Developer and for which a conditional use permit is issued by Spotsylvania County Board of Supervisors.

2. Approval of Use. Prior to the use of any parcel contained within the Spotsylvania County Industrial Park, the Spotsylvania County Planning Commission must conduct a duly authorized public hearing concerning such proposed use and such use must be approved by the Spotsylvania County Board of Supervisors after a duly authorized public hearing and such use shall be subject to the terms and conditions as may be set by the Spotsylvania County Board of Supervisors if the proposed use is approved and a conditional use permit issued, all in accordance with the Code of Virginia (1950), as amended, and the Spotsylvania County Code. Nothing herein shall be construed as preventing the Planning Commission and Board of Supervisors from conducting a joint public hearing.

3. Construction and Materials. All structures placed within the Spotsylvania County Industrial Park must comply with all applicable local and state building code, regulations, etc., and any and all applicable federal regulations. No building shall be covered with siding which contains asbestos.

At the time of application for a conditional use permit, the applicant shall submit a plot lay-out of the proposed structures to be placed on the parcel as well as plans, sufficient to the Developer, showing all exterior elevations with materials and colors therefor, and structural design, signs and a description thereof, landscaping and details for exposed mechanical equipment, and any other information requested by the Developer. The Developer may waive any of the aforesaid requirements.

4. Locations of Improvements. All improvements shall be located so as to comply with the requirements of the Spotsylvania County Code; provided, however, that the location of all improvements shall be subject to the prior approval of the Developer.

Fences shall be permitted on any parcel subject to the prior approval of the Developer as to height, location and design. All fences shall be properly maintained and free of rust, decay and vegetation. No fence shall obstruct the clear sight distance along any street or road.

5. Loading Docks. Any loading docks shall be landscaped so that the view from streets or roads at all points opposite the said loading docks shall be screened by evergreen vegetation, earthen berm, or such other screening as may be approved by the Developer.

6. Parking. Parking areas shall be provided subject to the approval of the Developer as to size, location and design. Minimum parking space requirements shall be as set forth in the Spotsylvania County Code. Any parking areas utilized after sunset shall be adequately lighted.

7. Landscaping. All walkways and parking areas shall be paved with concrete or bituminous materials or equivalent. All grass, shrubbery and other vegetation shall be maintained in a neat and attractive manner.

No trash, rubbish, or other solid wastes shall be allowed to accumulate on any property and all areas for collection of trash, rubbish, or other solid wastes shall be screened from all directions.

All outdoor storage of raw materials, finished products or equipment shall be screened from the public street or road, provided, however, that the Developer may waive or modify this requirement upon request.

All bulk storage tanks shall be located underground unless such other location shall be approved by the Developer.

8. Signs. Outdoor advertising shall be limited to one (1) sign on each public right-of-way frontage of a lot. The size, location and design of all such signs shall be subject to the prior approval of the Developer. All signs shall comply with the requirements of the Spotsylvania County Code. No temporary signs shall be allowed. Flashing or intermittently illuminated signs shall be prohibited and any lighting of signs must be done in such a way that the lighting is restricted to the signs. Ground signs shall be permitted with the approval of the Developer for the purpose of promotion of efficient and safe flow of traffic.

9. Lighting. The design and type of exterior light standards for illumination shall be subject to the approval of the Developer.

10. Time for Construction of Improvements. Every property owner in Spotsylvania County Industrial Park shall be obligated to begin construction of an industrial facility within six (6) months of the date a deed is recorded conveying property in Spotsylvania County Industrial Park from the Developer to the property owner. In the event that construction is not so commenced within the aforesaid six-month period, the Developer shall have the option to repurchase the property for the purchase price originally paid by the property owner to the Developer. The Developer shall have the right to extend the time for beginning construction of an industrial facility upon the terms and conditions set by the Developer.

The Developer shall allow a reasonable extension of the time in which construction must begin, where the delay in beginning construction was in no way the fault of the property owner.

11. Damaged or Destroyed Buildings. If any building or other improvement in Spotsylvania County Industrial Park be damaged or destroyed by fire, storm, explosion, or otherwise, then and in that event, all debris resulting from such damage or destruction shall be cleaned up and removed from said property within forty-five (45) days of the said damage or destruction. Reconstruction shall begin within nine (9) months of the date of such damage or destruction. And if such construction is not begun within the said nine (9) months, then and in that event, the owner shall demolish all improvements on the said property and leave the said property in a broom swept condition. The Developer shall allow a reasonable extension of the time in which construction must begin, where the delay in beginning construction is no way the fault of the property owner.

12. Surface Waters. No landowner shall, in using his own land, divert diffused surface waters from their usual course to such an extent that such diverted waters shall back up, accumulate, or flow unnaturally onto the lands of another.

13. Waste Disposal. The disposal of all liquid and solid wastes shall comply strictly with all local, state and federal laws and regulations applicable thereto.

14. Height Limitation. The Spotsylvania County Board of Supervisors shall have the right to restrict the height of any building or other improvement in connection with the issuance of any conditional use permit.

15. Utilities. All facilities for utilities serving the Spotsylvania County Industrial Park and any structures located therein, including but not necessarily limited to, electricity, water, sewerage, gas and telephone shall be located underground. The Developer hereby reserves unto itself, its successors and

assigns, a twenty-foot easement along all front and rear lot lines and a ten-foot easement along all side lot lines for the construction, maintenance, repair, removal, and inspection of facilities for utility services including, but not necessarily limited to, electricity, water, sewerage, gas, and telephone, along all lot lines within and surrounding Spotsylvania County Industrial Park.

16. Maintenance of Railroad Spurs. Any railroad spur line used by more than one landowner shall be maintained by the said landowners with the cost of such maintenance to be borne by the landowners using such railroad spur line pro rata according to traffic.

17. All powers and obligations granted to or assumed by the Developer hereunder are also granted to the assignees or successors in interest of the said Developer.

18. The Developer shall have the right to waive enforcement of any covenant contained within this declaration where the breach of such covenant does not, at the discretion of the Developer, do harm to the general scope and intent of this declaration.

19. The Developer reserves the right to amend these protective covenants; provided, however, that such amendments shall not be enforceable as to prior existing uses where such amendment would create a substantial hardship upon the existing property owners at the time of adoption of the amendments.

IN WITNESS WHEREOF, Spotsylvania County, Virginia, has caused this declaration to be executed and its corporate seal affixed by its officers, duly authorized by resolution.

SPOTSYLVANIA COUNTY, VIRGINIA
DEVELOPER

BY: E. W. Chewing
Chairman, Board of Supervisors

BOOK 597 PAGE 286

BY:

Steven T. Foster
County Administrator

STATE OF VIRGINIA, TO-WIT:

The foregoing Protective Covenants of Spotsylvania County Industrial Park was acknowledged before me this 28th day of September, 1983 by EDDIE. W. CHEWNING, Chairman of the Spotsylvania County Board of Supervisors, and STEVEN T. FOSTER, County Administrator.

My commission expires:

January 4, 1987

Emilia M. Beasley
NOTARY PUBLIC

See Exhibit Next Page

SPOTSYLVANIA COUNTY CIRCUIT COURT CLERK'S OFFICE, VIRGINIA, Sept. 28,
1983, This Book Protective Covenants & Exhibit was State Tax _____
this day received in this office together with the cer- County Tax _____
tificate thereon admitted to record at 2:36 o'clock. Transfer _____
P.M. Recording 23.00
Teste: Margaret M. Cook, Clerk. Add. Tax _____
Total 23.00

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Approval of a Letter Supporting a Limited Access Change for I-95 Exit 126 along U.S. Route 1 SB

Type:	Action, Resolution
Agenda Title:	Approval of a Letter Supporting a Limited Access Change for I-95 Exit 126 along U.S. Route 1 SB
Recommendation:	Staff recommends approval of the attached letter.
Non-Staff Name and Title of Presenters:	VDOT is seeking Board support to extend the limited access for I-95 Exit 126 along US 1 SB along the right of way line of TM 35-15-5 to the north edge of TM 35-A-109A. This limited access line extension does include a 16' break for a gate for access to the parcel.
Summary:	VDOT has requested County support to extend the limited access for I-95 Exit 126 along US 1 SB as shown on Attachment 1. As part of the Exit 126 project VDOT would like to extend the limited access line along the existing right of way line of one parcel (TM 35-15-5). This limited access line extension does include a 16' break for a gate for access to the parcel.
Financial Impact:	N/A
Staff Contacts:	Paul Agnello, Assistant Director for Transportation Planning
Legal Counsel:	N/A
Additional Background/Other Considerations:	In addition to Board support, VDOT will seeking public comment. Once the public involvement procedures are complete, VDOT will present the request to the Commonwealth Transportation Board (CTB) for approval of the change in February.
Consequence of Denial/Inaction:	The risk of delaying the action is the potential for increased cost and schedule delay.

Talking Points:

VDOT is seeking Board support to extend the limited access for I-95 Exit 126 along US 1 SB along the right of way line of TM 35-15-5 to the north edge of TM 35-A-109A. This limited access line extension does include a 16' break for a gate for access to the parcel.

ATTACHMENTS:

File Name	Description	Type
Attachment1_Display_CTB_Detail.pdf	Exhibit	Backup Material
Exit_126_Limited_Access_Letter.pdf	Exit 126 Limited Access Letter	Backup Material

Ex. 30 Sanitary Sewer Easement
 1529'20"56"W
 200'00"

OWNER UNKNOWN
 CURRENTLY UNDER LITIGATION
 4050 SQ. FT.
 NO TAX MAP

SOUTHPOINT II, L.L.C.
 DB 2038 PG 723
 1511' 20"42"20"58"4
 55.0 AC
 PARCEL 107 35-15-5

7 ELEVEN, INC.
 1511' 20"42"20"58"4
 1569 SQ. FT.
 TAX MAP 35-A-103A

Begin Prop. Limited Access Line
 Sta. 115+69.23

End Prop. Limited Access Line
 Sta. 117+28.70
 Connect to Existing Limited Access Line

End Prop. Limited Access Line
 Sta. 115+91.43

Begin Proposed Limited Access Line
 Sta. 116+07.43

Prop. L/A Line and Fence
 and Existing R/W Line

End of Limited Access Line

Prop. L/A Line and Fence
 and Existing R/W Line

SOUTHBOUND RTE 1

NORTHBOUND RTE 1

SOUTHBOUND I-95 EXIT 126

SB I-95
 ENTRANCE
 RAMP

Notes

LIMITED ACCESS CONTROL MODIFICATIONS
 APPROVED BY THE COMMONWEALTH
 TRANSPORTATION BOARD BY RESOLUTION
 DATED October 4, 1956

Disclaimer

These plans are unfinished and unapproved
 and are not to be used for any type of
 construction or the acquisition of Right of Way.
 Additional Easement for Right of Way may be
 required beyond the proposed right-of-way
 shown on these plans.

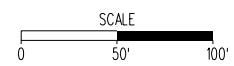
Legend

- Exist. R/W & Limited Access Line
- Exist. Right of Way
- Exist. Limited Access Line
- Prop. Limited Access Line
- Prop. R/W

Project Location



North Arrow and Scale



VDOT Virginia Department
 of Transportation

SB INTERSTATE 95
 EXIT RAMP 126
 AND SB RTE 1 WIDENING

Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI



County Administrator
ED PETROVITCH
Deputy County Administrator
MARK L. COLE
P.O. BOX 99, SPOTSYLVANIA, VA 22553
Voice: (540) 507-7010
Fax: (540) 507-7019

January 12, 2021

Mrs. Marcie Parker, P.E.
Virginia Department of Transportation
Fredericksburg District
87 Deacon Road
Fredericksburg, VA 22405

RE: Exit 126 Limited Access Change for UPC 110914

Dear Mrs. Parker:

We are writing to confirm that Spotsylvania County supports the Exit 126 limited access change along US Rte 1 SB as shown on attachment 1 to support the ongoing advancement of the UPC 110914: I-95 SB ramp improvement project.

If you need any additional information or have any questions, please feel free to contact me.

Sincerely,

Honorable _____, Chairman
Spotsylvania County Board of Supervisors

Cc: Mr. Byrd Holloway, VDOT
Mr. Kyle Bates, VDOT

Ex. 30 Sanitary Sewer Easement
 1529'20"56"W
 200'00"

OWNER UNKNOWN
 CURRENTLY UNDER LITIGATION
 4050 SQ. FT.
 NO TAX MAP

SOUTHPOINT II, L.L.C.
 DB 2038 PG 723
 1511' 20"42"00"58"84
 55.00 AC
 PARCEL 107 35-05-5

7 ELEVEN, INC.
 1511' 20"42"00"58"84
 1569 SQ. FT.
 TAX MAP 35-A-003A

Begin Prop. Limited Access Line
 Sta. 115+69.23

End Prop. Limited Access Line
 Sta. 117+28.70
 Connect to Existing Limited Access Line

End Prop. Limited Access Line
 Sta. 115+91.43

Begin Proposed Limited Access Line
 Sta. 116+07.43

Prop. L/A Line and Fence
 and Existing R/W Line

End of Limited Access Line

Prop. L/A Line and Fence
 and Existing R/W Line

SOUTHBOUND RTE 1

NORTHBOUND RTE 1

SOUTHBOUND I-95 EXIT 126

SB I-95
 ENTRANCE
 RAMP

Notes

LIMITED ACCESS CONTROL MODIFICATIONS
 APPROVED BY THE COMMONWEALTH
 TRANSPORTATION BOARD BY RESOLUTION
 DATED October 4, 1956

Disclaimer

These plans are unfinished and unapproved
 and are not to be used for any type of
 construction or the acquisition of Right of Way.
 Additional Easement for Right of Way may be
 required beyond the proposed right-of-way
 shown on these plans.

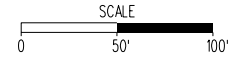
Legend

- Exist. R/W & Limited Access Line
- Exist. Right of Way
- Exist. Limited Access Line
- Prop. Limited Access Line
- Prop. R/W

Project Location



North Arrow and Scale



SB INTERSTATE 95
 EXIT RAMP 126
 AND SB RTE 1 WIDENING

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Resolution to Authorize Authority in Absence of the County Administrator

Agenda Title:	Resolution to Authorize in Absence of the County Administrator
Recommendation:	n/a
Non-Staff Name and Title of Presenters:	n/a
Summary:	The attached resolution will allow the Deputy County Administrator to authorize, sign and to act on behalf of the County Administrator in his absence.
Financial Impact:	n/a
Staff Contacts:	Ed Petrovitch, County Administrator Mark Cole, Deputy County Administrator
Legal Counsel:	Karl Holsten, County Attorney
Additional Background/Other Considerations:	n/a
Consequence of Denial/Inaction:	The resolution will not be approved.
Talking Points:	n/a

ATTACHMENTS:

File Name	Description	Type
Authorization_in_Absence_County_Administrator- _Resolution-_Revied.doc	Resolution	Resolution

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021, on a motion by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021-

Authorization in the Absence of the County Administrator

WHEREAS as of this date the COVID-19 pandemic continues across the United States and the Commonwealth of Virginia;

WHEREAS in response to the pandemic, the County declared a local emergency by adopting Resolution 2020-32 on March 17, 2020;

WHEREAS it is the best interest of the County and its citizens to maintain the ability of the County to operate despite any time during which its administrative leadership is unavailable due to health restrictions or other absence;

WHEREAS the Board of Supervisors desires to authorize the County's administrators to act on behalf of the County Administrator should he be physically unavailable to execute documents and the like;

NOW THEREFORE BE IT RESOLVED that the Deputy County Administrator is hereby authorized to act on behalf of the County Administrator should the County Administrator be physically unavailable to act; and that the County's Assistant County Administrators are hereby designated to act on behalf of the County Administrator should the Deputy County Administrator be physically unavailable to act on his behalf and;

BE IT FURTHER RESOLVED that any document executed on behalf of the County Administrator due to the physical unavailability of the County Administrator prior to this authorization which the County Administrator would otherwise be lawfully able to execute directly, is hereby ratified.

(SEAL)

A COPY TESTE:

Aimee R. Mann
Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: US 17 Limited Access Break Request for New Post 7-Eleven

Type: Action, Resolution

Agenda Title: US 17 Limited Access Break Request for New Post 7-Eleven

Recommendation: Staff recommends that the Board approve the US 17 Limited Access Break Request for the New Post 7-Eleven as shown on the attached GDP figure.

The applicant Net Lease Development, which plans to develop a 7-Eleven convenience store (Project) at the intersection of Tidewater Trail (BUSINESS (BUS) U.S. Route 17/State Route 2) and Mills Drive (U.S. Route 17). The subject property is generally identified as Tax Map Parcel38-A-13 and is zoned C-3. the applicants proposed concept plan titled "7-Eleven Tidewater Trail and Mills Drive", prepared by Kimley Horn and Associates, Inc. and dated October 2020 (Plan) has been attached.

Non-Staff Name and Title of Presenters: In order to proceed forward to develop the Project, Net Lease requires a Virginia Department of Transportation (VDOT) Change of Limited Access Control waiver in accordance with VDOT Regulations 24 VAC 30-401-10, et seq. The requested change or break in limited access control is necessary to accommodate the proposed site access driveway located along Mills Drive. An important part of this request is obtaining Spotsylvania County Board of Supervisors' (Board) support.

The applicant Net Lease Development, which plans to develop a 7-Eleven convenience store (Project) at the intersection of Tidewater Trail (BUSINESS (BUS) U.S. Route 17/State Route 2) and Mills Drive (U.S. Route 17). The subject property is generally identified as Tax Map Parcel38-A-13 and is zoned C-3. the applicants proposed concept plan titled "7-Eleven

Summary:

Tidewater Trail and Mills Drive", prepared by Kimley Horn and Associates, Inc. and dated October 2020 (Plan) has been attached.

In order to proceed forward to develop the Project, Net Lease requires a Virginia Department of Transportation (VDOT) Change of Limited Access Control waiver in accordance with VDOT Regulations 24 VAC 30-401-10, et seq. The requested change or break in limited access control is necessary to accommodate the proposed site access driveway located along Mills Drive. An important part of this request is obtaining Spotsylvania County Board of Supervisors' (Board) support.

Financial Impact:

New Post 7-Eleven development project is expected to bring economic revenue of over \$125,000 annually.

Staff Contacts:

Paul Agnello, Assistant Director for Transportation Planning

Additional Background/Other Considerations:

N/A

Consequence of Denial/Inaction:

If the Board of Supervisors does not approve the limited access break request for this development, the development will not be able to move forward and the economic benefit of the development to the project will be lost.

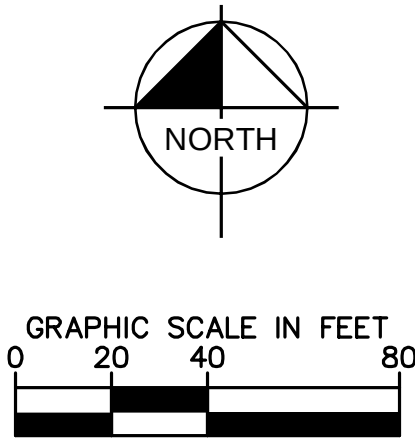
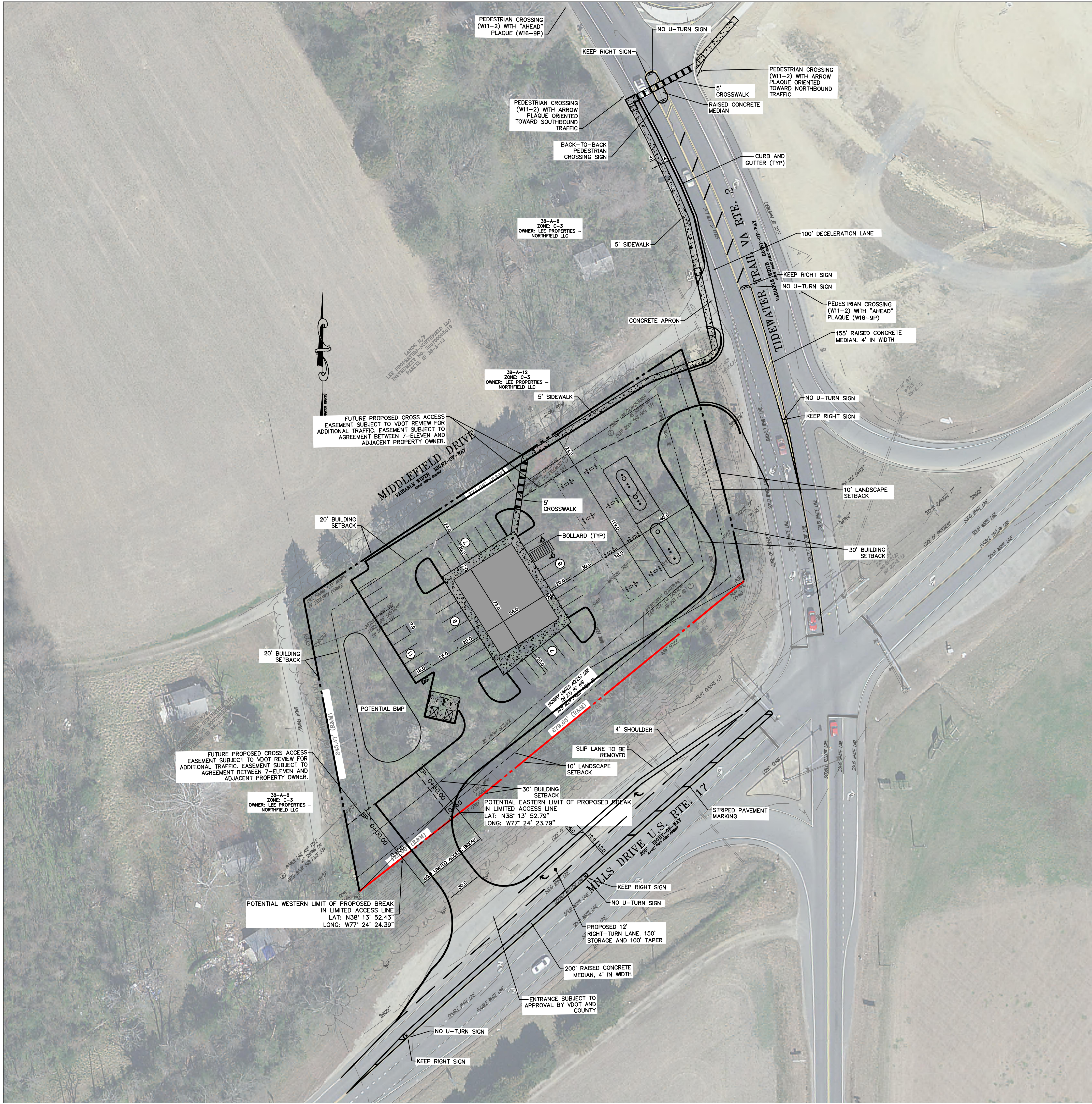
Talking Points:

The applicant Net Lease Development, which plans to develop a 7-Eleven convenience store (Project) at the intersection of Tidewater Trail (BUSINESS (BUS) U.S. Route 17/State Route 2) and Mills Drive (U.S. Route 17). The subject property is generally identified as Tax Map Parcel38-A-13 and is zoned C-3. the applicants proposed concept plan titled "7-Eleven Tidewater Trail and Mills Drive", prepared by Kimley Horn and Associates, Inc. and dated October 2020 (Plan) has been attached.

In order to proceed forward to develop the Project, Net Lease requires a Virginia Department of Transportation (VDOT) Change of Limited Access Control waiver in accordance with VDOT Regulations 24 VAC 30-401-10, et seq. The requested change or break in limited access control is necessary to accommodate the proposed site access driveway located along Mills Drive. An important part of this request is obtaining Spotsylvania County Board of Supervisors' (Board) support.

ATTACHMENTS:

File Name	Description	Type
2020.12.18_Fredericksburg_Limited_Access_v3_Final_(00000002).pdf	GDP figure	Exhibit
Applicant_Request_County_Support_Limited_Access_Break.pdf	Applicant support letter	Letter
Resolution_2021_New_Post_Limited_Access_Break_01_12_21.docx	Resolution	Resolution



LEGEND

	PROPOSED PROPERTY LINE
	ADJACENT PROPERTY LINE
	FUEL CANOPY PARKING COUNT

NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
- HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.
- ALL BARRIER FREE RAMPS AND PAVEMENT IN PUBLIC RIGHT OF WAY AND PEDESTRIAN AND UTILITY EASEMENT SHALL BE BUILT PER MUNICIPAL STANDARD DETAILS
- THIS SITE PLAN IS BASED OFF INFORMATION AVAILABLE PRIOR TO ALTA/TPOGRAPHIC SURVEY. SITE AND PROPERTY LINE SUBJECT TO CHANGE ONCE AN UP TO DATE ALTA/TPOGRAPHIC SURVEY IS COMPLETED.
- ENTRANCES SUBJECT TO APPROVAL BY VDOT AND COUNTY.

SITE INFORMATION

JURISDICTION	SPOTSYLVANIA, VA
STORE#	XXXX
SITE LOCATION	9940 TIDEWATER TRAIL
TOTAL SITE AREA	±1.8 ACRES
EXISTING ZONING	C-3
PROPOSED ZONING	C-3
EXISTING USE	VACANT
PROPOSED USE	7-ELEVEN ESTABLISHMENT & FUEL STATION
PROPOSED BUILDING AREA	4,088 SQ. FT.
BUILDING SETBACKS	
FRONT	30' (ADJACENT TO ROW)
SIDE	20'
REAR	20'
PARKING REQUIREMENTS	5 PER 1,000 SF + 2 SPACES PER BAY
PARKING STALLS REQUIRED	36
PARKING STALLS PROVIDED	43

CONCEPT PLAN

7-ELEVEN
TIDEWATER TRAIL AND
MILLS DRIVE

SHEET NUMBER

Kimley»Horn

4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462
PHONE: 757-213-8600 FAX: 757-213-8601
WWW.KIMLEY-HORN.COM

PROJECT No.	DATE: OCT 2020	SCALE: AS SHOWN	DESIGNED BY: LES	DRAWN BY: LES	CHECKED BY: JY

No.	REVISIONS	DATE	BY



November 19, 2020

Honorable Gary Skinner
Chairman
Board of Supervisors
County of Spotsylvania, Virginia
PO Box 99
Spotsylvania, VA 22553

Re: Request for Support
Net Lease Development
VDOT Change of Limited Access Control Waiver and Access Management Exception
Development of 7-Eleven Convenience Store
Intersection of Tidewater Trail & Mills Drive

Dear Chairman Skinner,

I hope this finds you well. I represent Net Lease Development, which plans to develop a 7-Eleven convenience store (Project) at the intersection of Tidewater Trail (BUSINESS (BUS) U.S. Route 17/State Route 2) and Mills Drive (U.S. Route 17). The subject property is generally identified as Tax Map Parcel38-A-13 and is zoned C-3.

In regard to the foregoing, please find enclosed with this letter is a copy of my client's proposed concept plan titled "7-Eleven Tidewater Trail and Mills Drive", prepared by Kimley Horn and Associates, Inc. and dated October 2020 (Plan). It is our understanding applicable Spotsylvania County staff have reviewed the Plan and support the Project.

In order to proceed forward to develop the Project, Net Lease requires a Virginia Department of Transportation (VDOT) Change of Limited Access Control waiver in accordance with VDOT Regulations 24 VAC 30-401-10, et seq. The requested change or break in limited access control is necessary to accommodate the proposed site access driveway located along Mills Drive. An important part of this request is obtaining Spotsylvania County Board of Supervisors' (Board) support.

Additionally, to further support the development of the Project proceeding, Net Lease requires an Access Management-Exception (AM-E) that must be approved by the VDOT Fredericksburg District Land Use Engineer and VDOT Fredericksburg District Administrator in order allow/permit the construction of the site access driveway improvements along Tidewater Trail. Obtaining Board support for the proposed AM-E will further emphasize the importance of this request.

In closing, we believe the Project will be a positive job creator and tax generator for the county and provide convenience store services to the immediate subject area and travelers passing through this area. We appreciate your time and attention to this matter and respectfully request the Board's support for the same.

Please feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Charles W. Payne, Jr.', with a stylized flourish at the end.

Charles W. Payne, Jr.

cc: Net Lease Development

12814087.1 043589.00002

At a regular scheduled meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021 on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021-

**A RESOLUTION ENDORSING NET LEASE DEVELOPMENT LIMITED ACCESS
WAIVER; TIDEWATER TRAIL AND MILLS DRIVE**

WHEREAS, pursuant to Virginia Department of Transportation (VDOT) Regulation 24 VAC 30-401-10, et al., Net Lease Development (Net Lease) has applied for a change of limited access control along U.S. Route 17 (i.e., Mills Drive) and an Access Management Exception (AM-E) along BUS-U.S. Route 17/State Route 2 (Tidewater Trail) for the purposes of developing a 7-Eleven convenience store with fuel services in the northwest quadrant of the Tidewater Trail at Mills Drive intersection (Project);

WHEREAS, Net Lease Development has prepared a conceptual site plan for the site access driveway locations, overarching access restrictions, and off-site improvements to efficiently and safely accommodate future traffic demand, and to the extent reasonably possible meet VDOT Access Management Policy standards; and

WHEREAS, to accommodate the proposed site access driveway along the north side of U.S. Route 17 (Mills Drive) a request for a break in the limited access boundary must be approved by the Commonwealth Transportation Board (CTB) in order for VDOT to allow/permit the construction of the site access driveway improvements; and

WHEREAS, to accommodate the proposed site access driveway along the west side of BUS U.S. Route 17/State Route 2 (Tidewater Trail) an Access Management-Exception must be approved by the VDOT Fredericksburg District Land Use Engineer and VDOT Fredericksburg District Administrator in order allow/permit the construction of the site access driveway improvements; and

WHEREAS, Net Lease has requested the Board's support for the Project, the requested break in the limited access boundary along Mills Drive, and the access management exception along Tidewater Trail; and

WHEREAS, the Spotsylvania County planning and transportation staff have reviewed the Project details and concur with the proposed requests.

NOW, THEREFORE, BE IT RESOLVED, the Spotsylvania County Board of Supervisors endorses the Project, supports the request for the limited access control change along Mills Drive, and the access management exception along Tidewater Trail as submitted by Net Lease.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the

Virginia Department of Transportation for inclusion with Net Lease's request for limited access control change application, and access management exception application.

Adopted this 12th day of January, 2021.

VOTE:

Ayes:

Nays:

Absent:

Abstain:

(SEAL)

ATTEST:

Aimee R. Mann
Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Seeking Direction for Internal Audit Function

Type:	Action
Agenda Title:	Seeking Direction for Internal Audit Function

Recommendation:	Staff is requesting formal action by the Board to reaffirm RSM US, LLP (RSM) as the County's internal auditors and authorize the creation of a 2021-2023 work plan.

Summary:	On February 25, 2020, County staff presented their recommendation to create and outsource the County's new internal audit function for approval by the Board. Normally the first task of a new internal auditor is to gain an understanding of the entity to guide the creation of a multi-year work plan. However, based on prior discussions with the Board, County staff made, and the Board approved, the recommendation for RSM to address two immediate needs in priority order, 1) establishing the County's first Fraud, Waste & Abuse Hotline (completed in August 2020) and 2) the inventory control project (in process). As our current internal auditors, RSM will be presenting their status on the inventory control project and will respond to any questions the Board may have regarding the role of internal audit in an organization. Staff is requesting approval for RSM to begin work on establishing their recommended 2021-2023 work plan. Once completed, RSM will present the proposed work plan to the Board for approval.

Financial Impact:	Budgeted funds are assigned and available in fiscal year 2021. Funding for the continuation of the program has been requested as part of the proposed 2022 budget plan.

Staff Contacts:	Beckie Forry, Chief Accounting Officer

Additional Background/Other Considerations:	N/A

Consequence of Denial/Inaction:

RSM will continue to provide internal audit services on an ad hoc basis. This includes responding to hotline reports and any Board assigned tasking.

ATTACHMENTS:

File Name

Description

Type

No Attachments Available

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Department of Social Services (DSS) Advisory Board Presentation

Agenda Title:	Department of Social Services (DSS) Advisory Board Presentation
Recommendation:	n/a
Summary:	DSS Advisory Board Chairman, Todd Rump will present to the Board of Supervisors.
Financial Impact:	n/a
Staff Contacts:	Mark Cole, Deputy County Administrator
Legal Counsel:	n/a
Additional Background/Other Considerations:	n/a
Consequence of Denial/Inaction:	n/a

ATTACHMENTS:

File Name	Description	Type
20210112_DSS_Advisory_Board_Update_Final.pdf	Presentation	Presentation

DSS Advisory Board Update

January 12, 2021

Agenda

2

- Successes
- State of Department
- Budget Overview
- Benefits Division
- Family Services Division
- Conclusions and Recommendations
- Questions

Successes

3

- Department has remained fully operational throughout pandemic
- As of January 7th, foster children in care at 88; down from 120 last year
- Benefits workers meeting processing guidelines; despite increases in cases due to pandemic
- Memorandum of Understanding (MOU) with Sheriff Department signed

State of Department

4

- “We will set the standard for Virginia counties.” Spotsylvania County Strategic Plan, June 2018
- Difficult to compare DSS Departments due to community sizes, unique challenges and needs, and different administrative setups
- 37% of Spotsylvania below ALICE threshold
- Since 2007 Spotsylvania had most drug overdose deaths in region (231)
 - Since 2017, over 50% of the children entering foster care had parents with substance abuse issues
- Benefits Division and Child Protective Services (CPS) most impacted by pandemic

District (2018)	Household Total	% Below ALICE Threshold
Battlefield	6,910	39%
Berkeley	5,936	45%
Chancellor	5,453	30%
Courtland	6,712	46%
Lee Hill	6,540	40%
Livingston	6,356	38%
Salem	5,770	42%

Source: United Ways of Virginia 2020 ALICE Study

Budget Overview

5

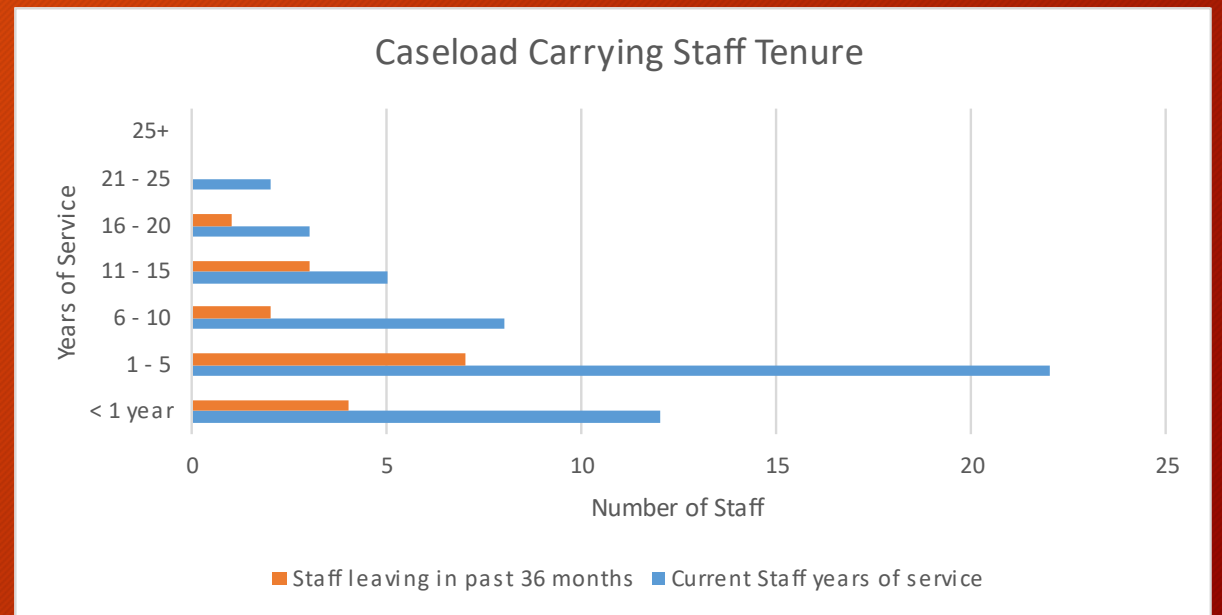
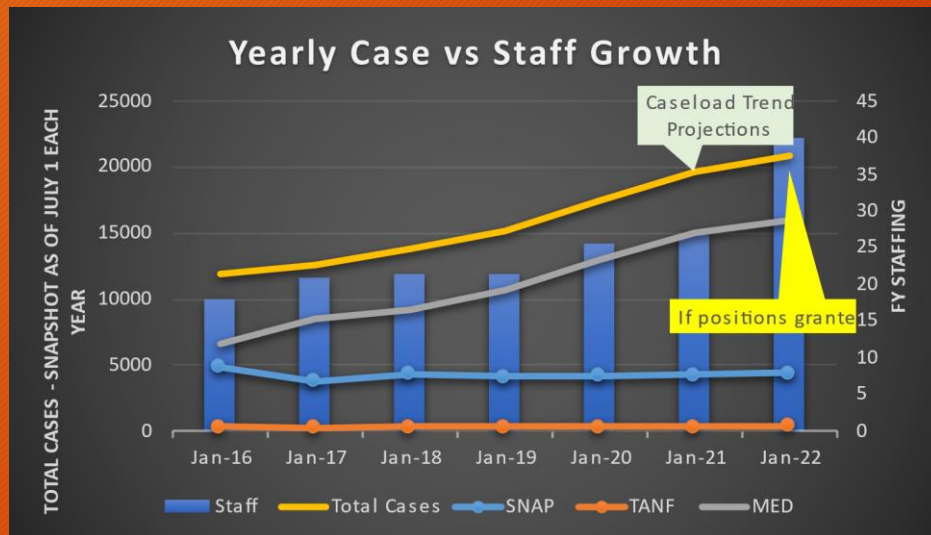
- Since FY17, Board of Supervisors have addressed Department staffing needs
- Last 3 years: ~ \$1 million in unspent funds due to vacancies
- Turnover Costs: Eligibility Worker 25k; Family Service Worker 28k
- FY22 Budget Initiatives (21 new FTEs)
 - (1) CPS Supervisor \$119,789 (Local Share \$81,456)* (On 1/12 Agenda for approval)
 - (13) Eligibility Workers \$843,322 (Local share \$573,459)
 - (2) Case Aides \$115,633 (Local share \$78,631)
 - (1) Conversion of P/T IT technician to FTE \$46,721 (Local share \$31,770)
 - (1) Administrative/Finance Division Director \$135,925 (Local share \$92,429)
 - (3) Family Service Workers II \$222,819 (Local share \$151,517)

Total Cost of Initiatives \$1,484,210 (Local share \$1,009,263) [.6307 on tax rate]

Benefits Division

6

- Eligibility workers absorbing almost double the recommended case load
- COVID-19 and vacancies responsible for some elevated case loads, but still exceeding caseloads by 300 if fully staffed
- Caseloads equivalent of teachers with 40 kids per classroom; FREM with over 5000 calls at each station



Family Services Division

7

- Drop in foster children numbers has temporarily eased staff strain
- Family Service Division Director vacant since early November
- Recent and upcoming policy changes
 - July 2020: CPS cases open longer to allow more time to address issues
 - Cases remain open for 60 days now; previously 45 days
 - July 2021: Family First - transition to increased focus on prevention services
 - (3) Family Service Workers requested projected for Prevention Team, uncertainty if three is enough for new Federal initiative

Conclusions and Recommendations

8

- Spotsy DSS cannot set the standard for Virginia counties under current staffing; difficult to hold DSS accountable
- All requested positions eligible for state revenue; indicator that they are warranted based on caseloads
- Recommendations:
- Encourage Board commitment to reduce caseloads to recommended levels
- Establish more billets than required to reduce operational impacts caused by revolving staff turnover
- Approve all 21 FTEs; Hybrid approach: add some positions while increasing pay; substantial pay increases to better reflect work expectations

Questions?

9

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Budget Adjustment & Appropriation for Bonuses
Stemming from State Requirement for Bonuses for
Certain Sheriff's Office Positions

Type: Action, Appropriation

Agenda Title: Budget Adjustment & Appropriation for Bonuses
Stemming from State Requirement for Bonuses for
Certain Sheriff's Office Positions

Recommendation: Staff recommends approval of the attached budget adjustment and appropriation which is consistent with staff's recommendation that the bonus be extended to all position titles on the Public Safety Pay Scale approved by the Board last year.

Actions taken by the Governor and General Assembly during the 2020 Special Session required that a one-time, \$500 bonus be paid in December 2020 to Compensation Board-funded sworn positions in the Sheriff's Office, all of which are full-time positions. Out of all 255 budgeted full-time Public Safety Pay Scale positions in the Sheriff's Office, only 87 of those are sworn positions funded through the Comp Board. As such, we can expect to receive a total of \$46,828 from the State to fund the required \$500 bonus (and related FICA benefits) for 87 full-time, sworn Sheriff's Office employees. It is only these 87 employees to whom we were required to pay the bonus in December 2020, and the Board voted on December 8 to move ahead first only with the 87 required bonuses and for staff to return with additional information at the first Board meeting in January 2021.

Though not required by State actions and now law, County Administration recommends that this bonus be extended to all position titles on the Public Safety Pay Scale approved by the Board last year. This allows for all sworn positions – not just those funded by the Comp Board – as well as Communications Operators

Summary:

and Communications Officers to be included in the bonus payment. Further, we recommend that regular part-time employees in positions with titles on the Public Safety Pay Scale receive a pro-rated bonus commensurate with their FTE. For example, a part-time Sheriff's Deputy occupying a 0.63 FTE would receive a one-time \$315 bonus. Those in the Sheriff's Office and Fire/Rescue not receiving a bonus under this recommendation are those in administrative positions and/or who are temporary/other-than-regular part-time employees. The staff recommendation is reflected in the attached budget adjustment and appropriation.

To be consistent with the parameters of the State-mandated bonus, we are using December 1, 2020 as the date on which employees must have been employed in Public Safety Pay Scale positions to qualify for the bonus.

A Board member asked what it would cost to extend the bonus to full-time and regular part-time FTEs beyond just those on the Public Safety Pay Scale and then requested that staff bring back information regarding the cost of a bonus for full-time and regular part-time FTEs making \$80,000 or less. The costs and number of employees affected are shown in the following table. It should be noted that 25 (29%) of the 87 Sheriff's Office employees who received the State-mandated bonus in December have salaries of \$80,000 or more. The 87 employees to whom the State-mandated bonus was paid in December are excluded from the figures in the table.

Scenario*	All		\$80,000 or Less	
	Cost	Count	Cost	Count
Public Safety (PS) Scale positions	\$212,312	403	\$187,553	357
All Employees (includes PS)	\$531,839	1,036	\$459,714	902

*Applicable to Full-Time and Regular Part-Time positions with an associated FTE.

Financial Impact:

Please see the table above. The budget amendment and appropriation attached are consistent with staff's recommendation to provide the bonus to all full-time and regular part-time employees in positions on the Public Safety Scale. Should the Board choose one of

the other three alternatives shown in the table, staff will have the necessary budget adjustments and appropriations available for the Board's approval on January 12.

Staff Contacts:

Bonnie Jewell, Assistant County Administrator/Chief Financial Officer

Additional Background/Other Considerations:

Please be aware that the State's budget for FY 2022 currently includes a 1.5% bonus to be provided in September 2021 to all Constitutional Officers and the Compensation Board-funded staff positions within those offices so long as the State's year-end revenues meet or exceed the revenue forecast. It has generally been the case that we have extended State-required changes for Comp Board-funded staff to all employees within the affected Constitutional Office.

Consequence of Denial/Inaction:

If no action is taken on this matter, bonuses will not be provided to any employees beyond those 87 Sheriff's Office employees to whom the County was required by the State to pay \$500 bonuses in December.

ATTACHMENTS:

File Name	Description	Type
Public_Safety_Bonus_-_Budget_Adjustment_(P.S._FT___Reg_PT_FTEs).docx	Budget Adjustment	Budget Amendment
Public_Safety_Bonus_-_Appropriation_(P.S._FT___Reg_PT_FTEs).doc	Appropriation	Appropriation

FY 2021 Budget Amendment Request Form

Date: January 12, 2021

Department: County Administration

Contact person: Bonnie Jewell **Phone #:** 540-507-7583

Explanation of need for budget amendment: Actions taken by the Governor and General Assembly during the 2020 Special Session required that a one-time, \$500 bonus be paid in December 2020 to Compensation Board-funded sworn positions in the Sheriff's Office, all of which are full-time positions. Out of all 255 budgeted full-time Public Safety Pay Scale positions in the Sheriff's Office, only 87 of those are sworn positions funded through the Comp Board. As such, we can expect to receive a total of \$46,828 from the State to fund the required \$500 bonus (and related FICA benefits) for 87 full-time, sworn Sheriff's Office employees. It is only these 87 employees to whom we were required to pay the bonus in December 2020, and the Board voted on December 8 to move ahead first only with the 87 required bonuses and for staff to return with additional information at the first Board meeting in January 2021.

Though not required by State actions and now law, County Administration recommends that this bonus be extended to all position titles on the Public Safety Pay Scale approved by the Board last year. This allows for all sworn positions – not just those funded by the Comp Board – as well as Communications Operators and Communications Officers to be included in the bonus payment. Further, we recommend that regular part-time employees in positions with titles on the Public Safety Pay Scale receive a pro-rated bonus commensurate with their FTE. For example, a part-time Sheriff's Deputy occupying a 0.63 FTE would receive a one-time \$315 bonus. Those in the Sheriff's Office and Fire/Rescue not receiving a bonus under this recommendation are those in administrative positions and/or who are temporary/other-than-regular part-time employees. The staff recommendation is reflected in the attached budget adjustment and appropriation.

To be consistent with the parameters of the State-mandated bonus, we are using December 1, 2020 as the date on which employees must have been employed in Public Safety Pay Scale positions to qualify for the bonus.

Reminder: Agenda item summary must be attached if BOS approval is required.

Revenue Accounts Adjusted		Amount	
Acct #	110-0000-341.05-01 – Use of Fund Balance	\$	212,312
	Total Revenue Adjustment	\$	212,312

Expenditure Accounts Adjusted		Amount	
Acct #	110-3160-421.11-01 – Regular	\$	43,500
Acct #	110-3160-421.13-01 – Part-Time	\$	2,640
Acct #	110-3160-421.21-01 – FICA	\$	2,862
Acct #	110-3160-421.21-02 – Medicare	\$	669
Acct #	110-2170-412.11-01 – Regular	\$	14,000
Acct #	110-2170-412.13-01 – Part-Time	\$	3,335
Acct #	110-2170-412.21-01 – FICA	\$	1,075
Acct #	110-2170-412.21-02 – Medicare	\$	251
Acct #	110-3140-421.11-01 – Regular	\$	14,500
Acct #	110-3140-421.13-01 – Part-Time	\$	250

Acct #	110-3140-421.21-01 – FICA	\$	915
Acct #	110-3140-421.21-02 – Medicare	\$	214
Acct #	110-3510-421.11-01 – Regular	\$	4,000
Acct #	110-3510-421-21.01 – FICA	\$	248
Acct #	110-3510-421.21-02 – Medicare	\$	58
Acct #	110-3210-421.11-01 – Regular	\$	115,000
Acct #	110-3210-421.21-01 – FICA	\$	7,130
Acct #	110-3210-421.21-02 - Medicare	\$	1,665
	Total Expenditure Adjustment	\$	212,312

Note: If amendment is between expenditure accounts only, net impact must be zero.

Position FTE Change		
Position Title	Existing FTE	Adjusted FTE

Transfer requests must be signed by the requestor(s). In the case of transfers between departments or capital projects, the transfer request must be signed by the director of each affected department, or by the project manager of each affected capital project. A typed signature will be accepted.

Name, Department

Name, Department

Recommendations

Budget: ☒ recommended ☐ not-recommended

Explanation if not recommended:

County Admin: ☒ recommended ☐ not-recommended

Explanation if not recommended:

Finance Committee: ☐ recommended ☐ not-recommended

Explanation if not recommended:

**SPOTSYLVANIA COUNTY
Board of Supervisors**

FISCAL YEAR 2021 APPROPRIATION

Board of Supervisors

January 12, 2021

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2020, from the funds and for the functions or purposes indicated.

For a one-time bonus for full-time and regular part-time FTEs in positions on the Public Safety Pay Scale, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$212,312

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: FEMA Flood Insurance Rate Map (FIRM) Revisions

Type: No Action (Information Only), Power Point Presentation

Agenda Title: FEMA Flood Insurance Rate Map (FIRM) Revisions

Recommendation: N/A

FEMA has completed an update to the Flood Insurance Rate Map (FIRM) for Spotsylvania County. Spotsylvania's last update occurred in 1998. The map revision process is administered by FEMA and the County is responsible for participating through the review and comment of the collected flood hazard data, preliminary maps and public outreach.

Summary: With this update, some properties currently not in the floodplain will be mapped into the floodplain; some properties are already in the floodplain and will remain there; and some properties will be mapped out of the floodplain.

Staff will present information related to FEMA's FIRM revision process to include actions taken to date, statistics related to impacted property owners, timelines going forward and the County's public outreach and participation in the process.

Staff Contacts: Kimberly Pomatto, Zoning Administrator

ATTACHMENTS:

File Name	Description	Type
FEMA_FIRM_Revisions_BOS_Presentation_1-12-2020.pdf	Staff Presentation	Presentation
FEMA_Correspondance_2020.pdf	FEMA Correspondence	Backup Material
FEMA_Policy_Standards_for_Flood_Risk_Analysis_and_Mapping_Nov_2019_Final.pdf	FEMA Policy Standards	Backup Material
Guidance_for_Flood_Risk_Analysis_and_Mapping.pdf	FEMA Guidance for Flood Risk Analysis and Mapping	Backup Material
FEMA_Criteria_for_Appeals_of_Flood_Inurance_Rate_Maps.pdf	FEMA Criteria for Appeals to FIRM	Backup Material
Flood_Map_Revision_FAQs.pdf	FAQs	Backup Material



FEMA Flood Insurance Rate Map (FIRM) Revisions Spotsylvania County

Board of Supervisors

January 12, 2021

Presented By: Kimberly Pomatto, Zoning Administrator

FEMA

Flood Insurance Rate Map (FIRM) Revisions

- The last update to the FIRM for Spotsylvania County occurred in 1998
- Hurricane Sandy (2012) prompted FEMA to initiate new studies to include LiDAR (Light Detection and Ranging) analysis of the east coast in particular
- FEMA shared the draft flood hazard data based on updated topography to create the preliminary FIRM with the County for review and comment in May of 2019
- Preliminary FIRM was released January 31, 2020
- Community Coordination and Outreach Meeting with DCR and FEMA to review Preliminary FIRM, and discuss updates to local floodplain management ordinance and flood insurance – March 3, 2020
- 90-Day Appeal Period began December 2, 2020 and will continue to March 2, 2020

What Do The Changes to the FIRM Include?

Based on County GIS Mapping:

- A total of 1,641 properties, currently not in the floodplain will be mapped into the floodplain
- Of the 1,641 properties 429 properties have structures which will be mapped into the floodplain
- 286 properties will be mapped out of the floodplain

What Do The Updates Mean to Spotsylvania County Property Owners?

- Flood insurance is required for properties with federally backed mortgages, if their home (structure) will remain in the floodplain or will be mapped into the floodplain
- If a portion of a property is mapped within the floodplain but the house (structure) is not, there is no federal mandate to carry flood insurance
 - Property owners are encouraged to contact their mortgage companies to confirm as some may have more stringent requirements
- Properties mapped out of the floodplain will no longer carry a federal requirement to purchase insurance

What Do The Updates Mean to Spotsylvania County Property Owners? (cont.)

- Newly mapped property owners may purchase flood insurance at a more favorable rate through the National Flood Insurance Program (NFIP) prior to the new maps becoming effective – slated for February 2022

Appeals to the Preliminary FIRM

- Property owners may submit an appeal if they perceive that modeling or data used to create the map is technically or scientifically incorrect
- An appeal must include technical information, such as hydraulic or hydrologic data, to support the claim
- Appeals are submitted to the County as the pass-through to FEMA
- FEMA will process and provide a resolution to all comments and appeals
- Once they are resolved, FEMA will notify communities of the effective date of the final maps

Public Outreach

- The public may view the map changes at <https://floodmaps-spotsygis.hub.arcgis.com/>
- The County sent letters in December 2020 to every impacted property owner – those mapped in and mapped out
- FEMA issued a press release early December 2020
- Information is posted on the County website and through multiple social media platforms
- County Staff serves as the point of contact for all inquiries via phone and website – providing information regarding process and directing technical inquiries to FEMA

FAQs

Who is responsible for changing the food risk maps?

The Flood Insurance Rate Map (FIRM) update is administered by FEMA. FEMA is responsible for drawing and revising the maps and will adjudicate all appeals. Inquiries seeking technical guidance regarding appeals are directed to the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP. Spotsylvania County has participated in the review of the flood hazard data collected to prepare the updated maps and reviewed and commented on the preliminary maps once released. Spotsylvania County is responsible for public outreach and will serve as a point of contact for citizens with questions regarding the process.

FAQs

How much will flood insurance cost?

Contact your insurance provider for more information about this program or contact the National Flood Insurance Program (NFIP) Directly for a referral at 1-800-638-6620. Anyone who elects to purchase flood insurance prior to the preliminary maps becoming effective are eligible for NFIP's Preferred Risk Policy, which is at a reduced rate. In order to secure the reduced rate, the insurance must be purchased no less than 30 days before the New Flood Insurance Rate Map becomes effective and flood insurance requirements take effect. The timeline may change but currently the maps are slated to become effective February of 2022.

FAQs

My house is not within the newly mapped high risk flood area, am I required to get flood insurance?

The flood insurance federal mandate only applies to structures being mapped into the high risk flood zone with federally backed mortgages. If you have a federally backed mortgage on your home and the new maps identify your home within the high risk flood zone, flood insurance is required. However, other mortgage lender requirements may be more stringent. If a portion of your property is being mapped into the floodplain but your house is not, your mortgage company may still require flood insurance.

FAQs

My insurance provider does not offer flood insurance, what do I do?

If your insurance provider is unaware of the Preferred Risk Policy or if they do not offer flood insurance, contact the National Flood Insurance Program (NFIP) Direct for a referral at 1-800-638-6620.

FAQs

How do I submit an appeal?

You may submit an appeal if you perceive that modeling or data used to create the map is technically or scientifically incorrect. An appeal must include technical information, such as hydraulic or hydrologic data to support the claim. Contact a professional engineer for information on how to obtain this data. Appeals and comments must be submitted through the County to be forwarded to FEMA.

floodplainadministrator@mail.connect.civicplus.com

Next Steps

- The 90- day Appeal Period will end on March 2, 2020
- Once FEMA resolves all comments and appeals, the County will be notified of the effective date of the maps – currently slated for February 2022
- Within 6 months of the effective date of the maps, the County must adopt a code amendment to reflect the new effective maps



Questions?



Federal Emergency Management Agency

Washington, D.C. 20472

November 18, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START

The Honorable Gary F. Skinner
Chairman, Spotsylvania County Board of Supervisors
P.O. Box 99
Spotsylvania, Virginia 22553

Community: Spotsylvania County,
Virginia
(Unincorporated Areas)
Community No.: 510308

Dear Mr. Skinner:

On January 31, 2020, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Revised Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Spotsylvania County, Virginia (All Jurisdictions). FEMA has posted digital copies of these revised FIRM and FIS report materials to the following Website: (<https://www.fema.gov/preliminaryfloodhazarddata>). The Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the unincorporated areas of Spotsylvania County. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the *Federal Register* and will publish a public notification concerning the appeal process (explained below) in *The Free Lance-Star* on or about November 25, 2020, and December 2, 2020. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp). We have enclosed copies of the notice published in the *Federal Register* and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the preliminary revised FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard

determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to: Mr. Lee Brancheau, at the FEMA Region III Office, 615 Chestnut Street, One Independence Mall, 6th Floor, Philadelphia, Pennsylvania 19106-4404.

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the

proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Mapping and Insurance eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX staff at FEMAMapSpecialist@riskmapcds.com.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations *Federal Register* Notice
Criteria for Appeals of Flood Insurance Rate Maps
"Scientific Resolution Panels" Fact Sheet

cc: Community Map Repository
Ms. Kimberly Pomatto, Zoning Administrator, Spotsylvania County

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Scott County, Minnesota and Incorporated Areas	
Docket Nos.: FEMA-B-1436 and B-1869	
City of Belle Plaine.	City Hall, 218 North Meridian Street, Belle Plaine, MN 56011.
City of Elko New Market.	City Hall, 601 Main Street, Elko New Market, MN 55054.
City of Jordan	City Hall, 210 East First Street, Jordan, MN 55352.
City of Prior Lake.	City Hall, 4646 Dakota Street Southeast, Prior Lake, MN 55372.
City of Savage	City Hall, 6000 McColl Drive, Savage, MN 55378.
City of Shakopee.	City Hall, 485 Gorman Street, Shakopee, MN 55379.
Unincorporated Areas of Scott County.	County Government Center, 200 Fourth Avenue West, Shakopee, MN 55379.

Community	Community map repository address
Archer County, Texas and Incorporated Areas	
Docket No.: FEMA-B-1959	
City of Archer City.	City Hall, 118 South Sycamore Street, Archer City, TX 76351.
City of Holliday	City Office, 110 West Olive Street, Holliday, TX 76366.
City of Lakeside City.	Lakeside City Map Repository, 199 Bowman Road, Wichita Falls, TX 76308.
City of Megargel.	City Hall, 1302 Cedar Street, Megargel, TX 76370.
City of Scotland.	City Hall, 727 Avenue L, Scotland, TX 76379.
City of Windthorst.	City Sewer Plant, 361 Sewer Plant Road, Windthorst, TX 76389.
Unincorporated Areas of Archer County.	Archer County Courthouse Emergency Management Office, 100 South Center Street, Archer City, TX 76351.

Jack County, Texas and Incorporated Areas	
Docket No.: FEMA-B-1959	
City of Bryson	City Hall, 102 North Depot Street, Bryson, TX 76427.
City of Jacksboro.	Fire Department, 128 East College Street, Jacksboro, TX 76458.
Unincorporated Areas of Jack County.	Jack County Office, 100 North Main Street, Jacksboro, TX 76458.

[FR Doc. 2020-22085 Filed 10-5-20; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2020-0002; Internal Agency Docket No. FEMA-B-2057]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for

the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before January 4, 2021.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2057, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be

construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the

flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where

applicable, FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Somervell County, Texas and Incorporated Areas Project: 20-06-0058S Preliminary Date: June 9, 2020	
City of Glen Rose	City Hall, 201 Northeast Vernon Street, Glen Rose, TX 76043.
Unincorporated Areas of Somervell County	Somervell County Annex Building, 102 Northeast Vine Street, Glen Rose, TX 76043.
Fredericksburg City, Virginia (Independent City) Project: 18-03-0012S Preliminary Date: January 31, 2020	
City of Fredericksburg	City Hall, 715 Princess Anne Street, Room 209, Fredericksburg, VA 22401.
Spotsylvania County, Virginia (All Jurisdictions) Project: 18-03-0011S Preliminary Date: January 31, 2020	
Spotsylvania County Unincorporated Areas	Spotsylvania County Planning and Zoning Department, 9019 Old Battlefield Boulevard, Suite 320, Spotsylvania, VA 22553.

[FR Doc. 2020-22082 Filed 10-5-20; 8:45 am]
BILLING CODE 9110-12-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2020-N119;
FXES111602C0000-201-FF02ENEH00]

Candidate Conservation Agreement With Assurances for the False Spike and Texas Fawnsfoot in the Brazos River Basin

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for public comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received an application from the Brazos River Authority, a special district of the State

of Texas responsible for development and management of the water resources of the Brazos River Basin in Texas. The application is for an enhancement of survival permit under the Endangered Species Act that would authorize incidental take of two candidate mussel species, false spike and Texas fawnsfoot. The application includes a candidate conservation agreement with assurances (CCAA) for freshwater mussel conservation and surface water supply and delivery operations and maintenance activities in the Brazos River Basin in Texas. We have made a preliminary determination that the CCAA is eligible for categorical exclusion under the National Environmental Policy Act (NEPA). The basis for this determination is contained in a low-effect screening form for a categorical exclusion (dCatEx form), which evaluates the impacts of

implementation of the proposed CCAA. The documents available for comment include the low-effect screening form that supports a categorical exclusion under NEPA, the CCAA, and an enhancement of survival permit application.

DATES: To ensure consideration, written comments must be received or postmarked on or before 11:59 p.m. eastern time on November 5, 2020. We may not consider any comments we receive after the closing date in the final decision on this action.

ADDRESSES:

Accessing Documents:

Internet: The dCatEx form, CCAA, and permit application: You may obtain electronic copies of these documents on the Service's website at <https://www.fws.gov/southwest/es/AustinTexas/>.



FEMA Policy Standards for Flood Risk Analysis and Mapping

FEMA Policy #FP 204-078-1 (Rev 10)

BACKGROUND

This policy is applicable to Federal Emergency Management Agency (FEMA) staff delivering Risk Analysis and Mapping (Risk MAP), all mapping partners (contractors, cooperating technical partners, and other federal agencies) who perform flood risk projects on behalf of FEMA, and the National Flood Insurance Program (NFIP). Additionally, this policy may be pertinent to states, tribes, territories, local communities, homeowners and their consultants who are interested in the Flood Insurance Rate Map (FIRM) process.

This policy updates and supersedes the **Standards for Flood Risk Analysis and Mapping – FP 204-078-1 (Rev 9)** approved on April 29, 2019.

The changes with this revision are:

Standard IDs (SIDs)	Standards Change Description
SID 5	Standard is being updated from a Working Standard to a Program Standard. This ensures that HQ and the regional office are involved in complicated decisions related to existing floodways during an update.
SID 17	Updating to refine Discovery meeting needs for data, and stakeholder engagement. Standard is being updated from a Program Standard to a Working Standard.
SIDs 20, 23, 24, 26	Updating to refine Discovery meeting needs for data, and stakeholder engagement.
SID 71	Updating to clarify this SID applies to revised floodways as well as new floodways up or downstream of existing floodways.
SID 72	Rescinding; now combined with SID 73.
SID 73	Updating to clarify and combine information with previous SID 72 as these



	two standards are closely linked and can be interpreted to contradict each other.
SID 77	Updating to clarify standard and provide better direction for model reaches with similar drainage areas calculated with coincident peaks.
SID 113, 215, 217, 218, 220, 226	Updating to clarify standards and align to current standard operating procedures.
SID 367	Updating to clarify the application of new suffixes and effective dates on printed and non-printed FIRM panels that are split as part of a physical map revision.
SID 630	New standard to bring innovation, efficiency and consistency to Flood Insurance Rate Map production.
SIDs 631, 632, 633, 635, 636, 637, 638, 639	New standards to support initiatives to improve processes for tracking regional cost allocations and status of funding for Flood Risk Projects.

PURPOSE

The purpose of this policy is to enable consistent performance by identifying the standards that must be followed in the delivery of the Risk MAP program.

PRINCIPLES

- 1) Ensure consistency in the deliverables of all flood risk projects so that they can support the NFIP and all its stakeholders.
- 2) Ensure a standard level of quality is met for all deliverables of a flood risk project.
- 3) Provide appropriate flexibility to FEMA Regional Offices and mapping partners to accommodate regional and local variability across the country.
- 4) Enhance the credibility of the NFIP and all flood risk mapping efforts.

REQUIREMENTS

Flood risk projects, regulatory NFIP map changes and other Risk MAP activities shall be performed in a consistent manner resulting in quality data and deliverables. The attached set of standards shall be followed in the delivery of Risk MAP.

Standards must be implemented based on the effective date and implementation description. The implementation description is chosen to avoid cost or scope impacts on existing task orders, cooperative agreements, or interagency agreements. If the implementation of a new standard as mandated by this policy



FEMA

requires a change to an existing agreement, coordinate with FEMA to modify the existing agreement as necessary. New standards may be implemented sooner in coordination with the FEMA Project Officer and Contracting Officer's Representative.

FEMA publishes substantial additional guidance to support implementation of and compliance with these standards. Users of these standards should also reference this guidance published on FEMA's web site at www.fema.gov/media-library/assets/documents/34953.

This page was digitally signed by Michael
Grimm on 2019.12.11

Michael Grimm
Assistant Administrator
Risk Management Directorate Resilience



FEMA

ADDITIONAL INFORMATION

REVIEW CYCLE

FEMA POLICY Standards for Flood Risk Analysis and Mapping #FP 204-078-1 (Rev 10) will be reviewed, reissued, revised, or rescinded annually.

AUTHORITIES

The mapping program for the NFIP, implemented through Risk MAP, is established through the National Flood Insurance Act of 1968, as amended and the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12), as amended (42 U.S.C. 4001 *et seq.*). The mapping program is governed by the implementing regulations at Code of Federal Regulations - Title 44 (44 CFR) parts 59-72. The statutes and regulations establish the core requirements for the mapping program.

This policy represents FEMA's interpretation of these statutory and regulatory requirements and/or sets forth standard operating procedures. The policy itself does not impose legally enforceable rights and obligations but sets forth a standard operating procedure or agency practice that FEMA employees and contractors follow to be consistent, fair, and equitable in the implementation of the agency's authorities.

These standards are to be applied in addition to the legal requirements set out in the applicable statutes and regulations. For the most part, the applicable statutory and regulatory requirements are not repeated in this policy. Readers must refer to the statutes and regulations in addition to these standards.

DEFINITIONS

Flood risk projects are projects implemented under the Risk MAP program to engage with communities and provide flood risk information.

Guidance is a recommended method to meet the standard. Guidance assumes a working knowledge of common industry terminology and methodologies.

Accepted approaches are not limited to this recommended approach; mapping partners may use other methods to meet or exceed the standard.

Guidelines and Standards Steering Committee is comprised of FEMA headquarters and regional employees and contractors responsible for maintenance and coordination of Risk MAP standards and guidance.

Mapping Partners are FEMA Production and Technical Services Contractors, Cooperating Technical Partners, and Other Federal Agencies (OFA) performing tasks on a flood risk project.



FEMA

Program standards are a required element that supports the vision, goals and objectives of the program. Exceptions must be obtained through coordination with FEMA headquarters Risk Analysis Division leadership.

Risk MAP is the FEMA program that maintains flood maps for the NFIP and works with local governments to increase awareness of flood risk and provide flood risk information that leads to actions to reduce risk.

Standards exceptions are project-specific variances to Risk MAP standards, approved by appropriate Risk MAP officials.

Working standards are required elements of a project that are typically applied by specialists (such as engineers, planners, GIS specialists, etc.).

MONITORING AND EVALUATION

Compliance will be monitored through the Risk MAP Quality Assurance Management Plan.

QUESTIONS

Direct questions to paul.rooney@fema.dhs.gov

Appendix A
Acronyms and Abbreviations Used in the Risk MAP Standards

Acronym	Definition
2D	Two-Dimensional
AoMI	Areas of Mitigation Interest
BFE	Base Flood Elevation
BW-12	Biggert-Waters Flood Insurance Reform Act of 2012
CBRS	Coastal Barrier Resources System
CCO	Consultation Coordination Officer
CDS	Customer and Data Services
CEO	Chief Executive Officer
CFR	Code of Federal Regulations
CID	Community Identifier
CIS	Community Information System
CLOMA	Conditional Letter of Map Amendment
CLOMR	Conditional Letter of Map Revision
CLOMR-F	Conditional Letter of Map Revision based on Fill
CNMS	Coordinated Needs Management Strategy
CRS	Community Rating System
CSLF	Changes Since Last FIRM
CTP	Cooperating Technical Partner
CVA	Consolidated Vertical Accuracy
DBF	Database File
DEM	Digital Elevation Model
DFIRM	Digital Flood Insurance Rate Map
DVT	Database Verification Tool
ESRI	Environmental Systems Research Institute



Acronym	Definition
ETJ	Extraterritorial Jurisdiction
FBFM	Flood Boundary and Floodway Map
FBS	Floodplain Boundary Standard
FDT	Floodway Data Table
FEDD	Flood Elevation Determination Docket
FEMA	Federal Emergency Management Agency
FHBM	Flood Hazard Boundary Map
FHD	Flood Hazard Determination
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FRD	Flood Risk Database
FRM	Flood Risk Map
FRR	Flood Risk Report
FVA	Fundamental Vertical Accuracy
FWS	U.S. Fish & Wildlife Service
GCS	Geographic Coordinate System
GIS	Geographic Information System
H&H	Hydrologic & Hydraulic
HFIAA	Homeowner Flood Insurance Affordability Act of 2014
HQ	Headquarters
HUC	Hydrologic Unit Code
KDP	Key Decision Point
LFD	Letter of Final Determination
LIDAR	Light Detection and Ranging or Laser Imaging Detection and Ranging
LiMWA	Limit of Moderate Wave Action
LLPT	Local Levee Partnership Team



Acronym	Definition
LODR	Letter of Determination Review
LOMA	Letter of Map Amendment
LOMC	Letter of Map Change
LOMR	Letter of Map Revision
LOMR-F	Letter of Map Revision based on Fill
MAF/TIGER	Master Address File/Topologically Integrated Geographic Encoding and Referencing
MIP	Mapping Information Platform
MSC	Map Service Center
MXD	ArcMap Document (file extension)
NAD83	North American Datum 1983
NAVD88	North American Vertical Datum 1988
NFHL	National Flood Hazard Layer
NFIP	National Flood Insurance Program
NGO	Non-Governmental Organization
NPS	Nominal Pulse Spacing
NSRS	National Spatial Reference System
NSSDA	National Standard for Spatial Data Accuracy
NTU	Notice-to-User
NVA	Non-vegetated Vertical Accuracy
NVUE	New, Validated, or Updated Engineering
OFA	Other Federal Agency
OPA	Otherwise Protected Areas
PAL	Provisionally Accredited Levee
PDF	Portable Document Format
PFD	Primary Frontal Dune
PLSS	Public Land Survey System



Acronym	Definition
PMR	Physical Map Revision
QA	Quality Assurance
QA/QC	Quality Assurance / Quality Control
QR	Quality Review
RFHL	Regional Flood Hazard Layer
RPO	Regional Project Officer
SFHA	Special Flood Hazard Area
SHMO	State Hazard Mitigation Officer
SHP	Shapefile (file extension)
SOMA	Summary of Map Actions
SRP	Scientific Resolution Panel
SVA	Supplemental Vertical Accuracy
TIN	Triangulated Irregular Network
TSDN	Technical Support Data Notebook
TWL	Total Water Level
USGS	United States Geological Survey
UTM	Universal Transverse Mercator
VVA	Vegetated Vertical Accuracy
WSEL	Water Surface Elevation
XML	Extensible Markup Language (file extension)
XS	Cross Section



Appendix B Standards for Flood Risk Analysis and Mapping

SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
1	4/1/2003	Existing standard. Already implemented.	Project Initiation	Program Standard	All Flood Risk Projects and LOMCs must be tracked in the MIP.
2	4/1/2003	Existing standard. Already implemented.	Project Initiation	Working Standard	A Project Management Team shall be formed as soon as a Flood Risk Project is initiated, and this team shall manage the project for its entire lifecycle.
3	4/1/2003	Existing standard. Already implemented.	Project Initiation	Program Standard	When a community is initially considered for a Flood Risk Project involving a new or revised flood hazard analysis, FEMA must establish and maintain a community case file per 44 CFR 66.3.
4	10/1/2009	Existing standard. Already implemented.	Project Initiation	Program Standard	All newly initiated Flood Risk Projects must be watershed-based, with the exception of coastal and small-scale Flood Risk Projects related to levee accreditation status.
5	11/30/2019	Existing standard. Already implemented.	Project Planning	Program Standard	No flooding source will receive a lower level of regulatory flood map product than what currently exists on effective maps.
6	11/30/2015	Existing standard. Already implemented.	CNMS	Working Standard	Both flood hazard validation and needs assessment processes must follow the CNMS Technical Reference and the results must be stored within the national CNMS database.
7	6/17/2011	Existing standard. Already implemented.	CNMS	Working Standard	Community-specific requests to update the FIRM outside of the NVUE validation process and LOMR process must be documented in the CNMS database as mapping requests for the FEMA Regional office review and consideration.
8	6/17/2011	Existing standard. Already implemented.	CNMS	Working Standard	The CNMS database shall be updated for engineering reference information, validation status, and map issues throughout all pertinent phases of the Flood Risk Project.
9	6/17/2011	Existing standard. Already implemented.	CNMS	Program Standard	The CNMS database shall be the sole authority for reporting flood map update needs.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
10	6/17/2011	Existing standard. Already implemented.	CNMS	Working Standard	For a studied flooding source to go from 'UNVERIFIED' to "VALID" status within the CNMS database, the flooding source must be re-analyzed.
11	6/17/2011	Existing standard. Already implemented.	CNMS	Working Standard	When the last assessment date of the Modernized or Paper Inventory exceeds five years, the Validation Status shall be changed by FEMA Headquarters (HQ) or its designee to 'Unknown' and shall require reassessment.
12	6/17/2011	Existing standard. Already implemented.	Project Planning	Program Standard	Each fiscal year, the regions shall have a plan to evaluate all CNMS flooding sources within a 5-year period.
13	6/17/2011	Existing standard. Already implemented.	CNMS	Working Standard	NVUE status must be reported by each FEMA Region to FEMA HQ at least quarterly.
14	6/17/2011	Existing standard. Already implemented.	Project Planning	Working Standard	Regional decisions to prioritize, assess, and perform engineering analyses along various flooding sources must be supported by the data contained in CNMS.
15	4/1/2003	Existing standard. Already implemented.	Coordination	Working Standard	FEMA shall provide technical and programmatic assistance and prepare responses to inquiries received from Mapping Partners, NFIP constituents and other interested project stakeholders.
16	6/11/2011	Existing standard. Already implemented.	Project Planning	Program Standard	Each flooding source must be evaluated in CNMS at least once within a 5-year period.
17	11/30/2019	Effective immediately.	Project Planning	Working Standard	Discovery is a mandatory element of all Flood Risk Projects. All watershed-based Discovery must be initiated at a geographic footprint that encompasses the hydrologic characteristics of the area of interest. At the start of discovery, the delivery may be scaled to engage the appropriate level of project stakeholders based on community need and risk.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
18	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	All communities and tribes must be given an opportunity to review and make corrections to any data and information collected during Discovery prior to distribution of final Discovery products.
19	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	Flood Risk Project stakeholders must be contacted prior to the Discovery Meeting.
20	11/30/2019	Effective Immediately.	Stakeholder Engagement	Working Standard	Discovery must engage all communities and the appropriate level of project stakeholders identified within the project area and must engage practitioners across relevant disciplines.
21	7/1/2011	Existing standard. Already implemented.	Discovery	Working Standard	The types of data and information obtained during Discovery must demonstrate a holistic picture of flooding issues, flood risk, and flood mitigation priorities, opportunities, efforts and capabilities.
22	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Project Planning	Program Standard	Decisions to perform additional analyses, data development activities, and/or community engagement within the Flood Risk Project area must be supported by the outcomes from Discovery. These decisions shall be communicated to project stakeholders prior to executing those activities.
23	11/30/2019	Effective Immediately.	Discovery	Working Standard	Discovery-related data that incorporates appropriate background research must be provided to the communities and tribes prior to the Discovery Meeting and presented at the Discovery Meeting to facilitate discussions.
24	11/30/2019	Effective Immediately.	Discovery	Working Standard	A Discovery Report and associated data will be provided to the communities and tribes after the Discovery Meeting.
26	11/30/2019	Effective Immediately.	Discovery	Working Standard	A Discovery Report must include a section listing the data and information collected, when they were received, data sources, and an analysis of the data and information. It must also include the outcomes and decisions made at the Discovery Meeting.
27	7/1/2011	Existing standard. Already implemented.	Discovery	Program Standard	A Discovery Meeting with project stakeholders is a required activity of Discovery.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
29	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Discovery	Program Standard	During Discovery, data must be identified that illustrates potential changes in flood elevation and mapping that may result from the proposed project scope. If available data does not clearly illustrate the likely changes, an analysis is required that estimates the likely changes. This data and any associated analyses must be shared and results must be discussed with stakeholders.
30	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	The Flood Risk Project scope of work must be developed in coordination with project stakeholders. The purchased Flood Risk Project scope of work must be shared with project stakeholders.
31	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	Discovery must include a discussion with stakeholders regarding risk identification, mitigation capabilities and actions, planning, and risk communication.
33	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	For coastal Flood Risk Projects that will begin with a storm surge analysis, stakeholder coordination must occur by the end of the storm surge study effort and continue throughout the remainder of the coastal Flood Risk Project.
34	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	When storm surge analyses are included in a Flood Risk Project, Discovery efforts must include a discussion of how storm surge estimates have changed since the effective Flood Risk Project.
35	7/1/2011	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	The FEMA Regional Office must be consulted as to how tribal nations should be included in the overall Discovery efforts.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
36	4/11/2019	Effective immediately.	CNMS	Program Standard	A Coordinated Needs Management Strategy (CNMS) database that is compliant with Key Decision Point (KDP) questionnaires and the CNMS Technical Reference must be updated and submitted at the completion of Discovery, at Project Initiation, at Preliminary Issuance, at Revised Preliminary Issuance (if applicable), and at Letter of Final Determination Issuance (LFD). The CNMS database should also be updated during post-effective phases: at Letter of Map Revision (LOMR) effective date (if applicable), and for the 5-Year validation assessment.
40	11/30/2015	All FY16 task orders that include new lidar collection.	Elevation Data	Program Standard	New elevation data purchased by FEMA must comply with the current USGS National Geospatial Program Base Lidar Specification Version 1.2, except hydroflattening is not required and a classified point cloud and a bare earth DEM deliverable are not required.
41	4/1/2003	Existing standard. Already implemented.	Elevation Data	Working Standard	For areas within the continental United States field surveys and aerial data acquisition must be referenced to the North American Vertical Datum of 1988 (NAVD88) and the North American Datum 1983 (NAD83) and connected to the NSRS.
42	4/1/2003	Existing standard. Already implemented.	Elevation Data	Working Standard	All ground and structure surveys must be certified by a registered professional engineer or a licensed land surveyor.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard																																								
43	5/31/2016	Implemented for all projects that have not yet begun data development.	Elevation Data	Working Standard	All updated flood hazard data shown on the Flood Insurance Rate Map (FIRM), in the FIRM Database and Flood Insurance Study (FIS) must be based on the most accurate existing topographic data available to FEMA before the start of data development and the data must have documentation that it meets the following vertical accuracy requirements:																																								
					Vertical Accuracy Requirements based on Flood Risk and Terrain Slope within the Floodplain being Mapped																																								
					<table><tr><th>Level of Flood Risk</th><th>Typical Slopes</th><th>Specification Level</th><th>Vertical Accuracy: 95% Confidence Level (FVA or NVA) / (CVA or VVA)</th><th>LIDAR Nominal Pulse Spacing (NPS)</th></tr><tr><td>High (Deciles 1,2,3)</td><td>Flattest</td><td>Highest</td><td>24.5 cm / 36.3 cm</td><td>≤ 2 meters</td></tr><tr><td>High (Deciles 1,2,3)</td><td>Rolling or Hilly</td><td>High</td><td>49.0 cm / 72.6 cm</td><td>≤ 2 meters</td></tr><tr><td>High (Deciles 2,3,4,5)</td><td>Hilly</td><td>Medium</td><td>98.0 cm / 145 cm</td><td>≤ 3.5 meters</td></tr><tr><td>Medium (Deciles 3,4,5,6,7)</td><td>Flattest</td><td>High</td><td>49.0 cm / 72.6 cm</td><td>≤ 2 meters</td></tr><tr><td>Medium (Deciles 3,4,5,6,7)</td><td>Rolling</td><td>Medium</td><td>98.0 cm / 145 cm</td><td>≤ 3.5 meters</td></tr><tr><td>Medium (Deciles 3,4,5,6,7)</td><td>Hilly</td><td>Low</td><td>147 cm / 218 cm</td><td>≤ 5 meters</td></tr><tr><td>Low (Deciles 7,8,9,10)</td><td>All</td><td>Low</td><td>147 cm / 218 cm</td><td>≤ 5 meters</td></tr></table>	Level of Flood Risk	Typical Slopes	Specification Level	Vertical Accuracy: 95% Confidence Level (FVA or NVA) / (CVA or VVA)	LIDAR Nominal Pulse Spacing (NPS)	High (Deciles 1,2,3)	Flattest	Highest	24.5 cm / 36.3 cm	≤ 2 meters	High (Deciles 1,2,3)	Rolling or Hilly	High	49.0 cm / 72.6 cm	≤ 2 meters	High (Deciles 2,3,4,5)	Hilly	Medium	98.0 cm / 145 cm	≤ 3.5 meters	Medium (Deciles 3,4,5,6,7)	Flattest	High	49.0 cm / 72.6 cm	≤ 2 meters	Medium (Deciles 3,4,5,6,7)	Rolling	Medium	98.0 cm / 145 cm	≤ 3.5 meters	Medium (Deciles 3,4,5,6,7)	Hilly	Low	147 cm / 218 cm	≤ 5 meters	Low (Deciles 7,8,9,10)	All	Low	147 cm / 218 cm	≤ 5 meters
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If data is not available that meets these requirements, new elevation data must be obtained.																																													
44	1/1/2013	Existing standard. Already implemented.	Elevation Data	Working Standard	FEMA requires all elevation data to be processed to the bare earth terrain in the vicinity of floodplains that will require hydraulic modeling.																																								
45	9/27/2010	Existing standard. Already implemented.	Elevation Data	Working Standard	FEMA does not require the elevation data to be hydro-flattened, as specified in USGS Lidar Specification.																																								



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
46	11/30/2015	All FY16 task orders that include new lidar collection.	Elevation Data	Working Standard	When a classified point cloud and a Digital Elevation Model (DEM) deliverable are included in a new elevation data collection, checkpoints for Vegetated Vertical Accuracy (VVA) must fall within the DEM footprint.
49	1/1/2013	Existing standard. Already implemented.	Elevation Data	Working Standard	All FEMA-funded aerial mapping must be certified by a licensed professional or certified photogrammetrist.
54	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	H&H Analyses	Working Standard	Where flood elevations are produced from a hydraulic model, they can be published as BFEs unless the responsible engineer documents why they should not be issued.
56	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Alluvial Fan	Program Standard	Written approval from the FEMA Regional Risk Analysis Branch Chief regarding the alluvial fan methodology must be obtained before the commencement of full analysis. To inform this decision, sufficient field data and analysis and records of community engagement relative to the scope and methodology must be provided.
57	5/31/2016	Existing standard. Already implemented.	Engineering	Program Standard	The regulatory products and non-regulatory flood risk products must be based on H&H or coastal analyses using existing ground conditions in the watershed and floodplain. The multiple profile and floodway runs must have the same physical characteristics in common for existing ground conditions. However, a community may choose to include flood hazard information that is based on future conditions on a FIRM (shown as shaded Zone X); in an FIS Report; or non-regulatory flood risk products in addition to the existing-conditions.
59	11/1/2009	Existing standard. Already implemented.	H&H Analyses	Working Standard	Hydrologic and hydraulic analyses must be calibrated using data from well-documented flood events, if available.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
61	11/1/2009	Existing standard. Already implemented.	Engineering	Program Standard	Engineering analyses must be documented and easily reproducible and must include study methods, reasoning for method selection, input data and parameters, sources of data results, and justifications for major changes in computed flood hazard parameters.
62	4/11/2019	Effective immediately.	H&H Analyses	Program Standard	New or updated flood hazard data used for the regulatory products must be supported by modeling and/or sound engineering judgment. All regulatory products must be in agreement.
65	11/1/2009	Existing standard. Already implemented.	BFEs	Working Standard	BFEs must agree with those of other contiguous studies of the same flooding source within 0.5 foot, unless it is demonstrated that it would not be appropriate. Please see 44 C.F.R. § 65.6(a)(2).
66	11/1/2009	Existing standard. Already implemented.	Flood Profiles	Working Standard	Each modeled split or diverted flow path must be plotted with individual Flood Profiles.
69	11/1/2009	Existing standard. Already implemented.	Floodway	Program Standard	Floodway surcharge values must be between zero and 1.0 ft. If the state (or other jurisdiction) has established more stringent regulations, these regulations take precedence over the NFIP regulatory standard. Further reduction of maximum allowable surcharge limits can be used if required or requested and approved by the communities impacted.
70	11/1/2009	Existing standard. Already implemented.	Floodway	Working Standard	If a stream forms the boundary between two or more states and/or tribes, either the 1.0-foot maximum allowable rise criterion or existing floodway agreements between the parties shall be used.
71	11/30/2019	For all projects where the engineering work has not yet begun.	Floodway	Working Standard	New or revised floodway data must match any effective floodways at the limits of the Flood Risk Project.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
73	11/30/2019	For all projects where the engineering work has not yet begun.	Floodway	Working Standard	An equal conveyance reduction method must be used to establish the minimal regulatory floodway, except where an initial equal conveyance floodway is adjusted in coordination with FEMA and the impacted communities.
74	4/11/2019	Effective immediately.	H&H Analyses	Program Standard	The hydrologic, hydraulic, and coastal analyses and the published regulatory products must be certified by a registered professional engineer.
75	11/1/2009	Existing standard. Already implemented.	FIS Tables	Working Standard	For each stream with cross sections where a floodway was determined under the scope of work, a Floodway Data Table compliant with the FIS Report Technical Reference must be prepared as part of the hydraulic analysis. The Floodway Data Table must contain an entry for each lettered, mapped cross section that includes the following information: • Cross-section identification shown in a georeferenced spatial file; • Stream or profile baseline station of the cross section; • Width of the floodway at the cross section; • Wetted area of the cross section under encroached conditions; • Average velocity of the floodwaters at the cross section under encroached conditions; • The greater of BFEs from all flooding sources, including from backwater, affecting the cross section (regulatory elevation); • The BFE from the existing conditions model (without-floodway elevation); • The BFE from the encroached existing conditions model (with-floodway elevation); and • Difference between with- and without-floodway elevations (surcharge).
76	11/1/2009	Existing standard. Already implemented.	H&H Analyses	Working Standard	If previously-modeled storage areas are removed or filled, the models must be updated to reflect the loss in storage.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
77	11/30/2019	For all projects where the engineering work has not yet begun.	Floodway	Working Standard	Unless the coincident peak situation is assumed, floodway computations for tributaries must be developed without consideration of backwater from confluences.
78	11/1/2009	Existing standard. Already implemented.	Flood Profiles	Working Standard	The water-surface profiles of different flood frequencies must not cross one another.
79	11/1/2009	Existing standard. Already implemented.	Flood Profiles	Working Standard	Water-surface elevations shown on the Flood Profiles shall not rise from an upstream to downstream direction.
80	11/1/2009	Existing standard. Already implemented.	Profile Baseline	Working Standard	If a flow path other than the stream centerline is more representative of the direction of flow, the case must be documented and the flow path shown and labeled on the FIRM as the "Profile Baseline". Flow distances in one-dimensional models must be referenced to the profile baseline.
82	9/28/2010	Existing standard. Already implemented.	Project Management	Program Standard	Final invoices shall not be paid until a TSDN is submitted, and certification is provided that contract or grant requirements are met.
83	9/28/2010	Existing standard. Already implemented.	Project Planning	Program Standard	The FEMA Regional staff initiating a Flood Risk Project shall first engage all stakeholders in order to fully understand the impacted communities, leverage other FEMA activities in the area, and thereby avoid duplication of benefits through funding to CTPs.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
84	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	H&H Analyses	Program Standard	All riverine engineering Flood Risk Projects shall consist of a hydraulic model with multiple frequencies: 0.2-percent, 1-percent, 2-percent, 4-percent, and 10-percent-annual-chance exceedance events. In addition, the “1-percent plus” flood elevation shall be modeled for all riverine analyses. The 1-percent plus flood elevation is defined as a flood elevation derived by using discharges that include the average predictive error for the regression equation discharge calculation for the Flood Risk Project. This error is then added to the 1-percent annual chance discharge to calculate the new 1-percent plus discharge. The upper 84-percent confidence limit is calculated for Gage and rainfall-runoff models for the 1-percent annual chance event. The “1-percent plus” flood elevation must be shown on the Flood Profile in the FIS Report to best understand and communicate the uncertainty of the flood elevation. The mapping of the “1-percent plus” floodplain is optional and will only be produced when it is determined to be appropriate.
85	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Project Planning	Working Standard	Deviations from standards must be approved by FEMA, tracked for exception reporting, and documented.
86	2/1/2007	Existing standard. Already implemented.	Coastal - Analysis	Working Standard	For coastal Flood Risk Projects, wave runup analyses shall compute the wave runup elevation as the value exceeded by 2-percent of the runup events.
87	5/1/2012	Existing standard. Already implemented.	Coastal - Data	Working Standard	For coastal Flood Risk Projects, intermediate data submissions to FEMA are required at key milestones during the coastal analysis process.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
88	5/1/2012	Existing standard. Already implemented.	Coastal - Analysis	Working Standard	All coastal processes and flooding sources that contribute to the 1-percent-annual-chance flood condition both at a regional and local scale must be considered.
89	2/1/2007	Existing standard. Already implemented.	Coastal - Analysis	Working Standard	For coastal Flood Risk Projects, non-levee coastal structures must be evaluated and the profile adjusted as necessary to reflect expected storm impacts on the structure for the purpose of establishing appropriate risk zone determinations for NFIP maps.
90	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Engineering	Program Standard	Methods and models used to evaluate the flood hazard must be technically reliable, must be appropriate for flood conditions and produce reasonable results. All computer models must adhere to 44 C.F.R. § 65.6 (a)(6).
91	2/28/2018	Effective immediately	Coastal - Mapping	Program Standard	For coastal Flood Risk Projects, VE Zones are identified using one or more of the following criteria for the 1-percent flood conditions: 1. The breaking wave height zone occurs where 3-foot or greater wave heights could occur (this is the area where the wave crest profile is 2.1 feet or more above the static water elevation) (REQUIRED) 2. The primary frontal dune zone, as defined in 44 C.F.R. § 59.1 of the NFIP regulations (REQUIRED) 3. The wave runup zone occurs where the (eroded) ground profile is 3.0 feet or more below the Total Water Level, and 3.0 feet of wave runup height occurs in the analysis along the profile (REQUIRED) 4. The wave overtopping splash zone is the area landward of the crest of an overtopped barrier, in cases where the potential wave runup exceeds the barrier crest elevation by 3.0 feet or more and exceeds 1.0 cfs/ft (REQUIRED) 5. The high-velocity flow zone is landward of the overtopping splash zone (or area on a sloping beach or other shore type), where the product of depth of flow times the flood velocity squared is greater than or equal to 200 ft³/sec² (OPTIONAL)



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
92	5/1/2012	Existing standard. Already implemented.	Coastal	Working Standard	For coastal Flood Risk Projects, regional surge and wave model performance shall be successfully validated for the Flood Risk Project area.
93	11/1/2004	Existing standard. Already implemented.	Engineering	Program Standard	Flood Risk Projects shall use the best available, quality-assured data that meets the needs of the study methodology.
96	5/1/2012	Existing standard. Already implemented.	Coastal	Working Standard	Coastal analyses shall not account for future impacts due to long term erosion. Episodic, storm-induced erosion must be included in the flood hazard analysis.
99	4/1/2003	Existing standard. Already implemented.	Shallow Flooding	Working Standard	Areas of shallow flooding shall not have modeled/computed floodways due to the inherent uncertainties associated with their flow patterns. However, communities can choose to have administrative floodways for such areas.
100	4/1/2003	Existing standard. Already implemented.	Shallow Flooding	Working Standard	Ponding areas with depths between 1 and 3 feet shall be designated and delineated as Zone AH.
101	4/1/2003	Existing standard. Already implemented.	Shallow Flooding	Working Standard	Sheet runoff areas shall be delineated as Zone AO with average flooding depths above the ground surface, rounded to the nearest whole foot, indicated on the work map or digital GIS data.
103	4/1/2003	Existing standard. Already implemented.	PMR	Working Standard	For areas where new regulatory maps are being issued, flood hazard information on the effective NFIP map (i.e., FIRM, FBFM, FHBM) that is not being updated through a separate flood hazard analysis or floodplain boundary redelineation shall be "carried over" to the new or updated FIRM.
104	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Redelineation	Working Standard	Redelineation shall only be used when the terrain source data is better than effective and the stream reach is classified as VALID in the CNMS database.
105	4/11/2019	Effective immediately.	BFES	Working Standard	BFES in all areas of the United States must be expressed in feet, except in Puerto Rico, where they may be expressed in meters.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
106	11/30/2014	Implemented for all projects beginning data development after effective date.	BFEs	Working Standard	BFEs for ponding and lacustrine areas must be expressed to the 10th of a foot if they have been calculated to that level of precision; otherwise they should be shown as whole-foot rounded elevations. Unrevised lake and ponding elevations may be converted to 10th foot elevations if supported by technical data on a project-by project basis in coordination with the FEMA Project Officer. BFEs for coastal flood zones must be shown as whole foot elevations.
107	4/11/2019	Effective immediately.	BFEs	Working Standard	BFEs must be shown within 1-percent-annual-chance floodplains; the exception shall be for Zone A, Zone V, Zone AO, and Zone A99.
108	4/1/2003	Existing standard. Already implemented.	Floodway	Working Standard	Regulatory floodways must be mapped within the 1-percent-annual-chance floodplain and must meet the minimum standards outlined in Paragraph 60.3(d)(3) of the NFIP regulations.
109	4/1/2003	Existing standard. Already implemented.	Floodplain Boundaries	Working Standard	Stream channel boundaries or centerlines must be shown within the identified 1-percent-annual-chance floodplain; if a regulatory floodway is developed, the stream must be shown within the regulatory floodway boundaries.
110	4/1/2003	Existing standard. Already implemented.	Project Planning	Program Standard	Flooding sources with contributing drainage area less than 1-square mile and/or with an average flood depth of less than one foot shall not be included in the Flood Risk Project scope of work, unless they have been analyzed on the effective FIRM or a justified need is identified during Discovery.
111	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Project Planning	Program Standard	At the conclusion of a flood risk project, all SFHA designations—existing, revised, and new—in the project area must be supported by documentation or agreed to by the community.
112	1/10/2010	Existing standard. Already implemented.	FBS	Working Standard	For all Flood Risk Projects contracted in 2006 and beyond, all floodplain boundaries for new or revised flooding sources within the PMR footprint shall pass the Floodplain Boundary Standard.



FEMA

SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
113	11/30/2019	Existing standard. Already implemented.	FBS	Working Standard	The flood risk class must be determined for each flooding source to identify what Floodplain Boundary Standard flood risk class must be met and what level of analysis is required.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
114	1/10/2010	Existing standard. Already implemented.	FBS	Working Standard	A horizontal tolerance of +/- 38 feet will be used to determine the compliance with the vertical tolerances defined for each risk class. This horizontal tolerance will address varying floodplain delineation techniques (automated versus non-automated) and map scale limitations.
115	1/10/2010	Existing standard. Already implemented.	FBS	Working Standard	For the FBS audit, the terrain data source that was used to create the flood hazard boundary must be used to conduct the audit.
118	3/1/2006	Existing standard. Already implemented.	Vertical Datum	Program Standard	For areas within the continental United States, all new flood maps and updates must be referenced to NAVD88.
119	4/1/2003	Existing standard. Already implemented.	Vertical Datum	Working Standard	If the final average countywide or flooding source-based datum conversion value is less than +/- 0.1-foot, the datum conversion shall be considered to be executed and the flood elevations for those flooding sources on the FIRM, Flood Profiles, and in the FIS Report tables shall not be adjusted.
120	4/1/2003	Existing standard. Already implemented.	Vertical Datum	Working Standard	The published flood elevations for all flooding sources within a community must be referenced to a single vertical datum.
121	4/1/2003	Existing standard. Already implemented.	Vertical Datum	Working Standard	The vertical datum conversion factors shall be applied to flood elevations reported on the FIRM, Flood Profiles shown in the FIS Report, and all data tables in the FIS Report that report flood elevations. All unrevised hydraulic models and supporting backup information shall also be clearly labeled in the Technical Support Data Notebook (TSDN) to indicate that the FIRM and FIS Report reflect a datum conversion, and document the process used to determine the applied conversion factor.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
122	7/31/2013	Implemented for all projects beginning data development in FY13.	Vertical Datum	Working Standard	Either a single countywide vertical datum conversion factor or an average flooding source-based conversion factor must be used for a grouping of flooding sources, for individual flooding sources, or for flooding source segments.
123	1/1/2013	Existing standard. Already implemented.	Vertical Datum	Working Standard	A single countywide vertical datum conversion factor shall be applied when the maximum offset from the average conversion factor does not exceed 0.25-foot.
124	7/31/2013	Implemented for all projects beginning data development in FY13.	Vertical Datum	Working Standard	When calculating a single countywide vertical datum conversion, USGS topographic quadrangle corners falling within the land area of the county must be used to calculate the vertical datum conversion factor.
125	7/31/2013	Implemented for all projects beginning data development in FY13.	Vertical Datum	Working Standard	When a single countywide conversion is not possible, an average vertical datum conversion factor shall be calculated using a flooding source-based method for a grouping of flooding sources, an individual flooding source, or segments of a flooding source. When a flooding source-based conversion is executed, three evenly distributed points along each flooding source (or segment of a flooding source) shall be selected to be included the datum conversion calculation. The maximum offset from the average conversion factor determined for the flooding source, grouping of flooding sources or flooding source segment may not exceed 0.25-foot.
126	1/1/2013	Existing standard. Already implemented.	Vertical Datum	Working Standard	All flood elevations must be tied in when performing datum conversions.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
127	1/1/2013	Existing standard. Already implemented.	FIS Tables	Working Standard	The datum conversion factors (countywide or stream-based) must be clearly documented in the FIS Report tables.
128	11/1/2009	Existing standard. Already implemented.	2D Models	Working Standard	For floodplains mapped from 2-D models, separate Flood Profiles for significant flow paths must be created.
131	11/1/2009	Existing standard. Already implemented.	2D Models	Working Standard	All non-conveyance areas considered in the model must be mapped.
132	11/1/2009	Existing standard. Already implemented.	Floodway	Working Standard	The regulatory floodway must be terminated at the boundary of the VE or V Zone, or where the mean high tide exceeds the 1-percent-annual-chance riverine flood elevation, whichever occurs further upstream.
133	11/1/2009	Existing standard. Already implemented.	Floodplain Boundaries	Program Standard	Floodplain boundaries of the 1-percent-annual-chance flood must be delineated. If it is calculated, the 0.2-percent-annual-chance flood must be delineated.
134	6/17/2011	Existing standard. Already implemented.	Redelineation	Working Standard	If the re-delineation topographic data indicates that the effective hydraulic analyses are no longer valid, further actions must be coordinated with the FEMA Project Officer and the CNMS database must be updated.
136	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	National Flood Hazard Layer (NFHL)	Program Standard	RFHL to NFHL submissions must pass NFHL QC checks at submission and study data must be submitted before the study effective date.
137	4/11/2019	Effective immediately.	Coastal - Mapping	Working Standard	Redelineation of coastal flood hazard areas requires the revision of the 1-percent-annual-chance SFHA boundary, the 0.2-percent-annual-chance floodplain boundary, and the primary frontal dune delineation.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
138	4/11/2019	Effective immediately.	Coastal - Mapping	Working Standard	Coastal Flood Risk Projects shall produce, at a minimum, a 1-percent-annual-chance and 0.2-percent-annual-chance floodplain and 1-percent-annual-chance base flood elevations that include the contribution of wave effects (including wave setup, wave runup, wave overtopping, and overland wave propagation).
139	11/30/2015	Effective Immediately.	Coastal - General	Program Standard	For coastal Flood Risk Projects, where topographic data reflects a temporary disturbance due to recent beach nourishment and/or dune construction projects, and beach berm or dune geometry are not representative of anticipated natural conditions nor have long-standing vegetative cover per 44 C.F.R. § 65.11, the data shall be adjusted to be representative of anticipated natural conditions prior to conducting the storm-induced erosion and onshore wave hazard analyses.
140	4/1/2003	Existing standard. Already implemented.	Shallow Flooding	Working Standard	Shallow flooding areas shall not contain non-SFHA islands based on small scale topographic variations.
141	4/1/2003	Existing standard. Already implemented.	Ice Jam	Working Standard	In regions of the United States where ice jams are typical, the project shall include investigation of historical floods for evidence of ice-jam contribution and coordination of the methodology with the impacted communities and State as part of the Discovery process.
142	4/1/2003	Existing standard. Already implemented.	Ice Jam	Working Standard	Where ice jams occur, backwater effects must be taken into account.
143	4/1/2003	Existing standard. Already implemented.	Ice Jam	Working Standard	The appropriate methodology for the floodway designation in areas mapped with an ice-jam analysis shall be determined in coordination with the community.
145	1/1/2013	Existing standard. Already implemented.	FIS Report	Working Standard	A transect location map must be provided in the FIS Report narrative if transects are not shown on the FIRM.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
146	2/17/2000	Existing standard. Already implemented.	Coordination	Working Standard	FEMA must be notified of any potential floodplain management violations identified through the submittal of new or revised flood hazard data. Pending mapping changes affected by the potential violation will be suspended until the issue is resolved.
147	4/1/2003	Existing standard. Already implemented.	Base Map	Working Standard	The minimum resolution requirement for raster data files (ortho-imagery) is 1-meter ground distance.
148	4/1/2003	Existing standard. Already implemented.	Base Map	Working Standard	The minimum horizontal positional accuracy for new FIRM base map hydrographic and transportation features is the NSSDA radial accuracy of 38 feet.
149	4/1/2003	Existing standard. Already implemented.	Base Map	Working Standard	The base map used for the FIRM must clearly show sufficient current ground features to enable clear interpretation of the flood hazard data displayed on the base map.
150	4/1/2003	Existing standard. Already implemented.	Map Format and Layout	Working Standard	The FIRM paneling scheme shall follow that used by the USGS for the 7.5-minute-series quadrangle, or subdivisions thereof.
151	4/1/2003	Existing standard. Already implemented.	Map Format and Layout	Working Standard	All digital FIRMs must be oriented so that grid north points to the top of the map sheet.
152	8/23/2005	Existing standard. Already implemented.	GDC	Program Standard	Geospatial data for use in Flood Risk Projects must be coordinated, collected, documented and reported with standardized, complete and current information in compliance with federal geospatial data reporting standards.
153	1/1/2013	Existing standard. Already implemented.	GDC	Working Standard	Details of cost, leverage, and project scope must be reported to FEMA's geospatial data tracking systems.
154	8/23/2005	Existing standard. Already implemented.	GDC	Program Standard	All unnecessary duplication of federal, state or local mapping efforts must be avoided.



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155	1/1/2011	Existing standard. Already implemented.	GDC	Working Standard	State Geospatial Data Coordination Procedures and Points of Contact must be reported to FEMA as new sources of federal or state data are identified.
157	1/1/2011	Existing standard. Already implemented.	Project Planning	Program Standard	FEMA will not provide funding for new base map data collection as part of a specific Flood Risk Project.
158	8/23/2005	Existing standard. Already implemented.	Elevation Data	Program Standard	Elevation data created using FEMA funding must allow unlimited free distribution by FEMA and partners.
161	1/1/2013	Existing standard. Already implemented.	Data Capture	Program Standard	All deliverables and supporting data must be uploaded to the MIP as each workflow step is completed for each project task. If any of these data are modified subsequently, the revised data must be uploaded to the MIP before the effective date of the FIRMs or the completion of the project, if no regulatory products are produced.
163	4/1/2003	Existing standard. Already implemented.	Prelim Distribution	Working Standard	The Preliminary digital FIRM Database shall be distributed for review with the Preliminary FIRM and FIS Report.
164	4/1/2003	Existing standard. Already implemented.	Prelim Distribution	Program Standard	The FEMA Regional office must approve distribution of preliminary and revised preliminary products.
165	4/1/2003	Existing standard. Already implemented.	Prelim Distribution	Program Standard	Preliminary/Revised Preliminary copies of the FIRM, FIS Report, SOMAs (if modified during Revised Preliminary), and letters shall be distributed to the community CEO and floodplain administrator; State NFIP Coordinator; and other identified stakeholders as appropriate.
166	4/1/2003	Existing standard. Already implemented.	Prelim Distribution	Working Standard	Following issuance of the preliminary copies of the FIRM and FIS Report, FEMA shall provide a period (usually 30 days) for community officials, community residents, and other interested parties / stakeholders to review the preliminary copies of the FIRM and FIS Report.



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168	4/11/2019	Effective immediately.	SOMA	Program Standard	If the community is located on revised FIRM panels, all valid LOMCs for this community shall be reviewed and categorized in the MIP SOMA Workbench. The Preliminary and Final SOMA is distributed to the community for review and comment if there are LOMCs that fall on revised FIRM panels. The MIP SOMA Workbench is updated and the SOMA and/or Revalidation Letter output is reviewed in advance of the following distributions: • Preliminary Issuance, • Revised Preliminary Issuance, • Letter of Final Determination, and • Revalidation Letter.
169	11/30/2016	Effective immediately.	LOMR Incorporation	Program Standard	All valid LOMRs that are effective during post-preliminary for a study or PMR prior to the LOMC cutoff date (which is 60 days before the project's LFD date) must be incorporated into the new FIS Report, FIRM, and FIRM Database. LOMRs that are issued after this time must be re-issued after the revised FIRM date, if they are still valid.
172	10/1/2011	Existing standard. Already implemented.	Prelim Distribution	Working Standard	All Preliminary Title Blocks shall be stamped "Preliminary" or "Revised Preliminary" as appropriate.
173	10/1/2011	Existing standard. Already implemented.	Prelim Distribution	Working Standard	No effective date or map revised date shall be shown on the preliminary or revised preliminary title blocks.
174	7/31/2013	For all ongoing and newly initiated projects.	Data Capture	Program Standard	Certification of completeness of all submitted data for FEMA-funded Flood Risk Projects must be provided when work on a project is complete. (via the certification forms provided in www.fema.gov/library/viewRecord.do?id=7577)
175	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	The preliminary FIS Report must be submitted with the other required submittals at the completion of the Floodplain Mapping task.



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176	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	All spatial data must be georeferenced, have a standard coordinate system and projection defined and documented, and specify the horizontal and vertical datums used.
178	2/28/2018	Effective immediately.	Data Capture	Working Standard	For each data development task prior to the Draft FIRM Database Capture MIP task, the data for flooding sources receiving new or revised flood hazard analyses must be submitted in accordance with the FIRM Database Submittal Table, and following the schema of the FIRM Database Technical Reference. Non-FEMA funded external data studies are excluded from this requirement. Data submittals for all new, revised, and existing analyses must include the S_Submittal_Info table compliant with the schema in the FIRM Database Technical Reference.
180	5/31/2016	Existing standard. Already implemented.	Data Capture	Working Standard	All regulatory product deliverables, non-regulatory flood risk product deliverables, and relevant supporting data must be submitted in one of the acceptable file format(s) and in the directory structure outlined in the Data Capture Technical Reference. If data are collected that are not specifically mentioned in the Data Capture Technical Reference but are relevant to the project, or data is obtained from existing flood hazard analyses, those data must be submitted, but do not have to follow the file format and directory structure requirements.
181	5/31/2016	Existing standard. Already implemented.	Data Capture	Working Standard	A metadata file in XML format must be submitted that complies with the Metadata Profiles Technical Reference for each applicable task for regulatory product deliverables, non-regulatory flood risk product deliverables, or relevant supporting data submittals.
182	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	Copies of all project-related data must be retained for a period of three years.



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183	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	A file that compiles general correspondence must be submitted for each project task.
184	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	Any supporting data that are tiled must have an accompanying index spatial file. Tiles must be topologically correct and have only one part, and cannot self-intersect (must be simple). Adjacent tiles must not overlap or have gaps between them.
185	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	PDF files must be created using the source file (e.g., MS Word file). Created PDF files must allow text to be copied and pasted to another document.
186	1/1/2013	Existing standard. Already implemented.	Data Capture	Working Standard	A narrative must be submitted that summarizes the work performed (streams analyzed, type of Flood Risk Project, etc.), direction from FEMA, assumptions and issues, and any information that may be useful for the other mapping partners working on the project or subsequent users of the Flood Risk Project backup data for each task.
187	2/28/2018	Effective immediately.	Data Capture	Program Standard	All relevant data must be submitted that fully documents the flood risk project including the engineering analyses, input and output files for the models used; a report that documents the methodology, assumptions, and data used in the engineering analyses; applicable draft FIS Report text sections, tables, graphics, Flood Profiles; quality records in the form of (at a minimum) QR3 Self-Certification Forms, and QR3, QR5, QR7, & QR8 Checklists; input and output files and quality checklists associated with the flood risk products and datasets; and any other backup data. These data comprise the TSDN.
188	4/1/2003	Existing standard. Already implemented.	Base Map	Working Standard	FEMA must be able to distribute the base map data and floodplain information freely to the public in hardcopy and digital formats.



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189	4/1/2003	Existing standard. Already implemented.	CNMS	Working Standard	Effective and revised flood hazard data must be tied in with no discontinuities. Where discontinuities cannot be resolved, they must be documented in the CNMS database, but not until the discontinuity is accepted by the FEMA Project Officer.
190	4/1/2003	Existing standard. Already implemented.	Quality Management	Program Standard	All technical review comments associated with the FIS Report, FIRM, or FIRM database must be fully addressed and resolutions must be fully documented.
192	5/13/2002	Existing standard. Already implemented.	Project Initiation	Working Standard	Unique FEMA Case Numbers (e.g., 01-05-1234R) shall be assigned for all initiated LOMCs and Flood Risk Projects.
193	2/28/2018	Effective immediately.	Post-Preliminary Deliverables	Program Standard	For Flood Risk Projects, the authoritative source for creating and publishing Flood Hazard Determination Notices that result in new or modified flood hazard information is the MIP. For LOMRs, it is the Flood Hazard Determinations-on-the-Web tool.
195	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	LOMC requestors shall submit requests, including the required review and processing fee if applicable, to the appropriate processing address. The address is provided in the application forms package that must be used in preparing a LOMC request for submittal.
196	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Program Standard	If required by state law, state concurrence with the LOMR or CLOMR shall be required.
197	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	Upon receipt of a LOMC, the following shall be done: • Make an initial determination as to the expected processing procedure • Assign a case number • Create a case file • Enter the request into the MIP • Record the date of receipt



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198	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	When processing a LOMC, any ongoing, past, or future map actions affecting the case shall be taken into consideration.
199	2/28/2018	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	LOMC submittals must include certifications by a licensed professional authorized to certify the data under state law, except when LiDAR is provided to satisfy the lowest adjacent grade (LAG) requirements for LOMAs.
200	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	A LOMR or CLOMR must be supported by a topographic map or digital data that includes all relevant information required by FEMA.
201	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	A LOMR or CLOMR must include proposed floodplain and/or floodway boundary delineations shown on an annotated FIRM.
202	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	All LOMRs including new grading or structures must include certified as-built construction plans, grading plans, or survey data.
203	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	If the discharges in the effective FIS Report are not used in the LOMR or CLOMR submittal, the revision requester shall provide sufficient data to support the use of the new discharges for the 1-percent-annual-chance flood and other published flood frequencies.
204	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	A LOMR or CLOMR in riverine areas must submit a model duplicating the effective hydraulic model (multiple profile and floodway if appropriate). The revision requester shall use it to establish the baseline condition unless an existing conditions hydraulic model is required.
205	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	For a LOMR or CLOMR, an existing conditions hydraulic model is required if the duplicate effective model does not reflect the floodplain conditions prior to the start of the project.



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206	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	If the revision is submitted as the result of a project, a post-project revised hydraulic model reflecting as-built conditions must be submitted.
207	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	At a minimum, the analyses and other supporting data provided in support of a revision request must be equivalent to or better than the scientific and technical data employed by FEMA for the preparation of the effective analyses.
210	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Working Standard	For floodplain boundary revisions based on new or more detailed topographic information, the revision requester will not be required to submit revised hydraulic analyses unless the changes in ground contours have significantly affected the geometry of cross sections used for the effective FIS Report and FIRM or have altered effective-flow areas.
213	4/1/2003	Existing standard. Already implemented.	Notice-to-User	Program Standard	During the Notice-to User revision process, approval of the action taken shall be obtained from the FEMA HQ due process lead and the decision must be documented in writing.
214	5/31/2016	Effective immediately.	Notice-to-User	Program Standard	During the Notice-to-User revision process: - the FIS, FIRM panel(s), FIRM database, and NFHL must be corrected as appropriate; - the corrected components must indicate the appropriate date; - the corrected components must be distributed to the communities affected by the correction; and - the corrected components must be updated on the MSC site.



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215	11/30/2019	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	Conditional LOMCs are subject to the same standards of a LOMA, LOMR-F, or LOMR except: • Because Conditional LOMCs are based on proposed construction, as-built information is not required. • The Conditional Comment Documents that are issued by FEMA do not amend or revise the effective FHBM or FIRM. • Conditional LOMRs and CLOMR-Fs must demonstrate compliance with the Endangered Species Act.
216	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	A letter shall be mailed to the requester acknowledging receipt of the LOMC request within three business days of receiving the data.
217	11/30/2019	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	If all information is not received within 90 days from the date of the request for additional data, the processing of the LOMC shall be suspended.
218	11/30/2019	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	LOMA, CLOMA, LOMR-F, CLOMR-F, LOMR and CLOMR determinations must be issued based on the effective FIRM and FIS for a community and may not be issued based on preliminary data for a FEMA-contracted Flood Risk Project or community-initiated map revision. However, if the effective SFHA does not have BFEs or flood depths established and the preliminary data is the best available, a one-percent-annual chance flood hazard water surface elevation may be calculated during LOMA, CLOMA, LOMR-F, or CLOMR-F reviews using data from these sources.
219	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	Following the preparation of the LOMC determination document, the LOMC shall be included in the list of determinations that is to be sent to FEMA for official approval. Following approval, the requester shall be provided with FEMA's final determination. A copy of the LOMC determination document shall also be sent to the community CEO and floodplain administrator and to the requester when applicable.



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220	11/30/2019	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	The reviews of LOMC requests shall be processed in accordance with 44 C.F.R. Parts 65, 67, 70, and 72.
222	7/31/2013	Applicable to all ongoing and future Flood Risk Projects.	Letter of Map Revision (LOMR)	Working Standard	When processing a LOMR for a FIRM that has been modernized (i.e., has a FIRM database), the map (FIRM and/or FBFM panels), Flood Profile, and data tables (i.e., Floodway Data and Summary of Discharges) enclosures shall be prepared in accordance with the FIRM Panel Technical Reference and the FIS Report Technical Reference. If the FIRM that is having a LOMR issued for it has not been modernized, either the current standards may be used (as indicated in the FIRM panel and FIS Report Technical References), or the standards in effect when the effective map and attachments were created.
223	7/31/2013	Implemented for LOMCs processed after the effective date.	Letter of Map Revision (LOMR)	Working Standard	If a LOMR changes stillwater elevations, transect data, flood elevations, discharges, and/or floodway information, the supporting information in the FIS Report and FIRM Database shall be revised as necessary.
224	4/1/2003	Existing standard. Already implemented.	Special Conversions	Working Standard	For all Special Conversions, coordination and documentation activities shall be performed to convert the community to the Regular Phase of the NFIP.
225	4/1/2003	Existing standard. Already implemented.	Special Conversions	Working Standard	FEMA management system databases shall be maintained for Special Conversions.
226	11/30/2019	Effective immediately.	Letter of Map Change (LOMC)	Working Standard	LOMC requests involving below-grade crawlspaces constructed within the SFHA shall follow guidance provided in FEMA Technical Bulletin 11.
227	11/30/2016	Effective immediately.	Notice-to-User	Program Standard	The Notice-to-Users process shall only be used for corrections of errors or omissions in the FIS Report, FIRM Database, NFHL, or on the FIRM that do not require administrative appeal. The Notice-to-Users revision process shall not change the accreditation status of a levee or the effective date of the FIRM and FIS.



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228	11/1/2009	Existing standard. Already implemented.	Stakeholder Engagement	Working Standard	All regulatory floodway changes must be coordinated with affected community officials and other stakeholders as early as possible.
229	7/31/2015	Effective immediately.	Flood Profiles	Working Standard	Profiles shall be plotted as the projection of the stream invert and the flood surface(s) onto the flow path. The plots should show the locations of and clearly label: • Each lettered mapped cross section; • Splits and diversions; • Confluences with tributaries splits, and diversions; • Each stream crossing with symbology depicting the top of road and low chord elevations of modeled bridges and culverts along with the name of the bridge/culvert (e.g., Pine Street); • Extents of modeled hydraulic structures adjacent to the flooding source; • Upstream and downstream study limits of the flooding source; • Extent of backwater or flooding controlling the receiving stream and depiction of the backwater elevation along the Profile.
230	12/8/2011	Existing standard. Already implemented.	FIS/FIRM	Working Standard	The FIRM panels must be derived directly from the FIRM database and must be in agreement with the information shown in the FIS Report.
232	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	Unless it can be demonstrated that the vertical and horizontal scale of the effective Flood Profiles are inadequate, re-analyzed streams must be produced using the same horizontal and vertical scales that were used in the effective Flood Profiles.
234	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	FIS Reports exceeding 150 pages in length shall be subdivided into two or more volumes.



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235	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	If a FIS Report is published in two or more volumes, no volume shall exceed 100 pages.
236	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	For multi-volume FIS Reports, a single Table of Contents shall be produced for the entire report and shall be included in all volumes.
237	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	Preliminary FIS Reports must include a stamp on the cover to indicate the Preliminary status and the date of the Preliminary issuance.
238	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	As outlined in the FIS Report Technical Reference, all numbered sections, tables and figures are required for every FIS Report prepared in compliance with the FIS Report Technical Reference, regardless of whether the topic addressed by that element is applicable to the Flood Risk Project.
239	12/8/2011	Existing standard. Already implemented.	FIS/FIRM	Working Standard	Table columns and names in the FIS Report must comply with the most current FIS Report Technical Reference unless FEMA Regional approval has been given to retain the prior FIS Report format.
240	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	When revising the FIS Report in compliance with the current FIS Report Technical Reference (as opposed to appending information to the former FIS report format), the FIS Report template at http://www.fema.gov/library/viewRecord.do?id=7577 must be used.
241	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	References used within the FIS Report text must match the citation listed in the Bibliography and References table.
242	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	FIS Reports created in compliance with the FIS Report Technical Reference must use an "(Author Year)" format for inline citations.



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243	12/8/2011	Existing standard. Already implemented.	FIS/FIRM	Working Standard	If a future conditions analysis is incorporated into the Flood Risk Project, the results shall be included in the FIRM database, FIRM, and FIS Report.
245	12/8/2011	Existing standard. Already implemented.	FIS Tables	Working Standard	The "Listing of NFIP Jurisdictions" and "Community Map History" tables in the FIS Report shall include all communities that fall within the county or jurisdiction whose FIS Report is being produced.
246	12/8/2011	Existing standard. Already implemented.	FIS Tables	Working Standard	Communities that have no Special Flood Hazard Areas identified shall be noted in the "Listing of NFIP Jurisdictions" and "Community Map History" FIS Report tables with a footnote.
247	12/8/2011	Existing standard. Already implemented.	FIS Tables	Working Standard	For FIS Reports produced in compliance with the FIS Report Technical Reference, all accredited levees, PALs, and non-accredited levees must be included in the "Levees" table of the FIS Report.
248	12/8/2011	Existing standard. Already implemented.	FIS Tables	Working Standard	All lettered or numbered cross sections must be shown on the Flood Profiles and, if a floodway was computed, must also be shown in the Floodway Data Table. Unlettered cross sections shown on the FIRM are not to be included on the Floodway Data Table or Flood Profiles.
249	12/8/2011	Existing standard. Already implemented.	FIS Tables	Working Standard	In the "Community Map History" table for FIS Reports produced in compliance with the FIS Report Technical Reference, the "FIRM Revisions Date(s)" column shall include all FHBM and FIRM revisions, and must be updated during each revision to reflect the new PMR effective date. All PMR effective dates must be included for the communities that received updated FIRM panels, even if the PMR did not revise all the panels within that community.
250	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	The FIRM Index shall be included in the FIS Report at a size of 11" x 17" for FIS Reports produced in compliance with the FIS Report Technical Reference.
251	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	For FIRM Indexes which require more than one page, the page number shall be indicated in the title block in the following manner: FLOOD INSURANCE RATE MAP INDEX (Sheet 1 of 2). A county locator map shall be added with a rectangle showing the extent of the current FIRM Index sheet.



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252	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	For FIRM Indexes produced in compliance with the FIS Report Technical Reference, base map features that must be shown and labeled on the FIRM Index are HUC-8 watersheds and political jurisdictions. Community labels must also include the CID.
253	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	For FIRM Indexes produced in compliance with the current FIS Report Technical Reference, FIRM panels shown on the FIRM Index shall be labeled only with the four-digit panel number and suffix. The effective date must also be included and shall be placed directly beneath the FIRM panel number in "mm/dd/yyyy" format.
254	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	The FIRM Index shall identify unprinted panels with asterisks and footnotes that define the reason(s) for the panel(s) not being printed.
255	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	For FIS Reports produced in compliance with the FIS Report Technical Reference, every note that is shown on the Notes to Users on one or more FIRM panels must be included once in the Notes to Users section in the FIS Report.
256	12/8/2011	Existing standard. Already implemented.	Flood Profiles	Working Standard	Flood Profiles for Zone AE must show data for each of the five standard (10-, 4-, 2-, 1-, and 0.2-percent-annual-chance) flood events if they were calculated as part of the Flood Risk Project.
257	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	The FIS Report deliverable to the MSC must be an unsecured PDF file, with as much searchable text as possible, and must be bookmarked in accordance with the direction outlined in the FIS Report Technical Reference. Embedded graphics, where necessary, must have a resolution of 400 dpi.
259	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	A description of all dams and other non-levee flood protection measures affecting the communities represented in the project area shall be included in the FIS Report.



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260	4/1/2003	Existing standard. Already implemented.	FIS Report	Working Standard	A description of any unusual floodway procedures that deviate from national policy, such as State-imposed or locally imposed surcharge limits of less than 1.0 foot for regulatory floodway, must be listed in the "Floodways" section of the FIS Report.
261	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	Counties that have an effective countywide FIS Report must remain countywide, regardless of whether they are updated to comply with the FIS Report Technical Reference or not.
264	4/1/2003	Existing standard. Already implemented.	FIS Tables	Working Standard	For cross-sections shown in areas of backwater flooding, elevations in the "Without Floodway" column of the Floodway Data Table shall not include backwater effects. The "Without Floodway" values must include a footnote stating, "Elevation Computed Without Consideration of Backwater Effects From (Source of Flooding)". The words "Backwater Effects" are to be replaced with "Tidal Effects," "Overflow Effects," "Ice Jam Effects," or "Storm Surge Effects," as needed, to reference the appropriate flooding situation.
265	4/1/2003	Existing standard. Already implemented.	FIS Tables	Working Standard	When a part of a regulatory floodway lies outside the jurisdiction, both the total floodway width, and the width within the jurisdiction, shall be listed in the FIRM database and Floodway Data Table.
267	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	Only one stream shall be shown on any given Flood Profile panel.
268	11/30/2016	Effective immediately.	FIS Report	Working Standard	All communities addressed by the FIS (typically the county and all communities within) must be sent or provided a means to access the new FIS Report during distribution of the final products, regardless of whether they are affected by the new Flood Risk Project or are outside the project area.
270	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	On the Flood Profiles for tributary streams, the 1-percent-annual-chance flood backwater from the main watercourse or water body shall be labeled as "Backwater From (Main Stream Name)."



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272	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	A vertical elevation scale of 1-inch equals 1, 2, 5, 10, or 20 feet is to be used for the Flood Profiles. Elevations shall be shown on the left side of the grid at 1-inch intervals within the profile elevation range.
273	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	The 1-percent-annual-chance Flood Profile plots shall agree with the distances and elevations shown in the Floodway Data Table, with a maximum tolerance of 1/20-inch on the printed Flood Profile panel. Other features shown on the Profiles, such as cross-section labels and hydraulic structures, shall also be accurately plotted to within the 1/20-inch tolerance.
274	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	The horizontal and vertical scales of the Flood Profiles shall be chosen so that Flood Profile slopes are reasonable and can be easily interpreted by the user.
275	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	The horizontal scale of the Flood Profile shall be labeled at 1-inch intervals along the bottom edge of the grid and legend box.
277	12/8/2011	Existing standard. Already implemented.	FIS Report	Working Standard	For FIS Reports prepared in compliance with the FIS Report Technical Reference, any information that was included in Section 10 of a previous FIS Report using an approach known as "Revisions by Addendum" shall be incorporated into the relevant sections and tables of the current FIS Report.
278	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	River stationing is to be referenced from a physical location such as a confluence or structure.
279	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	Downstream flood elevations are to begin on the left edge of the Flood Profile.
280	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	Stream distances reported in the Floodway Data Tables, Profiles, and FIRM database must be measured along the profile baseline.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
281	4/1/2003	Existing standard. Already implemented.	Flood Profiles	Working Standard	Distance and elevation units used on a Flood Profile must be consistent with the units used in the Floodway Data Table.
282	1/1/2013	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	All FIRM panel symbology and labels must be clear and readable and clearly communicate the flood hazard information needed for insurance and mitigation purposes.
283	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	The FIRM panel "Notes to Users" section must contain notes referring the user to the FIS Report for a detailed legend and FIRM Index, to the MSC website for other digital products providing the NFIP contact information, and to the base map data source.
284	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	The LiMWA note in the FIRM panel "Notes to Users" section shall include a legend.
285	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	All elements of the FIRM title block must be present and must adhere to the specifications in the FIRM Panel Technical Reference.
286	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	The jurisdiction names in the FIRM panel title block must include, at a minimum, the jurisdiction prefix (e.g., city, town, or village), jurisdiction name, and full state name. FIRM panels for individual jurisdictions shall also include the name of the county, except for jurisdictions that are officially classified as "Independent."
287	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	When each new edition of a FIRM panel is prepared, the suffix for each revised FIRM panel shall be changed to the next alphabetical letter while skipping the letters "I" and "O". For first time countywide or partial countywide FIRMs, the map suffix should be one letter higher than the highest suffix of all jurisdictions included.



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288	4/18/2002	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	FIRM panels, FIRM Indexes, and FIS Reports shall follow the ID numbering schemes outlined in the FIRM Panel and FIS Report Technical References.
289	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	The FIRM panel map collar must include a North Arrow, Scale Bar, and map projection and datum information.
290	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	First-time modernized FIRM panels must be in countywide format unless the FIRM is for a multi-county jurisdiction that will retain its community-based FIRM format.
291	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Program Standard	A determination to use Partial-Countywide FIRM panel and FIRM Database format must be coordinated with and approved by the FEMA Region and FEMA Headquarters.
292	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	If partial countywide FIRM panel mapping is pursued, the FIRM title block will list all of the jurisdictions on the FIRM panel, but the ones not included in the partial countywide mapping will be noted as having their FIRMs and FIS Reports published separately.
294	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	For partial countywide FIRM panel mapping, panel numbers must be assigned for the entire county, just as for a full countywide panel layout. Numbering of countywide FIRM panels must consider the numbering of the existing panels so as not to create two panels with the same number (e.g. 0250). If there would be two panels with the same number, start countywide numbering by going up to the first even thousand above the highest existing FIRM panel number.
295	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	When partial countywide mapping is processed, any existing community-based FIRM panels that overlap the partial countywide must be reissued with the overlapping area blanked out and the blanked-out area must include a note referring the users to the partial countywide FIRM.



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296	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	If a FIRM revision is being processed when there is a separate FBFM, the two maps should be combined into the new format FIRM using the new flood zone designations and the FBFM shall no longer exist as a separate map.
297	1/1/2013	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	On FIRM panels, symbolization and labeling of all base map, hydraulic, and flood theme features must be standardized as shown in the FIRM Panel Technical Reference.
300	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	All FIRM panels shall be printed to full page, portrait orientation, ARCH D map frames with a trimmed paper size of: Height 36" x Width 24". The title block must appear in the bottom right corner and be 5.3-inches wide by 9-inches in height.
301	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	FIRM panels must include a white border on all sides and must contain a title block on the bottom right corner, a legend, a Notes to Users section, and a Panel Locator section across the bottom of the panel, as outlined in the FIRM Panel Technical Reference.
304	10/1/2011	Existing standard. Already implemented.	Base Map	Working Standard	All raster base maps used for FIRM panel preparation must be georeferenced and orthorectified.
305	10/1/2011	Existing standard. Already implemented.	Map Format and Layout	Working Standard	A countywide FIRM must provide seamless spatial base map and flood hazard coverage within the county area for all jurisdictions shown on the FIRM.
306	10/1/2011	Existing standard. Already implemented.	Floodplain Boundaries	Working Standard	Any existing mismatches in floodplains and flood hazard information between communities and counties must be resolved as part of a FIS Report/FIRM update.
307	10/1/2011	Existing standard. Already implemented.	Base Map	Working Standard	Raster base map image(s) used for FIRM panel preparation shall cover the entire jurisdiction being analyzed except in the cases of open water areas and/or areas that may be restricted due to security concerns.



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308	10/1/2011	Existing standard. Already implemented.	Base Map	Working Standard	The FIRM base map is the horizontal reference data shown on the FIRM to assist in interpreting the areas impacted by the flood risk information shown. The term base map does not include topographic or elevation data. The following types of base map features must be depicted on the FIRM panel if they occur within the community: • Transportation features, including roads and railroads, hydrographic features, hydraulic structures • Boundaries that identify county and State boundaries, corporate limits, ETJ areas, military lands, and tribal lands, and • U.S. PLSS features.
309	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Any transportation feature shown and labeled on a Flood Profile shall be labeled on the FIRM panel.
310	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Primary roads, as defined by the MAF/TIGER data, shall be shown and labeled on the FIRM panel.
311	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	On FIRM panels, all hydrographic features (streams, lakes, ponds, bays, and oceans) that have an identified flood hazard associated with them shall be labeled.
312	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Profile Baseline	Working Standard	A profile baseline must be shown on FIRM panels for all flooding sources with profiles or otherwise established riverine BFEs (static elevations excluded), and for modeled riverine Zone A areas.



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313	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	In areas of riverine flooding where no profile baseline is available, but a flood hazard has been identified, the bank or centerline representation of the hydrographic feature must be shown on vector-based FIRM panels.
315	10/1/2011	Existing standard. Already implemented.	Levee	Working Standard	All levees stored in the FIRM Database shall be labeled and symbolized on the FIRM panel as outlined in the FIRM Panel Technical Reference, with the appropriate accreditation status noted.
316	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Hydraulic structures other than levees shall be labeled on the FIRM panel only if shown on the Flood Profile of the FIS Report. The label name must match what is shown on the Flood Profile. If 1-percent, 0.2-percent-annual-chance-flood discharge, and/or floodway are contained in the structure, a note must be placed on the FIRM panel near the feature to refer to the highest contained discharge.
317	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	All political entities (including Extra-Territorial Jurisdictions) shall be depicted and labeled on the FIRM panel with the appropriate jurisdiction names and CIDs or area designator.
319	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Any area shown on the FIRM panel as an Area Not Included shall be labeled with the entity's name and the notation "Area Not Included".
320	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Vector base map features are not required on the FIRM in Areas Not Included.
322	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	On FIRM panels, when boundaries of different types are coincident with each other or with base map features, only the highest priority feature shall be shown.
323	10/1/2011	Existing standard. Already implemented.	Projections and Coordinate Systems	Working Standard	FIRM panels must show horizontal reference grids and corner coordinates selected, displayed and labeled as directed in the FIRM Panel Technical Reference.



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332	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	If a printed FIRM panel falls within the area of a smaller-scale panel that is also printed, the smaller-scale panel shall show a breakout note in the blank area represented by the larger-scale panel (the breakout panel area). This note is placed in the center of the breakout panel area and specifies the larger-scale panel's map number and scale. The suffixes shall not be used in breakout panel notes (to avoid unnecessary updates in PMRs).
334	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Each flood hazard zone shall be bounded by a SFHA/FLOOD ZONE BOUNDARY line type when adjacent to another flood hazard area of a different type or elevation.
335	10/1/2011	Existing standard. Already implemented.	Floodway	Working Standard	Regulatory floodways shall be shown on the FIRM panel within the SFHA and, at lettered or numbered cross-section locations, floodway widths must agree with the values shown on the FDT in the FIS Report and the FIRM Database tables, within a maximum tolerance of 5 percent of the map scale or 5 percent of the distance, whichever is greater.
338	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Special Flood Hazard Areas shall be labeled at least once with the flood zone on a FIRM panel and, if appropriate, with the static elevation, velocity, or depth.
339	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Zone X areas that represent future conditions or areas protected by accredited levees shall be labeled on the FIRM panel in accordance with the FIRM Panel Technical Reference.
340	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	SFHAs with assigned static elevations, depths, or velocities shall have their static BFE, depth, or velocity value labeled on the FIRM panels in accordance with the FIRM Panel Technical Reference.
341	10/1/2011	Existing standard. Already implemented.	BFEs	Working Standard	All BFE lines stored in the FIRM Database must be shown on FIRM panels.
342	10/1/2011	Existing standard. Already implemented.	Cross-Sections	Working Standard	Cross sections stored in the FIRM Database must be shown on the FIRM panels if they are attributed as one of the following line types: LETTERED, MAPPED and NOT LETTERED, MAPPED.



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343	10/1/2011	Existing standard. Already implemented.	Cross-Sections	Working Standard	On FIRM panels and in FIRM Databases, lettered or numbered cross sections for each stream analyzed by detailed methods shall be labeled alphabetically or numerically from downstream to upstream.
345	10/1/2011	Existing standard. Already implemented.	Cross-Sections	Working Standard	On FIRM panels, lettered or numbered cross sections shall be symbolized and labeled as outlined in the FIRM Panel Technical Reference.
346	10/1/2011	Existing standard. Already implemented.	Cross-Sections	Working Standard	On FIRM panels, all LETTERED, MAPPED and NOT LETTERED, MAPPED cross sections must be labeled with the regulatory WSEL value, rounded to the nearest tenth of a foot. All lettered or numbered cross section WSEL values must match the FDT in the FIS Report.
347	4/11/2019	Effective immediately.	Cross-Sections	Working Standard	If unlettered cross sections and BFEs cannot be shown on the FIRM panel because of crowding due to steep terrain, a note shall be placed referring the user to the Flood Profiles in the FIS Report per the specifications listed in the FIRM Panel Technical Reference.
348	10/1/2011	Existing standard. Already implemented.	Cross-Sections	Working Standard	In the event that a cross section contains multiple water surface elevations the cross section shall be segmented and each segment labeled on the FIRM panel with its corresponding WSEL value and a hexagon.
349	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	On the FIRM panels and in the FIRM Database, LIMIT LINES shall be placed at the beginning and at the end of flow in every area analyzed by detailed methods and shall be depicted as specified in the FIRM Panel Technical Reference.
351	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	If transect lines are shown in the FIRM database, they must be delineated and labeled on the FIRM panels.
352	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	The LiMWA must be included in the FIRM Database if it has been calculated as part of a coastal Flood Risk Project and shall normally be shown on FIRM panels. All community requests to have the LiMWA removed from the FIRM must be received at least two months prior to the issuance of the LFD.



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356	2/15/2019	Effective for all studies not submitted to QR5 by 12/21/2018 that do not have an effective date prior to 01/26/2019.	Coastal Barrier Resources System	Working Standard	All FIRM panel data, notes, labels, and symbolization associated with CBRS and Otherwise Protected Areas should be removed from regulatory products with the exception of the following Note to Users which shall be included on all FIRM Panels in communities identified by the FWS as potentially containing CBRS areas: Coastal Barrier Resources System (CBRS) areas and “otherwise protected areas” (OPAs) are no longer shown on this map panel, but still may be present in this community. Current information on these areas is provided by the U.S. Fish & Wildlife Service (FWS). NFIP flood insurance is not available within CBRS areas for structures that are built or substantially improved on or after the dates indicated by FWS. Users should reference the most up-to-date information provided by FWS to determine NFIP insurance eligibility. The official maps and additional information regarding CBRS areas are provided on the FWS website at: www.fws.gov/cbra . FEMA also includes the official boundaries from FWS on our interactive and dynamic flood maps available through the FEMA Map Service Center.
357	10/1/2011	Existing standard. Already implemented.	FIRM Graphic Standards	Working Standard	Each FIRM panel must have a map legend that includes all the required elements and complies with the symbology as outlined in the FIRM Panel Technical Reference.
359	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	Data sources in the FIRM Database must be documented with source citations in the database and the metadata.
361	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	The FIRM Database digital data must be submitted in a series of layers that cover the entire geographic area being mapped and not in individual small tiles that cover limited geographic areas.
363	10/1/2011	Existing standard. Already implemented.	National Flood Hazard Layer (NFHL)	Working Standard	The NFHL must be used as the source for effective digital FIRM Database data when starting FIRM updates and used for mandatory edge matching at county/community boundaries.



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364	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	The FIRM Database must not contain duplicate spatial features.
365	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	All included tables of the FIRM Database shall be documented in the metadata in accordance with the Metadata Profiles Technical Reference, and the software release of the personal geodatabase submitted shall also be documented.
366	10/1/2011	Existing standard. Already implemented.	Projections and Coordinate Systems	Working Standard	FIRM Database tables must comply with the following database schema properties defined in the FIRM Database Technical Reference: • Tables and Feature Classes • Spatial Reference Systems • Topology Rules • Domains
367	11/30/2019	Effective for all projects that have not started QR5.	FIRM Database	Working Standard	All final revised FIRM panels in the FIRM database, both printed and non-printed, shall get new FIRM panel Map Number suffixes and effective dates in the S_FIRM_Pan feature class.
369	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	Floodplain boundary lines in the FIRM Database must be generalized to no more than an average of one vertex every 10 feet while still meeting FBS standards.
370	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	FIRM Database Flood Theme and Base Map features shall not have disconnects, jogs, or missing features during edge matching and at community boundaries.



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371	11/30/2014	Existing standard. Already implemented.	Data Capture	Working Standard	The following Regulatory deliverables must be submitted using the file formats and directory structure specified in the Data Capture Technical Reference. • Transmittal Form • FIRM Database • Orthophotos (if applicable) • FIRM Scans • World Files • FIS Report • Transmittal to Community CEO • Community Map Action List • Inventory Worksheet for Each Community
372	10/1/2011	Existing standard. Already implemented.	FIRM Database	Working Standard	Coincident features must share the same geometry, vertex for vertex, within the FIRM database files.
373	1/1/2013	Existing standard. Already implemented.	FIRM Database	Program Standard	The FIRM Database must be submitted using the schema found in the FIRM Database Technical Reference.
374	4/11/2019	Effective immediately.	BFEs	Working Standard	If the BFE values shown on lettered cross sections are not sufficient for map users to accurately interpolate the BFE for some locations, then unlettered cross sections or BFE lines should be added to the FIRM and labeled to provide additional resolution.
375	10/1/2011	Existing standard. Already implemented.	Levee	Working Standard	The S_Levee table is required for any Preliminary or Final FIRM Database that includes levees, floodwalls, closure structures, berms, embankments, or dikes that have been designed for flood control, whether or not they have been demonstrated to meet the NFIP requirements in 44 CFR 65.10.



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377	7/31/2013	Implemented for all projects where the FIRM Database has not yet been submitted to the NFHL.	National Flood Hazard Layer (NFHL)	Working Standard	For PMRs, once the NFHL for a community is converted to the latest FIRM Database schema, all database submissions will also be required to conform to this schema. For non-FEMA funded external data studies and for portions of a study where the engineering is unrevised, attribute data associated with the schema that is not needed for FIRM production may be excluded from the study submittal with permission from the FEMA Regional office. Each exclusion should be documented in the FIRM Database metadata file that accompanies the FIRM Database.
378	7/31/2013	Implemented for any project not yet at preliminary.	PMR	Working Standard	For PMRs where updated political boundaries are available for the entire extent of the FIRM database, the S_Pol_AR feature class shall be incorporated into the RFHL and shown on the FIRM Index.
379	6/1/2012	Existing standard. Already implemented.	National Flood Hazard Layer (NFHL)	Working Standard	For PMRs, the revised FIRM database layers within the PMR panel footprint shall be incorporated into the RFHL. Certain layers such as watershed boundaries, nodes, and political areas may extend outside of the PMR footprint.
383	4/1/2003	Existing standard. Already implemented.	Coordination	Working Standard	After preliminary issuance of the FIS Report and FIRM, any major changes must be coordinated with the FEMA Regional office.
384	4/11/2019	Effective immediately.	Correspondence	Working Standard	For Flood Risk Projects, a CCO meeting is required to occur following the issuance of preliminary products. In the absence of a final CCO meeting a letter shall be sent to the community and interested stakeholders to document the decision to forego the meeting.
385	4/11/2019	Effective immediately.	Fed Register	Program Standard	Per 44 C.F.R. § 67.4, the newspaper notice and Proposed Flood Hazard Determination Notice shall include all communities affected by new or modified flood hazard information. The newspaper notice shall be published twice within the 10-days of notification of the community CEO, after publication of the Proposed Flood Hazard Determination Notice.
386	4/11/2019	Effective immediately.	Fed Register	Program Standard	The community and other affected stakeholders must be notified when corrections are required to the newspaper notice or Federal Register.



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387	5/31/2014	Implemented for all projects where the Federal Register Flood Hazard Determinations Notice has not yet been published.	Fed Register	Program Standard	The appropriate Federal Register Flood Hazard Determinations Notice proposing changes to flood hazard information shall be compiled for all communities affected by the addition or modification of flood hazards (i.e., the Proposed Notice for flood risk studies and the Interim Notice for LOMRs). The Notice shall include a hyperlink for the official FEMA website through which stakeholders can access the products depicting the proposed flood hazard changes. The Notice shall be submitted to the designated FEMA coordinator to route for concurrence and signature. FEMA shall coordinate with the Office of Federal Register to ensure timely publication of the Notice in the Federal Register. The published Notice must be reviewed to ensure accuracy; if needed, corrections must be made, and other Project Team members must be notified of the correction.
388	12/1/2011	Existing standard. Already implemented.	Appeals Process	Program Standard	The statutory 90-day administrative appeal period cannot be extended; no appeals will be accepted after the 90-day appeal period.
389	12/1/2011	Existing standard. Already implemented.	Appeals Process	Program Standard	Written acknowledgement of all data submitted during the statutory appeal period shall be provided to the affected community.
390	12/1/2011	Existing standard. Already implemented.	Appeals Process	Working Standard	When performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the FIRM and in the FIS Report for areas not affected by the appeal.
391	4/11/2019	Effective immediately.	Appeals Process	Program Standard	FEMA shall evaluate comment and appeal submittals, and prior to LFD, FEMA or its designee must provide the community with a resolution letter and must provide a copy of the revised FIRM if flood hazard changes were made as a result of the comment or appeal.



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392	11/1/2010	Existing standard. Already implemented.	Scientific Resolution Panel (SRP)	Program Standard	The Scientific Resolution Panel must be made available to communities that submit qualifying scientific and/or technical data during the 90-day administrative appeal period.
393	1/1/2013	Existing standard. Already implemented.	Post-Preliminary Deliverables	Program Standard	A copy of the final FIRM must be delivered to affected communities 90 days before the effective date.
394	4/1/2003	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	The Engineering Library shall be the official repository for all technical engineering data including any LOMCs, TSDN and related Flood Risk Project documentation. Information shall be archived and maintained in accordance with FEMA records management standards.
395	4/11/2019	Effective immediately.	Post-Preliminary Deliverables	Working Standard	Interim FEDD files must be submitted to FEMA for review: • Concurrent with QR4 Part 1 • Prior to KDP 5 submittal
396	1/1/2013	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	During post-preliminary processing the FEDD and all associated correspondence must be compiled for each affected community in accordance with all relevant regulations. When more than one entity is responsible for post-preliminary activities, each entity must ensure the FEDD and all related documentation is complete at the time the responsibility is transferred to the next entity.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
397	1/1/2013	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	The following data must be submitted at the end of each mapping project: • FBS Self-Certification Document (submitted within 30 days after issuance of preliminary maps); • QA report stating compliance with the FBS standard. • Revised Floodplain Boundary Standard Self-Certification Document (submitted within 30 days after issuance of the LFD if floodplain boundaries were revised during the post-preliminary phase); • Correspondence file including any documentation not previously submitted during earlier tasks or as part of the FEDD file related to coordination and processing decisions made during the course of the Flood Risk Project. • FEDD for each affected community • FEDD Checklist for each FEDD file • TSDN Checklist and Certification form
398	1/1/2013	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	The FEDD files must be separate for each community.
400	6/1/2010	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	Map Service Center deliverables must be uploaded through the MIP for all Flood Risk Projects.
401	4/1/2003	Existing standard. Already implemented.	LFD	Program Standard	The LFD date must be no sooner than 60 days after the end of the 90-day administrative appeal period or following resolution of all appeals, whichever is later.
402	4/11/2019	Effective for all projects that have not yet been submitted for KDP5 approval.	LFD	Program Standard	The LFD package shall be submitted to FEMA HQ, once KDP5 has been approved, for review and approval prior to issuing LFDs to affected communities.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
403	4/1/2003	Existing standard. Already implemented.	LFD	Program Standard	FEMA shall publish a final FHD notice in the Federal Register no later than three months (90 days) following issuance of the LFD.
404	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	The Compendium of Flood Map Changes shall be published every six months (180 days). Publication shall occur within 15 days of the close of the 6-month reporting period.
405	4/11/2019	Effective for projects whose revalidation letters have not yet been submitted.	Revalidation	Program Standard	Four weeks before the effective date of the revised map, the revalidation package shall be submitted to FEMA for review and approval using the standardized checklist, located at the Flood Risk Templates and Other Resources page on the FEMA website, prior to issuing the revalidation letters.
406	4/11/2019	Effective immediately.	Revalidation	Program Standard	The LOMC-VALID letter shall be provided to the community CEO and floodplain administrator and the LOMC Subscription Service Coordinator within five business days of the effective date of the revised FIRM(s).
407	4/11/2019	Effective immediately.	Letter of Map Change (LOMC)	Program Standard	FEMA will make available the following at regular intervals: • final LOMCs with attachments • final SOMAs • revalidation letters.
408	4/1/2003	Existing standard. Already implemented.	Letter of Map Change (LOMC)	Working Standard	Requests for Letters of Determination Review (LODRs) shall be processed.
409	4/1/2003	Existing standard. Already implemented.	Due Process	Program Standard	Suspension notification letters shall be distributed to communities that have not yet adopted NFIP-compliant ordinances within 90 days and 30 days prior to the FIRM effective date.
410	4/1/2003	Existing standard. Already implemented.	Correspondence	Working Standard	Over the life of a Flood Risk Project, NFIP eligibility shall be reviewed and related correspondence shall be prepared for newly-eligible communities.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
411	1/1/2013	Existing standard. Already implemented.	Fed Register	Program Standard	FEMA will publish a notice of community eligibility in the Federal Register.
412	12/3/2008	Existing standard. Already implemented.	Coastal - Mapping	Working Standard	For coastal Flood Risk Projects, the LiMWA must be calculated, where appropriate.
413	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	Locally-provided, -sourced, or -validated building footprint, location, and/or population data shall be the only acceptable data sources to be used to populate structure and population count attributes within the CSLF dataset.
414	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	Flood risk datasets derived from new or updated data must reflect the regulatory elevations as shown on the preliminary FIRM, if applicable. If floodplain delineations are altered as a result of appeals or other changes during the post-preliminary process, the Changes Since Last FIRM dataset shall be updated to reflect those changes.
415	2/28/2018	Effective for FY18 projects and beyond.	Flood Risk Datasets	Working Standard	Water-surface elevation (WSEL) grids produced as part of a Flood Risk Project must be of such a quality that they could be used for regulatory and other official purposes as the digital source from which to retrieve flood elevations. Additionally, for each mapped flood frequency (e.g. 1-percent, 0.2-percent, etc.), there must be agreement in extent and coverage between the WSEL grid and its associated flood hazard area polygon.
416	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	Depth and Analysis Grids must share the same terrain and bathymetry source datasets as the engineering models.



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SID #	Effective Date	Implementation Description	Category	Standard Type	Standard																																			
417	2/28/2018	Effective for FY18 projects and beyond.	Flood Risk Datasets	Program Standard	The minimum datasets associated with the Flood Risk Project are defined as follows: <table><tr><th colspan="2">Flood Risk Product/Dataset</th><th>New Flood Hazard Analysis¹ Conducted</th><th>No New Flood Hazard Analysis¹ Conducted</th></tr><tr><td colspan="2">Flood Risk Database</td><td>Required</td><td>Required</td></tr><tr><td rowspan="6">Flood Risk Dataset</td><td>Changes Since Last FIRM (CSLF)</td><td>Required²</td><td>N/A</td></tr><tr><td>Water Surface Elevation Grids</td><td>Required³</td><td>Optional⁴</td></tr><tr><td>Flood Depth Grids</td><td>Required³</td><td>Optional⁴</td></tr><tr><td>Percent Annual Chance & Percent 30-year Chance Grids</td><td>Required⁵</td><td>Optional⁴</td></tr><tr><td>Flood Risk Assessment</td><td>Required^{6,8}</td><td>Required^{7,8}</td></tr><tr><td>Areas of Mitigation Interest (AoMI)</td><td>Required</td><td>Required</td></tr><tr><td colspan="2">Flood Risk Map</td><td>Optional</td><td>Optional</td></tr><tr><td colspan="2">Flood Risk Report</td><td>Optional</td><td>Optional</td></tr></table> ¹ "New Flood Hazard Analysis" = flooding sources receiving regulatory-level analyses ² CSLF is optional in areas where digital modernized floodplain boundaries are not available for the effective ³ Riverine studies: 10%, 4%, 2%, 1%, "1%+", and 0.2% annual-chance floods Coastal studies: only the 1% annual chance flood Levee studies: Riverward/Seaward side - same as Riverine or Coastal Landward side - only the scenario(s) used to delineate SFHA boundary ⁴ Can be produced for flooding sources not receiving new analyses if based on effective data ⁵ Riverine only ⁶ Riverine studies: 10%, 4%, 2%, 1%, and 0.2% annual-chance floods, and Annualized Coastal studies: only the 1% annual chance flood Levee studies: Riverward/Seaward side - same as Riverine or Coastal Landward side - only based on the landward depth grid ⁷ Assessments are performed for the flood events with available depth grids. See Flood Risk Database Technical Reference for more information. ⁸ Analysis can be conducted at census block or user-defined facility level.	Flood Risk Product/Dataset		New Flood Hazard Analysis ¹ Conducted	No New Flood Hazard Analysis ¹ Conducted	Flood Risk Database		Required	Required	Flood Risk Dataset	Changes Since Last FIRM (CSLF)	Required ²	N/A	Water Surface Elevation Grids	Required ³	Optional ⁴	Flood Depth Grids	Required ³	Optional ⁴	Percent Annual Chance & Percent 30-year Chance Grids	Required ⁵	Optional ⁴	Flood Risk Assessment	Required ^{6,8}	Required ^{7,8}	Areas of Mitigation Interest (AoMI)	Required	Required	Flood Risk Map		Optional	Optional	Flood Risk Report		Optional	Optional
Flood Risk Product/Dataset		New Flood Hazard Analysis ¹ Conducted	No New Flood Hazard Analysis ¹ Conducted																																					
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Flood Risk Dataset	Changes Since Last FIRM (CSLF)	Required ²	N/A																																					
	Water Surface Elevation Grids	Required ³	Optional ⁴																																					
	Flood Depth Grids	Required ³	Optional ⁴																																					
	Percent Annual Chance & Percent 30-year Chance Grids	Required ⁵	Optional ⁴																																					
	Flood Risk Assessment	Required ^{6,8}	Required ^{7,8}																																					
	Areas of Mitigation Interest (AoMI)	Required	Required																																					
Flood Risk Map		Optional	Optional																																					
Flood Risk Report		Optional	Optional																																					



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418	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	Depth grids for open water shall reflect the depth of flooding above normal pool.
419	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	The extent of water surface elevation change grids shall, at a minimum, reflect those areas that were both SFHA before and after the revision.
421	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Program Standard	To ensure privacy, sensitive claims data will be aggregated and/or generalized at the centroid of the census block and represented as a point.
424	1/1/2013	Existing standard. Already implemented.	Flood Risk Database	Working Standard	As an outcome of Discovery, a tiling structure must be defined for products.
425	5/31/2016	Existing standard. Already implemented.	Flood Risk Datasets	Working Standard	The National Flood Hazard Layer (or other comparable dataset with all effective FIRMs and LOMRs incorporated) shall be the source for the effective flood hazard area data used to develop non-regulatory flood risk products.
429	2/28/2018	Effective immediately	Data Capture	Working Standard	The following flood risk product deliverables must be submitted using the file formats and directory structure specified in the Data Capture Technical Reference: * Flood Risk Database * Depth and Analysis Grids * Metadata file
432	1/1/2013	Existing standard. Already implemented.	Flood Risk Database	Working Standard	Datasets in the FRD must be delivered in their entirety even if a portion of the dataset lies outside the define project footprint.
433	5/31/2016	Existing standard. Already implemented.	Flood Risk Database	Working Standard	Non-regulatory flood risk datasets must be delivered within the Flood Risk Database and must not be tiled or subdivided.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
442	1/1/2013	Existing standard. Already implemented.	Flood Risk Database	Program Standard	Non-regulatory flood risk datasets must comply with the following database schema properties defined in the Flood Risk Database Technical Reference: • Tables and Feature Classes • Raster Datasets • Spatial Reference Systems • Topology Rules • Relationship Classes • Domains
443	1/1/2013	Existing standard. Already implemented.	Flood Risk Database	Program Standard	In order to maintain privacy, the L_Claims table, if there are less than five claims, five repetitive loss claims, or five severe repetitive loss claims in a community, then the relevant value field shall be set to null.
444	11/30/2016	Effective for new applications submitted to FEMA for levee accreditation.	Levee	Program Standard	Levee systems can only be accredited when compliance with 44 C.F.R. § 65.10 is demonstrated. Compliance includes demonstrating that an emergency preparedness plan has been adopted by the community that at a minimum, includes the area impacted by the levee system, and includes procedures for emergency operation and public evacuation, meeting the standards of 44 C.F.R. § 65.10(c)(3).
445	4/1/2009	Existing standard. Already implemented.	Levee	Program Standard	FEMA will not grant extensions to the 24-month PAL period.
446	4/1/2009	Existing standard. Already implemented.	Levee	Program Standard	Levee accreditation must be based upon detailed H&H analyses.
447	4/1/2009	Existing standard. Already implemented.	Levee	Program Standard	If the levee system does not continue to meet the criteria within 44 C.F.R. § 65.10, FEMA shall initiate the levee de-accreditation process.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
448	9/1/2006	Existing standard. Already implemented.	Levee	Program Standard	A levee system shall only be designated by FEMA as a PAL if the levee system is already accredited on the effective FIRM and, the owner of the levee system or the community is attempting to compile levee accreditation documentation to demonstrate continuation of compliance with 44 C.F.R. § 65.10. The opportunity for a PAL designation is only offered one time for any given system.
449	9/1/2006	Existing standard. Already implemented.	Levee	Program Standard	If a levee system qualifies for the PAL designation, the affected communities will be given an opportunity to sign a PAL agreement.
450	2/1/2009	Existing standard. Already implemented.	Levee	Program Standard	A structure shall only be considered a levee when it can be demonstrated that the structure was designed and has been operated and maintained as a levee. Structures that cannot meet these requirements cannot be considered for accreditation under 44 C.F.R. § 65.10.
452	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Floodway	Working Standard	Floodway boundaries shall be placed on the riverside of a levee unless the community specifically requests otherwise, or where hydraulic calculations demonstrate a floodway is warranted elsewhere.
501	7/31/2013	Implemented for all projects once the NFHL for a community is converted to the latest FIRM Database schema.	FIS Report	Working Standard	For Flood Risk Projects that have at least one FIRM panel produced in compliance with the current FIRM Panel Technical Reference, but whose FIS Report is not produced in compliance with the current FIS Report Technical Reference (i.e., the FIS Report is retaining its legacy format) the FIRM Legend and Notes to Users must be included as an appendix to the FIS Report per the current FIS Report Technical Reference.
502	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	For FIRM Indexes produced in compliance with the current FIS Report Technical Reference, all required elements of the FIRM Index title block and Index collar shall be present and symbolized as outlined in the Technical Reference.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
503	12/8/2011	Existing standard. Already implemented.	FIRM Index	Working Standard	For FIRM Indexes produced in compliance with the current FIS Report Technical Reference, the symbology and labeling of all features depicted on the FIRM Index shall adhere to the specifications outlined in the Technical Reference.
504	7/31/2013	Implemented for all projects once the NFHL for a community is converted to the latest FIRM Database schema.	FIS Tables	Working Standard	For FIS Reports produced in compliance with the FIS Report Technical Reference, map repositories for all communities must be present and correct in the "Map Repositories" FIS Report table. Flood Risk Projects whose FIS Reports are not produced in compliance with the current FIS Report Technical Reference (i.e., the FIS Report is retaining its legacy format per FEMA Regional approval), but whose FIRM Index is produced in compliance with the FIS Report Technical Reference, must include a correctly populated "Map Repositories" table in the FIS Report. FIRM Indexes that are not produced in compliance with the FIS Report Technical Reference must include the map repository information on the Index.
505	7/31/2013	Implemented for all projects once the NFHL for a community is converted to the latest FIRM Database schema.	FIS Tables	Working Standard	FIS Reports not produced in compliance with the FIS Report Technical Reference (per FEMA Regional approval), but whose FIRM Index is produced in compliance with the Technical Reference, must include a correctly populated "Listing of NFIP Jurisdictions" table in the FIS Report. FIRM Indexes that are not produced in compliance with the FIS Report Technical Reference must include the Listing of Communities table on the FIRM Index.
506	2/1/2002	Existing standard. Already implemented.	Flood Profiles	Working Standard	Flood Profile notes and labels must be correct and agree with the FIRM and Floodway Data Table (if applicable).
507	5/31/2016	Effective for all projects that have not started QR5.	FIS/FIRM	Working Standard	The FIRM, FIRM database, NFHL, Flood Profiles and Floodway Data Tables must all be in agreement with each other, including decimal point precision, as it relates to the depiction of flood hazards and hydraulic structures.



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508	4/11/2019	Effective immediately.	Quality Management	Program Standard	Quality Reviews 1 through 8 must be conducted using standardized checklists located at the Flood Risk Templates and Other Resources page on the FEMA website. Associated requirements for each review are as follows: - QR1: The draft FIRM database shall be uploaded to the MIP for auto validation and must pass before QR2 is conducted. - QR2: The preliminary FIRM database shall be uploaded to the MIP for auto validation and must pass before QR3 is conducted. - QR3: The preliminary FIS Report, FIRM, Preliminary letters and SOMA shall be reviewed using standardized checklists after the work has been self-certified as meeting FEMA standards. The FIS Report, SOMA, Preliminary letters, FIRM and FIRM database shall not be issued at preliminary until written certification is provided indicating that all issues cited at this review were properly addressed and resolved. - QR4: If a 90-day appeal period is required, information must be entered or uploaded into the MIP task for review. This review validates the Proposed Flood Hazard Determination Notice information, interim FEDD Files, newspaper notice, Appeal Period Docket information and 90-day start letter(s) shall be reviewed using standardized checklists. FEMA must provide approval prior to the issuance of the 90-day start letter(s) - QR5: The FIRM database shall be auto-validated in the MIP and a visual review shall be conducted using standardized checklists to compare the FIRM database to the printed FIRM and all cited issues must be resolved before the LFD will be distributed. - QR6: This review validates the products prior to LFD distribution. LFD Verification Summary, LFD Questionnaire, LFD letters, and Final SOMA are prepared and submitted, concurrent with QR5 and QR7 and shall be reviewed using standardized checklists. All cited issues must be resolved before the LFD will be distributed. - QR7: The final FIS Report, FIRM and associated paperwork shall be reviewed using standardized checklists before delivery to the MSC and all cited issues must be resolved before the LFD will be distributed. - QR8: A review of the FIS Report, FIRM, MSC paperwork, and delivery manifest shall be conducted by the FEMA Map Service Center using



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
					standardized checklists and all cited issues must be resolved before delivery of the final products to the end users.
509	7/31/2013	Implemented with all projects not yet final.	Quality Management	Program Standard	All Quality Compliance Check issues noted during the QR1 through QR8 process must be fully addressed, documented and resolved.
510	7/31/2013	Implemented with all projects not yet final.	Quality Management	Program Standard	Standardized checklists must be used at FEMA-designated Quality Reviews. Those checklists, which are located at www.fema.gov/library/viewRecord.do?id=7577 must be retained as quality records, and delivered as part of the TSDN.
512	7/31/2013	Implemented with all projects not yet final.	Quality Management	Program Standard	Self-Certification of compliance with FEMA standards must be provided before a QR3 review may be executed. A template for this requirement is available here (www.fema.gov/library/viewRecord.do?id=7577).
513	7/31/2013	Implemented with all projects not yet final.	Quality Management	Program Standard	Written certification must be provided, documenting that all QR3 non-compliance citations were properly addressed and resolved, in order to complete the QR3 process. A template for this requirement is available at www.fema.gov/library/viewRecord.do?id=7577 .
514	12/1/2008	Existing standard. Already implemented.	Quality Management	Program Standard	Following the QR4 review, any identified errors must be corrected prior to the 90-day Start letter distribution.
515	12/1/2008	Existing standard. Already implemented.	Due Process	Program Standard	The 90-day comment period for the Federal Register Proposed FHD Notice and the 90-day statutory appeal period must overlap by at least one day. If the 90-day appeal period does not begin prior to the end of the Federal Register 90-day comment period, in coordination with FEMA, the Federal Register publication must be withdrawn and the FHD notice must be republished.
516	4/11/2019	Effective immediately.	Due Process	Working Standard	The standard Proposed Flood Hazard Determination Notice must be posted with the correct newspaper notice publication dates and appeal period start and end dates on FEMA's website prior to issuing the 90-day start letters.



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517	12/1/2008	Existing standard. Already implemented.	Post-Preliminary Deliverables	Working Standard	The FIRM Database (including metadata) and the georeferenced FIRM image files must be submitted to the MIP and FEMA (or their designee) must be notified at least 60 days prior to the anticipated LFD date.
518	12/1/2008	Existing standard. Already implemented.	Quality Management	Program Standard	All outstanding map changes must be incorporated into the FIRM before proceeding with the QR5 database and visual review.
519	12/1/2008	Existing standard. Already implemented.	LFD	Program Standard	The FIS Report, FIRM, and FIRM database must pass QR5, QR6, and QR7 before the LFD may be distributed.
520	12/1/2008	Existing standard. Already implemented.	Post-Preliminary Deliverables	Program Standard	At least 45-days before the projected LFD date the final LFD letters, Part 67 Final Notice, and Final SOMAs must be submitted. No less than one month (4-weeks) before the LFD the final LFD Summary Sheet/Dockets and LFD Questionnaires must be consolidated and sent to FEMA HQ for approval.
521	2/28/2018	For any study not yet submitted to QR5.	Quality Management	Program Standard	At least 60 days prior to the projected LFD date after receiving a passing QR5 auto-validation report for the FIRM database, the QR5 visual, QR6, and QR7 reviews at the Develop Final Mapping Products Data Capture MIP task must be conducted.
522	4/11/2019	Effective immediately.	LFD	Working Standard	As part of the LFD Docket MIP task, the LFD Verification Summary and LFD Questionnaire, LFD Letters and Final SOMA must be submitted, concurrent with Quality Reviews 5 and 7.
523	2/28/2018	Effective immediately.	SOMA	Working Standard	On the SOMA, structure removals must not be included in Category 1; LOMRs must not be included in Category 2A or 2B; and LOMRs and single-determination LOMCs must not be included in Category 4.
524	4/11/2019	Effective immediately.	SOMA	Working Standard	When multiple determination LOMAs and LOMR-Fs include both removal and non-removal determinations, and all determinations remain the same based on the new or revised mapping, the case must be included in Category 2A or Category 2B in the MIP SOMA Workbench.



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525	4/11/2019	Effective immediately.	SOMA	Working Standard	On the Preliminary and Final SOMA, the map number and map suffix must be listed in the Original Panel field and Current Panel field for each valid LOMC. On the Revalidation Letter, the FIRM Panel Number and map suffix must be listed for each valid LOMC.
527	4/1/2003	Existing standard. Already implemented.	SOMA	Working Standard	Any LOMCs issued prior to the effective date of the current respective FIRM panel must be included on the SOMA if they are listed on a current revalidation letter for the community.
528	4/1/2003	Existing standard. Already implemented.	SOMA	Working Standard	The SOMA must include the community name, CID, case number, date issued and project identifier for each LOMC listed.
529	4/1/2003	Existing standard. Already implemented.	SOMA	Working Standard	The FIRM Effective date must be listed on the Final SOMA.
530	7/31/2013	Applicable for LOMCs initiated after the effective date, but not retroactively for ongoing or completed LOMCs.	Coastal - Analysis	Working Standard	All requests for flood map revisions based upon new or modified flood control structures shall include an analysis of the potential adverse impacts of the structure on flooding within, and adjacent to, the area protected by the structure. For coastal structures, this analysis must also evaluate the impacts of the structure on erosion within, and adjacent to, the protected area.
531	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Program Standard	Metadata for non-regulatory flood risk datasets must comply with the Metadata Technical Reference.
532	1/1/2013	Existing standard. Already implemented.	Flood Risk Datasets	Program Standard	Attribute domains for non-regulatory flood risk datasets must comply with the Domain Tables Technical Reference.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
533	10/1/2011	Existing standard. Already implemented.	FIRM Database	Program Standard	Metadata for FIRM databases must comply with the Metadata Profiles Technical Reference.
534	10/1/2011	Existing standard. Already implemented.	FIRM Database	Program Standard	Attribute domains for FIRM databases must comply with the Domain Tables Technical Reference.
535	7/31/2013	Implemented for all projects once the NFHL for a community is converted to the latest FIRM Database schema.	LOMR Incorporation	Working Standard	When a PMR is processed that will only partially include an effective LOMR, all FIS Report components of the LOMR (including Flood Profiles and Floodway Data Tables) must be included in the revised FIS Report that is issued with the PMR. When the partially-included LOMR is re-issued, it must not include any FIS Report components and it will only include revisions for the FIRM panel(s) not revised with the PMR. The LOMR must be re-issued within three days of the FIS Report / FIRM effective date.
536	7/31/2013	Applicable for all coastal Flood Risk Projects in the data development stage where the erosion analyses have not been completed yet.	Coastal - Analysis	Working Standard	For Atlantic Ocean and Gulf of Mexico coastal Flood Risk Projects, the 1-percent-annual-chance water level datum, above which the dune reservoir volume will be calculated for erosion analyses, will include storm surge, tidal effects, and wave setup components.
537	2/28/2018	Effective immediately.	Coastal - Waves	Working Standard	LOMRs revising coastal flooding shall use the effective still water elevations and shall include wave setup.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
538	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Program Standard	FEMA will not fund any efforts solely related to certifying data for levee accreditation or making determinations of the levee's structural conditions.
539	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Program Standard	The natural valley floodplain behind non-accredited levee systems shall be modeled and depicted as an SFHA, except when additional analysis indicates an alternate treatment. The natural valley floodplain behind non-accredited levee systems shall only be depicted as Zone D when freeboard deficient, sound reach, overtopping, and structural-based inundation procedures are implemented.



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540	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	Levee systems must be hydraulically independent whereby if one system fails, the area behind another system is not inundated.
541	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	A Local Levee Partnership Team (LLPT) must be established with participation of diverse stakeholders based on the complexity and scope of the levee system under evaluation. The options discussed by the LLPT members and FEMA's decisions regarding the appropriate analysis and mapping procedures to be used, must be documented and made available to stakeholders.



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542	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	If there are levee systems on both sides of a flooding source, or multiple systems that overlap, the extents of the natural valley area and reach specific SFHAs for each system will be analyzed independently assuming the other systems remain in place.



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543	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	The following reach analysis approaches and corresponding data requirements shall be utilized when analyzing non-accredited levee systems:



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544	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	The final SFHA delineation shown on the FIRM landward of the non-accredited levee system shall be based on a composite of flooding results from each independently analyzed reach, any interior drainage flooding of the system, and ponding against the landward side of the levee.
545	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	The resulting floodplain from the analysis of a Structural Based Inundation reach must reflect the fact that a breach could occur at any location along the reach.



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546	7/31/2013	For all non-accredited levee projects that were previously on-hold and for newly initiated flood risk projects after the effective date, or after Congressional LAMP briefing. (whichever is later)	Levee	Working Standard	If BFEs are to be shown on the FIRM landward of non-accredited levee systems, they shall be based on the highest elevation of the composite analysis and mapping.
547	11/30/2014	Existing standard. Already implemented.	Elevation Data	Working Standard	If topographic breaklines are produced and submitted, the Topographic Breakline Topology Rules outlined in the Data Capture Technical Reference must be followed.
549	11/30/2014	Existing standard. Already implemented.	Metadata	Working Standard	The metadata files submitted for each applicable task must comply with the Metadata Profiles Technical Reference and must document the data being submitted and include the following elements: • Identification Information • Data Quality Information • Spatial Reference Information • Entity and Attribute Information • Distribution Information • Metadata Reference Information
550	4/1/2003	Existing standard. Already implemented.	Letter of Map Revision (LOMR)	Program Standard	If a LOMR results in a new or increased BFE or a new or increased SFHA, the requester must notify the property owner(s) of the impact of the LOMR on their property.



FEMA

SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
551	11/30/2016	Effective for all newly funded PMR preliminary map processing or newly initiated PMRs.	PMR	Working Standard	When FEMA is processing a PMR, the footprint shall be defined as the boundary of the FIRM panel(s) affected by the PMR's study area. All FIRM Database and FIRM Graphic standards, as well as appropriate DVT checks and quality reviews, apply to the footprint and are not limited to the PMR's study area.
552	12/1/2008	Existing standard. Already implemented.	Quality Management	Program Standard	A Quality Management Plan that prescribes protocols for ensuring consistent compliance with FEMA Standards must be in place.



FEMA

SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
553	2/28/2018	Effective immediately.	SOMA	Program Standard	LOMCs shall be categorized on the SOMA as follows: - Category 1 (LOMCs Incorporated) - Includes those LOMRs (and some LOMAs and LOMR-Fs) whose results are unaffected by new or revised flood hazard data, and whose results can and will be incorporated into the revised FIRM panel(s). Large metes-and-bounds or multi-lot property removal LOMR-Fs are sometimes incorporated through Category 1 when scale limitations do not prohibit it; although typically, these LOMAs and LOMR-Fs will be revalidated through Category 2. Structure removal (both single and multiple determination) LOMCs cannot be incorporated due to scale limitations and therefore shall not be included in Category 1. - Category 2A (LOMCs Not incorporated on revised panels) - Includes those valid LOMCs that shall remain effective and / or are within the revised panel footprint of the study. - Category 2B (LOMCs Not incorporated on unrevised panels) – Includes those valid LOMCs within a community that shall remain effective and / or fall on unrevised panels within that community. - Category 3 (LOMCs Superseded) - Includes those LOMCs whose results will not be reflected on the revised FIRM panel because the flood hazard data on which the determinations are based are being superseded by new detailed flood hazard data, or the information available was not sufficient to make a determination. - Category 4 (LOMCs To Be Redetermined) - Includes those LOMAs and LOMR-Fs issued for multiple lots or structures for which new determinations must be made because the determination for one or more properties or structures has changed as a result of the new or revised flood hazard information, and therefore cannot be revalidated.
555	10/1/2011	Existing standard. Already implemented.	National Flood Hazard Layer (NFHL)	Working Standard	RFHL to NFHL submissions must include all up-to-date revisions and study data inclusive in a DFIRM ID.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
556	7/31/2013	Implemented with all new flood risk projects initiated in FY13.	Stakeholder Engagement	Program Standard	All Flood Risk Projects must have a communications plan designed to keep project stakeholders informed of all key decisions, draft findings and finished outputs. The plan shall also be designed to regularly engage key stakeholders in dialog about local risks and potential actions to manage and reduce those risks.
600	4/11/2019	Effective immediately.	Appeals Process	Program Standard	An administrative appeal period must be offered for any FIRM updates including letters of map revision where Flood Hazard Data updates are made. Flood Hazard Data changes include: • New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths have been modified; • New SFHAs are proposed or the boundaries of currently effective SFHAs have been modified; • New SFHA zone designations are proposed or currently effective SFHA zone designations have been modified; or • New regulatory floodways are proposed or the boundaries of currently effective floodways that have been modified. In order to qualify as an appeal, scientific and/or technical data demonstrating these changes are incorrect must be provided.
601	4/11/2019	Effective immediately.	Fed Register	Program Standard	The Community Map Repository address for each community listed in the Proposed Flood Hazard Determination Notice must be a physical address (i.e., not a P.O. Box) confirmed by the community. Additionally, the repository address must be consistent among all related products on FEMA's website (FIS, FIRM Index, FIRM Database, Populate FHD MIP task, and Federal Register), before starting the statutory 90-day appeal period.
602	5/31/2014	Implemented for any project not yet at preliminary.	Levee	Program Standard	For the analysis and mapping of flood hazards associated with levee systems, if available, data and documentation in the USACE National Levee Database (NLD) or from local communities, tribal entities or other federal or state agencies should be leveraged.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
603	11/30/2014	Implemented for any new community request received after March 21, 2014.	Levee	Program Standard	Requests for a determination of adequate progress toward completion of flood protection systems must meet the data and documentation requirements outlined in 44 C.F.R. § 61.12, except where superseded by Section 19, Part a, of the Homeowner Flood Insurance Affordability Act, 42 U.S.C. § 4014(e). Zone A99 requests may be submitted for projects constructing or reconstructing flood protection systems. Requests will not be limited to projects with federal funding, and the present value of the system can be used to meet the requirements of 44 C.F.R. § 61.12(b).
604	11/30/2014	Implemented for any new community request received after March 21, 2014.	Levee	Program Standard	Map revision requests to reflect flood control system restoration projects with a Zone AR designation must meet the data and documentation requirements outlined in 44 C.F.R. § 65.14, except where superseded by Section 19, Part b, of the Homeowner Flood Insurance Affordability Act, 42 U.S.C. § 4014(f). Zone AR requests may be submitted for levees in riverine and coastal areas, except when the landward flood zone of the existing structure would be defined as a Coastal High Hazard Area. Requests will be reviewed without regard to federal funding or participation, and restoration projects must be complete or meet the requirements of 44 C.F.R. § 61.12 within a specified timeframe, not to exceed 10 years, from the date the community submits the request for a Zone AR determination by FEMA.
605	11/30/2014	Effective immediately.	National Flood Hazard Layer (NFHL)	Program Standard	Flood Insurance Rate Maps, FIRMettes, and NFHL Databases are the official FEMA digital products. The official FEMA digital products and printed versions produced from the official digital products are all equivalent to each other and represent official FEMA designations of the areas of special flood hazard, base flood elevations, insurance risk zones and other regulatory information, provided that all other geospatial data shown on the printed product meets or exceeds any accuracy standard promulgated by FEMA. Products using FEMA's regulatory data must include a statement that they conform to this standard in order to be used in place of the official FEMA digital products.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
606	11/30/2014	Existing standard. Already implemented.	National Flood Hazard Layer (NFHL)	Program Standard	When a coordinate grid is shown on the FIRM or when the FIRM or NFHL Database version is available, the horizontal location of the flood hazard information is defined with respect to the primary coordinate system shown on the FIRM or stored in the FIRM or NFHL Database product. The horizontal location of the flood hazard information is not defined by its relationship to the base map features such as streets. If there are conflicting interpretations of the precise horizontal location of the areas of special flood hazard, the conflict shall be resolved using the grid coordinates shown on the printed FIRM or stored in the FIRM or NFHL Database products rather than the base map features.
607	11/30/2014	For all projects where the FIRM database has not yet been submitted to the NFHL.	National Flood Hazard Layer (NFHL)	Working Standard	NFHL submittals must not contain a single dataset (i.e. DFIRM_ID) which includes future-effective LOMRs with effective dates separated by more than one business day.
608	11/30/2014	For all projects where the FIRM database has not yet been submitted to the NFHL.	National Flood Hazard Layer (NFHL)	Working Standard	RFHL submittals must be submitted in a geodatabase format that matches the current NFHL schema in the FIRM Database Technical Reference.
609	2/28/2018	Effective for FY18 projects and beyond.	National Flood Hazard Layer (NFHL)	Working Standard	DFIRM study data incorporated into the NFHL must be obtained from the Develop Final Mapping Products Data Capture task MIP folder for the associated Risk MAP project case number.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
610	11/30/2014	For all projects where the FIRM database has not yet been submitted to the NFHL.	National Flood Hazard Layer (NFHL)	Working Standard	All NFHL data superseded by a Risk MAP or LOMR project must be removed from the RFHL prior to submission, and the NFHL must replace all data for a submitted dataset (i.e. DFIRM_ID) in its entirety.
611	11/30/2014	For all projects where the FIRM database has not yet been submitted to the NFHL.	National Flood Hazard Layer (NFHL)	Working Standard	NFHL submittals must contain a unique identifier within the primary key fields for all records within a dataset (i.e. DFIRM_ID) and maintain all primary and foreign key relationships as defined in the FIRM Database Technical Reference.
612	7/31/2015	Effective immediately.	Key Decision Points (KDPs)	Program Standard	Flood Risk Projects must follow the Key Decision Points (KDPs) process and each KDP must be documented. A Flood Risk Project shall not advance in its project lifecycle beyond a KDP without Regional and HQ approval. The six distinct KDPs: - KDP 0: decision to initiate a Flood Risk Project or group of Flood Risk Projects. - KDP 1: decision to move forward with a Flood Risk Project through data development, risk awareness, and/or outreach tasks - KDP 2: decision to develop Preliminary FIRM products - KDP 3: decision to distribute Preliminary FIRM products to communities - KDP 4: decision to initiate the Appeal Period - KDP 5: decision to issue the LFD
613	7/31/2015	Effective immediately.	Coastal - General	Program Standard	FEMA does not issue CLOMA or LOMA determinations in V zones where the primary frontal dunes (PFDs) define the inland limits of V zones.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
614	4/11/2019	Effective immediately.	Coastal - General	Program Standard	FEMA will only use BFEs in the format of the effective flood hazard map for (C)LOMA or (C)LOMR-F determinations where effective flood hazard areas are the result of coastal flood hazard analysis.
615	7/31/2015	Effective immediately.	Scientific Resolution Panel (SRP)	Program Standard	The Scientific Resolution Panel must issue a report detailing the panel findings in writing to the community and FEMA no later than 90 days after being formed. The Panel Sponsor must publicly identify the date that an SRP was formed on the SRP website.
616	7/31/2015	Effective immediately.	Letter of Map Revision (LOMR)	Program Standard	A LOMR or CLOMR requester shall be exempt from submitting a review or processing fee for a request that is based on a project where: (1) the primary purpose is habitat restoration; and (2) where the habitat restoration project is funded in whole or in part with federal or state-funds. For the purposes of this fee exemption, "habitat restoration" will have the same meaning as the term "habitat restoration" in the Partners for Fish and Wildlife Act, 16 U.S.C. § 3772(5). This exemption includes projects for dam removal, culvert redesign or installation, or the installation of fish passage if the primary purpose is habitat restoration.
617	7/31/2015	Effective immediately.	Prelim Distribution	Program Standard	Congressional notifications required under 42 U.S.C. § 4101b (d)(1)(G) and (H) related to issuance of preliminary maps shall be provided in the monthly "Notice to Congress: Monthly Update on Flood Mapping" report. Issuance of initial preliminary maps and revised preliminary maps must be included.
618	11/30/2015	Applicable for LOMCs initiated after the effective date, but not retroactively for ongoing or completed LOMCs.	Letter of Map Revision (LOMR)	Program Standard	All LOMRs issued shall have all revised FIRM Database items prepared in accordance with the FIRM Database Technical Reference and incorporated into the National Flood Hazard Layer (NFHL) with a polygon showing a LOMR area of revision.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
619	4/11/2019	Effective Immediately.	Coastal - Mapping	Program Standard	When revising the dune feature identified as the Primary Frontal Dune in an effective FIS, the revised feature must be as continuous as, or more continuous than, the effective PFD and provide an accurate representation of the regional dune feature. This is especially important in areas with multiple ridges throughout a dune field, areas with man-made dunes, and property-specific revisions, including requests that the PFD designation be removed altogether. Community coordination may be required to make this assessment.
620	5/31/2016	Effective for all new work funded in FY16.	Coordination	Program Standard	Before commencing the analysis and mapping activities that take place during the Data and Product Development Phase of a flood risk study project, FEMA shall provide a written notification to community Chief Executive Officers and Floodplain Administrators that explains the selected modeling, explains why the selected modeling is appropriate, and provides a 30-day period for communities to consult on the appropriateness of the modeling.
621	4/11/2019	Effective immediately.	Coordination	Program Standard	Prior to completion of Quality Review 1, FEMA shall transmit or provide access to the draft FIRM database, along with any other contributing data as requested, to the affected community's Chief Executive Officer and Floodplain Administrator, and provide a 30-day period during which the affected community may provide data to FEMA that can be used to supplement or modify the existing data, and incorporate any data that are consistent with prevailing engineering principles.
622	5/31/2016	Effective for all new work funded in FY16.	Stakeholder Engagement	Program Standard	During the Preliminary NFIP Map Release and Due Process phases of the lifecycle for a flood risk study, the Project Team shall work with the FEMA Regional Office of External Affairs, other FEMA staff, community officials, and local radio and television outlets to further educate property owners about flood map revisions and appeals processes.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
623	11/30/2016	Effective immediately.	Letters of Map Amendment (LOMA)	Program Standard	Within non-participating communities, the Special Flood Hazard Area (SFHA) designation shall not be conditionally or effectively removed by letter from a structure or property that 1) has or will be elevated by the placement of fill, or 2) encroaches the regulatory floodway on the effective FIRM. This is because these reviews require the submission of a completed, signed, and dated Community Acknowledgement Form, which confirms compliance with the participating community's adopted floodplain management ordinance.
624	11/30/2016	Effective immediately.	Letters of Map Amendment (LOMA)	Program Standard	The Special Flood Hazard Area (SFHA) designation shall not be conditionally or effectively removed from a structure or property by letter when the lowest adjacent grade to the structure or lowest point on the property is or would be below the applicable 1-percent-annual-chance flood elevation, unless certified data can be presented to demonstrate that naturally occurring intervening high ground exists between the structure or property and the source of flooding.
626	11/30/2016	Effective Immediately.	Letters of Map Amendment (LOMA)	Program Standard	The Special Flood Hazard Area designation may only be conditionally or effectively removed by letter from a property or portion-of-property that 1) includes the complete footprint of any proposed or existing structures impacted by the removal; and 2) does not include any flooding sources identified on the effective NFIP map.
627	2/28/2018	Effective immediately.	Letter of Map Amendment (LOMA)	Program Standard	For Letters of Map Amendment (LOMAs), submitters may use elevation data (typically LiDAR) to document the lowest adjacent grade for a structure or lowest lot elevation for a parcel of land that complies with the USGS National Geospatial Program LiDAR Base Specification Quality Level 3 (QL3) or better and is provided by a federal, state or local government agency.



SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
628	2/28/2018	Effective for FY18 projects and beyond.	Flood Risk Datasets	Program Standard	All Flood Risk Products will be deemed of acceptable quality if they meet the following conditions: - All Flood Risk Products pass the MIP Validation step - All raster datasets and the Changes Since Last FIRM dataset align with the underlying model information used to develop the associated regulatory products - All other database elements align with regulatory products as of the time they are contracted, if they are developed from regulatory products
630	11/30/2019	Implemented with all new flood risk projects initiated in FY20 and MT-2s received after the automated mapping tool is implemented.	Map Format and Layout	Program Standard	All preliminary and final FIRM panels, including FIRM attachments delivered with MT-2s, must be developed using the FEMA FIRM panel creation tool.
631	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Program Standard	The Budget Matrix Tool will act as the financial management internal control for the oversight of the Risk MAP Program as a whole.
632	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Program Standard	Program Offices will prepare their spend plans and confirm they do not exceed budget targets, contravene Congressional intent, and are in accordance with applicable laws, policies, and regulations.
633	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Program Standard	FEMA Regional Offices must annually update the P4 tool based on Risk Map projected planning guidance, the financial targets list in the Budget Matrix Tool, and the FY Risk MAP Regional Allocations and Performance Metrics Memo.
635	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Working Standard	The full annual Regional allocation must be tracked in the MIP and the total value must match the Budget Matrix Tool when baselined.



FEMA

SID #	Effective Date	Implementation Description	Category	Standard Type	Standard
636	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Program Standard	Integrated Financial Management Information System (IFMIS) must be the system of record for obligation expenditures and balances.
637	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Program Standard	The Budget Matrix Tool must comprise the Risk MAP master spend plan report.
638	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Working Standard	Earned Value reporting in the MIP must be updated monthly. Monthly Earned Value reports shall account for active and on-hold projects.
639	11/30/2019	Effective for all new work funded in FY20.	Financial Management	Working Standard	Provider invoices for Regional task orders must match information in the MIP.

Guidance for Flood Risk Analysis and Mapping

Elevation Guidance

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November 2015



FEMA

Requirements for the Federal Emergency Management Agency (FEMA) Risk Mapping, Assessment, and Planning (Risk MAP) Program are specified separately by statute, regulation, or FEMA policy (primarily the Standards for Flood Risk Analysis and Mapping). This document provides guidance to support the requirements and recommends approaches for effective and efficient implementation. Alternate approaches that comply with all requirements are acceptable.

For more information, please visit the FEMA Guidelines and Standards for Flood Risk Analysis and Mapping webpage (www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping). Copies of the Standards for Flood Risk Analysis and Mapping policy, related guidance, technical references, and other information about the guidelines and standards development process are all available here. You can also search directly by document title at www.fema.gov/library.

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Document History

Affected Section or Subsection	Date	Description
First Publication	Nov 2015	This elevation guidance document retires Appendix A of the Guidelines and Specifications for Flood Hazard Mapping Partners (Guidelines) and Procedure Memorandum 61 – Standards for LiDAR and Other High Quality Digital Topography, while modernizing the guidance to align with the USGS LiDAR Base Specifications v1.2, ASPRS Positional Accuracy Standards for Digital Geospatial Data (Edition 1, Version 1.0 – November 2014), and ASPRS LAS Specification Version 1.4 – R13 (15 July 2013).

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1.0 Introduction

This elevation guidance document retires Appendix A of the Guidelines and Specifications for Flood Hazard Mapping Partners (Guidelines) and Procedure Memorandum 61 – Standards for LiDAR and Other High Quality Digital Topography, while modernizing the guidance to align with the USGS LiDAR Base Specifications v1.2, ASPRS Positional Accuracy Standards for Digital Geospatial Data (Edition 1, Version 1.0 – November 2014), and ASPRS LAS Specification Version 1.4 – R13 (15 July 2013).

This document provides basic information on elevation data terminology, data formats for datasets used in the Risk MAP program, references for accuracy and other Light Detection and Ranging (LiDAR) topics, as well as guides for procurement of either leveraged or newly acquired elevation data.

2.0 Elevation Data Basics

This section describes the basic elevation terminology and concepts. The content is not meant to be a thorough discussion on elevation data, rather it is meant to provide basic information to the end user, such that they have an understanding of the terrain data utilized to complete flood insurance study datasets required by the Risk MAP program.

2.1 Digital Elevation Data

Digital Elevation Data encompass many data types. This section describes only those that are typically acquired for the purpose of hydrologic and hydraulic analysis, floodplain delineation, and Risk MAP product development. For additional definitions or data type descriptions please refer to the USGS LiDAR Base Specifications v1.2 glossary.

2.1.1 LiDAR

Light Detection and Ranging (LiDAR) is defined as a laser system that is used to acquire x, y, and z coordinates of terrain and terrain features that are both manmade and naturally occurring. LiDAR systems consist of a Global Positioning System (GPS) with attendant GPS base stations, Inertial Measurement Unit (IMU), and light-emitting scanning laser. The LiDAR system can be mounted on a number of platforms, including satellites, aircraft, boats, automobiles or trucks, or stationary tripods. Typical LiDAR collection for the purpose of establishing a terrain surface, to be utilized for floodplain mapping, involves fixed-wing aircraft mounted sensors, thus further discussion in this document is specific to this collection platform.

The system measures ranges from the scanning laser to terrain surfaces within a scan width beneath the aircraft. The time it takes for the emitted light (LiDAR return) to reach the earth's surface (or other feature being measured) and reflect back to the onboard LiDAR detector is measured to determine the range to the ground. Scan widths will vary, depending on mission purpose, weather conditions, desired point density and spacing, and other factors.

Two important factors in the LiDAR system mission planning are the pulse spacing of the randomly spaced LiDAR points and the point spacing of the uniformly spaced Digital Elevation Model (DEM) points derived from the randomly spaced LiDAR returns. Current specifications

typically require sufficiently dense nominal pulse spacing to meet all flood mapping requirements. Issues may arise where very dense vegetation prevents most measurements from reaching the ground resulting in actual measurement density well below the nominal pulse spacing.

LiDAR missions can be flown without regard to sun angle and may take place at night, if conditions otherwise allow. LiDAR system tolerance for inclement weather conditions (e.g., high winds, wet snow, rain, fog, high humidity, low cloud cover) generally is higher than that of photogrammetric methods. However, such conditions have been known to degrade the accuracy of the laser return data and may pose a safety risk in rugged terrain.

In some instances, shallow water and near-shore coastal surveys can be accomplished using airborne LiDAR bathymetric systems equipped with lasers operating in portions of the light spectrum that allow transmission through water. Detailed information about LiDAR, including nomenclature, definitions, and requirements can be found in the [USGS LiDAR Base Specifications v1.2](#) and [ASPRS Positional Accuracy Standards for Digital Geospatial Data](#).

A LiDAR deliverable is usually comprised of several different data components; this includes the raw and classified data that is a direct result of the data capture and the derived products.

2.1.2 LAS Files

Both Raw and Classified Point Cloud data are stored in LAS files. This file format has become the industry standard for storing LiDAR and should generally be used for all projects. (See [ASPRS LAS Specification Version 1.4](#))

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2.1.2.1 Raw Point Cloud

During LiDAR acquisition, sensors collect irregularly spaced mass points through the use of a pulsed laser range finder. The data are a collection of range measurements and sensor orientation parameters. The initial processing and analysis of laser data to raw point clouds (sometimes known as calibrated point clouds) in some specified tile format is commonly referred to as preliminary processing. When the processing is complete, the LiDAR data will be set to ASPRS LAS Class 1 (unclassified). This raw point cloud typically includes discrete first, last, and intermediate returns for each laser pulse that indicate the location of objects in three dimensional space. In addition to spatial information, the LiDAR point cloud includes intensity data that can be used to create an image resembling a black and white photo of the area collected. Building locations, intensity images, and forest canopies are among the many uses for raw point cloud data.

2.1.2.2 Fully Classified Point Cloud

The final processing and classification of LiDAR data to the required ASPRS LAS classes, per project specifications is typically referred to as Post-Processing. The LiDAR raw point cloud data are processed through a series of semi-automated algorithms to filter and organize points into groups. These point groups are visually inspected and refined in order to separate the points into specific classifications such as buildings, water, vegetation, or bare earth. The final

dataset is known as being a fully classified point cloud. The dataset may be parsed into various LAS Class datasets, such as LAS Class 2 or the bare earth dataset.

2.1.2.3 Bare Earth

Bare Earth is a LiDAR classification that is free from vegetation, buildings, and other man-made structures. Bare Earth contains only the ground topography and is stored in classification 2 within an LAS file. The Bare Earth point classification is used for creating digital topographic surfaces that are the basis for hydraulic analysis and floodplain mapping.

2.1.3 Breakline

A breakline is a linear (sometimes referred to as a vector) feature that describes a change in the smoothness or continuity of a topographic surface. Breaklines are often embedded in Esri Terrain or Triangular Irregular Network (TIN) datasets to improve the model of the earth's surface. Breaklines of wide streams (greater than 100 feet) and waterbodies (greater than 2 acres) are used to produce the Hydrologically Flattened DEM in the USGS LiDAR specification. Breaklines are generally derived from the LiDAR data, but might also be collected from orthophotos.

2.1.4 LiDAR Products

2.1.4.1 Digital Elevation Model (DEM)

The digital representation of continuous elevation values at regularly spaced or gridded intervals in x and y directions are known as DEMs. DEMs are typically derived from TINs which are created using Bare Earth classified LiDAR. Because of the uniform point spacing, DEMs can "jump over" breaklines without identifying ditches, stream centerlines, steep banks, and other similar features. DEMs are simple data models, easy to store, and suitable for automated hydrologic and hydraulic analyses and modeling where breakline information is unimportant or introduced in another manner (such as streamlines for hydraulic modeling). DEMs are commonly used in hydraulic modeling and floodplain delineation.

2.1.4.2 Hydrologically (Hydro) Flattened Digital Elevation Data (DEM)

The hydro flattened DEM is valuable to the hydraulic analysis when there are wide streams and many ponds or lakes. By including breaklines, this DEM provides a consistent elevation for the water surface for lakes and bank to bank for rivers. Base Flood Elevations (BFEs) produced by hydraulic analysis will thus be constant for lake surfaces and have a smooth progression for rivers. This improves the throughput for the analysis as less time is required to 'clean up' the floodplains. Some caution should be used with these processed DEMs because the elevation values for the water surface are artificially generated to create a cartographically pleasing surface. Small islands, large boulders, shoals and other features within the channel banks may be smoothed out of the original data.

2.1.4.3 Contours

Contours are representative lines of equal elevation on a surface. It is an imaginary line on the ground, all points of which are at the same elevation above or below a specified vertical datum.

Contours are created from the Bare Earth data, or from the DEM. These contours are used to produce floodplain delineations. Cartographic contours are created and then smoothed via a series of algorithms to produce smooth map quality contours.

2.2 Data Formats

While there are a wide variety of formats for the datasets listed in the preceding section, as described in the USGS LiDAR Base Specifications v1.2, the acceptable formats for FEMA deliverables are prescribed in the Data Capture Technical Reference.

2.3 Tiling Scheme

The USGS LiDAR Base Specifications v1.2 discusses tiling scheme requirements. Tile sizes should take into consideration the end user requirements. Final determination of tiling scheme must be made by all stakeholders and collection partners prior to collection of the data. As noted by both the USGS document, and the Data Capture Guidance – Workflow Details, tiled data must be accompanied by a tile index file.

2.4 Accuracy

Accuracy is defined as the closeness of an estimated value (for example, measured or computed) to a standard or accepted (true) value of a particular quantity. The following sections describe accuracy as it relates in particular to the requirements for LiDAR datasets, and a generalized description of the testing requirements for these datasets. Additional accuracy requirements and information are found in the USGS LiDAR Base Specifications v1.2.

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2.4.1 Geospatial Accuracy Standards

Geospatial Accuracy Standard is a common accuracy testing and reporting methodology that facilitates sharing and interoperability of geospatial data. Published in 1998, the National Standard for Spatial Data Accuracy (NSSDA) is the Federal Geographic Data Committee (FGDC) standard most relevant to digital elevation data

The USGS LiDAR specification requires vertical accuracies based on the American Society for Photogrammetry and Remote Sensing (ASPRS) Positional Accuracy Standards for Digital Geospatial Data which characterizes LiDAR accuracy in terms of Non-vegetated Vertical Accuracy (NVA) and Vegetated Vertical Accuracy (VVA). This system separates the overall system and measurement uncertainties observed in non-vegetated areas from the additional uncertainties introduced when trying to distinguish measurements of the bare earth from measurements of vegetation. Please refer to referenced publications for further discussion on these terms and the calculations required to determine their values for a particular dataset.

USGS requirements specify that for newly acquired data, the LiDAR (LAS) datasets as well as the derivative DEMs must meet vertical accuracy requirements. Construction of the DEM requires interpolation, resolution changes, post-spacing decisions, and interim surfaces. These steps may potentially introduce additional error; thus the vertical accuracy of the DEM is not expected to be the same as the LAS dataset, and in fact will tend to be slightly worse. Please

see [USGS LiDAR Base Specification v1.2](#) for further information and description of requirements.

Prior to the most recent USGS specification, most elevation data projects used a similar accuracy framework published by the National Digital Elevation Program (NDEP) in its [Guidelines for Digital Elevation Data](#) and the [ASPRS Guidelines: Vertical Accuracy Reporting for Lidar Data](#). Both were published in 2004 and use the terms Fundamental Vertical Accuracy (FVA), Supplemental Vertical Accuracy (SVA) and Consolidated Vertical Accuracy (CVA). CVA is a value that blended the FVA and SVA measurements.

Since much of the leverage data currently available follows the older FVA, SVA, CVA requirements, a crosswalk of these terms is provided in Table 1. A crosswalk of the testing requirements is provided in Table 2. Because FVA is so similar to NVA and SVA is so similar to VVA, FEMA uses the same minimum accuracy values in both systems.

Table 1: Land Cover Classes

(FVA, fundamental vertical accuracy; NVA, non-vegetated vertical accuracy; SVA, supplemental vertical accuracy; VVA, vegetated vertical accuracy; n/a, not applicable)

Class Number	Land Cover Class or Description	Previous Reporting Group	Current Reporting Group
1	Clear or open, bare earth, low grass; for example, sand, rock, dirt, plowed fields, lawns, golf courses	• FVA	• NVA
2	Urban areas; for example, tall dense man-made structures	• SVA	• NVA
3	Tall grass, tall weeds, and crops; for example, hay, corn, and wheat fields	• SVA	• VVA
4	Brush Lands and short trees; for example chaparrals, mesquite	• SVA	• VVA
5	Forested areas, fully covered by trees; for example, hardwoods, conifers, mixed forests	• SVA	• VVA
6	Sawgrass	• n/a	• n/a
7	Mangrove and swamps	• n/a	• n/a

To comply with FEMA Standard 43, existing topographic data leveraged by FEMA must have documentation that it meets the vertical accuracy requirements described in Table 2.

**Table 2: Vertical Accuracy Requirements based on Flood Risk and Terrain Slope
within the Floodplain being Mapped**

Level of Flood Risk	Typical Slopes	Specification Level	Vertical Accuracy: 95% Confidence Level (FVA or NVA)/ (CVA or VVA)	LiDAR Nominal Pulse Spacing (NPS)
High (Deciles 1,2,3)	Flattest	• Highest	• 24.5 cm / 36.3 cm	• ≤ 2 meters
High (Deciles 1,2,3)	Rolling or Hilly	• High	• 49.0 cm / 72.6 cm	• ≤ 2 meters
High (Deciles 2,3,4,5)	Hilly	• Medium	• 98.0 cm / 145 cm	• ≤ 3.5 meters
Medium (Deciles 3,4,5,6,7)	Flattest	• High	• 49.0 cm / 72.6 cm	• ≤ 2 meters
Medium (Deciles 3,4,5,6,7)	Rolling	• Medium	• 98.0 cm / 145 cm	• ≤3.5 meters

2.4.2 Accuracy Reporting

Dataset accuracy must be reported in the accompanying metadata records. Accuracy statements are provided in the ASPRS Positional Accuracy Standards for Digital Geospatial Data.

2.4.3 Low Confidence Areas

When the VVA testing fails, low confidence areas will be developed. These areas are poorly defined by the LiDAR points reaching the earth's surface. Areas of impenetrable vegetation such as cornfields, dense evergreen forest or mangroves may exhibit this characteristic. Specific guidelines for development of the low confidence polygon and the reporting requirements are found in the ASPRS Positional Accuracy Standards for Digital Geospatial Data.

2.5 Pulse / Point Spacing

The density of pulses (or points) in a LiDAR collection affect the functional accuracy of a data set since interpolation is required between pulses and features between pulses can be missed. The density is typically measured in two ways. The first measurement is commonly referred to as Nominal Pulse Spacing or Nominal Pulse Density. This refers to the expected density of pulses based on the design of the LiDAR acquisition project. LiDAR datasets are irregularly spaced; hence these measurements calculate the average spacing. Modern LiDAR sensors have become capable of creating high collection densities with nominal pulse spacing of less than one meter. The tighter the spacing, the more definition of the earth's surface is possible.

Typically, the point spacing of the DEM is also specified. The Nominal Pulse Spacing must be sufficiently dense to support the target DEM point spacing. DEM datasets are derived and thus are regularly spaced points in a grid pattern. DEM point spacing is also referred to as 'post spacing' or 'cell size'. Refer to the [USGS LiDAR Base Specification v1.2](#) document for further discussion on this topic.

[USGS LiDAR Base Specification v1.2](#) provides a description of the required pulse density and the DEM cell size to satisfy various Quality Level definitions. Quality Level 2 has been determined to provide the optimum balance of benefit and affordability. Because Quality Level 2 data is also suitable for the USGS National Geospatial Program (NGP) 3D Elevation Program (3DEP), it has become the preferred Quality Level for new acquisition.

2.6 Field Survey

2.6.1 Ground Control

Ground control points are surveyed under rigorous standards to provide the LiDAR processing team with known elevations at known locations. The purpose for the ground control points is twofold. First, they provide the processing team the ability to conduct a vertical accuracy test on the dataset prior to conducting the vertical accuracy test described in the checkpoint section below. This preliminary testing may lead to the second purpose of the ground control, that being the use in evaluation of the LiDAR data to ensure the data properly 'ties' to the actual ground elevations. If a significant difference is noted throughout the dataset, the ground control may be utilized to determine a block adjustment to more accurately tie the data to the ground elevations. A discussion on the accuracy of the ground control may be found in the [ASPRS Positional Accuracy Standards for Digital Geospatial Data](#).

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2.6.2 Checkpoints

Vertical accuracy of elevation datasets requires statistical analysis of the differences (errors) between the data set and known elevations at specific locations. Field survey conducted under rigorous standards provides these known test elevations. When possible, field survey should be conducted by a 3rd party entity, such that the points are held until processing is complete and a 'blind' test can be conducted. The blind test provides the client confidence that the dataset meets or exceeds requirements set forth at contract signing. Further description of the checkpoint requirements may be found in the [ASPRS Positional Accuracy Standards for Digital Geospatial Data](#) and the [USGS LiDAR Base Specification v1.2](#).

3.0 Elevation Data Procurement

3.1 Acquisition Planning for LiDAR Data

Whenever possible, LiDAR should be planned and acquired so that it is available prior to commencing Discovery. This provides the biggest benefit from the LiDAR and allows the maximum use of streamlined analyses for the project. Risk MAP Standard ID (SID) 29 requires all projects to identify or develop data during Discovery that approximates the floodplain and flood elevation results that are likely to result from a flood risk project. The First Order Approximation (FOA) guidance provides strategies to do this. To maximize the benefits and

credibility of the FOA, analyses need to be performed using elevation data that meets FEMA's standards. This will ensure that FOA analysis can be used both to validate existing SHFA's, as well as, leveraging the FOA for future regulatory map updates. This approach is likely to produce large efficiencies where the FOA results can be reused on the regulatory maps for previously unmapped or approximate flood zones with low to moderate risk. See the First Order Approximation Guidance for more detail. This approach requires FEMA to be much more proactive in acquisition planning for LiDAR, ahead of any future flood risk projects.

FEMA is committed to supporting the USGS 3D Elevation Program as a core strategy for partnering on elevation data collections. Collaboration between FEMA and other federal and state agencies will allow for a greater expansion of LiDAR coverage across the nation, and FEMA's Risk MAP program has available the leverage of dollars to help make this coverage possible. Participation in the USGS 3DEP Program allows FEMA to be more proactive in its LiDAR collection, to capture partnerships, even before LiDAR is needed specifically for a Flood Risk Project. With 3DEP underway it is reasonable to assume that over time complete LiDAR coverage will be available in the next 10-15 years. So, LiDAR investments should be made with consideration of how a particular purchase will support this national approach.

The critical step to successfully intersecting the 3DEP and Risk MAP Programs, is acquisition planning. Leveraging tools like the Coordinated Need Management Strategy, and ensuring that our State Cooperating Technical Partners maintain their business plans can help inform and drive FEMA's decisions on where LiDAR should be purchased. LiDAR can now be considered an investment in future Risk MAP work, whereas in the past, purchase was considered for after needs were identified during Discovery. To ensure that the LiDAR purchased is aligned with Risk MAP priorities, regions need to have a multi-year plan for future work.

Planning for LiDAR acquisition, there are several things that should be considered when developing areas of interest. Based on current standards for Risk MAP project development, LiDAR acquisition boundaries should normally align to the watershed boundaries for the flood risk project, unless there is existing elevation data that meets FEMA's standards or there are substantial contiguous portions of the watershed that are unlikely to require any regulatory map updates. It is important to consider, however, gaps that may be created either between the watershed and previously existing LiDAR, counties that are being split between LiDAR coverage, or irregular shapes that will be inefficient to collect and will result in the need for future complex collection areas to fill in adjacent unmapped areas. When planning the acquisition area, FEMA Regions should consider the current Risk MAP needs, the efficiency of collecting the planned project and the efficiency of a future projects required to collect the unmapped areas adjacent to the FEMA project. FEMA should normally collect large, regularly shaped, contiguous blocks of new elevation data avoiding slivers and gaps with adjacent existing elevation that will be inefficient to collect in the future. At first this may seem like spending scarce FEMA resources on data FEMA may not need. But, considered in the context of a 3DEP program that will produce complete coverage funded mainly by others, this extra cost is a small investment that will be repaid multiple times over the next 10-15 years.

Led by NOAA and the USGS, the agencies participating in 3DEP have developed the U.S. Interagency Elevation Inventory. This is the best source for determining of elevation data already exists for a location. In addition to this inventory of existing data, Federal agencies

working on elevation mapping have collaborated to build a web site, the U.S. Federal Mapping Coordination Viewer, where 3DEP, including FEMA, and other groups share elevation data needs and plans. While no inventory is perfect, the absence of adequate elevation data in either of these inventories¹ is a reliable indication that new elevation data will likely be required for a flood risk project. In addition, FEMA should also coordinate with state and key local partners to confirm the need for updated elevation data.

Once the areas of interest have been developed, the areas need to be uploaded to the Project Planning and Purchasing Portal (P4) Tool (for additional guidance on uploading data to P4, please refer to the P4 Tool's Best Practices Guide). This is a critical because it is the planned and potential LiDAR projects in the P4 tool that will be published to the U.S. Federal Mapping Coordination Viewer. The viewer allows all interested stakeholders to view areas of interest provided by other federal, state and local agencies and shows where they intersect. This knowledge can help the regions start conversations with other agencies about possible collaboration and partnerships when it comes to the acquisition of purchasing LiDAR and make partners aware of FEMA's plan to help avoid overlaps.

It should be noted, that for the development of flood risk products or hydrologic analyses, not intended for regulatory mapping, high-accuracy elevation data is not required. In this situation, mapping partners may use USGS DEM's if LiDAR data does not exist. While this is a good solution for many situations, the FEMA Project Officer should consider the potential impacts on the perception of the overall project data quality. Care should be exercised to avoid using lower accuracy DEM in areas where the data precision will result in negative perceptions of Risk MAP products overall.

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3.2 I Need New Acquisition of Elevation Data

3.2.1 What Standards Apply?

All newly acquired data must comply with FEMA Standards 40, 41, 42, 44, 45, 46, 49 and 547.

3.2.2 What Are the Cost Factors?

If the decision is made to purchase LiDAR, there are several factors that must be taken into consideration as they can impact costs.

3.2.2.1 Climate Constraints

Collection requirements as documented in USGS LiDAR Base Specification v1.2 dictate that there be no clouds or fog between the aircraft and the ground, that the ground be free from extensive flooding or inundation as well as snow cover, and preferably during leaf-off conditions.

¹ The U.S. Interagency Elevation Inventory is hosted by NOAA's Digital Coast (<http://coast.noaa.gov/digitalcoast/>). Currently the U.S. Federal Mapping Coordination site is hosted at <http://SeaSketch.org>, but is expected to migrate to the Federal GeoPlatform in the future.

These condition requirements drive scheduling constraints, which then factor into the associated costs. For example, an area may be subject to night and/or early morning fog layers. This restricts collection to afternoon hours, and may require aircraft and flight crews to be deployed to the location for multiple days. Snowfall, flooding conditions, or forest fires may delay collection for an indefinite period. If collection had started but was not completed, additional costs for ferry time, aircraft fuel, and lodging/per diem costs for the crew may be incurred. If an area has a propensity for these issues the vendor will typically build in additional costs to cover the likelihood for a prolonged collection period.

3.2.2.2 Geography Constraints

Collection in remote areas in many instances requires additional time and cost. The vendor may need to get the crew and aircraft to a location distant from their base operation. Ferry time, aircraft fuel costs, lodging for the flight crew and sometimes additional tie-down expenses may add additional costs to the acquisition. If the remote area is also subject to prolonged adverse weather events, additional down time costs for the flight crew may need to be considered.

3.2.2.3 Shape and Size of the Collection Polygon

Following the USGS LiDAR Base Specification v1.2, all collection areas must be buffered by 100 meters such that the data remain consistent to the defined collection area.

The shape of the collection area is important to the development of the flightline layout. All flightlines must be straight lines; thus curved or other irregular collection area shapes require additional flightlines to cover the area. Additional flight lines mean additional flight time for turns and overlap.

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3.2.2.4 Terrain Constraints

Similar to the shape of the collection polygon, terrain constraints may introduce the requirement for additional flightlines. Collection of narrow mountain valleys introduces constraints in the ability to fly in straight lines as well as in the ability to safely gain altitude and turn the aircraft to collect the next flightline. Flightlines may need to be very short with a more angular overlapping pattern. These areas also must be flown under ideal weather conditions for safety considerations.

Collection areas that include a variety of extreme elevations will require differing flight altitudes to have proper collection parameters. The more variability in elevation, the more flight altitudes required, resulting in more flightlines.

3.2.2.5 Vegetation Constraints

Dense vegetation limits the number of laser pulses that can penetrate to the Earth's surface. To compensate for this, additional flightlines may be required to increase the overlap and/or increase the angle of penetration, increasing the ability to have some pulses penetrate the canopy. In some cases, increasing the number of pulses may also increase the ability for more pulses to penetrate. In either case, costs increase for processing, and in the first case costs will also increase for collection.

3.2.3 What Datum, Projection, Coordinate Reference System Should be Applied?

The horizontal and vertical datum should be set to NAD83 and NAVD88 (FEMA SID 41) unless there is some consideration for cost or data sharing with another stakeholder for the area being acquired, or collection is outside the Conterminous United States. The data should typically be in Universal Transverse Mercator (UTM) coordinate reference system within the Conterminous United States. Determinations of datum, projection and coordinate reference systems, in areas outside the Conterminous United States, must be made by all stakeholders and collection partners prior to collection of the data. All coordinates (vertical and horizontal) should be in feet.

3.3 What Data Products Should I Order?

FEMA standards require compliance with most of the USGS LiDAR Base Specification v1.2. The USGS specification includes a mandatory suite of deliverables including **unclassified and classified point clouds**, a hydro-flattened DEM, hydro-breaklines used for DEM construction and extensive project documentation.

In most cases, and virtually always, when there are partners jointly funding a project, the full suite of USGS deliverables should be ordered. The FEMA standards do allow omitting hydro-flattening and all or part of the bare earth processing for cost saving. Hydro-flattened **DEMs** are generally not required for flood risk project, but can be helpful. Bare earth processing of the LiDAR is required in the area of the floodplain, but Regions could choose to forgo bare earth processing outside of the floodplain areas, or forgo bare earth processing of the entire dataset initially and acquire the necessary bare earth processing through another mechanism. These options exist to allow for innovative approaches in building partnerships to meet the 3DEP goals and are not meant to undermine the 3DEP goal of having national data coverage meeting minimum standards. If a FEMA Region chooses to omit standard USGS deliverables in compliance with the exceptions in the FEMA standards, they should coordinate closely with the USGS and 3DEP on a strategy to complete the processing of these data through other mechanisms so that it can become part of 3DEP. Without a solid strategy, omitting these processing steps for short-term cost savings can often result in complications and frustrations.

Breaklines may be needed for hydrologic and/or hydraulic modeling depending on the methods and models used. If hydro-flattening is included, then the USGS specification mandates a number of breaklines be produced. Certain models and methods may require breaklines beyond those mandated by the USGS specification such as breaklines for streams narrower than 100 ft. or breaklines through culverts to maintain hydrologic connectivity. If breaklines are needed that are not developed as part of the initial elevation acquisition, they may be developed during hydrologic and/or hydraulic modeling. Overall, data processing and breakline production is likely to be most efficient on a per-unit basis when acquired as part of the elevation data acquisition project. However, if the breaklines are not needed or not suitable for the modeling to be performed, then an up-front purchase may be wasted. The modelers performing the H&H work may have a better understanding of which breaklines are needed and how to most effectively represent the key features in the model with breaklines. Most projects will likely follow the USGS specification and thus include breaklines on 100-foot wide rivers and lakes and ponds greater than 2 acres as part of the base specification. If the FEMA project officer knows that the typical modeling approaches in this area need additional breaklines, they may want to

include those in the elevation acquisition project. Where possible, consultation with the team that will perform the modeling can help inform this decision.

Contours can be valuable to the hydraulic modeling process and review process, but are used less frequently as hydraulic modeling and floodplain delineation become more automated. Contours may be ordered at the time of initial LiDAR acquisition or be considered during an elevation data integration task during the data development phases. Similar to the production of breaklines, the cost for development of these products is less at the time of the acquisition and processing since the larger bare earth dataset is already in the active processing network and does not require extra time to download/upload to networks, etc. However, if they are not going to be used during the hydraulic modeling, they may be an unnecessary expense.

TINs may be produced as part of the DEM development, however, since they are no longer a requirement of most modeling software, purchase and delivery of this dataset is not necessary.

Field survey is required for any new collection and in some cases for validation of existing datasets. **Ground control** and **vertical accuracy checkpoints** will be collected as dictated by the USGS LiDAR Base Specification v1.2.

3.4 Leveraged Datasets

In locations where LiDAR or other high-resolution elevation data sets may already exist, a determination must be made as to whether the dataset can be leveraged for the purposes of Flood Risk Projects. There are several conditions to consider that will determine the validity of the data.

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3.4.1 Currency

Currency of the dataset is the first concern that should be addressed. If the area has had a stable population since the data was collected with relatively few housing tracts in the floodplain or fringes of the floodplain; no major activity, whether man induced or natural, has disturbed the terrain of the area within the floodplain; and no changes to the floodplain structures has occurred, then the dataset would be considered acceptable. If these activities have occurred in an isolated area of the overall project area, you may desire to only collect new data in this smaller area and utilize the older dataset for the remainder of the area. There will be trade-offs between the complexity of integrating the older data with the newer data versus the cost of a new collection and these decisions should be made case-by-case by the FEMA Region.

3.4.2 Metadata

All terrain datasets should have metadata provided. This metadata should include collection and processing information as well as the vertical accuracy test results. If the metadata is missing, determining the age of the dataset may require additional information from the provider. In the worst case, a comparison between the data and current orthophotography may need to be made to determine validity. If the data appears to fit the orthos, then continue with the investigation. If it does not include the correct topographic features, then it should not be used and plans for new acquisition should take place. The data, without metadata, will need consideration of vertical accuracy requirements.

3.4.3 What Standards Apply?

All leveraged data must meet Standard 43 vertical accuracy requirements.

3.4.4 How Do I Determine If The Dataset Is Appropriate For Use?

3.4.4.1 Geographic Coverage

Review the dataset to determine whether it has complete coverage of the project area. The coverage should be continuous having no holes or gaps. If coverage is not complete, then a new acquisition should be considered.

3.4.4.2 Vertical Accuracy Testing

Vertical accuracy test results should be stated in the LAS dataset and/or the DEM metadata as noted earlier. If the testing results meet the vertical accuracy requirements of SID43, then you will be able to utilize the dataset. If the requirements are not met, the dataset should not be used, and a new acquisition should be considered.

DEMs derived from LiDAR datasets which are documented as meeting the vertical accuracy requirements may be considered adequate for use.

When metadata is not provided and the vertical accuracy is unknown, either the dataset should not be used or vertical accuracy testing should be conducted. If the source of the data is reliable and other datasets from this source have proved to meet the vertical accuracy standards, then testing may be the cost effective approach.

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The first resource for accurate test points is existing NGS monuments, state or local benchmarks, or existing survey data. These points must meet the vertical accuracy requirements for checkpoints. (See USGS LiDAR Base Specification v1.2.) Checkpoints must be in areas where there has not been change to the terrain in the period since the data were acquired. For example: if an area was forested previously, but is now clear-cut, the area would not be acceptable for the location of a checkpoint. If enough checkpoints to satisfy testing requirements can be located, proceed with the testing of the data. If additional survey points are required, determine whether the cost is worth the benefit to utilize the data. If no checkpoints can be located, again determine whether survey points benefit your project.

Once the vertical accuracy test is completed and results are appropriate to meet the SID43 requirements, then the data can be used. If the results indicate the LAS data do not meet the vertical accuracy requirement, then you will need to consider new acquisition. If the DEM test results do not meet the vertical accuracy requirement by a slight margin, while the LAS data do meet the requirement, the DEM will be adequate for use. If the DEM test results indicate the data are well out of compliance, further investigation may be required as processing steps that were not correctly complete may result in a DEM that is corrupt or has erroneous elevations. In this case, the DEM would need to be reconstructed from the LAS data and re-tested. If the LAS data is not available, you will need to consider new acquisition.

4.0 References

American Society for Photogrammetry and Remote Sensing, LAS Specification, Version 1.4 – R13, 15 July 2013.

American Society for Photogrammetry and Remote Sensing, ASPRS Positional Accuracy Standards for Digital Geospatial Data 1, Edition 1, Version.0, November 2014.

U.S. Geological Survey, USGS LiDAR Base Specification, Version 1.2, November 2014.

Federal Emergency Management Agency, Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix A: Guidance for Aerial Mapping and Surveying, February 2002.

Federal Emergency Management Agency, Procedure Memorandum No. 61 – Standards for LiDAR and Other High Quality Digital Topography, September 27, 2010.

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Criteria for Appeals of Flood Insurance Rate Maps

November 30, 2011



FEMA

This document outlines the criteria for appealing proposed changes in flood hazard information on Flood Insurance Rate Maps (FIRMs) during the appeal period. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) applies rigorous standards in developing and updating flood hazard information and provides communities with an opportunity to review the updated flood hazard information presented on new or revised FIRMs before they become final.

1. Background

The regulatory requirements related to appeals are found in Part 67 of the National Flood Insurance Program (NFIP) regulations. Additional FEMA procedural details are provided in Procedure Memorandum No. 57, *Expanded Appeals Process*, dated November 30, 2011. Detailed information on appeals can also be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials* and FEMA's *Document Control Procedures Manual*. All referenced documents are accessible through the "Guidance Documents and Other Published Resources" webpage, located at: http://www.fema.gov/plan/prevent/fhm/firm_docs.shtm.

As outlined in these documents, an appeal period is provided for all new or modified flood hazard information shown on a FIRM, including additions or modifications of any Base (1-percent-annual-chance) Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base (1-percent-annual-chance) flood and include the following SFHA zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. Therefore, a statutory 90-day appeal period is required when a flood study, Physical Map Revision (PMR), or Letter of Map Revision (LOMR) is proposed in which:

- New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths are modified;
- New SFHAs are proposed or the boundaries of currently effective SFHAs are modified;
- New SFHA zone designations are proposed or currently effective SFHA zone designations are modified; and
- New regulatory floodways are proposed or the boundaries of currently effective floodways are modified.

Clarification on the necessity for an appeal period is provided for certain specific circumstances outlined below:

- Edge matching of effective floodplain boundaries or information. This usually occurs in first-time countywide flood mapping projects when effective BFEs, base flood depths,

SFHAs, or floodways are extended to an adjacent community that previously had differing or no BFEs, base flood depths, SFHAs, or floodways shown on their effective FIRM in order to fix a map panel to map panel mismatch. In these instances, **an appeal period is required** because BFEs, base flood depths, SFHAs, or floodways are changing or being shown for the first time in the area.

- Redelineation of effective floodplain boundaries. This occurs when an effective SFHA boundary is redrawn on the FIRM using new or updated topography to more accurately represent the risk of flooding. In these instances **an appeal period is required** because the SFHA boundary is changing. However, the appeal period will only apply to the updated SFHA boundary delineations, not the methodology used to originally establish BFEs/flood depths (since this will not have changed).
- Revisions to SFHA zone designations. A revision to an SFHA zone designation may occur with or without a BFE and/or boundary change. For example, when a Zone VE floodplain is changed to a Zone AE designation to reflect the updated location of a Primary Frontal Dune (PFD), the BFE and SFHA boundary may not necessarily change. For any change in SFHA zone designation, including the *removal* of an SFHA designation from a FIRM, **an appeal period is required**.
- Regulatory floodway boundaries. When the effective floodway boundary is redrawn on the FIRM to more accurately represent the extent of the encroachment, **an appeal period is required**.
- MT-1 cases. When the SFHA or floodway boundary is amended due to the issuance of a Letter of Map Amendment (LOMA), Letter of Map Revision based on Fill (LOMR-F), Letter of Map Revision – Floodway, or other MT-1 case, **an appeal period is not required**.
- Annexation of effective floodplain boundaries. When a new or revised FIRM shows new community boundaries which include effective BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**, provided no BFE, base flood depth, SFHA, or floodway changes apply.

However, in cases where the flood hazard information in the annexed area has never received due process (for example, if the area is shown for information only on all FIRMs depicting the area), **an appeal period is required**.

- Reissuance of effective LOMRs: When a LOMR is reissued after not being incorporated into a revised FIRM, **an appeal period is not required**.

- Updates that do not impact flood hazard data: When flood studies, PMRs, or LOMRs result in changes to FIRMs that do not impact BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**.
- Datum Conversions: **An appeal period is not required** specifically for a datum conversion (e.g., a conversion from NGVD 29 to NAVD 88).

1.1. Additional Procedures for LOMRs

Beginning with LOMRs issued on or after December 1, 2011, the following procedures will apply:

In order to provide sufficient due process rights for changes due to LOMRs, any LOMR in a compliant community that requires an appeal period will become effective 120 days from the second newspaper publication date, following FEMA's current policy. This allows time to collect appeals, as well as provides for newspaper publication schedule conflicts. LOMRs in non-compliant communities or in communities that require adoption of the LOMR will become effective following the six month compliance period.

Evidence of public notice or property owner notification of the changes due to a LOMR will continue to be requested during the review of the LOMR request. This will help to ensure that the affected population is aware of the flood hazard changes in the area and the resultant LOMR. However, evidence of property owner acceptance of the changes due to a LOMR will no longer be requested. Because all LOMRs that require an appeal period will become effective 120 days from the second newspaper publication date, the receipt of such acceptance will have no effect on the effective date of the LOMR; therefore, there is no need for the requester to pursue acceptance.

2. Appeal Eligibility Requirements

Areas that are eligible for appeal include:

- Areas showing new or revised BFEs or base flood depths
- Areas showing new or revised SFHA boundaries (including both increases and decreases in the extent of the SFHA)
- Areas where there is a change in SFHA zone designation
- Areas showing new or revised regulatory floodway boundaries (including both increases and decreases in the extent of the regulatory floodway).

The area of concern must be within the scope of the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundary changes and

be supported by scientific and/or technical data. The criteria for data submittals are outlined in Title 44, Chapter 1, Code of Federal Regulations, Section 67.6(b) and in this document.

The statutory 90-day appeal period cannot be extended. FEMA may provide an additional 30 days for a community after the 90-day appeal period has ended to submit supporting and clarifying data for an appeal received during the appeal period. No appeals will be accepted after the 90-day appeal period.

Challenges that do not relate to new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways are not considered appeals. Challenges received by FEMA during the appeal period that do not address these items will be considered comments. Comments include, but are not limited to the following:

- The impacts of changes that have occurred in the floodplain that should have previously been submitted to FEMA in accordance with 44 Code of Federal Regulations, Section 65.3;
- Corporate limit revisions;
- Road name errors and revisions;
- Requests that changes effected by a LOMA, LOMR-F, or LOMR be incorporated;
- Base map errors; and
- Other possible omissions or potential improvements to the mapping.

Any significant problems identified by community officials or residents (at formal meetings or otherwise) will be addressed appropriately.

3. Supporting Data and Documentation Required for Appeals

The BFEs and base flood depths presented in Flood Insurance Study (FIS) reports and shown on FIRMs are typically the result of coastal, hydrologic and hydraulic engineering methodologies. Floodway configurations, generally developed as part of the hydraulic analyses, are adopted by communities as a regulatory tool for floodplain management and are delineated on FIRMs along with SFHAs.

Because numerous methodologies have been developed for estimating flood discharges and flood elevations/depths, and other flood hazard information under a variety of conditions, FEMA contractors, mapping partners, and others whose data and documentation FEMA approves and uses, such as communities, regional entities and State agencies participating in the Cooperating Technical Partners (CTP) Program, use their professional judgment in selecting methodologies that are appropriate for the conditions along a particular segment of a particular flooding source.

For FEMA contracted flood studies and PMRs the approach to be used will usually be discussed with community officials at the beginning of the flood study or PMR mapping process.

Because the methodologies are the result of attempts to reduce complex physical processes to mathematical models, the methodologies include simplifying assumptions. Usually, the methodologies are used with data developed specifically for the flood study, PMR, or LOMR. Therefore, the results of the methodologies are affected by the amount of data collected and the precision of any measurements made.

Because of the judgments and assumptions that must be made and the limits imposed by cost considerations, the correctness of the BFEs, base flood depths and other flood hazard information is often a matter of degree, rather than absolute. For that reason, appellants who contend that the BFEs, base flood depths, or other flood hazard information is incorrect because better methodologies could have been used, better assumptions could have been made, or better data could have been used, must provide alternative analyses that incorporate such methodologies, assumptions, or data and that quantify their effect on the BFEs, base flood depths or other flood hazard information. FEMA will review the alternative analyses and determine whether they are superior to those used for the flood study, PMR, or LOMR and whether changes to the FIS report and/or FIRM, or LOMR are warranted as a result.

Unless appeals are based on indisputable mathematical or measurement errors or the effects of natural physical changes that have occurred in the floodplain, they must be accompanied by all data that FEMA needs to revise the preliminary version of the FIS report and FIRMs. Therefore, appellants should be prepared to perform coastal, hydrologic and hydraulic analyses, to plot new and/or revised Flood Profiles, and to delineate revised SFHA zone and regulatory floodway boundaries as necessary.

An appeal must be based on data that show the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways to be scientifically or technically incorrect. All analyses and data submitted by appellants must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate. The data and documentation that must be submitted in support of the various types of appeals are discussed in the subsections that follow.

3.1. Appealing BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways

Scientifically incorrect BFEs, base flood depths, SFHA zone designations, or regulatory floodways:

Proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways are said to be scientifically incorrect if the methodology used in the determination of the BFEs,

base flood depths, SFHA zone designations, or regulatory floodways is inappropriate or incorrect, or if the assumptions made as part of the methodology are inappropriate or incorrect. An appeal that is based on the proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways being scientifically incorrect would, therefore, contend that the use of a different methodology or different assumptions would produce more accurate results. A list of National Flood Insurance Program-accepted hydrologic, hydraulic and coastal models is available on FEMA's website at http://www.fema.gov/plan/prevent/fhm/en_modl.shtm. To show that an inappropriate or incorrect coastal, hydraulic or hydrologic methodology has been used, an appellant must submit the following data, as applicable:

- New hydrologic analysis based on alternative methodology and if applicable, updated hydraulic/floodway or coastal analyses based on the updated discharge values;
- New hydraulic/floodway analysis based on alternative methodology and original flood discharge values (if the appeal does not involve the hydrologic analysis);
- New coastal analyses based on alternative methodology and original stillwater elevations (if the appeal does not involve the hydrologic analysis);
- Explanation for superiority of alternative methodology;
- As applicable, revised Summary of Discharges Table, Flood Profiles, Transect Data Table, Summary of Stillwater Elevations Table, and Floodway Data Table (FDT); and
- Revised SFHA zone boundaries and, if applicable, regulatory floodway boundary delineations.

Technically Incorrect BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways:

The proposed BFEs, base flood depths, SFHA zone designation or regulatory floodways are said to be technically incorrect if at least one of the following is true.

- **The methodology was not applied correctly.**
 - To show that a hydrologic methodology was not applied correctly, an appellant must submit the following:
 - New hydrologic analysis in which the original methodology has been applied differently;
 - Explanation for superiority of new application;
 - New hydraulic/floodway or coastal analysis based on flood discharge values from new hydrologic analysis;

- Revised Summary of Discharges Table and/or Flood Profiles and, if applicable, FDT; and
- Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that a hydraulic methodology was not applied correctly, an appellant must submit the following information. *(Please note that an appeal to a floodway configuration cannot be solely based on surcharge values.)*
 - New hydraulic/floodway analysis, based on original flood discharge values, in which the original methodology has been applied differently;
 - As applicable, revised Flood Profiles, FDT and other FIS report tables as needed; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that a coastal methodology was not applied correctly, an appellant must submit the following:
 - New coastal analysis, based on the original stillwater elevations, in which the original methodology has been applied differently;
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The methodology was based on insufficient or poor-quality data.**
 - To show that insufficient or poor-quality hydrologic data were used, an appellant must submit the following:
 - Data believed to be better than those used in original hydrologic analysis;
 - Documentation for source of data;
 - Explanation for improvement resulting from use of new data;
 - New hydrologic analysis based on better data;
 - New hydraulic/floodway or coastal analysis based on flood discharge values resulting from new hydrologic analysis;
 - Revised Summary of Discharges Table, Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that insufficient or poor-quality hydraulic data were used, an appellant must submit the following:

- Data believed to be better than those used in original hydraulic analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New hydraulic analysis based on better data and original flood discharge values;
 - Revised Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that insufficient or poor-quality coastal analysis data were used, an appellant must submit the following:
 - Data believed to be better than those used in original coastal analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New coastal analysis based on better data and original stillwater elevation values; and
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The application of the methodology included indisputable mathematical or measurement errors.**
 - To show that a mathematical error was made, an appellant must identify the error. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
 - To show that a measurement error (e.g., an incorrect surveyed elevation used in the flood study, PMR, or LOMR) was made, appellants must identify the error and provide the correct measurement. Any new survey data provided must be certified by a Registered Professional Engineer or Licensed Land Surveyor. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
- **The methodology did not account for the effects of natural physical changes that have occurred in the floodplain.**
 - For appeals based on the effects of natural physical changes that have occurred in the base floodplain, appellants must identify the changes that have occurred and provide the data FEMA needs to perform a revised analysis. The data may include new stream channel and floodplain cross sections or coastal transects.

3.2. Appeals to SFHA Boundaries

The supporting data required for changes to SFHA zone boundaries will vary, depending on whether the boundaries are for flooding sources studied by detailed methods or flooding sources studied by approximate methods, as discussed below.

Flooding sources studied by detailed methods

Usually, detailed SFHA zone boundaries are delineated using topographic data and the BFEs and base flood depths resulting from the hydraulic analysis performed for the flood study, PMR, or LOMR. If topographic data are more detailed than those used by FEMA or show more recent topographic conditions, appellants should submit that data and the revised SFHA zone boundaries for FEMA to incorporate into the affected map panels. All maps and other supporting data submitted must be certified by a Registered Professional Engineer or a Licensed Land Surveyor and must reflect existing conditions. Maps or data prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified. For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Flooding Sources Studied by Approximate Methods

Usually, where BFEs or base flood depths are not available, flood zone boundaries are delineated with the best available data, including flood maps published by other Federal agencies, information on past floods, and simplified hydrologic and hydraulic analyses. If more detailed data or analyses are submitted, FEMA will use them to update the flood hazard information shown on the affected map panels. Such data and analyses may include the following:

- Published flood maps that are more recent or more detailed than those used by FEMA;
- Analyses that are more detailed than those performed by FEMA or that are based on more detailed data than those used by FEMA;
- Topographic data and resulting updated SFHA boundaries.

For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Please note that, when applicable, appeals related to the *methodology* used to develop an approximate flood zone boundary must follow the guidelines established for appeals to BFEs, base flood depths, SFHA zone designations, or regulatory floodways under Section 3.1 above. However, since flood profiles, FDTs, Summary of Discharges Tables, Transect

Data Tables, and Summary of Stillwater Elevations Tables are not developed in support of approximate floodplain boundaries, these data will not need to be submitted for appeals to flooding sources studied by approximate methods.

All submitted data and analyses must be certified by a Registered Professional Engineer or a Licensed Land Surveyor. Maps prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified.

Additional Guidance on Appeal Submittals Involving Topographic Data

For appeal submittals that involve topographic data, the following additional guidelines must be followed:

- The data must be more detailed/accurate, and/or reflect more recent topographic conditions, and be in a digital Geographic Information System (GIS) format preferably;
- The appeal submittal must clearly state which flooding sources are being appealed based on the updated topographic data;
- Updated SFHA boundary delineations that reflect the submitted topographic data for each appealed flooding source must also be provided, preferably in digital GIS format;
- All topographic data submitted must adhere to FEMA's current data capture standards for such data;
- If necessary, a data sharing agreement must be provided.

4. Appeal Period Procedures

Appeals and comments must be resolved by following the procedures below:

- Acknowledgement by FEMA of the receipt of an appeal in writing, ensuring that acknowledged appeals include ALL of the criteria discussed above.
- Acknowledge the receipt of comments. This can be done either in writing, by FEMA, or through a documented phone conversation between the mapping partner and the community that submitted the comments. At a minimum FEMA must notify the community in writing that it did not receive any appeals. This can be done by separate correspondence or by the inclusion of language in the Letter of Final Determination (LFD).

- FEMA or the mapping partner will evaluate any scientific or technical data submitted for compliance with existing mapping statutes, regulations, or Guidelines and Standards.
- FEMA or the mapping partner will request any additional scientific or technical data required to properly review the appeal or comment.
- FEMA or the mapping partner will make a recommendation to FEMA on the resolution of the appeal or comment.
- FEMA or the mapping partner will prepare a draft appeal resolution letter (if **all** the criteria for an appeal are met).
- The assigned mapping partner shall dispatch the signed FEMA appeal resolution letter and if warranted, Revised Preliminary copies of the FIRM and FIS report to the community CEO and floodplain administrator and all appellants. All correspondence must be prepared and issued on FEMA Headquarters or FEMA Regional letterhead.
- FEMA provides a comment period of 30 days following the date the appeal or comment resolution letter is issued. Any comments received during the 30 day comment period must be addressed and resolved before proceeding with the LFD. Extensions to this 30 day period can only be granted with FEMA Headquarters approval.

5. General Technical Guidance

Detailed guidance on the supporting documentation that must be submitted in support of an appeal can be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials*.

Unless appeals are based on the use of alternative models or methodologies, the hydrologic and hydraulic analyses that appellants submit must be performed with the models used for the flood study, PMR, or LOMR. Generally, when appellants are required to submit hydrologic or hydraulic analyses, those analyses must be performed for the same recurrence interval floods as those performed for the flood study, PMR, or LOMR. The vertical datum used in any data submitted must match the datum used in the preliminary FIS report and FIRM. Further, SFHA boundaries are to be shown on a topographic map (preferably, in digital form) whose scale and contour interval are sufficient to provide reasonable accuracy.

New flooding information cannot be added to a FIRM in such a way as to create mismatches with the flooding information shown for unrevised areas. Therefore, in performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood

depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the maps for areas not affected by the appeal.

All analyses and data submitted by appellants, including those that show mathematical or measurement errors must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate.

6. Scientific Resolution Panel (SRP)

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on FIRMs is built collaboratively using the best science available.

When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The SRP serves as the independent third party. To be eligible for an SRP, an appeal must include supporting information or data to substantiate that the BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways proposed by FEMA are scientifically or technically incorrect. An SRP request is an option only after FEMA and a local community have been engaged in a collaborative consultation process for at least 60 days without a mutually-acceptable resolution of an appeal.

FEMA Map Revisions FAQs

1. Who is responsible for changing the food risk maps?

The Flood Insurance Rate Map (FIRM) update is administered by FEMA. FEMA is responsible for drawing and revising the maps and will adjudicate all appeals. Inquiries seeking technical guidance regarding appeals are directed to the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP. Spotsylvania County has participated in the review of the flood hazard data collected to prepare the updated maps and reviewed and commented on the preliminary maps once released. Spotsylvania County is responsible for public outreach and will serve as a point of contact for citizens with questions regarding the process.

2. My house is not within the newly mapped high risk flood area, am I required to get flood insurance?

The flood insurance federal mandate only applies to structures being mapped into the high risk flood zone with federally backed mortgages. If you have a federally backed mortgage on your home and the new maps identify your home within the high risk flood zone, flood insurance is required. However, other mortgage lender requirements may be more stringent. If a portion of your property is being mapped into the floodplain but your house is not, your mortgage company may still require flood insurance.

3. How much will flood insurance cost?

Contact your insurance provider for more information about this program or contact the National Flood Insurance Program (NFIP) Directly for a referral at 1-800-638-6620. Anyone who elects to purchase flood insurance prior to the preliminary maps becoming effective are eligible for NFIP's Preferred Risk Policy, which is at a reduced rate. In order to secure the reduced rate, the insurance must be purchased no less than 30 days before the New Flood Insurance Rate Map becomes effective and flood insurance requirements take effect. The timeline may change but currently the maps are slated to become effective February of 2022.

4. My insurance provider does not offer flood insurance, what do I do?

If your insurance provider is unaware of the Preferred Risk Policy or if they do not offer flood insurance, contact the National Flood Insurance Program (NFIP) Direct for a referral at 1-800-638-6620.

5. How do I submit an appeal?

You may submit an appeal if you perceive that modeling or data used to create the map is technically or scientifically incorrect. An appeal must include technical information, such as hydraulic or hydrologic data to support the claim. Contact a professional engineer for information on how to obtain this data. Appeals and comments must be submitted through the County to be forwarded to FEMA. Please Submit appeals and comments to the Spotsylvania County's Floodplain Administrator: Kimberly Pomatto, at floodplainadministrator@mail.connect.civicplus.com, (540) 515-5487.

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Overview of Geohub Site for Review and Comment
on the Draft Comprehensive Plan

Type: No Action (Information Only)

Agenda Title: Overview of Geohub Site for Review and Comment
on the Draft Comprehensive Plan

Recommendation: N/A- Information Only

Non-Staff Name and Title of Presenters:

Summary:

The Planning Commission and Planning staff have completed a draft update to the Comprehensive Plan (Plan). County Planning staff, working closely with the GIS Division, translated the Plan update into an interactive web-based format. The Plan is currently available for public for review and comment. Staff will provide a brief overview of the website in order to showcase its content. The website provides comment boxes for each Chapter and the ability to provide comment in interactive maps embedded within the site. Comments will be collected through January 31, 2021, which the Planning Commission will consider in finalizing the Plan for public hearings.

The Geohub site can be accessed online via the Spotsylvania County Government website at www.spotsylvania.va.us, specifically linked in the County News tab/portion of the page titled Draft Comprehensive Plan.

The availability of the Plan for review and comment is being advertised through various means such as social media, newspaper, County cable channel, flyer, County website, and Email. An article appeared in the Free Lance Star on December 25th. The Plan is also available on file at the Planning and Zoning Department, located at 9019 Old Battlefield Blvd, 3rd Floor, Spotsylvania, Virginia 22553, and may be

inspected between 8:00 a.m. and 4:30 p.m., Monday through Friday (except when offices are closed for holiday or inclement weather). Additionally, comments may be provided via email to planning@spotsylvania.va.us.

Financial Impact:

N/A- Information Only

Staff Contacts:

Leon Hughes, Director of Planning and Zoning; Jacob Pastwik, Planner III

Legal Counsel:

N/A

Additional Background/Other Considerations:

The Comprehensive Plan is a significant non-regulatory document providing guidance and vision on the future of the County within a planning period over the next 20 years. Topics such as transportation, land use, protection of historic and natural resources, public facilities including but not limited to public parks, public safety, schools, solid waste, and libraries are covered in the Plan.

Consequence of Denial/Inaction:

N/A- Information Only

Talking Points:

ATTACHMENTS:

File Name

Description

Type

No Attachments Available

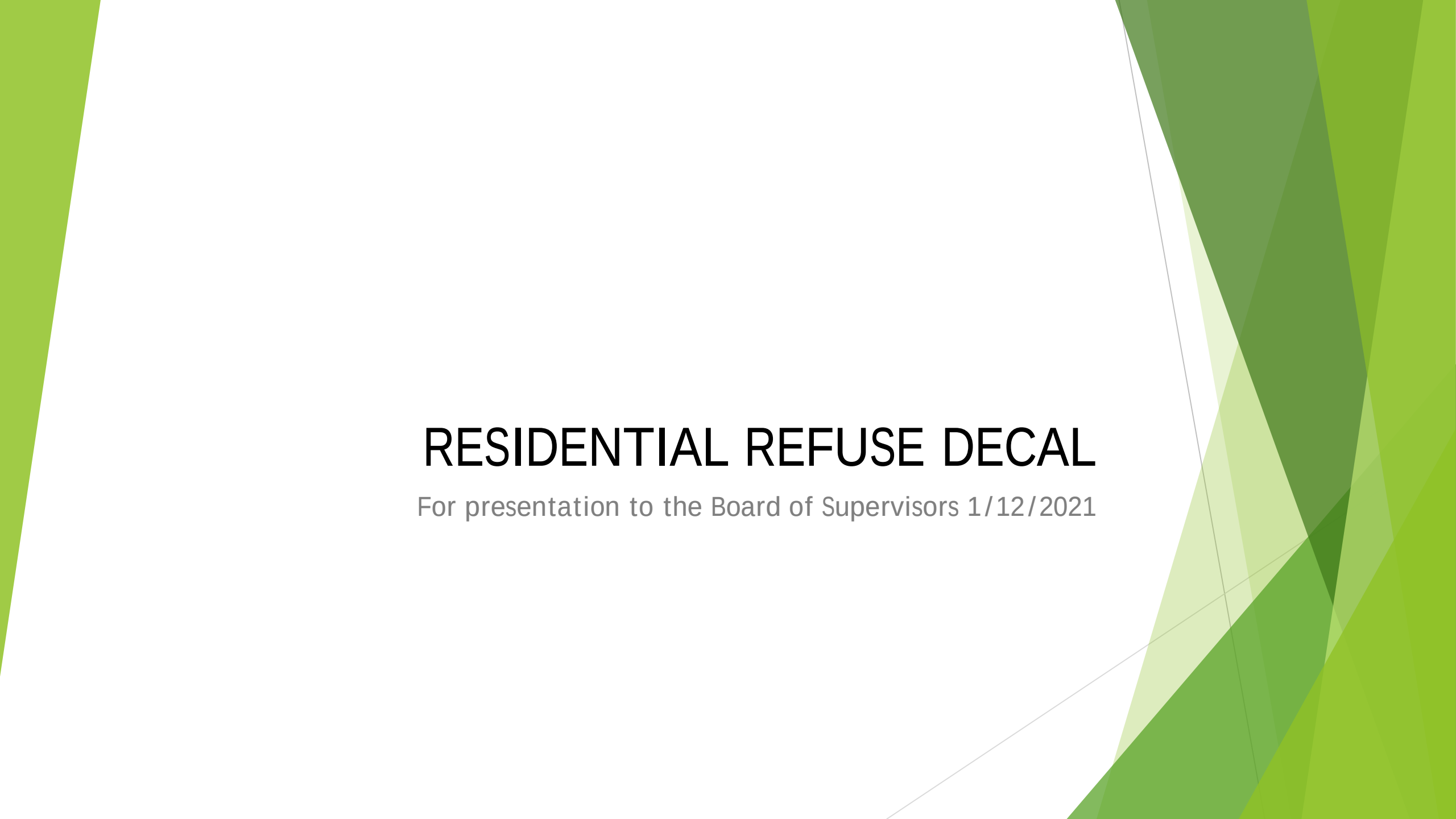
**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Residential Refuse Decal Presentation

Agenda Title:	Residential Refuse Decal Presentation
Recommendation:	n/a
Non-Staff Name and Title of Presenters:	n/a
Summary:	Information only, presentation is forth coming.
Staff Contacts:	Ben Loveday, Assistant County Administrator; Larry Pritchett, Treasurer Kathy Catlett, Deputy Treasurer
Legal Counsel:	n/a
Additional Background/Other Considerations:	n/a
Consequence of Denial/Inaction:	n/a
Talking Points:	n/a

ATTACHMENTS:

File Name	Description	Type
Refuse_Decal_Slides.pdf	Refuse Decal Presentation	Presentation

The background features abstract, overlapping green geometric shapes in various shades of green, creating a modern, layered effect. The shapes are primarily triangular and polygonal, with some areas appearing more translucent than others.

RESIDENTIAL REFUSE DECAL

For presentation to the Board of Supervisors 1/12/2021

Public Works Implementation

- ▶ Per the Board of Supervisor's request and approval at the April 14, 2020 meeting, the county will initiate a required decal in order to use the convenience sites and the landfill
- ▶ "No Sticker, No Service" Policy in place after May 1, 2021
 - ▶ All Convenience Centers and the Livingston Landfill
- ▶ Any improper usage of the landfill will be managed by Public Works
- ▶ Commercial Users can go to the Livingston Landfill
 - ▶ Waste must be generated in Spotsylvania County
 - ▶ Proof of waste origin
 - ▶ Provide an address of the point of waste generation
 - ▶ Spotsylvania County Business Address/License (Establish a payment account)
 - ▶ Valid Building Permit

Public Works Implementation

Effective May 1, 2021

**Residential Refuse
Decal Required**

**Vehicles Without Decals
Will Be Refused Service**

**For Information on How
to Obtain a Decal Contact
540-507-7058**

Residential Refuse Decal

- ▶ Three options to discuss:
 - ▶ A decal to be displayed on the windshield
 - ▶ A placard/hang tag to be used by the household
 - ▶ Re-evaluate the need to issue either a decal or a hangtag
- ▶ Note: the option to have something displayed would mean a decision needs to be made by the Board for either the decal or the hangtag- we would not offer both options

Suggested Process for Refuse Decal / Hangtag

- ▶ If the issuance of a decal/hangtag is the option chosen:
- ▶ We will order this week and currently have an anticipated arrival date of mid-February for the decal or the hangtag
- ▶ The Treasurer's office will begin the issuing of the decal/hangtag once they arrive
 - ▶ Decals/hangtag may be obtained by applying at the Treasurer's office in person, by mail, or online
 - ▶ A completed application will be required to obtain a decal with a signature or electronic signature which acknowledges that the person is obtaining this for personal use vehicles and not business use vehicles
 - ▶ Decals/hangtags will be issued at no cost to the citizen
 - ▶ Decals must be permanently affixed to the right side of the official inspection sticker when viewed through the windshield from inside the vehicle. The side edge adjacent to the official inspection sticker shall not be more than $\frac{1}{4}$ inch from the edge of the official inspection sticker. Hangtags should be hung from the rear view mirror or displayed so easily visible upon entry into site

Suggested Process for Refuse Decal / Hangtag

- ▶ To be eligible to receive a decal/hangtag you must be a property owner in the county- county real estate and personal property records will be used to verify eligibility
- ▶ Decals/hangtags will be green with the county seal
- ▶ Each decal/hangtag will have a unique number
- ▶ Each decal will measure 3" by 2"; hangtags will measure 2.75" by 4.75"
- ▶ The issuance of the decal/hangtag will be recorded by number, name and address
- ▶ For decals- a maximum of 5 decals per address will be issued
- ▶ For hangtags- a maximum of two per household will be issued based on physical address

Suggested Process for Refuse Decal / Hangtag

- ▶ A taxpayer can request up to 5 decals and they can be permanently placed on the vehicles of their choice. The decal will not expire as long as it is not removed from the vehicle
- ▶ The decal is not to be transferred from one vehicle to another
- ▶ A decal/hangtag will only be duplicated if reported as not received in the mail
- ▶ Any other need for a new decal/hangtag will require a new application to be completed for the reissue of the decal
- ▶ A hangtag would be used by the household and will not expire but can be used on any vehicle in the household

Suggested Option of Not Issuing a Decal or Hangtag

- ▶ Option to not issue a decal or a hangtag:
- ▶ While the Treasurer's office will issue either the decal or the hangtag if that is the Board's desire, we would like to make note of a few concerns:
 - ▶ While a simplistic tracking system is being designed to track the issuance of either option, it is possible that more than the 5 decals or 2 hangtags could be issued per household- especially when new issues are needed for new vehicles or damaged decals
 - ▶ We have no way to know that once a taxpayer obtains a decal that they are being placed on vehicles that are in the county or on vehicles that are not for business use or considered commercial (which is what the issuing of such is hoping to eliminate)
 - ▶ If hangtags are used- hangtags can be placed on any vehicle and that could mean non-county residents could use the landfill
 - ▶ Issuing either option will take staff time from the Treasurer's office to complete this ongoing process and cost the county funds that are not a part of the FY21 budget
 - ▶ The general taxpayer who uses the sites as they should be being asked to go thru the process of obtaining the decal/hangtag when they are not the issue at the landfills and them having such may or may not resolve the issues

Proposed Estimated Costs For Decal to County Based on Obtaining and Issuing 20,000

- ▶ Decal : \$2,500.00
- ▶ Hangtag: \$4,000.00
- ▶ Mailing and postage: \$10,000.00
- ▶ Application: \$1,000.00
- ▶ Signage for sites: \$2,500.00
- ▶ Staff Time: unknown

Livingston Landfill

6241 Massey Road, Spotsylvania, VA

Open 7 Days Per Week

7 a.m. to 3 p.m.

Phone: 540-507-7744

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Informational Matters

Type: No Action (Information Only)

Agenda Title: Informational Matters

Summary: The Contingency Fund Report and the Vacancy List are attached.

Staff Contacts: Aimee Mann, Deputy Clerk

ATTACHMENTS:

File Name	Description	Type
contingency_2021.pdf	Contingency Fund	Backup Material
Vacancy_List.docx	Vacancy List	Backup Material

**FY 2021 BUDGETED CONTINGENCY ACCOUNT
STATUS REPORT**

TOTAL BUDGETED CONTINGENCY

\$371,411

CONTINGENCY USES

DATE	PURPOSE	AMOUNT
9/8/2020	Convert PT Assistant Registrar to FT	22,315
10/29/2020	Add back to the contingency the FY 2020 carryover request cancelled at the request of the Clerk of the Circuit Court	(3,648)
11/18/2020	Purchase an additional replacement vehicle for Social Services	19,796
12/9/2020	Costs for required mailings, notifications and advertisements associated with required adoption of compliant floodplain ordinance.	15,000

TOTAL USED

\$53,463.00

UNRESTRICTED CONTINGENCY REMAINING

\$317,948

**COUNTY BOARDS AND COMMISSIONS
CURRENT OR UPCOMING VACANCIES
Through February 2021**

Appointments by Voting District:

Battlefield

- Board of Building Code Appeals
- Citizens Transportation Advisory Committee (CTAC)
- Historic Preservation Commission
- Transportation Committee
- Social Services Advisory Board
- EDA

Berkeley

- CBRC-Alternate
- Citizens Transportation Advisory Committee (CTAC)
- Transportation Committee-1 Vacancy-Expires February 24, 2021

Chancellor

No current vacancies

Courtland

- Minority Affairs Committee
- Social Services Advisory Board

Lee Hill

- Transportation Committee

Livingston

- Citizens Transportation Advisory Committee (CTAC)

Salem

- Board of Building Code Appeals
- CBRC
- CBRC (alternate)
- Parks and Recreation Commission
- EDA
- Transportation Committee- 1 Vacancy- Expires January 27, 2021

Non-District Appointments:

- Agricultural/ Forestal District Review Committee- 4 Farmer or Forester and 2 Landowner Appointments
- Fort A.P. Hill Joint Land Use Study- 1 Vacancy (appointment for phase 2-recommendations)
- Minority Affairs Committee-NAACP affiliated member
- YMCA Board of Directors- 1 Vacancy
- FAMPO- 1 Vacancy (Alternate)
- Board of Equalization- All Expire December 31, 2020 (Assessment Office will contact in 2021 regarding recommendations for reappointment)
- Bay Consortium Workforce Development Board- 1 Vacancy

**Please note, as a reminder, the Board has not decided whether or not they want participate in the Government & Military Affairs Council

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Closed Meeting

Type: Action, Resolution, Closed Meeting

Agenda Title: Closed Meeting

Recommendation: Adopt the Closed Meeting Resolution prior to
adjourning into Closed Meeting

Legal Counsel: Karl R. Holsten, County Attorney

ATTACHMENTS:

File Name	Description	Type
Closed_Meeting_Resolution_-_2.2-3711(A)(7)(8) (29)_1.12.2021.docx	Closed Meeting Resolution	Resolution
Return_to_Open_Meeting_Resolution_1.12.2021.doc	Return to Open Resolution	Resolution

DRAFT

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021, on a motion by _____, seconded by _____, and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021 –

To Adjourn into a Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically regarding the matter of *In re: May 19, 2020 Decisions of the Board of Zoning Appeals for the County of Spotsylvania, Virginia on Appeal Applications A19-0003 and A20-0001*, filed in the Circuit Court for the County of Spotsylvania, Virginia, Case Number CL20-208; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding matters related to the County's cable franchise agreement; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for a discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, matters related to a contract for legal services; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(7), (8) and (29), such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby authorize discussion of the aforestated matters.

(SEAL)

A COPY TESTE:

Aimee Mann
Deputy Clerk to the Board of Supervisors

DRAFT

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021, on a motion by _____, seconded by _____, and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021 -

Return to Open Meeting

WHEREAS, the Spotsylvania County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors hereby returns to open meeting and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion to convene into Closed Meeting were heard, discussed or considered in the Closed Meeting.

(SEAL)

A COPY TESTE:

Aimee Mann
Deputy Clerk to the Board of Supervisors

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date:	January 12, 2021
Title:	Public Hearing for Lease Office Space for Congresswoman Abigail Spanberger

Agenda Title:	Public Hearing for Lease Office Space for Congresswoman Abigail Spanberger

Recommendation:	n/a

Summary:	The proposed office lease is for Congresswoman Abigail Spanberger, located on the second floor of the Holbert Building for the term of January 3, 2021 to January 2, 2023.

Staff Contacts:	Ed Petrovitch, County Administrator; Mark L. Cole, Deputy County Administrator

Legal Counsel:	Karl Holsten, County Attorney

Additional Background/Other Considerations:	n/a

Consequence of Denial/Inaction:	The office will become vacant.

ATTACHMENTS:

File Name	Description	Type
PH_Ad_-_Spanberger_Lease.docx	FLS- Ad	Backup Material
Congresswoman_Spanberger- _Lease_Agreement__FINAL.pdf	Lease Agreement	Agreement



SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS NOTICE OF PUBLIC HEARING

The Spotsylvania County Board of Supervisors will hold a public hearing at 4:30 pm on January 12, 2021, in the Board of Supervisors Meeting Room of the R.E. Holbert Memorial Building, 9104 Courthouse Road, Spotsylvania, Virginia, to receive public comment on proposed renewal lease for Congresswoman Abigail Spanberger's Office, located 2nd floor of the Holbert Building. The proposed lease is for January 3, 2020 to January 2, 2023.

Persons affected may appear and present their views at the public hearing described above. A copy of the full lease is on file in the Office of the County Administrator, located at 9104 Courthouse Road, Spotsylvania, Virginia, 22553, and may be inspected between 8:00 a.m. and 4:30 p.m., Monday through Friday.

The Board of Supervisors encourages the participation of all interested county citizens. For those with special needs, please notify the County Administrator of any accommodations you may require at least five days before the meeting you wish to attend.

**BY THE ORDER OF THE SPOTSYLVANIA
COUNTY BOARD OF SUPERVISORS
ED PETROVITCH, COUNTY ADMINISTRATOR**

District Office Lease Amendment – Instructions

NO LEASE AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term for a District Office Lease Amendment for the 117th Congress may not commence prior to January 3, 2021.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 117th Congress, leases should end on January 2, 2023, not December 31, 2022.

- A. Section 1 has three blank lines to be filled in:
 - 1. the term of the previous lease that is being amended or extended;
 - 2. street address of office being leased; and
 - 3. city, state and ZIP where office is being leased.
- B. Section 2 requires the new ending date (if the lease is going to be extended), which must be on or before January 2, 2023. If the lease term is not going to be extended, write "N/A" in the space provided.
- C. Section 3 requires the monthly rent amount for the extended term, and if any other provision is changed, the blank space beneath Section 3 is provided for any changes or additions. If there are no other changes to your existing lease write "NONE" in the space provided.
- D. **The Member/Member-Elect is required to personally sign the documents.**
- E. A District Office Lease Attachment for the 117th Congress must accompany this District Office Lease Amendment ("Amendment").
- F. **Prior to either party signing an Amendment, the Member/Member-Elect must submit the proposed Amendment, accompanied by a copy of the District Office Lease Attachment for the 117th Congress, to the Administrative Counsel for review and approval. If the proposed terms and conditions of the Amendment are determined to be in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the signing of the Amendment. Please submit the proposed Amendment and District Office Lease Attachment either by e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357).**
- G. Once signed by both parties, the Amendment and District Office Lease Attachment must be submitted to the Administrative Counsel for final approval. They may be sent by email in PDF form or faxed to 202-226-0357.
- H. If approved, Administrative Counsel will send them to Finance so that payment can begin. If there are errors, you will be contacted and required to correct them before the Amendment is approved.
- I. If you have any additional questions about District Office Leases, please contact the Office of the Administrative Counsel by e-mail (leases@mail.house.gov).

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 1 of 2 - 117th Congress)

1. **Prior Lease Term.** The undersigned Landlord ("Lessor") and Member of the U. S. House of Representatives ("Lessee") agree that they previously entered into a District Office Lease ("Lease") (along with the District Office Lease Attachment), which covered the period from January 8, 2019 to January 2, 2021 for the lease of office space located at 9104 Courthouse Road, Room 249 in the city, state and ZIP of Spotsylvania, VA 22653.
2. **Extended Term.** If applicable, the above referenced Lease is extended through and including January 2, 20²³. (This District Office Lease Amendment ("Amendment") may not provide for an extension beyond January 2, 2023, which is the end of the constitutional term of the 117th Congress.)
3. **Rent and Any Other Changes.** The monthly rent for the extended term of the Lease shall now be \$350.00. All other provisions of the existing Lease shall remain unchanged and in full effect, except for the following additional terms, which are modified as indicated in the space below [If no additional terms are to be modified, write the word "NONE" below].

Nothing in the Lease dated 12/18/2018 or this Lease Amendment shall be deemed or construed as Lessor's waiver of its sovereign immunity.
4. **District Office Lease Attachment for 117th Congress.** This Amendment shall have no force and effect unless and until accompanied by an executed District Office Lease Attachment for the 117th Congress and the District Office Lease Attachment for the 117th Congress attached hereto supersedes and replaces any prior District Office Lease Attachment.
5. **Counterparts.** This Amendment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
6. **Section Headings.** The section headings of this Amendment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

[Signature page follows.]

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Amendment

(Page 2 of 2 - 117th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Amendment as of the later date written below by the Lessor or the Lessee.

Abigail Spanberger

Print Name of Lessor/Landlord/Company

Print Name of Lessee

By: _____

Lessor Signature

Lessee Signature

Name:

Title:

Date

Date

*This District Office Lease Amendment must be accompanied with an executed
District Office Lease Attachment.*

District Office Lease Attachment- Instructions

The District Office Lease Attachment must accompany *every* Lease or Amendment submitted for a Member/Member-Elect's District Office.

NO LEASE, AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term of a District Office Lease or Amendment for the 117th Congress may not commence prior to January 3, 2021.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 117th Congress, leases should end on January 2, 2023, not December 31, 2022.

A few things to keep in mind:

- A. The Member/Member-Elect is required to personally sign the documents.
- B. The Lessor must complete the amenities checklist in Section A ("Lease Amenities"), including both the "required amenities" and "optional amenities" portions.
- C. The Member/Member-Elect must indicate in Section A ("Lease Amenities") whether the proposed leased space will serve as a flagship district office.
- D. Section B ("Additional Terms and Conditions") of the Attachment **SHALL NOT** have any provisions deleted or changed.
- E. Even if rent is zero, an Attachment is still required.
- F. Prior to either party signing a Lease or Amendment, the Member/Member-Elect must submit the proposed Lease or Amendment, accompanied by a copy of the Attachment, to the Administrative Counsel for review and approval. If the Administrative Counsel determines that the proposed terms and conditions of the Lease or Amendment are in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the execution of the Lease or Amendment. Please submit the proposed Lease or Amendment and Attachment either by e-mail in PDF form (leases@mail.house.gov) or by fax (202-226-0357).
- G. Once signed by both parties, the Lease or Amendment along with the Attachment must be submitted to the Administrative Counsel for final approval. They may be sent by email in PDF form (leases@mail.house.gov) or by fax (202-226-0357).
- H. Without a properly signed and submitted Attachment, the Lease or Amendment cannot be approved by the Administrative Counsel and payments will not be made. The parties agree that any charges for default, early termination or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and are not reimbursable from the Member's Representational Allowance.
- I. Lessor shall provide a copy of any assignment, estoppel certificate, notice of a bankruptcy or foreclosure, or notice of a sale or transfer of the leased premises to the Administrative Counsel by e-mail in PDF form (leases@mail.house.gov).

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Attachment

(Page 1 of 5 - 117th Congress)

SECTION A
(Lease Amenities)

Section A sets forth the amenities provided by the Lessor to be included in the Lease and designates whether the leased space will be the Member/Member-Elect's flagship (primary) office. Except as noted below, the amenities listed are not required for all district offices.

To be completed by the Lessor (required amenities):

☒ * **High-Speed Internet Available Within the Leased Space.**

Please list any internet providers known to provide service to the property:

☒ * **Interior Wiring CAT 5e or Better within Leased Space.**

To be completed by the Lessor (optional amenities):

☐ Amenities are separately listed elsewhere in the Lease.

(The below checklist can be left blank if the above box is checked.)

The Lease includes (please check and complete all that apply):

☐ Lockable Space for Networking Equipment.

☒ Telephone Service Available.

☒ Parking. ☐ Assigned Parking Spaces

☐ Unassigned Parking Spaces

☒ General Off-Street Parking on an As-Available Basis

☒ Utilities. Includes: Electric

☒ Janitorial Services. Frequency: Upon request

☒ Trash Removal. Frequency: Daily

☒ Carpet Cleaning. Frequency: Upon request

☐ Window Washing. ☐ Window Treatments.

☐ Tenant Alterations Included In Rental Rate.

☐ After Hours Building Access.

☐ Office Furnishings. Includes: _____

☐ Cable TV Accessible. If checked, Included in Rental Rate: ☐ Yes ☐ No

☒ Building Manager. ☐ Onsite ☐ On Call Contact Name: Nadera Greene

Phone Number: 540-507-7010 Email Address: ngreene@spotsylvania.va.us

To be completed by the Member/Member-elect (required):

☐ The leased space will serve as my flagship (primary) District Office.

☐ The leased space will NOT serve as my flagship (primary) District Office.

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Attachment

(Page 2 of 5 - 117th Congress)

SECTION B
(Additional Lease Terms)

1. **Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-Elect of the U.S. House of Representatives) agree that this District Office Lease Attachment ("Attachment") is incorporated into and made part of the Lease ("Lease") and, if applicable, District Office Lease Amendment ("Amendment") to which it is attached.
2. **Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the "House") nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the "CAO") to Lessor to satisfy Lessee's rent obligations under the Lease - which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House - shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
3. **Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO ("Administrative Counsel") must review and give approval of any amendment to the Lease prior to its execution.
4. **Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until the Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing the last page of this Attachment.
5. **Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance of the House at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
6. **Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
7. **Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and shall not be paid by the CAO on behalf of the Lessee.
8. **Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a)

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Attachment

(Page 3 of 5 - 117th Congress)

terminate the Lease by giving thirty (30) days' prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee's successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

9. **Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-Elect before taking office. Should the Member-Elect not take office to serve as a Member of the 117th Congress, the Lease will be considered null and void.
10. **Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, O'Neill Federal Building, Suite 3220, Attn: Jason Washington, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
11. **Assignments.** Lessor shall provide thirty (30) days prior written notice to Lessee before assigning any of its rights, interests or obligations under the Lease, in whole or in part, by operation of law or otherwise. Lessor shall promptly file a copy of any such assignment notice with the Administrative Counsel by e-mail at leases@mail.house.gov. Lessee and the House shall not be responsible for any misdirected payments resulting from Lessor's failure to file an assignment notice in accordance with this section.
12. **Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with the Administrative Counsel by e-mail at leases@mail.house.gov.
13. **Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall promptly file a copy of any such notice with the Office of Finance, U.S. House of Representatives, O'Neill Federal Building, Suite 3220, Attn: Jason Washington, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
14. **Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of the Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to the Administrative Counsel by e-mail at leases@mail.house.gov.

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Attachment

(Page 4 of 5 -- 117th Congress)

15. **Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
16. **Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.
17. **Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
18. **Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
19. **Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
20. **Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
21. **Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
22. **Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
23. **Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
24. **Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Attachment

(Page 5 of 5 - 117th Congress)

25. **Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
26. **Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
27. **District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.
28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

Print Name of Lessor/Landlord

Abigail Spanberger

Print Name of Lessee

By:

Lessor Signature

Lessee Signature

Name:

Title:

Date

Date

From the Member's Office, who is the point of contact for questions?

Name Kristi Black

Phone (540) 321-6130 E-mail kristi.black

@mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form

INSTRUCTIONS

Internal Revenue Code 6109, 31 U.S.C. 3322, 31 CFR 210 and the 1996 Debt Collection Improvement Act require all entities that do business with the United States Government to provide a Tax Identification Number (TIN) and Electronic Funds Transfer (EFT) information for payment. PL 93-579 protects your privacy and mandates that the information never be published or used for any other purpose than to pay you. Please complete all sections below, sign and return via the email or fax number listed.

RETURN FORM TO: vendorEFT@mail.house.gov

FAX NUMBER: (202) 225-6914

SECTION I UNITED STATES HOUSE OF REPRESENTATIVES INFORMATION

ADDRESS US HOUSE OF REPRESENTATIVES - ACCOUNTING, 3116 O'NEILL HOUSE OFFICE BUILDING, WASHINGTON DC 20516
AGENCY IDENTIFIER 53-8002523 **AGENCY LOCATION CODE** 4832 **TELEPHONE NUMBER** (202) 225-2277

SECTION II PAYEE/COMPANY INFORMATION

NAME AS SHOWN ON YOUR INCOME TAX RETURN **BUSINESS NAME/DISREGARDED ENTITY NAME OR DBA, IF DIFFERENT THAN NAME ON YOUR INCOME TAX RETURN**

ADDRESS/CITY/STATE/ZIP

Enter the correct Tax Identification Number type

SOCIAL SECURITY NUMBER (SSN)

EMPLOYER TAX ID NUMBER (EIN)

____-____-____ or ____-____-____

CONTACT PERSON NAME

PURCHASE ORDER ADDRESS/CITY/STATE/ZIP

EMAIL

PO EMAIL

TELEPHONE NUMBER

FAX NUMBER

TELEPHONE NUMBER

FAX NUMBER

REMIT TO ADDRESS

CHECK APPROPRIATE BOX FOR FEDERAL TAX CLASSIFICATION (required)

☐ Individual/Sole Proprietor or Single Member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/Estate

Limited Liability Company. Check the tax classification: ☐ C corporation ☐ S corporation ☐ Partnership

Note. For single-member LLC that is disregarded, check the appropriate box for the tax classification of the single-member owner.

Government Entity. Check the tax classification: ☐ Federal ☐ State ☐ Local

☐ Other _____

Exemptions (codes apply only to certain entities, not individuals):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

SECTION III FINANCIAL INSTITUTION INFORMATION U.S.)

BANK NAME **TELEPHONE NUMBER**

NINE-DIGIT ROUTING TRANSIT NUMBER

DEPOSITOR ACCOUNT TITLE

DEPOSITOR ACCOUNT NUMBER

LOCKBOX NUMBER

TYPE OF ACCOUNT

☐ CHECKING

☐ SAVINGS

☐ LOCKBOX

SECTION IV SOCIO-ECONOMIC INFORMATION

Type of Business ☐ Large Business-No Socio-Economic Designations ☐ Minority ☐ Small Business ☐ Small-Disadv/Minority ☐ Small-Disadv Only ☐ Small-Min Only

Small-Disadvantaged Business Prog ☐ 8 (a) Firm ☐ HUBZone Program ☐ HUBZone Eligible ☐ Emerging Small Business ☐ Women-Owned Business

Other Preference Programs ☐ Gay Indian ☐ Directed to JWOD Non-Profit ☐ No Preference/Not Listed ☐ Small Business Set-Aside ☐ Very Small Business Set-Aside

Veteran Owned Status ☐ Non-Vet Owned Small Bus ☐ Other Vet Owned Small Bus ☐ Serv-Disabled Vet Other Bus ☐ Serv-Disabled Vet Owned SB ☐ Vet-Owned Other Bus

Size of Business: ☐ (A) 50 or less ☐ (B) 51-100 ☐ (C) 101-250 ☐ (D) 251-500 ☐ (E) 501-750 ☐ (F) 751-1,000 ☐ (G) Over 1,000 ☐ (M) 1 million or less

☐ (N) 1.1-2 million ☐ (P) 2.1-3.5 million ☐ (R) 3.6-5 million ☐ (S) 5.1-10 million ☐ (T) 10.1-17 million ☐ (Z) Over 17 million

SECTION V CERTIFICATION OF DATA BY PAYEE/COMPANY

NAME **TITLE/POSITION**

SIGNATURE

DATE

TELE

**Instructions for Completing
U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form**

Section I - Agency Information – Includes the name and address, agency identifier, agency location code and telephone number for the House of Representatives.

Section II - Payee/Company Information – Print or type the name of the payee/company and address that will receive payment, social security or taxpayer ID number, contact person name, telephone number and email of the payee/company. Print or type the purchase order and remit to addresses if different from the payee/company address. Check the appropriate boxes for federal tax classification.

Section III - Financial Institution Information – Print or type the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Check the appropriate box for type of account. Payee/Company may include a voided check with this form.

ACH Account Information Located on a Check or Deposit Ticket

FINANCIAL INSTITUTION NAME name of the financial institution to which the payments are to be directed

ROUTING TRANSIT NUMBER (RTN) financial institution's 9 digit routing transit number;
found on the bottom of a check or deposit ticket or from your Financial Institution

ACCOUNT TITLE employee's or vendor's name on the account

ACCOUNT NUMBER account number at the financial institution

THOMAS B. ANDERSON
123 PLEASANT STREET
ANYWHERE, FL 12345

PAY TO THE ORDER OF \$

SUNTRUST
SunTrust Bank

ACH RTN 1234567890

ACCOUNT NUMBER 0000000000

CHECK NUMBER 0101

101

1 2 3 4

1. Routing Transit Number (RTN) – nine digits located between two symbols. This number identifies the bank holding your account and check processing center.
2. Account number – this is your complete account number. Your account number can be up to 17 digits. Please include leading zeros.
3. ACH Routing Transit Number – Automated Clearing House routing number, use this number for your Routing Transit Number (RTN) if you bank with SunTrust Bank.
4. Check number – This information is not necessary - do not provide

Section IV - Socio-Economic Information – Check the boxes for each category, if applicable: type of business, small disadvantaged business program, HUBZone program, emerging small business, women-owned business, other preference programs, Veteran owned status and size of business. Detailed information related to Small Business programs can be found at <http://www.sba.gov/>.

Section V - Certification of Data By Payee/Company – Print or type the name, title/position and phone number of the Authorized official. The Authorized official must sign and date the form.

**Spotsylvania County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: January 12, 2021

Title: Public Hearing for the FY 21-26 Secondary Six Year
Transportation Improvement Plan

Agenda Title: Public Hearing for the FY 21-26 Secondary Six Year
Transportation Improvement Plan

Recommendation: Staff recommends that the Board approve the mid-year modification to the FY2021 to FY2026 Secondary Six Year Plan (SSYP).

Summary:

The SSYP is typically approved once a year in May and can be used on eligible projects which generally includes existing public secondary roads. In recent years, the County has received about \$500,000 per year with about \$425,000 of this being for construction projects and \$75,000 for rural rustic road projects. This year, about \$3.2 million in funding has become available mid-year due to surpluses on completed projects with most of this funding coming from the Rte 1/Harrison Rd intersection and Rte 606 East projects. This proposal would use this surplus funding to replace local funding on the existing Rte 606 West project which is the number one priority project on the SSYP list from prior Board action. As a result, this proposal would release about \$3.2 million in local funding for other local transportation projects. Additionally, there is \$236,000 in previous to FY-22 rural rustic road funding which can only be used to pave unpaved public roads. This proposal would fund the top two unpaved road projects for Lavue Lane and Houston Lane at a cost of approximately \$213,000 with the remainder being available for future unpaved road projects.

County transportation staff have worked with the Transportation Committee and VDOT to develop this mid-year revised SSYP to better utilize the approximately \$3.4 million in total funding available. Looking ahead, there will be approximately \$500,000 in new FY-27 SSYP funding and some additional

existing and near-term funding FY21-26 SSYP available from additional completed projects for consideration and action by the Transportation Committee and the Board this coming April/May.

Committee/Commission Summary:

Other

Review Date:

11/19/20

Status:

Approved

Financial Impact:

About \$3.4 million in additional funding would be made available for local transportation projects, about \$3.2 million for construction projects and \$213,000 for unpaved road projects.

Staff Contacts:

Paul Agnello, Assistant Director for Transportation Planning

Legal Counsel:

N/A

Consequence of Denial/Inaction:

If the Board of Supervisors does not authorize a public hearing for the FY 21-26 SSYP, the additional \$3.4 Million in SSYP funding will not be available to advance local transportation projects.

ATTACHMENTS:

File Name	Description	Type
Attachment1-SSYP_Spotsylvania_Draft_PublicHearing_Januar12_20.pdf	SSYP	Backup Material
Attachment_2-Unpaved_Roads_Project_Priority_List.pdf	Unpaved Roads Project Priority List	Backup Material
Resolution_2021_SSYP_Jan12_21.docx	Resolution	Resolution
bos_20201208__SSYP.pdf	Ad	Backup Material

Updated:

Monday, November 30, 2020

SPOTSYLVANIA COUNTY - SSYP / FY-2021 THRU FY 2026

PRIORITY	105464	#HB2.FY17 RTE. 606 WEST - RECONSTRUCTION MUDD TAVERN ROAD					ACTIVITY DATES SET				CN START: 2021	
1	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
		Revenue Sharing	6030201	\$13,277,434	\$0	\$0	\$0	\$0	\$0	\$0	\$13,277,434	
		Local Project Contributions	9090623			\$272,773				\$0	\$272,773	
		HB1887 - DGP	6011007	\$3,301,616	\$348,284	\$0	\$1,000,000	\$0	\$0	\$0	\$4,649,900	
		Formula - Secondary	6030601	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	
		Telecommunications	6030606	\$2,096,578	\$362,399	\$358,699	\$405,000				\$3,222,676	
	\$21,522,773	Total		\$18,775,628	\$710,683	\$631,472	\$1,405,000	\$0	\$0	\$0	\$21,522,783	
			EXPENDED	-\$4,715,362							\$4,625,741	
			AVAILABLE	\$14,060,266	\$710,683	\$0	\$1,405,000	\$0	\$0	\$0	\$16,897,042	

PRIORITY	110722	RURAL ADDITION - MOUNT HOLLY LANE					CONSTRUCTION COMPLETE					
2	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
		Telecommunications	6030606	\$33,043	\$0	\$0	\$0	\$0	\$0	\$0	\$33,043	
		CTB Formula	3001500	\$142,452	\$0	\$0	\$0	\$0	\$0	\$0	\$142,452	
	\$165,000	Total		\$175,495	\$0	\$0	\$0	\$0	\$0	\$0	\$175,495	
			EXPENDED	-\$175,495							-\$175,495	
			AVAILABLE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	

PRIORITY	114897	SPOTSYLVANIA PARKWAY/HOSPITAL BLVD					NO DATES SET YET				CN START: 8/25/2022	
3	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
		Telecommunications	6030606	\$0	\$0	\$0	\$0	\$405,000	\$0	\$0	\$405,000	
		Local Project Contributions	9090623	\$0	\$0	\$0	\$0	\$405,000	\$0	\$0	\$405,000	
	\$810,000	Total		\$0	\$0	\$0	\$0	\$405,000	\$0	\$0	\$405,000	
			EXPENDED	\$0							\$0	
			AVAILABLE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	

PRIORITY	T24427	ANDORA DRIVE/OLD PLANK ROAD ROUNDABOUT					NO DATES SET YET				CN START: N/A	
4	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
		Local Project Contributions	6030623	\$0	\$0	\$0	\$0	\$0	\$400,000	\$2,000,000	\$2,400,000	
		Telecommunications	6030606	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	
	\$2,500,000	Total		\$0	\$0	\$0	\$0	\$0	\$400,000	\$2,100,000	\$2,500,000	
			EXPENDED	\$0							\$0	

5	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		Local Project Contributions	6030623	\$0	\$0	\$0	\$0	\$0	\$0	\$191,491	\$191,491
		Telecommunications	6030606		\$0	\$0	\$0	\$0	\$330,111	\$78,398	\$408,509
	\$600,000	Total		\$0	\$0	\$0	\$0	\$0	\$330,111	\$269,889	\$600,000
			EXPENDED	\$0							\$0
			AVAILABLE	\$0	\$0	\$0	\$0	\$0	\$330,111	\$269,889	\$600,000

6	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		Telecommunications									
	6030606			\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	\$250,000	Total		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
			EXPENDED	\$0							\$0
			AVAILABLE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

7	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		Telecommunications	6030606	\$80,104	\$33,479	\$30,000	\$10,000	\$3,699	\$30,000	\$130,000	\$317,282
	\$499,001	Total		\$80,104	\$33,479	\$30,000	\$10,000	\$3,699	\$30,000	\$130,000	\$317,282
			EXPENDED	-\$56,583							-\$56,583
			AVAILABLE	\$23,521	\$33,479	\$30,000	\$10,000	\$3,699	\$30,000	\$130,000	\$260,699

8	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
		Telecommunications	6030606	\$30,813	\$22,821	\$30,000	\$3,699	\$10,000	\$58,588	\$110,301	\$266,222	
		Formula - Secondary	6030601	\$7,672	\$0	\$0	\$0	\$0	\$0	\$0	\$7,672	
	\$418,683	Total		\$38,485	\$22,821	\$30,000	\$3,699	\$10,000	\$58,588	\$110,301	\$273,894	
				EXPENDED	-\$38,485							\$38,485
				AVAILABLE	\$0	\$22,821	\$30,000	\$3,699	\$10,000	\$58,588	\$110,301	\$235,409

PRIORITY	New	New Unpaved Road Projects for Lavue Lane (Rte 608 to Deadend) and Houston Lane (Rte 601 to Dead End)									
9	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		CTB Formula	3001500	\$73,980	\$0	\$0	\$0	\$0	\$0	\$0	\$73,980
		HB1887 - DGP	6071700	\$0	\$95,258	\$43,762	\$0	\$0	\$0	\$0	\$139,020
	\$497,772	Total		\$73,980	\$95,258	\$43,762	\$0	\$0	\$0	\$0	\$213,000
			EXPENDED	\$0							\$0
			AVAILABLE	\$73,980	\$95,258	\$43,762	\$0	\$0	\$0	\$0	\$213,000

PRIORITY	T3339	FUTURE UNPAVED FUNDS: YR4-YR6									
10	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		CTB Formula	3001500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		HB1887 - DGP	6071700	\$0	\$0	\$23,009	\$86,484	\$53,932	\$53,932	\$67,415	\$284,772
	\$497,772	Total		\$0	\$0	\$23,009	\$86,484	\$53,932	\$53,932	\$67,415	\$284,772
			EXPENDED	\$0							\$0
			AVAILABLE	\$0	\$0	\$23,009	\$86,484	\$53,932	\$53,932	\$67,415	\$284,772

PRIORITY	99964	COUNTYWIDE RURAL ADDITIONS									
11	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
		Local Project Contributions	6030623	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		Telecommunications	6030606	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	Total		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
			EXPENDED	\$0							\$0
			AVAILABLE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

TOTAL CONSTRUCTION	\$2,220,099	\$418,699	\$418,699	\$418,699	\$418,699	\$418,699	\$418,699	\$4,732,293
TOTAL UNPAVED ROADS	\$249,475	\$95,258	\$66,771	\$86,484	\$53,932	\$53,932	\$67,415	\$673,267
GRAND TOTAL	\$2,469,574	\$513,957	\$485,470	\$505,183	\$472,631	\$472,631	\$486,114	\$5,405,560

Funding Added	
Funding Subtracted	

PRIORITY	51845	INTERSECTION IMPROVEMENTS - RTE 620 & RTE 1									
9999	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL
	\$21,931,830	Total		\$22,002,573	\$0	\$0	\$0	\$0	\$0	\$0	\$22,002,573
			EXPENDED	-\$19,187,632							\$19,187,632
			AVAILABLE	\$2,814,941	\$0	\$0	\$0	\$0	\$0	\$0	\$2,814,941

PRIORITY	100829	#SGR BRIDGE REPLACEMENT, RTE 606 OVER I-95 (DESIGN BUILD)				CONSTRUCTION COMPLETE					CN COMPLETE: 6/20/2019	
9999	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
	\$11,889,993	Total		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,915,178	
			EXPENDED	-\$10,006,574							\$10,018,574	
			AVAILABLE	-\$10,006,574	\$0	\$0	\$0	\$0	\$0	\$0	\$1,896,604	

PRIORITY	105463	RTE 606 - RECONSTRUCTION OF MUDD TAVERN ROAD				CONSTRUCTION COMPLETE					CN COMPLETED: 6/20/2019	
9999	ESTIMATE	Fund Source	Allocation Code	Previous	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	TOTAL	
	\$14,047,315	Total		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,968,974	
			EXPENDED	-\$12,501,263							\$12,525,448	
			AVAILABLE	-\$12,501,263	\$0	\$0	\$0	\$0	\$0	\$0	\$1,443,526	

Comments

Transfer \$1,200,000 of RS to UPC 111456
Betterment of \$272,773
Transfer \$1,200,000 of telefees from UPC 51845

Existing Agreement Needs to be Updated

Comments

Transfer \$10,495 from T-3339

Comments

Transferred FY-23: \$405,000 to #1
Transferred FY-24: \$405,000 from #4, #7, & #8
The county is responsible for the \$405,000.
These figures were agreed upon by the county
so the roads could be taken into the system.
Agreement Needed for Local Project Contribution

Comments

Agreement Needed for Local Project Contribution
Transfer all FY-25 & \$78,898 in FY-26 to #5

Comments

\$191,491 in local funding moved to FY=26
Agreement Needed for Local Project Contribution
Transfer \$408,509 from #4
Moved LPC to align with other funding adjusted dollar amount.

Comments

Transfer from UPC 99964 \$3,001; UPC 99747
Residency will do with Maintenance funds.
Need to establish project in pool.
For River road- From 0.23 Miles W Rte. 639 (Bragg

Comments

FY-24: 26,301 to #3: Hospital Blvd

Comments

FY-24: 20,000 to #3: Hospital Blvd
FY-25: \$28,588 from #4.

Comments

New project
\$213K in funding from priority #10: T3339

Comments

Comments

Reimburse county \$6,193 in previous funds.

Comments

Moved \$1,439,014 surplus: \$1.2 Million to #1;
Waiting Financial closure

Comments

Waiting Financial Closure.

Comments

FY21 funds not needed for project.
Funds redistributed to other projects.
Waiting Financial Closure.

Spotsylvania County Unpaved Roads Priority Projects

VDOT List for Spotsylvania County Unpaved Roads Projects: Funded									
Route	Road Name	Description (From/To)	Length (Miles)	UPC	Est. Completion	Area Headquarters	E&SC Complete?	Env. Complete?	Comment
690	Peppertree Rd	Rte. 600/Dead End	0.40	\$ 120,000		N/A			Field review on 7/9 found project already completed.
620	Spotswood Furnace	Rte. 1696/Rte. 1733	1.30	110859	2019	Chancellor	Yes	Yes	Both Routes Hard surface spring 2019
642	Woolfolk Road	Rte. 612/Dead End	0.90		2019	Post Oak	Yes	Yes	
647	Twilight Lane	Rte. 605/Dead End	0.43	110860		Post Oak	No	No	VDOT Research revealed that RW only dedicated for 0.1 mile of road.
696	Sullivan Road	Rte. 606/Dead End	0.74		2019	Post Oak	Yes	Yes	Sullivan and Mastin hard surfaced spring 2019. Parker cleared for E&S and Environmental. Work will begin spring of 2020. Twilight to be removed from list.
703	Mastin Lane	Rte. 606/Dead End	0.20		2019	Post Oak	Yes	Yes	
682	Parker Lane	Rte. 611/Dead End	0.95		2020	Chancellor	Yes	Yes	
732	Mallard Point Lane	Rte. 627/Dead End	0.27	110861	2020	Chancellor	No	No	E&SC and Env. Clearence to begin this winter
724	Wigglesworth Road	Rte 658/Dead End	0.47		2020	Post Oak	No	No	E&SC and Env. Clearence to begin this winter
723	Dovey Rd.	Rte. 612/Dead End	0.48		2019	Post Oak	Yes	Yes	Hard surfaced in the spring of 2019
726	Ryland Payne Road	Rte. 208/Rte. 601	0.60		2020	Post Oak	No	No	E&SC and Env. Clearence to begin this winter
VDOT List for Spotsylvania County Unpaved Roads Projects: Approved by Transportation Committee on September 17th									
Route	Road Name	Description (From/To)	Length (Miles)	Est. Cost	Culmultative Cost If Follow List	Houses & Businesses	Available SSYP Funding: \$497,772		
762	White Shop Lane	Rte. 719/Dead End	0.20	N/A					
697	Lavue Lane	Rte. 608/Dead End	0.36	\$ 108,000	\$ 108,000	10			Houses include 3 short private side streets
651	Houston Lane	Rte. 601 /Dead End	0.35	\$ 105,000	\$ 213,000	7			
664	Granite Springs Rd	Rte. 601/Dead End	0.90	\$ 270,000	\$ 483,000	6			
687	Shirley Rd	Rte. 653/Orange Co. Line	1.15	\$ 345,000	\$ 828,000	9			
701	Rumsey Lane	Rte. 208/dead End	0.60	\$ 180,000	\$ 1,008,000	6			
754	Hayden Rd	Rte. 684/Dead end	0.20	\$ 60,000	\$ 1,203,000	3			Small turnaround, could use improvement
759	Orrock Ln	FR163/Caroline Co. Line	0.73	\$ 219,000	\$ 1,422,000	3			Deadends in Caroline at a farm house
720	Confederate Cemetary	All Loops	0.45	\$ 135,000	\$ 1,143,000	0			Only for cemetary, no houses
757	Moss Ln	Rte. 610/dead end	0.27	N/A		1			Only 1 abandonned house at end of road
		Remaining Total	3.89	\$ 1,167,000	\$ 1,167,000				
Legend									
Yellow = Done									
Red = Not done on VDOT Recommendation									
Orange = Next planned committed projects									
County Staff Recommendation to Not Do									

At a regular scheduled meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021 on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2021-

**THE FY2021-2026 SECONDARY SIX-YEAR TRANSPORTATION IMPROVEMENT
PLAN CONSTRUCTION BUDGET
PUBLIC HEARING**

WHEREAS, Section 33.2-331 of the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Road Six-Year Transportation Improvement Plan;

WHEREAS, the Spotsylvania County Board of Supervisors agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed FY2021-2026 Secondary Road Six-Year Transportation Improvement Plan and FY2021 Secondary Road Construction Budget on January 12, 2021, duly advertised so that all citizens of Spotsylvania County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan; and

WHEREAS, the Virginia Department of Transportation, appeared before the Spotsylvania County Board of Supervisors and recommended approval of the FY2021-2026 Secondary Road Six-Year Transportation Improvement Plan and the Construction Budget for FY2021 for Spotsylvania; and

WHEREAS, that the County Administrator and/or his designee is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the citizens of Spotsylvania County, the Spotsylvania County Board of Supervisors does hereby approve the FY2021-2026 Secondary Road Six-Year Transportation Improvement Plan and the Construction Budget for FY2021 attached.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation.

(SEAL)

A COPY TESTE: _____
Aimee Mann, Deputy Clerk

(To: Display Advertising (Classified Section))

Please run the following ad on **Wednesday, December 23, 2020 and Wednesday, December 30, 2020** in the **Free Lance-Star**. with the usual format: bold border; Spotsylvania County seal; 2 columns wide; underline as shown; larger, darker print for underlined portions.

(Ref. P O # 9518)

PUBLIC NOTICE

FY2021-2026 SECONDARY ROAD SIX-YEAR PLAN PUBLIC HEARING

The Spotsylvania County Board of Supervisors and Virginia Department of Transportation will hold a joint public hearing on the proposed FY2021-2026 Secondary Road Six-Year Plan and the FY2021 Secondary Road Construction Budget on Tuesday, January 12, 2021, beginning at 6:30 p.m. in the Board of Supervisors Chambers in the Holbert Building located at 9104 Courthouse Road, Spotsylvania, Virginia, 22553. The Secondary Road Six-Year Improvement Plan represents the County's secondary road improvement priorities through the year 2026. The FY2021 Secondary Road Construction Budget represents the first year of the Secondary Road Six-Year Improvement Plan. Copies of the proposed plan and budget may be reviewed at the Planning Department, 9019 Old Battlefield Blvd, Spotsylvania, VA 22553 (please call 540-507-7434 to arrange a time to view); and online at the Planning page of the county website <http://www.spotsylvania.va.us>.

All interested individuals are invited to present comments per the Revised Public Hearing Procedures noted below. The Board of Supervisors encourages the participation of all interested County citizens. For those with special needs, please notify the Office of the County Administrator at (540) 507-7010 of any accommodations you may require at least five days before the meeting you wish to attend.

Revised Public Hearing Procedures During the Coronavirus Emergency

- For your safety and the safety of the community at large during this on-going coronavirus emergency, citizens wishing to comment are HIGHLY ENCOURAGED to submit written comments to be read into the public record by County staff in front of the Board at the televised hearings rather than attending in person.
- Those desiring to submit written comments to be read publically to the Board may do so immediately by going to the following website www.spotsylvania.va.us/comments, or by placing written comments in the Treasurer's Office drop box outside the Holbert Building at 9104 Courthouse Road, Spotsylvania, VA 22553. Comments submitted via the Treasurer's Office drop box should be in a sealed envelope which is clearly marked with the case number or case name
- Additionally, comments may be mailed to the attention of Aimee Mann at PO Box 99, Spotsylvania, VA 22553. Mailed comments must be received by close of business on the Monday prior to the BOS meeting date in order for them to be read into the public record at the hearing.
- Submissions of written comments must include the citizen's name and voting district. Please construct your written comments in such manner that they are limited to three (3) minutes when read at a typical oral reading pace. For comments provided in representation of a group, the time limit is five (5) minutes.
- Citizens choosing to attend in person will be required to maintain recommended social distancing at all times and will be guided by County staff in accomplishing this. If you or a member of your family is sick, in the interest of public health, you are STRONGLY ENCOURAGED not to attend in person, but rather submit your comments in writing to be read aloud and heard by the Board during the public hearing.

By the Spotsylvania County Board of Supervisors