



**BOARD OF SUPERVISORS
CALLED MEETING
Tuesday, September 29, 2020 – 5:00 PM**

**Gallery Room - Chatham Community Center
115 South Main Street,
Chatham, Virginia 24531**

AGENDA

- 1. CALL TO ORDER (5:00 PM)**
- 2. ROLL CALL**
- 3. AGENDA ITEMS TO BE ADDED**
- 4. APPROVAL OF AGENDA**
- 5. NEW BUSINESS**
 - a. Resolution # 2020-09-08 (Grant Requirements for CDBG Funds for Small Business Recovery Assistance Program) Adoption (Rowe)
- 6. CLOSED SESSION**
 - a. 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.
 - (1) Legal Authority: Virginia Code § 2.2-3711(A)(5)
Subject Matter: Project Matterhorn
Purpose: Unannounced Industry Economic Development Update
 - b. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.
 - (1) Legal Authority: Virginia Code § 2.2-3711(A)(8)
Subject Matter: Solid Waste Disposal Contract
Purpose: Legal Counsel Contract Consultation
- 7. RETURN TO OPEN SESSION AND CLOSED SESSION CERTIFICATION**

a. Closed Session Certification

8. MATTERS FROM CLOSED SESSION

9. ADJOURNMENT



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Resolution # 2020-09-08 (Grant Requirements for CDBG Funds for Small Business Recovery Assistance Program) Adoption (Rowe)		
Staff Contact(s):	Matthew Rowe		
Agenda Date:	September 29, 2020	Item Number:	5.a
Attachment(s):	20-20-35 CIG Pittsylvania County -Appendix 7 SECTION 504_ (004) 20-20-35 CIG Pittsylvania County Appendix 9 FAIR HOUSING_ (004) 20-20-35 CIG Pittsylvania County - Appendix 6 NON-DISCRIMINATION POLICY (004) 20-20-35 CIG Pittsylvania County Business Plan Resolution (004) 2020-09-08 CDBG		
Reviewed By:			

SUMMARY:

The County has been awarded a Grant of \$330,000 from the Virginia Department of Housing and Community Development (“DHCD”) to provide Grants with a maximum of \$15,000 for Small Businesses showing PPE needs and related supplies or rental assistance to rapidly and safely reopen or remain open due to the COVID-19 Pandemic. Grants can be up to \$10,000 in rental assistance and \$5,000 for retooling. To move forward with the Contract Negotiations of said DHCD Grant, the County needs to adopt Resolution # 2020-09-08, attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None (no County local match).

RECOMMENDATION:

County Staff recommends the Board to adopt attached Resolution # 2020-09-08 as presented.

MOTION:

“I make a Motion to adopt attached Resolution #2020-09-08 as presented.”

Pittsylvania County, Virginia Section 504 Grievance Procedure

The U. S. Department of Housing and Urban Development (HUD) has adopted policies and procedures to assure nondiscrimination based on handicap in programs and activities receiving Federal financial assistance. These requirements, contained in 24 CFR Part 8, implement Section 504 of the *Rehabilitation Act of 1973* as amended. All local government recipients of CDBG funds awarded by the DHCD must take certain actions to insure compliance with these requirements. These actions include:

1. Non-discrimination Notices: All local government grant recipients must take appropriate steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining agreements that it does not discriminate on the basis of handicap.

Methods of notification include publication of advertisements in newspapers, posting of notices, and distribution of memoranda or other written materials.

If a local government publishes or uses recruitment materials or publications containing general information that is made available to participants, beneficiaries, applicants, or employees, the policy of nondiscrimination based on handicap must be included.

The local government must ensure that members of the population eligible to be served or likely to be affected who have visual or hearing impairments are provided with the information necessary to understand and participate in the program. Means for ensuring participation include qualified sign language and oral interpreters, readers, or the use of taped and Braille materials.

2. 504 Coordinator: Only local government grant recipients that employ fifteen or more persons must designate at least one person to coordinate compliance. All notification regarding nondiscrimination shall identify the coordinator by name and title. It is recommended that this person not be the Grant Administrator.
3. Effective Program Outreach and Communication: All local government grant recipients must take appropriate steps to ensure effective communication with applicants, beneficiaries, and members of the public. Telecommunication devices for deaf persons (TDDS) or equally effective communication systems shall be used for telephone communications with applicants and beneficiaries. The Virginia Relay Service may also be utilized at no charge. For more information about this service, call Virginia Relay Customer Care at 800-552-9717 (voice/TTY) or e-mail Frontdsk@vddhh.virginia.gov. Or, visit their web site at www.varelay.org.
All published notices related to the CDBG program must include a TDD number.

4. Grievance Procedures: Only local government grant recipients that employ fifteen or more persons must adopt grievance procedures that incorporate appropriate standards for due process and provide for the prompt and equitable resolution of complaints.

5. Conduct a Self-Evaluation: All local government grant recipients must conduct a self-evaluation to evaluate current policies and practices to determine whether in whole or in part they meet Section 504 requirements regarding nondiscrimination. Individuals with disabilities, organizations representing such individuals or other interested persons should be consulted as part of the self-evaluation process. Modifications to existing policies and practices and corrective actions to remedy any discrimination found may be necessary. Areas to be evaluated include:
 - Completion of the Site Accessibility Checklist for 504 Requirements. This review for physical accessibility need only be done on those buildings used for CDBG program activities, including the location of public meetings and where applications for benefits will be taken;

 - Development of a narrative that reviews the following areas:
 - Identification of 504 Coordinator;

 - Program outreach and communication, including the need to list the TDD number on all notices and advertisements required by DHCD;

 - Eligibility and admission criteria and practice;

 - Employment practices, including EEO and 504 grievance procedures; and

 - Complaint and appeals procedures.

Local governments are not necessarily required to make each facility accessible to individuals with handicaps, and need not take any action which can be demonstrated to impose an undue financial and administrative burden.

Methods of achieving program accessibility may include the following actions:

- Locate programs or services in accessible facilities;

- Assign aides to assist beneficiaries;

- Conduct home visits;
- Add or redesign equipment or furnishings;
- Change management policies or procedures;
- Acquire or build new facilities; and
- Selectively alter existing facilities.

The written self-evaluation must be kept on file for three (3) years following completion and made available for review by the members of public, DHCD, and/or HUD.

The locality must also document any actions taken to correct past or current discrimination based on handicap.

Resource Material on Accessible/Adaptable Housing and Facilities

Adaptable Housing: Marketable Accessible Housing for Everyone

U.S. Department of Housing and Urban Development (1987)

Uniform Federal Accessibility Standards (UFAS)

U.S. Architectural and Transportation Barriers Compliance Board (1984)

American National Standard for Buildings and Facilities – Providing Accessibility and Usability for Physically Handicapped People

American National Standards Institute, Inc. (1986)

Handicapped Requirements Handbook

Federal Programs Advisory Service (1987)

SELF-EVALUATION SITE ACCESSIBILITY CHECKLIST

This checklist is intended to be used as a relatively quick and easy guide to determine a building's physical accessibility. Detailed specifications for each area can be found in the Uniform Federal Accessibility Standards (UFAS).

Comments should be made on all "No" answers, and should include alterations that can or will be made, any insurmountable obstacles to accessibility, or other relevant circumstance or considerations.

Name of Site: Pittsylvania County Community Center, 115 S Main St, Chatham, VA 24531

PARKING

YES

NO

Does the facility have designated parking spaces for disabled individuals?

Are spaces of adequate width (13 ft.)?

Are the spaces marked with the universal access symbol?

Are they near the building's entrance?

Comments: _____

BUILDING ENTRANCE

YES

NO

Is the main entryway wheelchair-accessible?

(Level entry or properly sloped ramp; 32" wide, non-revolving door)

If not, is there a reasonable alternative entry?

Is the entry relatively free of obstacles?

Comments: _____

MEETING ROOMS

YES

NO

Can all rooms to be used for meetings or meals be reached without using steps or escalators?

If elevator use is required, are the elevators accessible? (36" wide door, 54" deep x 68" wide car, wheelchair accessible controls, tactile buttons, auditory floor indicators)

If room changes are required between sessions, are pathways accessible? (36" wide hallways, free of obstacles)

Are doorways wide enough to accommodate a wheelchair? (32" wide)

Comments: _____

FACILITIES

YES

NO

Are restrooms wheelchair-accessible? (Adequate floor space for wheelchair; grab bars, paper products, lavatories at proper height; extended faucet handles)

Are paths to the restrooms accessible?

Are drinking fountains wheelchair accessible?

Can telephones be used from a wheelchair?

Comments: _____

PREPARER:

Preparer's Signature

9/22/2020
Date

Susan McCulloch

Economic Development Project Manager

Preparer's Name (printed)

Title (printed)



06/30/2014

Section 504 Grievance Procedure Sample

The following grievance procedure has been adapted from a sample grievance procedure developed by the U. S. Treasury, Office of Revenue Sharing based on material prepared by the U. S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance Staff. It is intended as a guide only, to be tailored by recipient governments to suit their own particular circumstances and in consideration of any applicable state or local laws. This sample grievance procedure once completed should satisfy the requirements of the Department of Housing and Urban Development's (HUD) Section 504 regulations (24 CFR Part 8.53(b)). Recipients should be reminded that existing grievance procedures may be used to meet the HUD requirements.

Grievance Procedure

Pittsylvania County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints should be addressed to: *Richard Hicks, Deputy County Administrator, PO Box 426, Chatham, Virginia 24531, phone: (434) 432-1768*, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within *seven (7)* after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by *Richard Hicks or his designee*. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), Pittsylvania County need not process complaints from applicants for employment or from applicants for admission to housing.

- 4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by *Richard Hicks* and a copy forwarded to the complainant no later than *30 days* after its filing.
- 5. The Section 504 coordinator shall maintain the files and records of the *Pittsylvania County* relating to the complaints filed.
- 6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within *30 days* to *Vaden Hunt, Esquire*.
- 7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the *Pittsylvania County* complies with Section 504 and the HUD regulations.

Duly adopted at the regular meeting of the _____ on _____, 2020_____.

Signature of Authorized Official

Pittsylvania County Fair Housing Certification

Compliance with Title VIII of the Civil Rights Act of 1968

Whereas, Pittsylvania County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, Pittsylvania County agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Signature of Authorized Official

Date

Attachment: 20-20-35 CIG Pittsylvania County Appendix 9 FAIR HOUSING_ (004) (2197 : Resolution # 2020-09-08 (Grant Requirements for

Pittsylvania County, Virginia Non-Discrimination Policy

Pittsylvania County or any employee thereof will not discriminate in employment, housing or accommodations because of race, color, religion, national origin, sex or gender, age, familial status, source of income, veteran status, disability, sexual orientation or gender identity. Administrative and personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted at the regular meeting of the _____ on _____, 2020__.

Signature of Authorized Official

Pittsylvania County Section 3 Business and Employment Plan

1. Pittsylvania County designates as its Section 3 Business and Employment Project Area the County of Pittsylvania.
2. Pittsylvania County, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies Pittsylvania County, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
 - (a) Pittsylvania County shall identify the contracts required to conduct the CDBG activities.
 - (b) Pittsylvania County shall identify through various and appropriate sources including:
 - The Chatham Star-Tribune
 - Local Newspaper of General Circulation

the business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
 - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
 - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. Pittsylvania County and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
 - (a) Pittsylvania County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.

Attachment: 20-20-35 CIG Pittsylvania County Business Plan Resolution (004) (2197 : Resolution # 2020-09-08 (Grant Requirements for CDBG

- (b) Pittsylvania County shall advertise through the following sources
The Chatham Star-Tribune
Project Area Newspaper of General Circulation

the availability of such positions with the information on how to apply.

- (c) Pittsylvania County, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
 - (d) To the greatest extent feasible, Pittsylvania County, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, Pittsylvania County shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted at the regular meeting of the _____ on _____, 20_____.

Signature of Authorized Official

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2020-09-08

GRANT REQUIREMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PITTSYLVANIA COUNTY, VIRGINIA, SMALL BUSINESS RECOVERY ASSISTANCE PROGRAM

VIRGINIA: At a meeting to the Pittsylvania County Board of Supervisors (“Board”) on Tuesday, September 29, 2020, at the Chatham Community Center (Gallery Room), 115 South Main Street, Chatham, Virginia 24531, the following Resolution was presented and adopted:

WHEREAS, Pittsylvania County, Virginia (“County”), has been awarded \$330,000 of Community Development Block Grant (“CDBG”) Funds for a Small Business Recovery Assistance Program (“Program”) to help County small businesses meet their long-term business goals by adjusting to COVID-19 demands. Establishing safe and clean re-opening procedures, in accordance with the Virginia Governor’s guidance, is necessary for the safety of customers and employees.

WHEREAS, said CDBG Funds will allow up to twenty (20) County businesses to get back up and running, ideally helping them retain existing staff, fill vacant positions, create new jobs, pay rent/mortgage bills for up to six (6) months, and become more efficient and resilient; and

WHEREAS, the Pittsylvania County Board of Supervisors (“Board”) is required to approve the following attached documents necessary for the Program’s Contract Negotiation process: (1) CDBG Section 3 Business and Employment Plan; (2) CDBG Non-Discrimination Policy; (3) CDBG Section 504 Requirements; and (4) Fair Housing Certification that the Board approves as part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board formally intends to submit the attached Program documents to the CDBG and authorizes the County Administrator, the County’s Chief Administrative Official, to sign and submit the same.

Given under my hand this 29th day of September, 2020.

Robert (“Bob”) W. Warren, Chairman
Pittsylvania County Board of Supervisors

ATTEST:

David M. Smitherman, Clerk
Pittsylvania County Board of Supervisors

VOTE

Joe B. Davis	<u>Yes/No</u>
William (“Vic”) Ingram	<u>Yes/No</u>
Charles H. Miller, Jr.	<u>Yes/No</u>
Robert (“Bob”) W. Warren	<u>Yes/No</u>
Ronald S. Scarce	<u>Yes/No</u>
Ben L. Farmer	<u>Yes/No</u>
Tim W. Dudley	<u>Yes/No</u>

Ayes ____ **Nays** ____ **Abstentions** __



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	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.		
Staff Contact(s):	Matthew Rowe		
Agenda Date:	September 29, 2020	Item Number:	6.a
Attachment(s):			
Reviewed By:			

(1) Legal Authority: Virginia Code § 2.2-3711(A)(5)
 Subject Matter: Project Matterhorn
 Purpose: Unannounced Industry Economic Development Update



Board of Supervisors
EXECUTIVE SUMMARY

INFORMATION ITEM

Agenda Title:	Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.		
Staff Contact(s):			
Agenda Date:	September 29, 2020	Item Number:	6.b
Attachment(s):			
Reviewed By:			

(1) Legal Authority: Virginia Code § 2.2-3711(A)(8)
 Subject Matter: Solid Waste Disposal Contract
 Purpose: Legal Counsel Contract Consultation



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	Closed Session Certification		
Staff Contact(s):	J. Vaden Hunt, Esq.		
Agenda Date:	September 29, 2020	Item Number:	7.a
Attachment(s):			
Reviewed By:			

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
CLOSED MEETING CERTIFICATION

BE IT RESOLVED that at the Meeting of the Pittsylvania County Board of Supervisors (the "Board") on September 29, 2020, the Board hereby certifies by a recorded vote that to the best of each Board Member's knowledge only public business matters lawfully exempted from the Open Meeting requirements of the Virginia Freedom of Information Act (the "Act") and identified in the Motion authorizing the Closed Meeting were heard, discussed, or considered in the Closed Meeting. If any Board Member believes that there was a departure from the requirements of the Act, he shall so state prior to the vote indicating the substance of the departure. The Statement shall be recorded in the Board's Minutes.

	<u>Vote</u>
Joe B. Davis	Yes/No
Timothy W. Dudley	Yes/No
Ben L. Farmer	Yes/No
William "Vic" Ingram	Yes/No
Charles H. Miller, Jr.	Yes/No
Ronald S. Scarce	Yes/No
Robert W. "Bob" Warren	Yes/No