

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, January 10, 2017, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: S. Teel Goodwin, Chairman; Lee H. Frame, Vice Chairman; R. Mark Johnson; James K. White, and James P. Crozier. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

**RE: ADOPTION OF AGENDA**

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**RE: SPECIAL PRESENTATIONS AND APPEARANCES**

**RE: EMPLOYEE OF THE QUARTER**

R. Bryan David, County Administrator, presented the Employee of the Quarter award to Patrick O'Donnell, Airport Operations Worker.

**RE: SERVICE AWARDS**

R. Bryan David, County Administrator, presented the following Service Awards:

- Christopher Turner                                 10 Years                                 Firefighter/Medic

**RE: BUSINESS SPOTLIGHT**

Ms. Dori Boggs, Owner of Bright Side Learning Center, appeared before the Board to spotlight her business. She provided an overview of the infant, toddler, and preschool daycare program that she operates on the Dogwood Village Campus.

The Board thanked Ms. Boggs for her presentation.

**RE: PRESENTATION FROM STEVE HOPKINS, UNIT COORDINATOR AND EXTENSION AGENT, VIRGINIA COOPERATIVE EXTENSION**

Steve Hopkins, Unit Coordinator and Extension Agent with the Virginia Cooperative Extension Office, gave a brief presentation to the Board regarding his upcoming, planned retirement on March 1, 2017. He discussed with the Board the transition plan for the position, developing the scope of the position, and the timeline for hiring a new agent.

The Board thanked Mr. Hopkins for his presentation.

**RE: CONSENT AGENDA**

On the motion of Mr. Johnson, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

**RE: FY17 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)**

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>PREVIOUS BUDGET</b>	<b>BUDGET CHANGE</b>	<b>AMENDED BUDGET</b>
30033501-33250	Miscellaneous	\$ (56,820.00)	\$ (1,500.00)	\$ (58,320.00)
43120001-46350	Police Supplies	42,500.00	1,500.00	44,000.00

30030002-33625	Donations - Triad	(800.00)	(1,150.00)	(1,950.00)
43177002-46800	Guardian Pendant Expenses	1,988.00	200.00	2,188.00
43177005-46800	File for Life Expenses	760.00	850.00	1,610.00
43177002-46800	Guardian Pendant Expenses	1,988.00	100.00	2,088.00
30030002-33625	Donations - Triad	(800.00)	(530.00)	(1,330.00)
43177002-46800	Guardian Pendant Expenses	1,988.00	150.00	2,138.00
43177002-46800	Guardian Pendant Expenses	1,988.00	380.00	2,368.00
30030006-33500	Donations - Animal Shelter	(13,714.00)	(2,460.00)	(16,174.00)
43520003-43115	Prof. Serv. - Emergency Vet	13,214.00	2,460.00	15,674.00
30026501-32425	Friends of Library Donations	(17,271.48)	(2,000.00)	(19,271.48)
47310001-46462	Books - Adult - Other Vend.	5,846.40	525.00	6,371.40
47310001-46800	Library Program Expenses	4,034.00	1,075.00	5,109.00
47310001-46000	Office Supplies	10,114.37	400.00	10,514.37
49400011-48320 C1135	Retention Pond - Ind. Park	50,000.00	(12,672.52)	37,327.48
48155002-43100	Prof. Services - Other	38,561.99	12,672.52	51,234.51
30051009-39312	Transfer from Capital Proj.	0.00	(12,672.52)	(12,672.52)
49310006-47737	Transfer to EDA Fund	0.00	12,672.52	12,672.52
49400007-48190 C1106	HVAC Courthouse	65,000.00	(21,948.00)	43,052.00
49310006-47100	To General Fund	0.00	21,948.00	21,948.00
30051001-39312	Transfer from Capital Proj.	0.00	(21,948.00)	(21,948.00)
44320001-43350	Other Repair / Maint.	205,760.77	(18,268.00)	187,492.77
42170001-46350	Police Supplies	4,500.00	(2,000.00)	2,500.00
43120001-46105	Vehicle Supp. - Other	123,700.00	(10,000.00)	113,700.00
44320001-48150	Machinery & Equipment	0.00	52,216.00	52,216.00
30030006-33500	Donations - Animal Shelter	(13,714.00)	(3,975.00)	(17,689.00)
43520003-43115	Prof. Serv. - Emergency Vet	13,214.00	3,975.00	17,189.00
<b>TOTALS</b>		<b>\$ 482,038.05</b>	<b>\$ 0.00</b>	<b>\$ 482,038.05</b>

RE: APPROVAL OF ADDENDUM #1 FOR THE GOODWILL INDUSTRIES OF THE VALLEYS, INC. MEMORANDUM OF UNDERSTANDING

As part of the Consent Agenda, the Board authorized the County Administrator to execute an addendum to MOU-00-15OCBOS between Goodwill Industries of the Valleys, Inc. and the Orange County Board of Supervisors, as presented.

RE: UTILIZATION OF THE COOPERATIVE CONTRACT WITH ATLANTIC EMERGENCY SOLUTIONS FOR POWER COTS AND ACCESSORIES

As part of the Consent Agenda, the Board authorized staff to utilize Cooperative Contract # 4400004651 with Atlantic Emergency Solutions for Stryker cots, chairs, and related products, for a one (1) year period, per the original contract terms, as presented.

RE: RENEWAL OF THE CONTRACT WITH PB MARES, LLP FOR AUDIT SERVICES

As part of the Consent Agenda, the Board authorized staff to renew Contract # PBM-00-16GB with PB Mares, LLP for a one (1) year term, representing the first of four (4) possible renewals, as presented.

RE: MINUTES

On the motion of Mr. Johnson, seconded by Mr. White, which carried by a vote of 4-0-1, with Mr. Crozier abstaining, the Board approved the December 20, 2016 Worksession minutes and December 20, 2016 Regular Meeting minutes, as presented.

Ayes: Johnson, White, Goodwin, Frame. Nays: None. Abstentions: Crozier.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: ORANGE COUNTY PUBLIC SCHOOLS' (OCPS) CARRY FORWARD REQUEST (TABLED FROM THE DECEMBER 20, 2016 PUBLIC HEARING)

R. Bryan David, County Administrator, explained that a Public Hearing was scheduled and held on the carry forward request from Orange County Public Schools on December 20, 2016. The Public Hearing was left open and the matter was deferred until this meeting as adjustments were still being made that had the potential to impact the final carry forward amount. Mr. David added that a request had come forward for an additional \$130,085 in Medicaid reimbursements to be included as part of this consideration.

At 5:29 p.m., Chairman Goodwin called the Public Hearing back to order to receive comments regarding the Orange County Public Schools' carry forward request. There being no speakers, Chairman Goodwin closed the Public Hearing at 5:29 p.m.

R. Bryan David, County Administrator, reviewed the recommended action regarding each portion of the carry forward request, as well as next steps to consider.

Discussion ensued among the Board regarding: whether a delay in approval of the carry forward funds would have an impact on the Schools; and the need to begin considering specific financial policies related to these types of requests.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

**RESOLUTION APPROVING A BUDGET AMENDMENT AND SUPPLEMENTAL  
APPROPRIATION FOR THE ORANGE COUNTY PUBLIC SCHOOLS' OPERATING AND  
CAPITAL PROJECTS FUNDS**

WHEREAS, the School Board has submitted a request to carry forward unspent funds from Fiscal Year 2016 to complete several ongoing capital and operational projects, and to fund additional operating and capital projects from FY16 operational savings; and

WHEREAS, the appropriate advertisements and public hearings, as required by §15.2-2507 of the Code of Virginia, have been published and conducted; and

WHEREAS, the proposed capital projects and operational expenditures are expected to be completed during Fiscal Year 2017;

NOW, THEREFORE, BE IT RESOLVED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2017 budget amendment, and appropriates all funds, as set forth below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

<b>SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT</b>			
<b>School Capital Projects Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Transfer from General Fund	\$ 1,963,068.00	\$ 2,856,461.00	\$ 893,393.00
<b>School Capital Projects Revenue Total</b>	<b>\$ 1,963,068.00</b>	<b>\$ 2,856,461.00</b>	<b>\$ 893,393.00</b>
<b>Expenditures:</b>			
Capital Project Expenditures	\$ 1,963,068.00	\$ 2,856,461.00	\$ 893,393.00
<b>School Capital Projects Expenditure Total</b>	<b>\$ 1,963,068.00</b>	<b>\$ 2,856,461.00</b>	<b>\$ 893,393.00</b>
<b>County General Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Local Sources	50,376,088.00	50,376,088.00	-
Commonwealth	8,104,068.00	8,104,068.00	-
Federal Government	31,584.00	31,584.00	-
General Fund Reserve & Transfers In	695,505.00	1,588,898.00	893,393.00
<b>General Fund Total Revenues</b>	<b>\$ 59,207,245.00</b>	<b>\$ 60,100,638.00</b>	<b>\$ 893,393.00</b>
<b>Expenditures:</b>			
General Government Administration	\$ 3,419,763.00	\$ 3,419,763.00	\$ -
Judicial Administration	1,725,416.00	1,725,416.00	-
Public Safety	11,646,724.00	11,646,724.00	-
Public Works	926,845.00	926,845.00	-
Health & Welfare	3,034,700.00	3,034,700.00	-
Education	10,306.00	10,306.00	-
Parks, Recreation & Culture	1,325,231.00	1,325,231.00	-
Community Development	1,352,752.00	1,352,752.00	-
Non-Departmental	389,602.00	389,602.00	-
Transfers to Other Funds	35,375,906.00	36,269,299.00	893,393.00
<b>General Fund Total Expenditures</b>	<b>\$ 59,207,245.00</b>	<b>\$ 60,100,638.00</b>	<b>\$ 893,393.00</b>

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

**RESOLUTION APPROVING A BUDGET AMENDMENT AND SUPPLEMENTAL APPROPRIATION FOR THE ORANGE COUNTY PUBLIC SCHOOLS' OPERATING AND CAPITAL PROJECTS FUNDS**

WHEREAS, the School Board has submitted a request to carry forward unspent funds from Fiscal Year 2016 to complete several ongoing capital and operational projects, and to fund additional operating and capital projects from FY16 operational savings; and

WHEREAS, the appropriate advertisements and public hearings, as required by §15.2-2507 of the Code of Virginia, have been published and conducted; and

WHEREAS, the proposed capital projects and operational expenditures are expected to be completed during Fiscal Year 2017;

NOW, THEREFORE, BE IT RESOLVED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2017 budget amendment, and appropriates all funds, as set forth below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

<b>SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT</b>			
<b>School Operating Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Transfer from General Fund	\$ 21,155,416.00	\$ 21,580,706.00	\$ 425,290.00
Commonwealth	26,935,587.00	26,935,587.00	-
Federal	2,100,104.00	2,100,104.00	-
Other	1,121,760.00	1,121,760.00	-
Transfers from Other Funds	-	-	-
<b>Schools Total Revenue</b>	<b>\$ 51,312,867.00</b>	<b>\$ 51,738,157.00</b>	<b>\$ 425,290.00</b>
<b>Expenditures:</b>			
School Operating Fund	\$ 51,312,867.00	\$ 51,738,157.00	\$ 425,290.00
<b>Schools Total Expenditures</b>	<b>\$ 51,312,867.00</b>	<b>\$ 51,738,157.00</b>	<b>\$ 425,290.00</b>
<b>County General Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Local Sources	50,376,088.00	50,376,088.00	-
Commonwealth	8,104,068.00	8,104,068.00	-
Federal Government	31,584.00	31,584.00	-
General Fund Reserve & Transfers In	1,588,898.00	2,014,188.00	425,290.00
<b>General Fund Total Revenues</b>	<b>\$ 60,100,638.00</b>	<b>\$ 60,525,928.00</b>	<b>\$ 425,290.00</b>
<b>Expenditures:</b>			
General Government Administration	\$ 3,419,763.00	\$ 3,419,763.00	\$ -
Judicial Administration	1,725,416.00	1,725,416.00	-
Public Safety	11,646,724.00	11,646,724.00	-
Public Works	926,845.00	926,845.00	-
Health & Welfare	3,034,700.00	3,034,700.00	-
Education	10,306.00	10,306.00	-
Parks, Recreation & Culture	1,325,231.00	1,325,231.00	-
Community Development	1,352,752.00	1,352,752.00	-
Non-Departmental	389,602.00	389,602.00	-
Transfers to Other Funds	36,269,299.00	36,694,589.00	425,290.00
<b>General Fund Total Expenditures</b>	<b>\$ 60,100,638.00</b>	<b>\$ 60,525,928.00</b>	<b>\$ 425,290.00</b>

On the motion of Mr. White, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

**RESOLUTION APPROVING A BUDGET AMENDMENT AND SUPPLEMENTAL APPROPRIATION FOR THE ORANGE COUNTY PUBLIC SCHOOLS' OPERATING AND CAPITAL PROJECTS FUNDS**

WHEREAS, the School Board has submitted a request to carry forward unspent funds from Fiscal Year 2016 to complete several ongoing capital and operational projects, and to fund additional operating and capital projects from FY16 operational savings; and

WHEREAS, the appropriate advertisements and public hearings, as required by §15.2-2507 of the Code of Virginia, have been published and conducted; and

WHEREAS, the proposed capital projects and operational expenditures are expected to be completed during Fiscal Year 2017;

NOW, THEREFORE, BE IT RESOLVED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2017 budget amendment, and appropriates all funds, as set forth below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

<b>SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT</b>			
<b>School Operating Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Transfer from General Fund	\$ 21,580,706.00	\$ 21,851,529.00	\$ 270,823.00
Commonwealth	26,935,587.00	26,935,587.00	-
Federal	2,100,104.00	2,100,104.00	-
Other	1,121,760.00	1,121,760.00	-
Transfers from Other Funds	-	-	-
<b>Schools Total Revenue</b>	<b>\$ 51,738,157.00</b>	<b>\$ 52,008,980.00</b>	<b>\$ 270,823.00</b>
<b>Expenditures:</b>			
School Operating Fund	\$ 51,738,157.00	\$ 52,008,980.00	\$ 270,823.00
<b>Schools Total Expenditures</b>	<b>\$ 51,738,157.00</b>	<b>\$ 52,008,980.00</b>	<b>\$ 270,823.00</b>
<b>County General Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Local Sources	50,376,088.00	50,376,088.00	-
Commonwealth	8,104,068.00	8,104,068.00	-
Federal Government	31,584.00	31,584.00	-
General Fund Reserve & Transfers In	2,014,188.00	2,285,011.00	270,823.00
<b>General Fund Total Revenues</b>	<b>\$ 60,525,928.00</b>	<b>\$ 60,796,751.00</b>	<b>\$ 270,823.00</b>
<b>Expenditures:</b>			
General Government Administration	\$ 3,419,763.00	\$ 3,419,763.00	\$ -
Judicial Administration	1,725,416.00	1,725,416.00	-
Public Safety	11,646,724.00	11,646,724.00	-
Public Works	926,845.00	926,845.00	-
Health & Welfare	3,034,700.00	3,034,700.00	-
Education	10,306.00	10,306.00	-
Parks, Recreation & Culture	1,325,231.00	1,325,231.00	-
Community Development	1,352,752.00	1,352,752.00	-
Non-Departmental	389,602.00	389,602.00	-
Transfers to Other Funds	36,694,589.00	36,965,412.00	270,823.00
<b>General Fund Total Expenditures</b>	<b>\$ 60,525,928.00</b>	<b>\$ 60,796,751.00</b>	<b>\$ 270,823.00</b>

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board deferred action on the remaining balance of the Orange County Public Schools' carry forward request, originally intended for the health insurance fund and FY17 contingency, with the understanding that it would be forwarded to the Board of Supervisors and School Board Joint Subcommittee for further review and discussion.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: DEPARTMENT OF HOMELAND SECURITY AUDIT

Larry Clement, Information Technology Director, explained that, following our request for the Department of Homeland Security to conduct a security audit, we had begun receiving weekly reports on any threats or vulnerabilities identified in our network. He added that the reports had previously identified vulnerabilities ranging from low to medium severity. Mr. Clement indicated that since the reports were initially received, all vulnerabilities had been resolved and the most recent reports showed no vulnerabilities. He indicated that the Department of Homeland Security

would continue conducting the weekly scans and he would continue to receive weekly reports and would be identified of areas of concern.

Discussion ensued among the Board regarding: characteristics of the vulnerabilities; how the scan was performed; a description of the various rating levels; employee awareness and training; and involvement with schools and other organizations.

The Board thanked Mr. Clement for the update.

RE: ADOPTION OF ACCEPTABLE USE POLICY AND PASSWORD POLICY

Larry Clement, Information Technology Director, requested the Board's consideration to replace the current "acceptable use" policy for electronic equipment with a new policy, a complete rewrite of the outdated policy from 2003. In addition, Mr. Clement requested that the Board also consider the adoption of a policy governing the use of passwords.

Discussion ensued among the Board regarding: password complexity and expirations in order to encourage users to change passwords frequently.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the Acceptable Use Policy, with the understanding that it would replace the current Policy No. 3.11, as well as the Password Policy, both of which would be incorporated into the County's Personnel Policy Manual, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CLOSED MEETING

At 6:03 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County desired to discuss in Closed Meeting the following matters:

- 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. - §2.2-3711(A)(3) of the Code of Virginia; and
- 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. - §2.2-3711(A)(5) of the Code of Virginia
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711(A)(7) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(3), (A)(5), and (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby authorized discussion of the aforesated matters in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: RECESS FROM CLOSED MEETING  
At 7:15 p.m., the Board recessed from Closed Meeting.

RE: PUBLIC COMMENT  
At 7:15 p.m., Chairman Goodwin opened the floor for public comment.

The following individual spoke:  
- Shelia Frazier, 15241 Montebello Road, Orange

There being no further speakers, public comment was closed at 7:19 p.m.

RE: PUBLIC HEARING #1: PROPOSED AMENDMENT TO THE ZONING ORDINANCE REGARDING SELF-STORAGE FACILITIES

Josh Frederick, Planning and Zoning Director, presented the staff report to the Board regarding the proposed amendments to the Zoning Ordinance. He explained that the Board had previously initiated Planning Commission action on said amendments. Following the Planning Commission's Public Hearing, a recommendation was made to the Board for approval.

At 7:21 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENT TO THE ZONING ORDINANCE

The Board of Supervisors will consider an amendment to the Zoning Ordinance regarding Article IV for District Regulations. The amendment would add "self-storage facility" as a special use in the General Commercial (C-2) zoning district, and would state that any use not otherwise permitted in the C-2 district may also be considered as a special use.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:21 p.m.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE IV (DISTRICT REGULATIONS), SECTION 70 (ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING SELF-STORAGE FACILITIES

WHEREAS, the Board of Supervisors previously initiated Planning Commission action on amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning self-storage facilities; and

WHEREAS, the Planning and Zoning Director and County Attorney prepared recommended language for the text amendments, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on December 1, 2016; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on January 10, 2017, to receive public comment; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented; and



WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves the proposed amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning self-storage facilities, as presented and shown below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**Adopted Amendments to the Orange County Code of Ordinances**

**As adopted in Ord. No. 170110 – PH1  
by the Orange County Board of Supervisors  
on January 10, 2017**

**Chapter 70 - Zoning**

**Article IV - District Regulations**

**Division 8 - General Commercial Zoning District (C-2)**

**Sec. 70-483. - Uses permitted by special use permit.**

In the general commercial district, the following uses may be permitted upon issuance of a special use permit by the Board of Supervisors:

- 1) Carnival, circus, noncommercial fairground, or similar temporary activity.
- 2) Bed and breakfast inn with/without a restaurant open to non-guests.
- 3) Limited manufacturing and processing.
- 4) Manufactured home sales and service.
- 5) Theater, video game parlor, or other recreational use.
- 6) Wholesale distribution or warehouse.
- 7) Adult-oriented business.
- 8) Commercial outdoor vehicular recreational use.
- 9) Public utility facility.
- 10) Self-storage facility.
- 11) Any commercial use which is not expressly permitted in any this district.

**RE: PUBLIC HEARING #2: PROPOSED AMENDMENT TO THE ZONING ORDINANCE REGARDING NONCONFORMITIES**

Josh Frederick, Planning and Zoning Director, presented the staff report to the Board regarding the proposed amendments to the Zoning Ordinance. He explained that the Board had previously initiated Planning Commission action on said amendments. Following the Planning Commission's Public Hearing, a recommendation was made to the Board for approval.

Discussion ensued among the Board regarding: how the original footprint was determined; whether or not decks and porches were included in the original footprint; and why the expansion should be limited.

At 7:34 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

**PROPOSED AMENDMENT TO THE ZONING ORDINANCE**

The Board of Supervisors will consider an amendment to the Zoning Ordinance regarding Article III for Nonconformities. The amendment would increase the allowable expansion limit for nonconforming residential structures from 25% of the original building footprint to 50% of the original building footprint, with nonresidential structures remaining at the 25% limit.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:34 p.m.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE III (NONCONFORMITIES), SECTION 70  
(ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING  
THE EXPANSION OF NONCONFORMING STRUCTURES

WHEREAS, the Board of Supervisors previously initiated Planning Commission action on amendments to Article III (Nonconformities), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the expansion of nonconforming structures; and

WHEREAS, the Planning and Zoning Director and County Attorney prepared recommended language for the text amendments, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on December 1, 2016; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on January 10, 2017, to receive public comment; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves the proposed amendments to Article III (Nonconformities), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the expansion of nonconforming structures, as presented and shown below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**Adopted Amendments to the Orange County Code of Ordinances**

**As adopted in Ord. No. 170110 – PH2  
by the Orange County Board of Supervisors  
on January 10, 2017**

**Chapter 70 - Zoning**

**Article III - Nonconformities**

**Sec. 70-244. - Expansion or enlargement.**

- (a) A nonconforming structure or use may be expanded or enlarged only in conformance with the requirements of this chapter. If a structure is nonconforming due to encroaching on a setback area or required yard, it may be expanded or enlarged provided the new portion of the structure is no closer to the affected property line than the nonconforming portion. Such an expansion or enlargement of a residential structure may be up to ~~25%~~ 50% of the original footprint of the nonconforming structure.

Such an expansion or enlargement of a nonresidential structure may be up to 25% of the original footprint of the nonconforming structure.

[...]

RE: PUBLIC HEARING #3: PROPOSED AMENDMENT TO THE ZONING ORDINANCE REGARDING MULTIFAMILY (R-4) SETBACKS

Josh Frederick, Planning and Zoning Director, presented the staff report to the Board regarding the proposed amendments to the Zoning Ordinance. He explained that the Board had previously initiated Planning Commission action on said amendments. Following the Planning Commission's Public Hearing, a recommendation was made to the Board for approval.

At 7:36 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENT TO THE ZONING ORDINANCE

The Board of Supervisors will consider an amendment to the Zoning Ordinance regarding Article IV for District Regulations. The amendment would reduce building setback requirements from internal development streets and parking lots in the Multifamily Residential (R-4) zoning district, and set forth three other minor wording changes.

The following individual spoke:

- Ed Whelan, 111 Independence Street, Locust Grove

There being no further speakers, Chairman Goodwin closed the Public Hearing at 7:42 p.m.

On the motion of Mr. White, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE IV (DISTRICT REGULATIONS), SECTION 70 (ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING MULTIFAMILY RESIDENTIAL SETBACKS

WHEREAS, staff previously initiated Planning Commission action on amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning multifamily residential setbacks; and

WHEREAS, the Planning and Zoning Director and County Attorney prepared recommended language for the text amendments, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on December 1, 2016; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on January 10, 2017, to receive public comment; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves the proposed amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning multifamily residential setbacks, as presented and shown below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**Adopted Amendments to the Orange County Code of Ordinances**

**As adopted in Ord. No. 170110 – PH3  
by the Orange County Board of Supervisors  
on January 10, 2017**

**Chapter 70 - Zoning**

**Article IV - District Regulations**

**Division 6 - Multifamily Residential Zoning District (R-4)**

**Sec. 70-427. - Setback and yards.**

- (a) In the multifamily residential district, the regulations in this section shall apply to all buildings, all structures that require building permits, and all temporary or portable buildings greater than 150 square feet in floor area or greater than eight feet, six inches in height.
- (b) For setbacks from primary highways, see section 70-646 et seq.
- (c) The setback from any existing or proposed secondary road ~~or subdivision street~~ shall be 35 feet from the right-of-way. The setback from any street internal to the development shall be 20 feet from the right-of-way.
- (d) The setback for any apartment building from ~~a~~ its parking lot shall be ~~25~~ 20 feet.
- (e) The minimum rear yard for attached or unattached single-family dwellings or accessory structures shall be 25 feet.
- (f) The minimum side or rear yard for ~~multifamily dwellings~~ apartment buildings and commercial buildings shall be 50 feet.
- (g) The space between buildings in ~~a multifamily project~~ an apartment complex shall not be less than 1.5 times the height of the taller of the buildings if windows exist in one or both facing walls. If facing walls have no windows, the distance between buildings shall not be less than the height of the taller of the buildings.
- (h) The setback for any new dwelling shall be a minimum of 50 feet from the shoreline of any body of water. Construction proposed to take place within any floodplain shall comply with those provisions as outlined in chapter 34.

RE: PUBLIC HEARING #4: SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT FOR SERIES 2016 BOND PROCEEDS

Glenda Bradley, Assistant County Administrator for Finance and Management Services, explained that this Public Hearing was necessary in order to amend the FY17 Operating and Capital Budgets to appropriate the proceeds from the Series 2016 Bonds.

At 7:45 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Pursuant to §15.2-2507 VA Code Ann., the Board of Supervisors will consider a proposed budget amendment and supplemental appropriation for proceeds of the 2016 Lease-Revenue and Refunding Bonds, Series 2016A and 2016B. The total amount of the bond proceeds is \$52,508,303 and is proposed for appropriation for the following purposes:

Refunding of 2007 Lease Revenue Bonds	\$25,551,527
Land Mobile Radio System Project	\$ 9,241,733
Dispatch Consolidation & Modernization Project	\$ 2,944,319
Consolidated Public Safety Facility Project	\$13,570,724
Rural Broadband Initiative Project	\$ 1,200,000

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:45 p.m.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

**RESOLUTION APPROVING A BUDGET AMENDMENT AND SUPPLEMENTAL APPROPRIATION FOR PROCEEDS FROM THE 2016 LEASE REVENUE AND REFUNDING BONDS, SERIES 2016A AND 2016B**

WHEREAS, the Orange County Board of Supervisors authorized the sale of bonds for purposes of refinancing its previously-issued Lease Revenue, Series 2007 Bonds, and to fund the completion of additional capital projects related to public safety and a rural broadband initiative; and

WHEREAS, the authorized bond sale was priced on December 6, 2016, and closing was executed on December 21, 2016; and

WHEREAS, the appropriate advertisements and public hearings, as required by Section 15.2-2507 of the Code of Virginia, have been conducted; and

WHEREAS, the proposed capital projects and operational expenditures are expected to be completed over the next two (2) to three (3) years;

NOW, THEREFORE, BE IT RESOLVED, on this 10<sup>th</sup> day of January, 2017, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2017 budget amendment, as presented, and appropriates all funds as set forth below.

BE IT FURTHER RESOLVED, that:

1. Estimates of revenues are approved in total and appropriations are hereby authorized at the functional level.
2. Appropriations designated for Capital Projects will not lapse at the end of the fiscal year, but shall remain appropriated until the completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**Supplemental Appropriation and Budget Amendment**

**As adopted in Res. No. 170110 – PH4  
by the Orange County Board of Supervisors  
on January 10, 2017**

<b>PROPOSED SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT FOR ORANGE COUNTY, VIRGINIA</b>			
<b>Debt Service Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Proceeds of Lease Revenue & Refunding Bonds, Series 2016A and 2016B	-	25,265,030.00	25,265,030.00
Transfer from General Fund	9,387,053.00	9,387,053.00	-
Transfer from 2016 Lease Revenue Bond Project Fund	-	713,072.00	713,072.00
<b>Total</b>	<b>9,387,053.00</b>	<b>35,365,155.00</b>	<b>25,978,102.00</b>
<b>Expenditures:</b>			
Principal 2007 Lease Revenue Bonds	-	25,410,000.00	25,410,000.00
Interest 2007 Lease Revenue Bonds	-	568,102.00	568,102.00
Existing Debt Service (P & I)	9,387,053.00	9,387,053.00	-
<b>Total</b>	<b>9,387,053.00</b>	<b>35,365,155.00</b>	<b>25,978,102.00</b>

<b>2016 Lease Revenue Bond Capital Project Fund</b>	<b>Current</b>	<b>Proposed</b>	<b>Amendment</b>
<b>Revenues:</b>			
Proceeds of Lease Revenue & Refunding Bonds, Series 2016A and 2016B	-	27,243,273.00	27,243,273.00
Transfer from Debt Service Fund	981,500.00	981,500.00	-
<b>Total</b>	<b>981,500.00</b>	<b>28,224,773.00</b>	<b>27,243,273.00</b>
<b>Expenditures:</b>			
Land Mobile Radio System Project (C1057)	-	9,241,733.00	9,241,733.00
Dispatch Consolidation & Modernization Project (C1149)	-	2,944,319.00	2,944,319.00
Consolidated Public Safety Facility Project (C1034)	-	13,573,519.00	13,573,519.00
Rural Broadband Initiative Project (C1025)	-	1,200,000.00	1,200,000.00
Bond Issuance Costs	-	552,130.00	552,130.00
Equity Contribution	981,500.00	-	(981,500.00)
Transfer to Debt Service Fund	-	713,072.00	713,072.00
<b>Total</b>	<b>981,500.00</b>	<b>28,224,773.00</b>	<b>27,243,273.00</b>

RE: COUNTY ATTORNEY'S REPORT

RE: AUTHORIZATION OF ASSISTANT COUNTY ATTORNEY

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board authorized Timothy Hennegan to serve as Assistant County Attorney, to represent the County on behalf of the Board of Supervisors, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: UPDATE ON PROPOSED BROADBAND LEGISLATION

R. Bryan David, County Administrator, briefly updated the Board on proposed legislation contained in House Bill 2108 that could be detrimental to the County's planned Broadband Initiative. He provided the Board with the House Bill language, indicating that he would be tracking this legislation and keep the Board updated.

The Board took the information regarding the legislation under advisement, and there was no action taken at this time.

RE: BOARD COMMENT

Supervisor Crozier commented on the Central Virginia Regional Jail's budget analysis for the upcoming fiscal year. Supervisor White commented on the need to market available bed space and closely manage resources in order to get through the challenging budget years.

Supervisor Frame commented on the 50<sup>th</sup> Anniversary of Lake of the Woods, which was being celebrated throughout 2017.

Chairman Goodwin thanked Mr. Frame for her service as Chairman over the last few years.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- October 26, 2016 Rappahannock-Rapidan Regional Commission (RRRC) Minutes
- VDOT Monthly Report for January

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar for the months of January 2017, February 2017, and March 2017.

RE: RECONVENE CLOSED MEETING

At 8:03 p.m., the Board reconvened Closed Meeting.

RE: CERTIFICATION OF CLOSED MEETING

At 8:43 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County has this day adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby certified that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adjourned the meeting at 8:43 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

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S. Teel Goodwin, Chairman

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R. Bryan David, County Administrator