BOARD OF SUPERVISORS MINUTES **JANUARY 13, 2009**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, January 13, 2009 beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Jr., Chairman; S. Teel Goodwin, Vice-Chairman; R. Mark Johnson; Zack Burkett; and Teri L. Pace. Also present: William C. Rolfe, County Administrator; Sharon Pandak, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to adopt the agenda as amended. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: CONSENT AGENDA

Mr. Johnson moved, seconded by Mr. Goodwin and carried, to approve the consent agenda as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
Sheriff	Training	$ 248.34	Expenditure Refund
Sheriff	Community Policing	$ 850.00	Miscellaneous Donation
Subtotal Sheriff		**$ 1,098.34**	

RE: BUDGET TRANSFERS

The Board approved the following Budget Transfers:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount	
Human Resources	Reserve for Raises	Maint Bldg Grounds	Salary	359.38	A
Human Resources	Reserve for Raises	Maint Bldg Grounds	FICA	27.49	A
Human Resources	Reserve for Raises	Maint Bldg Grounds	Retirement	50.74	A
Human Resources	Reserve for Raises	Maint Bldg Grounds	Group Life	3.59	A
Human Resources	Reserve for Raises	Maint Bldg Grounds	Workers Comp	0.48	A
Human Resources	Reserve for Raises	Office on Youth	Salary	178.79	A
Human Resources	Reserve for Raises	Office on Youth	FICA	13.65	A
Human Resources	Reserve for Raises	Office on Youth	Retirement	25.24	A
Human Resources	Reserve for Raises	Office on Youth	Group Life	1.79	A
Human Resources	Reserve for Raises	Office on Youth	Workers Comp	0.24	A
Human Resources	Reserve for Raises	Virginia Juvenile Crime	Salary	178.79	A

Human Resources	Reserve for Raises	Virginia Juvenile Crime	FICA	13.65	A
Human Resources	Reserve for Raises	Virginia Juvenile Crime	Retirement	25.24	A
Human Resources	Reserve for Raises	Virginia Juvenile Crime	Group Life	1.79	A
Human Resources	Reserve for Raises	Virginia Juvenile Crime	Workers Comp	0.3	A
Human Resources	Reserve for Raises	Landfill	Salary PT	60.6	A
Human Resources	Reserve for Raises	Landfill	FICA	4.63	A
Human Resources	Reserve for Raises	Landfill	Workers Comp	2.43	A
Human Resources	Reserve for Raises	E911	Salary	269.43	A
Human Resources	Reserve for Raises	E911	FICA	20.61	A
Human Resources	Reserve for Raises	E911	Retirement	38.05	A
Human Resources	Reserve for Raises	E911	Group Life	2.7	A
Human Resources	Reserve for Raises	E911	Workers Comp	0.37	A
Human Resources	Reserve for Raises	OFEMS	Salary	553.58	A
Human Resources	Reserve for Raises	OFEMS	FICA	42.35	A
Human Resources	Reserve for Raises	OFEMS	Retirement	78.17	A
Human Resources	Reserve for Raises	OFEMS	Group Life	5.54	A
Human Resources	Reserve for Raises	OFEMS	Workers Comp	35.52	A
Human Resources	Reserve for Raises	OFEMS	Salary	442.17	A
Human Resources	Reserve for Raises	OFEMS	FICA	33.82	A
Human Resources	Reserve for Raises	OFEMS	Retirement	62.43	A
Human Resources	Reserve for Raises	OFEMS	Group Life	4.42	A
Human Resources	Reserve for Raises	OFEMS	Workers Comp	0.6	A
Human Resources	Reserve for Raises	OFEMS	Salary	583.33	A
Human Resources	Reserve for Raises	OFEMS	FICA	44.63	A
Human Resources	Reserve for Raises	OFEMS	Retirement	82.37	A
Human Resources	Reserve for Raises	OFEMS	Group Life	5.83	A
Human Resources	Reserve for Raises	OFEMS	Workers Comp	37.43	A
Human Resources	Reserve for Raises	Sheriff	Salary	532.58	A

Human Resources	Reserve for Raises	Sheriff	FICA	40.74	A
Human Resources	Reserve for Raises	Sheriff	Retirement	75.2	A
Human Resources	Reserve for Raises	Sheriff	Group Life	5.33	A
Human Resources	Reserve for Raises	Sheriff	Workers Comp	9.15	A
Human Resources	Reserve for Raises	Building Inspector	Salary	320.25	A
Human Resources	Reserve for Raises	Building Inspector	FICA	24.5	A
Human Resources	Reserve for Raises	Building Inspector	Retirement	45.21	A
Human Resources	Reserve for Raises	Building Inspector	Group Life	3.2	A
Human Resources	Reserve for Raises	Building Inspector	Workers Comp	5.12	A
Human Resources	Reserve for Raises	OFEMS	Salary	85.57	A
Human Resources	Reserve for Raises	OFEMS	FICA	6.55	A
Human Resources	Reserve for Raises	OFEMS	Workers Comp	0.12	A
Human Resources	Reserve for Raises	Planning & Zoning	Salary	250.25	A
Human Resources	Reserve for Raises	Planning & Zoning	FICA	19.15	A
Human Resources	Reserve for Raises	Planning & Zoning	Retirement	35.34	A
Human Resources	Reserve for Raises	Planning & Zoning	Group Life	2.5	A
Human Resources	Reserve for Raises	Planning & Zoning	Workers Comp	0.34	A
Human Resources	Reserve for Raises	Sheriff	Salary	660.33	A
Human Resources	Reserve for Raises	Sheriff	FICA	50.51	A
Human Resources	Reserve for Raises	Sheriff	Retirement	93.24	A
Human Resources	Reserve for Raises	Sheriff	Group Life	6.6	A
Human Resources	Reserve for Raises	Sheriff	Workers Comp	11.35	A

A Merit increases for December

RE: MINUTES

The Board approved the minutes of November 25, 2008 as presented.

RE: REFUND REQUEST - TUCKER, GRIFFIN, BARNES, P.C.

The Board approved a refund request of $25 from Tucker, Griffin, Barnes P.C. for plat review and approval. After staff reviewed the Boundary Survey Plat (survey was recorded in Albemarle County) it appears the plat did not need to be recorded in Orange County.

Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ACTION ITEMS

RE: PUBLIC-PRIVATE EDUCATION, FACILITIES AND INFRASTRUCTURE ACT OF 2002 (PPEA)

Kurt Hildebrand, Director of Public Works, explained that the Public-Private Education, Facilities and Infrastructure Act of 2002 (PPEA) allows public entities the authority to create public-private partnerships for the development of a wide range of projects for public use. However, a public entity shall not proceed to consider any proposal by a private entity for approval of a qualifying project until the public entity has adopted and made publicly available guidelines that are sufficient to enable the public entity to comply with the provisions of the PPEA. Mr. Hildebrand stated that with the aid of legal counsel, staff has created a set of guidelines that substantially follow the State's model but are specific to Orange.

Mrs. Pandak briefly explained the difference between an Invitation for Bid (IFB) and a Request for Payment (RFP).

Discussion ensued including: whether the guidelines apply to other county entities; and if flexible enough to use for various projects.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adopt the "Public-Private Education Facilities and Infrastructure Act of 2002, Guidelines for the County of Orange, Virginia, January 13, 2009" as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: PUBLIC APPEARANCES

RE: VDOT UPDATE

Don Gore, Resident Engineer, updated the Board on current road projects in the County.

RE: VACO UPDATE

Donald Hart, President of the Virginia Association of Counties (VACo) introduced himself to the Board and shared his goals with the Board.

RE: ACTION ITEMS CONTINUED

RE: DELTA'S AMENDMENT FIVE-EXPANDED CONSTRUCTION SERVICES

Mr. Rolfe explained that Delta Airport Consultants has proposed Amendment No. Five for expanded construction services for the construction of the General Aviation Phase I Apron Project at the Orange County Airport. He stated that as of September 17, 2008, the project was overrun by 43 days over the original 100 days allowed in the contract. Liquidated damages have been assessed at the contract rate of $1,500 per day, totaling $64,500. He reported that Delta's proposed amendment reflects additional costs incurred in the administration of the project, as well as, an estimate of the remaining costs to complete the project. In addition, the proposed amendment reflects a revision to the scope for the aerial survey. Mr. Rolfe stated that the FAA previously approved a revision to the survey scope and the amendment. He concluded by saying that the proposed amendment will not create an increase in funds required by the County above the original project budget due to the assessment of liquidated damages and under runs on construction quantities. Mr. Rolfe noted that the proposed amendment has been approved by the State and Federal Aviation Administration (FAA) officials.

Mr. Goodwin moved, seconded by Mr. Johnson and carried, to authorize the County Administrator to execute Amendment 5 to the basic agreement for engineering services with Delta Airport Consultants for expanded services on the Airport Apron Project in the amount of $26,761 and authorize County Administrator to reduce Key Construction by $64,500.00. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: SCHOOL REQUESTS TO CARRY FORWARD FUNDS

Karen Karasinski, Finance Director, stated that the School Board has submitted a request to carry forward $60,009 from fiscal year 2008 to fiscal year 2009. She explained that the request is for capital funds in the amount of $52,202 and the balance of a Head Start grant in the amount of $7,807. The $52,202 is local funds to match state construction funds. Fiscal year 2008 will be the last time the School has to carry over capital funds because, starting in fiscal year 2009, the Board budgeted school capital projects in the County Capital Project Fund.

Mr. Goodwin moved, seconded by Mr. Johnson and carried, to amend the fiscal year 2008 School Budget in the amount of $60,009 as requested. This will be funded from the General Fund balance. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ORANGE COUNTY HEALTH CENTER COMMISSION

Mr. Rolfe stated that the Orange County Nursing Home Commission is requesting that the resolution creating the Nursing Home Commission, adopted February 10, 1970, be amended by designating such Commission as the "Health Center Commission of Orange County, Virginia."

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adopt the following resolution amending the February 10, 1970 resolution creating the Nursing Home Commission and designating such Commission as the "Health Center Commission of Orange County, Virginia":

RESOLUTION

WHEREAS, the Board of Supervisors of Orange County, by prior resolution adopted February 10, 1970, and acting pursuant to and in accordance with the Virginia Hospital or Health Center Commissions Act (then codified as Title 32, Chapter 14 of the *Code of Virginia*, 1950, as amended), created the Orange County Nursing Home Commission (the "Commission"); and

WHEREAS, the Virginia Hospital or Health Center Commissions Act provides that such Commission be known as the "Health Center Commission of Orange County, Virginia."

NOW, THEREFORE, be it resolved by the Board of Supervisors of Orange County that its prior resolution of February 10, 1970 creating the Commission be, and it hereby is, amended by designating such Commission as the "Health Center Commission of Orange County, Virginia."

Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ORANGE COUNTY FAIR ASSOCIATION REAL AND PERSONAL PROPERTY TAX RELIEF

Mr. Rolfe explained that the Board of Directors of the Orange County Fair Association, Inc. would like to be considered for real and personal property tax relief on property located on Old Gordonsville Road (identified as Tax Parcel 44-50).

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to schedule a public hearing on February 10, 2009, for consideration of tax exempt status for properties owned by the Orange County Fair Association, Inc. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: RECESS

The Board recessed at 5:04 p.m. for a joint dinner meeting with the Orange County Extension Office, located at 146 Madison Road, Orange. The Board reconvened at 7:00 p.m. *(Supervisor Johnson did not return to the meeting due to illness.)*

RE: PUBLIC COMMENT

Chairman Frame opened the floor for public comment.

Craig Rains, 204 Fairway Drive, Locust Grove, commented on the proposed Route 3 Development.

RE: BOARD COMMENT

Chairman Frame commented on the volume of emails that he had received concerning the proposed development on Route 3 and thanked Robin Knepper, reporter for the Free Lance Star, for the article that she had written.

RE: ACTION ITEMS CONTINUED

RE: CENTRAL VIRGINIA BATTLEFIELDS TRUST REZONING REQUEST

David Grover, Director of Community Development, stated that at its December 9, 2008 meeting, the Board of Supervisors considered providing tax relief to the Central Virginia Battlefields Trust (CVBT) for land they own near the intersection of Route 3 and 20. The discussion included the possibility of rezoning the land from its current zoning classification C-2 (General Commercial) to A (Agricultural). Mr. Grover reported that Eric Nelson, President of the CVBT, has provided a written request that the Board proceed with such an action. Mr. Grover explained that the subject parcels of land are actually designated on the Future Land Use map for Mixed Use development, a designation not consistent with Agricultural zoning. He stated that, while staff supports the rezoning, it is recommended that the Future Land Use map first be amended to reflect Agricultural Conservation prior to the rezoning to Agriculture so that actions by the Board are consistent with the adopted Comprehensive Plan.

Mr. Burkett moved, seconded by Mrs. Pace and carried, to approve a resolution to initiate an amendment of its Comprehensive Plan Future Land Use Map designation of Tax Map Nos. 24-11A TODD, 12.347 acres, and 24-11F TODD, 6 acres, totaling 18.347 acres from Mixed Use to Agricultural (A) and a rezoning of said property from Commercial (C-2) to Agricultural (A); and directs that these proposed actions be scheduled and advertised for public hearing before the Planning Commission. Ayes: Burkett, Goodwin, Pace, Frame. Nays: None. Absent: Johnson.

RE: PARKING ORDINANCE

Mr. Burkett requested that this item be added to the agenda for discussion. Chairman Frame stated that he and Mr. Burkett currently serve as members of the Ordinance Review Committee. He stated that they are proposing a change to the Parking Ordinance regarding parking fines and parking citations. Currently, the Treasurer is designated as the Local Administrative Official which includes duties of collection enforcement. They are recommending that the Sergeant of the Patrol Division of the Orange county Sheriff's Office be designated at the Local Administrative Official which will return enforcement to the Sheriff's Office.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to schedule a public hearing on February 10, 2009, to amend the Parking Ordinance regarding the designation of the local administering official. Ayes: Burkett, Goodwin, Pace, Frame. Nays: None. Absent: Johnson.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mr. Goodwin nominated Debra George for appointment as the District Three representative on the Orange County Youth Commission, filling an unexpired term, with said term expiring September 30, 2009. Mr. Frame nominated Ann Goodwin for appointment as the District Five representative on the Orange County Youth Commission, filling the unexpired term of Mansour Azimipour, with said term expiring September 30, 2011.

Mr. Burkett moved to approve the nominations. Mrs. Pace seconded the motion. Ayes: Burkett, Goodwin, Pace, Frame. Nays: None.

RE: DISCUSSION ITEMS

RE: CENTRAL VIRGINIA REGIONAL JAIL

Mr. Burkett voiced concern regarding the recent action taken by the Board establishing the Regional Jail Authority.

Mr. Rolfe commented on the correspondence that has been exchanged between the Jail Superintendent and himself. Chairman Frame stated that he is going to request to serve on the Jail's Budget Committee.

Discussion ensued as to who could make a motion to rescind a vote according to the Board's by-laws.

Mr. Burkett moved to rescind the vote authorizing the creation of a Regional Jail Authority. Mrs. Pace seconded the motion. Ayes: Burkett, Pace. Nays: Goodwin, Frame. Absent: Johnson. The vote was tied, therefore, the motion fails.

RE: EAST ORANGE LITTLE LEAGUE FIELD

Mrs. Pace requested that this item be added to the agenda for discussion. She stated that the East Orange Little League would like to rent a field from the County, specifically the property used by the Ruritans; however, the Ruritans are skeptical about renting the field to the Little League because of insurance issues.

Discussion ensued concerning County liability. Discussion on this issue was continued after the public hearing.

RE: PUBLIC HEARINGS

RE: PROPOSED SUPPLEMENTAL ASSESSMENT ORDINANCE

At 7:30 p.m., Chairman Frame called the public hearing to order to receive comments on the following:

- PROPOSED SUPPLEMENTAL ASSESSMENT ORDINANCE.

Mrs. Pandak briefly reviewed the proposed ordinance with the Board. She stated that the ordinance would take effect immediately.

At 7:34 p.m. Chairman Frame opened the floor for public comment. There being none, the public hearing was closed.

Discussion ensued including: how often assessors will be needed; and concerns of hardship on homeowners.

Mr. Burkett moved, seconded by Mr. Frame and carried, to adopt the following resolution:

RESOLUTION

WHEREAS, the Board of Supervisors of Orange County duly noticed a public hearing to consider the attached proposed amendments to Chapter 58 of the County Code. Taxation. §§ 58-70 through 74, to authorize supplemental assessments when a building is substantially completed or fit for occupancy and use during the tax year; and

WHEREAS, as public hearing was held on January 9, 2009; and

WHEREAS, the Board may enact an ordinance authorizing supplemental assessments pursuant to §58.1-3292 VA Code Ann., and the Board believes that the public interest will be served by enacting such an ordinance.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of Orange County does hereby enact the attached §§ 58-70 through 74 effective immediately and incorporate them into the County Code.

CHAPTER 58. Taxation.

Article II. Administration.

Division 3. Supplemental Assessment of Property Substantially Completed.

§ 58-70. Supplemental Assessments Authorized.

All new buildings substantially completed or fit for use and occupancy prior to November 1 of the year of completion shall be assessed when so completed or fit for use and occupancy, and the commissioner of the revenue shall enter in the books the fair market value of such building. No partial assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the treasurer's office and made available for public inspection. Supplemental assessment bills of less than $20 will be added to the next bill for the property.

(Statutory Reference: § 58.1-3292 VA Code Ann.)

§ 58-71. Method of Calculation.

The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year. With respect to any assessment made under this section after September 1 of any year, the penalty for nonpayment by December 5 shall be extended to February 5 of the succeeding year.

(Statutory Reference: § 58.1-3292 VA Code Ann.)

§ 58-72. How Notice Given.

Whenever there is a supplemental assessment of real estate, the commissioner of revenue shall give notice of the supplemental assessment directly to each property owner, as shown by the land book. Such notice shall be sent by U.S. Mail, first-class postage prepaid, at

least 15 days prior to the date of a hearing to protest such change, to the address of the property owner as shown on such land books.

(Statutory Reference: § 58.1-3330 VA Code Ann.)

§ 58-73. Contents of Notice.

Every notice shall show the district, if any, in which the real estate is located, the amount and the new and immediately prior appraised value of land, the new and immediately prior appraised value of improvements, and the new and immediately prior assessed value of each if different from the appraised value. It shall further set out the time and place at which persons may appear before the officers making such reassessment or change and present objections thereto.

(Statutory Reference: § 58.1-3330 VA Code Ann.)

§ 58-74. Duty to Forward Notice; Civil Penalties.

Any person other than the owner who receives such reassessment notice, shall transmit the notice to such owner, at his last known address, immediately on receipt thereof, and shall be liable to such owner in an action at law for liquidated damages in the amount of $25.00, in the event of a failure to so transmit the notice. Mailing such notice to the last known address of the property owner shall be deemed to satisfy the requirements of this section. Notwithstanding the provisions of this section, if the address of the taxpayer as shown on the tax record is in care of a lender, the lender shall upon request furnish the county a list of such property owners, together with their current addresses as they appear on the books of the lender, or the parties may by agreement permit the lender to forward such notices to the property owner, with the cost of postage to be paid by the county.

(Statutory Reference: § 58.1-3330 VA Code Ann.)

Ayes: Burkett, Pace, Frame. Nays: Goodwin. Absent: Johnson.

RE: DISCUSSION ITEMS

RE: EAST ORANGE LITTLE LEAGUE FIELD CONTINUED

Discussion continued regarding the lease with the Ruritans; and parking issues. Mr. Rolfe stated that staff will need to meet with all of the parties involved and bring the information back to the Board.

By consensus, the Board told staff to proceed with meeting with the parties involved to determine what needs to be done.

RE: INFORMATION ITEMS

The following information was presented to the Board for its information:

- Treasurer's Report, as prepared by Phyllis M. Yancey, Treasurer.

RE: PENDING ITEMS

- Wireless Project
- Illegal Immigration
- Lighting Ordinance
- Noise/Nuisance Ordinance

RE: CALENDAR

The Board received copies of its calendar for the months of January, February and March, 2009.

RE: CLOSED MEETING CERTIFCATION FOR THE BOARD RETREAT

For the record, Mrs. Pandak read the following Closed Meeting certification from the Board Retreat which was held on Saturday, January 10, 2009, and Sunday, January 11, 2009:

WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting:

1) Proposed annexation of certain property to the Town of Gordonsville; and

2) A specific employee's performance, assignment and salary; and

WHEREAS, pursuant to §2.2-3711.A.1 and §15.2-2907.D., VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby authorize discussion of the aforestated matter(s) in Closed Meeting.

RE: CERTIFICATION OF CLOSED MEETING FOR THE BOARD RETREAT

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 does hereby certify 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 applies, 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.

RE: CLOSED MEETING

At 7:58 p.m., Mrs. Pandak read the following Closed Meeting Authorization:

WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting:

1) Consultation with legal counsel regarding a proposed annexation of certain property to the Town of Gordonsville; and

2) Consultation with legal counsel regarding actual litigation where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and

WHEREAS, pursuant to §§2.2-3711.A.7, VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby authorize discussion of the aforestated matter(s) in Closed Meeting.

Mr. Burkett made a motion to approve the resolution. Mr. Goodwin seconded the motion. Ayes: Burkett, Goodwin, Pace, Frame. Nays: None. Absent: Johnson.

RE: CERTIFICATION OF CLOSED MEETING

At 8:35 p.m., Mrs. Pace made a motion to adopt the following resolution:

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 does hereby certify 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 applies, 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.

Mr. Burkett seconded the motion. Ayes: Burkett, Goodwin, Pace, Frame. Nays: None. Absent: Johnson.

RE: ADJOURN

There being no further business to discuss, the meeting was adjourned at 8:35 p.m.