

BOARD OF SUPERVISORS MINUTES

January 24, 2012

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, January 24, 2012, beginning at 6:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: S. Teel Goodwin, Chairman; Lee H. Frame, Jr., Vice-Chairman; Shannon Abbs; Grover Wilson; and James K. White. Absent: None. Also present: Julie G. Jordan, County Administrator; Sharon Pandak, County Attorney; and Ashley Jacobs, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Frame moved, seconded by Mrs. Abbs and carried, to adopt the agenda as modified. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: CONSENT AGENDA

Mr. Frame moved, seconded by Mrs. Abbs and carried, to approve the consent agenda as presented.

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

COUNTY OF ORANGE, VIRGINIA						
FY11-12 SUPPLEMENTAL APPROPRIATIONS						
MONTH	DEPT	Debit	Credit	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
January 24, 2012 for FY2012						
	Parks & Re	4-100-071200-2100	3-100-016130-0600	FICA	\$ 60.00	Registration Fees
	Parks & Re	4-100-071200-1322	3-100-016130-0600	Part-time Wages	\$ 575.00	Registration Fees
	Parks & Re	4-100-071200-2710	3-100-016130-0600	Worker's Comp. In	\$ 35.00	Registration Fees
	Subtotal Parks & Recreation				\$ 670.00	
	Animal She	4-100-035200-3115	3-100-018993-0305	Emergency Vet	\$ 2,297.86	Donations
	Animal She	4-100-035200-3115	3-100-018993-0305	Emergency Vet	\$ 6,351.47	Donations
	Animal She	4-100-035200-3115	3-100-018993-0305	Emergency Vet	\$ 2,418.00	Donations
	Animal She	4-100-035200-6031	3-100-018993-0305	Vaccinations	\$ 975.00	Donations
	Animal She	4-100-035200-3201	3-100-018993-0305	Microchip Program	\$ 2,000.00	Donations
	Animal She	4-100-035200-3201	3-100-018993-0305	Microchip Program	\$ 1,000.00	Donations
	Animal She	4-100-035200-6031	3-100-018993-0305	Adoptable-Spay/N	\$ 15.00	Donations
	Subtotal Animal Shelter				\$ 15,057.33	

RE: MINUTES

The Board approved the following minutes:

- January 10, 2012 Regular Meeting

RE: 2012 KARATE FEES

As detailed in the memorandum provided by Julie Jordan, County Administrator, Orange County Parks and Recreation is co-sponsoring a Karate program with Ron Craddock Karate Academy. There will be three different sessions held in various locations in the County, Gordonsville, Locust Grove and Orange with Locust Grove being the newest proposed offering.

The Gordonsville area sessions will begin on February 2, 2012, and will be held at Gordon Barbour Elementary School on Tuesday and Thursday evenings. The proposed cost for this session is \$60.00 per month per person with a onetime \$50.00 fee for each uniform.

The Locust Grove area session will begin on February 1, 2012, and will be held at Locust Grove Primary School on Wednesday evenings. The proposed cost for this session is \$50.00 per month per person with a onetime \$50.00 fee for each uniform.

The Orange area sessions will begin on February 7, 2012, and will be held at Orange Elementary School on Tuesday evenings. The proposed cost for this session is \$50.00 per month per person with a onetime \$50.00 fee for each uniform.

The Board adopted the proposed fee schedule for the 2012 Orange County Parks and Recreation Karate Program as presented.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: PUBLIC APPEARANCES

RE: TOURISM QUARERLY REPORT

Leigh Mawyer, Tourism Manager, provided the Board with packets of information which included several Orange County booklets, advertisements and articles, and updated the Board on Tourism activities over the last three months, including the following:

- The Commonwealth of Virginia's tourism activity including the County of Orange's tourism activity;
- Introduction of Jayson Woods, the County's new Tourism Services Coordinator;
- Recent Orange County events and participation numbers;
- The completion of the renovation at the Holiday Inn; and
- Recent activity of the County's Bed and Breakfasts.

Ms. Mawyer also provided a virtual tour of the Tourism Department's newly launched website, www.visitorangevirginia.com.

Discussion ensued including: the 2010 economic results/statistics released by the Commonwealth; the availability of statistics from other local sources; information distributed by Ms. Mawyer; and the regularly scheduled tourism roundtable discussions.

RE: ACTION ITEMS

RE: SUPPLEMENTAL APPROPRIATION FOR E911 BUDGET

Nicola Tidey, E-911 Manager, stated that currently the E911 center handles its responsibilities with eight full-time employees and nine part-time employees. She further stated that with this set amount of employees, it is possible to predict the amount of overtime and additional hours required to staff the E911 center and remain fully operational, even during instances of employee medical leave, training, and turnover processes.

Ms. Tidey provided the Board with a table outlining the cost of staffing expenses for full and part-time employees for the E911 center and the shortfall of \$63,127.57 for the FY12 budget. She attributed the shortfall to staff being cut from 10 full-time to 8 full-time employees and the increase in man hours due to an increase in required staffing hours related to the establishment of the Emergency Medical Dispatch program, which has subsequently caused an increase in overtime. She also provided the Board a table reviewing five years of E911 budgets, revealing a constant under funding of overtime and part-time costs. She stated that the underfunding can be attributed to many factors, some of which are: changes in processes, changes in organizational structure and duties, changes in management of the Center, and changes in finance and administrative leadership.

Discussion ensued including: full-time employees' hours/work cycle; turnover in the E911 Center; FY13 budget for the Center; overtime trends; the number of full-time staff versus the number of overtime staff hours; the current balance of the Contingency Fund; and the Board's desire to receive routine reports regarding the turnover statistics for the Orange County E911 Center.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to authorize the County Administrator to provide the E911 Center an additional allocation amount of \$64,000 from the Contingency Fund to cover the cost of salaries, overtime, and part-time costs, for the FY12 budget.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: YOUTH COMMISSION BY-LAWS AMENDMENT

Ashley Jacobs, Chief Deputy Clerk, stated that the Orange County Youth Commission held their regularly scheduled meeting on Tuesday, January 17, 2012, at which time a discussion was held on the suggestion made by Supervisor Abbs at the January 10, 2012, Board of Supervisors meeting. Mrs. Jacobs stated that regarding the suggested Commission By-Law change concerning the appointment of Youth Commission members, the Youth Commission would like respectfully to request that Commission appointments remain as is, with one designated member from each district and five at-large positions.

Mrs. Jacobs recapped the necessary changes needed to the Commission membership as outlined in the memorandum to the Board at the January 10, 2012, meeting. She stated that in summary, it is staff's recommendation that Margee McCord be placed in District Two (2) and that the Board consider appointments to the vacancies in District Four (4) and District (5) as well as the two At Large vacancies.

Discussion ensued regarding the Board's desire to request recommendations from the existing Youth Commission members to fill existing vacancies and future vacancies of the Commission.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to move Margee McCord from a District Four (4) Youth Commission Representative to a District Two (2) Youth Commission representative; leaving vacancies in the following positions: District Four (4), District Five (5), and two At-Large positions. Furthermore, the Board requested that the current Youth Commission members make recommendations to the Board of Supervisors regarding candidates to fill all vacancies on the Youth Commission.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: EMS REVENUE RECOVERY RATE ADJUSTMENTS

James Clark, Director of Fire/EMS, explained as part of their annual review of the EMS Transport fee schedule, Medicare and Medicaid have announced an increase to the allowable reimbursement rates. Mr. Clark provided the Board with the following chart, which explains the fee adjustments:

Service Type	Current Fees	Proposed Fees
ALS – 1 Emergency	450.00	550.00
ALS – 2	450.00	775.00
BLS – Emergency	350.00	450.00
Mileage	8.25	13.00
Mileage > 17 miles	8.00	8.00

Mr. Clark further explained that with the proposed fee increases, a difference of approximately \$328,000 exists in projected revenues. Discussion ensued regarding why the County had not adjusted fees sooner and whether or not other fee increases had not been instated by the Board.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjust the fees charged for the emergency medical services as presented.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: DIGITAL INSURANCE, INC. CONTRACT RENEWAL

Joe Rodish, Procurement Technician, explained the County currently has in place a contract for "Benefit Consulting Services" with Digital Benefit Advisors, formerly known as Dominion Benefits, LLC. Mr. Rodish commented that Digital Benefit Advisors has far exceeded the County's expectations and that all information provided to the County on behalf of Digital Benefit Advisors, is accurate and reliable. Mr. Rodish noted that it is the recommendation of staff that the Board of Supervisors renew the contract for an additional one (1) year term.

Discussion ensued regarding the cost savings provided to the County by Digital Benefit Advisors, the fixed price nature of the contract, and the benefit provided to County employees.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize staff to renew the current contract with Digital Benefit Advisors for an additional one (1) year term.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: BOARD OF SUPERVISORS VISION

The Board discussed the following Vision Statement as drafted during the Board Retreat on Saturday, January 14, 2012, and Sunday, January 15, 2012, in consideration for adoption:

Orange County is a great place because its shared values create a family atmosphere with a strong sense of community and friendly interactions among residents and visitors.

Orange County has a vibrant economy that provides opportunities for ALL of its citizens. It is a place to start and grow a business and therefore can provide a full range of shopping, dining, and entertainment options for its residents and visitors. Our successful economy allows us to sustain the characteristics we value and enjoy.

Orange County government reflects citizens' priorities for a small government with limited but highly effective services. Through effective management, it keeps taxes affordable for all.

Orange County is a community that carefully plans for and communicates its desired future in order to protect its historic and natural resources while accommodating the level of business activity and diversity necessary to sustain our quality of life.

Mr. Frame moved, seconded by Mrs. Abbs, to approve the Board of Supervisors Vision Statement as presented.

Discussion ensued regarding clarity and grammar changes still needed to the Statement

and the desire of the Board to acknowledge the essence of the Statement as written.

After Board discussion, Mr. Frame and Mrs. Abbs withdrew the motion before the Board and placed the item on the agenda for the February 14, 2012, meeting to allow time for minor adjustments in wording to the Statement.

RE: AMENDMENTS TO ZONING ORDINANCE AND SUBDIVISION ORDINANCE

Chairman Goodwin explained the Board's desire to amend the Zoning and Subdivision Ordinance(s) and read the following summary statement regarding the changes proposed:

The proposed changes repeal Sec. 54-27 of the Subdivision Ordinance and replace it with provisions in the Chapter 70, the Zoning Ordinance, primarily Sec. 70-304, which keeps a minimum lot size of 2 acres in the Agricultural District and allows up to 5 divisions, and additional lots of a minimum lot size of 50 acres after the 5 divisions have been made. The lots divided off cannot be further divided. After 5 divisions from the parent parcel/residue, that parcel can only be further divided into lots of a minimum lot size of 50 acres. Boundary line changes must yield lots which comply with the lot size requirements. Creation of more than 20 lots as a result of division of contiguous parcels requires a rezoning.

The rest of the proposed changes accommodate the foregoing changes.

Discussion ensued regarding the changes as proposed including additional changes to Sec. 70-301. Intent. The Board ceased their discussion on the matter until public comment and Board comment was heard.

RE: PUBLIC COMMENT

At 7:04 p.m. Chairman Goodwin opened the floor for public comment. There being no speakers, public comment was closed.

RE: BOARD COMMENT

Supervisor Frame commented after considering the Board's previous discussions about start times, he was now comfortable agreeing to all Board meetings being held at 4:00 p.m. This is only if the Board allowed citizens to alert staff in advance, regarding items of importance that needed to be heard at a later time, to provide accommodations for working citizens. Discussion ensued regarding meeting times, the scheduling of public comment sessions, the need for public input, the possibility of having two public comment sessions during each meeting, and the 2012 Board of Supervisors meeting schedule resolution.

By consensus, the Board agreed to begin all meetings at 4:00 p.m. and to hold two public comment periods during each meeting. The first public comment period should follow public appearances, and the second public comment period should be held at 7:00 p.m. Furthermore, the Board decided to consider a revised 2012 meeting schedule resolution at the February 14, 2012, meeting.

RE: ACTION ITEMS (CONTINUED)

RE: AMENDMENTS TO ZONING ORDINANCE AND SUBDIVISION ORDINANCE (CONTINUED)

Discussion resumed including: the addition of 70-304 (2)(e); minimum lot sizes; tracking of the ordinance and the responsibility of staff to check for appropriation documentation on deeds;

the desire of the Board to restrict the uncontrolled subdivision of agricultural land; the need to amend the County's Proffer Policy; and the proposed timeline and process by which to consider the proposed revisions.

Mr. White moved, seconded by Mr. Wilson and carried, to approve the following resolution as amended:

**MOTION TO INITIATE PROPOSED AMENDMENTS TO
ZONING AND SUBDIVISION ORDINANCES**

WHEREAS, the Board of Supervisors desires to consider amending the Zoning and Subdivision Ordinances with respect to the Agriculture zoning district; and

WHEREAS, public necessity, convenience, general welfare, and good zoning practice support initiation of the proposed changes to the Zoning Ordinance and Subdivision Ordinance, and review and recommendation by the Planning Commission of these changes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors does hereby initiate the attached proposed amendments to the Zoning Ordinance and the Subdivision Ordinance; and

BE IT FURTHER RESOLVED that the Board requests the Planning Commission to advertise and hold a public hearing on these proposed changes and make a recommendation by February 17, 2012, and authorizes the Clerk to the Board to advertise the Board public hearing on these proposed changes for February 28, 2012.

ATTACHMENT

1/24/2012 draft with BOS initiation revisions

SUMMARY – The proposed changes repeal Sec. 54-27 of the Subdivision Ordinance and replace it with provisions in the Chapter 70, the Zoning Ordinance, primarily Sec. 70-304, which keeps a minimum lot size of 2 acres in the Agricultural District and allows up to 5 divisions, and additional lots of a minimum lot size of 50 acres after the 5 divisions have been made. The lots divided off cannot be further divided. After 5 divisions from the parent parcel/residue, that parcel can only be further divided into lots of a minimum lot size of 50 acres. Boundary line changes must yield lots which comply with the lot size requirements. Creation of more than 20 lots as a result of division of contiguous parcels requires a rezoning.

The rest of the proposed changes accommodate the foregoing changes.

DRAFT SUBDIVISION ORDINANCE LANGUAGE

Sec. 54-5. *Parent Parcel* means:

.....

- a) In the Agricultural zoning district, a parcel of land of four (4) or more acres that is of record upon the effective date of this ordinance;
- b) In any Residential zoning district, a parcel of land that is of record upon the effective date of this ordinance, or
- c) For the purposes of continued division, the residue as defined herein.

.....

Residue means the remainder of a lot after a subdivision has detached one or more lots.

Sec. 54-25. Compliance with other laws, rules, regulations and conditions.

No plan or plat of subdivision shall be approved unless all lots and other features shown thereon are in conformity with the following laws, rules, and regulations:

1. All applicable provisions of the Code of Virginia.
2. Chapter 70 (Zoning) of the Orange County Code of Ordinances.
3. The special requirements of these regulations and any rules of the health department and appropriate agencies.
4. The rules of VDOT if the subdivision or any lot contained therein abuts a public street.
5. Conditions proffered and accepted as part of the zoning of any land which are included in the proposed subdivision.

(Statutory Reference: § 15.2-2241; 15.2-2254 VA Code Ann.)

~~Sec. 54-27. Divisions of land in the agricultural zoning district. Repealed.~~

~~The division of land in the agricultural zoning district is allowed as follows:~~

~~(1) No more than one lot may be subdivided from any parent parcel within any four-year period.~~

~~(2) Phased division.~~

~~a. Any lot divided from the parent tract pursuant to this section may be further divided one time every four years as counted from the date of county approval of the initial division. However, the tract divided from the parent tract shall not be further divided into tracts smaller than 50 acres. The following note shall be shown on the plat and in the corresponding deed:~~

~~"The division of property as shown hereon is subject to the provisions of section 54-27 of the Orange County Code of Ordinances. The parent tract, tax map # _____ consisting of (A) _____ acres is being subdivided to create a new tract of (B) _____ acres as shown hereon. A subsequent division of this newly created tract shall not be smaller than 50 acres and shall not occur until four years have elapsed from the date of the county's approval of this plat as signed hereon." ((A) is the total acreage of the parent parcel prior to subdivision and (B) is the acreage of the parcel being subdivided off.)~~

~~b. The residue may continue to be subdivided at a rate of one lot every four years. The following note shall be shown on the plat and in the corresponding deed:~~

~~"Further division of the _____ acre residue as shown hereon shall not occur until four years have elapsed from the date of approval by the county."~~

~~c. Where a tract of land was simultaneously divided into four lots during the four years prior to the effective date of this chapter, further division of those four lots shall not occur until four years from the date of approval on the plat, or until one year has elapsed from the effective date of this chapter, whichever is later.~~

~~(3) Simultaneous division. Parcels of land in the Agricultural zoning district may be simultaneously divided into an unlimited number of tracts 50 acres or larger in size. Divisions of land in accordance with this provision are not subject to the limit on divisions as stated in subsection (1) above. However, further division of tracts created under this provision is prohibited. For such divisions, the following note shall be shown on the plat and in the corresponding deed:~~

~~"The simultaneous division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section 54-27(1) of the Orange County Code of Ordinances. However, further division of these newly created tracts as shown hereon is prohibited pursuant to section 54-27(3) of the Orange County Code of Ordinances."~~

~~(4)The following divisions of land are exempt from this section: family subdivisions, court-ordered subdivisions, part and parcel subdivisions, and the division of property for the purposes of boundary line adjustment.~~

Sec. 54-28. Family Subdivision.

....

Sec. 54-30. Boundary Line Adjustment Survey.

....

Divisions of property for the purposes of a boundary line adjustment are exempt from the provisions of section 70-304 of Chapter 70 (Zoning) but the resulting lots shall have a minimum lot size of two (2) acres.

Sec. 54-36. Court-ordered subdivisions.

....

Court-ordered subdivisions are exempt from the provisions of section 70-304 of Chapter 70 (Zoning).

Sec. 54-37. Family Subdivisions.

....

Family subdivisions shall otherwise comply with section 70-304 of Chapter 70 (Zoning).

Sec. 54-42. Part-and-Parcel Subdivisions.

Part-and-Parcel subdivisions require the submission of a final plat pursuant to the requirements of Division 5, Final Plats, of this ordinance. Land divided pursuant to this section and made a bona fide portion of an adjoining tract through the vacation of a common boundary line shall not count as a division of property in the Agricultural zoning district. Staff approval of part-and-parcel subdivisions shall be given within 30 working days of submission by the owner or designated agent unless the plat is: (a) incomplete; (b) review by other agencies, e.g. VDOT and VDH, is not completed; or (c) the subdivision does not meet the requirements of this ordinance or Chapter 70 (Zoning).

Sec. 54-94. Certificates.¹

The following certificates shall appear on the final plat, and shall be executed as appropriate:

....

¹ Section 54-38 states that minor subdivisions require submission of a final plat. Under 54-39, major subdivisions require approval of preliminary and final plats by the County. The certifications specified in 54-94 would apply to all subdivisions requiring a final plat.

(6) For divisions of land in the Agricultural zoning district, the plat shall clearly state the following:

"The division of property as shown hereon is subject to the provisions of section ~~54-27~~ 70-304 of Chapter 70 (Zoning) of the Orange County Code of Ordinances. The parent tract/residue, tax map # _____ consisting of (A) _____ acres is being subdivided to create a new tract of (B) _____ acres as shown hereon. There shall be no subsequent division of the newly created tract(s) . The _____ acre parent parcel/residue may not be subject to more than five (5) divisions, unless the additional divisions after five (5) divisions result in lots of 50 acres or larger in size, and this division is in accordance with the permitted divisions." ((A) is the total acreage of the parent parcel/residue prior to subdivision and (B) is the acreage of the parcel being subdivided off.)

(7) For divisions of land into 50-acre tracts or larger in the Agricultural zoning district, the plat shall clearly state the following:

" The parent tract/residue, tax map # _____ consisting of (A) _____ acres is being subdivided to create a new tract of (B) _____ 50 acres or larger in size as shown hereon The division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section ~~54-27(1)~~ 70-304(2) of Chapter 70 (Zoning) of the Orange County Code of Ordinances. However, further division of these newly created tracts as shown hereon is prohibited pursuant to section ~~54-27(3)~~ 70-304(2)(c) of Chapter 70 (Zoning)."

....

(12) For family subdivisions, the plat shall clearly state the following:

"This is a family subdivision as defined in section 54-5 of Chapter 54 (Subdivision) of the Orange County Code of Ordinances and pursuant to all requirements of section 54-28 Chapter 54. Each lot created on this plat as a family subdivision shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than five (5) years from the date of final plat approval. This subdivision shall otherwise comply with section 70-304 of Chapter 70 (Zoning) of the Orange County Code of Ordinances."

(13) For part-and-parcel subdivisions, the plat shall clearly state the following:

"This is a part-and-parcel subdivision pursuant to sections 54-5 and 54-42 of Chapter 54 (Subdivision) of the Orange County Code of Ordinances.."

DIVISION 2. GENERAL STREET DESIGN STANDARDS²

Sec. 54-171. Minimum widths.

The minimum width of proposed streets right-of-way, measured from lot line to lot line, shall be in accordance with regulations established by VDOT. Except as provided for in section 54- 28(10), in no case shall a street right-of-way be less than 50 feet in width.

DRAFT ZONING ORDINANCE LANGUAGE

² This amendment simply corrects an incorrect section reference.

Article I. In General

Sec. 70-1. Definitions

....

Parent Parcel means:

- a) In the Agricultural zoning district, a parcel of land of four (4) or more acres that is of record upon the effective date of this ordinance;
- b) In any Residential zoning district, a parcel of land that is of record upon the effective date of this ordinance, or
- c) For the purposes of continued division, the residue as defined herein.

....

Residue means: the remainder of a lot after a subdivision has detached one or more lots.

Article IV. District Regulations

Division 2. Agricultural Zoning District (A)*

Sec. 70-301. Intent.

The agricultural zoning district (A) comprises most of the land area of the county. It preserves the traditional rural character of the county by protecting agricultural, forestal and horticultural uses, and other lands of significance for protection of the environment from conflicts with incompatible uses and discourages, such as large residential subdivisions not typically found in rural, agricultural areas. Discourage the scattering of large commercial and industrial uses not associated with agricultural, forestal and horticultural land uses, and residential developments. In addition to agriculture, it permits the traditional rural development pattern of homes in order to protect against the overcrowding of land and undue density of population in relation to the community facilities existing or available and small agricultural-related businesses which maintain and preserve the rural and agricultural character area.

Sec. 70-304. - Area regulations.

1. In the agricultural zoning district the minimum lot area shall be two (2) acres or larger and no more than five (5) divisions may be made from a parent parcel. Neither said lots nor the parent parcel/residue may be further divided.
2. Lots shall be developed according to the provisions of this section, except as follows:
 - a) lots with a minimum lot area of 50 acres or greater may be created from a parent parcel after the maximum of five (5) divisions have been made, and said 50 acre lots cannot be further divided;
 - b) lots in cluster developments subject to article VI shall comply with the requirements of that article, or
 - c) lots within manufactured home parks subject to article VII shall comply with the requirements of that article.
 - d) lots created pursuant to Section 54-37 of Chapter 54 (Subdivisions) shall have a minimum area of two (2) acres, or
 - e) irrespective of the divisions otherwise being in accordance with this section, the creation of more than 20 lots as the result of divisions of contiguous parent parcels shall require a rezoning.

(Ord. of 5-2-1996, § 204; and _____)

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mr. White moved to appoint George Yancey as the District Two representative to the Planning Commission for a four year term, beginning when the existing term ends, with said term expiring on April 30, 2016.

Mr. White moved to re-appoint Benny Sedwick as the District Two representative to the Airport Commission for a four year term, with said term expiring on December 31, 2015.

Mr. Goodwin moved to re-appoint Donald Brooks as the District Three representative to the Planning Commission for a four year term, beginning when the existing term ends, with said term expiring on April 30, 2016.

Mr. Frame moved to re-appoint Nigel Goodwin as the District Five representative to the Planning Commission for a four year term, beginning when the existing term ends, with said term expiring on April 30, 2016.

Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: DISCUSSION ITEMS

RE: BRICK CHURCH ROAD PUBLIC WATER LINE PROJECT UPDATE

Julie Jordan, County Administrator, noted that to date all local and State procurement standards have been met regarding the installation of the 1,300 foot public water line with one release valve and two hydrants. She stated that at the February 14, 2012, meeting, the Board would receive copies of the proposals submitted for work to be completed, for its consideration.

Supervisor White questioned the mechanics of the reimbursement process. Ms. Jordan stated that the County will execute all contracts and request reimbursement funds immediately.

RE: REQUEST TO ASSIST WITH PURCHASE OF VEHICLES OF RAPPAHANNOCK RAPIDAN COMMUNITY SERVICES

Julie Jordan, County Administrator, acknowledged the request letter provided by Brian Duncan, Executive Director of Rappahannock Rapidan Community Services (RRCS), regarding the request made by RRCS for funds from the Commonwealth of Virginia to purchase three 15 passenger body-on-chassis vehicles with wheelchair lifts and seven 9 passenger raised roof vans with wheelchair lifts through the FTA Section 5310 Program. Ms. Jordan explained that Mr. Duncan is requesting the assistance of the Board of Supervisors, in coordinating services, sharing resources, or pursuing other activities which will mutually benefit their transportation programs.

Discussion ensued regarding the Board's need for more detailed information, the number of residents which are served by the services provided by RRCS, and the need for this request to be classified as an external entity funding request.

By consensus, the Board requested staff to obtain more information regarding the request and the number of Orange County residents that are served by Rappahannock Rapidan Community Services and to report back to the Board at the February 14, 2012, meeting.

RE: SHELTERING ARMS – PHYSICAL CONDITION

Julie Jordan, County Administrator, noted that Building Official, Bill Schwind, had completed his inspection of the former Sheltering Arms facility. Ms. Jordan highlighted the

comments and recommendations made by the Building Official.

Ms. Jordan also updated the Board on her meeting with Pastor Richard Clore of the Orange County Ministers' Association, regarding the homeless population in Orange. She stated that Pastor Clore commented that there may be free labor available for repairs to the building if the Board of Supervisors would support use of the building for a community purpose. She also stated that in her discussions with Pastor Clore, he recommended holding a meeting with several key players in the community to discuss potential uses for the building.

Discussion ensued regarding: the logistics behind allowing the building to be used for a variety of community purposes; other groups who are interested in the building; whether or not the Board would consider a meeting with several community stakeholders; and the costs associated with the suggested repairs and maintenance.

By consensus, the Board directed staff to create a priority list of projects regarding the repairs necessary at the former Sheltering Arms facility and to present the list at the March 27, 2012, meeting. Additionally, the Board requested a history of operating costs be presented to the Board along with the priority list of projects. Furthermore, the Board requested that the facility be winterized to reduce utility costs.

RE: 2012 GENERAL ASSEMBLY LEGISLATION

Julie Jordan, County Administrator, updated the Board on recent General Assembly considerations. She provided information on several proposed bills and the Board provided their comments on those bills which they were in opposition to or in support of its passage.

Discussion ensued regarding uranium mining and potential maps which show uranium mines in Orange County; bills the Board expressed opposition to at its Retreat on January 15, 2012; and the need to act on the Board's recommendations for these bills sooner rather than later.

By consensus, the Board requested staff to draft a letter of opposition to House Bill 383 and to legislation limiting the authority of localities over alternative septic systems.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Treasurer's Report
- CSA Monthly Report for December

RE: COMMITTEE REPORTS

There were no committee reports.

RE: CALENDAR

The Board received copies of its calendar for the months of January, February, and March, 2012.

RE: BOARD RETREAT (CONTINUED)

Julie Jordan, County Administrator, reminded the Board of its continuation session of the Board Retreat scheduled for February 11, 2012, at 8:30 a.m. at the Orange County Airport.

RE: FEBRUARY 14, 2012 BOARD/PUBLIC COMMENT SESSIONS

Discussion ensued regarding the scheduling of public comment and Board comment for

the February 14, 2012, meeting due to the School Board Budget presentation scheduled to begin at 7:00 p.m. at the Taylor Education Administration Complex. It was decided that Board comment and public comment should follow public appearances on the February 14, 2012, agenda.

RE: CLOSED MEETING

At 8:26 p.m. Ms. Pandak read the following motion authorizing Closed Session:

WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting the following matter(s):

- One matter of legal advice involving a tax matter (§2.2-3711.A.7 VA Code Ann.);

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

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

Mr. Frame made a motion, seconded by Mrs. Abbs and carried, approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 9:06 p.m. Ms. Pandak read the following resolution certifying the 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 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.

Mrs. Abbs made a motion, seconded by Mr. Frame and carried, approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: BUDGET WORKSESSION

Glenda Bradley, Finance Director, presented the budget workbooks to the Board for the FY13 budget planning process and detailed the worksession agenda. Ms. Bradley began to facilitate the worksession by providing follow-up information from the January 10, 2012, meeting. Discussion ensued including: Voice Over IP (VOIP) telephones and the school system's current VOIP telephone contract; the potential for utilizing the same telephone system as the school system; the advantage of interoperability between the County telephone system and the School telephone system regarding support and equipment; the ability to require staff to receive their pay through direct deposit; the cost savings associated with not mailing the paycheck stubs; direct deposit for those employees that do not have bank accounts; the return on investment for the proposed new financial software; costs associated with a redesigned website; billing for fire fighting and the possibility of billing homeowners/car insurance

companies directly; working with the volunteer fire companies to assist in the billing process and the need to re-invest the money received from such billing process back into the operation of the volunteer fire companies directly.

By consensus, the Board directed staff to pursue the option of firefighting revenue through billing homeowners' insurance companies and auto insurance companies and to re-invest this money specifically back into the volunteer fire companies.

By consensus, the Board directed staff to proceed with providing online paycheck stubs for all employees to eliminate the costs associated with mailing paycheck stubs and live paychecks.

Regarding new items to discuss on the Capital Improvement Plan (CIP), including public safety specifically, discussion ensued including: the need to update the E911 radio system because of its end of life cycle; the E911 Windows server and the need to place this server on a replacement schedule; the potential relocation of the E911 Center; recent grant funding for the E911 Center; the viability of relocating the E911 Center and the realistic timing of such action; grant opportunities for the relocation; the need of the E911 System upgrade; the CAD upgrade and the schedule to finish this upgrade; the net clock; the Sheriff's Office vehicle replacement schedule; and the repair/re-surfacing of the parking lot at the Sheriff's office; the vehicle replacement schedule for ambulances, the phase-in of communication pagers for Fire and EMS; the generator replacement schedule for certain fire stations; Rhoadesville Fire Department upgrades; a County-wide Geographic Information Systems (GIS) update; the current GIS costs associated with the contracted vendor; and the new option from the National Association of Counties (NACo) Prescription Drug Card Program which allows localities to obtain a \$1.00 revenue source for every prescription that is given to a County resident or for localities to forego the \$1.00/prescription drug revenue stream in order for residents to receive a greater discount on drugs. Nicola Tidey, E911 Manager, Jamie Clark, Fire/EMS Director, and Tim Murphy, Lt. Col., appeared before the Board.

By consensus, the Board directed staff to forego the \$1.00/prescription drug revenue stream offered by the NACo Prescription Drug Card Program, in an effort to provide a greater discount to County residents on medications.

Discussion ensued regarding the need to have another budget worksession in order for the Board to provide the County Administrator direction on incorporating CIP requests into the FY13 proposed budget. By consensus, the Board scheduled a one hour budget worksession following the continuation session of the Board Retreat on Saturday, February 11, 2012, in the Board of Supervisors Meeting Room of the Gordon Building.

RE: ADJOURNMENT

There being no further business to discuss, Mrs. Abbs moved, seconded by Mr. Frame and carried, to adjourn the meeting at 11:01 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

S. Teel Goodwin, Chairman

Julie G. Jordan, County Administrator