

BOARD OF SUPERVISORS MINUTES

JANUARY 26, 2016

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, January 26, 2016, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Chairman; S. Teel Goodwin, 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.

* S. Teel Goodwin arrived at 5:53 p.m.

RE: ADOPTION OF AGENDA

On the motion of Mr. Crozier, which carried by a vote of 4-0, with Mr. Goodwin being absent, the Board adopted the agenda, as modified. Ayes: Johnson, White, Crozier, Frame. Nays: None. Absent: Goodwin.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR PHYLLIS YANCEY

Chairman Frame read the Resolution of Appreciation and presented a signed, framed copy to Ms. Phyllis Yancey.

Collectively, the Board thanked Ms. Yancey for her dedicated service to Orange County as Treasurer from 1991 - 2015.

RE: GOVERNOR'S AGRICULTURE AND FORESTRY INDUSTRIES DEVELOPMENT (AFID) FUND GRANT – FINAL REPORT ON ASSESSING OPPORTUNITIES FOR AGRICULTURE AND AGRITOURISM AT MONTPELIER

Mr. Scott Tate, Senior Economic Development Specialist at the Virginia Tech Office of Economic Development, presented a PowerPoint presentation to the Board, which included information on the following topics: the purpose of the grant project; a review of Montpelier's parcels of land that were assessed; the method and approach to completing the project; criteria analyzed during the assessment; the three (3) categories of opportunities analyzed; and the viability of agriculture, value-added ag, and agritourism opportunities.

Ms. Elli Travis, Economic Development Specialist at the Virginia Tech Office of Economic Development, reviewed the proposal for the restaurant and retail opportunities, which included renovating the Yearling Barn into a Brew Pub and possible restaurant. She indicated how this opportunity could fit with Montpelier and Orange County, and how partners or lead entities could already be identified. Lastly, Ms. Travis provided a mock business plan for the Brew Pub, including five-year revenues and recommendations going forward.

Ms. Sarah Lyon-Hill, Economic Development Specialist at the Virginia Tech Office of Economic Development, reviewed the proposal for the lodging and events opportunities, which included the possibility for a boutique hotel. She indicated how this opportunity could fit with Montpelier and Orange County, and how a demand had already been established. Ms. Lyon-Hill concluded with recommendations going forward.

Discussion ensued among the Board regarding: Montpelier's reaction to the findings; reasons why the agriculture opportunities did not rise to the top of the recommendations; and other agricultural uses already on the Montpelier property.

The Board thanked the Virginia Tech Office of Economic Development staff for their presentation.

RE: DISCUSSION OF POTENTIAL BOND REFUNDING

Kyle Laux, representative from Davenport & Company, LLC, presented information to the Board regarding an opportunity to refinance the 2007 EDA Lease Revenue and Refunding Bonds at a direct savings to the County. He reviewed the various scenarios and end results that could be realized as part of this refinance, as well as a schedule of deadlines.

Discussion ensued among the Board regarding: whether or not the Board would have to reapply again in the fall, if they were to proceed with applying now.

By consensus, the Board authorized the application to Virginia Resources Authority (VRA), with the understanding that Davenport & Company, LLC would return to the Board in March with a status on the refunding.

* S. Teel Goodwin arrived at 5:53 p.m.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

D. Mark Nesbit, Warrenton Residency Administrator, provided an update to the Board on VDOT activities. He reported on projects currently in development; projects under construction; completed and ongoing traffic engineering studies; and overall maintenance activities. Mr. Nesbit also added that an Acting Residency Administrator had been named for the re-establishment of the Louisa Residency and he hoped to introduce that individual to the Board soon.

Discussion ensued among the Board regarding: maintenance needs on various roads throughout the County; and a clearing and drainage issue in Barboursville.

The Board thanked Mr. Nesbit for his presentation and for the efforts in keeping the roads clear and safe during the recent snow storm.

RE: CONSENT AGENDA

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

RE: FY16 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

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

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30033501-33250	Miscellaneous	\$ (24,956.00)	\$ (1,000.00)	\$ (25,956.00)
43231001-45540	Tuition/Registration	41,520.00	1,000.00	42,520.00
30045040-36075	EMS/E-911 Grant	(2,000.00)	(28,390.00)	(30,390.00)
43231001-46250	Med/Lab Supplies	95,062.00	28,390.00	123,452.00
30030006-33500	Donations - Animal Shelter	(18,412.12)	(1,135.00)	(19,547.12)
43520003-43115	Prof. Serv. - Emer. Vet	21,046.12	1,135.00	22,181.12
49140001-45900	Contingency	199,479.58	(4,073.00)	195,406.58
44320001-43350	Other Repair/Maint.	178,525.00	4,073.00	182,598.00
49140001-45900	Contingency	199,479.58	(4,000.00)	195,479.58
41224001-43120	Prof. Serv. - Financial	76,110.00	4,000.00	80,110.00

43120001-43115	Prof. Serv. - Emer. Vet	10,738.00	505.00	11,243.00
49140001-45900	Contingency	199,479.58	(505.00)	198,974.58
30033505-31675	GBES - Fundraising	0.00	(2,703.00)	(2,703.00)
45342102-46520	Fundraising Supplies	0.00	2,237.00	2,237.00
45342102-46800	GBES Sp. Evts. Expenses	822.00	466.00	1,288.00
30033505-31700	GBES - Field Trip	0.00	(1,167.00)	(1,167.00)
45342102-46800	GBES Sp. Evts. Expenses	822.00	1,167.00	1,989.00
30033505-31750	OES - Fundraising	0.00	(1,482.00)	(1,482.00)
45342202-46520	Fundraising Supplies	0.00	1,102.00	1,102.00
45342202-46800	OES Sp. Evts. Expenses	521.00	380.00	901.00
30033505-31775	OES - Field Trip	0.00	(475.00)	(475.00)
45342202-46800	OES Sp. Evts. Expenses	521.00	475.00	996.00
30033505-31785	LGES - Fundraising	0.00	(100.00)	(100.00)
45342302-46520	Fundraising Supplies	0.00	73.00	73.00
45342302-46800	LGES Childcare Expenses	363.00	27.00	390.00
30033505-31790	LGES - Field Trip	0.00	(1,631.00)	(1,631.00)
45342302-46800	LGES Childcare Expenses	363.00	1,631.00	1,994.00
30033505-33100	Fundraiser - OOOY	0.00	(207.00)	(207.00)
45370101-46000	Office Supplies	869.00	207.00	1,076.00
30033505-33230	DSS - Strthg. Fam. Grant	0.00	(6,239.00)	(6,239.00)
45374101-41322	Wages - Part-Time	114.00	925.00	1,039.00
45374101-42100	FICA & Medicare	9.00	75.00	84.00
45374101-42710	Workers Comp.	1.00	5.00	6.00
45374101-46500	Other Oper. Supplies	1,220.00	5,234.00	6,454.00
30033505-33575	Don. - Yth. Sub. Abuse	0.00	(531.00)	(531.00)
45371001-46000	Office Supplies	0.00	531.00	531.00
30033505-33600	Donations - At Risk Prog.	0.00	(331.00)	(331.00)
45378001-41322	Wages - Part-Time	0.00	331.00	331.00
30033505-33525	Donations - Project Excel	0.00	(231.00)	(231.00)
45379001-43235	Criminal History Check	75.00	100.00	175.00
45379001-46000	Office Supplies	127.00	131.00	258.00
30026501-32425	Friends of the Lib. Donation	(7,208.08)	(750.00)	(7,958.08)
47310001-46460	Books - Adult	20,656.90	750.00	21,406.90
TOTALS		\$ 995,347.56	\$ 0.00	\$ 995,347.56

RE: ANNUAL APPOINTMENTS TO THE COMMUNITY POLICY MANAGEMENT TEAM (CPMT)

As part of the Consent Agenda, the Board appointed the following members to the Orange County Community Policy Management Team (CPMT) for 2016:

Entity

Local Government Official
Community Services Board
16th District Court Service Unit

Representative

Alisha Vines, Office on Youth Director
Lynne Blythe, Children's Services Program Manager
Barbara Ferrier, Court Services Supervisor

Orange County Health Department
Orange County Social Services
Orange County Public Schools

Marilyn Dunphy, Nutritionist
Elizabeth Middleton, Social Services Director
Vickie Baker, Compliance Coordinator
Susan Aylor, Director of Special Education
Joseph Nagle, Psychology Associates
Nora Coleman

RE: SURPLUS DISPOSITION OF COUNTY VEHICLE

As part of the Consent Agenda, the Board declared a 1998 Ford Crown Victoria (VIN# 9832) as surplus and authorized the County Administrator to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy.

RE: CORRECTIONS TO POSITION CLASSIFICATION LIST

As part of the Consent Agenda, the Board adopted corrections to the Position Classification List, as presented.

RE: MINUTES

As part of the Consent Agenda, the Board approved the following minutes:

- January 12, 2016 Worksession
- January 12, 2016 Organizational Meeting
- January 12, 2016 Regular Meeting
- January 19, 2016 Joint Worksession with Fire & EMS

RE: NEW BUSINESS

RE: AWARD OF THE CONTRACTS FOR GENERAL ENGINEERING AND ARCHITECTURAL SERVICES

Stephanie Straub, Financial Management Specialist, explained that a solicitation had been released requesting proposals from qualified vendors to provide general engineering and architectural services, including, but not limited to: civil, planning, construction, construction administrator, inspection services, and associated surveying, environmental, geotechnical, and architectural services on an as-needed basis. She indicated that the County received fifteen (15) responses.

Ms. Straub noted that after reviewing the responses, staff ranked the vendors and conducted interviews with the top firms. Staff recommended that five (5) vendors be awarded contracts for the various services. Each contract would be awarded for one (1) year, with the possibility of four (4) renewals.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to enter into contracts with Draper Aden & Associates, EPR, RK&K, Timmons Group, and Wiley|Wilson for general engineering and architectural services for a one (1) year period, with the possibility of four (4) additional renewals.

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

RE: CLOSED MEETING

At 6:05 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 matter:

- 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)(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. Johnson, seconded by Mr. Goodwin, 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: CERTIFICATION OF CLOSED MEETING

At 7:00 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: PUBLIC COMMENT

At 7:00 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 7:00 p.m.

RE: PUBLIC HEARING #1: REZ 15-01; ROBERT SPRINGER, ON BEHALF OF GARRETT STREET, LLC

Josh Frederick, Planning and Zoning Director, reviewed the Staff Report and request from Robert Springer, on behalf of Garrett Street, LLC, which included information on the location and specifications of the subject property, the request for rezoning from R-1 and R-2 to R-3, the recommendation from the Planning Commission, and the proffers currently being offered by the applicant.

Robert Springer, applicant, provided an overview of the project to the Board. He explained why he was requesting the change in residential zoning. Mr. Springer also indicated that a bigger buffer along property lines would be installed, as well as a trail system and areas of open space.

At 7:05 p.m., Chairman Frame called the Public Hearing to order to receive comments on the following:

REZ 15-01

The Board of Supervisors will consider an application by Robert Springer, on behalf of Garrett Street LLC, to rezone three (3) parcels containing 45.947 acres in Barboursville, near the Greene County line, to Planned Residential (R-3). Tax Map Parcels 52A-105 and 52A-115 containing 0.946 acres and 1.101 acres, respectively, are currently zoned Limited Residential (R-1), and Tax Map Parcel 52-26, which contains 43.9 acres, is currently zoned General Residential (R-2). The property fronts on both Ridgeway Drive (Route 670) and Willy Miser Lane (Route 613), and is identified as Agricultural A2 on the recommended land use map within the 2013 Orange County Comprehensive Plan. The applicant has volunteered proffers related to the following: use restrictions otherwise allowed by-right; a maximum of 113 dwelling units; minimum sizes for dwellings units; architectural treatments for two-family dwellings; a 20' tree buffer around the perimeter of the property; and a minimum of 40% of the entire site will remain open space.

The following individuals spoke:

- Mark Warren, 5290 Ridge Road, Barboursville
- Merrill Strange, resident of Gordonsville
- Bill Speiden, 12046 Blue Hill Drive, Barboursville
- Kevin Passarelo, 18454 Monteith Farm Road, Gordonsville
- Philip Strange, resident of Gordonsville
- Steven Seigler, 15384 McWilliams Drive, Barboursville

There being no further speakers, Chairman Frame closed the Public Hearing at 7:18 p.m.

Discussion ensued among the Board regarding: maintenance and ownership of the roadways in the subdivision; on-site sewage system; not utilizing ownership and maintenance through a homeowners association; concerns with water supply; the planned size and quality of homes; changes in density and the number of homes; planned open space; the fact that simply rejecting the application would not resolve the water, sewer, and road concerns; and potential changes to the proffers.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board voted to defer action on the Rezoning request from Robert Springer, on behalf of Garrett Street, LLC, until the March 8, 2016, Board of Supervisors Regular Meeting.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: E-911 CENTER SEMI-ANNUAL REPORT

Nicola Tidey, E-911 Center Director, presented the E-911 Semi-Annual Report to the Board, which included information on the following topics:

- Phone call volume for both hardline and wireless 911 calls;
- Statistics for 911 calls for service;
- Staffing levels and retention rates;
- Contributing factors for staff retention and turnover;
- The operating status of all E-911 Center systems;
- Accomplishments for 2015; and
- Upcoming projects.

Discussion ensued among the Board regarding: changes in reporting the 911 calls for service; use of back-up generators; and the use of text-to-911 service.

The Board thanked Ms. Tidey for her presentation.

RE: TOURISM QUARTERLY REPORT
This item was struck from the agenda.

RE: ECONOMIC DEVELOPMENT QUARTERLY REPORT
Tommy Miller, Economic Development Director, presented the Economic Development Quarterly Report to the Board, which included information on the following topics:

- Unemployment statistics;
- Orange Workforce Center statistics;
- Quarterly prospect activity;
- Website statistics; and
- Other activities throughout the last quarter.

Discussion ensued among the Board regarding: workforce skills available versus workforce skills desired; active prospects information; the amount of prospect activity; unemployment statistics; and workforce availability.

The Board thanked Mr. Miller for his presentation.

RE: UPDATE ON WINTER STORM JONAS
John Harkness, Fire and EMS Chief, provided an update to the Board on the recent winter storm Jonas. He reported on planning and preventative efforts; collaborations and partnerships; declaration of the local state of emergency; and other storm efforts.

RE: COUNTY ATTORNEY'S REPORT
The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: EMPLOYEE HEALTH AND WELLNESS PROGRAM
R. Bryan David, County Administrator, explained that the Employee Health and Wellness program, with partnerships through Anytime Fitness and Sedwick Racquetball Club, had been in place for about sixteen (16) months. He added that there had been increased interest in allowing spouses and dependents to be eligible for the program, as only employees enrolled in the County's health insurance plan were currently eligible.

Mr. David provided information on the per-employee costs and what the potential cost could be if spouses and dependents were also allowed to join. He requested that the Board consider allowing spouses and dependents to be eligible for the program, so long as they were also enrolled in the County's health insurance plan.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to expand the eligibility of the Health and Wellness Program to allow spouses and dependents to be eligible for the program as well, so long as those spouses and dependents are also enrolled in the County's health insurance plan.

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

RE: RESOLUTION TO REQUEST ROADS IN THE RAPIDAN HILLS SUBDIVISION BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS
R. Bryan David, County Administrator, explained that as part of the development of the Secondary Six-Year Plan, staff had presented a request to the Board to consider using Countywide

Rural Addition funds to make improvements to Flat Run Court and Rapidan Run Court in the Rapidan Hills Subdivision. The ultimate plan was for the improvements to be completed and the roads subsequently be accepted into the Secondary System of State Highways.

Mr. David indicated that the total cost for labor, equipment, and materials to complete both projects was \$235,000, and there was approximately \$277,807 in the Secondary Six-Year Plan, leaving an approximate balance of \$42,807.

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

RESOLUTION TO REQUEST ROADS IN THE RAPIDAN HILLS SUBDIVISION BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the streets described below currently serve at least three (3) families and were established prior to July 1, 1992, at which time they were used by motor vehicles as a public access; and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.1-72.1, Code of Virginia, and is therefore eligible to make qualifying additions to the Secondary System of State Highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.1-72.2, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting these streets, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the roads; and

WHEREAS, after examining the ownership of all property abutting these streets, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified immediately available funding to make improvements required to qualify the streets for addition to the aforesaid Secondary System of State Highways, based on the Department's cost estimate of:

- Flat Run Court: \$50,000
- Rapidan Run Court \$185,000

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of January, 2016, that the Orange County Board of Supervisors hereby requests, pursuant to §33.1-72.1, Code of Virginia, the following streets be added to the Secondary System of State Highways maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the streets to be clear, unencumbered, and unrestricted, which right-of-way guarantee shall including any necessary easements required for cuts, fills, and drainage:

Name of Subdivision:	Rapidan Hills
Name of Street:	Flat Run Court
From:	Rapidan Hills Drive
To:	Cul-de-Sac
Length:	0.057 Miles
Guaranteed ROW Width:	Fifty (50) Feet
ROW Instrument Reference:	Deed Book 439, Page 518; Plat Cabinet C, Pages 391-394
Recorded On:	January 29, 1990

Name of Subdivision:	Rapidan Hills
Name of Street:	Rapidan Run Court

From: Rapidan Hills Drive
To: Cul-de-Sac
Length: 0.144 Miles
Guaranteed ROW Width: Fifty (50) Feet
ROW Instrument Reference: Deed Book 439, Page 518; Plat Cabinet C, Pages 391-394
Recorded On: January 29, 1990

BE IT FURTHER RESOLVED, that this Board requests the Virginia Department of Transportation improve said streets to the prescribed minimum standards, funding said improvements with the follow funds:

- Countywide Rural Addition Funds \$235,000

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right-of-way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution and a county check in the amount of \$235,000, be forwarded to the Residency Administrator of the Virginia Department of Transportation.

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

RE: OLD BUSINESS
There were no matters for Old Business at this time.

RE: BOARD COMMENT
There were no Board Comments at this time.

RE: INFORMATIONAL ITEMS
The Board received the following correspondence for its information:

- December 1, 2015 Culpeper Soil and Water Conservation District Minutes

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 2016, February 2016, and March 2016.

RE: ADJOURN

On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adjourned the meeting at 8:18 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Lee H. Frame, Chairman

R. Bryan David, County Administrator