

BOARD OF SUPERVISORS MINUTES

FEBRUARY 9, 2016

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, February 9, 2016, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: S. Teel Goodwin, Vice Chairman; R. Mark Johnson; James K. White, and James P. Crozier. Absent: Lee H. Frame, Chairman. Also present: R. Bryan David, County Administrator; Thomas E. Lachenev, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: SERVICE AWARDS

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

- Cynthia Harbin 10 Years Payroll Accountant
- Denyel Paige 20 Years Sheriff's Office Crime Analyst

Receiving a Service Award, but not in attendance at the meeting, was:

- Patricia Keister 5 Years Gordonsville Librarian
- Thomas Waddy 5 Years Sheriff's Office Deputy
- Randall Amos 10 Years Sheriff's Office Court Security
- Carol Wold 10 Years Wilderness Library Aide

RE: BUSINESS SPOTLIGHT

Ms. Martha Correa, owner of Under the Sun Natural Foods, appeared before the Board to spotlight her business. She explained that she opened her business in 2014 with the idea of promoting better health for the community at-large. Ms. Correa noted that she offered a wide variety of organic and natural products and had recently added a juice bar. She concluded by reviewing her beliefs in the benefits of living a healthier life.

The Board thanked Ms. Correa for her presentation.

RE: CONSENT AGENDA

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the Consent Agenda, as modified.

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
30047004-37135	Forfeited Assets - Federal	\$ 0.00	\$ (1,331.86)	\$ (1,331.86)
43120006-46800	Forfeited Asset Expenses	4,810.40	1,331.86	6,142.26
30033501-33250	Miscellaneous	(25,056.00)	(1,000.00)	(26,056.00)

43120001-46355	Police K-9 Supplies	7,899.00	1,000.00	8,899.00
TOTALS		\$ 12,346.60	\$ 0.00	\$ 12,346.60

RE: RESOLUTION TO RATIFY DECLARATION OF LOCAL STATE OF EMERGENCY
As part of the Consent Agenda, the Board adopted the following resolution, as presented:

**RESOLUTION TO RATIFY DECLARATION OF LOCAL STATE OF EMERGENCY
DECLARED ON JANUARY 21, 2016**

WHEREAS, beginning on Thursday, January 21, 2016, Orange County anticipated potential impacts from an impending winter storm; and

WHEREAS, the Fire and EMS Chief recommended that a Local State of Emergency be declared; and

WHEREAS, on Thursday, January 21, 2016, pursuant to §44-146.21 VA Code Ann., the Chairman of the Board of Supervisors, as the Local Director of Emergency Management, and after consultation with the County Administrator, declared a Local State of Emergency in the County because it seemed apparent that the impacts of the winter storm could result in damages or injuries to the population and property in Orange County, and in order to activate the local Emergency Operations Plan to immediately address this emergency; and

WHEREAS, an end to the Local State of Emergency was declared at 12:00 a.m. on Tuesday, January 26, 2016;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of February, 2016, that the Orange County Board of Supervisors hereby ratifies the declaration of a Local State of Emergency beginning at 5:00 p.m. on Thursday, January 21, 2016, pursuant to §44-146.21 VA Code Ann.; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby confirms the end of the declared Local State of Emergency as of 12:00 a.m. on Tuesday, January 26, 2016; and

BE IT YET FURTHER RESOLVED, that the Board of Supervisors authorizes application to the State and/or Federal governments for reimbursement of qualifying expenditures made by qualifying entities during the Local State of Emergency; and

BE IT FINALLY RESOLVED, that the Board of Supervisors expresses its sincere appreciation to its employees and other persons who assisted with addressing this winter storm in Orange County.

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

- January 26, 2016 Regular Meeting

RE: MINUTES
On the motion of Mr. Johnson, seconded by Mr. White, which carried by a vote of 3-0-1, with Mr. Goodwin abstaining and Mr. Frame being absent, the Board approved the January 26, 2016 Worksession minutes, as presented.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: TOURISM QUARTERLY REPORT

Leigh Mawyer, Tourism Manager, presented the Tourism Quarterly Report to the Board, which included information on the following topics:

- Visitor Center visitation statistics;
- Website visitation statistics;
- Update on the new logo and tagline;
- Progress to-date on the LOVE Artwork project;
- Update on the new website design;
- Highlights from the Tourism volunteers; and
- A recap of recent events.

The Board thanked Ms. Mawyer for her presentation.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: PUBLIC SAFETY COMMUNICATIONS NETWORK PROJECT

R. Bryan David, County Administrator, provided an update to the Board on the four (4) project elements surrounding the Public Safety Communications Network Project: the telecommunications network, including tower locations, etc.; the development of an RFP for network design; potential partnerships with surrounding localities; an update on the consolidated public safety facility; broadband efforts; and the potential creation of a broadband authority.

Discussion ensued among the Board regarding: the solicitation of requirements and specifications for the network and having vendors provide a solution; and the desire to learn more about the creation of a broadband authority.

By consensus, the Board requested that staff provide additional information at the February 23, 2016 Worksession regarding the creation of a broadband authority.

RE: FY 2016-2017 OPERATING BUDGET

R. Bryan David, County Administrator, provided an update to the Board on the development of the Fiscal Year 2017 Operating Budget. He explained that he and the Finance Director has been working on preparing the County Administrator's Proposed Budget, which would be presented at the end of February. Mr. David also added that the budget requests that had been received had been very responsible and he would be prepared to present the budget to the Board in the coming weeks.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board cancelled the Budget Worksessions scheduled for Tuesday, February 16, 2016, and Thursday, February 18, 2016, which were originally scheduled as part of the Fiscal Year 2017 Budget Schedule.

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

RE: REQUEST FOR REFUND OF BUILDING PERMIT FEES

R. Bryan David, County Administrator, explained that a request had been received for the refund of building permit fees for a "commercial alteration" permit to install a generator. He added

that the contractor requested to cancel the permit and be refunded the fees since the customer cancelled the contract to install the generator.

On the motion of Mr. White, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized staff to process a refund of building permit fees to Never Dark Whole House Generators, LLC, in the amount of \$131.25, representing 75% of the original permit value.

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

RE: UPDATE ON HOUSE BILL 812 REGARDING SHORT TERM RENTALS

R. Bryan David, County Administrator, stated that House Bill 812 had recently been proposed, which would affect the way local governments could regulate short term rentals. He explained that he was seeking a consensus from the Board on whether or not a position of opposition, support, or neutrality should be sent to legislators.

Following brief discussion among the Board regarding local control, Mr. David indicated that he would send the appropriate response to legislators.

Supervisor Crozier also asked that information be sent to the Board seeking a consensus on the appropriate response regarding Senate Bill 735.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: CONSOLIDATED PUBLIC SAFETY FACILITY PLANNING STUDY

R. Bryan David, County Administrator, explained that the Board had previously discussed the design and siting criteria for a consolidated public safety facility with Wiley|Wilson. He noted that the discussion focused on the space allocations and considerations to efficiently consolidate certain public safety departments and functions, as well as Information Technology. Mr. David indicated that Randy Vaughan from Wiley|Wilson had prepared a planning study scope of work, budget, schedule, and deliverables, which he was prepared to submit for the Board's consideration.

Mr. Vaughan presented the planning study scope of work and reviewed the timing and deliverables for the study.

Discussion ensued among the Board regarding: the allowance of space for a Fire and EMS crew and apparatus; future needs; geographic needs; potential funding for the project; input needed to provide the consultant in order to continue planning for the other elements of the overall project; and establishing a consistency of timing, planning, and future needs for all elements of the overall project.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized the County Administrator to execute the scope of work presented by Wiley|Wilson for the completion of the planning study for the consolidated public safety facility, as presented, in an amount not to exceed \$29,500.

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

RE: BOARD COMMENT

Supervisor White commented on recent population changes and trends, as reported in the recent edition of The Free Lance-Star.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- Department of Planning and Zoning 2015 Annual Report

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 February 2016, March 2016, and April 2016.

RE: CLOSED MEETING

At 5:51 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, consideration, or interviews of prospective candidates for employment; or assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body. - §2.2-3711(A)(1) 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)(1) 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. Johnson, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the resolution authorizing Closed Meeting as presented. Ayes: Johnson, White, Goodwin, Crozier. Nays: None. Absent: Frame.

RE: CERTIFICATION OF CLOSED MEETING

At 7:01 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. Nays: None. Absent: Frame.

RE: PUBLIC COMMENT

At 7:01 p.m., Vice Chairman Goodwin opened the floor for public comment.

There being no speakers, public comment was closed at 7:01 p.m.

RE: PUBLIC HEARING #1: AMENDMENTS TO THE ORANGE COUNTY ZONING ORDINANCE

Josh Frederick, Planning and Zoning Director, reviewed the proposed amendments to the Orange County Zoning Ordinance concerning the General Industrial (I-2) zoning district. He explained that the Board of Supervisors had previously initiated Planning Commission action on these amendments, which added a number of new permitted uses, reduced setback and buffer yard requirements, added flexibility to buffering requirements, introduced performance standards and design standards, added internal consistency, and incorporated applicable Thomas E. Lee Industrial Park covenants. He indicated that the Planning Commission had recommended adoption of these amendments, as modified during its meeting.

At 7:04 p.m., Vice Chairman Goodwin called the Public Hearing to order to receive comments on the following:

AMENDMENTS TO THE ORANGE COUNTY ZONING ORDINANCE

Article IV - General Industrial (I-2) Zoning District: This amendment rewrites the I-2 zoning district by: amending the intent; adding new permitted uses and special uses; introducing lot frontage, width, and coverage standards; reducing setback requirements between adjacent I-2 lots; reducing the maximum structure height to sixty feet; reducing buffer yard requirements adjacent to different zoning districts; amending general buffer yard requirements; introducing building design and site design standards for all uses; and introducing general performance standards for all uses and specific performance standards for certain uses. This proposed amendment also updates signage regulations by changing the types of signs permitted and also reduces the maximum sign height to ten feet. Sec. 70-1 is also being amended to incorporate new definitions, and revisions to two existing definitions.

The following individuals spoke:

- Mark Warren, 5290 Ridge Road, Barboursville
- Merrill Strange, 19195 Annadale Farm Drive, Gordonsville

There being no further speakers, Vice Chairman Goodwin closed the Public Hearing at 7:09 p.m.

Discussion ensued among the Board regarding: setback and buffer changes; the driving factors behind the proposed amendments; and consideration of various types of zoning for adjoining properties.

On the motion of Mr. Johnson, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Frame being absent, the Board voted to defer action on the proposed amendments in order to allow for further discussion at the March 8, 2016, Board of Supervisors Worksession.

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

RE: SCHOOL BOARD BUDGET PRESENTATION

Sherrie Page, Chair of the Orange County School Board, thanked the Board of Supervisors for the opportunity to present the School Board's proposed budget, and turned the presentation over to Dr. Tanner.

Dr. Brenda Tanner, School Superintendent, presented the proposed School Board budget to the Board of Supervisors. Her presentation included information on the following topics: a review of the School Board's mission and vision; focus areas, as defined in the School Board's Strategic Plan; budget assumptions used to prepare the proposed budget; priorities, as established by the School Board; recruitment and retention efforts; State funding trends; enrollment trends; Virginia Lottery trends; expenditure per pupil trends; required local effort; teacher salary comparisons; priority needs and associated costs; a proposed budget summary; fund budgets; an all funds summary; and revenue by funding source.

Discussion ensued regarding: justification for additional positions with declining enrollment; specific grade levels affected by declining enrollment; proposed salary increase for all full-time employees; calculation of required local effort; increases in health insurance premiums; and the potential for additional budget changes through the State.

Ms. Page thanked the Board of Supervisors for hearing their presentation.

RE: ADJOURN

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adjourned the meeting at 8:25 p.m. Ayes: Johnson, White, Goodwin, Crozier. Nays: None. Absent: Frame.

Lee H. Frame, Chairman

R. Bryan David, County Administrator