

**BOARD OF SUPERVISORS MINUTES**

**FEBRUARY 12, 2013**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, February 12, 2013, beginning at 4:00 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 C. Abbs; Grover C. Wilson\*; and James K. White. Also present: Julie G. Summs, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

\* Supervisor Wilson arrived at 4:06 p.m.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

Mr. White moved, seconded by Mrs. Abbs and carried, to approve the Consent Agenda, as presented.

RE: FY13 SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

DEPARTMENT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
<b>February 12, 2013 for FY2013</b>			
Animal Shelter	Emergency Vet	\$ 1,359.00	Donations
Animal Shelter	Repair & Maintenance	\$ 2,450.00	Donation (PA System)
Animal Shelter	Adoptable S/N	\$ 55.00	Donations
	<b>Subtotal Animal Shelter</b>	<b>\$ 3,864.00</b>	
Office on Youth Programs	Conference & Education	\$ 65.00	Childcare Training Revenue
Office on Youth Programs	Office Supplies	\$ 1,302.75	Fundraising-OOY
	<b>Office on Youth Programs Subtotal</b>	<b>\$ 1,367.75</b>	

RE: MINUTES

The Board approved the following minutes:

- January 22, 2013 Regular Meeting

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

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

Julie Summs, County Administrator, presented the Employee of the Month award to Ms. Brandy Smith, Gordonsville Library Aid, for February 2013.

RE: SERVICE AWARDS

Julie Summs, County Administrator, presented the following Service Awards:

- William Hayes II            5 years            OCSO Deputy
- Stephen LaLuna            5 years            OCSO Deputy

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

- Christopher Simon        5 years            Fire and EMS

\* Supervisor Wilson arrived at 4:06 p.m.

RE: INTRODUCTION OF SENIOR PLANNER, JOSH FREDRICK

Gregg Zody, Planning and Zoning Director, introduced the new Senior Planner, Josh Frederick, to the Board and explained several projects that Mr. Frederick would be working to begin his service with Orange County.

RE: BUSINESS SPOTLIGHT

Ms. Kathleen Ayers, Owner of Chestnut Hill Bed & Breakfast, appeared before the Board to spotlight her business. She discussed the history of the business, including when she and her husband purchased and renovated the property and when the Bed and Breakfast was opened. Ms. Ayers explained services provided, as well as a summary of events held at Chestnut Hill. Further, information was provided on the number of employees and the tourism statistics of the local bed and breakfasts.

RE: E-911 CENTER BI-ANNUAL REPORT

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

- An increase in phone call volume for both hardline and wireless 911 calls;
- An increase in 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 to-date for FY13; and
- Goals for the second half of FY13.

Discussion ensued among the Board regarding the differences in 911 calls versus total calls and whether or not the run sheets and times were currently synced correctly.

RE: CHANNEL 18 FUNDING REQUEST

Phil Rodenberg, General Manager for Lake of the Woods Association, appeared before the Board to discuss the funding request from Lake of the Woods regarding an equipment purchase for the continued operation of Channel 18. Mr. Rodenberg explained the function and need for Scala, the requested equipment, as well as the total amount of the purchase.

Discussion ensued among the Board regarding: the proposed life of the equipment; replacement of the equipment; the function of the equipment; how the equipment was replaced years ago; and potential funding sources to purchase the equipment.

RE: PUBLIC COMMENT

At 4:25 p.m., Chairman Goodwin opened the floor for public comment. There being no speakers, public comment was closed.

RE: BOARD COMMENT  
There were no comments at this time.

RE: ACTION ITEMS

RE: FUNDING REQUEST FROM LAKE OF THE WOODS ASSOCIATION REGARDING REPLACEMENT EQUIPMENT FOR OPERATION OF CHANNEL 18

As detailed in the memorandum provided to the Board by Julie Summs, County Administrator, the Board received a request from Lake of the Woods Association (LOWA) regarding the purchase of equipment essential to the continued operation of Channel 18. Ms. Summs presented the Board with a copy of the request and the quote obtained by Lake of the Woods Association. Ms. Summs noted that their request was for a financial contribution in the amount of \$12,011.30 to be used for the purchase of equipment and software called Scala.

Mr. Frame made a motion, which was seconded by Mr. White, to approve the purchase of the equipment for Lake of the Woods using Contingency and Reserves funds.

Discussion ensued among the Board regarding: whether or not funding was provided to the Town of Orange for operation of their community channel; the history of the Lake of the Woods community channel; franchise fees; who paid the franchise taxes; emergency notifications on the Lake of the Woods community channel; the idea for a Memorandum of Understanding between the County and Lake of the Woods; and the functionality of both the Lake of the Woods channel and the Town of Orange channel.

Following the discussion, Supervisor Abbs made a subsequent motion to table the matter until additional information was received; therefore, no vote was taken on the original motion made by Supervisor Frame.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to table action on the funding request from Lake of the Woods Association until the March 12, 2013 meeting.

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

RE: REQUEST FOR TAX ABATEMENT FROM PEOPLE, INC. FOR THE EAST GATE APARTMENT PROJECT IN THE TOWN OF GORDONSVILLE

Dr. Mike Rush, Director of Housing for People, Inc., addressed the Board regarding the request for tax abatement for the East Gate Apartment project in the Town of Gordonsville. He provided a brief history of People, Inc. and gave information on the background of their organization. Dr. Rush explained that his request was for a two-year tax abatement period once this rehabilitation project was completed.

Discussion ensued among the Board regarding: management of the property following the rehabilitation; funding requirements for the project; phasing of the project to ensure that tenants would not have to be relocated; income requirements for rental of the property; ownership and delinquency of taxes on the property; the calculation of the new assessment following completion of the project; the total investment for this project; the process and calculation of the tax abatement; and the request from the Virginia Housing Development Authority for a letter of comment.

Dr. Rush explained the process of obtaining funding and the expected timeline for the construction period, and stated that the total investment was expected to be around \$3 million, including legal fees, architects, etc.

Mr. Frame moved, seconded by Mr. Goodwin and carried, to schedule a Public Hearing on March 12, 2013, at 7:30 p.m. to receive comments on and consider the approval of a request for tax abatement from People, Inc. for the East Gate Apartment Project in the Town of Gordonsville.

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

RE: REQUEST FOR VIRGINIA HOUSING DEVELOPMENT AUTHORITY FOR COMMENT LETTER REGARDING EAST GATE APARTMENT PROJECT

As detailed in the memorandum provided to the Board by Julie Summs, County Administrator, the Board received a letter from the Virginia Housing Development Authority (VHDA) regarding the East Gate Apartment project located in the Town of Gordonsville. Ms. Summs noted that the applicants for the project had submitted to the VHDA a request to reserve Low Income Housing Tax Credits for their revitalization development project. She further noted that per the Internal Revenue Code, the VHDA was required to give localities an opportunity to comment on the developments under consideration, and had opened the comment period to Orange County at this time.

Ms. Summs stated that according to the letter from the VHDA, the Board had three options at this time:

1. Send a letter of support;
2. Send a letter of opposition;
3. Provide no response at all.

Ms. Summs explained that the different responses would be scored differently according to the VHDA criteria explained in the letter and any comments received would be used towards the consideration of the application for reservation of tax credits. She further explained that the deadline for submitting comments was April 1, 2013.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize staff to send a letter of support to the Virginia Housing Development Authority regarding the East Gate Apartment project.

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

RE: MATCHING FUNDS FOR E911 GRANT

Nicola Tidey, E-911 Center Director, explained that in the near future, several grant programs would be available to allow the County to replace outdated equipment and equipment that had reached the end of its life cycle for the E-911 Center. She noted that using these grant opportunities, the County could replace equipment for 20¢ on the dollar with an 80/20 grant.

Ms. Tidey stated that staff recommended applying to the Rescue Squad Assistance Fund (RSAF) grant cycle for funding the following projects:

- Upgrade EMD Software/Hardware;
- Upgrade Server's and PC's for radio systems; and
- Add on decision making and support module to CAD.

Ms. Tidey explained the benefits of and the need for implementing these projects. She summarized the costs of the projects, citing that the total cost was estimated to be \$72,369, with a required 20% local match of \$14, 474.

Discussion ensued among the Board regarding: whether or not the projects would improve operations or continue operations; the portion of funding in the operational budget; the portion of funding in the CIP budget; and the amount of contingency funds that would need to be used.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize staff to proceed with application for Rescue Squad Assistance Fund Grants for the upgrades to the EMD software, upgrades to the radio system, and decision making and support add-on module for the CAD system for the E-911 Center using 80/20 grant funding, and a combination of operational, CIP, and contingency funds to pay the County's required 20% match.

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

RE: APPROVAL OF CONSTITUTIONAL OFFICER AGREEMENTS

Julie Summs, County Administrator, provided the Board with copies of five of the six Constitutional Officer Agreements. She noted that staff was waiting on one Officer to approve their agreement.

Ms. Summs explained that all agreements were consistent with agreements previously in place, with the exception of the Sheriff-Animal Control as the compensation had been changed from \$500 monthly to \$1,000 monthly at the request of the Sheriff.

Mrs. Abbs moved, seconded by Mr. White and carried, to approve the following Constitutional Officer Agreements and authorize the County Administrator to execute the Agreements on behalf of the County of Orange:

- Clerk of the Circuit Court;
- Commissioner of the Revenue;
- Sheriff;
- Sheriff - Animal Control; and
- Treasurer.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: DISCUSSION ITEMS

There were no discussion items.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Update on Priorities Timelines
- Update on Processes (Priority 8)
- Finance Quarterly Report
- VDOT Monthly Report
- CSA Legislative Items
- Working Draft of the Orange County Comprehensive Plan

RE: COMMITTEE REPORTS

There were no committee reports.

RE: CALENDAR

The Board received copies of its calendar for the months of February, March, and April 2013.

RE: CLOSED MEETING

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

- 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.

RE: CERTIFICATION OF 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.

RE: BUDGET PRESENTATION FROM SCHOOL BOARD

Judy Carter, Chairman 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. Grimesey.

Dr. Robert Grimesey, School Superintendent, and Matthew Benefield, Schools Director of Budget and Finance, presented the proposed School Board budget to the Board of Supervisors.

Discussion ensued including: the local composite index (LCI) and calculation of the LCI; enrollment projections; salary scale/steps for Orange County as well as neighboring counties/cohorts; employee turnover compared to employee retirement; operating expenses per student; sequestration and the associated decrease in State and Federal funds; performance contracting projects; the dividing line for school districts on the eastern end of the County; SOQ-funded positions; the application of funds for the 2% raise; and unfunded State and Federal mandates.

Mrs. Carter thanked the Board of Supervisors for hearing their presentation and noted that with decreases in funding from the State and Federal government, the School Board had nowhere to go but to the local level.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjourn the meeting at 8:43 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

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S. Teel Goodwin, Chairman

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Julie G. Summs, County Administrator