

BOARD OF SUPERVISORS MINUTES

March 8, 2011

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, March 8, 2011, beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Jr., Chairman; Shannon Abbs, Vice-Chairman; S. Teel Goodwin; Grover Wilson; and Zack Burkett. Absent: None. Also present: Julie G. Jordan, County Administrator; Sharon Pandak, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve the consent agenda as presented.

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

| DEPT | ACCOUNT DESCRIPTION | AMOUNT | FUNDING SOURCE |
|---------------------------------|----------------------------|----------------------|-----------------------------|
| Office on Youth | Conference & Education | \$ 350.00 | Child Care Training Revenue |
| Office on Youth | Supplies | \$ 700.00 | OOY Fundraiser Revenue |
| Subtotal Office on Youth | | \$ 1,050.00 | |
| Sheriff | Vehicle Repair | \$ 1,296.56 | Insurance Recovery |
| Sheriff | Vehicle Repair | \$ 4,272.99 | Insurance Recovery |
| Sheriff | Maintenance Supplies | \$ 25.00 | Miscellaneous |
| Subtotal Sheriff | | \$ 5,594.55 | |
| Total this request | | \$ 6,644.55 | |
| Total Year to Date | | \$ 212,720.01 | |

RE: RESOLUTIONS OF APPRECIATION FOR HIGH WINDS EVENT

The Board approved the following resolution as presented:

RESOLUTION OF APPRECIATION

WHEREAS, on February 19, 2011, Orange County residents were impacted by high winds and low humidity which created a "Red Flag" day for most of the region, creating extremely hazardous fire conditions; and

WHEREAS, during a twelve hour period, Fire and Rescue units and E911 dispatchers were extremely busy with an increased amount of calls and a significant increase in danger from numerous fires; and

WHEREAS, the volunteer fire companies, with support from the Orange County Fire and EMS staff, responded to a total of 22 calls for emergency service, which consisted of seventeen calls related to fire suppression and five calls for medical services; and

WHEREAS, there were two structure fires which were handled by units under heavy wind conditions, causing the conditions to magnify in intensity and threat of spreading fire; and

WHEREAS, the volunteer fire companies were constantly on the road providing fire suppression services to the citizens of the County, and in some cases, additional homes were spared due to the rapid response and dedication of these volunteers; and

WHEREAS, the Orange County Fire and EMS Department recalled employees on over-time to staff a reserve engine and to add additional staffing on volunteer apparatus to support the operation. In addition, staff assigned to ambulances were routinely used to support fire suppression activities throughout the County; and

WHEREAS, without the services of the volunteer fire companies and neighboring mutual aide companies, there is no doubt that significant damage would have been unavoidable to other structures in the County.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Orange County extends its appreciation and admiration to the volunteer fire companies, neighboring fire companies, and Orange County Fire & EMS and E911 dispatch staff that helped their friends and neighbors, during this emergency.

RE: PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH
The Board approved the following proclamation as presented:

PROCLAMATION

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the month of April as Child Abuse Prevention Month in Orange County, Virginia.

WHEREAS, every child in our great Commonwealth is a precious gift, full of promise and potential; and

WHEREAS, child abuse and neglect is a serious problem in Virginia and across the nation; and

WHEREAS, the prevention of child abuse is crucial to the preservation of the health and well-being of Virginia's families and can be accomplished by providing support and information to families as well as through increased community awareness; and

WHEREAS, all children learn from role models at home, at their place of worship, at school and in their communities and all children benefit from the love and leadership displayed by caring and responsible adults; and

WHEREAS, children are our most precious resource and we are committed to keeping the children of this great Commonwealth safe and happy;

NOW THEREFORE WE, the Orange County Board of Supervisors, do hereby recognize April 2011 as Child Abuse Prevention Month in Orange County and we call this observance to the attention of all our citizens.

RE: PROCLAMATION FOR THE BOYS & GIRLS CLUB WEEK: MARCH 20-26, 2011
The Board approved the following proclamation as presented:

PROCLAMATION

WHEREAS, the young people of Orange County, Virginia are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them cope with a wide range of social and financial hardships; and

WHEREAS, there is one Boys & Girls Club in Orange County – Taylor Education Administration Complex - providing services to more than two hundred young people annually; and

WHEREAS, the Boys & Girls Club is at the forefront of efforts in Character and Leadership Development programs, Health and Life Skills programs, Education, and Career Development programs, Arts, Sports, and Recreation; and

WHEREAS, the Boys & Girls Club organization in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, the Boys & Girls Club of Orange County will celebrate National Boys and Girls Club Week 2011 along with some four thousand Clubs and more than four million young people nationwide;

NOW, THEREFORE, the Orange County Board of Supervisors, does hereby proclaim March 20 through March 26, 2011, as the BOYS & GIRLS CLUB WEEK in Orange County, VA, and call on all citizens to join the Board in recognizing and commending the Boys & Girls Club organization in our state for providing comprehensive and effective services to the young people in our communities.

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

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

Larry Clement, Network Support Technician for the IT Department, was recognized as the Employee of the Month for March, 2011.

RE: PRESENTATION OF SERVICE AWARDS

Thaddeus Habuda, Lake of the Woods Collection Attendant, was recognized for five years of service to the County.

RE: PRESENTATION OF RESOLUTION OF APPRECIATION

Chairman Frame, on behalf of the Board, presented a resolution of appreciation to the following agencies for their contributions during the winter storm:

- Orange Volunteer Fire Companies
- Fire and EMS Department Staff
- E-911 Center Staff

At the time of the presentation, Ms. Judy Estes also commented that her home was one

that was saved on February 19, 2011.

RE: PRESENTATION OF PROCLAMATIONS

Chairman Frame, on behalf of the Board, presented a proclamation for Child Abuse Prevention Month, April 2011, to Alisha Vines, Director of the Office on Youth.

Chairman Frame, on behalf of the Board, presented a proclamation for Boys and Girls Club Week, March 20-26, 2011, to the Boys and Girls Club.

RE: INTRODUCTION OF PATRICE LEWIS, OUTREACH REPRESENTATIVE, FROM SENATOR MARK WARNER'S OFFICE

Patrice Lewis, Outreach Representative for Senator Warner, introduced herself as liason to Warner's office and that comments and concerns would be directed to Senator Warner. Also, Ms. Lewis stated that she will pass on information that is legislatively related from the Senator's office to the Board.

Mr. Burkett asked that Ms. Lewis relay to the Senator, his appreciation of the Senator's attitude regarding the recent land use arguments over Wal-Mart.

In addition, Ms. Lewis discussed "Warner on the Corner" which brings the Senator's office to Orange, for constituents that want to pass along concerns.

Mr. Goodwin stated that he would like to have the train stop in Orange again and asked that Ms. Lewis pass that along to Senator Warner.

RE: VDOT UPDATE

Mr. Marshall Barron stated that the Virginia Department of Transportation (VDOT) has executed several contracts for the upcoming season for surface treatment, plant mixes and bridge painting. Regarding traffic engineering studies, VDOT prepared a revised study after speaking with Mr. Goodwin about Route 617, and this study has been completed. Mr. Barron informed the Board that there would need to be action regarding the Six Year Plan at one of the May meetings. Mr. David Cabbage stated that he planned to meet one-on-one with each Supervisor to discuss traffic issues in their respective districts.

Mr. Burkett informed the VDOT representatives of a complaint that he received regarding VDOT's maintenance of rural road shoulders and trouble with rain/mud.

Mrs. Abbs thanked the VDOT representatives for the responsiveness that she received for her VDOT concern on Route 231. Mrs. Abbs further stated that she had a constituent suggest an all-direction stop be placed at the Liberty Mills Road and Montford Lake Road intersection.

By consensus, the Board agreed to set a tour of the County to look at roads in preparation for the Six-Year Plan adoption.

RE: ACTION ITEMS

RE: PROPOSED SIGN ORDINANCE

Gregg Zody, Director of Planning and Zoning, stated that in January, the Orange County Planning Commission reopened the public hearing regarding proposed sign ordinance changes in order to discuss proposed revisions to Section 70-1, et al, of the Orange County Zoning Ordinance regarding LED and Lighted Signs. Mr. Zody presented said changes that reflected the

combined comments from the County Attorney and Planning Commission Chair.

By consensus, the Board authorized the Planning Commission to move forward with a public hearing on the proposed sign ordinance amendments.

RE: CONTRIBUTIONS TO ENTITIES FOR BUILDING PERMITS

Amy Rankin, Accountant, explained to the Board that the County had received two requests from Rapidan Better Housing Corporation for current projects totaling \$280.00. Mrs. Rankin requested direction from the Board for the contribution requests due to the balance of the Contingency Fund being exhausted previously.

By consensus, the Board authorized the use of funds from the Fund Balance to cover the \$280.00 contribution request from the Rapidan Better Housing Corporation for projects at 15371 Hesterline Lane and 12438 Constitution Highway.

RE: FREE CLINIC REQUEST FOR LETTER OF SUPPORT

Julie Jordan, stated that the Free Clinic has requested a letter of support from the Orange County Board of Supervisors to assist in obtaining another nurse for the Orange County Free Clinic.

By consensus, the Board authorized staff to draft a letter of support for the Free Clinic as they apply for a grant from the Virginia Health Care Foundation to secure a Nurse Practitioner as part of the Free Clinic Services Expansion Plan.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: DISCUSSION ITEMS

RE: ORDINANCE AND SPECIAL USE PERMIT ENFORCEMENT

Mr. Burkett stated that there are several Special Use Permit (SUP) requests coming up, and he has received questions on how to enforce conditions of the SUP's. Gregg Zody, Director of Planning and Zoning, stated that he has one inspector to cover the entire County to respond to violations, but that there are other mechanisms that could be put into place, such as fines, that may be effective. Mr. Zody further stated that he would be willing to speak with the individual that spoke to Mr. Burkett, concerning any alleged violations.

Ms. Pandak stated that once someone proffers something, it becomes law; the Board can enforce the condition or revoke the Special Use Permit. Mr. Frame asked how often the Planning and Zoning Department employees go out and search for violations. Mr. Zody indicated that this task is complaint driven. Discussion ensued regarding responding to SUP violation complaints and the Board receiving a copy of the monthly report produced by the inspector.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Treasurer's Report

RE: COMMITTEE REPORTS

There were no reports at this time.

RE: CALENDAR

The Board received copies of its calendar for the months of March, April, and May 2011.

Ms. Jordan stated that the Board of Supervisors received an invite to attend a half-day meeting on April 4, 2011 of the Community Services Act Board for a mock Community Planning Management Team meeting.

RE: RECESS FOR DINNER WITH THE ORANGE COUNTY EXTENSION OFFICE

By Consensus, the Board recessed the meeting at 5:02 p.m. The Board reconvened in Open Meeting at 7:01 p.m.

RE: PUBLIC COMMENT

Chairman Frame opened the floor for public comment. The following individuals spoke:

- Calvin Kurtz, 31049 Old Plank Road, commented on the school board budget as presented and the school athletic program.
- Kim Frye Smith, of Madison, Virginia, commented on the Skyline Community Action Partnership (Skyline CAP) and reconsideration of funding for the program.
- Jay Allen, of Orange, Virginia, commented on the school board budget, library funding, childcare funding, fire department funding, landfill funding and landfill closures. Mr. Allen commented further on a tax rate to support budget requests.
- Bette Winter, 35258 Pheasant Ridge Road, commented on the school board budget funding, teacher raises, the new middle school, the addition of two new school nurses, and the quality of education.
- Michael Collins, of Orange, Virginia, commented on quality of life and public education.
- Jennifer Curtis, of Orange, Virginia, commented on the tax rate and the proposed budget.

There being no additional speakers, public comment was closed.

RE: PUBLIC APPEARANCES

RE: INTRODUCTION OF NEWEST ELECTORAL BOARD MEMBER

Raymond Cady introduced the newest member of the electoral board, Joanne Speiden, who will be serving on the board for the next three years. Mr. Cady also introduced the Chairman, Don Namuth and Vice Chairman Iona (Tony) Warmack.

RE: ACTION ITEMS

RE: TEMPORARY USES ON AGRICULTURAL LAND

Mrs. Abbs commented on amending the zoning ordinance to allow temporary uses as a by-right use in agricultural districts. Mrs. Abbs asked that the Board move to allow the Planning Commission to hold a public hearing on this ordinance change. Chairman Frame asked that the Planning Commission consider the difference between commercial district temporary uses and agricultural district temporary uses.

By consensus, the Board of Supervisors agreed to send these ordinance revisions to the Planning Commission for review and drafting and requested that the Board of Supervisors review the Planning Commission's proposed revisions before the Planning Commission schedules a public hearing on the matter.

RE: BOARD COMMENT

Chairman Frame opened the floor for Board comment. There being none, Board comment was closed.

RE: REDISTRICTING WORKSESSION

Ms. Pandak summarized the redistricting process and goal of obtaining equal number of individuals in each district.

Ms. Jordan announced the future opportunities that would be available for public input on redistricting.

Ms. Jordan introduced Patrick Mauney from the Rappahannock Rapidan Regional Planning District Commission. Mr. Mauney reviewed the existing districts and the existing polling places as compared to the proposed districts and the proposed polling places.

RE: RECESSED

The board recessed at 7:49 p.m. and reconvened at 7:59 p.m.

RE: PRESENTATION BY JIMMY WOODCOCK, CHIEF OF MINE RUN VOLUNTEER FIRE DEPARTMENT AND BUD MOODY, RESCUE CHIEF OF LAKE OF THE WOODS RESCUE SQUAD

Jimmy Woodcock, Chief of the Mine Run Volunteer Fire Department and Chairman of Orange County Fire Chief's Association, spoke about the upcoming budget and requested budget cuts. Mr. Woodcock requested that the Board reconsider the proposed cut and return the tax voucher and the VOLSAP Service Award Program Money to the budget as well.

Bud Moody, Rescue Chief for Lake of the Woods Rescue Squad spoke further about the proposed budget cuts.

RE: REDISTRICTING WORKSESSION

An illustration of each proposed district, using GIS software, was shown by Patrick Mauney of the Rappahannock Rapidan Regional Planning District Commission. Discussion ensued including: redrawing boundary lines, population counts in each district, and precincts.

Mr. Raymond Cady, General Registrar, made the following comments for the record:

- School Board office holders will be impacted by the redistricting process
- Request not to split the Town of Orange during the redistricting process
- Consideration of Lake of the Woods polling places with respect to Lake of the Woods residents and non-Lake of the Woods residents
- Possibility of renaming districts with geographical names or names other than numerical names

RE: CLOSED MEETING

At 8:48 p.m., Ms. Pandak read the following resolution:

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

- Two (2) matters of acquisition or disposition of real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, and legal advice related thereto (§2.2-3711.A.3 VA Code Ann.);
- One (1) matter of consideration of investment of public funds where bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected (§2.2-3711.A.6 VA Code Ann.);
- Three (3) matters of legal advice or probable litigation, where consultation in open meeting would adversely affect the posture of the County (§2.2-3711.A.7 VA Code Ann.); and

WHEREAS, pursuant to §§2.2-3711.A. 3, 6 and 7 VA Code Ann., such discussions may occur in Closed Meeting;

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

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to approve the Resolution as presented. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: CLOSED MEETING CERTIFICATION

At 9:22 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 moved, seconded by Mr. Burkett and carried, to approve the Resolution as presented. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: RECESSED

The board recessed at 9:23 p.m. and reconvened at 9:31 p.m.

RE: BUDGET WORKSESSION

Ms. Jordan and staff facilitated a budget worksession with the Board. Discussion ensued including: the sliding scale for the Department of Social Services; the budget requests from the Department of Social Services; the Fire and EMS amended budget increase due to the interoperability

grant and insurance recovery; compactor sites; career staff fire and rescue budget and volunteer fire and rescue entity budgets; building inspection vehicle costs; and the landfill schedule/holiday closings.

By consensus, the Board proposed reinstatement of select budget line items to the Fire and Rescue proposed budget.

RE: RECESSED

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to recess the meeting at 11:07 p.m. until Tuesday, March 15, 2011, at 5:00 p.m. to discuss the following: library budget; airport budget; additional landfill information; fee waivers/external entities; individual volunteer fire company budgets; and an update from school officials on the costs associated for teaching aids specifically.

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