

BOARD OF SUPERVISORS MINUTES

MARCH 11, 2014

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, March 11, 2014, 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; James P. Crozier; and James K. White. Also present: R. Bryan David, Interim County Administrator; Thomas E. Lachenev, County Attorney; and Alyson A. Simpson, 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, Crozier, Frame, White. Nays: None.

RE: CONSENT AGENDA

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

RE: FY14 SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations as presented:

DEPARTMENT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
Office on Youth	Office Supplies	\$ 1,337.11	Fundraiser
Office on Youth	Tuition / Registration	\$ 50.00	Child Care Training
Subtotal Office on Youth		\$ 1,387.11	
Sheriff's Office	Police K-9 Supplies	\$ 3,850.00	Barboursville Ruritan
Subtotal Sheriff's Office		\$ 3,850.00	
Animal Shelter	Prof. Serv. - Emer. Vet	\$ 707.00	Donations
Animal Shelter	Prof. Serv. - Other Med.	\$ 40.00	Donations
Subtotal Animal Shelter		\$ 747.00	
Fire and EMS Capital Projects	Portable Computers	\$ 55,200.00	Grant
Subtotal Fire and EMS Capital Projects		\$ 55,200.00	
Public Assistance	Adoption Subsidy Program	\$ 124,000.00	State Revenues
Public Assistance	Adoption Subsidy Program	\$ 124,000.00	Federal Revenues
Subtotal Public Assistance		\$ 248,000.00	
Tourism Grant Programs	VTC Grant Expenses	\$ 25,000.00	Marketing Grant
Subtotal Tourism Grant Programs		\$ 25,000.00	

RE: RENEWAL OF GENERAL ENGINEERING CONTRACTS

As detailed in the memorandum provided to the Board by Stephanie Straub, Procurement and Grant Coordinator, the County currently had three (3) contracts for General Engineering with the following professional engineering firms: RK&K (RKK-24-11FRC); Wiley|Wilson (WW-21-11FRC); and Draper Aden Associates (DAA-22-11FRC). Mrs. Straub explained that each firm

possessed a unique set of qualifications along with years of experience within their respective fields, which had benefited different departments over the term of the current contracts.

Mrs. Straub stated that the initial contract periods were for one (1) year, with the option to renew for four (4) one (1) year terms. She explained that, if approved, this renewal would begin the third (3) of four (4) possible terms.

The Board authorized the Interim County Administrator to renew the General Engineering contracts with RK&K, Wiley|Wilson, and Draper Aden Associates for an additional one (1) year term.

RE: ORANGE COUNTY SHERIFF'S OFFICE PAYROLL RECONCILIATION

As detailed in the memorandum provided to the Board by R. Bryan David, Interim County Administrator, during the conversion to bi-weekly payroll, staff was previously advised that several employees of the Sheriff's Office received compensation above the amounts earned for the initial pay cycle. Mr. David explained that this situation was due to the twenty-eight (28) day work cycle for these employees and was complicated by intervening holiday schedules.

Mr. David noted that accordingly, staff recommended that the affected employees be provided two (2) options to reconcile this situation. Option 1 would be for the employee to return the amount of additional compensation via one-time or installment payments or deductions from subsequent pay checks. Option 2 would be for the employee to deduct the cash value of accrued and unused annual or sick leave equal to the additional compensation. He further noted that the affected employees would need to affirmatively select an option and complete the reconciliation prior to June 30, 2014. In the event an employee left the Sheriff's Office prior to June 30, 2014, the outstanding amount would be reconciled as part of the final payroll disbursement.

The Board approved the payroll reconciliation of the affected Sheriff's Office employees using one of two options: 1) by returning the amount of additional compensation via one-time or installment payments or deductions from subsequent pay checks; or 2) by deducting the cash value of accrued and unused annual or sick leave equal to the additional compensation, with the understanding that all reconciliations must be completed by June 30, 2014.

RE: JOINT RESOLUTION IN RECOGNITION OF BUSINESS AND INDUSTRY APPRECIATION WEEK IN ORANGE COUNTY

The Board adopted the following resolution as presented:

RESOLUTION FOR BUSINESS & INDUSTRY APPRECIATION WEEK

WHEREAS, Orange County is the home of over 662 business and industry employers providing approximately 5,443 jobs and generating annual payrolls in excess of \$182,000,000; and

WHEREAS, business and industry in Orange County offers a broad range of employment opportunities in agriculture, commercial, and manufacturing services, and provides a stable revenue base to help support County and Town public services, including education and public safety; and

WHEREAS, Orange County has always endeavored to promote balanced growth and development by recognizing the importance of its historic and scenic land and water resources along with the need to provide jobs and incomes to the citizens of Orange County and future generations; and

WHEREAS, the jobs and investments created by business and industry have contributed greatly to Orange County's growth and prosperity and recognition as one of Virginia's most outstanding communities to work and live;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of March, 2014, that the Orange County Board of Supervisors, Gordonsville Town Council, Orange Town Council, and Orange County Chamber of Commerce hereby salute our existing business and industry employers and express sincere appreciation for their outstanding contributions to Orange County's economy and employment base; and

BE IT FURTHER RESOLVED, that the week of May 11-17, 2014, is hereby declared Business and Industry Appreciation Week in Orange County and in the Towns of Gordonsville and Orange.

RE: MINUTES

The Board approved the following minutes:

- February 25, 2014 Regular Meeting
- February 27, 2014 Budget Worksession
- March 4, 2014 Budget Worksession

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

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

R. Bryan David, Interim County Administrator, presented the Employee of the Month award for March 2014 to Karen Gibson, Human Resources Manager.

RE: SERVICE AWARDS

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

- | | | |
|-----------------|----------|-----------------------|
| - Diana Wheeler | 10 Years | Commonwealth Attorney |
|-----------------|----------|-----------------------|

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

- | | | |
|----------------|----------|--|
| - Tammy Corbin | 10 Years | Admin. Assistant to the Comm. Attorney |
| - Jeff Lloyd | 10 Years | OCSO Deputy - Court Security |
| - Evan Snyder | 10 Years | Firefighter / Medic |

RE: LIFE SAVING AWARDS

R. Bryan David, Interim County Administrator, presented a Life Saving Award to the following individuals:

With the Orange County Department of Fire and EMS:

- Firefighter / Medic Noah Madden

With Lake of the Woods Rescue Squad:

- Chief Jack Kelley
- EMT-B Chris Wagoner
- Driver Richard Gullickson

With the Orange County E-911 Center:

- Communications Officer Amy French

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

- Lieutenant Roger Wilson
- Communications Officer Lauren Brakowiecki

RE: BUSINESS SPOTLIGHT

Ms. Laurie Sale, Co-Owner of Evergreen Electric, appeared before the Board to spotlight her business. She stated that her business opened five (5) years ago in 2009, and was family owned and operated. Ms. Sale explained that Evergreen Electric provided both residential and commercial services ranging from eco-friendly, money-saving options, to generators, irrigation systems, and full commercial build-outs. She concluded by noting that customer service was a top priority, and thanked the Board for this opportunity.

The Board thanked Ms. Sale for her presentation.

RE: UPDATE ON SECONDARY SIX-YEAR PLAN

R. Bryan David, Interim County Administrator, explained that staff recently met with Roy Tate, Susan Gardner, and Greg Banks from VDOT regarding the County's Secondary Six-Year Plan. He noted that there had been and/or was expected to be some changes in road status, traffic counts, and funding levels since adoption of the Plan last year, and VDOT discussed several recommended changes for the Board's consideration when adopting the Plan this year.

The projects currently included in the Secondary Six-Year Plan, in priority order, are:

1. Route 629 (Lahore Road) – 0.56 miles	\$2.1 million total project cost
2. Route 606 (Catharpin Road) – 1.88 miles	\$1.1 million total project cost
3. Route 603 (Indiantown Road) – 2.75 miles	\$1.2 million total project cost
4. Route 636 (River Road) – 0.15 miles	\$425,000 total project cost
5. Route 694 (Madison Run Court) – 0.20 miles	\$176,000 total project cost
6. Route 608 (Meadows Road) – 1.00 miles	\$700,000 total project cost
7. Route 677 (Piney Woods Road) – 1.41 miles	\$1.1 million total project cost
8. Route 669 (Marquis Road) – 3.50 miles	\$2.0 million total project cost
9. Route 635 (Greenwood Road) – Bridge Project	\$1.2 million total project cost

Mr. David indicated that in response to the changes in road status, traffic counts, and funding levels, the following changes were presented by VDOT for the Board's consideration:

- **Priority 5: Route 694 (Madison Run Court)**
This road was hard-surfaced at some point last year, following adoption of the Secondary Six-Year Plan, using hard-surfacing materials remaining from another project. As this road has already been hard-surfaced, it is no longer eligible to be included on the Secondary Six-Year Plan and should, therefore, be removed. This project was expected to be fully-funded, and will free up \$176,000 in the out years to be appropriated to another project on the Plan, to expand another project on the Plan, or to add an additional project to the Plan.
- **Priority 2: Route 606 (Catharpin Road)**
VDOT has requested that the traffic count be updated on this road, which could provide access to new funds and allow the scope of this project to be expanded.
- **Priority 7: Route 677 (Piney Woods Road)**
VDOT has requested that the traffic count be updated on this road at this time. It is suspected that the current traffic count on this road is misleading. If the traffic count comes back at a lower number, it may disqualify this road from being the recipient of any Secondary Six-Year Plan funding because of the 50 vpd funding requirement. If

that is the case, this road would need to be removed from the Plan. Removing this road from the plan would free up \$1.1 million in the out years to be appropriated to another project on the Plan, to expand another project on the Plan, or to add an additional project to the Plan.

- **Priority 4: Route 636 (River Road)**

If other funds on the Plan are freed up from some of the above-mentioned changes, VDOT mentioned that this project may be expanded from solely a pave-in-place project, to a pave-in-place project with a spot improvement to address specific concerns in one portion of the road regarding the road shoulders and guardrail. The expansion of this project could only occur if additional funds were assigned to the project.

- **Addition of a New Project**

As a final option, VDOT mentioned that an additional project could be added to the Plan using some of the freed up funds created with the removal of an existing project. Priority should be given to unpaved, secondary roads with at least 50 vpd.

Mr. David also reminded the Board that in addition to thinking about changes and recommendations for the Secondary Six-Year Plan, the Board should also consider updating the Orange County Auxiliary List, which currently only contained one (1) project - Route 692 (Old Office Road). He explained that the Auxiliary List was a list of future priority projects that could be added to or changed as the Board desired, and could be a reference for projects to be added to the Plan in the future as additional funding became available.

D. Mark Nesbit, Warrenton Residency Administrator, introduced Greg Banks, Programming and Investment Specialist, who reviewed and presented the Secondary Six-Year Plan Worksession Package to the Board.

Discussion ensued among the Board regarding: changes in the vehicle per day (vpd) threshold from 200 vpd to 50 vpd; updated traffic counts; the approximate cost to pave one (1) mile; the potential for cost savings in converting to a "hybrid" project on Catharpin Road; whether or not the hard-surfaced condition on Madison Run Court was acceptable; the changes in monetary allocations from last year's Plan to this year's Plan; and whether or not "previous funding" on the Plan could be reallocated.

Further discussion ensued among the Board regarding: maintenance conditions on Meadows Road; the portion of the shoulder on Route 231 requiring repair and maintenance since the trash truck accident; road plowing priorities, particularly for propane access; the large volume of truck traffic and maintenance on Route 611 (Gold Dale Road); and ditches that required cleaning on Greenwood Road.

Mr. David reminded the Board that the Public Hearing to adopt the Secondary Six-Year Plan would be scheduled for April 22, 2014, and that agenda items would be scheduled soon in order to come to a consensus on the additions and/or deletions to the Plan for this year, as well as discuss and approve the Auxiliary Plan.

The Board thanked Mr. Nesbit and Mr. Banks for their presentation.

RE: PUBLIC COMMENT

At 4:54 p.m., Chairman Goodwin opened the floor for public comment.

There being no speakers, public comment was closed at 4:54 p.m.

RE: BOARD COMMENT

Collectively, the Board commented on the recent business announcement of Green Applications, LLC, in the Town of Gordonsville, thanking staff for their hard work and quick responses, and noting just how quickly the economic development process moves.

Chairman Goodwin commented on the recent Public Appearance by Governor's School student, Senior Evan Baines, noting how well prepared he was and how well he had presented his proposed ordinance to the Board.

RE: ACTION ITEMS

RE: RATIFY APPROVAL OF LETTER OF INTEREST TO THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGARDING THE CONNECT AMERICA FUND FOR BROADBAND GRANTS

R. Bryan David, Interim County Administrator, explained that staff had prepared and submitted a letter to the Federal Communications Commission (FCC) regarding the Connect America Fund in order to meet the March 7, 2014, deadline, as approved by the Board at its meeting on March 4, 2014. He noted that this program could potentially provide grant funding to help defray the expense for a private sector telecommunications company to deploy wireless broadband service in the underserved areas of Orange County in conjunction with the development of the Emergency Communications System project.

Mr. David stated that the Board of Supervisors previously authorized staff to proceed with submitting a letter of interest and it should be noted that the letter would not commit the Board of Supervisors to any particular course of action nor was the letter binding based on guidance from the FCC staff.

Mr. David presented a copy of the letter to the Board, along with supplementary information including some background information about the grant program.

Mr. Frame moved, seconded by Mr. Crozier and carried, to ratify the Board's decision to approve the submission of the letter of interest to the Federal Communications Commission (FCC) regarding the Connect America Fund grant opportunity.

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

RE: RESCHEDULING OF THE ROUTE 3 PUBLIC COMMENT PERIOD

R. Bryan David, Interim County Administrator, stated that at the February 25, 2014, Board of Supervisors' meeting, the Board voted to schedule an additional Public Comment Period regarding the Route 3 Strategic Visioning Initiative. He explained that the Public Comment Period was scheduled for the March 25, 2014, Board meeting, and was timed to allow the public to provide feedback related to the Master Planning Charette that was supposed to take place on March 2 - 4, 2014. Since the Charette was cancelled for March 2 - 4, 2014, and since it would not be rescheduled prior to the March 25, 2014, Board meeting, staff recommended that this Public Comment Period be cancelled for March 25, 2014, and rescheduled for April 8, 2014.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to cancel the Route 3 Public Comment Period scheduled for March 25, 2014, and to reschedule the Public Comment Period for April 8, 2014, after the dinner break in order to allow for public input specific to the Route 3 Strategic Visioning Initiative, particularly feedback related to the March 2014 Charette.

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

RE: RATIFY SIGNATURE OF GOVERNOR'S OPPORTUNITY FUND (GOF) PERFORMANCE AGREEMENT

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize and ratify the Chairman's signature of the Governor's Opportunity Fund Grant Performance Agreement on behalf of the County of Orange, Virginia.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Mr. J. Jason Capelle to the Planning Commission as the District 1 Representative for a four-year term, with said term commencing April 1, 2014, and expiring on March 31, 2018.

By consensus, the Board appointed Mr. Andy Hutchison to the Board of Zoning Appeals as the District 1 Representative, filling the unexpired five-year term of Mr. J. Jason Capelle, with said term commencing April 1, 2014, and expiring on June 30, 2018.

By consensus, the Board appointed Mr. Sam Kessler to the Germanna Community College Board as the At-Large "Rotating" Representative for a four-year term, with said term commencing July 1, 2014, and expiring on June 30, 2018.

RE: DISCUSSION ITEMS

RE: LONG-TERM DISABILITY INSURANCE PROPOSAL

R. Bryan David, Interim County Administrator, explained that at its February 25, 2014, meeting, the Board of Supervisors approved amendments to the Orange County Personnel Policy to address the Virginia General Assembly's mandated requirement that all full-time employees hired by Orange County after January 1, 2014, be provided with a short-term and long-term disability insurance benefit. He further explained that these employees were designated by the Virginia Retirement System (VRS) as "Hybrid employees." Mr. David stated further, as previously decided, these benefits were not being made available to employees hired or duly enrolled in VRS prior to January 1, 2014, employees designated as Tier 1 and Tier 2.

Mr. David noted that during staff development of the policy amendments, it became evident that a substantial number of Tier 1 and Tier 2 employees carried low sick leave balances, generally having a few days or weeks of sick leave accrued and available to them. He further noted that this situation could create a financial challenge for these employees if they were to exhaust all available sick and annual leave balances before being able to return to work. Mr. David acknowledged that, while there was a policy for other employees to "donate" sick leave days to the employee through the "sick leave bank," it introduced a high degree of financial uncertainty for the affected employee.

Mr. David stated that the County's insurance advisers recommended an employer-funded long-term disability insurance benefit as a means to address this situation. The long-term disability insurance benefit could be provided at sixty (60) days, ninety (90) days, or one hundred eighty (180) days. Mr. David presented a proposal prepared by the firm, Digital Benefit Advisors.

Mr. Roger Higgins and Ms. Carrie Bartlett, representatives from Digital Benefit Advisors, presented information to the Board regarding their proposal for the employer-funded long-term disability insurance benefit for Tier 1 and Tier 2 employees.

Discussion ensued among the Board regarding: the gap between average leave balances and the 90-day coverage; Family Medical Leave Act (FMLA) and severance of employment; the possibility of a quote for short-term disability insurance; the paid time off (PTO)

system; the County's cost to cover in an employee's absence and trends in turnover rates; the fact that this would be providing a new benefit for Tier 1 and Tier 2 employees; and qualifications for long-term disability.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to approve the purchase of employer-funded long-term disability insurance for Tier 1 and Tier 2 employees, with the understanding that further research would also be conducted regarding the possibility of pursuing optional employee-funded short-term disability insurance.

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

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Letter from Delegate Ed Scott regarding 2014 General Assembly Session

RE: COMMITTEE REPORTS

The Board received the following Committee Reports for its information:

- December 19, 2013 Rapidan Service Authority Minutes
- January 29, 2014 School Board Minutes
- February 5, 2014 School Board Minutes
- February 11, 2014 School Board Minutes

RE: CALENDAR

The Board received copies of its calendar for the months of March, April, and May 2014.

RE: SCHEDULE PUBLIC HEARING FOR THE VDOT SECONDARY SIX-YEAR PLAN

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize staff to advertise for and schedule a public hearing on the VDOT Secondary Six-Year Plan on Tuesday, April 22, 2014, at 7:00 p.m.

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

RE: SCHEDULE A PUBLIC HEARING FOR REZ 13-02 / SUP 13-04 (D & W INVESTMENTS) FOR A SELF-STORAGE FACILITY

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize staff to advertise for and schedule a public hearing for REZ 13-02 / SUP 13-04 (D & W Investments) for a self-storage facility on Tuesday, April 8, 2014, at 7:00 p.m.

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

RE: RECESS FOR JOINT DINNER MEETING WITH THE EXTENSION OFFICE

The Board recessed at 5:35 p.m. for a joint dinner meeting with the Extension Office.

RE: RECONVENE

The Board reconvened at 7:03 p.m.

RE: PUBLIC HEARING

RE: PUBLIC HEARING #1: REZ 13-02 / SUP 13-04

This item was struck from the agenda, as it was rescheduled to take place on Tuesday, April 8, 2014, beginning at 7:00 p.m.

RE: PUBLIC HEARING #2: PROPOSED AMENDMENTS TO ARTICLES 1 AND 4 OF THE ORANGE COUNTY ZONING ORDINANCE REGARDING TEXT AMENDMENTS FOR COMMERCIAL KITCHEN AND SMOKEHOUSE

Gregg Zody, Planning and Zoning Director, reviewed the Staff Report for this Public Hearing, which included a summary of the proposed text amendments as well as a review of the changes and recommendation made by the Planning Commission.

Discussion ensued among the Board regarding: the idea that a large operation could potentially open under the proposed definition without any limit to square footage and/or number of employees; the fact that the processing had to be for its own company and not for a third party; the term "similar to" versus "includes"; scaling; enforcement; the potential for square footage limitations; a recommendation of 10,000 square feet; and issues discussed at the Planning Commission level.

At 7:15 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENTS TO ARTICLES 1 AND 4 OF THE ORANGE COUNTY ZONING ORDINANCE:

Sec. 70-1. Definitions.

Commercial kitchen or smokehouse means an operation which prepares or stores food, including smokehouses, for off-site sales, consumption, and distribution to persons of the same business operation or of a related off-site business operation for service to the public. An example includes operations preparing or storing food for catering services.

Sec. 70-302. Permitted Uses.

(11) Commercial kitchen or smokehouse.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:15 p.m.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to adopt the following ordinance as modified:

ORDINANCE APPROVING AMENDMENTS TO ARTICLES 1 AND 4 OF THE ORANGE COUNTY ZONING ORDINANCE CONCERNING *COMMERCIAL KITCHEN OR SMOKEHOUSE*

WHEREAS, the Board of Supervisors previously initiated Planning Commission action on text amendments to Articles 1 and 4 of the Orange County Zoning Ordinance concerning *commercial kitchen or smokehouse*; and

WHEREAS, the Planning and Zoning Director and County Attorney drafted recommended language for the text amendments; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on February 20, 2014; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has conducted a duly advertised Public Hearing on March 11, 2014, concerning the proposed text amendments, and hereby supports the proposed text amendments; and

WHEREAS, public necessity, convenience, general welfare, and/or good practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 11th day of March, 2014, that the Orange County Board of Supervisors hereby adopts the proposed text amendments to Articles 1 and 4 of the Orange County Zoning Ordinance concerning *commercial kitchen or smokehouse*, as modified and shown below.

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

Adopted Amendments to the Orange County Zoning Ordinance:

**As modified and adopted in Ord. No. 140311 - PH2
by the Orange County Board of Supervisors
on March 11, 2014**

ARTICLE 1 - In General

Sec. 70-1. Definitions.

Commercial kitchen or smokehouse means an operation, utilizing 10,000 square feet or less, which prepares or stores food, including smokehouses, for off-site sales, consumption, and distribution to persons of the same business operation or of a related off-site business operation for service to the public. An example includes operations preparing or storing food for catering services.

ARTICLE 4 - District Regulations

Sec. 70-302. Permitted Uses.

(11) Commercial kitchen or smokehouse.

RE: PUBLIC HEARING #3: PROPOSED AMENDMENTS TO ARTICLE 5 OF THE ORANGE COUNTY ZONING ORDINANCE REGARDING DIGITAL FUEL SIGNS

Gregg Zody, Planning and Zoning Director, reviewed the Staff Report for this Public Hearing, which included a summary of the proposed text amendments as well as a review of the changes and recommendation made by the Planning Commission.

At 7:16 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENTS TO ARTICLE 5 OF THE ORANGE COUNTY ZONING ORDINANCE:

Sec. 70-701. Digital signs.

(c) Only one monument or pylon digital sign shall be allowed per development. This limitation shall not apply to any digital sign utilized strictly for displaying gas station pump prices, where such digital signage otherwise complies with County sign regulations.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:16 p.m.

Discussion ensued among the Board regarding: the number of current violations and the fact that this ordinance would have to be reviewed again as development took place along the Route 3 Corridor.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to adopt the following ordinance as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE 5 OF THE ORANGE COUNTY
ZONING ORDINANCE CONCERNING *DIGITAL FUEL SIGNS*

WHEREAS, the Board of Supervisors previously initiated Planning Commission action on text amendments to Article 5 of the Orange County Zoning Ordinance concerning *digital fuel signs*; and

WHEREAS, the Planning and Zoning Director and County Attorney drafted recommended language for the text amendments; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on February 20, 2014; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has conducted a duly advertised Public Hearing on March 11, 2014, concerning the proposed text amendments, and hereby supports the proposed text amendments; and

WHEREAS, public necessity, convenience, general welfare, and/or good practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 11th day of March, 2014, that the Orange County Board of Supervisors hereby adopts the proposed text amendments to Article 5 of the Orange County Zoning Ordinance concerning *digital fuel signs*, as presented and shown below.

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

Adopted Amendments to the Orange County Zoning Ordinance:

**As adopted in Ord. No. 140311 - PH3
by the Orange County Board of Supervisors
on March 11, 2014**

ARTICLE 5 - Supplementary District Regulations

Sec. 70-701. Digital signs.

(c) Only one monument or pylon digital sign shall be allowed per development. This limitation shall not apply to any digital sign utilized strictly for displaying gas station pump prices, where such digital signage otherwise complies with County sign regulations.

RE: CLOSED MEETING

At 7:21 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:

- One (1) matter concerning the discussion of personnel, which concerns a specific employee. - *§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.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to approve the resolution authorizing Closed Meeting as presented. Ayes: Abbs, White, Goodwin, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 8:11 p.m., Mr. Lacheney 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: Abbs, White, Goodwin, Crozier, Frame. Nays: None.

RE: BUDGET WORKSESSION

Glenda Bradley, Finance Director, presented information to the Board regarding a correction to the consolidated budget totals. She explained that after the budget presentation in February, she noticed that one of her tables had not been completely updated with the final budget figures. Ms. Bradley emphasized that the corrections did not affect the General Fund, the tax rate, or any General Fund transfer to other funds (local funding). She provided the corrected copy of the Consolidated Budget Totals for the Board's review and reference.

Mr. David explained that the Board had to set the tax rates for advertising either tonight, or at their budget worksession on Thursday, March 13, 2014, as the ads had to be sent to the paper on Friday.

Mr. Frame moved, seconded by Mr. White and carried, to authorize staff to advertise for and schedule the public hearings for the Budget on Tuesday, April 1, 2014, at 7:00 p.m., as presented.

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

Mr. Frame moved, seconded by Mrs. Abbs and carried, to cancel the Budget Worksession scheduled for March 13, 2014, at 5:00 p.m.

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

RE: ADJOURNMENT

There being no further business to discuss, Mrs. Abbs moved, seconded by Mr. Frame and carried, to adjourn the meeting at 8:17 p.m. Ayes: Abbs, White, Goodwin, Crozier, Frame. Nays: None.

S. Teel Goodwin, Chairman

R. Bryan David, Interim County Administrator