

**BOARD OF SUPERVISORS MINUTES**

**MARCH 25, 2014**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, March 25, 2014, beginning at 5:00 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, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Frame moved, seconded by Mr. White and carried, to adopt the agenda as presented. Ayes: Abbs, Goodwin, Crozier, Frame, White. Nays: None.

RE: CONSENT AGENDA

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

RE: PROCLAMATION FOR NATIONAL COUNTY GOVERNMENT MONTH

The Board adopted the following proclamation as presented:

A PROCLAMATION FOR NATIONAL COUNTY GOVERNMENT MONTH

*“Ready And Resilient Counties: Prepare. Respond. Thrive.”*

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

WHEREAS, the nation’s 3,069 counties, serving more than 300 million Americans, provide a variety of essential public services to create healthy, safe, vibrant, and economically-resilient communities; and

WHEREAS, Orange County, and other counties across the Nation, build infrastructure, maintain roads and bridges, provide health care, administer justice, keep communities safe, run elections, manage solid waste, keep records, and much more; and

WHEREAS, Orange County, and all counties, take pride in their responsibility to protect and enhance the health, safety, and welfare of its residents in sensible and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America’s counties must be able to anticipate and adapt to all types of change; and

WHEREAS, through the National Association of Counties President Linda Langston’s Resilient Counties initiative, NACo is encouraging counties to focus on how they prepare and respond to natural disasters and emergencies that counties may face, including public health and safety challenges; and

WHEREAS, each year since 1991, the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

WHEREAS, the Orange County Sheriff’s Office, Fire and EMS, and E-911 Center make up the team of public safety officials in Orange County, a group of dedicated individuals who strive to go above and beyond their call of duty, responding to emergencies and natural disasters, promoting public awareness and involvement, enhancing communication efforts, and effectively utilizing available grant monies; and

WHEREAS, the faithful response and commitment of our public safety team makes our County a safe place to live, play, and conduct business;

NOW, THEREFORE, BE IT PROCLAIMED, on this 25<sup>th</sup> day of March, 2014, that the Orange County Board of Supervisors hereby recognizes April 2014 as National County Government Month and encourages all county officials, employees, schools, and residents to participate in and learn more about county government activities, and to take the initiative to become involved in public safety programs throughout the community.

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

A PROCLAMATION FOR NATIONAL CHILD ABUSE PREVENTION MONTH  
*Prevent Child Abuse and Neglect: Look. Listen. Respond.*

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

WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and do not know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;

NOW, THEREFORE, BE IT PROCLAIMED, on this 25<sup>th</sup> day of March, 2014, that the Orange County Board of Supervisors hereby recognizes April 2014 as National Child Abuse Prevention Month in Orange County and calls this observance to the attention of all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

RE: PROCLAMATION FOR NATIONAL VOLUNTEER WEEK  
The Board adopted the following proclamation as presented:

A PROCLAMATION TO DECLARE THE WEEK OF APRIL 6-12, 2014 AS  
NATIONAL VOLUNTEER WEEK

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the week of April 6-12, 2014, as National Volunteer Week in Orange County, Virginia.

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, the giving of oneself in volunteer service to another empowers both the giver and the recipient; and

WHEREAS, the entire community can inspire, equip, and mobilize people to take action that changes the world; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations and/or County departments, such as the Orange County Animal Shelter, Library, Fire & EMS, Tourism, and Voter Registrar; and

WHEREAS, during this week, all over the nation, service projects will be performed and volunteers will be recognized for their commitment to service; and

WHEREAS, our Nation's volunteer force of more than 63 million is a great treasure; and

WHEREAS, in Orange County alone, volunteers logged in excess of 7,000 hours, giving their time to a range of duties including, but not limited to, staffing multiple voter precincts throughout the County, shelving returned books, cleaning DVD's and CD's, book processing and mending, staffing of the Orange County Visitor's Center, volunteering in the Orange County Fire and EMS system, and taking care of needs at the Orange County Animal Shelter; and

WHEREAS, volunteers are vital to our future as a caring and productive nation;

NOW, THEREFORE, BE IT PROCLAIMED, on this 25<sup>th</sup> day of March, 2014, that the Orange County Board of Supervisors hereby declares the week of April 6-12, 2014, as National Volunteer Week in Orange County, and urges the citizens of Orange County to join in this special observance to honor individuals who have dedicated their time and efforts to continuously better the community.

RE: PROCLAMATION FOR NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK  
The Board adopted the following proclamation as presented:

A PROCLAMATION TO DECLARE THE WEEK OF APRIL 13-19, 2014 AS  
NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the week of April 13-19, 2014, as National Public Safety Telecommunications Week in Orange County, Virginia.

WHEREAS, emergencies can occur at any time that require fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of Firefighters and Emergency Medical Technicians is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our Firefighters and Emergency Medical Technicians is dependent upon the quality and accuracy of information obtained from citizens who telephone the Orange County Emergency Communications Center; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers provide the single vital link for our Firefighters and Emergency Medical Technicians by monitoring their activities by radio, providing them information, and ensuring their safety; and

WHEREAS, Public Safety Dispatchers of the Orange County Emergency Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients, and E-911 responded to over 17,000 calls for service in 2013 and the Sheriff's Office responded to over 28,000 calls for service in 2013; and

WHEREAS, each dispatcher has exhibited compassion, understanding, and professionalism during the performance of his job in the past year, receiving numerous Life Saving Awards for efforts to remain calm and display skill and capability, thereby changing at least one life forever; and

WHEREAS, the diligence, dexterity, and attention to duty of the Orange County Telecommunications Officers is greatly valued by the Orange County community;

NOW, THEREFORE, BE IT PROCLAIMED, on this 25<sup>th</sup> day of March, 2014, that the Orange County Board of Supervisors hereby declares the week of April 13-19, 2014, as National Public Safety Telecommunications Week in Orange County, in honor of the men and women whose diligence and professionalism keep our County, Town, and citizens safe.

RE: MINUTES

The Board approved the following minutes:

- March 11, 2014 Regular Meeting

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

RE: PUBLIC APPEARANCES

RE: PRESENTATION OF PROCLAMATION FOR NATIONAL COUNTY GOVERNMENT MONTH

Chairman Goodwin read the Proclamation for National County Government Month and presented a signed, framed copy to Mark Amos, Sheriff; John Harkness, Fire and EMS Chief; and Peggy McDaniel, E-911 Center Supervisor.

RE: PRESENTATION OF PROCLAMATION FOR NATIONAL CHILD ABUSE PREVENTION MONTH

Chairman Goodwin read the Proclamation for National Child Abuse Prevention Month and presented a signed, framed copy to Alisha Vines, Office on Youth Director, and Ashley Jacobs, Strengthening Families Coordinator. Ms. Vines and Ms. Jacobs gave a brief PowerPoint presentation regarding efforts related to National Child Abuse Prevention Month and the Blue Pinwheel Campaign.

RE: BUSINESS SPOTLIGHT

This item was struck from the agenda.

RE: PARKS AND RECREATION QUARTERLY REPORT

Tim Moubray, Parks and Recreation Director, presented the Parks and Recreation Quarterly Report, which included information on the following topics:

- completed Winter programs and upcoming Spring Programs;

- statistics for the License to Slide Program;
- the addition of Tai Chi Punch Cards;
- the recent addition of the Adult Dodgeball League;
- discount tickets currently being offered; and
- a highlight reel of photos from the past quarter.

RE: COMMUNITY NEEDS ASSESSMENT BY SKYLINE CAP

Brandi Day, Program Development Manager from Skyline CAP, presented information to the Board regarding the Community Needs Assessment performed by Skyline CAP. The presentation included information on: Skyline CAP; the summary of results from the Assessment; community demographics; Skyline CAP clients; the survey of needs; and next steps.

Discussion ensued among the Board regarding: the individuals who were surveyed; information on the home repair program; how the needs of each community were determined; work with volunteer groups, such as Habitat for Humanity; measurable successes of poverty prevention and alleviation; enhancements to client follow-up services; and any reports or measurements that were available for review.

RE: PUBLIC COMMENT

At 5:46 p.m., Chairman Goodwin opened the floor for public comment.

The following individuals spoke:

- Doug Duncan, 10324 Gospel Hill Road, Unionville
- Dave Kuhstall, Resident of Charlottesville
- Hannah Smith, Resident of Orange
- Pam Smith, Resident of Orange
- Thomas Dixon, resident of Charlottesville
- Gene Kotulka, 27949 Old Office Road, Culpeper
- Janice Sidle, Resident of Locust Grove
- John Lentine, 407 Birdie Road, Locust Grove
- Jude Melton, Resident of Orange
- Kim Hoosier, Resident of Orange
- Patty Lumsden, Resident of Orange
- Caroline Rohling, 25529 Magnolia Ridge Drive, Unionville
- Alina Kessler, Resident of Orange
- Kim Harris, Resident of Orange

There being no further speakers, public comment was closed at 6:29 p.m.

RE: BOARD COMMENT

Supervisor Abbs thanked those who spoke regarding the budget, urging them to speak in front of the School Board as well. She also stated that the recent Montpelier 5K was fun and was a great program to have in Orange.

Vice Chairman Frame indicated that he appreciated the manner in which the budget was presented this year.

Supervisor Crozier stated that this was the most transparent budget he had seen and that it was important to educate the public on the parts of the budget. He also explained that the budget would be no easy decision, but it was nice to receive involvement from those who were concerned or supportive.

Supervisor Crozier reported that since the Fire and EMS Town Hall meeting had taken place, the Animal Shelter had met with the Humane Society to purchase mask kits for animals to be used at the scene of fires throughout the County.

Supervisor White explained that the budget process was part of the community dialogue, and that tough decisions had to be made.

Chairman Goodwin thanked the young individuals who spoke, and reminded the Board of the recent Wreath Laying Ceremony he had attended for James Madison.

RE: CLOSED MEETING

At 6:43 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 aforesaid 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 7:56 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: AMENDMENT TO THE AGENDA

Mr. Frame moved, seconded by Mrs. Abbs and carried, to amend the agenda to include an additional Action Item to enter into a contract for the County Administrator.

RE: ACTION ITEMS

RE: ACCEPTANCE AND APPROPRIATION OF GRANT FUNDING FOR BURN BUILDING REPAIRS

John Harkness, Fire and EMS Chief, stated that the Department of Fire and EMS applied for a Burn Building Grant through the Virginia Department of Fire Programs on December 31, 2013, to repair the Burn Building located on Porter Road, as required by the Virginia Department of Fire Programs, and in accordance with the 2007 Edition of the National Fire Protection Association Standard 1403. He further stated that on February 28, 2014, staff received notification regarding a reimbursement award of up to \$44,026 towards the Burn Building renovation project, and presented the following summary of the costs and payment options:

Item	Cost	Notes	Payment
Construction	\$58,634	Fire panels, concrete repair, window repair, railing repair	Fire Chief's Association: 25% (approximately \$14,591)  Virginia Fire Services Board: \$44,026
Engineering Plans	\$15,500	Was inferred as a recoverable cost; however, has since then been determined to be non-recoverable	Orange County Department of Fire and EMS
<b>Total Costs</b>	<b>\$74,134</b>		

Chief Harkness indicated that staff was seeking approval from the Board of Supervisors to accept the Burn Building Grant and proceed with the repairs.

Discussion ensued among the Board regarding: some of the terms of the Grant on the use of the structure for the next twenty (20) years; the possibility of ever being able to relocate the Burn Building; if the building could be used in other capacities; encroachment factors; transfer of title or ownership; and preparing "Attachment A" of the Grant to use the preferred and agreeable language.

Mr. Frame moved, seconded by Mr. Crozier and carried, to authorize staff to accept the Virginia Department of Fire Programs Grant for the repair and renovation of the Burn Building in the amount of \$44,026, and to appropriate the funds accordingly, with the understanding that the appropriate amendments would be made to "Attachment A" of the Grant.

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

RE: AUTHORIZATION FOR THE CHAIRMAN TO ENTER INTO A CONTACT WITH R. BRYAN DAVID TO SERVE AS THE COUNTY ADMINISTRATOR

Mr. Frame moved, seconded by Mrs. Abbs and carried, to authorize the Chairman to enter into a contract with R. Bryan David to serve as the County Administrator, effective March 25, 2014.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES  
There were no appointments at this time.

RE: DISCUSSION ITEMS

RE: PROPOSED AMENDMENTS TO THE COMPASSIONATE BILLING POLICY FOR AMBULANCE SERVICE

Thomas Lacheney, County Attorney, presented proposed amendments to the Board for the Compassionate Billing Policy for Ambulance Service. He noted that the main changes were contained in Paragraph 4, which assigned the determination of hardship to a committee, and Paragraph 5, which permitted the County to seek a tax lien for unpaid bills.

Discussion ensued among the Board regarding: a lien on real property; what percentage of the population would fit in the hardship category; increases due to the Affordable Care Act; eligibility and review of hardships or waivers; any potential problems with the date of 6 months for compliance; and whether or not changes should be made to the 300% status.

Mr. Frame moved, seconded by Mr. White and carried, to adopt the amendments to the Compassionate Billing Policy for Ambulance Service, as amended.

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

RE: PROPOSED BILLING RATE ADJUSTMENTS FOR AMBULANCE SERVICE

John Harkness, Fire and EMS Chief, explained that it was recently suggested by the County's billing company that the billing rates currently charged for ambulance service be adjusted. He noted that Fire and EMS currently used two (2) different mileage rates for billing purposes. The first rate was Urban, which was billed at \$13 per mile, and was used for the first five (5) miles of the transport. The second rate was Rural, which was billed at \$8 per mile, and was assessed after the first five (5) miles of the transport.

Chief Harkness stated that based on the suggestion, staff recommended establishing a single rate for mileage at \$13 per mile as having a flat rate would simplify the billing process and provide for increased revenue recovery. He further stated that staff also recommended that the rates for BLS, ALS-1, and ALS-2 transports be increased as follows: increase BLS transports from \$450 to \$500, increase ALS-1 transports from \$550 to \$600, and increase ALS-2 transports from \$755 to \$800.

Discussion ensued among the Board regarding: additional miles that could be billed; Medicaid rates for mileage, BLS, and ALS; averages across Virginia; when the new rates would become effective; and the location of the nearest hospitals.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve and adopt the following rates for mileage and BLS, ALS-1, and ALS-2 transports as recommended by staff and presented:

Type	Rate
Mileage (Per Mile)	\$13
Basic Life Support (BLS)	\$500
Advance Life Support (ALS-1)	\$600
Advance Life Support (ALS-2)	\$800

Ayes: Abbs, White, Crozier, Frame. Nays: Goodwin.

RE: DETERMINATION OF CHANGES DESIRED TO THE VDOT SECONDARY SIX-YEAR PLAN

Bryan David, County Administrator, reminded the Board that the Public Hearing for the VDOT Secondary Six-Year Plan was scheduled to take place on Tuesday, April 22, 2014, and it would be prudent for the Board to discuss any changes or updates presented by VDOT in order to come to a consensus on the final draft to be advertised.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to authorize staff to advertise the Secondary Six-Year Plan with the changes as presented by VDOT, with the understanding that the Public Hearing, which was previously scheduled, would take place on Tuesday, April 22, 2014, at 7:00 p.m.

Ayes: Abbs, White, Goodwin, Frame. Nays: Crozier.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report for February
- VDOT Monthly Report for March
- Planning and Zoning Legislative Update
- Thank You Letter from Orange Baptist Church
- Update Letter from Culpeper Regional Hospital
- Thank You Letter from Governor McAuliffe

RE: COMMITTEE REPORTS

The Board received the following Committee Reports for its information:

- February 4, 2014 Culpeper Soil and Water Conservation Minutes

RE: CALENDAR

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

RE: ADJUSTMENTS TO BUDGET WORKSESSION ON THURSDAY, APRIL 3, 2014

The Board of Supervisors kept the Budget Worksession as scheduled.

RE: BUDGET WORKSESSION

The Budget materials for the April 1, 2014 Public Hearing were distributed to the Board.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjourn the meeting at 8:36 p.m. Ayes: Abbs, White, Goodwin, Crozier, Frame. Nays: None.

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S. Teel Goodwin, Chairman

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R. Bryan David, County Administrator