

BOARD OF SUPERVISORS MINUTES

MAY 24, 2016

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, May 24, 2016, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Chairman; S. Teel Goodwin, Vice Chairman; R. Mark Johnson; James K. White, and James P. Crozier. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: PRESENTATION REGARDING IMPACT! VA 2016

Alyson Simpson, Chief Deputy Clerk, introduced John Miller, Director of Missions with the Goshen Baptist Association. She explained that Mr. Miller intended to introduce the Board to the Impact! VA program, which would be hosted in Orange County during the summer, as well as request the waiver of building permit fees associated with the program. Ms. Simpson added that of the twelve (12) projects currently on the list, there were only about five (5) projects that required a permit with an estimated cost not to exceed \$500.

Mr. Miller provided an overview of the Impact! VA program, stating that many of the projects completed during this session would be located in Orange County. He reviewed what he believed was the final list of projects, citing that there were about 140 students registered to participate in the week-long event across the various job sites. Mr. Miller respectfully requested that the Board grant the waiver of building permits fees in order to keep the cost of the program down and allow for more work to be completed.

Discussion ensued among the Board regarding: the total number of sites where work would be completed; the process by which the projects were collected; how the projects were funded and donations were accepted; and the waiver of Landfill tipping fees, which had already been processed.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to waive building permit fees for the Impact! VA 2016 program, in an amount not to exceed \$500, with the understanding that payment for this waiver would be paid from Line Item 1100-49210001-45650 (Refunds by Supervisors).

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

RE: PRESENTATION FROM THE GERMANNA FOUNDATION

Steve Hein, Chief Operating Office for The Germanna Foundation, provided an update to the Board on the activities of the Foundation. He reviewed work being completed on the archeological site; the on-site museum and library; and the upcoming 300th Anniversary celebration.

The Board thanked Mr. Hein for his presentation.

RE: UPDATE FROM DOMINION REGARDING REMINGTON-PRATTS-GORDONSVILLE TRANSMISSION LINE PROJECT

Susan King, External Affairs Representative for Dominion, presented a brief update to the Board regarding the Remington-Pratts-Gordonsville transmission line project. She reminded the

Board of several upcoming dates of importance, including the State Corporation Commission (SCC) Public Hearing, the public comment due date, and the upcoming Evidentiary Hearing. Ms. King introduced Rusty Meadows, Project Manager, to provide additional details.

Mr. Meadows summarized the reason the project had been renamed to remove Gordonsville, as well as the removal of alternate routes, providing the Board with the most up-to-date information.

Discussion ensued among the Board regarding: the height of the monopoles; whether or not the height would be lowered; and the potential to acquire additional right-of-way.

The Board thanked Ms. King and Mr. Meadows for their presentation.

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR WINSTON L. SIDES
Chairman Frame read the Resolution of Appreciation and presented a signed, framed copy to Winston L. Sides.

Collectively, the Board thanked Mr. Sides for his service on the Economic Development Authority, noting how greatly he would be missed.

RE: CONSENT AGENDA
On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

RE: FY16 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)
As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30045001-35825	State Miscellaneous	\$ 0.00	\$ (1,500.00)	\$ (1,500.00)
48301001-46000	Office Supplies	2,000.00	1,500.00	3,500.00
30045009-37100	Byrne Grant	(820.00)	(870.00)	(1,690.00)
43120007-46350	Police Supplies	911.00	870.00	1,781.00
TOTALS		\$ (2,091.00)	\$ 0.00	\$ (2,091.00)

RE: RENEWAL OF THE CONTRACT WITH BAKER & TAYLOR FOR LIBRARY MATERIALS
As part of the Consent Agenda, the Board authorized staff to renew Cooperative Contract 2012-71500-01 with Baker & Taylor, Inc. for a one (1) year term, effective July 1, 2016 through June 30, 2017, as presented.

RE: RENEWAL OF THE CONTRACTS WITH ADVANCED NETWORK SYSTEMS AND DOMINIONTEK FOR IT SUPPORT SERVICES
As part of the Consent Agenda, the Board authorized staff to renew Cooperative Contracts ANS-01-15LC and DT-00-15LC with Advanced Network Systems and DominionTek for IT Support Services, representing the second of four (4) possible one (1) year renewals, as presented.

RE: RENEWAL OF THE CONTRACT WITH EASTERN AVIATION FUELS, INC. FOR AVIATION FUEL

As part of the Consent Agenda, the Board authorized staff to renew the contract with Eastern Aviation Fuels, Inc. for a one (1) year term, with said term commencing July 31, 2016 and expiring July 30, 2017, as presented.

RE: RENEWAL OF THE CONTRACT WITH SHEEHY FORD FOR VEHICLE UPFITTING SERVICES

As part of the Consent Agenda, the Board authorized staff to renew Contract SFR-00-16MA with Sheehy Ford of Richmond for a one (1) year term, representing the first of four (4) possible renewals, effective September 24, 2016 through September 23, 2017, as presented.

RE: RENEWAL OF THE CONTRACT WITH GOODWILL INDUSTRIES OF THE VALLEYS, INC. FOR OPERATION OF THE ORANGE WORKFORCE CENTER

As part of the Consent Agenda, the Board authorized staff to renew the Memorandum of Understanding between the Culpeper Workforce Investment Board and Orange County for the office space located in the basement of the Belleview Building used as the Workforce Investment Board Satellite Office, for a period of one (1) year, as presented.

RE: APPROVAL OF THE PERFORMANCE AGREEMENT WITH LOHMANN CORPORATION

As part of the Consent Agenda, the Board authorized the Chairman to execute the Commonwealth's Opportunity Fund Performance Agreement with Lohmann Corporation, as presented.

RE: MINUTES

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0-1, with Mr. Johnson abstaining, the Board approved the May 10, 2016 Regular Meeting minutes, as presented.

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

RE: NEW BUSINESS

RE: RENEWAL OF THE CONTRACT WITH R. M. SODERQUIST FOR LANDFILL OPERATIONS

Stephanie Straub, Financial Management Specialist, explained that the County had entered into a contract with R. M. Soderquist in September, 2014 for operation of the Landfill. She indicated that the Contract had been renewed in 2015 for an additional year, and staff was requesting renewal again at this time.

Discussion ensued among the Board regarding: complaints that had been received recently from constituents; the condition of the road leading to the working face; and compliments on handling the unusual amounts of rain over the last several weeks.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to renew Contract RMS-00-15KH with R.M. Soderquist for operation of the Orange County Landfill for a one (1) year term, representing the second of four (4) possible renewals, effective September 1, 2016 through August 31, 2017, as presented.

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

RE: OLD BUSINESS
There were no matters for Old Business at this time.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: POTENTIAL CONVERSION TO PROCUREMENT CARDS FROM CREDIT CARDS

Glenda Bradley, Finance Director, explained that the Finance Department was exploring the use of a State contract with Bank of America for a purchasing card program that would replace the use of regular credit cards. She reviewed the advantages of converting to such a program, which would generally be used like regular credit cards, but allowed for more detailed purchasing information, the ability to import information into the Munis software, centralized administration of the program, and the provisions of rebates for purchases.

Discussion ensued among the Board regarding: flexibility and control options for usage; training provided to employees; ease of use and transition; and the development and introduction of new credit card use policies to the Board.

The Board took the information regarding the conversion to purchasing cards under advisement, and there was no action taken at this time.

RE: FINANCE QUARTERLY REPORT

Glenda Bradley, Finance Director, presented the Finance Quarterly Report, which included information on the following topics: General Fund revenues; General Fund expenditures; a summary of the Schools, Social Services, Debt Service, Insurance Internal Service, Capital Projects, Airport, and Landfill Funds; a review of cash balances; and usage at the Rappahannock Juvenile Detention Center.

Discussion ensued among the Board regarding: the health insurance claims, fund balance, and potential trends.

The Board thanked Ms. Bradley for her presentation.

RE: FY17 COMPENSATION BOARD SALARY COMPRESSION FUNDING FOR SHERIFF'S OFFICE

Glenda Bradley, Finance Director, explained that after reviewing the final State budget document and receiving information from the Sheriff's Office, it was determined that funds were included in the final budget to address salary compression issues for sworn and unsworn staff within the Sheriff's Office. She indicated that the base salary of each sworn and unsworn staff was scheduled to increase based on years of continuous service, up to a maximum of thirty (30) years.

Ms. Bradley noted that the implementation of this compression plan was to be effective January 1, 2017, contingent upon revenue meeting or exceeding the threshold for a re-forecast pursuant to the Code of Virginia. She stated that if revenue projections were met and the plan was implemented, additional County funds would be necessary to extend the plan to "local only" funded positions. Lastly, this compression adjustment would be in addition to the 2% across-the-board increase effective December 1, 2016.

Ms. Bradley reported that a recommendation would be forthcoming, after meeting with the Constitutional Officers and other elected officials on how to address the implementation of the increases within available funds in the adopted County budget.

Discussion ensued among the Board regarding: whether or not there were any estimates yet for the costs associated with the compression adjustments.

The Board took the information regarding the compression issues for the Sheriff's Office under advisement, and there was no action taken at this time.

RE: OFFICE ON YOUTH QUARTERLY REPORT

Alisha Vines, Office on Youth Director, presented the Office on Youth Quarterly Report, which included information on the following topics:

- a summary of the Strengthening Families program;
- upcoming events and programs; and
- a recap of the After Prom celebration.

The Board thanked Ms. Vines for her presentation.

RE: COUNTY ATTORNEY'S REPORT

RE: AMENDMENT TO THE TAXATION ORDINANCE REGARDING THE ANNUAL REQUIREMENTS FOR PERSONAL PROPERTY TAX RETURNS

Thomas Lacheney, County Attorney, reminded the Board that this proposed amendment had been discussed at a previous meeting, and the intent of the amendment was to remove the requirement for personal property tax return forms to be distributed annually.

Renee Pope, Commissioner of the Revenue, reviewed information she had provided to the Board, which addressed the costs related to distributing the forms annually, the amount of staff time required to process the forms annually, and the use of DMV records to ensure changes in taxation.

Discussion ensued among the Board regarding: errors contained in records from DMV and other public agencies; details included on the DMV report; discrepancies and ways for citizens to address changes; the provision of public notice in the newspaper prior to implementing the change; whether or not business owners would still receive notice; and changes desired to the proposed language before advertising.

By consensus, the Board authorized staff to advertise for and schedule a public hearing for proposed ordinance amendments regarding the annual requirements for personal property tax returns on Tuesday, June 14, 2016 at 7:00 p.m.

RE: CLOSED MEETING

At 6:19 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

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

- Discussion, consideration, or interviews of prospective candidates for employment; or assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body. - §2.2-3711(A)(1) of the Code of Virginia
- Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. - §2.2-3711(A)(5) 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), (A)(5), and (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

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

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 7:04 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County has this day adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby certified that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

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

RE: PUBLIC COMMENT

At 7:04 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 7:04 p.m.

RE: PUBLIC HEARING #1: PROPOSED AMENDMENTS TO THE SUBDIVISION ORDINANCE

R. Bryan David, County Administrator, stated that the Board of Supervisors had previously initiated action on this ordinance amendment concerning the applicability of hydrogeologic testing. He added that the language had been previously discussed and the Public Hearing had been duly advertised. Following the Public Hearing, Mr. David advised it would be appropriate for the Board to take action on the ordinance, if desired.

At 7:05 p.m., Chairman Frame called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENTS TO THE SUBDIVISION ORDINANCE

The Board of Supervisors will consider an amendment to Article VIII (Hydrogeologic Test Requirements) of the Orange County Subdivision Ordinance, specifically to Section 54-212 (Applicability). This amendment would remove the requirement for hydrogeologic testing for all new major subdivisions (i.e. subdivisions of 8 lots or greater), and would instead require the testing for major subdivisions when a preliminary plat is required (i.e. subdivisions of greater than 50 lots).

The following individuals spoke:

- William Billow, Resident of Barboursville
- Mark Warren, 5290 Ridge Road, Barboursville
- Marta Buzzelli, 6402 Scuffletown Road, Somerset
- Florence Fowlkes, 10226 Inverness Drive, Gordonsville
- Bill Speiden, 12046 Blue Hill Drive, Somerset
- Merrill Strange, 19195 Annadale Farm Drive, Gordonsville
- Virginia Donelson, Resident of Somerset
- Julie Floyd, 6505 Spotswood Trail, Barboursville
- James Collins, Resident of Somerset
- Philip Strange, 19195 Annadale Farm Drive, Gordonsville

There being no further speakers, Chairman Frame closed the Public Hearing at 7:21 p.m.

Discussion ensued among the Board regarding: the determination of fifty (50) lots; the background on what prompted the change; references to State Code; preliminary plat requirements; desired changes to the proposed language before adopting the language.

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the following ordinance, as modified:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE VIII (HYDROGEOLOGIC TEST REQUIREMENTS), SECTION 54 (SUBDIVISIONS), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING THE APPLICABILITY OF HYDROGEOLOGIC TESTING

WHEREAS, the Board of Supervisors previously initiated action on amendments to Article VIII (Hydrogeologic Test Requirements), Section 54 (Subdivisions), of the Orange County Code of Ordinances concerning the applicability of hydrogeologic testing; and

WHEREAS, recommended language for the text amendments was drafted, which was presented to the Board of Supervisors for consideration; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on May 24, 2016, to receive public comment; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as modified during its meeting; 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 24th day of May, 2016, that the Orange County Board of Supervisors hereby **approves** the proposed amendments to Article VIII (Hydrogeologic Test Requirements), Section 54 (Subdivisions), of the Orange County Code of Ordinances concerning the applicability of hydrogeologic testing, as modified and shown below.

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

Adopted Amendments to the Orange County Code of Ordinances

**As adopted in Ord. No. 160524 – PH1
by the Orange County Board of Supervisors
on May 24, 2016**

Article VIII - Hydrogeologic Test Requirements

Sec. 54-212. - Applicability.

For any ~~new~~ major subdivision containing 13 or more lots, to be served by groundwater in accordance with section 54-202, the subdivider shall perform tests and furnish a report as required in this article. The tests shall be conducted and a report of the tests shall be prepared by a state-certified professional geologist (PG) or a state-licensed professional engineer (PE). Application for preliminary plat approval may be filed only after such report has been approved by the county.

(Ord. of 3-9-2010)

RE: COUNTY ATTORNEY'S REPORT

RE: ORDINANCE REGARDING LANDFILL / TRASH DECALS

Thomas Lacheney, County Attorney, provided the Board with a proposed amendment to the Orange County Code of Ordinances that would codify the requirement that all refuse deposited into the Landfill and Collection Sites come only from County citizens, and required the County Administrator to create enforcement policies. He suggested a change to the language to include Orange County "landowners" instead of only including Orange County residents.

By consensus, the Board authorized staff to advertise for and schedule a public hearing for proposed ordinance amendments for landfill / trash decals on, June 14, 2016 at 7:00 p.m.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: SUMMARY OF BOARD OF EQUALIZATION (BOE) ACTIONS

Alyson Simpson, Chief Deputy Clerk, presented a summary to the Board regarding the recent completion of the Board of Equalization (BOE). She reviewed the total numbers and types of cases; the number of changes made during the appeals, and the impact on total land values and improved values as a result of the changes.

Discussion ensued among the Board regarding: the types of appeal cases received; the location of the appeals; and overall thoughts on the BOE process.

The Board took the information regarding the Board of Equalization under advisement, and there was no action taken at this time.

RE: GERMANNA-WILDERNESS AREA PLAN (GWAP) UPDATE

R. Bryan David, County Administrator, provided an update to the Board regarding the recent GWAP Steering Committee meeting and the work completed to-date, particularly as it related to the Historic and Cultural Assets Inventory.

The Board took the information regarding the Germanna-Wilderness Area Plan (GWAP) under advisement, and there was no action taken at this time.

RE: BARBOURSVILLE CELL TOWER SPECIAL USE PERMIT (SUP)

Supervisor Johnson explained to the Board that a condition of the Special Use Permit (SUP) to install the cell tower at the Barbooursville Volunteer Fire Company was the installation of a tree buffer to block a portion of the view of the tower from Route 33. He added, however, that several of the trees had been installed by the contractor and an entrance to the field owned by the Barbooursville Volunteer Fire Company had been blocked. Mr. Johnson entertained a presentation

from Josh Frederick, Planning and Zoning Director, regarding the situation as well as discussion from the Board on how to best address the issue.

Discussion ensued among the Board regarding: whether modification of the SUP was necessary; how to mitigate the impact; who the responsible party was; the location of the entrance; and how the entrance had been blocked.

By consensus, the Board requested that staff contact Community Wireless Structures, LLC (CWS) regarding how to proceed in addressing the blocked site entrance.

RE: BOARD COMMENT

Supervisor Crozier commented on the efforts of County staff and the Central Virginia Regional Jail staff to obtain grant funding for the purchase of bulletproof vests for inmate transports. He also announced that Patrick Mauney had been selected as the new Executive Director of the Rappahannock-Rapidan Regional Commission.

Supervisor White requested a briefing regarding the Munis software conversion, citing that it would be informative to hear about issues experienced during the conversion as well as other things the County could do or should do to improve the overall experience and usefulness of the software.

Chairman Frame extended an invitation to the Board for the upcoming Kemper-Fry event, and reminded the Board of an upcoming Litter Control Committee meeting.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- March 17, 2016 Rapidan Service Authority Minutes
- April 5, 2016 Culpeper Soil and Water Conservation District Minutes
- CSA Monthly Report
- VDOT Monthly Report for May
- Virginia Association of Counties (VACo) 2016 Legislative Summary

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Doug Rogers as the District 5 Representative on the Economic Development Authority, filling the unexpired four-year term of Winston Sides, with said term commencing immediately, and expiring on December 31, 2016.

By consensus, the Board re-appointed Christine Kastan as the District 1 Representative on the Library Board of Trustees for a four-year term, with said term commencing July 1, 2016, and expiring on June 30, 2020.

By consensus, the Board re-appointed Selven Powell as the District 5 Representative on the Library Board of Trustees for a four-year term, with said term commencing July 1, 2016, and expiring on June 30, 2020.

By consensus, the Board appointed James "Jim" Hutchison as the District 5 Representative on the Planning Commission, filling the unexpired four-year term of Nigel Goodwin, with said term commencing June 3, 2016, and expiring on March 31, 2020.

By consensus, the Board re-appointed Jennifer Bryington as the District 4 Representative on the Social Services Advisory Board for a four-year term, with said term commencing July 1, 2016, and expiring on June 30, 2020.

RE: CALENDAR

The Board received copies of its calendar for the months of May 2016, June 2016, and July 2016.

RE: ADJOURN

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 8:40 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Lee H. Frame, Chairman

R. Bryan David, County Administrator