BOARD OF SUPERVISORS MINUTES

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, May 25, 2010 beginning at 6:30 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; Shannon C. Abbs; and Zack Burkett. Absent: Grover C. Wilson. Also present: Julie G. Jordan, County Administrator; Sharon E. Pandak, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: CLOSED MEETING AUTHORIZATION

At 6:30 p.m., Chairman Frame asked Ms. Pandak to read the following resolution authorizing a Closed Meeting:

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

- Use and disposition of public property where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of the public body and legal advice related thereto (§§2.2-3711.A. 3 and 7 VA Code Ann.);
- National Trust for Historic Preservation, et al. v. Board of Supervisors of Orange County, CL090000240 (§2.2-3711.A.7 VA Code Ann.);
- Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially the financial interest of the governmental unit would be adversely affected; and legal advice related thereto (§§2.2-3711.A. 6 and 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 aforestated matters in Closed Meeting.

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

RE: CERTIFICATION OF CLOSED MEETING

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

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.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to approve the Closed Meeting Certification resolution as presented. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: <u>SUPPLEMENTAL APPROPRIATIONS</u>

The Board approved the following supplemental appropriations:

	ACCOUNT			
DEPT	DESCRIPTION	Α	MOUNT	Funding Source
				Local funding in Middle School
Debt Service	Debt Service	\$	355,963.45	Project
Proffer Fund	Proffer Fund	\$	355,963.45	Proffers
	Eastern Middle			Transfer from Proffer
School Capital Prj	School	\$	355,963.45	Fund
Subtotal Capital Projects		\$	1,067,890.35	
	Security Work			
Sheriff	Salary	\$	1,536.51	Revenue
Subtotal Sheriff		\$	1,536.51	
County Attorney	Route 711 Project	\$	557.50	Tricord Revenue
Subtotal County Attorney		\$	557.50	
CDBG Project	Carryfoward	\$	73,167.14	Carryforward
Subtotal CDBG Project		\$	73,167.14	•
Library	Book Refunds	\$	396.25	lost books
Library	Book Refunds	\$	1,096.84	lost books
Library	Book Refunds	\$	200.72	lost books
Subtotal Library		\$	1,693.81	
	Total this request	\$	1,144,845.31	_
	Total Year to Date	\$	2,062,290.81	<u>_</u>

RE: <u>BUDGET TRANSFERS</u>

The Board approved the following budget transfers:

	Transfer				
Transfer from department	from line item	Transfer to department	Transfer to line item	Amount	
Information Tech	Salaries	Office on Youth	Salaries	4,550.00	Α

A - Coverage of vacation payout for an employee who retired.

RE: RESOLUTION OF APPRECIATION – PIEDMONT REGIONAL DENTAL CLINIC

The Board approved the following resolution:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Piedmont Regional Dental Clinic held a Mission of Mercy Project hosted at the Barboursville Fire Station on May 1, 2010; and

WHEREAS, a total of 426 patients received treatment for a wide range of services, including: cleanings, multiple extractions, multiple cavity repairs, root canals, and a complete set of dentures, with the value of services exceeding \$300,000; and

WHEREAS, the outpouring of volunteers who contributed to the Mission of Mercy Project, including medical professionals and citizens, sets an example as to what can be accomplished when we work together; and

WHEREAS, the Piedmont Regional Dental Clinic has joined the community by locating an office south of the Town of Orange where it will provide low cost dental care to eligible patients in Culpeper, Madison, Orange, Rappahannock, Greene and Louisa Counties.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors, on behalf of the citizens of Orange County, expresses its sincere appreciation to the Piedmont Regional Dental Clinic on its successful Mission of Mercy Project and for providing a clinic as a resource for our economically disadvantaged citizens.

RE: RESOLUTION OF RECOGNITION – STATE CATTLE WORKING CHAMPIONSHIP

The Board approved the following resolution:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Virginia Youth Cattleworking Contest held its 2010 championship at the Virginia Beef Expo on April 17, 2010; and

WHEREAS, the contest is administered by the Virginia Cooperative Extension, the Virginia Beef Expo and the Virginia Cattleman's Association. Over 50 teams competed statewide at the regional contests to qualify to compete in the event; and

WHEREAS, eleven teams competed in the competition with the Orange County 4-H Team, consisting of Kyle McGinnis, Devon McGinnis and Caleb Wilson, emerging as the state champions for the second time in two years; and

WHEREAS, competitors demonstrate their skills in processing young beef cattle for health and productivity while learning the concepts of Beef Quality Assurance; and

WHEREAS, the teams were scored on their ability to handle the cattle, safety of the cattle and handlers, and completion time.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors, on behalf of the citizens of Orange County, recognizes and congratulates the Orange County 4-H Team on winning the Virginia Youth Cattleworking State Championship for the second time in two years.

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

RE: MINUTES

The Board approved the minutes of April 27, 2010 Regular Meeting as presented. Ayes: Abbs, Goodwin, Frame. Nays: None. Absent: Wilson. Abstain: Burkett.

RE: PUBLIC APPEARANCES

RE: PUBLIC COMMENT

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

RE: PRESENTATION OF RESOLUTIONS

Chairman Frame presented resolutions of appreciation to: the Orange County 4-H Team, consisting of Kyle McGinnis, Devon McGinnis and Caleb Wilson, in recognition of their Cattleworking State Championship; and to Mary Hinterman on behalf of the Piedmont Regional Dental Clinic.

RE: PRESENTATION OF WORKFORCE ORANGE INITIATIVE FLYER

Kim Lyttle, Orange County High School Digital Media Teacher, commented on the work that her class had done for Workforce Orange. She introduced Brandon Atkinson, a student in the class who assisted with the project. Mr. Atkinson briefly explained the layout of the flyer and the thought process used in its creation.

RE: TOURISM QUARTERLY REPORT AND SESQUICENTENNIAL UPDATE

Lynne Lochen, Tourism Manager, briefed the Board of the Tourism Department's quarterly activity and gave an update on the Sesquicentennial.

RE: PUBLIC HEARING

At 7:30 p.m., this being the time and place as advertised in the Orange County Review, Chairman Frame called the public hearing to order to receive comments on the following:

• An amendment to Sec. 54-5. Definitions. of the Subdivision Ordinance to amend the definition of "Parent parcel" to state as follows:

Parent parcel means:

- a) In the Agricultural zoning district, a parcel of land of ten (10) or more acres that is at least twice the minimum lot size required by the Zoning Ordinance and that is of record upon the effective date of this ordinance;
- b) In any Residential zoning district, a parcel of land that is of record upon the effective date of this ordinance; or
- c) For the purposes of continued division, the residue as defined herein.

Chairman Frame opened the floor for public comment at 7:32 p.m. There being none, the public hearing was closed.

Debbie Kendall, Interim Planning and Zoning, gave the staff report. She concluded by saying that the Planning Commission unanimously voted to recommend amendment to the Subdivision Ordinance.

Mrs. Abbs motioned seconded Mr. Goodwin and carried to approve the following resolution amending the subdivision ordinance as presented. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: BOARD COMMENT

Supervisor Burkett commented on the Orange County youth and what they are doing right. He stated that there are positive things going on in the County.

RE: ACTION ITEMS

RE: SKYDIVE ORANGE UTILITY LINE

Kurt Hildebrand, Public Works Director, stated that Orange County has an agreement, titled Lease for Real Property, with SkyDive Orange that was executed on August 10, 2005 and amended on February 23, 2010. He reported that, in the agreement, there are obligations that the County must meet. The agreement states, on page 4, item 5(iii)(A,B,C):

<u>Utility Connections</u>. For any hangar constructed by Lessee on the New Hangar Site, County, at no expense to Lessee, shall provide the following utility connections, which connections shall be no further than five (5) feet from the outside perimeter of such hangar; <u>provided</u> that Lessee shall be responsible for any connection fee charged by the utility provider:

- (A) An electrical connection to the service panel for the hangar capable of providing electricity in amounts sufficient for Lessee to operate its business on the Leased Premises and consistent with any requirements of the utility providing such electricity; provided that Lessee shall be responsible for any costs imposed by the electric utility provider for physically connecting any distribution line to the service panel;
- (B) Sewer service and public water, including fire hydrants, when such services become available to the Orange County Airport; and
- (C) A telephone connection sufficient to service the needs of Lessee and consistent with any requirements of the utility providing such service; <u>provided</u> that Lessee shall be responsible for any costs imposed by the telephone utility provider for physically connecting any telephone line to the hangar.

Mr. Hildebrand explained that SkyDive Orange recently completed site improvements for their new landing area and will soon be prepared to begin construction of the new hangar. The time has come for the County to provide the sewer and water infrastructure as identified above. He stated that when the parking area for the County's new terminal building was constructed, water and sewer lines were "stubbed" so they could be extended for future uses, including the new hangar for SkyDive Orange. Mr. Hildebrand stated that staff has solicited pricing from Leipertz Construction, who is the general contractor for the new terminal building, for extending the water and sewer lines to within five feet of the proposed new Skydive Orange hangar. The total price for this work is \$31,660. These items, if approved, will be performed as a change order to the current contract with Leipertz Construction for construction of the new Airport Terminal Building.

Although the County assumed financial responsibility for providing the utility services to Skydive Orange when the agreement was signed in 2005, no funds were earmarked to cover these expenses. Fortunately, pricing for construction of the new terminal came in below budget and staff recommends using the excess to cover the cost of the utility extensions.

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to authorize the County Administrator to execute a Change Order to Leipertz Construction contract, for the extension of water and sewer lines, in an amount not to exceed \$31,660, to serve the new Skydive Orange Hangar. This work will be funded from line item 504-94200-1086. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: <u>LEGAL SERVICES CONTRACT</u>

Ms. Pandak briefly commented on the proposed legal services contract and noted that a flat rate had been established for her services.

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

APPROVAL OF CONTRACT FOR LEGAL SERVICES

WHEREAS, the Board of Supervisors of Orange County desires to continue to retain the services of Greehan, Taves, Pandak & Stoner, PLLC, and partner Sharon E. Pandak as County Attorney; and

WHEREAS, an agreement has been negotiated which includes a flat fee for routine legal services;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby approve extension of the contract with Greehan, Taves, Pandak & Stoner, PLLC, and partner Sharon E. Pandak as County Attorney, and does hereby authorize the Chairman to execute the contract on behalf of the Board.

Aves: Abbs, Burkett, Goodwin, Frame. Navs: None. Absent: Wilson.

RE: PROPOSED NEW PERSONNEL POLICY – POST EMPLOYMENT INSURANCE BENEFIT

Karen Karasinski, Finance Director, briefed the Board on the proposed policy for post retirement insurance benefits. She explained that the retiree will pay the same premium as active employees. She noted that the Government Accounting Standards Board (GASB) requires municipalities to actuarially value and recognize the benefit.

Discussion ensued regarding the rationale behind the policy. It was noted that the employee's spouse must be enrolled in the plan for one year prior to the employee's retirement to be eligible to participate. The Board requested that this language be added to the policy for clarification.

Mr. Burkett moved, seconded Mr. Goodwin and carried, to approve the Post Retirement Insurance Benefits Personnel Policy as amended. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: PROPOSED CLOSING OF THE LAKE OF THE WOODS COLLECTION SITE ON JULY 3, 2010

Kurt Hildebrand, Director of Public Works, explained that Robert Martin, Assistant General Manager of Lake of the Woods Association, Inc., had requested that the solid waste collection site inside of Lake of the Woods be closed on Saturday, July 3, 2010 due to activities planned within the Lake community which will likely generate more traffic than normal and feels

that if the collection center could remain closed it will make dealing with the traffic more manageable.

By consensus, the Board tabled discussion on this matter to its June 8, 2010 meeting.

RE: SUMMER KINDERGARTEN PREP CLASS

Ms. Jordan stated that the Orange County Parks and Recreation Department would like to offer a Kindergarten Prep Class for any upcoming Kindergartener registered in Orange County Schools. The program is scheduled to run three days per week (two hours per day) at Gordon Barbour Elementary, Orange Elementary, and Locust Grove Elementary. Topics to be covered include: alphabet recognition, color recognition, and shape recognition. She reported that a "trial run" of the program was done last year at Gordon Barbour Elementary and it went very well. This year, the program will be offered at the aforementioned elementary schools providing that there is enough interest and participation. The following fee schedule has been established to cover the cost of the program:

- \$75 full time child enrolled in Child Care Program;
- \$150 part time child enrolled in Child Care Program; and
- \$175 child not enrolled in Child Care Program.

Discussion ensued including: how this program differs from being in the babysitting business; additional child care costs; whether the program will pay for itself; and the number of children who participated in the Gordon Barbour program.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to approve the Summer Kindergarten Prep Class and fee schedule as presented. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: <u>MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES</u> <u>REGARDING CHILD CARE</u>

Ms. Jordan explained that the Orange County Department of Social Services and the Albemarle County Department of Social Services pay for child care services on behalf of parents utilizing Licensed Child Care Vendors through the Child Care Subsidy Program. This program is administered by the Department of Social Services and is designed to assist working parents with the cost of child care services. Ms. Jordan noted that everyone is charged the same rate.

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve the Memorandum of Agreement as presented with the Orange County Department of Social Services and the Charlottesville Department of Social Services regarding the Child Care Subsidy Program for Orange County Child Care Sites including: Orange Elementary, Gordon Barbour Elementary, and Locust Grove Elementary. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: LANDFILL CONTRACT

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to authorize the County Administrator to extend the contract with R. M. Soderquist for a period of six additional months beyond August 17, 2010. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: <u>DISCUSSION ITEMS</u>

RE: EMERGENCY TRANSPORT POLICY

Jamie Clark, Director of Fire and EMS, updated the Board on the Emergency Transport Policy including: efficiencies; deficiencies; patient complaints; and response time goals.

RE: BUILDING PERMIT FEE REVIEW: BILL SCHWIND, CHIEF BUILDING OFFICIAL

Bill Schwind, Chief Building Official, briefly reviewed the current building permit fees and requested the Board's consideration to increase the fee schedule to be consistent with surrounding localities.

By consensus, the Board requested that this item be added to its June 8, 2010 agenda for action.

RE: <u>LETTER OR RESOLUTION OF RECOGNITION TO F. GLENN AYLOR, JAIL SUPERINTENDENT</u>

Supervisor Burkett reported that F. Glenn Aylor, Superintendent of the Central Virginia Regional Jail, was recently named the Virginia Association of Regional Jails Superintendent of the Year at the regional jail conference in Virginia Beach. He suggested that the Board recognize Mr. Aylor by a letter or resolution.

By consensus, the Board requested staff to draft a resolution of recognition for presentation to Mr. Aylor at its next meeting.

RE: <u>INFORMATION ITEMS</u>

The Board received the following correspondence for its information:

Animal Shelter Grant Application

Ms. Jordan confirmed that the Board wants to continue to be advised of grant applications as an informational item even though there are no matching fund requirements from the County.

RE: COMMITTEE REPORTS

Mr. Goodwin reported that the Joint Planning Area (JPA) Committee approved its vision statement.

RE: CALENDAR

The Board received copies of its calendar for the months of May, June, and July, 2010.

By consensus, the Board scheduled a worksession on Tuesday, June 15, 2010, for the Comprehensive Plan beginning at 7:00 p.m.

RE: CLOSED MEETING AUTHORIZATION

At 8:51 p.m., Chairman Frame asked Ms. Pandak to read the following resolution authorizing a Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting a personnel matter and legal advice related thereto pursuant to §2.2-3711.A.1 VA Code Ann.

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

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

RE: CERTIFICATION OF CLOSED MEETING

At 9:55 p.m., Ms. Pandak read the following resolution certifying the Closed Meeting:

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.

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

RE: ADJOURNMENT

There being no further business to discuss, Mr. Goodwin moved, seconded by Mr. Burkett and carried, to adjourn the meeting at 9:56 p.m. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: None. Absent: Wilson.