

BOARD OF SUPERVISORS MINUTES

JUNE 24, 2014

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, June 24, 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 Mrs. Abbs and carried, to adopt the agenda as presented. 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
Animal Shelter	Prof. Serv. - Emergency Vet	\$ 1,373.29	Donations
Animal Shelter	Prof. Serv. - Emergency Vet	\$ 2,207.00	Donations
Subtotal Animal Shelter		\$ 3,580.29	
Economic Dev. Authority	EDA Fund	\$ 540,000.00	Grant
Subtotal Economic Dev. Authority		\$ 540,000.00	
Fire & EMS Capital Projects	Burn Building Renovation	\$ 1,600.00	Fire Chief's Assoc.
Subtotal Fire & EMS Capital Projects		\$ 1,600.00	
Child Care - GBES	Fundraising Supplies	\$ 2,400.00	Fundraising
Child Care - GBES	Special Event Expenses	\$ 2,846.00	Fundraising
Subtotal Child Care - GBES		\$ 5,246.00	
Child Care - OES	Fundraising Supplies	\$ 2,200.00	Fundraising
Child Care - OES	Special Event Expenses	\$ 177.00	Field Trip
Subtotal Child Care - OES		\$ 2,377.00	
Child Care - LGES	Fundraising Supplies	\$ 800.00	Fundraising
Subtotal Child Care - LGES		\$ 800.00	
Office on Youth	Tuition / Registration	\$ 307.00	Training Revenue
Office on Youth	Office Supplies	\$ 546.00	Fundraising
Subtotal Office on Youth		\$ 853.00	
Legal Services	Contract Services	\$ 5,000.00	Contingency

Legal Services	Prof. Serv. - Surveys	\$	5,000.00	Contingency
Subtotal Legal Services		\$	10,000.00	
Skyline CAP	Office Supplies	\$	270.00	Grant
Subtotal Skyline CAP		\$	270.00	

RE: MINUTES

This item was struck from the agenda.

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

RE: PUBLIC APPEARANCES

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 Spring programs and upcoming Summer programs;
- statistics for discount tickets sales;
- a presentation of the upcoming Playin' in the Park Celebration; and
- a highlight reel of photos from the past quarter.

The Board thanked Mr. Moubray for his presentation.

RE: PUBLIC COMMENT

At 5:13 p.m., Chairman Goodwin opened the floor for public comment.

There being no speakers, public comment was closed at 5:13 p.m.

RE: BOARD COMMENT

Supervisor Crozier commented on the useful information received at the recent Virginia Broadband Planning Workshop. He also mentioned regionalized radio systems, and how discussions could be beneficial.

RE: ACTION ITEMS

RE: APPROVAL OF FINAL PILOT PROGRAM, LEGAL AGREEMENTS, AND BUDGET FOR EMPLOYEE WELLNESS

R. Bryan David, County Administrator, explained that since the April 22, 2014, Board meeting, staff had been working to develop formal documents related to the advertisement and implementation of the Employee Health and Wellness Pilot Program. He provided an informational flyer that was intended to be used to advertise the Program for current and incoming County employees.

Mr. David also provided copies of the formal agreements between the County and Anytime Fitness, as well as the County and the participating employee, which had been drafted by the County Attorney. He noted that Anytime Fitness had reviewed the agreement and was amenable to the language as proposed.

Lastly, Mr. David stated that staff was requesting that the Board approve, in concept, the use of budgeted and unobligated funds from the Human Resources budget to fund this Program. He indicated that the funds were currently in the FY 2014 Human Resources budget under Position Reclassification, but would be re-appropriated in the FY 2015 budget to Human Resources - Organizational Development, and would take place with other re-appropriations as part of the budget process in August.

Discussion ensued among the Board regarding: when the reimbursement to employees would take place; reimbursement through payroll versus accounts payable; whether or not it would be considered taxable income; and requested revisions to the employee agreement.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve the flyer, legal agreements (as modified), and use of funds (in concept) for the implementation of the Employee Health and Wellness Program to begin July 1, 2014.

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

RE: FEE DONATION REQUEST FOR ANNUAL GORDONSVILLE STREET FESTIVAL

R. Bryan David, County Administrator, stated that the Gordonsville Volunteer Fire Company Auxiliary requested a fee donation for Landfill tipping fees associated with the annual Gordonsville Street Festival that would take place on October 4, 2014. He noted that although an estimated amount of the fee donation had not been provided, the standard in the past had been to set aside \$200 for similar fee donation requests, with the understanding that only the necessary amount, up to \$200, would be donated. Mr. David also reminded the Board there was \$5,000 remaining in the Refunds by Supervisors line item for FY 2015.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve a fee donation request for the Gordonsville Volunteer Fire Company Auxiliary for Landfill tipping fees associated with the annual Gordonsville Street Festival to be held on Saturday, October 4, 2014, using funds from Line Item 1100-49210001-45650 (Refunds by Supervisors) from the FY 2015 budget, in an amount up to \$200.

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: WAIVER OF LANDFILL TIPPING FEES FOR STREAM SWEEPER PROGRAM

Supervisor Abbs presented a request to the Board regarding a waiver of Landfill tipping fees for the Stream Sweeper program. The program is funded mainly by private landowners, and its mission is to clean all the trash from the Rapidan and Robinson Rivers over the next two (2) months. Mrs. Abbs noted that one of the largest costs associated with the program was the disposal of the trash that could not be recycled.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to approve a blanket waiver for Landfill tipping fees associated with Stream Sweepers, a clean-up program for the Rapidan River, using funds from Line Item 1100-49210001-45650 (Refunds by Supervisors).

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

RE: GERMANNA WILDERNESS AREA PLAN

R. Bryan David, County Administrator, explained that the Route 3 Strategic Visioning Initiative Steering Committee met on Monday, June 16, 2014, to continue its work on developing the Germanna Wilderness Area Plan. He provided the Board with a copy of the agenda package for the Steering Committee's meeting, adding that the Planning Commission and Economic Development Authority would be receiving similar briefings at their next meetings.

Supervisor Frame commented on one minor change that had been made to the Objectives list contained in the Germanna Wilderness Area Plan Policy Statement.

RE: STATE BUDGET UPDATE

R. Bryan David, County Administrator, stated that the Governor had received the State Budget (HB 5002) as adopted by the General Assembly on June 15, 2014, and he had until Sunday, June 22, 2014, to take action on the bill. He provided updated information on the proposed impending adoption of the State Budget.

Discussion ensued among the Board regarding: the effect of the supposed State Budget shortfall and whether or not the Composite Index for Orange County had decreased.

RE: PIEDMONT CROSSROADS VISITOR CENTER

R. Bryan David, County Administrator, indicated that the Tourism Department had been providing funding to Louisa County for the Piedmont Crossroads Visitors Center since 2005, in the amount of \$7,000 per year, for the Visitor Center located within the Best Western at Zion Crossroads in Louisa County. He explained that staff had concluded the return on this investment for tourism development could not be readily measured given the lack of data being collected and made available. Further, industry trends demonstrated that tourists were accessing information from web-based sources rather than drop-in visitation at a center.

Mr. David noted that this matter had been discussed with members of the Tourism Advisory Committee and the Committee members were in full agreement with discontinuing the funding to Piedmont Crossroads Visitors Center. The idea was that a potential reprogramming of these funds would be made available to the Tourism Advisory Committee to be used to expand tourism as an economic development strategy for Orange County.

Mrs. Abbs moved, seconded by Mr. Crozier and carried, to authorize staff to: 1) provide notice to Louisa County that funding would no longer be provided for the Piedmont Crossroads Visitors Center effective July 1, 2014; and 2) reprogram \$7,000 within the Tourism Department's FY 2015 operating budget from the Piedmont Crossroads Visitors Center to the Tourism Advisory Committee.

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

RE: BOARD OF SUPERVISORS' FINANCIAL POLICIES

R. Bryan David, County Administrator, noted that he and the Finance Director had begun development of a financial policies document to incorporate the current fund balance policy as well as the financial philosophy and policy concepts from the Board of Supervisors' Planning Retreat. He added that it was apparent the need to ensure the specific policy language used supported or enhanced Orange County's credit rating because the bond rating agencies considered the Board of Supervisors' adopted financial policies when conducting periodic rating reviews. As such, Mr. David added that staff was consulting with financial advisors at Davenport & Company to ensure the financial policies brought forward for consideration by the Board of Supervisors supported or enhanced the County's bond rating.

Mr. David explained that a draft financial policies document incorporating the fund balance policy, the financial philosophy and policy concepts from the Planning Retreat, and several proposed policies related to management of the annual operating budget would be presented at a Board meeting in July.

Discussion ensued among the Board regarding the need to examine and review existing financial policies while the new policies were being considered as well.

By consensus, the Board authorized that staff proceed with the development of financial policies incorporating the fund balance policy, the financial philosophy and policy concepts from the Board's Planning Retreat, and several proposed policies related to management of the annual operating budget, with the understanding that the policies brought forward at the July 22, 2014, meeting would support or enhance the County's bond rating.

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

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report

RE: COMMITTEE REPORTS

The Board received the following Committee Reports for its information:

- April 28, 2014 Health Center Commission Minutes
- May 6, 2014 Culpeper Soil and Water Conservation District Minutes

RE: CALENDAR

The Board received copies of its calendar for the months of June, July, and August 2014.

RE: SCHEDULE A PUBLIC HEARING FOR SUP 14-03 (HOFFMAN)

Mr. Frame moved, seconded by Mrs. Abbs and carried, to authorize staff to advertise for and schedule a public hearing for SUP 14-03 (Hoffman) on Tuesday, July 22, 2014, at 7:00 p.m.

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

RE: CLOSED MEETING

At 5:45 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 matter:

- 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)(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.

Mrs. Abbs moved, seconded by Mr. Crozier 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 6:50 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: PUBLIC HEARINGS

RE: PUBLIC HEARING #1: VACo / VML INVESTMENT POOL

At 7:00 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

Adoption of an Ordinance to establish a trust pursuant to Section 2.2-4501 of the Code of Virginia for the purpose of investing funds, other than sinking funds, determined to derive the most benefit from this investment strategy, in investments authorized under the Investment of Public Funds Act, jointly with other participating political subdivisions and public bodies in the Trust Fund and to adopt the VACo/VML Virginia Investment Pool Trust Fund Agreement.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:00 p.m.

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

ORDINANCE AUTHORIZING PARTICIPATION BY THE COUNTY OF ORANGE IN THE VACo/VML VIRGINIA INVESTMENT POOL TRUST FUND FOR THE PURPOSE OF INVESTING IN ACCORDANCE WITH SECTION 2.2-4501 OF THE CODE OF VIRGINIA

WHEREAS, Va. Code § 15.2-1500 provides, in part, that every locality shall provide for all the governmental functions of the locality, including without limitation, the organization of all departments, offices, boards, commissions, and agencies of government, and the organizational structure thereof, which are necessary to carry out the functions of government; and

WHEREAS, the Investment of Public Funds Act (Va. Code §§ 2.2-4500 through 2.2-4519) details the eligible categories of securities and investments in which municipal corporations, other political subdivisions, and other public bodies are authorized to invest funds other than sinking funds, belonging to them or within their control; and

WHEREAS, Va. Code § 15.2-1300 provides that any power, privilege, or authority exercised by any political subdivision of the Commonwealth of Virginia may be exercised jointly with any other political subdivision having a similar power, privilege, or authority, by agreements with one another for joint action in accordance with the provisions of that Code section; and

WHEREAS, the City of Chesapeake, Virginia and the City of Roanoke, Virginia have jointly established and participate in the VACo/VML Virginia Investment Pool (the "Trust Fund") for each such city; and

WHEREAS, it appears to the Board of Supervisors of the County of Orange, Virginia, that it is otherwise in the best interests of the County of Orange, Virginia to become a participating locality in the Trust Fund; and

WHEREAS, Phyllis M. Yancey, the Treasurer of the County of Orange, has the authority and responsibility under Virginia law to determine the manner in which public funds, other than sinking funds, under her control will be invested;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of June, 2014, that the Orange County Board of Supervisors does hereby resolve:

1. That the Board of Supervisors of the County of Orange hereby establishes a trust pursuant to Section 2.2-4501 of the Code of Virginia for the purpose of investing funds, other than sinking funds, determined to derive the most benefit from this investment strategy, in investments authorized under the Investment of Public Funds Act, jointly with other participating political subdivisions and public bodies in the Trust Fund. A copy of the VACo/VML Virginia Investment Pool Trust Fund Agreement (the "Agreement") is hereby attached and incorporated in this Ordinance as Exhibit A.
2. That the Board of Supervisors of the County of Orange agrees to become a "Participating Political Subdivision" in the Trust Fund, as further defined in the Agreement.
3. That the Board of Supervisors of the County of Orange does hereby designate the Treasurer of the County of Orange to serve as the trustee of the County of Orange with respect to the Trust Fund, and to determine what funds under the Treasurer's control shall be invested in the Trust Fund.
4. That the Board of Supervisors of the County of Orange hereby authorizes the Treasurer to execute and deliver the Trust Joinder Agreement for Participating Political Subdivisions under VACo/VML Virginia Investment Pool ("Trust Joinder Agreement"), a copy of which is hereby attached and incorporated by reference in this Ordinance as Exhibit B.
5. That this Ordinance shall become effective upon its adoption.

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

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mr. White and carried, to adjourn the meeting at 7:00 p.m. Ayes: Abbs, White, Goodwin, Crozier, Frame. Nays: None.

S. Teel Goodwin, Chairman

R. Bryan David, County Administrator