At a regular meeting of the Orange County Board of Supervisors held on Tuesday, June 25, 2013, 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; Grover C. Wilson; and James K. White. Also present: Julie G. Summs, 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 modified. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: CONSENT AGENDA

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

RE: FY13 SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations as presented:

DEPARTMENT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
June 25, 2013 **for FY2013**			
Asset Forfeiture - Sheriff	Forfeited Assets	$ 96.63	Forfeited Assets State (DCJS)
Subtotal Asset Forfeiture-Sheriff		**$ 96.63**	
Parks & Recreation	Recreation Supplies	$ 3,000.00	Liberty Ride-Grant
Parks & Recreation	Recreation Supplies	$ 390.76	Liberty Ride-Signage
Parks & Recreation	Insurance	$ 184.24	Liberty Ride-Signage
Parks & Recreation	Insurance	$ 220.76	Liberty Ride-Sponsorships
Parks & Recreation	Advertising	$ 96.70	Liberty Ride-Sponsorships
Subtotal Parks & Recreation		**$ 3,892.46**	
Fire & EMS	Training	$ 1,000.00	Donation
Subtotal Fire & EMS		**$ 1,000.00**	

RE: DELTA AIRPORT CONSULTANTS CONTRACT EXTENSION

As detailed in the memorandum provided to the Board by Kurt Hildebrand, Public Works Director, the County currently had an agreement with Delta Airport Consultants for Professional Engineering Services related to projects at the Orange County Airport. He noted that the term of this agreement began on July 1, 2011, with an initial term of one year and options for four (4) additional one-year periods. He further noted that the original agreement was renewed in 2012 and would expire on June 30, 2013, if not renewed at this time.

Mr. Hildebrand detailed that Delta Airport Consultants was currently providing services related to the Land and Easement Acquisition/Obstruction Removal Project and the T-Hangar Taxiway Rehabilitation Project and they remained an important partner for the Airport and continued to provide excellent service.

The Board authorized the County Administrator to extend the Base Agreement with Delta Airport Consultants for Airport Consulting Services. The Term of this Base Agreement renewal

shall be for one (1) year, until June 30, 2014, with remaining options to renew for two (2) additional one-year periods.

RE: EASTERN AVIATION FUELS CONTRACT EXTENSION

As detailed in the memorandum provided to the Board by Kurt Hildebrand, Public Works Director, Orange County entered into an Aviation Fuels Contract with Eastern Aviation Fuels, Inc. on August 1, 2003 and said contract had an initial term of five (5) years and allowed for successive twelve (12) month extensions thereafter, unless and until terminated by either party. He further explained that the agreement was revised August 1, 2009, and allowed for successive twelve (12) month renewals.

Mr. Hildebrand noted that Eastern Aviation Fuels, Inc. continued to provide competitive pricing that allowed the Orange County Airport fuel prices to remain attractive to both locally based as well as transient aircraft. He further noted that Eastern Aviation Fuels provided outstanding delivery services and worked well with the Airport during the fuel farm relocation/transition.

The Board authorized the County Administrator to execute amendments to renew the contract with Eastern Aviation Fuels, Inc., extending the agreement date to July 31, 2014, as provided in the contract dated August 1, 2009.

RE: ORDINANCE TO CORRECT A CLERICAL ERROR CONTAINED IN ORD. NO. 130611-7A, APPROVED JUNE 11, 2013

The Board adopted the following ordinance as presented:

AN ORDINANCE TO CORRECT A CLERICAL ERROR CONTAINED IN
ORD. NO. 130611-7A, APPROVED ON JUNE 11, 2013

WHEREAS, on June 11, 2013, the Board approved the rezoning of 75.8 acres from Agricultural (A) to approximately 47 acres of Multifamily Residential (R-4) and approximately 28 acres of General Commercial (C-2) on behalf of Signature Series Development, LLC; and

WHEREAS, the above described written Ordinance of Approval inadvertently included a clerical error referencing certain “staff conditions;” and

WHEREAS, said “staff conditions” were subsumed by the voluntary proffers made by the applicant; and

WHEREAS, pursuant to the Bylaws of the Board, §VI, the Board has the authority to amend its Rules of Procedure and authorize this correction of the clerical error; and

WHEREAS, said “staff conditions” were not intended by the Board to be a part of the final Ordinance of Approval, but were inadvertently included due to a scrivener’s error;

NOW, THEREFORE, BE IT ORDAINED, that Ord. No. 130611-7A is hereby corrected to strike the words: “and subject to staff’s conditions of approval as attached” and to strike the reference to the Attachment labeled “2. Staff Conditions for Approval.”

RE: MINUTES

The Board approved the following minutes:

- June 11, 2013 Regular Meeting

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

RE: PUBLIC APPEARANCES

RE: BUSINESS SPOTLIGHT

Mr. Kenneth Shirley, Operations Manager at EBA Engineering, Inc., appeared before the Board to spotlight his business. He explained that his office opened in Orange County on May 1, 2013, and was a full-service civil engineering consulting firm based in Maryland and had been in business for over 31 years. Mr. Shirley explained that services offered included civil site engineering, construction management and inspection, environmental engineering, geotechnical engineering, structural engineering, surveying and mapping, and transportation and water systems engineering, and had more than tripled their contracts in Virginia over the last year.

The Board thanked Mr. Shirley for his presentation.

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:

- Participation in spring and summer youth and adult programs;
- Discount ticket sales for Regal Cinemas and theme parks;
- A summary of the Pickin' N' Grinnin' event at Barboursville Park;
- Information on the Playin' in the Park Independence Day event; and
- A photo slideshow of the Rapidan River Day event for autistic children.

The Board thanked Mr. Moubray for his presentation.

RE: PUBLIC COMMENT

At 5:16 p.m., Chairman Goodwin opened the floor for public comment.

The following individual spoke:

- Ann Lawrence Grasty, resident of Orange County

There being no further speakers, public comment was closed at 5:18 p.m.

RE: BOARD COMMENT

Supervisor Abbs discussed the recent Friends of the Rapidan "Stream Sweepers" event that she attended over the weekend, and presented information on their efforts and initiatives to teach water safety, learn about the ecology and life in the Rapidan River, and clean up areas of the River.

RE: ACTION ITEMS

RE: FEE DONATION REQUEST FROM GORDONSVILLE VOLUNTEER FIRE COMPANY AUXILIARY

Julie Summs, County Administrator, explained that the Gordonsville Volunteer Fire Company Auxiliary was requesting a fee donation for tipping fees at the Landfill associated with the annual Gordonsville Street Festival in October, 2013. She noted that an estimate of the amount of the fee donation was not provided, but fee donations for similar events had averaged around $113 in the past.

Ms. Summs stated that the Board could take action on this fee donation request in the current year (FY 2013), but this event took place next year (FY 2014) and there was currently $5,000 remaining in the FY 2014 budget for the Refunds by Supervisors line item.

Mr. Frame moved, seconded by Mrs. Abbs 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 5, 2013 using funds from Line Item 4-100-092100-5830 (Refunds by Supervisors) from the FY 2014 budget.

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

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

RE: DISCUSSION ITEMS

RE: UPDATE ON E-911 CENTER
Nicola Tidey, E-911 Center Director, introduced Randy Vaughn, representative from Wiley|Wilson. Mr. Vaughn gave a PowerPoint presentation that contained information on long-term projected space needs and short-term projected space needs, as well as concept plans and budgets for the E-911 Center options.

Discussion ensued among the Board regarding: long-term vs. short-term space needs; the number of consoles and stations available; where the project would fit in the CIP; a new building vs. locating in an existing building; construction price per sq. ft.; possible ways to construct for less cost; comparisons to the Culpeper E-911 Center; hard costs (construction) vs. soft costs (equipment, furnishings); prioritization of space; next steps; any potential for grant funding; and water needs and resources. The Board indicated that new construction on the Sheriff's Office property would be the best option at this time. They thanked Mr. Vaughn for his presentation.

RE: INFORMATION ITEMS
The Board received the following correspondence for its information:

- Treasurer's Report for May
- Update on Trails System
- Update on Communication Plan
- Update on CSA Policies

RE: COMMITTEE REPORTS
The Board received the following Committee Reports for its information:

- May 7, 2013 Culpeper Soil and Water Conservation District Minutes
- May 8, 2013 School Board Minutes

RE: CALENDAR
The Board received copies of its calendar for the months of June, July, and August 2013.

RE: CLOSED MEETING
At 6:04 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 aforestated matter in Closed Meeting.

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

RE: CERTIFICATION OF CLOSED MEETING

At 7:04 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, Goodwin, Wilson, Frame, White. Nays: None.

RE: PUBLIC COMMENT: ROUTE 3 STRATEGIC VISIONING INITIATIVE

At 7:04 p.m., Chairman Goodwin opened the floor for public comment regarding the Route 3 Strategic Visioning Initiative.

The following individuals spoke:

- Steve Satterfield, 21041 Clarks Mountain Road, Rapidan, Virginia
- Robert Foster, 10812 Millridge Lane, Spotsylvania, Virginia

There being no further speakers, public comment was closed at 7:15 p.m.

RE: RECESS

The Board recessed their meeting at 7:15 p.m.

RE: RECONVENE

The Board reconvened their meeting at 7:30 p.m.

RE: PUBLIC HEARING

Josh Frederick, Senior Planner, reviewed the staff report and request from Randolph Raines, which included information on the location and specifications of the subject property, the request for the

Special Use Permit, the recommendation from the Planning Commission, and the conditions of the SUP being proposed by staff.

Randolph Raines, applicant, answered questions regarding changes to the current building onsite, including some remodeling for the office and store location.

At 7:36 p.m., Chairman Goodwin called the Public Hearing to order to receive comments on the following:

> **SUP 13-02:** Randolph Raines has applied for a Special Use Permit to open and operate a retail firearms store in an existing building, located at 22365 Constitution Highway in Unionville, Virginia and referenced as Tax Map No. 32-85. This request is pursuant to Section 70-303 of the Orange County Zoning Ordinance. The property has an existing Special Use Permit (#86-8) for the operation of Rock & Raines Construction, Inc. and storage of their equipment. This parcel is 9.401 acres in size and located on the north side of Constitution Highway, approximately 1.5 miles west of the intersection with Route 522.

There being no speakers, Chairman Goodwin closed the Public Hearing at 7:36 p.m.

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

SUP 13-02: ROCK AND RAINES GUN SHOP

WHEREAS, Randolph Raines has applied for a Special Use Permit to open and operate a retail firearms store in an existing building located at 22365 Constitution Highway in Unionville, Virginia and referenced as Tax Map No. 32-85, a 9.401 acre parcel located on the north side of Constitution Highway, approximately 1.5 miles west of the intersection with Route 522. This request is pursuant to Section 70-303 of the Orange County Zoning Ordinance; and

WHEREAS, the Orange County Board of Supervisors previously approved Special Use Permit #86-8 to allow Rock & Raines Construction, Inc. to operate and store equipment at 22365 Constitution Highway on October 14, 1986, pursuant to [then] Article 2-03-03 of the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance does not prohibit multiple Special Use Permits on a single property; and

WHEREAS, the Department of Planning and Zoning recommended approval of the Special Use Permit request subject to certain conditions; and

WHEREAS, the Planning Commission advertised and held a public hearing on the request on May 16, 2013; and

WHEREAS, the Planning Commission reviewed the request and has determined that the request is consistent with the Agriculture land use designation in the Comprehensive Plan, and, as such, recommended approval of the Special Use Permit request to the Board of Supervisors; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit request;

NOW, THEREFORE, BE IT ORDAINED, that the Orange County Board of Supervisors hereby approves SUP 13-02 for Randolph Raines, subject to staff's conditions of approval.

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

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjourn the meeting at 7:37 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

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S. Teel Goodwin, Chairman

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Julie G. Summs, County Administrator