

**BOARD OF SUPERVISORS MINUTES**

**JUNE 26, 2012**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, June 26, 2012, 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. Absent: None. Also present: Julie G. Summs, County Administrator; Sharon Pandak, County Attorney; and Ashley Jacobs, 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 Mrs. Abbs and carried, to approve the consent agenda as presented.

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

MONTH	DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
June 26,2012				
	Animal Shelter	Emergency Vet	\$ 861.00	Donations
	Animal Shelter	Emergency Vet	\$ 1,030.97	Donations
	<b>Subtotal Animal Shelter</b>		<b>\$ 1,891.97</b>	
	Sheriff	Triad Program	\$ 525.00	Donations
	Sheriff	Triad Program	\$ 668.86	Donations
	Sheriff	Community Policing Academy	\$ 550.00	Donations
	Sheriff	Police Supplies	\$ 1,114.00	2011 Byrne JAG Grant
	Sheriff	Police Supplies	\$ 709.00	2012 Byrne JAG Grant
	Sheriff	Gasoline	\$ 14,455.26	Compensation Board
	Sheriff	Salaries	\$ 10,000.00	Compensation Board
	<b>Subtotal Sheriff</b>		<b>\$ 28,022.12</b>	
	Fire & EMS	Pass-thru for Fire Training	\$ 12,584.00	Fire Programs Revenue
	<b>Subtotal Fire &amp; EMS</b>		<b>\$ 12,584.00</b>	
	Office on Youth	Supplies	\$ 1,349.86	Office Youth Fundraiser
	Office on Youth	Conference & Education	\$ 565.00	Child Care Training
	<b>Subtotal Office on Youth</b>		<b>\$ 1,914.86</b>	
	Building Inspections	2% State Surcharge Pymts	\$ 900.00	Building Permit Revenue
	<b>Subtotal Building Inspections</b>		<b>\$ 900.00</b>	
	Airport	Fuel Purchase (Jet A)	\$ 24,000.00	Airport Fuel Sales
	<b>Subtotal Airport</b>		<b>\$ 24,000.00</b>	
		<b>Total this meeting</b>	<b>\$ 69,312.95</b>	
		<b>Total Year to Date</b>	<b>\$ 2,989,917.54</b>	

RE: RESOLUTION OF RECOGNITION FOR ROBERT G. COOKE

The Board approved the following resolution as presented:

A RESOLUTION BY THE BOARD OF SUPERVISORS OF ORANGE COUNTY  
IN RECOGNITION OF ROBERT G. COOKE

WHEREAS, Robert G. Cooke has served as a volunteer with the Orange County Animal Shelter and with the Orange County Humane Society since April of 1998; and

WHEREAS, Robert G. Cooke has been a motivating force in organizing volunteers who have contributed hundreds of hours of labor on behalf of both organizations; and

WHEREAS, Robert G. Cooke has personally donated in excess of four thousand hours of work in holding adoption events, transporting companion animals to rescue agencies, facilitating community support and conducting fundraising efforts; and

WHEREAS, Robert G. Cooke has qualified for the President's Call to Service Award at the Lifetime Achievement level; and

WHEREAS, Robert G. Cooke has contributed significant financial support to the Orange County Animal Shelter towards the purchase of equipment, vehicles, veterinary care and for facility improvements; and

WHEREAS, Robert G. Cooke has left an indelible mark on the operations of the Orange County Animal Shelter and has increased the awareness of its programs and lifesaving initiatives;

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Supervisors publicly recognizes Robert G. Cooke and extends its appreciation for his dedicated and unselfish service to the County of Orange.

RE: RESOLUTION TO ADJUST COUNTY ADMINISTRATOR'S COMPENSATION  
The Board approved the following resolution as presented:

RESOLUTION TO ADJUST COUNTY ADMINISTRATORS COMPENSATION PLAN

WHEREAS, Julie G. Summs currently serves as a the Orange County Administrator on a contract basis;

WHEREAS, on April 10, 2012, the Orange County Board of Supervisors approved the FY2013 budget, to include a three and a half percent (3.5%) Cost of Living Adjustment (COLA) and five percent (5%) salary increase for Plan 1 Virginia Retirement System participants who are considered eligible employees; and

WHEREAS, the Orange County Board of Supervisors wishes to extend this same benefit to Mrs. Summs;

NOW, THEREFORE, BE IT RESOLVED that the additional compensation for Mrs. Summs be effective on July 1, 2012.

RE: MINUTES  
The Board approved the following minutes:

- June 12, 2012 Regular Meeting

RE: RESOLUTION OF RECOGNITION FOR MARIA "TOYITA" VICTORIA RIVERA

The Board approved the following resolution as presented:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS  
IN RECOGNITION OF MARIA "TOYITA" VICTORIA RIVERA

WHEREAS, Maria "Toyita" Victoria Rivera, has faithfully served as Marketing Coordinator and Graphic Designer for the Orange County Department of Tourism and Visitors Bureau since August 2005; and

WHEREAS, Mrs. Rivera played a key role in the creation of the look for marketing materials that branded the Orange County Tourism Department; and

WHEREAS, Mrs. Rivera was an instrumental player on the team recently awarded the 2012 Virginia Association of Convention and Visitors Bureaus (VACVB) Virgo Award in the category of Advertising & Promotions - Interactive for the Tourism website; and

WHEREAS, Mrs. Rivera has not only tirelessly worked for Orange County but has helped support the Orange Downtown Alliance, Orange County Chamber of Commerce and other partner organizations; and

WHEREAS, Mrs. Rivera has always being willing to help other County departments with any graphic design or photography needs; and

WHEREAS, Mrs. Rivera resigned her position effective June 8, 2012, after providing nearly seven years of dedicated service to the citizens of Orange County; and

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Supervisors extends its admiration to Maria "Toyita" Victoria Rivera, for her outstanding accomplishments, dedication and service to the County of Orange; and

BE IT FURTHER RESOLVED, that the Orange County Board of Supervisors also extends its appreciation for Mrs. Rivera's nearly seven years of devoted service to the County and best wishes for future endeavors.

RE: REVISED RESOLUTION OF RECOGNITION FOR COLEMAN C. COLVIN

The Board approved the following resolution as presented:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS  
IN RECOGNITION OF COLEMAN C. COLVIN

WHEREAS, Coleman C. Colvin, age 86, passed away on May 8, 2012; and

WHEREAS, Mr. Colvin known by most as "Dixie" began his term on the Orange County Board of Supervisors in 1975 as a District Two Supervisor and served until 1979; and

WHEREAS, Mr. Colvin was an honorably discharged United States Navy Veteran of World War II; and

WHEREAS, Mr. Colvin served dutifully on the Gordonsville Town Council; Orange County Nursing Home Commission; the Advisory Board of Nations Bank; the Orange Welfare Board; and the Gordonsville Fire Department as a 57 year member and past president; and

WHEREAS, Mr. Colvin was a member of Gordonsville United Methodist Church for many years; and

WHEREAS, Mr. Colvin strongly supported local business growth by owning and operating the former Dixie Food Market in Gordonsville; and

WHEREAS, Mr. Colvin at all times demonstrated a keen interest in the welfare of his community and the people he has served, and has left an ineffaceable mark on Orange County by his service, example, and dedication;

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Supervisors, on behalf of the citizens of Orange County, expresses deep appreciation to and recognition of Coleman C. Colvin for his service as an honored and respected community leader.

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

RE: PUBLIC APPEARANCES

RE: PRESENTATION OF RESOLUTION OF RECOGNITION FOR COLEMAN C. COLVIN  
Chairman Goodwin presented the Resolution of Recognition for Coleman C. Colvin to Mrs. Alice Colvin and family.

RE: PRESENTATION OF RESOLUTION OF RECOGNITION FOR ROBERT G. COOKE, LIFETIME PRESIDENTIAL SERVICE AWARD RECIPIENT  
Chairman Goodwin presented the Resolution of Recognition to Robert G. Cooke.

RE: PRESENTATION OF OFFICE OF EMERGENCY MEDICAL SERVICES (OEMS) ACCREDITATION FOR ORANGE COUNTY E911 CENTER  
Kenneth Crumpler, of the Office of Emergency Medical Services, appeared before the Board to explain the E911 Center's achievement of Emergency Medical Dispatching Accreditation. Orange County is one of only a few localities in Virginia to gain this accreditation. Mr. Crumpler presented the award for this State Accreditation to Chairman Goodwin, E911 Center Manager Nicola Tidey, and Communications Officer Pamela Lace.

RE: PUBLIC COMMENT  
At 5:17 p.m. Chairman Goodwin opened the floor for public comment. There being no speakers, public comment was closed.

RE: BOARD COMMENT  
There were no comments at this time.

RE: ACTION ITEMS

RE: APPROVAL OF CONTRACT FOR WEBSITE REDESIGN  
Joe Rodish, Procurement Technician, explained the website redesign project was funded for Fiscal Year 2013, to enlist the services of a company to redesign the current County website. Mr. Rodish noted that a committee was formed comprising of five (5) County departments that would have the most influence in regards to functionality of the website. He stated that members of the committee reviewed the potential design firms and also ranked the firms based upon a common set of criteria that was previously established. He stated that it was the overall consensus of the committee that the County pursue a contract with CivicPlus.

Mr. Rodish stated that this firm has been awarded a competitively procured contract through the General Services Administration (GSA) and that the contract contains cooperative procurement language which would allow the County to enter into a contract without seeking additional proposals from other design firms. He also noted the County will be receiving a \$5,000 discount which will aid staff in meeting the approved Capital Improvement Plan budget.

Discussion ensued regarding: the cost of the contract; recurring annual contract costs; the \$5,000 discount; internal server hosting versus external server hosting; the five year redesign service embedded in the contract; and the annual renewable nature of the contract.

Mr. Frame moved, seconded by Mr. White and carried, to authorize staff to enter into a cooperatively procured contract with CivicPlus to redesign the County's website.

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

RE: GORDONSVILLE VOLUNTEER FIRE COMPANY LANDFILL TIPPING FEE DONATION

Julie Summs, County Administrator explained that the Gordonsville Volunteer Fire Company has requested a fee donation for landfill fees associated with the Gordonsville Street Festival to be held on Saturday, October 6, 2012. Mrs. Summs noted that as FY13 begins on July 1, 2012, there are funds available in a line item to cover this expense. She further noted that at this time, \$600 remains unencumbered in this line item and no other major requests are anticipated.

Discussion ensued regarding: remaining funds; FY13 requests received to date; other anticipated FY13 requests; tracking funds which have been encumbered for this line item; and actual funds used.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve a contribution request for at least \$600 for the Gordonsville Volunteer Fire Company, for landfill tipping fee charges, associated with the Annual Gordonsville Street Festival, to be held on Saturday, October 6, 2012, and to revisit the fund closer to the event to evaluate if more funds are available at that time.

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

RE: RENEWAL OF JOYCE ENGINEERING CONTRACT

Kurt Hildebrand, Public Works Director, stated that in August 2011, Joyce Engineering was awarded a contract for Landfill Environmental Engineering Services beginning August 24, 2011, and ending June 30, 2012. Mr. Hildebrand noted the contract allows for four additional one-year renewals.

Mr. Hildebrand presented the renewal documents to the Board and explained the importance of noting that additional services will be required in Fiscal Year 2013, as monitoring will be required for the newly constructed cell (Permit #566) as well as continued monitoring of the closed landfill (Permit #90). He further noted that the total cost of these services, as proposed by Joyce Engineering, is \$87,200 and this is a not-to-exceed total which will hopefully come in less than the maximum.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize the County Administrator to execute an addendum to the contract with Joyce Engineering for Landfill Environmental Engineering Services. The contract addendum will have a term of July 1, 2012, through June 30, 2013, with a not-to-exceed contract amount of \$87,200 and the cost of this contract will be budgeted and funded from line items 04200-3103, 3183, 3185, 3186 & 3187.

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

RE: APPROVAL OF IN HOUSE COUNTY ATTORNEY CONTRACT

Chairman Goodwin stated that after working with Springsted to actively recruit an in house County Attorney, the successful candidate has been identified as Thomas E. Lacheney. He also noted that an agreement for Mr. Lacheney had been executed.

Mr. White moved, seconded by Mr. Frame and carried, to hire and appoint Mr. Thomas E. Lacheney as Orange County Attorney effective September 1, 2012, and to ratify the agreement dated June 20, 2012.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

There were no appointments.

RE: DISCUSSION ITEMS

RE: RAPIDAN SERVICE AUTHORITY WELL SITE

Supervisor Frame stated that Orange Youth Sports Foundation seems to have no problem with the site for Rapidan Service Authority's (RSA's) well site and that the County is waiting on the RSA Attorney to submit applicable documents regarding the site. Discussion ensued regarding: potential future football fields proposed by the Orange Youth Sports Foundation; easement locations; and the placement of the fence around the well site.

RE: FOIA FEE SCHEDULE

Julie Summs, County Administrator, stated that as the Board is aware, the County Administration Office receives Freedom of Information Act (FOIA) requests on a regular basis. Mrs. Summs noted that pursuant to Virginia Code Section 2.2-3704.F, the County can charge for materials and staff time used to generate the response to the specific request. She stated that currently the County uses a fee schedule similar to the proposed schedule, and the schedule before the Board for consideration is presented in an effort to formalize the FOIA fee process and produce a document which is easily accessible to the public. Mrs. Summs explained that one cost that is being memorialized is the cost of a DVD per meeting.

Discussion ensued regarding: the proposed minimum cost of \$10.00; the cost of DVD's; the actual costs incurred and actual staff time; the cost of copying; and the cost of vendor fees.

Mr. Frame moved, seconded by Mr. White and carried, to approve the following FOIA fee schedule as modified:

**PROPOSED FOIA FEE SCHEDULE EFFECTIVE JULY 1, 2012**

<b>Tasks</b>	<b>Base Fee</b>
<b>Cost of DVD of Single Meeting Date<sup>1</sup></b>	\$9.00
<b>Cost per DVD for Multi-Disk Recording of Single Meeting</b>	\$1.00/DVD
<b>Additional Copy of Same Meeting</b>	\$1.00/ DVD

<b>Copy of Data CD</b>	Same Fee Schedule as Meeting DVD'S
<b>Paper Copy Reproduction<sup>2</sup></b>	
8 1/2" x 11"	\$.25/page
11" x 17"	\$.50/page
<b>Postage if Mailed</b>	Standard Postage
<b>Email Cost</b>	\$0.00
<b>Maps/Plats</b>	
Color Copy 8-1/2"x11"	\$1.00/page
Color Copy 11"x17"	\$1.00/page
Color Copy 18"x24"	\$10.00/page
Black & White Copy 8-1/2"x11"	\$.50/page
Black & White Copy 11"x17"	\$1.00/page
Black & White Copy 18"x24"	\$10.00/page
<b>Vendor Fee<sup>3</sup></b>	Actual Incurred Cost
<b>Staff Time Calculated by Employee Hourly Pay Rate</b>	Actual Incurred Cost

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

RE: ECONOMIC DEVELOPMENT EXISTING INDUSTRY PLAN OF WORK (PRIORITY ONE DELIVERABLE)

Karen Epps, Economic Development Director, explained a proposed Business Retention and Expansion (BRE) Program and stated that while past efforts to work with existing businesses have had some success, we now plan to progress to a much more formal program, entitled, Business First Orange. Mrs. Epps stated the BRE program assists businesses in an effort to: (1) help them to survive economic difficulties; (2) assist them with expansions that add new jobs and investment; and (3) increase their competitiveness in the global marketplace. She explained that the Economic Development Office plans to accomplish these goals through the use of the (1) Executive Pulse/Business Database; (2) Visitation Volunteers; (3) Communication Programs; and (4) Educational Programs.

Mrs. Epps stated that the immediate outcomes of the BRE Program will be an increased number of face-to-face business visits; building of relationships in the business community; and learning of any issues first hand. She also stated that long term outcomes of the BRE Program include: information gathered which will allow us to address workforce development issues, development of a high level of trust, and the ability to head off potential problems.

Discussion ensued regarding: seminars run by the Chamber of Commerce; the partnership of the Economic Development Office and the Chamber of Commerce; the recommended Executive Pulse Survey for businesses; the frequency of monitoring business trends and face-to-face business visits; whether or not specific actions will be forthcoming to the Board; the need for businesses to receive a return for their extensive efforts in the Program; the need to spread the word about the Program; and the best way to do this; regional/State database accessibility; modules of the database which can reproduce non-confidential information; the integral nature of the local database with the Regional and State databases; and the need for the database/BRE Program to have an outflow of data to the businesses, not just Orange County Staff and the Board of Supervisors. Given the feedback, Mrs. Epps planned adjust aspects of the program and move forward.

RE: PLAN OF ACTION FOR THE JULY 8, 2012, BOARD OF SUPERVISORS LAND USE WORKSESSION

Supervisor Abbs stated that following the Board's Joint Meeting with the Planning Commission on June 21, 2012, she felt the need to establish a plan of action for the July 8, 2012, scheduled Board of Supervisors Land Use Worksession. She explained that the Board needed to discuss viable options at the Worksession not Land Use ideologies. Supervisor Abbs challenged the Board to decide what they hoped to accomplish and how they proposed for it to be accomplished and to send their individual suggestions to County Administrator, Julie Summs, by Tuesday, July 2, 2012. Discussion ensued and the Board agreed to send their suggestions to Mrs. Summs.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Treasurer's Report: Phyllis Yancey, Treasurer
- CSA Monthly Report for May: Alisha Vines, Office on Youth Director
- Education Marketing Piece (Priority Three Deliverable): Karen Epps, Economic Development Director
- Contingency Balance Update: Glenda Bradley, Finance Director
- Airport Obstruction Removal: Kurt Hildebrand, Public Works Director

Discussion ensued regarding: the Draft Audit documents submitted with the CSA Monthly Report and the intentional punitive nature of the document; the grammatical errors throughout the document; and the need for the Virginia Association of Counties (VACo) and the State Mandate Committee to be made aware of the Board's concerns regarding this document and to review the content of the document. Staff was instructed to send a letter to VACo and applicable State officials to request a review of the document/program to see how it aligned with best practices.

RE: COMMITTEE REPORTS

There were no committee reports.

RE: CALENDAR

The Board received copies of its calendar for the months of June, July, and August 2012.



RE: SCHEDULE PUBLIC HEARING FOR CONSIDERATION OF ADOPTION OF 2012 RAPPAHANNOCK RAPIDAN REGIONAL HAZARD MITIGATION PLAN – JULY 24, 2012, AT 7:30 P.M.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to schedule a public hearing for consideration of adoption of the 2012 Rappahannock Rapidan Regional Hazard Mitigation Plan for Tuesday, July 24, 2012, at 7:30 p.m.

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

RE: CLOSED MEETING

At 6:43 p.m. Ms. Pandak read the following motion authorizing Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting the following matter(s):

- Two matters of discussion or consideration of the investment of public funds where 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 VA Code Ann.); and
- One matter of discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community, and legal advice related thereto (§2.2-3711.A.5 VA Code Ann.);

WHEREAS, pursuant to §§2.2-3711.A. 5, 6 and 7 VA Code Ann., such discussion(s) may occur in Closed Meeting;

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

Mr. Frame made a motion, seconded by Mrs. Abbs and carried, approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 8:22 p.m. Ms. Pandak read the following resolution re-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 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.

Mrs. Abbs made a motion, seconded by Mr. Frame and carried, approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, Mrs. Abbs moved, seconded by Mr. Frame and carried, to adjourn the meeting at 8:23 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