BOARD OF SUPERVISORS MINUTES **August 9, 2011**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 9, 2011 beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Jr., Chairman; Shannon Abbs, Vice-Chairman; S. Teel Goodwin; Grover Wilson; and Zack Burkett. Absent: None. Also present: Julie G. Jordan, County Administrator; Sharon Pandak, County Attorney; and Ashley Jacobs, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following Supplemental Appropriations for FY2011 and FY2012:

FY2011 DEPT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
Animal Shelter	Emergency Vet	$ 633.59	Donations
Animal Shelter	Vaccinations	$ 845.00	Donations
Subtotal Animal Shelter Donations		$ 1,478.59	
Library-Orange		$ 119.28	Lost Book Fees
Subtotal Library Lost Book Replacements		$ 119.28	
Office on Youth	Orange Child Care Program	$ 4,303.00	Program Income
Subtotal Office on Youth		$ 4,303.00	
	Total this request	$ 5,900.87	
	Total Year to Date	$ 298,785.86	

FY2012 DEPT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
Orange County Library	Books	$ 1,500.00	Donation
Subtotal Library		$ 1,500.00	
The Arts Center in Orange	Challenge Grant Funds & match	$ 4,500.00	Grant Revenue
Subtotal Cultural Enrichment & Contrib.		$ 4,500.00	
	Total this request	$ 6,000.00	
	Total Year to Date	$ 23,799.00	

RE: BUDGET TRANSFERS

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount
County CIP Fund	CIP Fund 312	School Operating Fund	CIP Expenditures	170,243.35

Transfer from County CIP fund for actual FY11 School CIP expenditures

RE: MINUTES

The Board approved the following minutes:

- July 26, 2011 Regular Meeting

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

Alisha Vines, Office on Youth Director, was recognized as Employee of the Month for August, 2011.

RE: PRESENTATION OF SERVICE AWARDS

Chairman Frame presented service awards to the following employees:

- Betty Jean Hughes 5 Years Orange County Library Aide
- Patricia Dahl 10 Years Orange County Animal Control
- Phyllis Yancey 20 Years Treasurer

The following employees were not in attendance but were also recognized for their service:

- Ernest Malone 5 Years Orange County Sheriff's Office Deputy
- Khary Stringer 5 Years Fire/EMS
- Herbert Brooking 5 Years Landfill Collections

RE: INTRODUCTION OF DONNA JENNI, GENERAL REGISTRAR

Julie Jordan, County Administrator, introduced Donna Jenni, General Registrar for Orange County, to the Board. Ms. Jordan stated that Ms. Jenni is a graduate of the University of Mary Washington and has been with Orange County in the Voter Registration and Elections office since September of 2009, where she previously served as the Election Manager/Deputy Registrar.

RE: OFFICE ON YOUTH QUARTERLY REPORT

Alisha Vines, Office on Youth Director, presented the third quarter Office on Youth report for 2011. Mrs. Vines updated the Board on the following topics:

- Referrals for community service placements
- Community service hours completed in FY 2011
- Staff's work with Chrysalis Counseling in Culpeper to bring an anger management program to Orange County
- School Supply Drive
- Youth Council and its upcoming year
- Strengthening Families Program

- Starting the process of designating of a Teen Center for the County
- Looking into potential activities for after school programs/events
- Changes in Comprehensive Services Act (CSA) regulations and Medicaid funding changes
- Potential refund from CSA

Chairman Frame inquired about the interface of state level CSA and state level Medicaid. Mrs. Vines stated that she would look into the coordination of state level CSA and state level Medicaid and report back to the Board.

RE: ACTION ITEMS

RE: LOCUST GROVE CHILD CARE – SURPLUS SUPPLIES DISPOSAL

Alisha Vines, Office on Youth Director, explained to the Board that with the closure of the Locust Grove Child Care site, various surplus items from the site remain. She stated that she would like to transfer some of these items to the other two child care sites and some of the surplus items to other departments within the County, per the surplus policy.

Mrs. Vines asked the Board for permission to dispose of any remaining items through either sale directly to other interested entities or through a yard sale type venue. She stated the pricing of the items would be according to the County's policy and under the direction of the Procurement Technician. She also asked the Board's permission to donate those items that are not sold to an appropriate organization.

Discussion ensued about the possibility of the site re-opening and the subsequent need for the supply items that have been disposed of to once again be needed.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to approve surplus supplies disposal for the Locust Grove Child Care Site pursuant to regulations set forth in the County's Surplus Disposal Policy.

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

RE: CONVERSION OF PART-TIME HOURS TO FULL-TIME POSITION

Jamie Clark, Fire and EMS Director, reminded the Board about his request and their decision to restructure a portion of funding for part-time staffing in order to fund an additional full-time Firefighter/EMT position back in August of 2010. He explained that the change proved to be beneficial to the department and its mission, and further explained the effectiveness of restructuring the hours from part-time to full-time and the positive impact it had on the department.

Mr. Clark requested approval from the Board to restructure the remaining funds in line item 32310-1322 from part-time to the regular salary line item 32310-1111, to partially cover the expenses related to hiring one additional 48 hour per week Firefighter/EMT. He stated that it will result in the elimination of six allotted part-time positions within the department, of which they routinely only receive hours from two of the six employees.

Mr. Clark further explained that the remaining cost of $15,434.00 associated with hiring one full time 48 hour per week Firefighter/EMT will be substantially offset by a reduction in the number of overtime hours paid to hold over 24 hour shift employees and to cover for sick leave usage. He stated that data was compiled related to sick leave and that the savings for a one year period was estimated at $14,409.00. He explained that this cost along with reduced cost in uniforms, fire gear, and training will more than cover the cost difference related to hiring one additional full-time Firefighter/EMT.

Discussion ensued regarding the overtime offset proposed by Mr. Clark and about the potential for the offset to not be realized.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to approve the proposed restructuring of personnel to eliminate all part-time positions and create one additional 48 hour week Firefighter/EMT.

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

RE: MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ORANGE COUNTY AND DEPARTMENT OF SOCIAL SERVICES

Glenda Bradley, Director of Finance, presented the Board the Memorandum of Understanding (MOU) regarding the method of reimbursement for facility and occupancy costs for the space used by the Social Services Department located in the Sedwick Building.

Ms. Bradley explained that based on an allocation of square footage, the County Finance department will invoice the Social Services department monthly for $1,088 in building depreciation expenses and approximately $5,215.08 in operating costs (based on the adopted annual operating budget). She further stated that the total amount to be paid by Social Services for the use of the facility on an annual basis is approximately $75,637.00, but will be invoiced each month based on actual operating expenses.

Ms. Bradley explained that the MOU presented has been reviewed and approved by Kathy Trueman of the local Department of Social Services office, Vickie Johnson-Scoot, Northern Region Director of the Virginia Department of Social Services, and the County Attorney's office and that it was staff's recommendation that the Board approve the MOU as presented.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to approve execution by the County Administrator of the updated Memorandum of Understanding for payment of facility and occupancy costs of the Social Services Department.

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

RE: DELTA AIRPORT CONSULTANT'S AMENDMENT NO. ONE (1)

Kurt Hildebrand, Public Works Director, explained to the Board that staff is currently pursuing grant funding from the Virginia Department of Aviation (DOAV) for the Fuel Farm Relocation Project (Construction Phase). He stated that staff has provided DOAV with the bid information as well as Delta's Engineering Amendment Number One (1). He stated that this Amendment contains Delta's fees for construction phase services.

Mr. Hildebrand explained that Amendment One has been reviewed by staff and DOAV and that he has enclosed the amendment along with confirmation of review from DOAV and the County Attorney's office. He stated that staff recommends this amendment be executed contingent on receipt of grant funding and upon notice from DOAV that the grant funding is available. He further stated that staff will seek the Board's approval to implement the grant before its execution.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to execute Engineering Amendment No. One (1) with Delta Airport Consultants for the Fuel Farm Relocation Project (Construction Services), contingent on receipt of DOAV grant funding.

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

RE: LEGAL SERVICES CONTRACT – FY12 (CONTINUED)

Julie Jordan, County Administrator, explained that during the budget process, the Board considered alternatives for legal services. She stated that a competitive search was conducted and applications were received, but that after reviewing the applications, the Board indicated an interest in retaining the law firm Greehan, Taves, Pandak and Stoner, specifically Sharon Pandak, for continued services as County Attorney through June 30, 2012.

Ms. Jordan stated that a resolution is before the Board for its review and consideration to secure legal services for FY12.

Mr. Burkett moved, seconded by Mr. Goodwin, to approve the resolution as presented. There was no vote taken at this time. Discussion ensued about legal representation and about the term of the contract extension.

Mrs. Abbs moved to table the matter until after the dinner break. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: APPROVAL OF PETSMART CHARITIES GRANT

Julie Jordan, County Administrator, stated that an award letter has been received from PetSmart Charities after review of our recent grant application and stated that the County is being awarded a grant amount of $37,500.00. She explained that the PetSmart Charities Grant requires that a Grant Agreement and Grant Statement be signed by both parties, before the grant is considered fully executed. Ms. Jordan asked for the Board's approval to execute the Agreement and Statement on behalf of the County.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to approve the PetSmart Charities Grant as presented.

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

Mrs. Abbs stated that she wished to congratulate Beth Hamilton, Animal Shelter Director, and her staff for their ability to obtain funding through grants and donations. Mr. Frame stated that he wished to thank her for the volunteer base that she has built. By consensus, the Board directed Julie Jordan, County Administrator, to convey their sentiments to Beth Hamilton and her staff.

RE: CONTRIBUTION TO SHILOH BAPTIST ASSOCIATION FOR FEE DONATION

Julie Jordan, County Administrator, stated that the Shiloh Baptist Association, located in Culpeper, Virginia, is requesting a fee donation for landfill fees associated with Impact Virginia, which was held on June 26 – July 1, 2011, with some tipping fees occurring after July 1, 2011.

Ms. Jordan stated that funds are potentially available for this request for FY12. She further stated that other approved expenditures for this account have been for the Gordonsville Volunteer Fire Company related to the Gordonsville Street Festival, the Orange County Fair Association for the 2011 Orange County Fair, and the Somerset Steam and Gas Association for the Annual Pasture Party and that approximately $2,000 is available at this time.

Discussion ensued about the amount of the request and about whether or not all of the refuse was collected in Orange County, Virginia.

The request died for lack of a motion.

RE: RAPIDAN VOLUNTEER FIRE DEPARTMENT CONTRIBUTION

Supervisor Wilson stated that he would like the Board's support to reinstate funding for FY12 for Rapidan Volunteer Fire Department in the amount of $14,066.00 and to take these funds from Reserve.

Discussion ensued about location of the department, Rapidan Volunteer Fire Department's response to mutual aid calls in Orange County, and about the funding that Rapidan Volunteer Fire Department receives from Culpeper County.

Mr. Goodwin moved to table the matter until the next meeting on August 23, 2011.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: DISCUSSION ITEMS

RE: COMMUNITY DEVELOPMENT ROOF REPLACEMENT

Kurt Hildebrand, Public Works Director, stated that the condition of the Community Development Building roof is poor and that the roof is in need of repair. Mr. Hildebrand also informed the Board of the history of prior roof replacement discussions. He stated that staff's recommendation is to replace the roof before winter.

By consensus, the Board directed staff to begin the process for bidding out services for roof replacement on the Community Development building and bring the bid results back to the Board for further action.

RE: REQUEST TO DRILL WELL

Kurt Hildebrand, Public Works Director, stated that a request has been made by Rapidan Service Authority (RSA) to drill a well on County property.

Discussion ensued about the location of the well, the effect on surrounding water tables, the location of the easement(s), maintenance of the enclosed area, and ownership of the well.

By consensus, the Board directed staff to contact a Rapidan Service Authority (RSA) representative and request that RSA make a presentation to the Board explaining their request to drill a well on County property and be prepared to answer questions raised by the Board.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Parks and Recreation Bi-Annual Report
- Department Director(s) Response to Power Outage on July 13, 2011
- Proposed Post Office Closures
- Virginia Department of Transportation Monthly Report for August

RE: COMMITTEE REPORTS

Supervisor Abbs reported on the progress of the Agritourism Sub-committee. She stated that the Committee has met three times and will meet for the fourth and last time next Monday, August 15, 2011. Mrs. Abbs updated the Board on the progress of the Committee to include: the Committee's creation of goals for the Comprehensive plan and the proposed logo which would be designed to brand agritourism

in Orange County. Mrs. Abbs announced that there will be an Agritourism Workshop for business owners and entrepreneurs on September 27, 2011 from 10:00 a.m. – 4:00 p.m. at the Orange County Airport Terminal.

RE: CALENDAR

The Board received copies of its calendar for the months of August, September and October 2011.

Chairman Frame announced that the Ribbon Cutting Ceremony for the new school would be moved to 6:00 p.m. on August 30, 2011.

Chairman Frame stated that the Board meeting scheduled to be held at Lake of the Woods Clubhouse may be better suited for the November 16, 2011, rather than the September 27, 2011 meeting, because the November meeting is on a Wednesday and the Clubhouse Restaurant is also open on Wednesdays.

By consensus, the Board agreed to change the location of the November 16, 2011 meeting from the Gordon Building in the Town of Orange to Lake of the Woods, and to change the location of the September 27, 2011 meeting from Lake of the Woods back to the Gordon Building in the Town of Orange.

RE: SIGNAGE ON WILLIS ROAD (ROUTE 703)

Supervisor Burkett stated that he had a request for additional signage on Willis Road (off of Monrovia Road) to make people aware of the children playing in the residential area.

The Board directed staff to prepare a resolution for the next meeting and to ask the Virginia Department of Transportation for signage options for Willis Road.

RE: CLOSED MEETING

At 5:13 p.m., Mrs. 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):

- One matter regarding consideration of prospective candidates for employment and contract proposals;
- Two matters of legal advice regarding the Subdivision Ordinance and Zoning Ordinance;
- One matter of acquisition of real property for a public purpose;
- One matter of legal advice regarding an economic development prospect; and

WHEREAS, pursuant to §§2.2-3711.A. 1, 3 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 aforestated matter(s) in Closed Meeting.

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

RE: CERITFICATION OF CLOSED MEETING

At 7:01 p.m., Mrs. Pandak read the following resolution certifying the 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.

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

RE: PUBLIC APPEARANCES (CONTINUED)

RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES (RRCS) RESOLUTION PRESENTATION

Brian Duncan, Executive Director of the Rappahannock-Rapidan Community Services (RRCS), updated the Board on the FY12 Program Plan and Budget. Mr. Duncan informed the Board of the goals of the RRCS and provided information about the services that are provided by RRCS, providing Orange County specific information on these services/funding.

RE: ACTION ITEMS (CONTINUED)

RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES RESOLUTION

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

A RESOLUTION TO RECEIVE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES (RRCS) FY 2012 PERFORMANCE CONTRACT WITH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES AND THE AREA PLAN FOR AGING SERVICES

WHEREAS, in June 2011, RRCS adopted its Performance Contract with the Department of Behavioral Health and Developmental Services, and its Area Plan for Aging Services with the Department of Aging; and

WHEREAS, the Orange County Board of Supervisors has received a request from RRCS that it endorse the Contract and Plan by either approving both documents or acknowledging that the Board of Supervisors participated in the review process and has no further additional comments; now, therefore, be it

RESOLVED, by the Orange County Board of Supervisors this 9th day of August, 2011 that the Orange Board of Supervisors does hereby receive the FY 2012 RRCS Performance Contract with the Department of Behavioral Health and Developmental Services and the 2012

Area Plan for Aging Services, and acknowledges that the Orange County Board of Supervisors participated in the review process and has no additional comments regarding the Contract or Plan.

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

RE: PUBLIC COMMENT

Chairman Frame opened the floor for public comment. The following individual(s) spoke:

- Kevin Cook and Mary Ann Cook, 18545 Brick Church Road, commented on the water situation at that residence.

Chairman Frame reiterated to Mr. Cook that the County did not have a mechanism in place to address Mr. Cook's water issues.

RE: ACTION ITEMS (CONTINUED)

RE: LEGAL SERVICES CONTRACT – FY12 (CONTINUED)

Supervisor Burkett moved to remove the table on the Legal Services Contract matter.

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

APPROVAL OF SHARON E. PANDAK OF GREEHAN, TAVES, PANDAK & STONER, PLLC, TO CONTINUE SERVING AS COUNTY ATTORNEY THROUGH FY 2012

WHEREAS, the Board of Supervisors of Orange County has had an agreement with Greehan, Taves, Pandak & Stoner, PLLC, for Sharon E. Pandak to serve as County Attorney; and

WHEREAS, the Board desires to continue to retain Ms. Pandak as County Attorney through Fiscal Year 2012;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County hereby approves Sharon E. Pandak to continue as County Attorney through FY2012, and authorizes the Chairman to execute an agreement with Greehan, Taves, Pandak & Stoner, PLLC, on the Board's behalf.

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

RE: BOARD COMMENT

No comments were made at this time.

RE: ADJOURNMENT

There being no further business to discuss, Mrs. Abbs moved, seconded by Mr. Burkett and carried, to adjourn the meeting at 7:40 p.m. Ayes: Abbs, Wilson, Frame, Burkett. Nays: Goodwin.