

BOARD OF SUPERVISORS MINUTES

AUGUST 10, 2010

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 10, 2010 beginning at 4:00 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; Zack Burkett; and Grover Wilson. Also present: Julie G. Jordan, County Administrator; Sharon E. Pandak, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

**COUNTY OF ORANGE, VIRGINIA
FY10-11 SUPPLEMENTAL APPROPRIATIONS**

MONTH	DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
August 10, 2010 for	FY2011			
	Sheriff's Office	Forfeited Assets	\$ 135.09	Forfeited Assets State
	Sheriff's Office	Forfeited Assets	\$ 93.39	Forfeited Assets State
	Sheriff's Office	Forfeited Assets	\$ 12.96	Forfeited Assets State
	Sheriff's Office	Grant Revenue NOVA DC	\$ 5,000.00	Grant Revenue
	Subtotal Sheriff Office		\$ 5,241.44	
	Library	Library of Virginia	\$ (8,600.00)	State Contribution
	Subtotal Library		\$ (8,600.00)	
	Animal Shelter	Building Expansion	\$ 28,771.00	Donations
	Subtotal Animal Shelter		\$ 28,771.00	
	OFEMS	Fire Programs Grant	\$ 6,073.00	Grant Revenue
	Subtotal OFEMS		\$ 6,073.00	
		Total this request	\$ 31,485.44	
		Total Year to Date	\$ 45,731.44	

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

RE: PUBLIC APPEARANCES

RE: RECOGNITION OF THE EMPLOYEE OF THE MONTH

Janet Jones, Permit Technician in the Planning and Zoning Department, was recognized as the Employee of the Month for August, 2010.

RE: PRESENTATION OF SERVICE AWARD

Lieutenant Colonel Timothy Murphy with the Orange County Sheriff's Office was recognized for his thirty years of dedicated service to the County.

RE: INTRODUCTION OF NEW EMPLOYEES

Ms. Jordan introduced Alisha Vines as the new Office on Youth Director and Gene Stewart, Jr., as the new E911 Manager.

RE: TRI-COUNTY TRACK MEET TROPHY RETURN

Chairman Frame formally returned the Tri-County Track Meet trophy to Bob Reid, which has been in the possession of Orange County throughout the year since it was won by Orange County participants.

RE: VDOT UPDATE

Ms. Jordan stated that the monthly VDOT report will be added as an information item on future agendas.

RE: PRESENTATION OF THE DRAFT WATER SUPPLY PLAN

Tim Wagner with Wiley/Wilson briefly reviewed the draft Water Supply Plan and answered questions from the Board.

RE: ACTION ITEMS

RE: ACCEPTANCE OF VIRGINIA DEPARTMENT OF AVIATION GRANT

Kurt Hildebrand, Director of Public Works, reported that the County had received a grant offer from the Department of Aviation (DOAV) in an amount not to exceed \$7,500 for expenses related to the grand opening event of the new Airport Terminal. He stated that during the budget process, \$15,000 was earmarked in the Orange County Capital Improvements Plan (CIP) for the proposed event, and it was anticipated that the DOAV would fund 50%. Mr. Hildebrand noted that the grant offer must be executed by August 23, 2010 or it ceases to become effective. He stated that staff does not anticipate the actual cost of the event to be \$15,000 as indicated in the CIP; however, by accepting the grant offer, the County can be assured of a 50% reimbursement from the DOAV. Mr. Hildebrand concluded by saying that legal counsel has reviewed the grant offer and approved as to form.

Discussion ensued including: the State's promotion within the Commonwealth; fundraising efforts within the Airport community; and the benefits to the County.

The Board requested that Mr. Hildebrand bring the event plan back to the Board for its review.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to authorize the County Administrator to execute the DOAV Grant Agreement, Project No. P00037-02, for a Grand Opening Event at the new Airport Terminal Building. Note: this grant states that the maximum obligation of the Commonwealth of Virginia shall be 50% of all eligible costs and shall not exceed \$7,500. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: ANIMAL SHELTER BUILDING EXPANSION

Ms. Jordan stated that the fundraising goal for the Orange County Animal Shelter's Capital Improvement Plan (CIP) for the "*Building Expansion Phase 1: Medical Isolation & Treatment Room*" has been met. She reported that to date, donations in the amount of \$144,685 have been raised. Ms. Jordan noted that the County received eight responses to the Invitation to Bid (IFB) for the medical isolation and treatment room. The lowest bid was from McGee Brothers

in the amount of \$123,248.40. She concluded by saying that, with sufficient funds accumulated for the proposed project, staff is requesting the Board's authorization to enter into a contract with McGee Brothers in the amount of \$123,248.40. Ms. Jordan noted that no additional local funds will be required.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to authorize the County Administrator to enter into a contract with McGhee Brothers in the amount of \$123,248.40 for construction of the medical isolation and treatment room at the Animal Shelter. Funding for this project is appropriated in the Capital Project Fund. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: FAREWELL REMARKS TO KAREN KARANSINSKI

Chairman Frame thanked Karen Karasinski, Finance Director, for her work in Orange County and wished her well in her new position in Georgia.

RE: RECESS FOR DINNER: JOINT MEETING WITH THE ORANGE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

At 5:30 p.m., the Board recessed the meeting to travel to the Orange Train Station for a joint dinner meeting with the Orange County Economic Development Authority (EDA). The Board reconvened the meeting at 5:45 p.m.

Jim White, Chairman of the (EDA) thanked the Board for its time. He introduced Mike Harvey, Executive Director of the Thomas Jefferson Partnership for Economic Development. Mr. White briefed the Board, via a Power Point presentation, on the Strategy and Plan of the EDA including: contributing factors for success of the Plan; four-part action strategy; Route 3 Corridor; zoning for "Master Plans"; Mixed Use Concept; Mixed Use District characteristics; master plan features; master plan approval process; and the EDA proposed task list.

Discussion ensued including: establishing a vision for development; feature for destination; Mixed Use/Town Center Zoning; the need to address the immediate needs of the County; the need to redirect and attract businesses to the County; the need to identify economic development priorities and development of the Route 3 Corridor in the Comprehensive Plan; and the consideration of an amendment to the Zoning Ordinance to include Mixed Use/Town Center Zoning as a stand alone zone.

Mr. White thanked the Board for its time.

The meeting was recessed at 6:39 p.m. and reconvened in Open Meeting at 7:00 p.m.

RE: PUBLIC COMMENT

RE: UPDATE FROM SHELTERING ARMS BOARD OF DIRECTORS

Mary Lee Hensel, Director of Sheltering Arms Homeless Shelter, updated the Board of the status of their funds. She stated that currently, there are seven people employed at the Shelter. She indicated that on average there are 25 people occupying the shelter; however, they can accommodate 43.

Susan Fletcher, Treasurer of the Board of Directors, stated that grant funding will get the shelter through December of 2010. She noted that the homeless shelter in Culpeper may be closing due to recent budget cuts, so Orange may be receiving some of their residents. Ms. Fletcher stated that insurance on the building costs approximately \$8,000 per year for coverage and the average utilities cost \$3,000 per month. Ms. Fletcher questioned the possibility of the County making a presentation at a regional County Administrator's meeting. Chairman Frame stated that he would contact Chairmen in the surrounding localities to see whether they could

help financially.

RE: PUBLIC COMMENT

Bob Cooke, Locust Grove, thanked the Board for the approval of the new medical room at the Orange County Animal Shelter.

RE: BOARD COMMENT

Mr. Burkett questioned whether there is a working drink machine at the Animal Shelter. Ms. Jordan stated that she would find out and respond to him with an answer.

RE: ACTION ITEMS CONTINUED

RE: ORANGE COUNTY PUBLIC SCHOOLS – CARRY FORWARD REQUEST

Barbara Hill, Orange County Public Schools Finance Director, stated that the School Board is requesting a carryover of unspent funds from fiscal year 2010 to fiscal year 2011.

Following a brief discussion, Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to approve the carry forward request of unspent County Capital Improvement Plan (CIP) funds totaling \$240,077 for the following projects:

- Replacement of water tank at Lightfoot Elementary – design in progress and waiting for bid results at an estimated cost of \$116,666;
- Upgrade light and sound system at Orange County High School - \$50,000;
- Replace gym floor at Gordon Barbour Elementary - \$27,814;
- Replace dishwasher at Gordon Barbour Elementary - \$20,000; and
- Replace slicer, walk-in freezer and shelving at Gordon Barbour Elementary -\$24,800.

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

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to approve the carry forward request of unspent State funds totaling \$160,109 for the following projects:

- Keyless entry for Gordon Barbour and Lightfoot Elementary Schools – in progress with an estimated remaining cost \$1,353;
- Second well at Locust Grove campus – in progress with an estimated remaining cost of \$38,987; and
- Replacement of water tank at Unionville Elementary – waiting for bid results with an estimated cost of \$119,769.

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

RE: ORANGE COUNTY PUBLIC SCHOOLS – BUDGET AMENDMENT REQUEST

Barbara Hill, Orange County Public Schools Finance Director, stated that the State passed their budget subsequent to the Board of Supervisors adoption which resulted in reduced revenues for the School's Operating Fund. Thus, the School Board adjusted its budget and approved a new budget May 5, 2010 resulting in an overall decrease of \$1,071,808.

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to authorize the following amendment to the FY2011 adopted School Board budget as requested:

All Funds

\$46,956,528	Adopted Budget
<u>- \$1,071,808</u>	Decrease
\$45,884,720	Amended Budget

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

RE: ENHANCED 911 COMPUTER AIDED DISPATCH PROGRAM

Craig Johnson, Assistant Chief, and Vanetta Pledger, Director of Information Technology, explained that the New World Systems (NWS) is the enhanced 911 Center's Computer Aided Dispatch (CAD) software provider. The CAD software integrates data from the 911 telephone lines, maps and the Emergency Medical Dispatch program. Alert notifications are sent to the first responders via the CAD's paging notification feature. The CAD provides the E911 dispatchers with unit recommendations.

Mr. Johnson and Ms. Pledger reported that the existing CAD system should be upgraded or replaced before NWS begins to reduce their technical support. If the existing CAD system is not upgraded or replaced, the system will eventually cease to function, as well as, lack technical support for malfunctions. In conclusion, as the CAD project is critical, they requested that funding from the cost savings ascertained in the FY2010 E911 operating budget be consolidated into one line item. Upon completion of the project, any remaining funds would be returned to the General Fund.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to transfer all FY2010 operational savings into a single line item and then transfer to a capital project fund account to use for completion of the CAD project in an amount not to exceed \$80,000. (Contingent upon fund availability from FY2010 in anticipation of finalizing the project details based upon appropriate funding and procurement.) Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: RAPIDAN BETTER HOUSING CONTRIBUTION REQUEST

Ms. Jordan reported that the Rapidan Better Housing Corporation submitted a request to the Building Department for a waiver of fees associated with a project located at 6805 Constitution Highway in Gordonsville. Staff has calculated the fees associated with proposed project which total \$599.50.

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to approve a contribution to Rapidan Better Housing totaling \$599.50 to cover all zoning and building permit fees associated with a project located 6805 Constitution Highway, Gordonsville. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: SCHEDULE PUBLIC HEARING FOR CPA 10-01 AND REZ 10-01

Ms. Jordan stated that the Planning Commission will hold public hearings on Thursday, August 5, 2010, to receive comments on a Comprehensive Plan Amendment (CPA 10-1) and a Rezoning application (REZ 10-01) as submitted by the Piedmont Environmental Council. Typically staff will schedule the Board's public hearings on the first available date by which advertising requirements are met. Should the Planning Commission take action on both public hearings on August 5th, staff will have the necessary time to advertise the public hearings for the Board's consideration at its meeting on September 14, 2010.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to schedule a public hearing on September 14, 2010, to receive comments on the Comprehensive Plan Amendment 10-01 and a Rezoning Application 10-01, as submitted by the Piedmont Environmental Council. Ayes:

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

RE: VIRGINIA OUTDOORS FOUNDATION EASEMENT REQUEST

Debbie Kendall, Interim Planning Director, stated that the Virginia Outdoors Foundation will be considering one easement request at their September 2010 Board meeting and another request at their October 2010 Board meeting. They have asked the County for a determination as to whether these requests are consistent with the County's Comprehensive Plan. Mrs. Kendall reported that the proposed properties are as follows:

- Tax Map No. 34-2 for 92.8 acres owned by Mr. Dale Kerns
This property is located on Route 621 (Pine Stake Road) in an area intended to be Agricultural on the future land use map of the 2006 Orange County Comprehensive Plan and is currently zoned Agricultural.
- Tax Map No. 30-23D for 98 acres owned by Mr. Howell Taylor.
This property is located off of Route 600 (Mt. Sharon Road) in an area intended to be Agricultural Conservation on the future land use map of the 2006 Orange County Comprehensive Plan and is currently zoned Agricultural.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to notify the Virginia Outdoors Foundation that the placement of the proposed properties under easement is considered to be consistent with the County's Comprehensive Plan. Ayes: Abbs, Burkett, Wilson, Frame. Nays: Goodwin.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

RE: APPOINTMENT TO THE REGIONAL PREPAREDNESS ADVISORY COMMITTEE - INTEROPERABILITY

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adopt the following resolution appointing Gene P. Stewart, Jr. to fill the RPAC-I seat as Orange County's representative:

APPOINTMENT TO THE REGIONAL PREPAREDNESS ADVISORY
COMMITTEE - INTEROPERABILITY

WHEREAS, the Regional Preparedness Advisory Committee - Interoperability, further known as RPAC-I, has asked each county in the respected region to appoint a representative to the committee; and

WHEREAS, the RPAC-I has discussed various approaches to identify candidates to fill the seats; and

WHEREAS, the discussions concerning the process is to have each county within the region identify a candidate.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors appoints Gene P. Stewart, Jr., to fill the RPAC-I seat representing Orange County, effective August 10, 2010; and

BE IT FURTHER RESOLVED that the Orange County Board of Supervisors authorizes Gene P. Stewart, Jr., to represent Orange County on regional grants and equipment decisions that do not require matching funds from Orange County.

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

Sherri Page was nominated for reappointment as an At-Large representative on the Orange County Youth Commission, for four year term with said term expiring September 30, 2014.

Larry Sappington was nominated for reappointment as an At-Large representative on the Orange County Youth Commission, for four year term with said term expiring September 30, 2014.

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

RE: DISCUSSION ITEMS

RE: VIRGINIA DRAFT SURFACE TRANSPORTATION PLAN

Debbie Kendall, Interim Planning Director, reported that the Virginia Department of Transportation and the Virginia Department of Rail and Public Transportation have developed a draft surface Transportation Plan 2035 that outlines long-term multi-modal transportation improvements for different regions throughout the Commonwealth. She stated that the following transportation improvements within the plan specifically impact Orange:

- Passenger and Freight Rail Improvement (double tracking along existing rail lines to increase capacity);
- Widening of Route 15 to four lanes from the Town of Orange to the Town of Culpeper; and
- Widening of Route 20 to four lanes from the Town of Orange to Route 3.

Discussion ensued. By consensus, the Board directed Mrs. Kendall to draft a letter on the Board's behalf indicating support of the passenger and freight rail improvement, and the widening of Route 15.

RE: COST ANALYSIS FOR REZONING AND DOWN ZONING

Debbie Kendall, Interim Planning Director, stated that per the Board's request, staff prepared a cost analysis showing the differences in cost for an application by a landowner to rezone property versus downzoning property or changing its use to a less intense one. She briefly reviewed the information with the Board.

By consensus, the Board requested that future requests for downzoning to Agriculture be included in information items on the Board agenda.

RE: REDISTRICTING 2010

Ms. Jordan stated that the time to begin work on Redistricting for the County based on new 2010 Census data is fast approaching. The process for Redistricting is relatively straightforward with steps towards meeting the end goal. A timeline has been established for this project. Over the next few months, staff will be providing the Board with various maps and information as they are produced. She noted that the internal staff members assigned to this effort will be:

- Sharon Pandak, County Attorney;
- Deborah Kendall, Interim Planning Director;
- Donna Curry, Chief Deputy Clerk;
- Julie Jordan, County Administrator; and
- Raymond Cady (*Ex Officio*)
(*As Registrar, Mr. Cady will participate but in an ex officio capacity to avoid any conflicts.*)

Ms. Jordan noted that one of the items that can be examined is the possibility for additional districts. After discussing this with various individuals, like the Registrar and County Attorney, she indicated that her recommendation would be to leave the number of districts at five. There are many issues that play into this recommendation – some monetary, some logistical. These can be explored during the Board meeting as a group or individually before then if desired.

RE: TRASH STICKERS

Ms. Jordan stated that the Treasurer had questioned whether the Board wishes to continue with the policy of requiring Trash Stickers. She indicated that personal property tax bills will be going out very soon and would like to know how to proceed with preparing the contents of the tax bills.

By consensus, the Board wished to continue the policy of requiring trash stickers.

RE: LANDFILL FEE ANALYSIS

Mr. Burkett stated that he feels it is a mistake to charge citizens for a pick-up load of trash from a farm. He suggested that the landfill fees be reconsidered.

Kurt Hildebrand, Director of Public Works, answered questions regarding the fee schedule.

This matter will be further discussed at the Solid Waste Committee Meeting scheduled for August 24, 2010.

RE: ZONING/SUBDIVISION ORDINANCE CHANGE

Debbie Kendall, Interim Planning Director, stated that in light of a recent constituent concern, staff was asked to review the subdivision ordinance definition of parent tract with respect to the conglomeration of parcels to create a parent tract. She briefly reviewed suggested changes to address the issue.

Following a brief discussion, the Board, by consensus, requested that this issue be sent back to the Planning Commission for discussion.

RE: CALENDAR

The Board received copies of its calendar for the months of August, September, and October, 2010.

RE: CLOSED MEETING

At 8:52 p.m., Ms. Pandak read the following resolution authorizing Closed Meeting:

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

- 1) A personnel matter regarding assignment of specific public officials, appointees or employees of the Board, and legal advice related thereto;
- 2) Personnel matters regarding resignation of a specific employee; and

WHEREAS, pursuant to §2.2-3711.A. 1 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, Wilson, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 10:00 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, Wilson, Frame. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adjourn the meeting at 10:00 p.m. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.