

BOARD OF SUPERVISORS MINUTES

August 14, 2012

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 14, 2012, beginning at 4:00 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 Alyson Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve the consent agenda as presented.

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

COUNTY OF ORANGE, VIRGINIA FY12-13 SUPPLEMENTAL APPROPRIATIONS				
<u>MONTH</u>	<u>DEPT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
August 14, 2012 for FY2013				
	Animal Shelter	Emergency Vet	\$ 1,810.50	Donations
	Animal Shelter	Vaccinations	\$ 1,692.40	Donations
	Animal Shelter		\$ 3,502.90	
		Total this request	\$ 3,502.90	
		Total Year to Date	\$ 3,029,602.72	

RE: RESOLUTION OF RECOGNITION FOR THREE YEAR ANNIVERSARY OF COFFEWOOD DOG TRAINING PROGRAM

The Board approved the following resolution as presented:

A RESOLUTION BY THE
BOARD OF SUPERVISORS OF ORANGE COUNTY
IN RECOGNITION OF

*The Coffeewood Correctional Center
"Coffeewood Canines" Training Program*

WHEREAS, The Coffeewood Correctional Center, under the direction of Warden Samuel V. Pruett, has a history of promoting public service and boasts a total of six inmates trained as canine handlers by both the Virginia Department of Corrections and the Department of Homeland Security; and

WHEREAS, The Coffeewood Correctional Facility partnered with the Orange County Animal Shelter to create the *Coffeewood Canines* training program on June 19, 2009, with the first shelter dogs in residence at the facility by July 1, 2009; and

WHEREAS, The *Coffeewood Canines* training program has reached its third anniversary with one hundred eleven dogs having successfully been rehabilitated and subsequently placed in homes; and

WHEREAS, The participating inmates have demonstrated great skill and compassion in their work with dogs of all different breeds, needs and skill levels; and

WHEREAS, The inmates have achieved such remarkable feats as instructing a deaf Border Collie in sign language, training an unruly Labrador to become a successful therapy dog for an epileptic child, and teaching a young Retriever mix the skills necessary for her new life as a therapy dog for severely autistic adults; and

WHEREAS, The significant social contributions of the inmates related to *Coffeewood Canines* are evident far beyond affecting each dog's personal growth; and

WHEREAS, The objectives of the *Coffeewood Canines* program are multifaceted and serve to benefit both the residents of the affiliated institutions as well as the at-large communities of Orange and Culpeper Counties; and

WHEREAS, The plight of animals lost, abandoned or seeking sanctuary at local shelters is brought to the forefront through dialogue relating to *Coffeewood Canines*, resulting in increased adoptions; and

WHEREAS, Successful placement of the animals is of invaluable assistance to the citizens, volunteers and staff of animal welfare organizations striving to save their lives;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors publicly recognizes the inmates and staff of the Coffeewood Correctional Center for their efforts in rendering the *Coffeewood Canines* program a resounding success, and extends its appreciation to all those involved for their time and dedication.

RE: PROPOSED AMENDMENT TO THE YOUTH COMMISSION BYLAWS

As detailed in the memorandum provided to the Board by Alisha Vines, Office on Youth Director, the Board of Supervisors considered the proposed changes presented to the Youth Commission Bylaws. Ms. Vines noted that the Youth Commission felt that the changes would allow more people who were interested to become involved in helping the youth.

Ms. Vines noted that the first change was the addition of "ex-officio" members, non-voting positions which would encourage citizen participation without meeting the commitments of voting members. Further, the second proposed change was to the frequency of the regular Youth Commission meetings from once a month to once every other month.

The Board approved to accept the Youth Commission Bylaw changes as presented.

RE: DELINQUENT LANDFILL ACCOUNTS

As detailed in the memorandum provided to the Board by Glenda Bradley, Finance Director, the Treasurer had requested that the Board approve the write-off of delinquent Landfill accounts totaling \$3,254.64. Ms. Bradley reported that several methods had been used in an attempt to collect the funds, but responsible parties or owners had either moved out of the County or the businesses had closed. She further noted that the last write-off of customer Landfill

accounts was in 2007 for a total of \$5,505.

The Board approved the write-off of delinquent customer Landfill accounts totaling \$3,254.64.

RE: REVISION OF REQUESTED PLANNING COMMISSION ACTION DATE FOR TACTICAL FACILITY TEXT AMENDMENT

As detailed in the memorandum provided to the Board by Ashley Jacobs, Assistant to the County Administrator, at the July 24, 2012, Board of Supervisors' meeting, staff presented a timeline for the proposed Tactical Facility Text Amendment, at which time the Board moved its public hearing date from October 25, 2012, to October 23, 2012. As a result, the advertisement deadline was adjusted in order to meet advertising requirements. Ms. Jacobs reported that in order to have Planning Commission input prior to advertisement submission, the Board must request action from the Planning Commission earlier than initially indicated on the timeline. She presented a new timeline to the Board, which included the revision of the requested Planning Commission action date.

The Board approved to accept the modification to the Tactical Facility Text Amendment timeline as presented.

RE: MINUTES

The Board approved the following minutes:

- July 24, 2012 Tax Policies Worksession and Regular Meeting

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

RE: CHANGE IN POSITION CONTROL FOR PUBLIC WORKS DEPARTMENT

As detailed in the memorandum provided to the Board by Julie Summs, County Administrator, she and Kurt Hildebrand, Director of Public Works, discussed the reclassification of an Administrative Staff Assistant to Senior Administrative Assistant at length, and they strongly supported the change in classification. She noted that approximately \$3,517.75 would need to be allocated to the Public Works Salaries line item to accomplish this change and there were funds budgeted for and available in the Human Resources Position Reclassification line item for situations like this.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to accept the proposed change to the Department of Public Works Position Classification and Position Control and to fund the change from line item 12220-1907 (Human Resources Position Reclassification) to Department 43200 (Public Works) Salaries and Benefits.

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

RE: PUBLIC APPEARANCES

RE: PRESENTATION OF RESOLUTION OF RECOGNITION FOR THREE YEAR ANNIVERSARY OF COFFEEWOOD DOG TRAINING PROGRAM

Supervisor Abbs presented the Resolution of Recognition to Ms. Billie Lacy and Ms. Anita Long, representatives from Coffeewood Correctional Facility.

RE: EMPLOYEE OF THE MONTH

Julie Summs, County Administrator, presented the Employee of the Month award to Ivan Towles for August, 2012.

RE: SERVICE AWARDS

Julie Summs, County Administrator, presented the following Service Award:

- John Harkness 5 years Fire and EMS Chief

RE: BUSINESS SPOTLIGHT

Pam Kulick, Vice President of JK Carpets, appeared before the Board to spotlight her business. She explained the history of her business, stating that their first store was opened in 1987. Ms. Kulick noted that after closing down for a period of time, she re-opened at her current location on Route 3 in 1995. She stated that JK Carpets was a full-service flooring company to repair, install, and sell flooring, as well as cabinets and countertops, and her customers enjoyed the "one-stop shop" experience. Ms. Kulick concluded by saying that she was becoming more community focused, had recently become a member of the Chamber of Commerce, and was branching out in advertising her company on the radio and in social media.

The Board thanked Ms. Kulick for her presentation.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION UPDATE

Roy Tate, Jr., Acting Residency Administrator, provided a quarterly update to the Board, presenting information on the following:

- Clean-up efforts from the June 29, 2012 storm;
- Second cut mowing; and
- Paving schedule across the District.

Mr. Tate also provided an update on Route 606, Catharpin Road, which was on the Six-Year Plan and appeared to have enough money to be fully-funded. He asked for the Board's consideration to process Route 606 as a Rural Rustic project instead of a full-scale project because the road was located in the Mine Run Battlefield area and would require extensive work with the Virginia Department of Historic Resources to coordinate the project. Mr. Tate reported that performing the project as Rural Rustic would shorten the timeline and save over \$300,000 to apply towards another project.

Discussion ensued among the Board regarding: heavy truck traffic on Catharpin Road; whether or not the road and the width would be suitable for the traffic; the construction process for Rural Rustic roads; and traffic, speed, and dust on Catharpin Road. He asked the Board to provide guidance regarding his request on Catharpin Road.

The Board thanked VDOT for the work they performed following the derecho storm earlier in the summer.

RE: PUBLIC COMMENT

At 4:36 p.m., Chairman Goodwin opened the floor for public comment.

The following individual spoke:

- Philip Strange, 19195 Annadale Farm Drive, Orange, Virginia 22960, regarding down-zoning fees.

There being no further speakers, public comment was closed.

RE: BOARD COMMENT

The Board commented on the Orange Downtown Alliance's edible Food Fest, which took place in Town last weekend. They were impressed with the fantastic food and cooking lectures available, and noted that it was a very successful event. The Board asked that a resolution of appreciation be written and presented to Jeff Curtis in recognition of his hard work and the success of the event.

RE: ACTION ITEMS

RE: APPLICATIONS FOR SAFER GRANTS

RE: APPLICATION FOR STAFFING

John Harkness, Fire and EMS Chief, stated that the County of Orange had applied for a SAFER Grant to add three additional firefighter/medics, which would cover the cost of the new employees for a period of two (2) years, including benefits. Chief Harkness stated that the County would be responsible for the costs of the three positions after grant funding had been exhausted, if the positions were to continue.

Chief Harkness explained that the main reason for the request was to provide additional support to the volunteer fire companies. He noted that the County was already providing some assistance to several volunteer fire companies, but additional resources were needed. He added that the request for additional firefighters was also supported by several of the volunteer fire chiefs.

Chief Harkness indicated that the additional firefighters would reduce overtime costs by allowing the County to cover planned and unplanned absences without effecting services or incurring overtime costs. He also noted that the additional firefighters would allow the supervisors to be freed up to perform their supervisory duties rather than staffing the medic units. Chief Harkness further indicated that the additional staff would address the void in the area of the Mine Run Volunteer Fire Department.

Discussion ensued among the Board regarding: where the gaps in coverage were occurring, and whether the gaps were in fire or rescue service; the need for volunteer and career staffing to work together; on-duty training; and the need for statistics and data supporting the request for increased staff. They asked that Chief Harkness to be prepared to provide extensive detail regarding staffing needs during the FY14 budget process.

By consensus, the Board approved the Fire and EMS Chief to proceed with the SAFER Grant Application for additional staffing as discussed.

RE: APPLICATION FOR VOLUNTEER RECRUITMENT AND RETENTION

John Harkness, Fire and EMS Chief, stated that the County had seen a decrease in volunteer membership over the last several years, which severely impacted common safety practices and response times. He noted that he had applied for a SAFER Grant to address the declining volunteerism.

Chief Harkness reported that, if awarded, the SAFER Grant would be used for three projects at no cost to the County: a tuition reimbursement program, an advertising program, and a recruitment trailer. He explained that the three projects would be used as recruiting tools, to re-engage existing volunteers, to advertise, and to establish community involvement and presence at public events.

Discussion ensued among the Board regarding: the type of classes that could be paid for utilizing the tuition reimbursement program; making sure the emphasis was on responding to calls; and how the tuition reimbursement program would be administered.

By consensus, the Board approved the Fire and EMS Chief to proceed with the SAFER Grant Application for volunteer recruitment and retention as discussed.

RE: TEMPORARY TENT BUILDING PERMITS

RE: REVIEW OF TEMPORARY TENT BUILDING PERMIT FEES

Bill Schwind, Building Official, presented information to the Board regarding the fee structure for temporary tent permits for Orange County, as well as a comparison of surrounding localities. He noted that there were no discounts given for multiple tents.

Discussion ensued among the Board regarding: how much it actually cost to inspect a tent; whether or not the costs incurred were reflected in the permit fee; the amount of time involved in inspecting a tent; the number of tents that have electricity versus those without electricity; upcoming events that required multiple tents; the idea of imposing lesser fees for subsequent tents; and criteria for determining subsequent tents. The Board also discussed whether or not State Code allowed for more than one tent per permit.

By consensus, the Board requested additional information regarding reduced permit fees for multiple tent permits and criteria for establishing the reduced fees, and requested that the Building Official report back with the requested information at the August 28, 2012, Board meeting.

RE: FEE DONATION REQUEST FROM THE ORANGE COUNTY FAIR ASSOCIATION

Mrs. Abbs moved, seconded by Mr. Frame and carried, to table the decision on the Fee Donation Request from the Orange County Fair Association until the August 28, 2012, Board meeting.

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

RE: FEE DONATION REQUEST FROM THE ORANGE DOWNTOWN ALLIANCE

This item was removed from the agenda.

RE: PARKS AND RECREATION FOUNDATION GOVERNING DOCUMENTS

Tim Moubray, Parks and Recreation Director, stated that the Articles of Incorporation and the Bylaws had been presented to the Board for the Parks and Recreation Foundation. He stated that this would be a 501 (c)(3) organization with no cost to the County. Mr. Moubray explained that the Foundation would work on fundraisers and obtaining grants and would come back to the Board with potential projects.

Discussion ensued among the Board regarding: term definitions for Officers; the location of the Principal Office; inspection of records; a Memorandum of Understanding; solicitation permits; and the process required to have the Articles recorded with the State Corporation Commission.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to accept the Articles of Incorporation and the Bylaws of the Orange County Parks and Recreation Foundation, Inc., as amended and shown in the attachments.

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

RE: RESOLUTION FOR THE INTERSECTIONS OF ROUTE 522 AND ROUTE 20

Mr. Frame moved, seconded by Mrs. Abbs and carried, to approve the following resolution:

RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS FOR
THE INTERSECTIONS OF ROUTE 522 AND ROUTE 20

WHEREAS, the Orange County Board of Supervisors requests a traffic study at the intersections of Route 522 and Route 20, in Orange County to provide for left turn on green turning arrows; and

WHEREAS, Route 522 and Route 20 are public roads that serve the residents of Orange County; and

WHEREAS, high volumes of traffic, traveling at high rates of speed, utilizing both Route 522 and Route 20, pose significant safety concerns due to the presence of oncoming traffic; and

WHEREAS, funds are available for this project under the Department of Transportation's Secondary System Construction Allocation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County hereby formally requests that the Virginia Department of Transportation conduct a traffic study at the intersections of Route 522 and Route 20 to consider the addition of left turn on green turning arrows, utilizing funds available from the Department of Transportation's Secondary System Construction Allocation for Orange County.

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

RE: APPROVAL OF DRAFT REVISED FUTURE LAND USE MAP

Gregg Zody, Director of Planning and Zoning, pointed out several changes to the Future Land Use Map since it was last presented to the Board at the July 8, 2012, Worksession.

Discussion ensued among the Board regarding: changes they wanted to make to the map; existing parcel density; land use versus conservation easement; the Village Center zoning in Unionville; and the zoning for the Town of Orange.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to table a decision on the Future Land Use Map until the August 28, 2012, Board meeting.

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

RE: TRANSFER OF VICTIM WITNESS PROGRAM TO THE COMMONWEALTH ATTORNEY'S OFFICE

Julie Summs, County Administrator, addressed the Board regarding a proposed reorganization of Position Control within the Sheriff's Office and the Commonwealth Attorney's office in regard to the Victim Witness Program. She explained that the reorganization would transfer the Victim Witness Program from the Sheriff's Office to the Commonwealth Attorney's Office and there would be no net change in funding.

Mrs. Summs noted that the existing funding would move from the Sheriff's Office to the Commonwealth Attorney's Office and that the move would provide for better accessibility and support administratively as the work performed by the Victim Witness Program was more frequently associated with the work of the Commonwealth Attorney's office and their clients.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to accept the staff reorganization and proposed changes to the Position Control and budgets regarding the Victim Witness Program.

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

RE: R.M. SODERQUIST CONTRACT ONE YEAR EXTENSION

Kurt Hildebrand, Public Works Director, explained that R.M. Soderquist had been operating the existing Landfill (Permit #90) since August, 2007 and the agreement between the County and Soderquist provided for landfill operations on a lump sum basis as well as closure activities through unit pricing. Mr. Hildebrand further explained that during the last several years, some minor closure activities had occurred, but the bulk of the closure would occur after the current landfill ceased to accept waste on December 31, 2012. He noted that the last contract amendment was made in June, 2011 that extended the agreement through June 30, 2012, and during discussions at the last contract extension, staff expressed interest in Soderquist providing complete closure services of the existing landfill, as their unit prices were very competitive.

Mr. Hildebrand stated that R.M. Soderquist had continued to operate the existing Landfill within full compliance of DEQ regulations and had worked well with staff and consultants to operate in a manner that would provide for the most efficient closure. He further stated that Soderquist was agreeable to maintain the same monthly lump sum rate for operations as well as the unit prices provided in the original contract for closure activities.

Mr. Hildebrand noted that it was staff's recommendation to extend the agreement between Orange County and R.M. Soderquist until June 30, 2013. He concluded by stated that operation costs for Landfill Permit #90 would end on December 31, 2012, and closure activities would occur through June 2013 and the budget included funds to cover this contract.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize the County Administrator to extend the current agreement with R.M. Soderquist through June 30, 2013, pursuant to an addendum approved by the County Attorney.

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

RE: ADVANCED NETWORK SYSTEMS (ANS) CONTRACT ONE YEAR EXTENSION

Larry Clement, IT Manager, explained that the County currently had a contract with Advanced Network Systems (ANS) to provide wireless broadband maintenance services and the details of the contract consisted of providing ongoing maintenance and network solutions to the County's wireless network, which included wireless radios, switches, firewalls, VOIP (voice over Internet protocol) phone system, and related equipment. Mr. Clement noted that the contract was initially for three (3) years with an option to renew for two (2) additional one (1) year terms. He further noted that ANS had provided a quote to the County for a one (1) year renewal and they would honor the 2010 pricing, which would result in a zero percent increase from the previous year. Mr. Clement stated that the contract amount for ANS was \$53,713.50 and funding was included in the FY13 budget.

Mr. Clement stated that because of the wireless radio replacement project slated for this year, it was staff's recommendation that the Board of Supervisors extend the contract between Advanced Network Systems and the County for an additional one (1) year term.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to authorize staff to execute the contract renewal with Advanced Network Systems (ANS) for an additional one (1) year term, pursuant to an addendum approved by the County Attorney.

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

RE: BUDGET TRANSFER FOR SCHOOL CAPITAL EXPENDITURES

Glenda Bradley, Finance Director, presented the annual budgetary transfer necessary to move funds from the County's CIP Fund to the School Operating Fund for actual CIP expenditures through June 30, 2012.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve the budgetary transfer for the School Capital Expenditures from FY12 as follows:

County of Orange Virginia						
Budget Transfers-Departmental						
FY11/12						
Month	Transfer from department	Transfer from line item	Amount	Transfer to department	Transfer to line item	Amount
August 14, 2012 for FY2012						
	Transfer to School Operating Fund County CIP Expense for Schools	4-312-93100-0205 4-312-094150-8201	354,550.31 (354,550.31)	4-205-066600-3190-900-100-100 3-205-041050-0312	School CIP Expense Transfer From CIP Fund	354,550.31 354,550.31
Transfer from County CIP fund for actual FY12 School CIP expenditures.						

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

RE: ESTABLISH PUBLIC HEARING DATE FOR SCHOOL BUDGET AMENDMENT

Glenda Bradley, Finance Director, stated that authorization was requested to schedule a public hearing on September 11, 2012, pursuant to Virginia Code Section 15.2-2507 for the purpose of approving a supplemental appropriation for the carry-forward request from the Orange County Public Schools. She explained that these funds included a total of \$62,450 remaining of the \$417,000 capital appropriation approved in the CIP for FY12 (County Fund 312). Ms. Bradley further explained that the additional \$1,352,467 would be from remaining balances in the School Operating Fund (School Fund 205).

Ms. Bradley noted that the Virginia Code Section reference required a public hearing for supplemental appropriations exceeding 1% of the total budget expenditures. She explained that the advertisement must take place at least seven (7) days before the public hearing and action can take place at the same meeting.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize the County Administrator to advertise for a public hearing to be held on September 11, 2012, for the purpose of receiving public comment on a carry forward request for supplemental appropriation from the Orange County Public Schools.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mrs. Abbs moved to appoint Ann Lawrence Grasty as an At-Large Representative to the Youth Commission, to fill the unexpired term of Larry Sappington, with said term expiring September 30, 2014.

RE: DISCUSSION ITEMS

RE: UPDATED PRIORITY TIMELINES

Julie Summs, County Administrator, presented updated timelines detailing the fourteen tasks and the principles of A Vibrant Economy, Effective, Reflective Government, and Sustainable Land Use, as defined by the Board. She noted that the timelines had been revised to demonstrate staff's efforts to-date, and revised tasks and schedules of work. Mrs. Summs further indicated that the timelines for A Vibrant Economy had been revised to include more detailed information regarding the Business Retention and Expansion Program.

Discussion ensued among the Board regarding: moving more quickly on the Comprehensive Plan priority; meeting more often with the Planning Commission; the Future Land Use Map; and more aggressive timeframes for priorities.

By consensus, the Board requested that staff provide an updated timeline for Priority 11 - Sustainable Land Use, Comprehensive Plan update.

RE: DOWN-ZONING FEES

Gregg Zody, Planning and Zoning Director, indicated that he was requested to provide an analysis for the cost of a down-zoning request as opposed to the cost of up-zoning. He noted that the current fee schedule did not make a distinction in the rezoning fees.

Mr. Zody stated that both types of rezoning would follow the same public hearing process, and consideration must be given to the Comprehensive Plan either way. He added that advertising and mailing costs would be associated with holding the public hearing. Mr. Zody further explained that if the County initiated the down-zoning, there would be no fees paid by the property owner.

Mr. Zody concluded by stating that a down-zoning application required the same level of evaluation as an up-zoning, but should not create more work than an up-zoning and could reduce the need for staff time and resources.

Discussion ensued among the Board regarding: the magnitude and difference between down-zoning and up-zoning; proffers; public acceptance or rejection of the re-zoning request; whether or not the down-zoning request had to be submitted to outside agencies, such as VDOT; whether or not the amount of work was the same between down-zoning and up-zoning; down-zoning requests initiated by the Board; and the potential for reduced fees for down-zoning requests.

By consensus, the Board requested that staff provide a proposal for reduced fees for down-zoning requests.

RE: RAPPAHANNOCK RIVER AND RAIN GAUGES STUDY; CONTRIBUTION REQUEST

Mr. Frame moved, seconded by Mrs. Abbs and carried, to table the decision on the contribution request for the Rappahannock River and Rain Gauges Study.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Virginia Department of Transportation Monthly Report for August
- Landfill Expansion Progress Update

- 2012 Virginia Localities Stormwater Program Development Request for Proposals Grant Opportunity
- Invitation to Reception for Sharon Pandak
- FY13 Fee Donation Balance Update

RE: COMMITTEE REPORTS
There were no committee reports.

RE: CALENDAR
The Board received copies of its calendar for the months of August, September, and October, 2012.

RE: CLOSED MEETING

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

- One matter of legal advice relating to the cable franchise; and

WHEREAS, pursuant to §§2.2-3711.A. 1 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.

RE: CERTIFICATION OF 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.

RE: PUBLIC HEARING

At 7:39 p.m., Chairman Goodwin called the public hearing to order to receive comments on the following:

To consider conveyance of a lot and access easements to the Rapidan Service Authority for construction of a well at Booster Park to serve users along Route 20.

The following individual spoke:

- Kevin Cook, 18545 Brick Church Road, Orange, Virginia 22960

There being no further speakers, Chairman Goodwin closed the public hearing at 7:44 p.m.

Discussion ensued among the Board regarding: whether or not the well should be capped or filled in; requesting that RSA have a discussion with the Town to purchase water; amendments to the deed to require that the well be drilled within one year of the date of the deed; and a cost analysis of purchasing the water from the Town versus drilling the well.

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

APPROVE CONVEYANCE OF WELL LOT AND ACCESS EASEMENTS FOR A WELL AT BOOSTER PARK

WHEREAS, the Rapidan Service Authority has asked the Board of Supervisors to convey a lot and access easements for construction of a well at Booster Park to serve users in the Rt.20 area; and

WHEREAS, a public hearing was advertised as required by law;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors hereby approves the conveyance of a lot and access easements for construction of a well at Booster Park as shown on the attached plat and set forth in the attached deed; and authorizes its Chairman to execute said deed.

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

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjourn the meeting at 8:09 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

S. Teel Goodwin, Chairman

Julie G. Summs, County Administrator