

BOARD OF SUPERVISORS MINUTES

August 23, 2011

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 23, 2011 beginning at 7:00 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 modified.
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:

FY2012 DEPT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
Animal Shelter	Emergency Vet Prof Svc-Spay/Neuter	\$ 913.13	Donations
Animal Shelter	Adptn	\$ 360.00	Donations
Animal Shelter	Vaccinations	\$ 650.00	Donations
Animal Shelter	Propane	\$ 70.00	Donations
Animal Shelter	Repair & Maint.	\$ 2,647.60	Donations
Animal Shelter			
CIP Fund	Livestock Lot Fencing Proj	\$ 4,740.36	Donations PetSmart Grant
Animal Shelter	Dog Beds & Cat Kennels	\$ 37,500.00	Revenue
Subtotal Animal Shelter		\$ 46,881.09	
	Total this request	\$ 46,881.09	
	Total Year to Date	\$ 70,680.09	

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount
FY2012 Correction & Detention	CVRJ-Prof Services	Information Technology	Lease/Rent Equip	19,531.00

Transfer from Central Virginia Regional Jail original budget for additional American Tower

lease expense.

E-911	E911 Expenses	Buliding Inspections	E911 Expenses	9,500.00
E-911	Vehicle Insurance	Buliding Inspections	Vehicle Insurance	502.00
E-911	Signs, Maint, Install	Buliding Inspections	Signs, Maint, Install	17,000.00
E-911	Vehicle Fuel	Buliding Inspections	Vehicle Fuel	2,500.00
E-911	Vehicle Maint & Repair	Buliding Inspections	Vehicle Maint & Repair	1,000.00

Transfer budgets related to sign program from E-911 to Building Inspection

RE: FY11 BUDGET CARRY FORWARD REQUESTS
The Board approved the following carry forward requests:

Fiscal Year 2011 to 2012

Account Number	Department	Amount	Purchase Order No.	Description of Item	Reason Carry Forward Is Necessary
4-100-011010-3600	Board of Supervisors	16,887.00		Advertising	Planned advertising for ordinances and comp. plan
4-100-011010-5210	Board of Supervisors	1,670.00		Postage	Postage for notification of planned advertisements
4-100-011010-5540	Board of Supervisors	5,000.00		Conventions & Education	Potential Facilitated Retreat
4-100-012110-1111	County Administration	35,873.00		Salaries	Potential Restructuring
4-100-012110-3100	County Administration	8,614.00		Professional Services	Potential Restructuring
4-100-012215-3100	County Attorney	14,156.00		Professional Services	Potential Restructuring
4-100-012215-3110	County Attorney	3,451.97		Professional Services-Rt 711 Relocation	Project not complete
4-100-012220-1903	Human Resources	3,000.00		Educational Incentives	Funds committed but not spent
4-100-012220-1907	Human Resources	26,800.00		Reserve for Position Reclassification	Funds committed but not spent
4-100-012220-2610	Human Resources	86,000.00		Unemployment	Potential Need
4-100-012220-2901	Human Resources	15,000.00		Employee Recognition Program	Implementing High Performance Employee Org Measures
4-100-012220-3130	Human Resources	2,897.00		Prof. Serv. - Personnel/Pay Plan	Software upgrade not yet purchased
4-100-012310-3100	Comm of the Revenue	\$8,000.00		Professional Services	Funding for final reassessment services
4-100-012510-5241	Information Technology	\$4,750.00		Overhaul of Economic Dept Website	Staff turnover delayed project

4-100-012510-8207	Information Technology	\$39,911.00		Phone System Replacement	Delayed project due to staff vacancy
4-100-012510-5540	Information Technology	\$6,450.00		Technology training courses	Training delay for lack of office coverage
4-100-012510-5240	Information Technology	\$11,000.00		E-911 domain upgrade	Needed since CAD project finished
4-100-012510-5410	Information Technology	\$4,033.00		American Tower Rent	Add'tl funds for rent cost increase
4-100-013100-3321	Electoral Board	\$5,604.62		Voting Machines	Additional Funds for four elections
4-100-013100-8107	Electoral Board	\$10,000.00		Laptop Poll books	May need more laptops for poll books
4-100-013200-5210	Registrar	\$1,000.00		Postage	Additional Funds for four elections
4-100-013200-3600	Registrar	\$389.00		Advertising	To advertise polling place changes
4-100-031200-3313	Sheriff	\$576.19		Firing Range Maint.	Collected funds from neighboring counties to use range
4-100-031200-5844	Sheriff	\$12,701.15		Community Policing Program	Funded by donations
4-100-031200-6060	Sheriff	\$1,486.58		SWAT Equipment	Funded by donations
4-100-031770-6001	Sheriff	\$3,760.76		TRIAD Program	Funded by donations
4-100-031200-8203	Sheriff	\$10,000.00		Communications Equipment	Worn transmitters, digital receivers, audio repeater for SWAT unit
4-100-031400-6011	E-911	\$7,000.00		Uniforms	Needed due to staff hired late in Fiscal year
4-100-031400-5541	E-911	\$2,500.00		Other Training	Needed due to staff hired late in Fiscal year(Emerg Med Dispatch course)
4-100-031400-3161	E-911	\$15,700.00		E-911 Contractual	Upgrade CAD mapping system & recorder software to digital
4-100-031400-3160	E-911	\$3,700.00		E-911 Expenses	Upgrade CAD mapping system & recorder software to digital
4-100-031400-2210	E-911	\$10,000.00		Unspent FICA	For Radio System Repairs
4-100-032310-5850	Fire & EMS	\$14,848.52		4 for Life Funding	Balance of designated funds from state for specific fire & EMS programs
4-100-032310-6009	Fire & EMS	\$2,966.52		Ambulance tires	Ordered prior to end of budget year and back ordered
4-100-032310-6012	Fire & EMS	\$6,446.00		Protective Clothing	To cover cost of equipment needed to test breathing apparatus equip. to meet OSHA requirements/equip on backorder.
4-100-035200-3115	Animal Shelter	\$16,118.45		Emergency Vet Fund	Funded Solely by donations

4-100-035500-5541	Emergency Services	\$4,836.32		Dell computer upgrades for EOC	Upgrade EOC computers/partially grant funded
4-100-034100-6007	E-911 to Building Insp.	\$9,825.00		Maint. & Supplies for Street Signs	Street sign maint. Was reassigned to building dept during year, backlog of signs to be replaced requires addtl funding
4-100-53770-6001	Office on Youth	\$3,160.78		Skyline CAP	Donations for Summer Enrichment and HEAD Start
4-100-053701-6001	Office on Youth	\$51.70		Fundraiser-OOY	Student Group Fundraised balance
4-100-053790-3111	Office on Youth	\$71.05		Project EXCEL	Balance of donations for criminal background checks for volunteers working with children
4-100-053710-9210	Office on Youth	\$6,152.37		Youth Substance Abuse Program	Balance of After-Prom Celebration donations
4-100-053421-6015	Office on Youth	\$840.00		GBES Child Care Trips & Spec Events	Balance of unused donations for FY11
4-100-053422-6015	Office on Youth	\$2,794.00		OES Child Care Trips & Spec Events	Balance of unused donations for FY12
4-100-071100-1111	Parks & Recreation-Admin	\$31,910.00		Salaries & Wages	Amend budget for position reclassification
4-100-071100-2100	Parks & Recreation-Admin	\$2,441.00		FICA	Amend budget for position reclassification
4-100-071100-2210	Parks & Recreation-Admin	\$3,599.00		Retirement	Amend budget for position reclassification
4-100-071100-2400	Parks & Recreation-Admin	\$69.00		Group Life	Amend budget for position reclassification
4-100-071100-2710	Parks & Recreation-Admin	\$37.00		Workers Comp.	Amend budget for position reclassification
4-100-073100-3165	Library	\$11,000.00		IT Project-data processing services	E-rate grant funded project-delayed
4-100-073100-1322	Library	\$5,250.00		Salaries & Wages to PT	For book delivery position
4-100-073110-5230	Library	\$2,600.00		Electricity to Telephone	To provide budget for telephone
4-100-081100-3176	Planning & Zoning	\$29,000.00		GIS Parcel Updates	Ongoing Project
4-100-081100-3176	Planning & Zoning	\$16,000.00		Postage	Postage to mail zoning ordinance changes to all citizens
4-100-081600-3500	Tourism	\$2,800.00		Printing & Binding	Visitor Guide-OC-Not yet at printer
4-100-081600-3600	Tourism	\$11,986.00		Advertising	VA Travel Guide, Wine Blogger-not yet billed
4-100-081600-3601	Tourism	\$6,657.00		Local promotional events	Montpelier COOP campaign not yet billed
4-100-081600-3603	Tourism	\$6,479.00		Spec. Events-Sesquicentennial	ongoing project

4-100-081600-3100	Tourism	\$5,032.00		Website-Economic Devpt.	Not yet Billed
4-100-081600-2901	Tourism	\$585.00		Golf Shirts	For select volunteers-not yet billed
4-100-081600-5110	Tourism	\$3,500.00		Utilities	Not yet Billed
4-100-081600-5210	Tourism	\$2,000.00		Postage	Driving Tour Postage
4-100-081600-1322	Tourism	\$5,000.00		Part-time wages	Cover vacancies
4-100-081600-5652	Tourism	\$1,000.00		Kiosk	To be purchased in FY12
4-100-081680-7001	Cross Roads Reg Visitors Center	\$2,645.00		Operation of Visitors Center	Not yet Billed
4-100-081500-1322	Economic Development	\$15,000.00		Part-time wages	Support for new website & EDA study
4-100-081500-5540	Economic Development	\$2,500.00		Training	Basic IEDC Course-unable to complete due to injury in FY11
4-100-081500-5681	Economic Development	\$5,000.00		Career Awareness Program	Career Tours and Fairs
4-100-081500-5812	Economic Development	\$5,000.00		Labor Study	Anticipation of needed funds for labor study
4-100-081500-6016	Economic Development	\$42,500.00		Marketing Supplies & Publications	Not complete due to website delay
4-100-093100-0312	Finance Dept. to Capital Project Fund	\$34,350.00		Software Replacement 4-312-094103-8203	Initiate reserve from carryover funds toward the replacement of the County's financial software
	Grand Total	\$699,961.98			

RE: RESOLUTION OF APPRECIATION FOR ORANGE VOLUNTEER FIRE COMPANY COMPETITION TEAM

The Board approved the following resolution as presented:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS

WHEREAS, on August 13, 2011, members of the Orange Volunteer Fire Company Competition Team competed at the 125th Annual Virginia State Firefighters Association Conference contest; and

WHEREAS, during this contest, the Competition Team represented Orange County among more than 15 other localities state-wide; and

WHEREAS, the members of the Competition Team competed in eight different events to include: Motor Hose, Motor Chemical, 4-Man Hose, 4-Man Ladder, 6-Man Ladder, 5-Man Dressing, 1-Man Hose and 2-Man Airpack; and

WHEREAS, the Competition Team was awarded 18 points for placement in the varying events; and

WHEREAS, the Orange Volunteer Fire Company Competition Team was designated as the State champion for the Annual 2011 Contest;

WHEREAS, the Orange Volunteer Fire Company Competition Team has dominated the state championship title for 14 out of the past 15 years;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Orange County

extends its appreciation and admiration to the Orange Volunteer Fire Company Competition Team for their continued dedication and exceptional representation of Orange County, Virginia.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Orange County wishes to congratulate this and future endeavors of the Orange Volunteer Fire Company Competition Team.

RE: MINUTES

The Board approved the following minutes:

- August 9, 2011 Regular Meeting

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

RE: STATE OF EMERGENCY

At 7:02 p.m. Chairman Frame, declared the end of the State of Emergency, which began at 1:50 p.m. on August 23, 2011 after a significant earthquake occurred in Orange County.

RE: PUBLIC COMMENT/PUBLIC APPEARANCES

RE: PRESENTATION OF RESOLUTION OF APPRECIATION

Supervisor Goodwin presented a resolution of appreciation to the members of the Orange Volunteer Fire Company Competition Team, who competed at the 125th Annual Virginia State Firefighters Association Conference Contest. The Board congratulated the Team for their designation of State Champions for the 2011 Annual Contest, and for winning the State Championship Title for 14 out of the past 15 years.

RE: PUBLIC COMMENT

At 7:05 p.m. Chairman Frame opened the floor for public comment. The following individuals spoke:

- John Bangs, 22140 Monrovia Road, Orange, VA, commented on the Career Technical Education (CTE) Center.
- Gary Jones, 230 Woodbrook Lane, Pratts, VA, commented on the Rapidan Volunteer Fire Department funding.
- Alan Knewstep, Rapidan, VA, commented on the Rapidan Volunteer Fire Department funding.

There being no additional speakers, public comment was closed.

RE: BOARD COMMENT

Chairman Frame opened the floor for Board comment.

Supervisor Abbs commented on the Career Technical Education (CTE) Center and the Board's decision on funding the project. Mrs. Abbs explained that she wished to dispel any such belief that the Board does not support Career and Technical Education; but stated that the Board is interested in supporting educational opportunities for residents of Orange County. She expressed her concern about the citizen's immediate needs and she stated that funding the CTE Center project is not the best decision at this time for the citizens of Orange County.

RE: ACTION ITEMS

RE: PERSONAL PROPERTY TAX RELIEF (PPTRA) RESOLUTION

Glenda Bradley, Finance Director, explained that in accordance with the County ordinance, each year County staff, in consultation with the Commissioner of Revenue and the Treasurer, determines the extent to which Personal Property Tax Relief Act (PPTRA) funds projected to be received from the State will provide relief to Orange County taxpayers.

Ms. Bradley stated that in accordance with the County ordinance, staff has reviewed the actual personal property tax revenues to be received in calendar year 2011 and compared those to the budgeted PPTRA funds expected from the State (\$2,763,073) and determined the personal property tax relief available in tax year 2011 to be 44%, a 1% decrease from 2010. The calculation was done with actual assessment values from the Commissioner of the Revenue.

Ms. Bradley further explained that implementation of the 44% for 2011 would require a resolution by the Board and presented the following resolution for their consideration:

PERSONAL PROPERTY TAX RELIEF ACT (PPTRA)

WHEREAS the Personal Property Tax Relief Act of 1998, Va. Code Section 58.1-3523 et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS these legislative enactments require the County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS these legislative enactments provide for the appropriation to the County, commencing in 2006, of a fixed sum to be used exclusively for the provision of the tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles; and

WHEREAS on December 13, 2005, the Orange County Board of Supervisors adopted an ordinance to provide for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998-Specific Relief; and

WHEREAS the Orange County Commissioner of the Revenue, Orange County Treasurer and the Orange County Finance Director have calculated that the revenue to be received by the County from the State for PPTRA equates to approximately 44% for calendar year 2011;

NOW THEREFORE BE IT RESOLVED by the Orange County Board of Supervisors as follows:

- 1) In accordance with the current State requirements for PPTRA, any qualifying vehicle situated within the County commencing January 1, 2011, shall receive personal property tax relief in the following manner:
- 2) Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
- 3) Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 44% tax relief;
- 4) Personal use vehicles valued at \$20,001 or more shall only receive 44% tax relief on the first \$20,000 of value; and

5) All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve the PPTRA Resolution as presented.

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

RE: LANDFILL ENVIRONMENTAL CONTRACT

Kurt Hildebrand, Director of Public Works, explained that staff recently issued a Request for Proposals (RFP) for Environmental Engineering Services related to operations of the County’s landfill. He stated that the County’s current agreement with Joyce Engineering has reached its term limits and that eight firms responded to the RFP.

Mr. Hildebrand explained that the proposals were reviewed and interviews were conducted with the two highest ranked firms and from those proposals and interviews, Joyce Engineering was chosen as the most qualified firm. He stated that it was his and staff’s recommendation to award the contract to Joyce Engineering to provide the required environmental services associated with operation of the landfill.

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to authorize the County Administrator to execute a contract with Joyce Engineering for Landfill Environmental Engineering Services. The contract allows for an initial one (1) year term with the option for four (4) additional one year terms. The cost of this contract has been budgeted and will be funded from line items 042400-3183, 3185, 3186, & 3187.

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

RE: VIRGINIA OUTDOORS FOUNDATION EASEMENT REQUEST(S) (TAX MAP NO. 57-26 & TAX MAP NO.’S 17-37 AND 17-38)

Gregg Zody, Director of Planning, explained that the Virginia Outdoors Foundation (VOF) will consider two easement requests at their upcoming board meeting: the first request for John Sheldon Clark, Tax Map Numbers 17-37 and 17-38, and the second request for Gary and Beverly Garbaccio, Tax Map Number 57-26.

Mr. Zody explained the applicants’ request(s) to the Board and that the Virginia Outdoors Foundation has asked the County for a determination as to whether the properties in question are consistent with the County’s Comprehensive Plan. He further stated that staff has reviewed both applicants’ parcels and have determined that the placement of all requested parcels under easement is consistent with the County’s Comprehensive Plan.

Mr. Burkett moved, seconded by Mrs. Abbs, to determine that placement of the described properties under easement is consistent with the County’s Comprehensive Plan.

Discussion ensued regarding the location of Gary and Beverly Garbaccio’s easement request, Industrial property, and the aquifer location in the same area. The Board determined that they would vote on the easement requests as separate items.

RE: TAX MAP NO.17-37 AND 17-38 – JOHN SHELDON CLARK

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to amend the previous motion for determination of both the Garbaccio property and the Clark property to include only the Clark property and to determine that placement of the Clark property (Tax Map No. 17-37 and 17-38) under easement is consistent with the County’s Comprehensive Plan.

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

RE: TAX MAP NO. 57-26 – GARY AND BEVERLY GARBACCIO

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to determine that placement of the Garbaccio property (Tax Map No. 57-26) under easement is consistent with the County's Comprehensive Plan.

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

Mr. Zody requested clarification on easement requests brought forward for non-agriculturally zoned property. The Board indicated that they would like to review the request and would likely ask that the property be down-zoned to an agricultural zoning.

RE: RAPIDAN VOLUNTEER FIRE DEPARTMENT CONTRIBUTION

Mrs. Abbs motioned to remove the table on the Rapidan Volunteer Fire Department funding matter.

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

Supervisor Abbs called the question and requested action on the matter.

Mr. Wilson moved, seconded by Mr. Goodwin and carried, to reinstate the FY12 funding for the Rapidan Volunteer Fire Department through payment from Reserves.

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

RE: RESCUE SQUAD ASSISTANCE FUND GRANT/VIRGINIA INFORMATION TECHNOLOGIES AGENCY (VITA) WIRELESS GRANT

Nicola Tidey, E-911 Manager, explained to the Board that in the near future several grant application cycles will be made available for the replacement of out-dated and end of life cycle equipment.

Ms. Tidey stated that it is the recommendation of staff that application be made to the VITA Wireless Services Board for 100% funding for \$18,400+ for equipment upgrades. She explained the three components of this particular grant to the Board including: mapping integration into the CAD system and training for the system, a Business Communications Manager (BCM) upgrade, and a Public Safety Answering Points (PSAP'S) scholarship grant.

Ms. Tidey also explained the Rescue Squad Assistance Fund (80/20) Matching Grant to the Board. She stated that in 2010, the E911 Center applied for grant funding to replace the Center's digital recorder; however, the grant was not awarded. She stated that in April 2012, the maintenance contract for this recorder will expire, and the company will no longer support the product due to its end of life cycle. She stated that the E911 Center would like to apply for grant funding under the Rescue Squad Assistance Fund, and requested that 20% matching funds be approved by the Board in order to apply for the grant.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to authorize staff to apply for grant funding via the Rescue Squad Assistance Fund and the VITA Wireless Board Fund. Furthermore, the Board approved \$9,200 of matching funds to accompany the Rescue Squad Assistance Fund grant application.

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

RE: PUBLIC HEARING

Sharon Pandak, County Attorney, gave a brief staff report regarding the proposed amendment to County Code Chapter 33, Elections, Section 22-39, and explained the implementation schedule and the result the schedule would have on future Boards of Supervisors and the School Board.

At 7:34 p.m., Chairman Frame called the public hearing to order to receive comments on the following:

- Amendments to County Code Chapter 33, Elections, Section 22-39, Number of Supervisors, in order to revert to quadrennial elections for seats on the Board of Supervisors so that all Supervisors will be elected concurrently. Adoption of this amendment will also make School Board terms concurrent.

Chairman Frame opened the floor for public comment. The following individuals spoke:

- John Bangs, 22140 Monrovia Road, Orange, VA
- Suzanne Brady, 306 Westover Parkway, Locust Grove, VA
- Henry Lee Carter, 11336 Rapidan Road, Orange, VA
- Teri Pace, 25485 Gooch Lane, Unionville, VA

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

Mr. Burkett indicated that he was in favor of Mr. Bangs' comment about having the Board elections coincide with presidential election years. Ms. Pandak stated that the statute establishes the implementation schedule, and that she would have to check into the possibility of changing the implementation schedule to have elections coincide with presidential election years.

Mrs. Abbs stated that she has previously spoken with a member of the Electoral Board and commented on the cost that the ordinance amendment would have on the County. Mrs. Abbs also shared comments from Gordonsville Mayor Bob Coiner, resident Bill Speiden, resident John Colvin, and members of the School Board in support of the current system of staggered terms.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to table the decision to amend County Code Chapter 33, Elections, Section 22-39 (Quadrennial Elections), until the County Attorney could research what is involved in changing the local elections to coincide with presidential election years.

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

RE: ACTION ITEMS (CONTINUED)

RE: RESOLUTION FOR ADDITIONAL SIGNAGE ON WILLIS ROAD (STATE ROUTE 703)

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

RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS
WATCH FOR CHILDREN SIGN - ROUTE 703

WHEREAS, the Orange County Board of Supervisors has received a request to post "Watch for Children" signage on Route 703 in Orange County; and

WHEREAS, Route 703 is a public road that serves the residents of Orange County; and

WHEREAS, high volumes of traffic, traveling at high rates of speed, utilizing Route 703 pose significant safety concerns due to the presence of children and the residential character of

the road in general; 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 request that the Virginia Department of Transportation post "Watch for Children" signage on Secondary Route 703, utilizing funds available from the Department of Transportation's Secondary System Construction Allocation for Orange County.

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

Mr. Burkett requested information from staff on the timeline for installation of the "Watch for Children" sign. Mr. Goodwin also requested an update on the status of the Route 617 project from staff/Virginia Department of Transportation.

RE: RESOLUTION FOR CONTINUED SUPPORT OF MORATORIUM ON URANIUM MINING

Supervisor Abbs stated that the Orange County Board of Supervisors previously approved a resolution for support of the Moratorium on Uranium Mining in 2007. She also stated that due to the change in the Board, she was presenting the Board with a resolution for the Board's continued support of the Moratorium. Mrs. Abbs stated that upon approval of the resolution she would like for it to be sent to our legislators with a letter that further exemplifies the Board's continued support of the Moratorium.

Chairman Frame suggested a few changes to the resolution to reinforce the language used to strongly support the moratorium.

Mrs. Abbs moved, seconded by Mr. Burkett and carried, to approve the resolution as modified and to include a cover letter with the resolution:

CONTINUED SUPPORT OF MORATORIUM ON URANIUM MINING

WHEREAS, in the early 1980's the Orange County Board of Supervisors recognized the threat to the County water supply and its agriculture products from the possible mining of uranium in the County; and

WHEREAS, the Board understands that several thousand acres in Orange County and in other counties in Virginia have been leased for uranium exploration; and

WHEREAS, in 1982 the General Assembly passed a moratorium on the mining and milling of uranium in the Commonwealth until the industry proved that it could perform such activities safely; and

WHEREAS, the Virginia climate remains one of more rainfall than evaporation rate, which causes tailings ponds to overflow as well as leach into the water table; and

WHEREAS, specifically nearby Contrary Creek, south of Orange County on Route 522 in Spotsylvania County, has exhibited overflow from tailings ponds from old gold mines and tailings ponds with acid levels under 3.0 ph, that have poisoned the water and surrounding shore of the creek; and

WHEREAS, such mining activities can seriously damage the rural character of Orange County by both contamination of its soil and water supplies and by creating a blight on the landscape; and

WHEREAS, the Orange County Board of Supervisors during a regular meeting on November 13, 2007, adopted a resolution supporting continuation of the moratorium on the mining and milling of uranium in Virginia; and

WHEREAS, the recent increase in energy prices has prompted the reemergence of interest in mining and milling uranium in Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors strongly supports the continued moratorium on the mining and milling of uranium in Virginia until the industry can demonstrate with very high confidence that uranium mining and milling can be done without threatening our water supply, agricultural products and our rural character.

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

RE: RESOLUTION TO CONFIRM DECLARATION OF EMERGENCY DUE TO EARTHQUAKE

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

RESOLUTION TO CONFIRM DECLARATION OF EMERGENCY
DUE TO EARTHQUAKE

WHEREAS, beginning on Tuesday, August 23, 2011, Orange County was impacted by a significant earthquake; and

WHEREAS, the Deputy Emergency Management Coordinator recommended that a state of emergency be declared; and

WHEREAS, on Tuesday, August 23, 2011, pursuant to § 44-146.21 VA Code Ann., the Chairman of the Board of Supervisors, as the local director of Emergency Management and after consultation with the County Administrator, declared a state of emergency in the County because it was apparent that the effects of the earthquake could result in structural damages or injuries to the population and property in Orange County and in order to activate the local Emergency Operations Plan to immediately address this emergency; and

WHEREAS, an end to the state of emergency was declared at 7:00 p.m. on Tuesday, August 23, 2011;

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to § 44-146.21 VA Code Ann., the Orange County Board of Supervisors does hereby confirm the declaration of a state of emergency beginning at 1:50 p.m., Tuesday, August 23, 2011; and be it

FURTHER RESOLVED that the Board of Supervisors does hereby also confirm the end of the declared state of emergency as of 7:00 p.m. on Tuesday, August 23, 2011; and be it

FURTHER RESOLVED that the Board of Supervisors authorizes application to the State and/or Federal government for reimbursement of qualifying expenditures made by qualifying entities during the state of emergency; and be it

FINALLY RESOLVED that the Board of Supervisors expresses its sincere appreciation to its employees and other persons who assisted with addressing this emergency in Orange County.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
The Board made no appointments at this time.

RE: DISCUSSION ITEMS

RE: SURPLUS PROPERTY CLARIFICATION

Glenda Bradley, Finance Director, stated that in November, of 2010 the Board adopted the Surplus Property Policy. She stated that she wanted to obtain clarification of the authority of the County Administrator and clarification on whether or not surplus property should be brought before the Board for approval before disposal of the property occurs.

Discussion ensued about the creation of dollar limits for surplus property which will help to designate those items which require Board approval and those items which can be disposed of under the sole discretion of the County Administrator.

By consensus, the Board directed staff to amend the County's Surplus Property Policy, to include a provision which states that all surplus property valued at \$5,000.00 or greater be brought before the Board for approval before disposal of such property.

RE: DISCUSSION OF LITTERING AT GREEN BOX SITES

Julie Jordan, County Administrator, stated that as a result of increased closures to green box sites, the Board has requested to revisit the issue of littering at these sites. Ms. Jordan stated that there have been instances of littering since the change of policy on July 1, 2011, but no significant increases have been brought to staff's attention.

Discussion ensued about littering in the County. Supervisor Abbs reiterated the need for following up with the Commonwealth's Attorney's office and the Sheriff's office after instances of littering, so that the offender can be prosecuted. Supervisor Burkett stated that he still felt that citizens throwing away their trash should not be charged.

RE: TRANSFER OF EASEMENT FROM ORANGE COUNTY TO RAPIDAN SERVICE AUTHORITY

Chairman Frame stated that as of today, the work on the New Middle School sewage system is complete.

Supervisor Abbs requested a breakdown of costs for the sewage system mistake and fix of the mistake.

Chairman Frame stated that the documents before the Board for their review are for easements for access to the sewage lines/water lines not the water tank. He further stated that he wanted the Board to look at the documents for the next meeting and that he would be working with the Rapidan Service Authority (RSA), the school contractors, and Sharon Pandak, County Attorney, about the consistency of the presented information.

Ms. Pandak explained the logistics of the deed of easement and the letter of dedication.

Discussion ensued about the water tower at the site in addition to the sewage system, and about discussion of this item on the next agenda. Further discussion ensued about the authority and role of RSA.

By consensus, the Board directed staff to include the transfer of certain easements from Orange County to the Rapidan Service Authority on the September 13, 2011, agenda for

consideration.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report: Alisha Vines, Director of the Office on Youth
- Treasurer's Report: Phyllis Yancey, Treasurer

RE: CALENDAR

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

Julie Jordan, County Administrator, reminded the Board of the School Opening Ceremony to be held Tuesday, August 30, 2011, at 6:00 p.m.

RE: COMMITTEE REPORTS

Supervisor Abbs commented that the Committee Reports Agenda Item had been left off the current agenda and should have been included.

Supervisor Abbs also raised the question about a meeting that allegedly occurred between a member of the Board of Supervisors and County staff about potential federal grant funding for the Azimipour/A&K Property for the Wal-Mart site. In response to Mrs. Abbs' question, Julie Jordan, County Administrator, stated that there is a group that is trying to get federal sites/jobs located on the Route 3 Corridor and that the County's Economic Development Director has met with this group. Ms. Jordan stated that she was not aware of a meeting specifically for grant funding for infrastructure on the Azimipour /A&K Property.

RE: CLOSED MEETING

At 8:31 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 matter:

- One matter of legal advice regarding the Subdivision Ordinance and Zoning Ordinance; 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.

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

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

RE: ACTION FOLLOWING CLOSED MEETING

By consensus, the Board directed staff to schedule a zoning and subdivision workshop meeting on Tuesday, August 30, 2011, at 1:00 p.m.

RE: CERTIFICATION OF CLOSED MEETING

At 9:35 p.m. Ms. 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. Burkett moved, seconded by Mr. Goodwin and carried, to approve the 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 Mrs. Abbs and carried, to adjourn the meeting at 9:35 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None.

Lee H. Frame, Chairman

Julie G. Jordan, County Administrator