

BOARD OF SUPERVISORS MINUTES**AUGUST 23, 2016**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 23, 2016, beginning at 5:00 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; R. Mark Johnson; James K. White, and James P. Crozier. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adopted the agenda, as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES**RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR WALLACE GOODMAN**

Chairman Frame read the Resolution of Appreciation and presented a signed, framed copy to Mr. Wallace Goodman.

Collectively, the Board thanked Mr. Goodman for his service.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

E. Alan Saunders, Louisa Resident Engineer, provided an update to the Board on VDOT activities. He reported on projects currently in development; projects under construction; completed and ongoing traffic engineering studies; and overall maintenance activities.

Discussion ensued among the Board regarding: the intersection at Routes 522 and 20; Smart Scale projects; and the project at Route 3 and Lake of the Woods.

The Board thanked Mr. Saunders for his presentation.

RE: CONSENT AGENDA

On the motion of Mr. Goodwin, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

RE: FY17 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
43120001-43350	Other Repairs / Maintenance	\$ 9,300.00	\$ 1,500.00	\$ 10,800.00
30023001-31575	Sheriff Firing Range Fees	(1,650.00)	(1,500.00)	(3,150.00)
43175001-41322	Wages - Part-Time	0.00	12,480.00	12,480.00
43175001-42100	FICA & Medicare	3,513.00	1,234.00	4,747.00
43175001-42210	Retirement	4,656.00	2,537.00	7,193.00
43175001-42400	Group Life Ins.	650.00	4.00	654.00
43175001-42710	Workers Comp.	35.00	35.00	70.00
43175001-43500	Printing & Binding	0.00	1,000.00	1,000.00
43175001-45210	Postage	500.00	(500.00)	0.00
43175001-45230	Telephone Services	0.00	2,000.00	2,000.00

43175001-45500	Training Expenses	600.00	(600.00)	0.00
43175001-45510	Mileage, Tolls & Parking	0.00	3,245.00	3,245.00
43175001-45530	Meals & Lodging	0.00	1,395.00	1,395.00
43175001-45540	Tuition / Registration	1,000.00	(475.00)	525.00
43175001-45610	Dues / Memberships	200.00	95.00	295.00
43175001-46000	Office Supplies	1,000.00	200.00	1,200.00
30045030-36100	DCJS - Victim Witness Prog.	(56,562.00)	(22,650.00)	(79,212.00)
43120006-46800	Forfeited Asset Expenses	0.00	327.00	327.00
30045004-33250	Miscellaneous	0.00	(327.00)	(327.00)
30030006-33500	Donations - Animal Shelter	0.00	(960.00)	(960.00)
43520003-43115	Prof. Serv. - Emergency Vet	500.00	960.00	1,460.00
30030006-33500	Donations - Animal Shelter	0.00	(946.00)	(946.00)
43520003-43115	Prof. Serv. - Emergency Vet	500.00	946.00	1,446.00
TOTALS		\$ (35,758.00)	\$ 0.00	\$ (35,758.00)

RE: MINUTES

As part of the Consent Agenda, the Board approved the following minutes:

- August 9, 2016 Worksession
- August 9, 2016 Regular Meeting

RE: NEW BUSINESS

RE: AUTHORIZATION OF COOPERATIVE USE OF CONTRACT WITH COMPUTER CABLING AND TELEPHONE SERVICES, INC. FOR FIBER OPTICS PRODUCTS AND INSTALLATION SERVICES AND ASSIGNMENT TO BROADBAND AUTHORITY

Stephanie Straub, Financial Management Specialist, stated that the Orange County School Board had previously executed a competitively-procured contract for Fiber Optics Products and Installation Services with Computer Cabling and Telephone Services, Inc. She added that the scope of the contract included design and installation of fiber networks, with a contract valid for three (3) years and seven (7) one-year renewals. Ms. Straub noted that the contract was written with a rider clause authorizing use by Orange County. Staff requested permission to ride said contract as well as assign the contract to the Orange County Broadband Authority.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with Computer Cabling and Telephone Services, Inc. per the terms and conditions of Contract CCT-00-16DH, and authorized the County Attorney and County Administrator to do those things necessary to assign the management of said contract to the Orange County Broadband Authority.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: OLD BUSINESS

RE: HOME ENTERPRISE / HOME OCCUPATION TEXT AMENDMENT

R. Bryan David, County Administrator, explained that the Board had previously considered the matter related to definitions for home enterprises and home occupations, at which time they agreed to revised the definitions and have them formatted as an amendment to the Zoning Ordinance. He presented a draft of the revised definitions to the Board for its consideration.

Supervisor Johnson reviewed the proposed revisions to the definitions as well.

Discussion ensued among the Board regarding: noise and decibel levels; and desired changes to the language.

By consensus, the Board initiated Planning Commission action on the proposed revisions to the definitions of Home Enterprise and Home Occupation and Section 70-116.b of the Orange County Zoning Ordinance related to zoning permits, requesting that the Planning Commission hold a Public Hearing and present a recommendation to the Board.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: OFFICE ON YOUTH QUARTERLY REPORT

Alisha Vines, Office on Youth Director, and Ashley Jacobs, Program Coordinator, provided an update to the Board on Office on Youth activities and the Virginia Foundation for Healthy Youth programs. Ms. Vines shared information on the Youth Council, the annual school supply drive and distribution efforts, and recent and upcoming programs. Ms. Jacobs reviewed efforts through the Virginia Foundation for Healthy Youth, including additional programs and features as well as program statistics and results.

Discussion ensued among the Board regarding: how families were selected for participation in the various programs; challenges experienced by local families; participation at public events; age progression software and grant funding; program changes for the juvenile crime control act; and partnerships with the Schools.

The Board thanked Ms. Vines and Ms. Jacobs for their presentation.

RE: CARRY FORWARD REQUESTS FROM FY16 TO FY17

Glenda Bradley, Assistant County Administrator for Finance and Management Services, explained that each year there were expenditures planned for projects, grants, and other items that remained incomplete at the end of the fiscal year for a variety of reasons. She added that departments had submitted a list of these carry forward requests, which were reviewed and evaluated by the County Administrator.

Ms. Bradley indicated that an amendment to the FY17 budget was requested to carry forward balances of the identified activities for a total of \$402,485. She noted that \$274,653 of the total would be funded from the General Fund. Ms. Bradley reminded the Board that this total did not include capital project funds as they were appropriated for the life of the project.

On the motion of Mr. Goodwin, seconded by Mr. White, which carried by a vote of 5-0, the Board approved the carry forward requests from Fiscal Year 2016 to Fiscal Year 2017, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: RESOLUTION FOR PERSONAL PROPERTY TAX RELIEF ACT (PPTRA)

Glenda Bradley, Assistant County Administrator for Finance and Management Services, indicated that, in accordance with the County ordinance, staff consulted with the Commissioner of the Revenue and the Treasurer each year to determine the extent to which Personal Property Tax Relief Act (PPTRA) funds would be provided to Orange County taxpayers.

Ms. Bradley noted that staff had reviewed the actual personal property tax revenues to be received in Tax Year 2016 and compared those to the budgeted PPTRA funds expected from the State and determined that personal property tax relief should be 33.98% this year.

Discussion ensued among the Board regarding: vehicles valued under \$1,000; and how the tax relief rate was calculated.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

RESOLUTION TO ADOPT THE PERSONAL PROPERTY TAX RELIEF ACT (PPTRA) FOR 2016

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code Section 58.1-3523 et seq. ("PPTRA"), was 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 Commissioner of the Revenue, Treasurer, and the Assistant County Administrator for Finance and Management Services have calculated that the revenue to be received by the County from the State for PPTRA equates to approximately 33.98% for tax year 2016;

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of August, 2016, that the Orange County Board of Supervisors hereby establishes the following:

In accordance with the current State requirements for PPTRA, any qualifying vehicle situated within the County commencing January 1, 2016, shall receive personal property tax relief in the following manner:

1. Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
2. Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 33.98% tax relief;
3. Personal use vehicles valued at \$20,001 or more shall only receive 33.98% tax relief on the first \$20,000 of value; and
4. 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.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: COUNTY ATTORNEY'S REPORT

RE: AMENDMENT TO TAXATION ORDINANCE REGARDING ADMINISTRATIVE FEE FOR COLLECTION OF DELINQUENT TAXES

Thomas Lacheney, County Attorney, explained that an outdated section in the Orange County Code of Ordinances, specifically regarding taxation, had been identified and required correction. He indicated that the County Code had established a lower limit on administrative fees for the collection of delinquent taxes than what was allowed under State Code. Mr. Lacheney requested the Board authorize staff to schedule this amendment for Public Hearing in order to correct the County Code and align it with State Code.

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for amendments to the Taxation Ordinance regarding administrative fees for the collection of delinquent taxes on September 27, 2016 at 7:00 p.m.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: GERMANNA-WILDERNESS AREA PLAN (GWAP) UPDATE

R. Bryan David, County Administrator, and members of the GWAP Steering Committee provided an update to the Board regarding the recent Steering Committee meeting and the work completed to-date, particularly as it related to the initial work on the transportation planning task.

Discussion ensued among the Board regarding: transportation planning efforts; assistance from and participation with the Virginia Department of Transportation; and maintaining Route 3 through future growth and development.

The Board took the information regarding the Germanna-Wilderness Area Plan (GWAP) under advisement, and there was no action taken at this time.

RE: CLOSED MEETING

At 6:02 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

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

- Discussion, consideration, or interviews of prospective candidates for employment; or assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body. - §2.2-3711(A)(1) of the Code of Virginia
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711(A)(7) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby authorized discussion of the aforesated matters in Closed Meeting.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 6:54 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County has this day adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby certified 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 applied, 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.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: BOARD COMMENT

Chairman Frame commented on a letter he received regarding Mt. Calvary Church, and the Board agreed there was no need to submit comments regarding the proposal. He also shared information with the Board regarding a letter from VACo on submission of ornaments for the Holiday Tree. Lastly, Chairman Frame reviewed a letter received from the Mayor of Crewe regarding lottery proceeds.

Supervisor Johnson discussed a concern regarding non-conforming structures and how it may be addressed. He mentioned that it may be necessary to have a worksession in the future.

Collectively, the Board discussed matters related to the recent VACo Summit and Region 7 Legislative meeting, including State revenues, youth programs, and transportation.

RE: PUBLIC COMMENT

At 7:23 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 7:23 p.m.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- May 27, 2016 Health Center Commission Minutes
- July 5, 2016 Culpeper Soil and Water Conservation District (CSWCD) Minutes

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar for the months of August 2016, September 2016, and October, 2016.

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adjourned the meeting at 7:30 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Lee H. Frame, Chairman

R. Bryan David, County Administrator