At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 28, 2012, beginning at 5:00 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

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

RE: FY13 CARRY FORWARDS

The Board approved the following carry forward requests from FY12 to FY13:

Account Number	Department	Amount	Description of Item	Reason Carry Forward Is Necessary
4-100-011010-3100	Legislative	$2,000	Professional Services	Facilitation services and supplies for joint BOS/OCSB Retreat
4-100-011010-3600	Legislative	$16,018	Advertising	Potential Comp. Plan, Zoning & Subdivision Ordinance changes
4-100-011010-5210	Legislative	$2,000	Postage	Potential Comp. Plan, Zoning & Subdivision Ordinance changes
4-100-011010-6001	Legislative	$2,132	Office Supplies	Potential Comp. Plan, Zoning & Subdivision Ordinance changes
4-100-012110-5541	Administration	$1,500	Travel-Conventions & Education	Addt'l training for new position
4-100-012110-5810	Administration	$200	Dues & Memberships	Addt'l ICMA membership
4-100-012110-6001	Administration	$1,500	Office Supplies	Supply cabinet and other supplies
4-100-012215-3100	County Attorney	$1,680	Professional Services	County Attorney
4-100-012215-3110	County Attorney	$3,452	Professional Services-Rt 711 Relocation	Rt 711 Relocation
4-100-012215-3155	County Attorney	$1,272	Codification of County Ordinances	Potential Comp. Plan, Zoning & Subdivision Ordinance changes
4-100-012215-6012	County Attorney	$1,232	Reference Materials	County Attorney
4-100-012220-1903	Human Resources	$3,000	Educational Incentives	Ongoing Educational Incentives
4-100-012220-1907	Human Resources	$47,208	Reserve for Position Reclassifications	Ongoing Item
4-100-012220-2901	Human Resources	$19,751	Employee Recognition Program	Ongoing Item
4-100-012220-3135	Human Resources	$13,000	Consultant & Flex Benes Admin.	OPEB Liability Actuarial Study
4-100-012240-3121	Finance	$1,300	Cost Allocation Report	FY11 Report not yet

			Preparation	complete
4-100-012510-5230	Information Technology	$11,507	Replace Blackberries/mifis MDM	Planned move from BB Server
4-100-012510-5240	Information Technology	$10,000	UPS/Switch Replacement	Foundation for CIP Radio Replacement project
4-100-012510-5540	Information Technology	$1,530	Travel - Conference & Education	Certification Testing delayed
4-100-012510-6014	Information Technology	$1,972	Printer Replacements	Changes with various Xerox contracts
4-100-012510-6026	Information Technology	$1,500	CSA software	Project delayed
4-100-012510-8207	Information Technology	$30,000	SAN Storage/replace backup tapes	Server crash at OCSO delayed project
4-100-013100-1322	Electoral Board	$9,000	Wages - Part-time	Addt'l part-time wages needed to cover Nov. Presidential election
4-100-013200-1322	Registrar	$2,500	Wages - Part-time	Addt'l part-time wages needed to cover Nov. Presidential election
4-100-021600-8107	Clerk of the Circuit Court	$17,365	TTF Equipment	Ongoing Clerk of Court Tech. Exp.
4-100-031200-3313	Sheriff	$147	Maintenance - Firing Range	Collected from neighboring counties for use of range
4-100-031200-5844	Sheriff	$14,025	Community Policing Program	Balance of Donations
4-100-031200-6060	Sheriff	$487	SWAT	Balance of Donations
4-100-031400-3160	E-911	$5,000	E-911 expenses	Supervisor position equip., VDOT project, security camera upgrades, maint. contract
4-100-031400-3161	E-911	$11,000	E-911 contracts	Cassidian contract renewal
4-100-031400-3162	E-911	$1,400	E-911 Map Reproductions	Reprint all e-911 books
4-100-031400-3600	E-911	$500	Advertising	advertise supervisor position
4-100-031400-6011	E-911	$1,000	Uniforms	new employee uniforms
4-100-031770-6001	TRIAD	$3,530	Triad Program	Balance of Donations
4-100-033200-7001	Jointly Operated Institutions	$71,765	Rappahannock Juvenile Detention	Addt'l FY13 Operating Request
4-100-035200-3115	Animal Shelter	$4,953	Emergency Veterinarian Fund	Balance of Donations
4-100-035200-3201	Animal Shelter	$2,003	Pet I.D. Microchip Program	Balance of Donations
4-100-035200-8201	Animal Shelter	$8,470	Equipment	Balance of Pet Smart Grant
4-100-043200-3310	Buildings & Grounds	$60,000	Repair & Maintenance Services	Ongoing Facilities Repair & Maint.
4-100-043200-5190	Buildings & Grounds	$4,767	Snow Removal	Minimal snow in FY12
4-100-053421-6015	Child Care-GBES	$430	GBES Trips & Special Events	Balance of donations & program fundraisers
4-100-053422-6015	Child Care-OES	$871	OES Trips & Special Events	Balance of donations & program fundraisers
4-100-053520-1322	CSA Administration	$1,150	CSA Admin - Wages Part -time	Audit Preparation

4-100-053701-5540	Office on Youth Programs	$379	OOY Conference & Education	Grant Proceeds-child care provider training
4-100-053701-6001	Office on Youth Programs	$624	OOY Programs - Supplies	Balance of donations & program fundraisers
4-100-053710-9210	Youth Substance Abuse Programs	$5,730	Youth Substance Abuse Program (After Prom)	Balance of donations & program fundraisers
4-100-053770-6001	Skyline CAP	$3,147	Skyline CAP	Balance of donations & program fundraisers
4-100-053780-3111	At-Risk Program	$356	At-Risk Program (Breakfast Buddies)	Balance of donations & program fundraisers
4-100-053780-6001	At-Risk Program	$355	At-Risk Program (Breakfast Buddies)	Balance of donations & program fundraisers
4-100-053790-3111	Project EXCEL	$415	Project EXCEL - Background Cks	Balance of donations & program fundraisers
4-100-071100-3600	Parks & Recreation-Admin.	$1,060	Advertising	Advertise P&R programs
4-100-071100-5210	Parks & Recreation-Admin.	$688	Postage-P&R	Promote P&R programs
4-100-071100-5511	Parks & Recreation-Admin.	$475	Travel-Recreation Assistant	Training for shared position
4-100-071100-6001	Parks & Recreation-Admin.	$1,027	Office Supplies-P&R	Promote P&R programs
4-100-071200-1322-823	Parks & Recreation-Programs	$2,196	Wages - Part-time - Gymnastics	Ongoing Program
4-100-071231-5110	Parks-District I	$476	Electricity	Parks-District 1
4-100-071234-1322	Parks-District III	$4,100	Wages - Part-time - Booster Park	OYSF-Booster Park Agreement FY13
4-100-071234-3100	Parks-District III	$16,799.45	Parks - District III	Per budget worksession discussion
4-100-071235-3100	Parks-District IV	$20,000	Parks - District IV	Per budget worksession discussion
4-100-073110-1322	Wilderness Branch Library	$2,500	Wages - Part-time	Addt'l part-time wages needed to cover extended sick leave at library
4-100-081100-3176	Planning & Zoning	$38,233	GIS Parcel Updates	Ongoing project with many updates outstanding
4-100-081100-5540	Planning & Zoning	$1,900	Travel - Conference & Education	Continuing Education-P&Z
4-100-081300-5210	Planning Commission	$6,792	Postage - Planning Commission	Potential Comp. Plan, Zoning & Subdivision Ordinance changes
4-100-081300-5540	Planning Commission	$3,456	Planning Commission Training	Training for all members not yet trained
4-100-081400-5540	Board of Zoning Appeals	$1,350	BZA Training	Training for all members not yet trained
4-100-081500-1322	Economic Development	$12,000	Wages - Part-time - ED	Implement BOS' priority #1; BRE program and marketing of website

4-100-081500-6016	Economic Development	$12,500	Marketing - Supplies, Publications	Marketing for website, develop/produce marketing photos
4-100-081600-3100	Tourism	$3,000	Professional Services-Tourism	You Tube video project not yet complete
4-100-081600-3603	Tourism	$4,260	Special Events - Sesquicentennial	Ongoing project
4-100-081600-5540	Tourism	$2,000	Travel - Conference & Education	Continuing Education-Tourism
4-100-081680-7001	Crossroads Regional Visitors Center	$4,272	Operation of Visitors' Center	Not yet billed
4-100-082400-7001	Soil & Water Cons District	$7,920	Soil & Water Cons District	TMDL Impl. Grant funding for project
4-100-093100-0312	Transfers to Other Funds	$7,595	Transfer to Capital Project Fund	For CIP Software
3-100-041050-0100		$(559,722.45)	Appropriated Fund Balance	Fund Carry-Forward Requests
Subtotal General Fund		**$ -**		
4-150-022100-5844	Asset Forfeiture-Comm Attny	$5,629.33	Comm Attny - Asset Forfeiture Funds	Balance on hand at June 30, 2013
4-150-031700-5844	Asset Forfeiture-Sheriff	$7,513.17	Sheriff - Asset Forfeiture Funds	Balance on hand at June 30, 2012
3-150-041050-0150		$(13,142.50)	Appropriated Fund Balance	Fund Carry-Forward Requests
Subtotal Asset Forfeiture Fund		**$ -**		
4-312-094103-8203	CIP Fund	$3,555	Professional Services-Finance	CIP Software/Springsted
4-312-094103-8203	CIP Fund	$4,040	Professional Services-HR	CIP Software/Springsted
3-312-041050-0100		$(7,595)	Transfer from General Fund	Fund Carry-Forward Requests
Subtotal Capital Project Fund		**$ -**		
4-504-081700-3314	Airport Operations	$558	Maintenance - Airport	Replace Threshold Light
4-504-081700-5411	Airport Operations	$299	Lease-copier	Xerox maintenance contract
3-504-041050-0504		$(857)	Appropriated Fund Balance	Fund Carry-Forward Requests
Subtotal Airport Fund		**$ -**		
4-513-042400-3103	Landfill Operations	$227,247	Professional Services - Landfill A & E	Draper Aden Contract
3-513-041050-0513		$(227,247)	Appropriated Fund Balance	Fund Carry-Forward Requests
Subtotal Landfill Fund		**$ -**		
Grand Total		**$ 808,563.95**		
Less: Transfers between Funds		**$ (7,595.00)**		
Consolidated Total		**$ 800,968.95**		

RE: FY12 SUPPLEMENTAL APPROPRIATIONS
The Board approved the following supplemental appropriations for FY12:

MONTH	DEPT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
August 28, 2012	**For FY2012**	**Total this meeting**	**$ 69,312.95**	
	Sheriff	OT-Security for Special Events	$ 6,504.00	Security Work Fee Revenue
	Subtotal Sheriff		**$ 6,504.00**	
	Legal Services	Legal Exp-Del. Tax Suits	$ 2,500.00	Recovered Costs - Legal
	Subtotal Legal Services		**$ 2,500.00**	
	Circuit Court Jury	Comp.-Circuit Court Jury	$ 5,200.00	Recovered Costs - Legal
	Subtotal Circuit Court Jury		**$ 5,200.00**	
		Total this meeting	**$ 14,204.00**	

RE: FY13 SUPPLEMENTAL APPROPRIATIONS
The Board approved the following supplemental appropriations for FY13:

MONTH	DEPT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
August 28, 2012	**For FY2013**			
	Animal Shelter	Emergency Vet	$ 1,351.00	Donations
	Animal Shelter	Vaccinations	$ 1,250.00	Donations
	Subtotal Animal Shelter		**$ 2,601.00**	
	Orange County Library		$ 250.00	Donations
	Orange County Library		$ 1,000.00	Donations
	Subtotal Orange County Library		**$ 1,250.00**	
	Asset Forfeiture - Sheriff	Forfeited Assets	$ 82.48	Forfeited Assets State (DCJS)
	Subtotal Asset Forfeiture-Sheriff		**$ 82.48**	
		Total this request	**$ 3,933.48**	

RE: PERSONAL PROPERTY TAX RELIEF ACT (PPTRA) RESOLUTION
The Board approved the following resolution as presented:

PERSONAL PROPERTY TAX RELIEF ACT (PPTRA)

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 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 37% for calendar year 2012;

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 sitused within the County commencing January 1, 2012, 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 37% tax relief;

4) Personal use vehicles valued at $20,001 or more shall only receive 37% 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.

RE: <u>RESOLUTION IN RECOGNITION OF SHARON PANDAK</u>
The Board approved the following resolution as presented:

A RESOLUTION BY THE ORANGE COUNTY BOARD OF SUPERVISORS
IN RECOGNITION OF SHARON E. PANDAK

WHEREAS, Sharon E. Pandak has faithfully, and with honor, integrity, and great distinction, served Orange County since 2007; and

WHEREAS, Sharon E. Pandak has provided outstanding advice and guidance to the Orange County Board of Supervisors and Staff; and

WHEREAS, Sharon E. Pandak's extensive wealth of knowledge and insight has been an irreplaceable asset to the County; and

WHEREAS, Sharon E. Pandak has been instrumental in many litigation and development efforts throughout the County; and

WHEREAS, Sharon E. Pandak and the Law Offices of Greehan, Taves, Pandak & Stoner, PLLC have always been mindful of the interests of Orange County and have worked tirelessly to protect the County's interests; and

WHEREAS, the Board of Supervisors wishes to acknowledge the distinguished tenure of Mrs. Pandak and looks forward to future relations with her and the Law Offices of Greehan, Taves, Pandak & Stoner, PLLC;

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Supervisors formally extends its profound appreciation, thanks, and admiration to Sharon E. Pandak for her many years of dedicated service to the County.

RE: RESOLUTION OF APPRECIATION FOR THE ORANGE DOWNTOWN ALLIANCE
The Board approved the following resolution as presented:

A RESOLUTION OF RECOGNITION BY THE
ORANGE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Orange Downtown Alliance is a non-profit association established to enhance the economic environment of the Town of Orange while maintaining the character and integrity of the Town's central business district as an attractive place to live, work, and visit; and

WHEREAS, the Orange Downtown Alliance is a member of the Virginia Main Street Program and the National Main Street Center; and

WHEREAS, the Orange Downtown Alliance helps promote downtown Orange by hosting events such as the Orange Farmers & Artisans Market, Easter Egg Hunt, Dash 4 Trash, Trashy Ribs & Blues Festival, Kids Fun Run, and Halloween Trick or Treating; and

WHEREAS, the Orange Downtown Alliance recently hosted the first Edible Food Fest in Orange in which approximately 3,400 people participated and enjoyed demonstrations, displays, tastings, live music, and family entertainment; and

WHEREAS, the Orange Downtown Alliance diligently continues to increase the awareness of the Town of Orange as a center of commerce and a tourism destination; and

WHEREAS, it is through the efforts of the Executive Director, Jeff Curtis, that the Orange Downtown Alliance has been successful in promoting the economic development and tourism endeavors of the Town; and

WHEREAS, countless hours of volunteer time and many months of preparation have been dedicated to the groundwork of many exciting events sponsored by the Orange Downtown Alliance, which contributes to the overall success of this unique collaboration between the Town of Orange, the County of Orange, and the Orange Downtown Alliance;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County extends its appreciation and admiration to the Orange Downtown Alliance for its outstanding work and continued dedication to the citizens and visitors of Orange County.

RE: MINUTES
The Board approved the following minutes:

- August 14, 2012 Regular Meeting

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

RE: PUBLIC APPEARANCES

RE: RESOLUTION OF APPRECIATION FOR THE ORANGE DOWNTOWN ALLIANCE

Chairman Goodwin presented the Resolution of Appreciation to Mr. Jeff Curtis, Executive Director of the Orange Downtown Alliance.

RE: OFFICE ON YOUTH QUARTERLY REPORT

Alisha Vines, Office on Youth Director, updated the Board on the following topics:

- Application process and start-up for the Youth Council;
- New program for Strengthening Families;
- An annual review for the Crime Control program;
- End of the fiscal year totals for community service; and
- Totals for the annual School Supply Drive.

Discussion ensued among the Board regarding: unsuccessful completions in the community service program; non-compliance in the community service program; and school supply items available at the Food Bank.

RE: PUBLIC COMMENT

At 5:13 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

There were no comments at this time.

RE: ACTION ITEMS

RE: TEMPORARY TENT BUILDING PERMITS

RE: REVIEW OF TEMPORARY TENT BUILDING PERMIT FEES

Bill Schwind, Building Official, reviewed the current process and fee structure for temporary tent building permits with the Board. He presented a revised Permit Fee Schedule for tents, as follows:

First Tent Permit Fee:..... $100
Subsequent Tent Permit Fee:..... $50
First Re-Inspection Fee:.....$75
Subsequent Re-Inspection Fee:.....$50

Mr. Schwind provided an example of the cost difference between the current Permit Fee Schedule for tents and the proposed Permit Fee Schedule, noting that it would currently cost $500 for five (5) tents, and would only cost $300 under the new proposal. He provided a summary of the criteria that would have to be met in order for

the applicant to be eligible for the multiple tent permit fees.

Discussion ensued among the Board regarding the requirement for a public hearing, how often long-term tents were inspected, and when a re-inspect fee would be imposed.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to schedule a public hearing for September 25, 2012, to receive comments on and amend the temporary tent building permit fees.

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

RE: FEE DONATION REQUEST FROM THE ORANGE COUNTY FAIR ASSOCIATION

By consensus, the Board tabled a decision on the fee donation request from the Orange County Fair Association until September 25, 2012, following the public hearing regarding amendments to the temporary tent building permit fees.

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

RE: SELECTION OF FINANCIAL SOFTWARE VENDOR

Glenda Bradley, Finance Director, stated that a financial software project was approved in the FY13 budget process to be funded through a five-year lease-purchase financing. She noted that a selection committee included herself, the IT Manager, the Treasurer, and Commission of Revenue, and the School Finance Director. Ms. Bradley added that several companies were invited to demonstrate their software solutions and the consensus of the selection committee was that the Munis software by Tyler Technologies was the best fit for the County's needs.

Ms. Bradley explained that the selection committee had traveled to Staunton, Virginia to meet with a locality who had been using the Munis software and added that the group had reached out to other localities who were in various stages of using or implementing the software. She concluded by reporting that it was the unanimous recommendation to approve Tyler Technologies as the vendor for the software project and provided several reasons why.

Discussion ensued among the Board regarding how the Commissioner of Revenue's office would be included in the software and the use of a "bridge" module to reduce duplicative efforts when entering information into the software.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to approve the selection of the Munis Software by Tyler Technologies for the software replacement project included in the FY13 Capital Improvement Plan and Budget, and hereby authorizes the County Administrator to execute a contract for the aforementioned software and services pending approval by legal counsel and the completion of the lease-purchase financing with BB&T Bank previously approved; and further designates the lease-purchase financing with BB&T as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code to facilitate the bank's participation in the financing at a more favorable interest rate for the County.

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

RE: CARRY FORWARD REQUESTS FOR FIRE AND EMERGENCY SERVICES

John Harkness, Fire and EMS Chief, explained the carry forward requests from his department to the Board. He noted that carry forward requests included funding for additional training for the Fire and EMS Department, including a forcible-entry simulator, smoke machine for the Burn Building, professional instructors, and advanced EMS courses.

Discussion ensued among the Board regarding how many of the carry forward requests would be "one-time expenses" and how many would require additional operating costs in the future. Chief Harkness confirmed that these funds would be used for one-time expenses with no future operating expenses incurred.

Mr. Frame moved, seconded by Mr. White and carried, to carry forward unspent funds of $32,827 from the FY12 Emergency Services Department budget for the purpose of training in the Fire and EMS department budget for FY13.

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 August 14, 2012 meeting.

Discussion ensued among the Board regarding: the timeline established by the Board; the need for a quality product; proposed changes to Tax Map 11; proposed changes to Tax Map 18; proposed changes to Tax Map 22; proposed changes to Tax Map 32; proposed changes to Tax Map 33; proposed changes to Tax Map 48; proposed changes to Tax Map 49; proposed changes to Tax Map 39; proposed changes to Tax Map 46; proposed changes to Tax Map 52; proposed changes to Tax Map 53; proposed changes to Tax Map 57; proposed changes to Tax Map 58; and proposed changes to Tax Map 75.

Mr. White moved, seconded by Mr. Goodwin and carried, to approve the DRAFT Future Land Use Map with the changes as discussed to Tax Maps 11, 22, 46, 57 and 75, and to bring back the DRAFT Future Land Use Map during the presentation of the language for the Subdivision and Zoning Ordinance and Comprehensive Plan Amendments at the September 11, 2012, Board meeting.

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

RE: CLOSED MEETING

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

- One matter of discussion or consideration of the investment of public funds where bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected, and legal advice related thereto (§2.2-3711.A.6 VA Code Ann.);

- Acquisition of property for a public purpose where discussion is an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, and legal advice related thereto (§2.2-3711.A.3 and 7 VA Code Ann.);

- Litigation involving Village Motor Sports (§2.2-3711.A. 7 VA Code Ann.); and

WHEREAS, pursuant to §2.2-3711.A. 1, 6 and 7 VA Code Ann., such discussion(s) may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County does hereby authorize discussion of the aforestated matter(s) in Closed Meeting.

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: ACTION ITEMS (CONTINUED)

RE: RESOLUTION FOR CONDEMNATION FOR OPERATION OF COUNTY AIRPORT OF AN EASEMENT OVER A PROPERTY OWNED BY JENELLE BISCOE ROBERTS, A 1.049 ACRE PARCEL, DESIGNATED AS TAX MAP 31-41C

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

APPROVE CONDEMNATION FOR OPERATION OF COUNTY AIRPORT OF AN EASEMENT OVER A PROPERTY OWNED BY JENELLE BISCOE ROBERTS, A 1.049 ACRE PARCEL, DESIGNATED AS TAX MAP 31-41C

WHEREAS, the Board of Supervisors of Orange County has authorized acquisition of land and easements in order to meet State and Federal Aviation Administration requirements for the Orange County Airport and to ensure proper operation of the Airport, and for which grant funding has been secured; and

WHEREAS, the County's consultant has advised that the County acquire an avigation easement over a property located along the north margin of State Rt. 20 – Constitution Highway, which consists of 1.049 acres and is designated as Tax Map parcel No. 31-41C as shown on the attached plat, and is owned by Jenelle Biscoe Roberts; and

WHEREAS, the County needs to acquire the easement for the proper operation of Orange County Airport, which is owned and operated by the County and is a public facility, and in order to comply with Federal Aviation Administration and other requirements for the Runway Approach Surface, Glideslope Qualification Surface, and related uses of the property; and

WHEREAS, because the land is within the Runway Approach Surface and Glideslope Qualification Surface, the Federal Aviation Administration requires the Airport/County to hold an interest in the land sufficient to ensure that no structure, tree, or other object violates Federal Aviation Administration height restrictions; and

WHEREAS, the County has made an offer of $34,424.00 to Ms. Roberts to purchase said easement, which offer is based on the full amount of an independent appraisal by Milton-May Appraisal Company of Lynchburg, Virginia, and a review of this appraisal by ERA Hallmark Properties of Lynchburg, Virginia, and copies of these appraisals have been provided to Ms. Roberts; and

WHEREAS, Ms. Roberts, through her counsel, has rejected that offer, and it is apparent that no agreement can be reached with the landowner on compensation to be paid or other terms of purchase or settlement; and

WHEREAS, a public hearing was duly advertised and held;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby approve the initiation of condemnation proceedings in order to acquire, for the aforesaid Airport operations, an avigation easement over the property located along the north margin of State Rt. 20 – Constitution Highway, which consists of 1.049 acres and is designated as Tax Map parcel No. 31-41C, and is owned by Jenelle Biscoe Roberts; and

BE IT FURTHER RESOLVED that the Board certifies that it has reviewed the proposed acquisition of this property for the purposes of complying with § 1-219.1 VA Code Ann., and concluded that it has no reasonable alternative to condemnation.

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

RE: 2012 VIRGINIA LOCALITIES STORMWATER PROGRAM DEVELOPMENT REQUEST FOR PROPOSALS GRANT OPPORTUNITY

Gregg Zody, Planning and Zoning Director, explained that at the August 14, 2012, meeting, he distributed information pertaining to the Department of Conservation and Recreation's Request for Proposals related to the development and implementation of Stormwater Management Programs and related Ordinances, and the possibility of participating in a no-match grant opportunity with the Rappahannock-Rapidan Regional Commission (RRRC) and the Culpeper Soil and Water Conservation District.

Mr. Zody further explained that he recommended the County pursue the grant opportunity and partner with the RRRC and the Culpeper Soil and Water Conservation District to assist with development of the County's Stormwater Management Program.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to grant permission for the Planning and Zoning Director to work with the Rappahannock-Rapidan Regional Commission and the Culpeper Soil and Water Conservation District to participate in a no-match grant opportunity through the Department of Conservation and Recreation.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

RE: SCHOOL BOARD LIAISON

Mr. White moved to appoint Chairman Goodwin as the liaison to the School Board.

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

RE: DISCUSSION ITEMS

RE: PROPOSED AMENDMENT TO PAYROLL PROCESSING SCHEDULE

Glenda Bradley, Finance Director, explained that a new payroll and human resources package was included as part of the County's proposed software upgrade and that this program would provide many improvements to human resource management and position control, which was largely done at the current time with Microsoft Excel. She noted that staff also believed this

was a positive step in the principle of Effective, Reflective Government.

Ms. Bradley stated that one of the goals was to automate the tracking and calculation of all leave earned and used through the payroll process and to provide an immediate and "real time" status to all employees of their available leave through payroll stubs. She noted that there were a few issues that existed in the current process which complicated this issue. Ms. Bradley further noted and explained several of the issues with the current payroll processing, as well as the end-result goals with transitioning the payroll processing.

Discussion ensued among the Board regarding: the current payroll processing schedule; the liability that would be incurred with the proposed change; choosing the pay period and cycle; employee feedback; notifying employees; and the capabilities of the new software.

By consensus, the Board indicated an interest in further work to consider moving to an "every other week" payroll cycle.

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

RE: TARGETED CHANGES AND PRIORITIZATION FOR SUBDIVISION AND ZONING ORDINANCES

Gregg Zody, Planning and Zoning Director, provided a list of Zoning Ordinance amendments to the Board that he had previously mentioned to them during their joint meeting with the Planning Commission on June 21, 2012. He noted that the proposed amendments he compiled were a matter of correcting what were thought to be "too restrictive" regulations, and introducing new uses and definitions.

Discussion ensued among the Board regarding: Home Occupations; mobile units; Accessory Apartments; road standards; accessory livestock; Special Use Permits (SUPs) in each zoning district; an Office/Office Building use and definition; and a Vocational Training Facility use and definition.

By consensus, the Board provided direction on the targeted changes and prioritizations for amendments to the Subdivision and Zoning Ordinances in the following areas: Accessory Apartments; Road Standards; Special Use Permits (SUPs); and Permitted Uses (Office/Office Building and Vocational Training Facility) in the Industrial Zoning Districts; with the understanding that the proposed text amendments would be presented as part of the overall Subdivision and Zoning Ordinance amendments.

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

RE: DOWN-ZONING FEES

Gregg Zody, Planning and Zoning Director, stated that he had provided information to the Board at their meeting on August 14, 2012, regarding the comparative cost in terms of staff time and resources for processing a down-zoning versus an up-zoning. He noted that he had included a memo from former Director Kendall, as well as an updated excerpt of rezoning fees from adjacent localities.

By consensus, the Board decided that amendments would not be made to the fee schedule as it applies to re-zonings to allow for reduced fees for down-zonings.
Ayes: Abbs, White, Goodwin, Wilson, Frame. Nays: None.

RE: REQUEST FROM VDOT ON ROUTE 606, CATHARPIN ROAD

Julie Summs, County Administrator, stated that at the August 14, 2012, Board meeting, Roy Tate, Acting Residency Administrator, explained VDOT's request to re-designate Route 606

(Catharpin Road) as a Rural Rustic Road. She noted that as detailed by Mr. Tate, the re-designation of this Road as a Rural Rustic Road would permit the surface treatment work for the road to be expedited. She further noted that the Rural Rustic designation also permitted a lesser road width, which was important to note.

Ms. Summs explained that action from the Board regarding the designation of this road was being requested and if such re-designation was desired, staff would prepare a resolution for the Board's consideration at the September 11, 2012, meeting.

Discussion ensued among the Board regarding: the concerns with road width; the differences between a standard project and Rural Rustic; whether or not the "extras" necessary on this road could be done with a Rural Rustic designation; and future uses when comparing residential roads to non-residential areas.

By consensus, the Board tabled a decision on this matter until the September 11, 2012, Board meeting and requested that additional information be provided from VDOT regarding the difference between a "standard" road and a "Rural Rustic" road.

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

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Treasurer's Report
- CSA Monthly Report for July
- Update on County Processes
- Board of Supervisors / School Board Joint Retreat Session Report

RE: COMMITTEE REPORTS

There were no committee reports.

RE: CALENDAR

By consensus, the Board proposed to schedule a joint meeting with the Orange County School Board for September 27, 2012, at 5:00 p.m., to discuss the Career and Technical Education (CTE) Center and to request input on the tentative date from the School Board.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Frame moved, seconded by Mrs. Abbs and carried, to adjourn the meeting at 8:58 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, White. Nays: None.

_____

S. Teel Goodwin, Chairman

_____

Julie G. Summs, County Administrator