

**BOARD OF SUPERVISORS MINUTES**

**SEPTEMBER 13, 2016**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, September 13, 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. Crozier, 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: SERVICE AWARDS

R. Bryan David, County Administrator, presented the following Service Awards:

- Ray Breeden                      5 Years                      Human Services Assistant
- Peggy Helmick                      15 Years                      E-911 Communications Officer

RE: LIFE SAVING AWARDS

R. Bryan David, County Administrator, presented a Life Saving Award to the following individuals:

With the Orange County Department of Fire and EMS:

- Donnie Lettner
- Kyle Ronn

With the Orange County Department of Emergency Communications:

- Peggy Helmick
- Lauren Lubbers
- Jessica Lohr
- Heather Brown

RE: SWEARING-IN CEREMONY FOR FIRE AND EMS PROMOTIONS

Chairman Frame read the oath of office to Lieutenant Billie Beveridge, and she recited the oath. He congratulated her on the promotion.

Chairman Frame read the oath of office to Captain Mark Sikora, and he recited the oath. He congratulated him on the promotion.

RE: BUSINESS SPOTLIGHT

Ms. Beverly Ellis, representative of The Generals' Quarters Restaurant, appeared before the Board to spotlight the business. She explained that the restaurant opened in February, 2016, and was a full-service restaurant. Ms. Ellis shared information about the menu, types of food, events, lunch and dinner specials, and community involvement.

The Board thanked Ms. Ellis for her presentation.

RE: CONSENT AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Crozier, 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
30030006-33500	Donations - Animal Shelter	\$ (1,906.00)	\$ (275.00)	\$ (2,181.00)
43520003-43115	Prof. Serv. - Emergency Vet	2,406.00	275.00	2,681.00
30030006-33500	Donations - Animal Shelter	(1,906.00)	(795.00)	(2,701.00)
43520003-43115	Prof. Serv. - Emergency Vet	2,406.00	795.00	3,201.00
48155001-47737	To EDA Fund	199,533.00	10,000.00	209,533.00
30051009-39100	Transfer from General Fund	(209,533.00)	(10,000.00)	(219,533.00)
30004001-30095	Machinery and Tools	(634,382.00)	(10,000.00)	(644,382.00)
48155002-45900	Contingency / Incentives	178,864.00	10,000.00	188,864.00
30034001-34025	Insurance Recovery	(986.53)	(1,345.00)	(2,331.53)
48110001-43360	Vehicle Repair / Maint.	1,800.00	1,345.00	3,145.00
30052009-39900	Appropriated Fund Balance	(168,782.00)	(115,000.00)	(283,782.00)
49420001-48290 A1009	Easement Acq. - RW26	165,000.00	115,000.00	280,000.00
30045005-35800	Emergency Services Grants	(123,300.00)	(6,762.00)	(130,062.00)
30051003-39100	Transfer from General Fund	(1,328,491.00)	(3,695.00)	(1,332,186.00)
49400003-48160 C1041	Autopulse Replacement	16,000.00	3,695.00	19,695.00
49400003-48160 C1041	Autopulse Replacement	16,000.00	6,762.00	22,762.00
43231002-46800	Four for Life Expenses	25,290.00	(3,695.00)	21,595.00
49310001-47312	To County Capital Project	1,328,491.00	3,695.00	1,332,186.00
<b>TOTALS</b>		<b>\$ (533,496.53)</b>	<b>\$ 0.00</b>	<b>\$ (533,496.53)</b>

RE: RESOLUTION OF APPRECIATION FOR NORA COLEMAN

As part of the Consent Agenda, the Board adopted the following resolution, as presented:

A RESOLUTION OF APPRECIATION FOR  
*Nora Coleman*

WHEREAS, Nora Coleman has been faithfully serving the citizens of Orange County as the District Two Representative on the Social Services Board for the last five (5) years, beginning her service in October, 2011; and

WHEREAS, the Orange County Social Services Board was formed for the purpose of overseeing, and later advising, the operations of the Department of Social Services, providing an array of supportive and comprehensive social services programs for the benefit of the citizens of the County; and

WHEREAS, in keeping with the intended purpose, Nora Coleman has made substantial contributions toward her community and to the continued success and operation of the Department of Social Services, giving selflessly of her time and talents; and

WHEREAS, Nora Coleman has served as Chair of the Social Services Board in the most recent years, where she is known for her active participation, faithful attendance, familiarity with programs and goals of the Department of Social Services, and a keen awareness of relative social services issues; and

WHEREAS, Nora Coleman was Chair during the recent transition in Directors, a role that required greater commitment and participation as she led the Social Services Board in making conscious decisions on the recruitment and selection of the new Social Services Director; and

WHEREAS, Nora Coleman has, at all times, kept the mission of the Social Services Board at the forefront, reflected through her demonstrated interest in the welfare of her community and its citizens, and through her service and dedication;

NOW, THEREFORE, BE IT RESOLVED, on this 13<sup>th</sup> day of September, 2016, that the Orange County Board of Supervisors hereby extends its appreciation and recognition to Nora Coleman for her dedicated service on the Orange County Social Services Board, and for her leadership and commitment during the selection and transition in Directors.

RE: RENEWAL OF VOLUNTEER PROPERTY AND CASUALTY INSURANCE

As part of the Consent Agenda, the Board authorized staff to renew a one (1) year contract for Volunteer Fire & Rescue Insurance with Indaco Risk Advisors through Selective Insurance for Property and Casualty coverage and Chesterfield Insurers through Hartford Life to be appropriated from Line Item 43220002-46840 (Contributions - Public Safety), as presented.

RE: APPOINTMENT OF INTERIM BUILDING OFFICIAL

As part of the Consent Agenda, the Board appointed R. Bryan David, County Administrator, as the Interim Building Official, effective immediately.

RE: MINUTES

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

- August 23, 2016 Regular Meeting

RE: PROCLAMATION FOR CONSTITUTION WEEK

As part of the Consent Agenda, the Board adopted the following proclamation, as presented:

A PROCLAMATION TO DECLARE  
THE WEEK OF SEPTEMBER 17 THROUGH 23, 2016 AS  
*CONSTITUTION WEEK*

WHEREAS, September 17, 2016, marks the two hundred twenty-ninth (229th) anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to commemorate the occasion with appropriate ceremonies; and

WHEREAS, this Constitution of the United States of America is the guardian of our liberties and guarantees specific freedoms to the citizens of the United States; and

WHEREAS, James Madison, the Father of the Constitution, resided in and drafted the Constitution at his home, Montpelier, located in Orange County, Virginia; and

WHEREAS, the Robert H. Smith Center for the Constitution at James Madison's Montpelier provides education on the Constitution of the United States of America to citizens and to leaders from around the world; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, BE IT PROCLAIMED, on this 13th day of September, 2016, that the Orange County Board of Supervisors hereby recognizes September 17 through 23, 2016, as Constitution Week and urges all citizens to study the Constitution of the United States of America, and to reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

RE: NEW BUSINESS

RE: ADOPTION OF FY2018 BUDGET CALENDAR

Glenda Bradley, Assistant County Administrator for Finance and Management Services, presented the proposed budget calendar for Fiscal Year 2018 to the Board for consideration. She explained that the calendar was similar to the one adopted last budget year, but it did not incorporate the additional advertising requirements for a reassessment year, as it was not required.

Ms. Bradley noted that budget worksessions were included for March 7, 2017; March 14, 2017; and April 6, 2017, but additional worksessions would be scheduled as needed. As a reminder, the adoption of the budget was scheduled for April 11, 2017, ahead of the Virginia Code requirement of May 15, 2017.

Discussion ensued among the Board regarding: the number of worksessions currently scheduled; and whether or not the Schools had reviewed the proposed schedule.

On the motion of Mr. White, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the FY2018 Budget Calendar, as presented and attached.

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

RE: CONSOLIDATED PUBLIC SAFETY FACILITY; SITE ANALYSIS

Kurt Hildebrand, Assistant County Administrator for Operations, explained that the Board had previously received a presentation on the site analysis for the Consolidated Public Safety Facility. During the presentation, two (2) sites were deemed to be appropriate out of the five (5) potential sites presented.

Mr. Hildebrand added that the Board requested staff solicit a scope of work and fee schedule from Wiley|Wilson to further analyze the two (2) sites so that an informed decision could be made for selection of the final site. He presented said proposal to the Board for consideration.

Discussion ensued among the Board regarding: whether or not part of the site consideration would include access to Route 20; funding for this work; and potential reimbursement as part of the overall financing.

On the motion of Mr. Crozier, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board authorized the County Administrator to execute the proposal from Wiley|Wilson for the Consolidated Public Safety Facility Site Selection Study, as presented.

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

RE: OLD BUSINESS  
There were no matters for Old Business at this time.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: ORANGE COUNTY LIBRARY SEMI-ANNUAL REPORT  
Katie Hill, Library Director, presented the Library Semi-Annual Report to the Board, which included information on the following topics:

- Completion of the summer reading programs;
- An update on the circulations, seating, and shelving projects at the Main Library;
- Upcoming staff training opportunities;
- Literacy projects completed with grant funding; and
- Usage and program statistics.

Discussion ensued among the Board regarding: whether or not the Main Library had to be closed during any of the recent renovations; and use of the Library meeting rooms.

The Board thanked Ms. Hill for her presentation.

RE: COUNTY ATTORNEY'S REPORT  
The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: BOARD OF SUPERVISORS' LEGISLATIVE PRIORITIES  
R. Bryan David, County Administrator, indicated that the Board had previously discussed development of its Legislative Priorities for 2017. To-date, the Board had received a presentation from Jay Billie on short-term lodging, as well as legislative platforms from the Virginia Association of Counties (VACo) and Rappahannock-Rapidan Planning District.

Mr. David presented a draft of the Regional Legislative Platform for 2017, adding that Eldon James was present to provide more information. He also provided additional information to the Board regarding HB 1347 for Wireless Communications Infrastructure and a letter from York County Administrator regarding equalizing meals taxation authority among cities, towns, and counties.

Eldon James, Regional Legislative Liaison, reviewed the proposed Regional Legislative Platform for 2017, which included information on the following topics: tax reform; transportation efforts; broadband initiatives; and stormwater management.

Discussion ensued among the Board regarding: legislation regarding proffers and impact costs; funding for secondary road maintenance; legislation regarding closed sessions; and stormwater management.

By consensus, the Board agreed for staff to present the Legislative Priorities again at the October 11, 2016, meeting in order to provide additional direction.

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:

- Consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body - §2.2-3711(A)(3) 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)(3) 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 aforesaid 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 7:05 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: COUNTY ADMINISTRATOR'S REPORT (Continued)

RE: COMPENSATION FOR VARIOUS COMMITTEES AND COMMISSIONS

Alyson Simpson, Chief Deputy Clerk, explained that there were many boards, committees, and commissions engaged in various levels of work throughout the County. While some of the groups were currently compensated for their work, staff could not identify where a formal resolution had been previously adopted by the Board establishing said compensation.

Ms. Simpson presented a resolution to the Board for consideration that would formalize current compensation practices for boards, committees, and commissions. She added that staff was not proposing any changes in compensation.

Discussion ensued among the Board regarding: recent changes in the role of the Social Services Board from administrative to advisory; completion of a comprehensive review of all the boards, committees, and commissions for appropriate compensation; recognition of stronger roles of certain committees; adoption of the proposed resolution to memorialize the status quo; and the need for additional analysis.

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

RESOLUTION TO ESTABLISH COMPENSATION FOR VARIOUS  
BOARDS, COMMITTEES, AND COMMISSIONS

WHEREAS, there are multiple boards, committees, and commissions engaged in various levels of work throughout Orange County, from the Airport Commission to the Library Board, and from the Parks and Recreation Board to the Youth Council; and

WHEREAS, although there has not previously been a formal resolution by the Board of Supervisors, past practice has been to compensate some of these board, committee, and commission members for their work; and

WHEREAS, the compensation for the various boards, committees, and commissions, effective immediately, shall be as follows:

- *Board of Zoning Appeals*: \$75.00 per attended meeting, plus reimbursement for mileage traveled to and from attended meetings.
- *Central Virginia Regional Jail Board of Directors*: \$75.00 per attended meeting.
- *Planning Commission*: \$100.00 per attended meeting, plus reimbursement for mileage traveled to and from site visits.
- *Social Services Board*: \$50.00 per attended meeting.

WHEREAS, if a board, committee, or commission is not included on the list above, it is not considered to be compensable, with the following exception:

This resolution is not intended to establish compensation for the Electoral Board, which is established by the State, or the Board of Equalization, which receives separate action by the Board of Supervisors; and

WHEREAS, funding for said compensation is reviewed and considered on a fiscal year basis as part of the annual operating budget process; and

WHEREAS, the compensation established above shall supersede any previous action by the Board of Supervisors and any former practices related to compensation for boards, committees, and commissions; and

WHEREAS, it shall be the responsibility of the staff liaison for each board, committee, or commission to provide attendance reports to the Accounts Payable Technician and Payroll Accountant for processing, as follows:

- *First Quarter* (July, August, September): Quarterly attendance report to be submitted by early October.
- *Second Quarter* (October, November, December): Quarterly attendance report to be submitted by early January.
- *Third Quarter* (January, February, March): Quarterly attendance report to be submitted by early April.
- *Fourth Quarter* (April, May, June): Quarterly attendance report to be submitted by early July.

WHEREAS, payments to board, committee, and commission members shall also be processed on a quarterly basis, during the first practical accounts payable check-run and/or payroll cycle following receipt of the attendance report; and

WHEREAS, it is understood that while attendance reports and payments are submitted and processed on a fiscal year basis, year-end statements, such as 1099s and W-2s, are processed on a calendar year basis in accordance with income tax requirements;

NOW, THEREFORE, BE IT RESOLVED, on this 13<sup>th</sup> day of September, 2016, that the Orange County Board of Supervisors hereby establishes the compensation for boards, committees, and commissions as outlined above; and

BE IT FURTHER RESOLVED, that future additions or changes to the compensation for boards, committees, and commissions shall be considered and approved by the Board of Supervisors.

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

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 transportation planning, the draft language for various overlay and land use zoning districts, and utilities.

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

RE: NEXT ORANGE COUNTY BROADBAND AUTHORITY MEETING

R. Bryan David, County Administrator, explained that there were several matters requiring action on behalf of the Orange County Broadband Authority. He requested the Board's consideration in scheduling the Authority's next meeting.

By consensus, the Board authorized staff to schedule a meeting of the Orange County Broadband Authority (OCBbA) on Tuesday, October 11, 2016 at 3:30 p.m.

RE: PUBLIC COMMENT

At 7:19 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 7:19 p.m.

RE: BOARD COMMENT

Supervisor Goodwin commented on Orange Volunteer Fire Company's recent victory at the Virginia State Firefighters Association competition and requested that staff prepare a resolution of recognition.

Chairman Frame commented on a biosolids notification that he had recently received from the Department of Environmental Quality (DEQ).

Supervisor Crozier discussed the possibility of the Board initiating a rezoning on several properties in the Mine Run area as the properties were zoned incorrectly and inconsistently and the property owners were not aware when the property was purchased. He added that it would be an effort to clean-up the zoning. The Board discussed next steps in the process, which would be developed by staff and presented at a future meeting.

Supervisor Johnson discussed the results of the speed study on Route 33 in Barboursville, which had recently been completed and provided by the Virginia Department of Transportation (VDOT).

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- VDOT Monthly Report for September
- Thank You Letter from Boys & Girls Clubs of Central Virginia for Budget Contribution
- June 22, 2016 Rappahannock-Rapidan Regional Commission Minutes
- June 27, 2016 Health Center Commission Minutes
- July 21, 2016 Rapidan Service Authority Minutes

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Donalda Lovelace as an At-Large Representative on the Rappahannock-Rapidan Community Services Board (RRCSB), filling the unexpired three-year term of Sarah Altman, with said term commencing immediately, and expiring on December 31, 2016.

RE: CALENDAR

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

RE: ADJOURN

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 7:32 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

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Lee H. Frame, Chairman

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R. Bryan David, County Administrator