

49310001-47312	To Cty. Capital Projects	1,332,186.00	20,000.00	1,352,186.00
30030006-33500	Donations - Animal Shelter	(2,976.00)	(6,830.00)	(9,806.00)
43520003-43115	Prof. Serv. - Emergency Vet	3,476.00	6,830.00	10,306.00
30023001-31575	Sheriff Firing Range Fees	(3,150.00)	(350.00)	(3,500.00)
43120001-41200	Wages - Overtime	153,409.00	350.00	153,759.00
TOTALS		\$ 1,447,525.00	\$ 0.00	\$ 1,447,525.00

RE: CARRY FORWARD REQUEST FROM FY16 TO FY17 FOR SHERIFF'S OFFICE
As part of the Consent Agenda, the Board approved the following budget amendments for carry forwards for the Sheriff's Office, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
43177002-46800	Guardian Pendant Expenses	\$ 420.00	\$ 1,388.00	\$ 1,808.00
43177003-46800	Project Lifesaver Expenses	0.00	1,071.00	1,071.00
43120003-46800	Comm. Policing Expenses	350.00	7,831.00	8,181.00
43177005-46800	File for Life Expenses	0.00	750.00	750.00
30052001-39900	Appropriated Fund Balance	(693,874.00)	(11,040.00)	(704,914.00)
43120005-41200	Wages - Overtime	12,426.00	2,415.00	14,841.00
30046001-37050	Grant (Select Enforcement)	(17,164.00)	(2,415.00)	(19,579.00)
TOTALS		\$ (697,842.00)	\$ 0.00	\$ (697,842.00)

RE: RENEWAL OF THE CONTRACT WITH DAVENPORT & COMPANY, LLC
As part of the Consent Agenda, the Board authorized staff to renew Cooperative Contract No. 2014003-FN-P with Davenport & Company, LLC for a one (1) year term, effective October 23, 2016 through October 22, 2017, as presented.

RE: SURPLUS DISPOSITION OF COUNTY VEHICLES
As part of the Consent Agenda, the Board declared the following vehicles as surplus and authorized the County Administrator to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy:

- 2004 Dodge Intrepid (VIN# 1382)
- 2005 GMC Truck (VIN# 5805)
- 2007 Chevrolet Medic Unit (VIN# 2839)
- 2007 Chevrolet Medic Unit (VIN# 2970)

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

- September 27, 2016 Worksession
- September 27, 2016 Regular Meeting

RE: NEW BUSINESS

RE: TOWN OF ORANGE SALES TAX REVENUE AGREEMENT

R. Bryan David, County Administrator, explained that pursuant to the ongoing good faith deliberations between the Board of Supervisors and the Orange Town Council, he was able to present the final Sales Tax Revenue Agreement settling the matter. He added that the Orange Town Council had already approved the document, as indicated by Mayor Mason's signature, and requested that the Board ratify Chairman Frame's signature.

Discussion ensued among the Board regarding: the creativeness of the solution and the ability for the Board of Supervisors and Town Council to work together.

On the motion of Mr. Goodwin, seconded by Mr. White, which carried by a vote of 5-0, the Board ratified Chairman Frame's signature, therefore indicating acceptance of the Sales Tax Revenue Agreement on behalf of the Board of Supervisors, as presented.

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

RE: LAKE ANNA ADVISORY COMMITTEE RESOLUTION OF SUPPORT

Supervisor White, as liaison to the Lake Anna Advisory Committee, indicated that the Committee had been working to address the no-wake setbacks around Lake Anna. He explained that the setbacks were in place for safety reasons, but the setback distances varied across the three (3) localities that were part of Lake Anna, creating enforcement problems. Mr. White presented a resolution of support to the Board for its consideration, adding that this resolution would support Spotsylvania County's application for consistent setbacks only.

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

RESOLUTION OF SUPPORT FOR SPOTSYLVANIA COUNTY'S APPLICATION TO THE
VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES (DGIF) RELATED TO THE
LAKE ANNA ADVISORY COMMITTEE

WHEREAS, the Lake Anna Advisory Committee (LAAC) was established by the Counties of Louisa, Orange, and Spotsylvania in 1994 to promote cooperation and coordination among local governing bodies on issues concerning Lake Anna; and

WHEREAS, one of the primary purposes of the Lake Anna Advisory Committee is to promote boating safety, among other safety and environmental aspects; and

WHEREAS, the Virginia Department of Game and Inland Fisheries (DGIF) has primary responsibility for enforcing boating safety regulations; and

WHEREAS, the Code of Virginia states that it is unlawful to operate any motorboat greater than no-wake speed when within fifty (50) feet or less of docks, piers, boathouses, boat ramps, and people in the water; and

WHEREAS, Spotsylvania County plans to make application to the Virginia Department of Game & Inland Fisheries (DGIF) to establish consistent no-wake setback distances from shorelines throughout all of Lake Anna for one-hundred (100) feet for all boating activities, except for boats with specific wake-enhancing capabilities, which shall be two-hundred (200) feet;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of October, 2016, that the Orange County Board of Supervisors agrees that both safety and enforcement are improved with consistent no-wake regulations across the waters of Lake Anna in Louisa, Orange, and Spotsylvania Counties

and, therefore, supports Spotsylvania County's application to the Virginia Department of Game & Inland Fisheries (DGIF).

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: SOCIAL SERVICES SEMI-ANNUAL REPORT

Elizabeth Middleton, Social Services Director, presented the Social Services Semi-Annual Report to the Board, which included information on the following topics:

- An introduction of the Orange County Department of Social Services;
- A review of the various benefits, self-sufficiency, and services programs;
- Achievements over the last year;
- Upcoming activities and goals; and
- Statistics from FY15.

Discussion ensued among the Board regarding: how many child abuse cases were actually investigated; trends related to TANF; founded versus unfounded abuse cases; changes and improvements in the agency over the last year.

The Board thanked Ms. Middleton for her presentation.

RE: PROPOSED REZONING OF MINE RUN ROAD AND DULIN LANE AREA

Josh Frederick, Planning and Zoning Director, explained that the Board of Supervisors had previously requested a review of parcels in the Mine Run Road and Dulin Lane area for potential rezoning. He added that the idea was to establish consistent zoning to match with the current use of the property, and to clean-up various non-conformities. He provided a zoning map and list of affected property owners to the Board.

Discussion ensued among the Board regarding: whether or not any of the properties had been rezoned by the owner, or if all the parcels contained the original zoning; how many parcels could potentially be rezoned; residential zoning versus agricultural zoning; the creation of additional non-conformities; current uses of the property; notification of property owners; and the development of recommendations.

By consensus, the Board authorized staff, in conjunction with Supervisors Crozier and White, to develop a notification process for the affected property owners of the Mine Run Road and Dulin Lane area, with the understanding they would return to the Board of Supervisors at a future meeting with a recommendation on next steps in the rezoning process.

RE: PROPOSED TEXT AMENDMENT REGARDING SELF STORAGE

Josh Frederick, Planning and Zoning Director, stated that inconsistencies had been discovered in the Zoning Ordinance and certain permitted uses regarding self-storage facilities. Before an amendment was adopted to the I-2 zoning district earlier this year, self-storage facility as a permitted use was never defined or explicitly identified. Mr. Frederick added that with the I-2 amendment, a definition was adopted and self-storage facility was added as a permitted use in the I-2 district.

Mr. Frederick indicated that this use had historically been permitted in the C-2 district as a special use under the catch-all category: any commercial use which is not expressly permitted in any district. Now that self-storage facility was a permitted use in the I-2 district, it was no longer permitted in the C-2 district, which also rendered all existing self-storage facilities in the C-2 district as non-conforming.

Mr. Frederick presented the Board with two options regarding amendments to the Zoning Ordinance: 1) rewrite the C-2 special use category and/or 2) add self-storage facility as a permitted use in the C-2 district.

Discussion ensued among the Board regarding: the difference between options 1 and 2; concerns with special uses; and the fact that SUPs had an expiration.

By consensus, the Board initiated Planning Commission action on the proposed text amendments regarding self-storage facilities, requesting that the Planning Commission hold a Public Hearing and present a recommendation to the Board.

RE: PROPOSED TEXT AMENDMENT REGARDING NON-CONFORMITIES

Josh Frederick, Planning and Zoning Director, explained that a request had been received from the Board to amend the Zoning Ordinance to allow for the expansion or enlargement of non-conforming structures. He presented proposed language to the Board for its consideration.

By consensus, the Board initiated Planning Commission action on the proposed text amendments regarding non-conformities, requesting that the Planning Commission hold a Public Hearing and present a recommendation to the Board.

RE: CLOSED MEETING

At 6:10 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 aforesaid matters in Closed Meeting.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, 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 6:57 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: PUBLIC COMMENT

At 6:58 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 6:58 p.m.

RE: PUBLIC HEARING #1: PROPOSED AMENDMENT TO THE ZONING ORDINANCE CONCERNING THE BARBOURSVILLE VILLAGE OVERLAY DISTRICT

Josh Frederick, Planning and Zoning Director, presented the staff report for the proposed amendment to the Zoning Ordinance concerning the Barboursville Village Overlay District. He explained that the Board of Supervisors had previously initiated Planning Commission action on this amendment, which was intended to implement a particular goal of the 2013 Comprehensive Plan. Mr. Frederick added that following a comprehensive review process, the Planning Commission gave a unanimous recommendation of approval.

At 7:00 p.m., Chairman Frame called the Public Hearing to order to receive comments on the following:

AMENDMENT TO THE ZONING ORDINANCE

The Board of Supervisors will consider the adoption of an amendment to the Zoning Ordinance, specifically Article V - Barboursville Village Overlay District. The intent of this amendment is to establish a new overlay zoning district in the Ordinance known as the Barboursville Village Overlay District (BVOD). This overlay zoning district establishes architectural and site design standards for non-residential development within the district, restricts those uses within the district that are incompatible with the purpose of the village concept as defined in the Comprehensive Plan, and reduces setback requirements for Route 20, Route 678, Route 738, and railroad rights-of-way within the district. The approximate area for the new overlay zoning district runs west from the eastern intersection of Route 20 and Route 738 to the western intersection of Route 20 and Route 738 and includes land fronting on Route 20, Route 33, Route 678, and Route 738.

The following individuals spoke:

- Renee Brister, 5350 Old Barboursville Road, Barboursville
- Dorothy French Boone, 6129 Spotswood Trail, Barboursville
- Tom Purcell, 165 W. Main Street, Orange
- Mark Warren, 5290 Ridge Road, Somerset
- Jasmine Warren, 5290 Ridge Road, Somerset
- Charles Stick, Resident of Waverly Farm

- Marta Buzzelli, 6402 Scuffletown Road, Somerset
- James Collins, 12384 Merrywood Drive, Somerset
- Bill Speiden, 12046 Blue Hill Drive, Somerset
- Dabney Carr, 6272 Old Barboursville Road, Barboursville
- Luca Paschina, 6760 Sam Mundy Road, Barboursville
- Paula Brown-Steadly, Representative of Sun Tracis

There being no further speakers, Chairman Frame closed the Public Hearing at 7:37 p.m.

Discussion ensued among the Board regarding: the speed limit changes approved on Route 33 in Barboursville; the fact that there were still issues that needed additional discussion and consideration; the fact that this amendment was not about one particular family; and the desire to schedule this matter for a worksession.

By consensus, the Board deferred action on the proposed amendment to the Zoning Ordinance concerning the Barboursville Village Overlay District until the October 25, 2016 worksession.

RE: PUBLIC HEARING #2: REZ 16-01; BARBOURSVILLE VILLAGE OVERLAY DISTRICT

Josh Frederick, Planning and Zoning Director, presented the staff report for the proposed rezoning concerning the Barboursville Village Overlay District. He explained that the Board of Supervisors had previously initiated Planning Commission action on this rezoning, which was intended to implement a particular goal of the 2013 Comprehensive Plan by establishing the boundaries of the proposed overlay district. Mr. Frederick added that following a comprehensive review process, the Planning Commission gave a unanimous recommendation of approval.

At 7:44 p.m., Chairman Frame called the Public Hearing to order to receive comments on the following:

REZ 16-01

The Board of Supervisors will consider an application by the Orange County Board of Supervisors to adopt a zoning overlay (the Barboursville Village Overlay District (BVOD)) for approximately 240 acres of land contained within 110 parcels in Barboursville. An alternative boundary is also being considered, which includes a total of approximately 255 acres of land contained within 116 parcels in Barboursville. Affected parcels are currently zoned for either Agricultural (A), Limited Residential (R-1), Limited Commercial (C-1), General Commercial (C-2), or General Industrial (I-2) use. Affected parcels are generally located within the area designated as the Barboursville Village on the Recommended Land Use Map of the adopted 2013 Comprehensive Plan, and more specifically around the intersections of Route 33 and Route 20 in Barboursville.

There being no speakers, Chairman Frame closed the Public Hearing at 7:44 p.m.

By consensus, the Board deferred action on the proposed REZ 16-01 concerning the Barboursville Village Overlay District until the October 25, 2016 worksession.

RE: COUNTY ATTORNEY'S REPORT

RE: PROPOSED AMENDMENT TO THE TAXATION ORDINANCE REGARDING PRORATION OF TAX RELIEF FOR THE ELDERLY

Thomas Lacheney, County Attorney, explained that the Board had recently requested the allowance of proration of tax relief for the elderly and disabled in certain situations when there had been a change in ownership. He presented draft language to the Board for an amendment to the Taxation Ordinance.

Discussion ensued among the Board regarding: whether or not there could be two (2) deadlines for filing for said relief; calculating the pro rats share; and a change in ownership versus a change in personal finances.

On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to advertise for and schedule a public hearing regarding the proposed amendment to the Taxation Ordinance for proration of tax relief for the elderly on Wednesday, November 9, 2016 at 6:00 p.m.

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

RE: PROPOSED AMENDMENT TO THE TAXATION ORDINANCE REGARDING THE REAL ESTATE TAX DUE DATE

Thomas Lacheney, County Attorney, explained that, through no fault of the County, the real estate tax bills had been printed and mailed with the wrong due date. He noted that the bills reflected a due date of December 6, 2016, when the due date was actually December 5, 2016. As such, Mr. Lacheney indicated that it was necessary for the Board to consider, following a public hearing, the adoption of an ordinance to approve a one-time adjustment in the due date.

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to advertise for and schedule a public hearing regarding the one-time adjustment to the real estate tax due date on Wednesday, November 9, 2016 at 6:00 p.m.

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

RE: COUNTY ADMINISTRATOR'S REPORT

RE: ORANGE COUNTY LEGISLATIVE PRIORITIES FOR 2017

R. Bryan David, County Administrator, indicated that the Board had previously begun its annual review and development of its Legislative Priorities. He had provided information from various legislative platforms, including the Virginia Association of Counties (VACo) and the regional program from Mr. Eldon James. Based on the information that had been provided over the last few meetings, Mr. David opened the floor for discussion of additions and amendments to the Legislative Priorities for 2017.

Discussion ensued among the Board regarding: cigarette tax; meals tax; AirBnB legislation; broadband; and the desire to add a priority for the proposed changes on wireless regulations.

By consensus, the Board agreed to bring the matter back for consideration and adoption at its meeting on October 25, 2016.

RE: BOARD OF SUPERVISORS TWO-YEAR PRIORITIES (FY2016-2017 FY2017-2018) – FIRST QUARTER (Q1) UPDATE

R. Bryan David, County Administrator, provided a quarterly update on the Board's Two-Year Priorities, reviewing the progress that had been made on each priority to-date.

The Board took the information regarding the Two-Year Priorities under advisement, and there was no action taken at this time.

RE: VACoRP – OPTIONAL INCREASED CYBER RISK LIABILITY INSURANCE COVERAGE

R. Bryan David, County Administrator, stated that VACoRP was offering additional liability insurance coverage for its members. For cyber risk liability, the County currently had a total liability

limit of \$500,000 per occurrence and was subject to the pool limit of \$5,000,000. Mr. David added that based on discussions with the Director of Information Technology and the Assistant County Administrator for Finance and Management Services, it was advisable to increase the liability coverage to \$2,000,000.

Mr. David noted that the annual cost for the new limit was \$10,000, with a pro rata amount of \$6,630 to secure coverage from November 1, 2016 through June 30, 2017. This coverage would then be included as part of the County's overall VACoRP renewal on an annual basis.

Discussion ensued among the Board regarding: the use or investment of the additional funds; current security measures and vulnerabilities; determination of costs and the increased policy amount; and the overall penalties for breach of security.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the increase in Cyber Risk Liability Insurance coverage from \$500,000 to \$2,000,000, and appropriated \$6,630 from the Contingency Fund for coverage from November 1, 2016, through June 30, 2017, with the understanding that the increased limits would continue as part of the County's annual VACoRP renewal.

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

RE: APPOINTMENT FOR 2016 VACo ANNUAL BUSINESS MEETING

By consensus, the Board designated James P. Crozier as the voting delegate to cast a vote(s) on behalf of the Orange County Board of Supervisors at the 2016 Annual Business Meeting of the Virginia Association of Counties, to be held on November 15, 2016.

RE: BOARD COMMENT

Supervisor Johnson commented on the Consolidated Public Safety Facility, indicating that he wanted to be sure the Board's expectations were made clear.

Supervisor Crozier commented on the Route 20 and Route 522 roundabout project, and indicated that he had noticed an improvement in response from VDOT since the change in residency.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- August 18, 2016 Rapidan Service Authority (RSA) Minutes
- VDOT Monthly Report for October

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board re-appointed Ray Matthews as the District 4 Representative on the Airport Commission for a four-year term, with said term commencing January 1, 2017 and expiring on December 31, 2020.

By consensus, the Board re-appointed James P. Crozier as the Orange County Representative on the Central Virginia Regional Jail Board for a four-year term, with said term commencing December 1, 2016 and expiring on November 30, 2020.

By consensus, the Board re-appointed R. Bryan David as the alternate Orange County Representative on the Central Virginia Regional Jail Board for a four-year term (concurrent with James P. Crozier), with said term commencing December 1, 2016 and expiring on November 30, 2020.

By consensus, the Board appointed Carole Sue Graves as the Parent Representative on the Community Policy and Management Team (CPMT), filling the unexpired one-year term of Nora Coleman, with said term commencing immediately, and expiring on December 31, 2016.

By consensus, the Board re-appointed Doug Rogers as the District 5 Representative on the Economic Development Authority for a four-year term, with said term commencing January 1, 2017 and expiring on December 31, 2020.

By consensus, the Board re-appointed R. Bryan David as the Orange County Representative on the Rappahannock Juvenile Detention Commission for a one-year term, with said term commencing January 1, 2017 and expiring on December 31, 2017.

By consensus, the Board re-appointed Glenda Bradley as the alternate Orange County Representative on the Rappahannock Juvenile Detention Commission for a one-year term (concurrent with R. Bryan David), with said term commencing January 1, 2017 and expiring on December 31, 2017.

By consensus, the Board re-appointed Donalda Lovelace as an At-Large Representative on the Rappahannock-Rapidan Community Services Board for a three-year term, with said term commencing January 1, 2017 and expiring on December 31, 2019.

By consensus, the Board appointed Shirley Irving as the District 1 Representative on the Youth Commission, filling the unexpired four-year term of Barry Pendleton, with said term commencing immediately and expiring on September 30, 2019.

By consensus, the Board appointed Diane Shoultz as an At-Large Representative on the Youth Commission, filling the unexpired four-year term of Shirley Irving, with said term commencing immediately and expiring on September 30, 2018.

RE: CALENDAR

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

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 8:37 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Lee H. Frame, Chairman

R. Bryan David, County Administrator