

BOARD OF SUPERVISORS MINUTES

December 4, 2012

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, December 4, 2012, beginning at 4:00 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*; and James K. White. Absent: Grover C. Wilson. Also present: Julie G. Summs, County Administrator; Thomas E. Lacheney, County Attorney; and Rose M. Deal, Administrative Assistant.

*Mrs. Abbs arrived at 4:09 p.m.

RE: ADOPTION OF AGENDA

Mr. Frame moved, seconded by Mr. White and carried, to adopt the agenda as modified. Ayes: Goodwin, Frame, White. Nays: None. Absent: Abbs, Wilson.

RE: WORKSESSION TO DISCUSS PUBLIC WORKS: UTILITY ISSUES

Kurt Hildebrand, Public Works Director, provided an overview of the need for this worksession. He noted that he wanted to discuss utility and infrastructure issues with the Board.

Discussion ensued regarding: the underground tank at the Lee Industrial Park and associated costs; fire suppression issues; the agreement between the County and Preddy's; lease terms and maintenance; water taps and reimbursement of connection fees; the pump station and fees for usage and connections; a potential CIP budget item for future infrastructure at the Lee Industrial Park; water capacity; and sewage treatment. Further discussion ensued regarding infrastructure on Route 20; the agreement with the Rapidan Services Authority (RSA); an elevated tank at the new Middle School; ownership of the infrastructure; and maintenance costs.

The Board expressed interest in determining what the value was of what the County owned; what Mr. Hildebrand would require in order for the County to maintain ownership and maintenance of infrastructure; and what other involved parties, such as the Town of Orange and RSA, wanted to do.

By consensus, the Board authorized Mr. Hildebrand, Public Works Director, to initiate communication with the Town of Orange and the Rapidan Services Authority (RSA) to discuss the infrastructure and utility issues, but not to make any commitments at this time.

RE: CONTINUE REGULAR MEETING

The Board recessed the Worksession to Discuss Public Works at 5:03 p.m., and reconvened the regular meeting at 5:05 p.m.

RE: CONSENT AGENDA

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

RE: FY13 SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

DEPARTMENT	ACCOUNT DESCRIPTION	AMOUNT	FUNDING SOURCE
December 4, 2012 for FY2013			
Animal Shelter	Emergency Vet	\$ 10,623.00	Transfer from CIP Fund
Animal Shelter	Animal Shelter Exp.	\$ 10,623.00	Donations
Animal Shelter	Emergency Vet	\$ 88.34	Donations
Animal Shelter	Vaccinations	\$ 600.00	Donations
Animal Shelter	Propane	\$ 72.00	Donations
	Subtotal Animal Shelter	\$ 11,383.34	
Sheriff	Triad Program	\$ 725.00	Donations
Sheriff's Office	Overtime Law Enforcement	\$ 6,713.00	DMV Selective Enforcement Grant
Sheriff's Office	2 Radar Sets	\$ 3,172.00	DMV Selective Enforcement Grant
	Subtotal Sheriff's Office	\$ 10,610.00	

RE: VDOT COMPREHENSIVE PLAN LETTER

The Board authorized staff to send a letter to the Virginia Department of Transportation (VDOT) regarding the Orange County Comprehensive Plan review timeline.

RE: DISPOSAL OF SURPLUS VEHICLES

RE: DISPOSAL OF COUNTY PROPERTY - 2000 JEEP (VIN # 1022)

As detailed in the memorandum provided to the Board by Karen Gibson, Human Resources Manager, a request had been received from the Planning and Zoning Department to surplus a 2000 Jeep (VIN # 1022), which was no longer operable or feasible to make operable. Ms. Gibson noted that in accordance with the County's Surplus Disposition Policy, section 1.03, staff was requesting that the Board declare the vehicle surplus in order to dispose of it through a competitive process.

The Board approved the disposal of a 2000 Jeep (VIN # 1022) and authorized the County Administrator to initiate its disposal in accordance with the Board-adopted Surplus Disposition Policy.

RE: DISPOSAL OF COUNTY PROPERTY - 2007 FORD SEDAN (VIN # 5274 AND VIN # 5276)

As detailed in the memorandum provided to the Board by Karen Gibson, Human Resources Manager, a request had been received from the Sheriff's Department to surplus two 2007 Ford Sedans, VIN # 5274 and VIN # 5276, which were no longer operable or feasible to make operable. Ms. Gibson noted that in accordance with the County's Surplus Disposition Policy, section 1.03, staff was requesting that the Board declare the vehicles surplus in order to dispose of them through a competitive process. She presented the title for the Board's information, and explained that the Sheriff's Department wished to use the vehicles for usable parts.

The Board approved the disposal of two 2007 Fords (VIN # 5274 and VIN # 5276) and authorized the County Administrator to initiate their disposal in accordance with the Board-adopted Surplus Disposition Policy.

RE: MINUTES

The Board approved the following minutes:

- November 11, 2012 Special Meeting
- November 14, 2012 Regular Meeting

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

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

Julie Summs, County Administrator, presented the Employee of the Month award to Rose Deal, Administrative Assistant, for December 2012.

RE: SERVICE AWARDS

Julie Summs, County Administrator, presented the following Service Awards:

- | | | |
|--------------------|----------|------------------------------|
| • Donnie Shifflett | 15 years | Sanitation Collection Driver |
| • Dorothy Di Liddo | 10 years | Fire EMS – Medic |
| • Kathryn Hill | 15 years | Library Directory |

Not in attendance, but also receiving Service Awards, were:

- | | | |
|-----------------|----------|------------------------|
| • Janet Breeden | 20 years | OCSO Court Security |
| • Joan Runion | 5 years | Public Works Custodian |

RE: LIFE SAVING AWARDS

Julie Summs, County Administrator, presented the following Life Saving Awards:

- Captain Bradley Taylor, Fire and EMS
- FF/Medic Jeremy Pearson, Fire and EMS
- Robin Martin, E-911
- Jason Guckert, E-911
- Bo Davison, OVFC
- Lt. Bert Roby, OVFC

Not in attendance, but also receiving Life Saving Awards, were:

- Lt. Mark Sikora, Fire and EMS
- FF/Medic Mike Throckmorton, Fire and EMS
- Assistant Chief Larry Clements, OVFC

RE: BUSINESS SPOTLIGHT

Mr. Jeff Earnhardt, Financial Advisor from Edward Jones Investments, appeared before the Board to spotlight his business. He explained that the services offered ranged from stocks and bonds to estate settlement and retirement plans. Mr. Earnhardt explained that he had recently purchased a building and had two locations now.

The Board thanked Mr. Earnhardt for his presentation.

RE: UPDATE ON CONSTRUCTION OF NEW CELL AT LANDFILL

Randy Clatterbuck, Landfill Supervisor, gave a PowerPoint Presentation displaying the process and progress on the new cell at the Landfill.

Discussion ensued regarding the thickness of the liner; the process of laying the liner; the layers of gravel; and the leachate pipes.

The Board thanked Mr. Clatterbuck for his presentation.

RE: ANNUAL FINANCIAL REPORT

Billy Robinson, representative from Brown Edwards & Company, LLP, gave a brief overview of the County's Financial Analysis for Fiscal Year 2012.

Discussion ensued regarding: GASB 45 and related pensions; the fund balance; recording liabilities; new accounting standards; and the growth in sales tax revenue.

The Board thanked Mr. Robinson for his presentation.

RE: PUBLIC COMMENT

At 5:51 p.m., Chairman Goodwin opened the floor for public comment.

The following individual spoke:

- Henry Lee Carter, Orange Town Council member, regarding the sale of land for delinquent taxes; maintenance of sewer; wireless broadband; and the leachate disposal agreement.

There being no further speakers, public comment was closed.

RE: JOINT DINNER MEETING WITH THE NURSING HOME COMMISSION AT DOGWOOD VILLAGE AND REHABILITATION CENTER

The Board recessed their meeting at 5:55 p.m. for a joint dinner meeting with the Health Center Commission (formerly known as the Nursing Home Commission) at Dogwood Village of Orange County for its annual presentation to the Board.

RE: RECONVENE

The Board reconvened their meeting at 7:35 p.m.

RE: BOARD COMMENT

Supervisor White stated that the Board should look into using "white space" of television stations for broadband service that was available with the conversion to digital stations.

Supervisor Frame indicated that Board members should make their own comments at the Legislative Dinner on Thursday, but express unhappiness for unfunded mandates, including Line of Duty Act benefits and CSA mandates.

RE: ACTION ITEMS

RE: FEES FOR PARKS AND RECREATION CLASSES AND PROGRAMS

Tim Moubray, Parks and Recreation Director, noted that because of the nature of recreation, opportunities for events arose on short notice. He explained that currently, he was required to seek Board approval for new or changed fees. Mr. Moubray further explained that depending on the Board meeting schedule, this could lead to a delay in getting approval and another 2-4 weeks to properly advertise for the class or program, causing a delay that negatively affected the implementation of events, and/or causing an event not to be scheduled.

Mr. Moubray noted that Parks and Recreation staff was seeking the authority to initiate the new fees on their own and report the new fees to the Board in each quarterly report. He further noted that should there be a need to change any fee already in place, staff would still need to go to the Board for approval of these changes.

Discussion ensued regarding whether or not the programs were self-supporting.

Mr. Frame moved, seconded by Mrs. Abbs and carried, to allow the Director of Parks and Recreation to implement new fees for programs and classes that are self-supporting and to report the fees to the Board of Supervisors quarterly, and to continue to obtain preapproval for changes to existing fees.

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

RE: AMENDMENT TO PERSONNEL POLICY 4.10 FOR HOLIDAYS

Julie Summs, County Administrator, explained that following Board of Supervisor's action at the November 14, 2012 meeting, a change to Personnel Policy 4.10 of the Personnel Manual to reflect following the Commonwealth of Virginia's preannounced Holiday Schedule was required. Ms. Summs presented the Board with the revised policy.

Mr. Frame moved, seconded by Mr. White and carried, to approve the revisions to Personnel Policy 4.10 regarding the following of the Commonwealth of Virginia's preannounced holiday schedule, as presented.

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

Ms. Summs reported that the Governor has recently announced the addition of December 26, 2012, as a holiday for State employees, and asked the Board if they wanted to observe that date as a County holiday.

Discussion ensued regarding funding in the budget to cover the cost of the additional holiday time off.

By consensus, the Board granted December 26, 2012 as an additional holiday to be observed for County employees, following the announcement from the Governor.

RE: FIDELIS CONTRACT RENEWAL

Glenda Bradley, Finance Director, stated that the County contracted with Fidelis Billing for the EMS Revenue Recovery Program. She explained that Fidelis had provided good service and quality customer care since the County began working with them in January 2006 and requested that the Board approve a continued relationship with Fidelis by extending the existing contract for another one-year term. Ms. Bradley noted that the Fire and EMS Department was in negotiations to add fire billing as a separate item prior to April 1, 2013.

Mrs. Abbs moved, seconded by Mr. Frame and carried, to authorize a one-year extension to the current contract with Fidelis Billing through December 31, 2013.

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

RE: LEACHATE DISPOSAL AGREEMENT

Thomas Lachenev, County Attorney, presented the Board with a draft copy of the proposed five-year Leachate Disposal Agreement between the County and the Town of Orange. He explained that the Agreement included terms that both the County and the Town were comfortable with.

Discussion ensued regarding "reasonable" testing and limiting the negotiating ability.

Mr. Frame moved, seconded by Mr. White and carried, to authorize the County Administrator to execute the Leachate Disposal Agreement on behalf of the County between the Town of Orange and the County of Orange.

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

RE: ORANGE YOUTH SPORTS FOUNDATION; BOOSTER PARK MANAGEMENT AGREEMENT

Thomas Lachenev, County Attorney, presented the Board with a draft copy of the proposed five-year Management Agreement between the County of Orange and the Orange Youth Sports Foundation (OYSF). He indicated that representatives from OYSF were agreeable to the terms in the Agreement.

Mr. White moved, seconded by Mrs. Abbs and carried, to authorize the County Administrator to execute the Management Agreement on behalf of the County between Orange Youth Sports Foundation and the County of Orange.

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

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board voted to re-appoint Jack Rickett as the District Two representative to the Economic Development Authority for a four-year term, if his term expired on December 31, 2012. If it was confirmed that Mr. Rickett's term had not expired, then he would continue to serve the unexpired term of James K. White, and no action would be necessary.

By consensus, the Board appointed Leigh Mawyer, or her designee, to the Celebrate Shenandoah Committee.

RE: DISCUSSION ITEMS

RE: GENERAL COMMUNICATION PLAN FOR CITIZENRY

Ashley Jacobs, Assistant to the County Administrator, presented the Communication Plan to the Board. She provided a brief overview of the Plan, and explained the deliverables and the plan to implement the work.

Supervisors Abbs stated that she liked the Communication Plan, and noted that it was very easy to read.

Discussion ensued regarding: County website redesign; electronic newsletters; and working with media outlets to get direct links to their websites.

Mrs. Abbs moved, seconded by Mr. White and carried, to adopt the Communication Plan as presented.

RE: CORE SERVICES

Ashley Jacobs, Assistant to the County Administrator, provided updated information to the Board regarding Core Services.

Discussion ensued regarding the next steps and how to display the information.

By consensus, the Board requested that the Core Services information be uploaded to the County website, as modified.

RE: BOARD OF SUPERVISORS' MEETING SCHEDULE AND LOCATIONS FOR 2013

Julie Summs, County Administrator, presented the draft Board of Supervisors' 2013 Meeting Schedule to the Board.

Discussion ensued regarding the feasibility, advantages, and disadvantages of rotating the location of the Board meetings.

By consensus, the Board reviewed the 2013 draft Board of Supervisors' Meeting Schedule and agreed to place it on the January 8, 2013, agenda for adoption.

RE: POTENTIAL PERFORMANCE CONTRACTING-ORANGE COUNTY PUBLIC SCHOOLS

Discussion ensued regarding the impact that the Performance Contracting would have on the County.

Judy Carter, representative from the Orange County School Board, announced that a presentation of the Performance Contracting would take place at the School Board meeting on December 17, 2012.

Glenda Bradley, Finance Director, stated that Moody's considered Performance Contracting a moral obligation, even if it was not a legal obligation.

By consensus, the Board acknowledged their invitation to the December 17, 2012, School Board presentation on Performance Contracting, and agreed to hold a Joint Worksession with the School Board on December 18, 2012, at 5:00 p.m.

RE: FEE DONATION REQUEST FROM MONTPELIER

Discussion ensued regarding the request for fee donation from Montpelier for the disposal of asphalt shingles.

By consensus, the Board declined the fee donation request, and requested that staff communicate the decision to Montpelier.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Treasurer's Report
- Inventory of Historic and Natural Resources
- Parks and Recreation Quarterly Report
- Liberty Ride 2012 Snapshot
- VDOT Monthly Report for December
- Update from Tourism Roundtable on Orange County Signage
- 2012 CDBG Planning Grant

Discussion ensued regarding the CDBG Grant memo received regarding funding of \$3,000, and asked what was required and if the Economic Development Authority (EDA) had been involved.

By consensus, the Board requested that an item be added to the December 18, 2012, agenda regarding the CDBG Grant and appropriation of funds.

RE: COMMITTEE REPORTS
There were no committee reports.

RE: CALENDAR
The Board received copies of its calendar for the months of December 2012, January 2013 and February 2013.

RE: SCHEDULE A PUBLIC HEARING FOR COMPREHENSIVE PLAN AMENDMENT, PROFFER AMENDMENT, AND REZONING FOR STRANGE (ANNADALE) ON JANUARY 8, 2013 AT 7:30 P.M.
By consensus, the Board authorized staff to schedule and advertise for a public hearing to receive comments on a Comprehensive Plan amendment, Proffer amendment, and Rezoning for Strange (Annadale) on Tuesday, January 8, 2013, at 7:30 p.m.

RE: SCHEDULE A BOARD OF SUPERVISORS' 2013 ORGANIZATIONAL MEETING FOR TUESDAY, JANUARY 8, 2013 AT 4:00 P.M.
By consensus, the Board scheduled its 2013 Organizational Meeting for Tuesday, January 8, 2012, at 4:00 p.m.

RE: CLOSED MEETING
WHEREAS, the Board of Supervisors of Orange County desires to discuss in Closed Meeting the following matters:

- One (1) matter concerning the discussion of personnel, which concerns a specific employee. - §2.2-3711(A)(1) of the Code of Virginia.
- One (1) matter concerning the discussion of the award of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. - §2.2-3711(A)(29) 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), (7) and (29) 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 does hereby authorize discussion of the aforesaid matters 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: ADJOURNMENT

There being no further business to discuss, Mrs. Abbs moved, seconded by Mr. Frame and carried, to adjourn the meeting at 10:27 p.m. Ayes: Abbs, Goodwin, Frame, White. Nays: None. Absent: Wilson.

S. Teel Goodwin, Chairman

Julie G. Summs, County Administrator