

BOARD OF SUPERVISORS MINUTES

December 13, 2011

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, December 13, 2011 beginning at 2:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Jr., Chairman; Shannon Abbs, Vice-Chairman; S. Teel Goodwin; Grover Wilson; and Zack Burkett. Absent: None. Also present: Julie Jordan, County Administrator; Sharon Pandak, County Attorney; and Ashley Jacobs, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
	Reverse carryover for FY11 audit adjustment (Cantrell Const. invoice accrual)	\$ (147,187.60)	Appropriated Fund Balance
County Capital Projects Fund			
Subtotal Capital Project Fund		\$ (147,187.60)	
Animal Shelter	Emergency Vet	\$ 4,660.63	Donations
Animal Shelter	Vaccinations	\$ 1,235.00	Donations
Animal Shelter	Microchip Program	\$ 2,000.00	Donations
Animal Shelter	Furniture & Fixtures	\$ 7,500.00	Donations
Subtotal Animal Shelter		\$ 15,395.63	
Office on Youth	Supplies	\$ 428.70	Office Youth Fundraiser
Office on Youth	Conference & Education	\$ 1,060.00	Child Care Training
Subtotal Office on Youth		\$ 1,488.70	
	Total this meeting	\$ (130,303.27)	
	Total Year to Date	\$ 711,722.50	

RE: AIRPORT INSURANCE RENEWAL

The Board authorized staff to move forward with the insurance renewal based upon the quotations provided to the County by USI Insurance that will become effective, January 14, 2012.

RE: APPOINTMENT OF CRAIG JOHNSON AS EMERGENCY MANAGEMENT COORDINATOR

The Board appointed Craig Johnson to the position of Emergency Services/Deputy Hazardous Materials Coordinator and John Harkness to the position of Hazardous Materials/Deputy Emergency Services Coordinator.

RE: MINUTES

The Board approved the following minutes:

- November 16, 2011 Regular Meeting

RE: RESOLUTION OF RECOGNITION FOR PATRICIA WOODWARD

The Board approved the following resolution as presented:

WHEREAS, Ms. Woodward will retire on December 31, 2011, after providing sixteen years of dedicated service to the citizens of Orange County; and

WHEREAS, Ms. Woodward began her tenure with the Orange County Public Works Department on August 1, 1995 as a full-time Attendant/Driver; and

WHEREAS, Ms. Woodward has served in every capacity related to the operation of the Orange County Landfill and Collection Centers; and

WHEREAS, Ms. Woodward was first promoted to Landfill Foreman and then, on July 10, 2001 earned the promotion to the position of Landfill Supervisor and successfully achieved and maintained possession of Waste Management Facility Operator License Class I/II; and

WHEREAS, Ms. Woodward has faithfully and effectively discharged her duties in each and every capacity, with compassion and commitment to first-class customer service; and

WHEREAS, Ms. Woodward will be missed not only for her knowledge, performance and commitment to Orange County and its citizens, but also for her compassionate nature and can-do attitude.

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Supervisors publicly recognizes Ms. Patricia Woodward and extends its appreciation for her sixteen years of dedicated service to the County and best wishes for a long and happy retirement.

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

RE: PUBLIC APPEARANCES

RE: EMPLOYEE OF THE MONTH

Julie Jordan, County Administrator, presented the Employee of the Month award for December 2011 to Ashley Jacobs, Chief Deputy Clerk.

RE: SERVICE AWARDS

The following employees were not in attendance but were recognized for their service:

- Barbra Helms 5 Years Landfill Collection Attendant
- Thomas J.M. Joyce 5 Years E911 Communications Officer

RE: RECOGNITION OF PATRICIA WOODWARD

Chairman Frame recognized Patricia Woodward, Landfill Supervisor, for her years of service to the county and for her upcoming retirement. The Board presented Ms. Woodward with a Resolution of Recognition and a Jefferson Cup for her service to Orange County.

RE: RECOGNITION OF DISTRICT TWO SUPERVISOR ZACK BURKETT

Chairman Frame recognized Zack Burkett for his service to Orange County during his term as District Two Supervisor. Mr. Burkett was presented with a Jefferson Cup and recognized by the entire Board.

RE: SERVICE AWARD FOR OUTSTANDING TELECOMMUNICATIONS DISPATCHER

Chairman Frame recognized Nicola Tidey, E-911 Manager, as the recipient of the prestigious 2011 Governor's Emergency Medical Services Award for Outstanding Telecommunications Dispatcher.

RE: INTRODUCTION OF TIM MOUBRAY

Julie Jordan, County Administrator, introduced Tim Moubray as the new Parks and Recreation Director. She gave an overview of his past work experience and accomplishments and the Board welcomed him to Orange County.

RE: PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR FISCAL YEAR ENDING JUNE 30, 2010

Chairman Frame presented the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ending June 30, 2010. He recognized the entire Finance Department for their diligent work during the past year.

RE: LEGAL REPRESENTATION FOR THE BOARD OF ZONING APPEALS (BZA)

Roger Gibson, Board of Zoning Appeals Chairman, appeared before the Board to request Legal Representation for the Board of Zoning Appeals (BZA) as it relates to the lawsuit involving Village Motor Sports. He stated that the BZA voted for the support of legal representation at their last meeting. Sharon Pandak, County Attorney, provided clarification on the suit which has been filed regarding the BZA. Mr. Gibson further stated that the BZA used to have representation and that they once again would like to have representation so that they can make the right decisions.

Discussion ensued regarding the training offered for BZA members, the possibility of setting money aside for supporting the costs associated with the training for BZA members, the cost proposed for providing such representation, proceedings at past meetings regarding Village Motor Sports, and the deadline by which to decide whether or not to provide legal representation.

RE: REPORT ON TOTAL MAXIMUM DAILY LOAD NUMBERS FOR ORANGE COUNTY

Greg Wilchens with the Culpeper Soil and Water Conservation District, presented an update on the Upper York Grant proposal which was not funded but which will be resubmitted.

Mr. Wilchens also provided information regarding the Total Maximum Daily Load (TMDL) numbers for Orange County and specifically for agricultural areas. He stated that recently County staff convened a meeting of several agricultural subgroups, Lake of the Woods staff, and the incorporated municipalities within the County; and that comments are being developed and forwarded in response to the numbers provided for Orange County. Mr. Wilchens concluded his update by stating that these comments will be collected prior to February when the Phase II Watershed Implementation Plan will be finalized. Julie Jordan, County Administrator, stated that the responses devised by the incorporated municipalities and the agricultural subgroups are being forwarded to her and will be subsequently forwarded to the Board for their review at the January 10, 2012, meeting.

Mr. Wilchens concluded his presentation by providing an update on local programming for storm water management.

RE: THREE YEAR FORECAST

Glenda Bradley, Finance Director, presented the Three Year Revenue and Expenditure Forecast stating that this forecast is in no way a recommended budget but that it provides a starting point for budget planning for FY2013.

Discussion ensued including: estimated revenue from the Wal-Mart store to be built in the eastern end of the County; debt service for FY2013 for the Central Virginia Regional Jail; and the projected re-opening of the middle school.

RE: ACTION ITEMS

RE: SURPLUS AMBULANCE DISPOSAL

Jamie Clark, Fire and EMS Director, requested the disposal of Vehicle 310, a 1993 Ford ambulance, as the vehicle is no longer in service due to mileage and age restrictions. He noted due to mechanical issues, the estimated value is less than \$500.00.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to approve the disposal of the 1993 Ford Ambulance per the County Surplus Disposal Policy.

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

RE: FIDELIS CONTRACT RENEWAL

Jamie Clark, Fire and EMS Director, explained the contract for the County's EMS Revenue Recovery Program is with Fidelis Billing located in Virginia Beach, Virginia. He noted they have provided good service and quality customer care since January 2006. He requested the Board approve the continued relationship with Fidelis for one year, utilizing the City of Portsmouth's open contract with Fidelis. He explained the benefits included in continuing the relationship and announced the County would save approximately \$15,000 annually.

Discussion ensued regarding collections increases since utilizing Fidelis Billing and electronic reporting.

Mrs. Abbs moved, seconded by Mr. Burkett and carried, to approve the one year contract with Fidelis Billing as presented.

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

RE: DOWNCITY CONSERVATION EASEMENT REQUEST (TAX MAP NO. 4A-A and 4(4)4A)

Kevin McMahan, Planner, gave an overview of the proposed gift of 63.5859 acres from Downcity Capital Partners, Ltd. to the Historic Fredericksburg Foundation, Inc. and FL Capital, LLC, for the purpose of creating a conservation and open space easement. He explained that the properties in question are zoned Planned Residential (R-3). Mr. McMahan noted that in the past, conservation easements have included Comprehensive Plan amendments as well as rezonings. He provided the background of the properties and commented on the 1994 rezoning of the properties and the associated proffers. Mr. McMahan stated that in the past the Board of Supervisors has determined that in order to fully comply with the Comprehensive Plan and its Future Land Use Map, the controlling zoning must be shown as Agricultural. Furthermore, Mr. McMahan noted that as part of the current R-3 designation, the property in question is already committed to off-setting the associated residential component of the Somerset Farm subdivision.

The applicant made a presentation to the Board regarding the request following Mr. McMahan's presentation. Discussion ensued including: the reduction in building lots as a result of the easement; what has been approved for the property to date; riparian buffers along the river and the use of forest management; the need to place the property in easement since it is already an open space area; the location of property in question on the site plan; the proposed removal of the proposed hotel from the site plan; and the tax value of the property if approved as a conservation easement for a golf course.

Supervisor Frame requested the applicant to provide the proposed request as an overlay on the current site plan.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to table the Downcity Conservation Easement Request.

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

RE: PUBLIC APPEARANCES (CONTINUED)

RE: ORANGE COUNTY SHERIFF'S OFFICE

Sheriff Mark Amos and Lt. Col. Tim Murphy appeared before the Board to recognize Supervisor Burkett. Sheriff Amos and Lt. Col. Murphy presented Mr. Burkett with a plaque which stated:

In recognition and appreciation of your work through the Orange County Board of Supervisors in the development and implementation of the Orange County Sheriff's Office Traffic Safety Division. These Efforts have reduced injury and deaths on the highways of Orange County. January 2008 – December 2011. You will be missed by all.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mrs. Abbs moved to appoint Ms. E. Jean Chappell as the Town of Gordonsville Representative to the Economic Development Authority, for a four year term, with said term expiring on December 31, 2015.

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

Mr. Wilson moved to appoint Ms. Mary Ellen McWilliams as a District Four Representative to the Library Board, for a four year term, with said term expiring on June 30, 2015.

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

RE: DISCUSSION ITEMS

RE: RELOCATION OF COUNTY E911 CENTER AND EMERGENCY OPERATIONS CENTER

Nicola Tidey, E911 Center Manager, made a presentation to the Board outlining the response to the Board's request for action to look into alternative location options for the County's E911 Center and Emergency Operations Center in emergency situations and, if necessary, permanently. She noted the Committee had formed both short and long term relocation options, as well as addressed the current location, limitations and staffing needs. After giving the report, she detailed the recommendation to further explore the proposal of an addition to the Sheriff's office, to work with IT, Clear Communications, Verizon and other vendors to ensure all utilities are in place and to develop a task force to examine needs of 911 and all Emergency Communications dispatching in the County.

Supervisor Burkett indicated that he was pleased with the report given by Ms. Tidey on behalf of the committee but that he was more interested in the long term solutions. Discussion ensued about possible timelines for the proposed options and about possible grant funding sources.

By consensus, the Board authorized the E911 Manager to develop a task force to further explore an addition to the Sheriff's office for the permanent relocation of the E911 Center and the Emergency Operations Center. The Board requested additional information be presented on the relocation during the FY13 budget process.

RE: DISCUSSION ON RESOLUTION SUBMITTED BY THE LAKE OF THE WOODS ASSOCIATION REGARDING SEAPLANES

Sharon Pandak, County Attorney, explained on November 16, 2011, the Board of Directors for the Lake of the Woods Association adopted a resolution requesting the Orange County Board of Supervisors to provide a zoning district towards creating an Federal Aviation Administration (FAA) designation of a seaport base, to facilitate the enactment of a ban on aircraft landings and low altitude flights over Lake of the Woods (LOW) properties. She detailed the LOW request and gave alternative actions available to the Board of Supervisors. Discussion ensued regarding trespassing of planes, LOW's enforcement ability, trespassing procedures used by the FAA, and aviation maps as they relate to LOW. Supervisor Frame indicated that he would discuss the matter with the Lake of the Woods Board members and would report back to the Board of Supervisors, if necessary.

RE: PUBLIC APPEARANCES (CONTINUED)

RE: ANNUAL FINANCIAL REPORT

Billy Robinson, Brown Edwards & Company LLP, presented the Annual Financial Report for FY 2010-2011. Discussion ensued regarding the results presented by Mr. Robinson, some of the remarks made by the auditors, and segregation of duties.

RE: DISCUSSION ITEMS (CONTINUED)

RE: FORMER SHELTERING ARMS FACILITY

Julie Jordan, County Administrator, updated the Board on the next steps for the former Sheltering Arms facility. She stated that the Town of Orange has recently experienced difficulties with homelessness and stated that several groups are interested in use of the Sheltering Arms Facility. Ms. Jordan noted that she would have a further update on the next steps for the facility at the January 10, 2012, meeting.

RE: STATE MANDATE PROJECT DISCUSSION

Julie Jordan, County Administrator, shared details of the State Mandate Project by updating the Board on the State Mandate Task Force and its goals. She also stated that a moratorium on new unfunded mandates had been proposed. Ms. Jordan stated that she would have a further update on the project at the January 10, 2012, meeting.

RE: DISCUSSION ON THROUGH TRUCK RESTRICTION FOR ROUTE 601 AND DISCUSSION ON SETTING PUBLIC HEARING FOR TUESDAY, JANUARY 10, 2012 AT 7:30 P.M.

Sharon Pandak, County Attorney, provided an update on definitions of different types of trucks as provided in the State Code. Chairman Frame stated that he would like to get public input to consider asking the Virginia Department of Transportation (VDOT) to impose through-

truck restrictions on Route 601. Discussion ensued regarding the types of trucks that would be restricted and the need for the restriction. The Board decided to defer further discussion of this topic until the results of the Route 601 Speed Study are received from VDOT.

RE: DISCUSSION ON RURAL COMMUNICATION(S) ACCESSIBILITY

Supervisor Abbs shared concerns with rural communication accessibility in certain areas of the County. She stated that internet access is imperative to Economic Development and that we should start encouraging more cellular phone service in these areas and then start encouraging more internet access.

By consensus, the Board directed staff to send a letter to Verizon to pursue Verizon's interest in placing an antenna on the new cell tower in Montpelier. Furthermore, the Board directed staff to send a letter to the entity which placed the cell tower in Montpelier to encourage the placement of more cell towers in Orange County.

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

The Board recessed at 5:04 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: PRESENTATION OF RESOLUTION OF RECOGNITION FOR ELEANOR JOHNSON CARPENTER TALLEY AND RANDOLPH H. JOHNSON

The Resolution of Recognition for Eleanor Johnson Carpenter Talley and Randolph H. Johnson, approved at the October 25, 2011, Board of Supervisor's meeting, was presented after dinner at Dogwood Village of Orange County by Supervisor Goodwin, to Randolph H. Johnson and the daughter of the late Eleanor Johnson Carpenter Talley.

RE: RECONVENE

The Board reconvened in Open Session at 7:01 p.m.

RE: PUBLIC COMMENT

Chairman Frame opened the floor for public comment. There being none, public comment was closed.

RE: BOARD COMMENT

RE: LEGAL REPRESENTATION FOR THE BOARD OF ZONING APPEALS (BZA)

Discussion ensued regarding the Board of Zoning Appeals' (BZA) request for legal representation including: understanding that the BZA would like guidance and previously was provided legal representation; the possibility of funding legal representation; the need for the BZA to accept that they are a "lower court;" the greater need for the BZA members to address the long term problem of needing to receive official training in the duties they have been charged with and the function of the BZA; use of Sharon Pandak's firm for representation to the BZA and the issues associated with this; and the urgency for the Board of Supervisors to make a decision regarding this request.

By consensus, the Board directed staff to provide information regarding legal representation for the BZA at the next regularly scheduled Board meeting, to be held on January 10, 2012.

RE: SENTIMENTS FOR ZACK BURKETT, DISTRICT TWO SUPERVISOR

The Board shared their individual sentiments with Zack Burkett for the time he has served as a District Two Board of Supervisors member. Supervisor Burkett shared his sentiments with the Board and his appreciation for the staff of Orange County. Mr. Burkett also quoted Benjamin Franklin and stated that "Democracy has to be more than two wolves and a sheep discussing what to have for dinner." He reminded the Board that the money that they spend is not theirs and he wished the existing Board and Supervisor-Elect Jim White the best in the coming years.

RE: DISCUSSION ITEMS (CONTINUED)

RE: DISCUSSION ON LANDFILL HOURS AND HOLIDAY CLOSURES

Supervisor Burkett shared concerns with landfill hours and holiday closures stating that during the 2011 Thanksgiving holiday, the Landfill and Collection Sites were closed for three days in a row. Discussion ensued regarding the schedule of the Landfill and Collection Sites during the 2011 Christmas holiday, the possibility of opening select sites in the County, the importance of the Landfill and Collection Sites being accessible around the holidays, the signs at the Landfill and Collection Sites which stipulate the hours at these locations, and the 2012 holiday schedule.

By consensus, the Board directed staff to close the County Landfill and Collections Sites at 12:00 p.m. on Saturday, December 24, 2011, and open on Monday, December 26, 2011.

RE: PUBLIC HEARING #1

Sharon Pandak, County Attorney gave a brief staff report regarding the proposed amendments to County Code Chapter 42 Offenses, Article II, Section 42-31.

At 7:39 p.m., Chairman Frame called the public hearing to order to receive comments on the following:

- Proposed amendments to County Code Chapter 42 Offenses, Article II, Section 42-31. Possession of loaded firearms prohibited [in certain situations along public highways] to reflect State Code changes.

There being no other speakers, Chairman Frame closed the public hearing at 7:39 p.m.

Mr. Burkett moved, seconded by Mrs. Abbs and carried, to approve the following amendments to Sec. 42-31 of the County Code as presented:

AMEND SEC 42-31 OF THE COUNTY CODE
POSSESSION OF LOADED FIREARMS PROHIBITED

WHEREAS, the Board of Supervisors of Orange County has considered the attached proposed amendments to Chapter 42 of the County Code. Sec. 42-31: Possession of loaded firearms prohibited in order to update the ordinance consistent with changes to the enabling legislation §15.2-1209.1 VA Code Ann; and

WHEREAS, the Orange County Board of Supervisors has held a duly advertised public hearing;

NOW, THEREFORE, BE IT ORDAINED, that the Orange County Board of Supervisors hereby adopts the attached amendments to Sec. 42-31 of the County Code.

(ATTACHMENT)

Sec. 42-31. Possession of loaded firearm prohibited.

(a) Pursuant to the authority of the Code of Virginia §15.2-1209.1, it shall be unlawful for any person to carry or have in his possession, for the purpose of hunting, while on any part of a public highway within the county a loaded firearm when such person is not authorized to hunt on the private property on both sides of the highway along which he is standing or walking. This section shall not apply to persons carrying loaded firearms in moving vehicles or for purposes other than hunting, or to persons acting at the time defense of persons or property.

(b) Any persons violating this section shall be guilty of a misdemeanor and shall be subject to a fine not exceeding \$100.00 for each such violation.

State law reference – Similar Provisions, Code of Virginia, §15.2-1209.1

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

RE: PUBLIC HEARING #2

Sharon Pandak, County Attorney gave a brief staff report regarding the proposed amendments to County Code Chapter 58 Taxation, Article III, Exemptions, Division 3.

At 7:41 p.m., Chairman Frame called the public hearing to order to receive comments on the following:

- Proposed amendments to County Code Chapter 58 Taxation, Article III. Exemptions. Division 3. Exemptions for Certain Elderly and Disabled Persons to equalize these limitations based on the general reassessment:
 - Section 58-133 (4). Qualifications for grant of exemption to reduce the qualifying land to two (2) acres, reduce the maximum value of dwelling and land to \$90,000, and reduce the maximum net combined worth in subsection (4)(a) to \$140,000; and
 - Section 58-135. Calculation of amount of exemption to adjust the tables for Financial Worth Range to reflect the proposed amendments to Section 58-133.

There being no other speakers, Chairman Frame closed the public hearing at 7:41 p.m.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to approve the following ordinance adopting the attached amendments to Sec. 58-133(4) and Sec. 58-135 of the County Code as presented:

**AMEND SEC. 58-133(4) AND SEC. 58-135 RELATING TO TAX RELIEF FOR
CERTAIN ELDERLY AND DISABLED PERSONS**

WHEREAS, in light of the overall reduction in assessments as a result of the recently completed general reassessment, the Board of Supervisors has concluded that it should amend the financial requirements relating to tax relief for certain elderly and disabled/handicapped in Sec. 58-133(4) and Sec. 58-135 of the County Code; and

WHEREAS, a public hearing to consider the proposed amendments has been duly advertised and held;

NOW, THEREFORE BE IT ORDAINED, that the Orange County Board of Supervisors hereby adopts the attached amendments to Sec. 58-133(4) and Sec. 58-135 of the County Code.

(ATTACHMENTS)

Sec. 58-133. Qualifications for grant of exemption.

The exemption provided in this division shall be granted to persons who meet the following provisions:

(1) The title to the property for which the exemption is claimed is held, or partially held, on January 1 of the taxable year by the person claiming the exemption, and who is at least 65 or is permanently and totally disabled on December 31 of the year immediately preceding the taxable year; and,

(2) Such real estate shall be owned by, and occupied as, the sole dwelling of all owners; however, an applicant who is residing in a nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration; and,

(3) The total combined income received from all sources during the immediately preceding calendar year by (i) the owners of the dwelling living in the dwelling, and of the (ii) owners' relatives living in the dwelling, and (iii) nonrelatives of the owners who live in the dwelling except for bona fide tenants or bona fide paid caregivers of the owners, shall not exceed \$40,000.00; and the first \$7,500.00 of income of each relative living in the dwelling, other than a spouse of the owners, and each nonrelative who lives in the dwelling, other than bona fide tenants or bona fide paid caregivers of the owners, shall not be included in such total; and,

(4) a. If the title to the property for which the exemption is claimed is held solely by the applicant, or together with the spouse of the applicant, with no other joint owners, then the net combined financial worth, including the present value of equitable interests, as of December 31 of the immediately preceding calendar year, of the applicant and of the spouse of the applicant, excluding the value of the dwelling and the land, not exceeding two (2) acres upon which the dwelling is situated, shall not exceed \$ \$90,000; or,

b. If the title to the property for which the exemption is claimed is held by the applicant and one or more other individuals, and the net combined financial worth of all such joint owners, including the present value of all equitable interests and computed without any exclusion for the dwelling or for any other asset as of December 31 of the immediately preceding calendar year, does not exceed \$140,000, the exemption for the dwelling that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by all qualifying applicants, and as a denominator, 100 percent.

(Ord. of 8-10-1993, § 3; Ord. of 12-12-2000; Ord. of 7-26-2005; Ord. of 10-9-2007(2); Ord. of 10-13-2009(1); Ord. of 12-14-2010)

State law references: Exemption or deferral of taxes on property of certain elderly and handicapped persons, Code of Virginia, § 58.1-3210; restrictions and exemptions, Code of Virginia § 58.1-3211; local restrictions and exemptions, Code of Virginia § 58.1-3212.

Sec. 58-135 – Calculation of amount of exemption.

The persons qualifying for and claiming an exemption under this division shall be relieved of that portion of the real estate tax levied on the qualifying dwelling and land in the amount calculated in accordance with the following schedule:

Exemption percentage schedule if qualifying under section 58-133 (4)a.

<u>Range of Income</u>	<u>Financial Worth Range</u>				
	<u>\$0.00</u> -	<u>\$18,001</u> -	<u>\$36,001</u> -	<u>\$54,001</u> -	<u>\$72,001</u> -
	<u>\$18,000</u>	<u>\$36,000</u>	<u>\$54,000</u>	<u>\$72,000</u>	<u>\$90,000</u>
<u>\$0.00 to \$15,000</u>	<u>90%</u>	<u>80%</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>

<u>\$15,001 to \$20,500</u>	<u>80%</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>
<u>\$20,501 to \$26,000</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>
<u>\$26,001 to \$31,500</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>
<u>\$31,501 to \$40,000</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>	<u>10%</u>

Exemption percentage schedule if qualifying under section 58-133 (4)b.

<u>Range of Income</u>	<u>Financial Worth Range</u>				
	<u>\$0.00 - \$28,000</u>	<u>\$28,001 - \$56,000</u>	<u>\$56,001 - \$84,000</u>	<u>\$84,001 - \$112,000</u>	<u>\$112,001 -</u>
<u>\$0.00 to \$15,000</u>	<u>90%</u>	<u>80%</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>
<u>\$15,001 to \$20,500</u>	<u>80%</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>
<u>\$20,501 to \$26,000</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>
<u>\$26,001 to \$31,500</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>
<u>\$31,501 to \$40,000</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>	<u>10%</u>

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

RE: DISCUSSION ITEMS (CONTINUED)

RE: REVISED 2012 HOLIDAY SCHEDULE
Discussion ensued regarding the 2012 Holiday Schedule.

RE: COUNTY ATTORNEY SEARCH
Julie Jordan, County Administrator, stated that as directed by the Board, she would like to ask the Board for direction regarding the County Attorney search mentioned earlier in the year.

By consensus, the Board directed staff to proceed with Springsted's assistance in searching for an in-house County Attorney.

RE: INFORMATION ITEMS

The Board received the following correspondence for its information:

- Virginia Department of Transportation Monthly Report for October
- Treasurer's Report
- CSA Monthly Report for October and November
- Holiday Schedule for 2012
- Update on Courthouse Renovations
- Joint Dinner Meeting with Extension Office Re-Scheduled
- 2012 Meeting Dates of the Board of Equalization

RE: REVISED 2012 HOLIDAY SCHEDULE
Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to proclaim Monday,

December 24, 2012 as an additional observed County holiday.

Ayes: Abbs, Goodwin, Wilson, Frame. Nays: None. Abstain: Burkett.

RE: COURTHOUSE RENOVATIONS

Kurt Hildebrand, Public Works Director, stated that the grant funding sources he was pursuing for the Old Courthouse renovations are no longer available because the money has been reallocated to earthquake damage victims.

By consensus, the Board directed staff to continue to search for sources of funding for the proposed Old Courthouse renovations.

RE: COMMITTEE REPORTS

There were no committee reports.

RE: CALENDAR

The Board received calendars for January, February and March 2012.

RE: SET BOARD OF SUPERVISORS 2012 ORGANIZATIONAL MEETING

By Consensus, the Board set the 2012 Organizational Meeting for January 3, 2012, at 4:00 p.m.

RE: RESOLUTION TO SET 2012 BOARD OF SUPERVISORS MEETING SCHEDULE

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to approve the following resolution:

A RESOLUTION TO ESTABLISH THE 2012 BOARD OF SUPERVISORS
REGULAR MEETING SCHEDULE

WHEREAS, section 15.2-1416 of the Code of Virginia, 1950, as amended requires this Board to adopt a resolution setting forth the days, time and place of the regular meetings of the Board to be held during the ensuing months.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Orange County Board of Supervisors regular meetings will be held in the Gordon Building, 112 West Main Street, Orange, Virginia, unless otherwise stated, on the following dates and starting at the following times:

January 3 at 4:00 PM	Organizational Meeting
January 10 at 4:00 PM	Regular Meeting, & Budget Worksession
January 24 at 7:00 PM	Regular Meeting & Budget Worksession
February 14 at 4:00 PM	Regular Meeting & Budget Worksession
February 14 at 7:00 PM	School Board Budget Presentation at Taylor Education Admin. Complex, Orange, VA
February 28 at 7:00 PM	Regular Board Meeting & Budget Worksession
March 1 at 7:00 PM	Budget Worksession
March 8 at 7:00 PM	Budget Worksession
March 13 at 4:00 PM	Regular Meeting & Budget Worksession
March 15 at 7:00 PM	Budget Worksession
March 27 at 7:00 PM	Regular Meeting & Budget Worksession
April 3 at 7:30 PM	Public Hearing on Budget
April 5 at 7:00 PM	Budget Worksession
April 10 at 4:00 PM	Regular Meeting & Budget Adoption
April 24 at 7:00 PM	Regular Meeting

May 8 at 4:00 PM	Regular Meeting
May 22 at 7:00 PM	Regular Meeting
June 12 at 4:00 PM	Regular Meeting
June 26 at 7:00 PM	Regular Meeting
July 10 at 4:00 PM	Regular Meeting
July 24 at 7:00 PM	Regular Meeting
August 14 at 4:00 PM	Regular Meeting
August 28 at 7:00 PM	Regular Meeting
September 11 at 4:00 PM	Regular Meeting
September 25 at 7:00 PM	Regular Meeting
October 9 at 4:00 PM	Regular Meeting
October 23 at 7:00 PM	Regular Meeting
November 14 at 4:00 PM	Regular Meeting at the Lake of the Woods Clubhouse, Locust Grove, VA
December 11 at 4:00 PM	Regular Meeting

IT IS FURTHER RESOLVED that pursuant to the authority set forth in section 15.2-1416 of the Code of Virginia, 1950, as amended, that if the Chairman, or Vice-Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the members to attend a regularly scheduled meeting, such declared meeting shall be continued to the following Tuesday, to begin at 7:00 PM, and to be held in the Board Meeting Room.

Ayes: Abbs, Goodwin, Wilson, Frame. Nays: None. Abstain: Burkett.

RE: SET PUBLIC HEARING FOR CONSIDERATION OF APPROVAL OF CONDEMNATION FOR PUBLIC USE/ORANGE COUNTY AIRPORT OF PROPERTY OWNED BY HELEN MARIE TAYLOR, 1.364 ACRE PORTION OF TAX MAP 45-4 – TUESDAY, JANUARY 10, 2012, AT 7:30 P.M.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to schedule a public hearing for Tuesday, January 10, 2012, at 7:30 p.m., to receive public comment on the consideration of approval of condemnation for public use/Orange County Airport of property owned by Helen Marie Taylor, 1.364 Acre Portion of Tax Map 45-4.

Ayes: Abbs, Goodwin, Wilson, Frame. Nays: None. Abstain: Burkett.

RE: BUDGET WORKSESSION – CIP DISCUSSION & GENERAL FUND RESERVES DISCUSSION

Discussion ensued including: the Capital Improvements Plan (CIP) which currently includes a total of 21 new project requests; the currently funded CIP projects; the available fund balance in the General Fund which will be available for appropriation per the County Fund Balance Policy; the tax rate comparisons for Orange County and surrounding Counties; and certain roof projects funded by the CIP.

RE: CLOSED MEETING

At 8:36 p.m. Ms. Pandak read the following motion authorizing Closed Session:

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

- Legal advice regarding 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 Board (§2.2-3711.A.3 VA Code Ann.);

- Three (3) matters of actual or probable litigation and legal advice related thereto, where consultation in open meeting would adversely affect the litigating posture of the County (§2.2-3711.A.7 VA Code Ann.);
- One (1) matter of legal advice (§2.2-3711.A.7 VA Code Ann.)
- One matter of discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governing body would be adversely affected and legal advice related thereto (§2.2-3711.A.6, 7 VA Code Ann.) ; and

WHEREAS, pursuant to §§2.2-3711.A. 1, 3, 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.

Mrs. Abbs made a motion, seconded by Mr. Burkett approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 10:09 p.m. Ms. Pandak read the following resolution certifying the 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.

Mr. Burkett made a motion, seconded by Mr. Goodwin approving the resolution as presented. Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None.

RE: ADJOURNMENT

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

Lee H. Frame, Chairman

Julie G. Jordan, County Administrator