

BOARD OF SUPERVISORS MINUTES

FEBRUARY 13, 2018

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, February 13, 2018, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: James K. White, Chairman; James P. Crozier, Vice Chairman; R. Mark Johnson; S. Teel Goodwin; and Lee H. Frame. 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. Frame, seconded by Mr. Goodwin, 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:

- | | | |
|--------------------|----------|---------------------------------|
| - Rita Fleming | 25 Years | Benefits Program Specialist |
| - Josh Frederick | 5 Years | Planning and Zoning Director |
| - Stephanie Straub | 5 Years | Financial Management Specialist |

Receiving a Service Award, but not in attendance at the meeting, was:

- | | | |
|------------------|---------|----------------------|
| - Loretta Morris | 5 Years | Circuit Court Deputy |
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RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR ANN RIORDAN

Chairman White read the Resolution of Appreciation and presented a signed, framed copy to Ann Riordan. Collectively, the Board thanked her for her service to Orange County.

RE: BUSINESS SPOTLIGHT

Ali Mahmoud, Owner of Milano Uno Pizzeria and Grill, appeared before the Board to spotlight his business. He explained that the business recently opened in the Town of Orange, and specialized in Italian and Greek cuisine, offering dine-in, delivery, and catering. Mr. Mahmoud highlighted his desire to focus on the community of Orange.

The Board thanked Mr. Mahmoud for his presentation.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

E. Alan Saunders, Louisa Resident Engineer, provided an update to the Board on VDOT activities. He reported on fatal accidents in 2017; SmartScale project updates; projects currently in development; projects under construction; completed and ongoing traffic engineering studies; and overall maintenance activities.

The Board thanked Mr. Saunders for his 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: FY18 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
30034001-34030	Recovered Costs - General	\$ (25,000.00)	\$ (17,520.00)	\$ (42,520.00)
43120001-41200	Wages - Overtime	157,675.00	17,520.00	175,195.00
30030006-33500	Donations - Animal Shelter	(19,491.97)	(982.00)	(20,473.97)
43520003-43115	Prof. Serv. - Emergency Vet	19,991.97	982.00	20,973.97
30026006-31825	P&R - Movie Ticket Sales	(6,500.00)	(3,500.00)	(10,000.00)
47120019-43300	Other Fees & Charges	6,000.00	3,500.00	9,500.00
TOTALS		\$ 132,675.00	\$ 0.00	\$ 132,675.00

RE: RENEWAL OF PROFESSIONAL ENGINEERING CONTRACTS

As part of the Consent Agenda, the Board authorized staff to renew the professional engineering contracts with Draper Aden Associates (DA-00-16KH), RK&K (RKK-00-16KH), Timmons Group (TG-00-16KH), Wiley|Wilson (WW-00-16KH), and EPR (EPR-00-16KH) for an additional one (1) year term, 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, as presented:

- 2004 Ford F-150 (VIN# 5255)
- 2004 Dodge Charger (VIN# 1385)
- 2008 Ford Crown Victoria (VIN# 4944)

RE: MINUTES

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

- January 23, 2018 Worksession
- January 23, 2018 Regular Meeting

RE: NEW BUSINESS

RE: AGREEMENT FOR TOWN OF ORANGE SALES TAX RECOVERY

R. Bryan David, County Administrator, explained that the Board previously entered into an agreement with the Town of Orange for recovery of an overpayment of sales tax. He indicated that the original agreement, dated October 4, 2016, required the construction of a cell tower by the Town of Orange, on which the County would be able to utilize space for telecommunications purposes and participate in a revenue-sharing arrangement from commercial cell phone leases. Mr. David noted that if the tower was deemed not viable, the Town of Orange could instead make installment payments to the County to satisfy the overpayment.

Mr. David stated that the Town of Orange had recently requested to amend the original agreement in order to invoke the option to provide annual cash payments to satisfy the amount owed. He explained that the conditions of the repayment plan were outlined in a new agreement, which was signed by Mayor Mason on January 29, 2018.

Discussion ensued among the Board regarding: the fact that the option to provide cash payments to the County was the default option in the original agreement from 2016.

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized the Chairman to execute the new agreement with the Town of Orange for the recovery of an overpayment of sales tax, as presented.

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

RE: OLD BUSINESS

RE: TELECOMMUNICATIONS TOWERS AND FACILITIES ORDINANCE AMENDMENTS

R. Bryan David, County Administrator, advised the Board that the requested changes to the telecommunications towers and facilities ordinance had been made from the last meeting on January 23, 2018. He reviewed each of the changes with the Board, and presented the draft language for consideration.

Mr. David also indicated that the Planning and Zoning Director had recommended additional changes, which he presented and reviewed with the Board.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to initiate Planning Commission action on the proposed ordinance concerning telecommunications towers and facilities, understanding that the Planning Commission would hold a Public Hearing and forward its recommendation to the Board.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: OFFICE ON YOUTH QUARTERLY REPORT

Alisha Vines, Office on Youth Director, presented the Office on Youth Quarterly Report, which included information on the following topics:

- activities of the Youth Council;
- plans for recognition of Child Abuse Prevention Month;
- VJCCA statistics; and
- upcoming events and programs.

Ashley Jacobs, Strengthening Families Program Coordinator, also provided an update to the Board on the Positive Action youth program, funded by a grant, which included a presentation from several of the youth actively involved in the program.

The Board thanked Ms. Vines, Ms. Jacobs, and the youth for their presentation.

RE: E-911 CENTER CONSOLIDATION UPDATE

Nicola Tidey, E-911 Center Director & Public Safety Network Communications Manager, provided an update on the consolidation project for the Orange County E-911 Center and the Orange County Sheriff's Office Dispatch. She explained that the consolidation went live on February 1, 2018, and would provide for faster response times, higher levels of interagency coordination, and improved service. Ms. Tidey reviewed work that was still in progress as part of the consolidation and recognized all the hard work of her staff and support from other departments.

Discussion ensued among the Board regarding: the reactions from staff on the increase in the variety and types of calls being dispatched; and a thanks to staff for their cooperation.

The Board thanked Ms. Tidey for her presentation.

RE: COMPREHENSIVE PLAN REVIEW

Josh Frederick, Planning and Zoning Director, explained that the County's current Comprehensive Plan was adopted on December 17, 2013. He added that, while the Plan had been amended twice since then, 2013 marked the most recent "official" review of the Plan. Mr. Frederick noted that the Code of Virginia required the Planning Commission to review its Comprehensive Plan at least every five years to determine whether it should be amended.

Mr. Frederick stated that the Planning Commission was scheduled to begin reviewing the current Comprehensive Plan at its meeting on March 1, 2018, to determine what, if any, amendments were necessary or desired. He noted that he would keep the Board apprised of the Planning Commission's review as it occurred.

Discussion ensued among the Board regarding: whether the Planning Commission's discussion would begin by utilizing recommendations from staff or if the discussion would "start from scratch"; whether additional village overlay designations would be considered; and the focus on the Land Use Map and recommendations.

The Board took the information regarding the Comprehensive Plan review under advisement, and there was no action taken at this time.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: TOURISM ADVISORY COMMITTEE MEMBERSHIP

R. Bryan David, County Administrator, indicated that the membership of the Tourism Advisory Committee (TAC) had recently undergone a rework, with a goal of having the TAC better reflect the various tourism stakeholder groups throughout Orange County. He presented the Board with a roster of the membership proposed for the TAC going forward, which represented members of the TAC who were interested in continuing to serve, as well as several new members.

Mr. David explained that, going forward, members of the TAC would serve until such time they were no longer interested in participating. He added that at the time of a vacancy, new members representing tourism stakeholder groups would be welcome, subject to appointment by the Board of Supervisors.

Discussion ensued among the Board regarding: whether members of the Tourism Advisory Committee were appointed by the Board, or if staff simply advised the Board of the appointments.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board appointed the members of the Tourism Advisory Committee, understanding that future appointments would be made subject to the Board of Supervisors' approval, as presented.

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

RE: SPEED STUDY REQUEST ON ROUTE 672 (MUSTER FIELD ROAD)

Alyson Simpson, Chief Deputy Clerk, presented a request to the Board for a speed study on Route 672 (Muster Field Road). She indicated there were concerns with speed and safety on

the road, and that concerned citizens requested the Board's consideration to have VDOT conduct a speed study and present their findings.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to prepare a resolution requesting that VDOT conduct a speed study on Route 672 (Muster Field Road), which would then be forwarded to the Louisa Residency Office for completion, with the understanding that recommendations and findings would be subsequently presented to the Board, as presented.

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

RE: BOARD COMMENT

There was no Board Comment at this time.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- October 30, 2017 Health Center Commission (HCC) Minutes

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board re-appointed Jason Capelle as the District 1 Representative on the Orange County Planning Commission for a four-year term, with said term commencing April 1, 2018 and expiring on March 31, 2022.

By consensus, the Board re-appointed Jennifer Boyer as the District 4 Representative on the Orange County Planning Commission for a four-year term, with said term commencing April 1, 2018 and expiring on March 31, 2022.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of February 2018, March 2018, and April 2018.

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 18-01 (PROPOSED AMENDMENT TO PERMIT MICROBREWERIES AND MICRODISTILLERIES)

By consensus, the Board authorized staff to advertise for and schedule a public hearing for ZTA 18-01 (Proposed Amendment to Permit Microbreweries and Microdistilleries) on Tuesday, March 13, 2018 at 7:30 p.m., immediately following the conclusion of Public Comment Period, as presented.

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

RE: CLOSED MEETING

At 6:05 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

WHEREAS, the Orange County Board of Supervisors desired to discuss in Closed Meeting the following matters:

- Discussion, consideration, or interview of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, or disciplining, of specific public officers, appointees, or employees of the public body. - §2.2-3711(A)(1) of the Code of Virginia

- Discussion or consideration of the disposition of publicly held real property, 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 an open meeting would adversely affect the negotiating or litigating posture of the public body. - §2.2-3711(A)(7) of the Code of Virginia
- 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)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(3), (A)(7), and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby authorized discussion of the aforesated matters in Closed Meeting.

On the motion of Mr. Frame, 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 7:14 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Orange County Board of Supervisors 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 Orange County Board of Supervisors 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 7:14 p.m., Chairman White opened the floor for public comment.

There being no speakers, public comment was closed at 7:14 p.m.

RE: ADJOURN

On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adjourned the meeting at 7:14 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James K. White, Chairman

R. Bryan David, County Administrator