

BOARD OF SUPERVISORS MINUTES

MAY 22, 2018

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, May 22, 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. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CONSENT AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Frame, 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
30045025-35850	State Miscellaneous	\$ 0.00	\$ (4,000.00)	\$ (4,000.00)
43120050-46800	Program Expenses	0.00	4,000.00	4,000.00
30030006-33500	Donations - Animal Shelter	(35,103.97)	(1,742.00)	(36,845.97)
43520003-43115	Prof. Serv. - Emergency Vet	35,603.97	1,742.00	37,345.97
30030006-33500	Donations - Animal Shelter	(35,103.97)	(5,627.00)	(40,730.97)
43520003-43115	Prof. Serv. - Emergency Vet	35,603.97	5,627.00	41,230.97
30026501-32425	Friends of the Library Don.	(5,175.88)	(1,500.00)	(6,675.88)
47310001-46800	Library Program Expenses	4,939.00	1,500.00	6,439.00
49400001-48050 C1134	Communications Equipment	60,268.00	(60,268.00)	0.00
49400012-48050 C1057	Emergency Comm. System	221,637.00	(100,000.00)	121,637.00
49400012-48050 C1057	Emergency Comm. System	221,637.00	(77,611.00)	144,026.00
48180001-43100	Prof. Services - Other	99,703.00	60,268.00	159,971.00
49480001-48090	Construction / Improvements	0.00	100,000.00	100,000.00
48180001-43100	Prof. Services - Other	99,703.00	77,611.00	177,314.00
49310006-47740	Transfer to BBA Fund	0.00	237,879.00	237,879.00
30051010-39312	Transfer from Cap. Proj. Fnd	0.00	(237,879.00)	(237,879.00)
30030006-33500	Donations - Animal Shelter	(35,103.97)	(704.00)	(35,807.97)
43520003-43115	Prof. Serv. - Emergency Vet	35,603.97	704.00	36,307.97
30045004-35975	For. Assets - Sheriff	(7,150.70)	(9,381.01)	(16,531.71)
43120006-46800	Forfeited Asset Expenses	20,311.70	9,381.01	29,692.71
TOTALS		\$ 717,372.12	\$ 0.00	\$ 717,372.12

RE: FIRST RESPONDERS POSITION CLASSIFICATION LIST

As part of the Consent Agenda, the Board adopted the First Responders Position Classification List, as presented.

RE: RESOLUTION TO DESIGNATE MEADOWS ROAD (ROUTE 608) AS A VIRGINIA DEPARTMENT OF TRANSPORTATION RURAL RUSTIC PROJECT

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

RESOLUTION TO DESIGNATE MEADOWS ROAD (ROUTE 608), LOCATED IN DISTRICT 4,
ORANGE COUNTY, VIRGINIA, AS A VIRGINIA DEPARTMENT OF TRANSPORTATION
RURAL RUSTIC ROAD

WHEREAS, Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Orange County, Virginia desires to consider whether Route 608 (Meadows Road) should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that would significantly affect the existing traffic on this road; and

WHEREAS, the Board believes this road should be so designated because of its qualifying characteristics; and

WHEREAS, this road is in the Board's Six-Year Plan for Improvements to the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby designates Route 608 (Meadows Road) as a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, that the Board of Supervisors requests this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in its current state; and

BE IT YET FURTHER RESOLVED, that the Board of Supervisors requests a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RE: RESOLUTION TO DESIGNATE OLD OFFICE ROAD (ROUTE 602) AS A VIRGINIA DEPARTMENT OF TRANSPORTATION RURAL RUSTIC PROJECT

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

RESOLUTION TO DESIGNATE OLD OFFICE ROAD (ROUTE 602), LOCATED IN DISTRICT 4,
ORANGE COUNTY, VIRGINIA, AS A VIRGINIA DEPARTMENT OF TRANSPORTATION
RURAL RUSTIC ROAD

WHEREAS, Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Orange County, Virginia desires to consider whether Route 602 (Old Office Road) should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that would significantly affect the existing traffic on this road; and

WHEREAS, the Board believes this road should be so designated because of its qualifying characteristics; and

WHEREAS, this road is in the Board's Six-Year Plan for Improvements to the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby designates Route 602 (Old Office Road) as a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, that the Board of Supervisors requests this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in its current state; and

BE IT YET FURTHER RESOLVED, that the Board of Supervisors requests a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RE: RESOLUTION TO DESIGNATE MATTHEWS MILL ROAD (ROUTE 630) AS A VIRGINIA DEPARTMENT OF TRANSPORTATION RURAL RUSTIC PROJECT

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

RESOLUTION TO DESIGNATE MATTHEWS MILL ROAD (ROUTE 630), LOCATED IN DISTRICT 2, ORANGE COUNTY, VIRGINIA, AS A VIRGINIA DEPARTMENT OF TRANSPORTATION RURAL RUSTIC ROAD

WHEREAS, Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Orange County, Virginia desires to consider whether Route 630 (Matthews Mill Road) should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that would significantly affect the existing traffic on this road; and

WHEREAS, the Board believes this road should be so designated because of its qualifying characteristics; and

WHEREAS, this road is in the Board's Six-Year Plan for Improvements to the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby designates Route 630 (Matthews Mill Road) as a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, that the Board of Supervisors requests this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in its current state; and

BE IT YET FURTHER RESOLVED, that the Board of Supervisors requests a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RE: RENEWAL OF THE CONTRACTS FOR AIRPORT ENGINEERING AND CONSULTING SERVICES

As part of the Consent Agenda, the Board authorized staff to renew contracts with Delta Airport Consultants, Inc. (DAC-00-17KH) and Talbert & Bright (TB-00-17KH) for professional airport engineering and consulting services for a period of one (1) year, representing the second of four (4) possible renewals, as presented.

RE: RENEWAL OF THE CONTRACTS FOR IT SUPPORT SERVICES

As part of the Consent Agenda, the Board authorized staff to renew contracts with Advanced Network Systems (ANS-01-15LC) and DominionTek (DT-00-15LC) for IT support services for a period of one (1) year, representing the fourth of four (4) possible renewals, as presented.

RE: RENEWAL OF THE CONTRACT WITH BOUND TREE MEDICAL, LLC FOR FIRE AND EMS MEDICAL SUPPLIES

As part of the Consent Agenda, the Board authorized staff to renew the contract with Bound Tree Medical, LLC for Fire and EMS medical supplies for a period of one (1) year, through June 30, 2019, per the terms of the original contract, as presented.

RE: RENEWAL OF THE CONTRACT WITH EASTERN AVIATION FUELS, INC. FOR AVIATION FUEL

As part of the Consent Agenda, the Board authorized staff to renew the contract with Eastern Aviation Fuel for a one (1) year term, with said term commencing July 31, 2018 and expiring on July 31, 2019, as presented.

RE: RENEWAL OF THE CONTRACT WITH JOYCE ENGINEERING FOR ENVIRONMENTAL ENGINEERING AND CONSULTING SERVICES

As part of the Consent Agenda, the Board authorized staff to renew the contract with Joyce Engineering (JEI-00-17KH) for environmental engineering and consulting services for a period of one (1) year, representing the second of four (4) possible renewals, to be effective July 1, 2018 through June 30, 2019, as presented.

RE: RENEWAL OF THE CONTRACT WITH R.M. SODERQUIST FOR LANDFILL OPERATIONS

As part of the Consent Agenda, the Board authorized staff to renew the contract with R.M. Soderquist (SFR-00-16MA) for operation of the Orange County Landfill for a one (1) year period,

effective September 1, 2018 through August 31, 2019, representing the fourth of four (4) renewals, as presented.

RE: RENEWAL OF THE CONTRACT WITH SHEEHY FORD FOR VEHICLE UPFITTING SERVICES

As part of the Consent Agenda, the Board authorized staff to renew the contract with Sheehy Ford of Richmond for vehicle upfitting services for a one (1) year term, representing the third of four (4) possible renewals, with term effective September 24, 2018 through September 23, 2019, as presented.

RE: SURPLUS DISPOSITION OF COUNTY VEHICLE

As part of the Consent Agenda, the Board declared a 1996 Ford F150 (VIN# 1710) as surplus and authorized staff to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy, as presented.

RE: PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK

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

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the week of May 20-26, 2018, as National Public Works Week in Orange County, Virginia.

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people throughout the County of Orange; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees from state and local governments and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the County of Orange to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the American Public Works Association has celebrated the annual National Public Works Week since 1960;

NOW, THEREFORE, BE IT PROCLAIMED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby recognizes the week May 20-26, 2018 as National Public Works Week; and

BE IT FURTHER PROCLAIMED, that the Orange County Board of Supervisors urges all our people to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

RE: PROCLAMATION FOR OLDER AMERICANS MONTH IN ORANGE COUNTY

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

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the month of May as Older Americans Month in Orange County, Virginia.

WHEREAS, the Aging Together partnership helps countless older Americans who enrich and strengthen our community; and

WHEREAS, the Aging Together partnership and Orange County are committed to engaging and supporting older adults, their families, and caregivers; and

WHEREAS, the Aging Together partnership and Orange County acknowledges the importance of taking part in activities that promote physical, mental, and emotional wellbeing, no matter your age; and

WHEREAS, the Aging Together partnership can enrich the lives of individuals of every age by promoting home-based and community-based services that support independent living; by involving older adults in community planning, events, and other activities; and by providing opportunities for older adults to work, volunteer, learn, lead, and mentor;

NOW, THEREFORE, BE IT PROCLAIMED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby proclaims May, 2018, as Older Americans Month in Orange County, and urges all citizens to recognize older adults and the people who serve them, as vital parts of the community.

RE: MINUTES

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

- April 24, 2018 Worksession
- April 24, 2018 Regular Meeting
- April 28, 2018 Retreat
- May 8, 2018 Worksession
- May 8, 2018 Regular Meeting
- May 15, 2018 Worksession

RE: RESOLUTION OF APPRECIATION FOR NICOLA TIDEY

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

A RESOLUTION OF APPRECIATION FOR
Nicola Tidey

WHEREAS, Nicola "Nicki" Tidey has most capably served as E-911 Center Director for the County of Orange, Virginia since May, 2011, where she has portrayed distinction and ability; and

WHEREAS, Ms. Tidey is a Registered Public-Safety Leader (RPL), Emergency Number Professional (ENP), and recipient of the Governor's EMS Award; and

WHEREAS, during her tenure, Ms. Tidey has served, in various capacities, on both the International Association of Public-Safety Communications Officials (APCO International) and the Virginia Chapter of APCO, making various networking, awareness, and education opportunities available for the County of Orange; and

WHEREAS, through the leadership of Ms. Tidey, the E-911 Center achieved Emergency Medical Dispatch (EMD) accreditation from the Virginia Office of Emergency Medical Services in 2012, which required commitment to the implementation of advanced protocols and training and education efforts, representing one of only 30 agencies in Virginia with such an achievement at that time; and

WHEREAS, Ms. Tidey was also instrumental in the achievement of APCO International's Project 33 Training Program Certification, which recognized the outstanding public safety communications training program of Orange County; and

WHEREAS, under the guidance of Ms. Tidey, Smart911, RAVE Alert, and Text-to-911 technologies were implemented, improving the opportunities for Orange County citizens to send and receive information from public safety officials; and

WHEREAS, Ms. Tidey has been responsible for the receipt of numerous grants, and had a significant role in computer-aided dispatch (CAD) upgrades, issuance of the Request for Proposals to procure the P25 Radio System, and planning for the Consolidated Public Safety Facility; and

WHEREAS, substantial contributions were made by Ms. Tidey that led to the recent consolidation of the Orange County Sheriff's Office Dispatch into the merged Emergency Communications Center; and

WHEREAS, throughout her seven years of service, Ms. Tidey never wavered in her commitment as E-911 Center Director or in her service to the citizens of Orange County, and she always demonstrated a devoted interest in the high-quality emergency services and response provided to the community; and

WHEREAS, Ms. Tidey's expertise, knowledge, and insight have served the County and its citizens well, and she has truly made an impact on Orange County, its citizens, and its emergency response system through the accomplishments and contributions of her and her staff;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby extends its appreciation to Ms. Tidey for her passion and dedication as E-911 Center Director, recognizes Ms. Tidey as a pioneer for positive change, and wishes her well in all future endeavors.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: PRESENTATION OF A PROCLAMATION FOR OLDER AMERICANS MONTH
Chairman White read the Proclamation for Older Americans Month and presented a signed, framed copy to Ginny Biggs, County Resource Specialist with Aging Together.

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR NICOLA TIDEY
Chairman White read the Resolution of Appreciation and presented a signed, framed copy to Nicola Tidey, E-911 Center Director.

Collectively, the Board thanked Ms. Tidey for her service to Orange County.

RE: PROPOSED HEALTHY WATERSHEDS PHASE III PILOT PROJECT FOR ORANGE COUNTY

Eldon James, Rappahannock River Basin Coordinator, provided information to the Board on Phase III of the Healthy Watersheds project, which began in 2015. He indicated the County had previously participated in Phase II of the project at no cost. Because of the County's participation in Phase II and the interest shown by the County's landowners, Mr. James extended an invitation for the County to participate in Phase III at no cost to the County, other than minimal staff support. He provided a whitepaper to the Board that explained the Phase in more detail.

Discussion ensued among the Board regarding: why the work of this Phase was necessary; next steps in the process; and interest from the County to participate.

The Board thanked Mr. James for his presentation.

RE: NEW BUSINESS

RE: ADOPTION OF THE AUXILIARY LIST FOR THE SECONDARY SIX-YEAR PLAN
This matter was deferred until after the Public Hearing.

RE: RESOLUTION TO AUTHORIZE SUBMISSION OF A VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PLANNING GRANT FOR THE PROPOSED MADISON GARDENS WASTEWATER COLLECTION LINE PROJECT

R. Bryan David, County Administrator, explained the Board had previously been made aware of interest from homeowners in the Madison Gardens Subdivision to have wastewater collection extended to serve their neighborhood. He indicated that each home was currently served by individual septic systems and there was evidence that individual system failure had occurred and would likely continue to occur in the near future.

Mr. David stated that the Town of Orange currently had wastewater service to the Lee Industrial Park with a terminus of the main collection line near the intersection of Litchfield Drive and Old Gordonsville Road. A service extension could be made to serve the neighborhood from the Litchfield Drive terminus across Old Gordonsville Road. Mr. David noted the Town of Orange had sufficient wastewater capacity available.

Mr. David explained that it may be appropriate to apply for the Virginia Department of Housing and Community Development's (DHCD) Community Development Block Grant (CDBG) program, which provided for planning grant funding. If awarded, up to \$30,000 could be used for a Preliminary Engineering Report to assess the viability of the project from a design and budget perspective. He added that the Rappahannock-Rapidan Regional Commission was willing to provide administrative support to the County for completion of the grant application. Mr. David requested the Board's consideration to adopt a resolution authorizing application for said grant.

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

RESOLUTION ENDORSING THE APPLICATION FOR A VIRGINIA DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT CDBG PLANNING GRANT

WHEREAS, Orange County is seeking grant funds from the Virginia Department of Housing and Community Development (DHCD) Community Development Block Grant (CDBG) Planning Grant in support of the Madison Gardens Subdivision Project; and

WHEREAS, Orange County strives to improve the quality of life for low-to-moderate income individuals and families; and

WHEREAS, the County has been made aware of a critical community development need in the Madison Gardens Subdivision caused by failing septic systems, which creates a concern for health, wellness, and safety; and

WHEREAS, grant funds would be used to conduct a study regarding the viability of extending sewer service to the homes in Madison Gardens, to include a preliminary engineering report for sewer line construction; and

WHEREAS, future plans for the Madison Gardens Subdivision Project include infrastructure improvements to the sewer lines and the connection of said lines to the Town of Orange;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby authorizes the Rappahannock-Rapidan Regional Commission (RRRC) to assist in the preparation of a CDBG Planning Grant application, as detailed above; and

BE IT FURTHER RESOLVED, that the Orange County Board of Supervisors hereby authorizes the County Administrator to submit all information necessary to apply for the CDBG Planning Grant, sign documents related to the application, and accept grant funds, on behalf of Orange County.

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

RE: AUTHORIZATION OF THE FINANCING PROPOSAL FOR THE LEASE-PURCHASE OF THE LANDFILL ROLL-OFF TRUCK

R. Bryan David, County Administrator, explained that at the April 24, 2018, meeting, the Board authorized staff to purchase a 2019 Roll-Off Truck for the Orange County Landfill. He indicated the FY19 Capital Improvements Plan contained funds for the replacement. Mr. David noted that a lease-purchase financing proposal had been received from BB&T for 3.35%.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the financing proposal for the purchase of a 2019 Roll-Off Truck for the Orange County Landfill (as part of the FY19 CIP) from BB&T at 3.35% with a seven (7) year term, and authorized the County Administrator to execute the necessary documents upon approval by the County Attorney and Bond Counsel, as presented.

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

RE: OLD BUSINESS

RE: SUP 17-07; SHENTEL MOBILE, LLC ON BEHALF OF JIMMY AND EILEEN HAYES

Thomas Wysong, Planner, indicated that the Board held a Public Hearing on April 10, 2018, to consider a Special Use Permit (SUP 17-07) application by Shentel Mobile, LLC for a new 199' monopole telecommunications tower with associated ground facilities. He presented an amended site plan to the Board, which was provided by Shentel Mobile, reflecting the new proposed location of the tower on the property owned by Jimmy and Eileen Hayes.

Discussion ensued among the Board regarding: the fact that the tower may not be visible now with the change in location on the site; and the desire to adopt and enforce the ordinance of approval under the previous version of the Telecommunications Ordinance.

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

ORDINANCE APPROVING SUP 17-07 TO PERMIT THE CONSTRUCTION AND OPERATION OF A 199-FOOT MONOPOLE TELECOMMUNICATIONS TOWER WITH ASSOCIATED GROUND EQUIPMENT ON TAX MAP NO. 47-8, REQUESTED BY SHENTEL MOBILE, LLC, ON BEHALF OF JIMMY AND EILEEN HAYES

WHEREAS, Shentel Mobile, LLC, on behalf of Jimmy and Eileen Hayes, applied for a Special Use Permit to construct and operate a 199-foot monopole telecommunications tower with associated ground equipment on property referenced as Tax Map No. 47-8, addressed as 11264 Marquis Road; and

WHEREAS, this application shall be governed by the version of Chapter 70 (Zoning), Article IX (Telecommunications Towers and Facilities), that was in existence prior to amendments adopted by the Board of Supervisors on May 8, 2018, and was requested pursuant to Section 70-876 of said Orange County Zoning Ordinance; and

WHEREAS, the Department of Planning and Zoning recommended conditional approval of this Special Use Permit; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the Special Use Permit request on March 1, 2018; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; not threaten the public health, safety, or welfare; be compatible with its surroundings; not impact the environment or any natural, scenic, or historic assets; or would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above, and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and held a Public Hearing on the Special Use Permit request on April 10, 2018, but deferred action until May 22, 2018; and

WHEREAS, after deliberation, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning & zoning practice support approval of this Special Use Permit request, as modified;

NOW, THEREFORE, BE IT ORDAINED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby approves SUP 17-07 on Tax Map No. 47-8 for a Special Use Permit to construct and operate a 199-foot monopole telecommunications tower with associated ground equipment, subject to the four (4) conditions and three (3) sub-conditions, as set forth below.

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

Conditions for Approval

**As adopted in Ord. No. 180522 – 6A
by the Orange County Board of Supervisors
on May 22, 2018**

SUP 17-07: Shentel Mobile, LLC

*To construct and operate a 199-foot monopole telecommunications tower
with associated ground equipment*

Tax Map No. 47-8

The conditions of this Special Use Permit (“SUP”) shall apply to the properties identified on County Tax Map No. 47-8, as well as any future division or consolidation of said property, unless otherwise specified herein. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate impacts of the proposed use, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans or application are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified,

waived, or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the Special Use Permit, pursuant to §15.2-2309 (7) of the Code of Virginia.

1. Controlling Documents – Controlling documents shall be the conditions as set forth herein and the documents submitted with the application dated September 5, 2017, and revised on November 30, 2017 and May 22, 2018.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine “substantial conformance.” The property owner shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning permits, stormwater permits, and erosion and sediment control permits.
3. Uses – This SUP shall permit the construction and operation of a 199-foot monopole telecommunications tower along with related group equipment within a fenced 10,000 sq. ft. lease area.

The County shall be provided co-location opportunities as a community benefit to improve radio communications for County departments and emergency services (including both tower space and sheltered equipment space on the ground). The applicant/owner/operator shall ensure that no interference shall occur with public safety communications or other uses in relation to any co-located antenna/facility owned by the County.

4. Standards and Conditions –
 - a. Limits of clearing and grading shall not exceed those shown on the site plan submitted with the application.
 - b. Before use of the tower may commence, the owner shall record a plat in the Orange County Circuit Court, approved by the County pursuant to Chapter 54 of the Orange County Code of Ordinances, showing any utility and/or access easements to be granted for the facility. This plat shall also show the 200-foot tree protection area within a natural growth protection area easement to ensure adequate preservation.
 - c. The access road to the leased area containing the tower shall be designed and maintained in accordance with the U.S. Forest Service Environmentally Sensitive Road Maintenance Practices for Dirt and Gravel Roads Manual 2012.

RE: CLOSED MEETING

At 6:04 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 and consideration of the salaries, positions, and duties of several specific 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 near Gordonsville, 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 litigation with Orange County Volunteer Rescue Squad, 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 the public body regarding specific legal matters with respect to volunteer fire and rescue agencies, requiring the provision of legal advice by such counsel. - §2.2-3711(A)(8) of the Code of Virginia
- Discussion of the award of a public contract for a radio system involving the expenditure of public funds, discussion of the terms or scope of such contract, 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

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(3), (A)(7), (A)(8), and (A)(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 hereby authorized discussion of the aforesated matters in Closed Meeting.

On the motion of Mr. Johnson, seconded by Mr. Frame, 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 7:02 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 7:02 p.m., Chairman White opened the floor for public comment.

The following individual spoke:

- Jackie Hogsten, Resident of Orange

There being no further speakers, public comment was closed at 7:03 p.m.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

There were no Department Director or Constitutional Officer reports at this time.

RE: COUNTY ATTORNEY'S REPORT

RE: SETTLEMENT AGREEMENT WITH ORANGE COUNTY RESCUE SQUAD, INC.

Thomas Lacheney, County Attorney, presented a resolution to the Board for its consideration regarding a settlement agreement with Orange County Rescue Squad, Inc.

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

RESOLUTION TO AUTHORIZE A SETTLEMENT AND ACCEPTANCE OF A DEED FROM
THE ORANGE COUNTY RESCUE SQUAD, INC.

WHEREAS, the Town of Orange, the County of Orange, and the Orange County Rescue Squad, Inc. have mutually agreed to an amicable conclusion of the affairs of Orange County Rescue Squad, Inc.; and

WHEREAS, the parties have agreed to enter into a *Settlement Agreement* that more fully describes the terms and conditions to which the parties have established; and

WHEREAS, Orange County Rescue Squad, Inc. desires to deed its facility, located at 151 Berry Hill Road, to the County of Orange;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that the Orange County Board of Supervisors hereby authorizes the Chairman to execute the *Settlement Agreement*, after approval by the County Attorney, and to execute the deed accepting the transfer of the Orange County Rescue Squad, Inc. facility, identified as Tax Map No. 044A4004400230, to the County.

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

Board members, as well as members of the Orange County Rescue Squad, provided comments regarding the settlement agreement and the service that had been provided in the County over the years.

RE: PUBLIC HEARING #1; PROPOSED SECONDARY SIX-YEAR PLAN

Alyson Simpson, Chief Deputy Clerk, and Alan Saunders, Louisa Resident Engineer, presented the draft Secondary Six-Year Plan to the Board for its consideration. Mr. Saunders reviewed the existing projects, new projects proposed this year, the segmentation of certain projects to save money; and the proposed priority order of the projects in order to create efficiencies and capitalize on timing opportunities.

Discussion ensued among the Board regarding: candidate projects using the remaining balance from the Marquis Road project; whether or not a delay would be caused in the repaving work near Battlefield Farms; and the reason for establishing the recommended priority order.

At 7:24 p.m., Chairman White called the Public Hearing to order to receive comments on the following:

PROPOSED SECONDARY SIX-YEAR PLAN

The Board of Supervisors, in accordance with §33.2-331 of the Code of Virginia, will conduct a joint public hearing with the Virginia Department of Transportation to receive comment on the County's proposed Secondary Six-Year Plan (SSYP) for Fiscal Years 2019 through 2024, and on the Secondary System Construction Budget for Fiscal Year 2019. All projects in the SSYP that are eligible for Federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate Federal transportation funds.

There being no speakers, Chairman White closed the Public Hearing at 7:24 p.m.

Discussion ensued among the Board regarding: thanks to County and VDOT staff for managing the plan and funding in ways to advance and complete projects.

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

RESOLUTION TO ADOPT THE SIX-YEAR PLAN FOR SECONDARY ROADS
FOR FISCAL YEARS 2019 THROUGH 2024 AND THE
SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2019

WHEREAS, Section 33.2-331 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a Public Hearing on the proposed Plan (for Fiscal Years 2019 through 2024 as well as the Secondary System Construction Budget for Fiscal Year 2019) on May 22, 2018, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, E. Alan Saunders, Louisa Resident Engineer, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads for Fiscal Years 2019 through 2024 and the Secondary System Construction Budget for Fiscal Year 2019;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of May, 2018, that since said Plan appears to be in the best interests of the Secondary Road System in Orange County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan for Fiscal Years 2019 through 2024 and the Secondary System Construction Budget for Fiscal Year 2019 are hereby approved as presented at the Public Hearing.

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

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

RE: BOARD COMMENT
Supervisor Johnson provided a photograph of a previous Board member to be added to the historical collection.

Chairman White commended on the recent success of the Business and Industry Appreciation event, hosted by the Chamber of Commerce.

RE: INFORMATIONAL ITEMS
The Board received the following correspondence for its information:

- March 15, 2018 Rapidan Service Authority (RSA) Minutes
- April 3, 2018 Culpeper Soil and Water Conservation District Minutes
- Tourism Quarterly Report
- Finance Quarterly Report; Third Quarter FY18

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of May 2018, June 2018, and July 2018.

RE: ADJOURN

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adjourned the meeting at 7:33 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James K. White, Chairman

R. Bryan David, County Administrator