

BOARD OF SUPERVISORS MINUTES**JUNE 11, 2019**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, June 11, 2019, 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; and S. Teel Goodwin. Absent: Lee H. Frame. Also present: R. Bryan David, County Administrator; Thomas E. Lachenev, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the agenda, as modified. Ayes: Johnson, White, Goodwin, Crozier. Nays: None. Absent: Frame.

RE: SPECIAL PRESENTATIONS AND APPEARANCES**RE: SERVICE AWARDS**

R. Bryan David, County Administrator, presented the following Service Award:

- William Turner 15 Years Firefighter / Medic

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

- Brad Reneau 15 Years Firefighter / Medic
 - Karen Farris 5 Years Childcare Site Director

RE: CONSENT AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the Consent Agenda, as presented.

RE: FY19 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
30030006-33500	Donations - Animal Shelter	\$ (135,436.02)	\$ (1,675.00)	\$ (137,111.02)
43520003-43115	Prof. Serv. - Emergency Vet	148,491.02	1,675.00	150,166.02
30030002-33625	Donations - Triad	(2,947.00)	(1,250.00)	(4,197.00)
43177003-46800	Project Lifesaver Expenses	1,145.00	1,250.00	2,395.00
30045025-35850	State Miscellaneous	0.00	(1,910.00)	(1,910.00)
43120050-46800	Program Expenses	0.00	1,910.00	1,910.00
30026501-32400	Orange Library - Lost Books	(301.00)	(135.00)	(436.00)
47310001-46466	Books - Refunds	301.00	135.00	436.00
30034005-34030	FBI OT Reimbursements	(1,489.00)	(1,909.00)	(3,398.00)
30034005-34030	FBI OT Reimbursements	(1,489.00)	(2,918.00)	(4,407.00)
43120001-41200	Wages - Overtime	158,324.00	1,909.00	160,233.00
43120001-41200	Wages - Overtime	158,324.00	2,918.00	161,242.00
30045003-35750	FA - DCJS for Comm. Atty.	0.00	(590.00)	(590.00)

30045004-35975	FA - DCJS for Sheriff	(724.00)	(5,244.00)	(5,968.00)
42210002-46800	Forfeited Asset Expenses	6,159.00	590.00	6,749.00
43120006-46800	Forfeited Asset Expenses	25,080.00	5,244.00	30,324.00
49140001-45900	Contingency	122,681.00	(2,000.00)	120,681.00
49310001-47513	To Landfill Fund	1,959,779.00	2,000.00	1,961,779.00
30051006-39100	Transfer from General Fund	(1,959,779.00)	(2,000.00)	(1,961,779.00)
44271001-43200	Contract Serv. - CVRJ	0.00	2,000.00	2,000.00
TOTALS		\$ 478,119.00	\$ 0.00	\$ 478,119.00

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

As part of the Consent Agenda, the Board authorized staff to renew Contract # JEI-00-17KH with LaBella Associates (formerly known as Joyce Engineering) for a one (1) year term, representing the third of four (4) possible renewals, 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 Fuels, Inc. for a one (1) year term, as presented.

RE: APPROVAL OF THE REVISED POSITION DESCRIPTIONS AND CLASSIFICATIONS FOR THE VICTIM-WITNESS PROGRAM

As part of the Consent Agenda, the Board adopted the Victim-Witness Program Manager and Program Assistant position descriptions and authorized the revision of the Active Position Classification List accordingly, as presented.

RE: APPROVAL OF THE REVISED POSITION DESCRIPTION AND CLASSIFICATION FOR CODE ENFORCEMENT OFFICER

As part of the Consent Agenda, the Board approved the position description for Code Enforcement Officer and authorized the revision of the Active Position Classification List accordingly, as presented.

RE: PROCLAMATION FOR AGRICULTURE APPRECIATION WEEK

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

A PROCLAMATION TO DECLARE THE THIRD WEEK OF JUNE AS
AGRICULTURE APPRECIATION WEEK

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the third week of June as Agriculture Appreciation Week in Orange County, Virginia.

WHEREAS, agriculture is the leading industry in Orange County, represented by over 400 operating farms and over 95,000 acres of farmland, with over \$113 Million in market value of agricultural products sold; and

WHEREAS, the American farmer, a national symbol of strength and strong moral fiber, has displayed ingenuity in times of prosperity and perseverance in the face of hardships, setting examples for our citizens and future generations; and

WHEREAS, farming and agribusiness play a vital role in the economy of our County, the Commonwealth of Virginia, and the United States; and

WHEREAS, it is important for the community of Orange County to support agriculture and appreciate the hard work, dedication, and critical role farms and agribusinesses play in our local economy and livelihood; and

WHEREAS, the Orange County Chamber of Commerce, in support of its Agriculture Initiative, has respectfully requested a designated Agriculture Appreciation Week to enhance the appreciation and recognition of the contributions to commerce and community made by agriculture; and

WHEREAS, the County of Orange and the Orange County Chamber of Commerce recognize the importance of expanding agricultural marketing opportunities that assist and encourage the next generation of farmers; generate farm income to help stimulate business development and job creation; and build community connections;

NOW, THEREFORE, BE IT PROCLAIMED, on this 11th day of June, 2019, that the Orange County Board of Supervisors hereby recognizes the third week of June, 2019, as Agriculture Appreciation Week in Orange County, and calls this observance to the attention of all citizens, community agencies, and businesses in support and appreciation of the many agricultural contributions and benefits to Orange County.

RE: NEW BUSINESS

RE: AWARD OF THE CONTRACT FOR WIRELESS POINT-TO-POINT RADIO MAINTENANCE

Amanda Amos, Procurement Coordinator, explained that staff had released a solicitation for maintenance and support of the County's wide area network radio system infrastructure. She indicated that seven (7) responses were received.

Ms. Amos stated that staff's recommendation was to award the contract to Advanced Network Systems. She noted the company was well-known for providing superior customer service and support for radio systems and had a thorough knowledge of the County's needs.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized staff to enter into a contract with Advanced Network Systems for wireless point-to-point radio maintenance services for a period of one (1) year, with four (4) possible renewals, as presented.

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

RE: AWARD OF THE CONTRACT FOR LANDFILL OPERATIONS

Amanda Amos, Procurement Coordinator, explained that staff had released a competitively-negotiated solicitation for Landfill operations, which was advertised through the County's website, in the Orange County Review, on eVA, and through the Orange County Bidder's List. She indicated that one (1) response was received.

Ms. Amos stated that staff's recommendation was to award the contract to R.M. Soderquist, Inc. She noted their proposal met the requirements of the solicitation, while demonstrating value in customer service and quality of service.

Discussion ensued among the Board regarding: whether or not award of this contract represented an increase in monthly costs over the existing monthly costs; whether or not the increase in costs had been budgeted for the upcoming fiscal year; the amount of leachate removal; and a request to remind the contractor to keep the gravel maintained in order to keep mud from entering Porter Road.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized staff to enter into a contract with R.M. Soderquist, Inc. for Landfill operations for a period of one (1) year, with the possibility of nine (9) renewals, at a fixed rate for the first two (2) years, and no more than a 2.5% increase each year thereafter, as presented.

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

RE: PREVENTIVE MAINTENANCE AGREEMENT WITH PHYSIO CONTROL FOR LIFEPAK15 MONITORS AND DEFIBRILLATORS

Amanda Amos, Procurement Coordinator, presented a request to enter into an agreement with Physio Control to provide preventative maintenance services for the LifePak15 monitors and defibrillators used by Fire and EMS. She explained that, as the only provider of maintenance for the equipment, a sole source justification was completed and approved.

Discussion ensued among the Board regarding: the total number of units; life expectancy of the units and whether expectancy would exceed the contract period; and the pricing structure of the agreement to accommodate an increase or decrease in the number of total units.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized staff to enter into an agreement with Physio Control to provide preventative maintenance services for the LifePak15 monitors and defibrillators, as presented.

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

RE: OLD BUSINESS

There were no matters for Old Business at this time.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: HISTORIC CLERK'S OFFICE RENOVATION UPDATE

Aaron Caine, Director of Public Works, provided an update on the progress of the proposed renovations to the Historic Clerk's Office, which included a phased renovation approach; a report on the asbestos inspection; and a review of the proposed design plan.

Mr. Caine explained that staff had identified Cooperative Contract # UCPUMW 16-525, through the University of Mary Washington, that provided for miscellaneous building alterations and remodeling services. As such, he proposed utilizing said contract as a means to procure design-build services from Abby Construction Co., which could then be presented for the Board's consideration.

Discussion ensued among the Board regarding: authorization to obtain bids for the first phase only; specifics of the necessary repairs to the HVAC system; availability of water and sewer service hook-ups; and results of the asbestos inspection.

On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 4-0, with Mr. Frame being absent, the Board authorized staff to enter into a contract with Abby Construction Co. to develop a proposal and cost estimate regarding renovation of the Historic Clerk's Office, understanding the findings would be presented at a future Board of Supervisors' meeting, as presented.

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

RE: COUNTY ATTORNEY'S REPORT

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

RE: COUNTY ADMINISTRATOR'S REPORT

RE: SUBDIVISION ORDINANCE AMENDMENT

R. Bryan David, County Administrator, presented proposed amendments to Sec. 54-124 of the Orange County Subdivision Ordinance regarding road design standards. He explained that revisions were proposed to establish that driveways for individual subdivision lots and multi-lot subdivisions match the access management standards required by VDOT. Mr. David noted that, if the Board concurred, the proposed amendments would be referred to the Planning Commission for consideration.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board initiated Planning Commission action on the proposed amendments to Section 54-124 of the Orange County Subdivision Ordinance regarding road design standards, as presented.

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

RE: BOARD COMMENT

Supervisor Goodwin requested that staff prepare a resolution of appreciation for Mr. Henry Lee Carter, to be adopted and presented at a future meeting.

Supervisor Johnson commented on the opening of the Orange County Disc Golf Course.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Thank You Letter from the Orange County Chamber of Commerce
- December 20, 2018 Rapidan Service Authority (RSA) Minutes
- March 25, 2019 Health Center Commission (HCC) Minutes
- May 7, 2019 Culpeper Soil and Water Conservation District Minutes
- VDOT Monthly Report for June

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board re-appointed Tom Czelusta as an At-Large Representative on the Health Center Commission for a four-year term, with said term commencing immediately and expiring on May 31, 2023.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of June 2019, July 2019, and August 2019.

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 19-02

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing on ZTA 19-02 (Recreational Vehicles) on Tuesday, July 9, 2019 at 7:00 p.m., as presented.

RE: CLOSED MEETING

At 5:32 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 matter:

- Consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel with respect to debt collection, subdivision enforcement, and Gordonsville. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §2.2-3711 (A)(8) 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. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Goodwin, Crozier. Nays: None. Absent: Frame.

RE: CERTIFICATION OF CLOSED MEETING

At 7:00 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. Nays: None. Absent: Frame.

RE: PUBLIC COMMENT

At 7:00 p.m., Chairman White opened the floor for public comment.

There being no speakers, public comment was closed at 7:00 p.m.

RE: PUBLIC HEARING #1; REQUEST FOR REAL ESTATE TAX EXEMPTION; HINTERMANN FAMILY FOUNDATION

Alyson Simpson, Chief Deputy Clerk, presented a request for real estate tax exemption from The Hintermann Family Foundation, the non-profit organization that oversees operation of the Piedmont Regional Dental Clinic located in Orange County.

Mary Hintermann, representatives of The Hintermann Family Foundation, provided a brief history and overview of the operations and finances of the Clinic.

Discussion ensued among the Board regarding: reasons for choosing the Charlottesville-Albemarle Community Foundation (CACF) as successor for operating the Dental Clinic.

At 7:19 p.m., Chairman White called the Public Hearing to order to receive comments on the following:

REQUEST FOR REAL ESTATE TAX EXEMPTION; HINTERMANN FAMILY FOUNDATION (DBA PIEDMONT REGIONAL DENTAL CLINIC)

Pursuant to §58.1-3651 VA Code Ann., the Board of Supervisors will consider a tax exemption request for real estate owned by The Hintermann Family Foundation. For 2018, the assessed value of the real estate for which the exemption is being sought was \$743,600. The 2018 County real estate taxes assessed against the property was \$5,978.54.

There being no speakers, Chairman White closed the Public Hearing at 7:19 p.m.

On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adopted the following ordinance, as presented:

ORDINANCE TO EXEMPT REAL PROPERTY OWNED BY THE HINTERMANN FAMILY FOUNDATION

WHEREAS, The Hintermann Family Foundation, an IRS §501(c)(3) tax-exempt, non-profit organization, has petitioned the Board of Supervisors to exempt from taxation certain real property pursuant to Article X, §6(a)(6) of the Constitution of Virginia; and

WHEREAS, §58.1-3651 VA Code Ann. sets forth the procedure, including adoption of an ordinance, by which the Board may designate property as tax exempt, establishes certain requirements for a public hearing concerning the adoption of such an ordinance, and sets forth certain questions and materials to be considered prior to the adoption of such an ordinance; and

WHEREAS, the Board, after due notice and conduct of a public hearing, has considered the questions and materials set forth in §58.1-3651(B) VA Code Ann., has reviewed the information provided by The Hintermann Family Foundation, and has determined that the petition for the proposed exemption from taxation should be granted;

NOW, THEREFORE, BE IT ORDAINED, on this 11th day of June, 2019, that the Orange County Board of Supervisors hereby certifies the following:

1. In accordance with §58.1-3651(A) VA Code Ann., the Board recognizes The Hintermann Family Foundation as a non-profit organization, operating with purposes defined within the context of Article X, §6(a)(6) of the Constitution of Virginia; and
2. In accordance with §58.1-3651(A) VA Code Ann., the Board exempts from local property taxation the real property owned by The Hintermann Family Foundation, and used exclusively for charitable purposes; and

3. Pursuant to §58.1-3605 VA Code Ann., The Hintermann Family Foundation shall file triennially an application with the Commissioner of the Revenue as a requirement for retention of the exempt status of the property. Such application shall show the ownership and usage of such property and shall be filed within the next 60 days; and
4. The Clerk is directed to forward an attested copy of this ordinance to the Commissioner of the Revenue and the Treasurer, and to The Hintermann Family Foundation; and
5. The continuance of this exemption shall be contingent on the continued use of such property in accordance with the purpose for which The Hintermann Family Foundation is designated and indicated in their request; and
6. This ordinance shall become effective January 1, 2019.

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

RE: ADJOURN

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0, with Mr. Frame being absent, the Board adjourned the meeting at 7:23 p.m. Ayes: Johnson, White, Goodwin, Crozier. Nays: None. Absent: Frame.

James K. White, Chairman

R. Bryan David, County Administrator