

BOARD OF SUPERVISORS MINUTES

JULY 9, 2019

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, July 9, 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; 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:

- Michelle Beamer 20 Years Branch Librarian
- Gordon Kennon 20 Years Lieutenant

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

- Genevieve Strong 15 Years Library Aide

RE: CONSENT AGENDA

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, 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 |
|-------------------------|------------------------------|-----------------|---------------|-----------------|
| 30034001-34025 | Insurance Recovery | \$ (103,161.95) | \$ (1,883.00) | \$ (105,044.95) |
| 30034001-34025 | Insurance Recovery | (103,161.95) | (13,005.00) | (116,166.95) |
| 49310001-47312 | To County Capital Project | 1,021,356.00 | 14,888.00 | 1,036,244.00 |
| 30051003-39100 | Transfer from General Fund | (1,021,356.00) | (14,888.00) | (1,036,244.00) |
| 49400001-48260 C1148 | Vehicle Repl. - Pool Car | 0.00 | 14,888.00 | 14,888.00 |
| 30026010-31925 | Volleyball | 0.00 | (1,079.00) | (1,079.00) |
| 47120003-43100 | Professional Services - Oth. | 0.00 | 971.00 | 971.00 |
| 47120003-46800 | Volleyball Prog. Expenses | 0.00 | 108.00 | 108.00 |
| 47310001-43210 | Data Processing Server | 96,044.00 | 15,400.00 | 111,444.00 |
| 30033502-33250 | Miscellaneous | (22,000.00) | (15,400.00) | (37,400.00) |
| 48110001-43100 | Professional Services - Oth. | 1,200.00 | 66,200.00 | 67,400.00 |
| 30034001-34030 | Recovered Costs - General | (25,000.00) | (66,200.00) | (91,200.00) |
| 30045004-35975 | FA - DCJS for Sheriff | (724.00) | (290.00) | (1,014.00) |

| | | | | |
|----------------|---------------------------|-----------------------|----------------|-----------------------|
| 43120006-46800 | Sheriff FA Expenses | 80,429.00 | 290.00 | 80,719.00 |
| 30030002-33625 | Donations - Triad | (2,947.00) | (1,000.00) | (3,947.00) |
| 43177002-46800 | Guardian Pendant Expenses | 2,345.00 | 1,000.00 | 3,345.00 |
| TOTALS | | \$ (76,976.90) | \$ 0.00 | \$ (76,976.90) |

RE: APPROVAL OF THE REVISED POSITION DESCRIPTION FOR OFFICE ON YOUTH ADMINISTRATIVE ASSISTANT

As part of the Consent Agenda, the Board adopted the revised Office on Youth Administrative Assistant position description, as presented.

RE: MINUTES

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

- June 11, 2019 Regular Meeting\

RE: NEW BUSINESS

RE: PUBLIC SAFETY BUILDING; DOMINION ENERGY PROPOSAL

Kurt Hildebrand, Assistant County Administrator for Operations, explained that staff had been working with Dominion Energy to install electrical power to the new Public Safety Building. He noted that a proposal and easement documents had been received from Dominion, which included proposed underground alignment and easement areas. Mr. Hildebrand indicated there would be a fee for installation of the electrical service, which could be funded from the Public Safety Building project contingency.

Discussion ensued among the Board regarding: completion of the necessary engineering; the fact the easement crossed two (2) County parcels; the location of the easement in comparison to water and sewer placement; road width; and connection to existing utilities.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized the execution of easements for installation of permanent power to the new Public Safety Building, and authorized payment to Dominion Energy using funds from the Public Safety Building's project contingency, as presented.

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

RE: AWARD OF THE CONTRACT FOR MOWING SERVICES

Amanda Amos, Procurement Coordinator, explained that staff had released an invitation to bid for mowing services, 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 eight (8) responses were received.

Ms. Amos stated that staff's recommendation was to award contracts to Eazy Cutters Lawn Care for Section #1, ProTech Lawn and Landscape for Section #2, and Yowell's Property Enhancements for Sections #3 and #4.

Discussion ensued among the Board regarding: clarification of the sections designed by staff; the possibility of utilizing local businesses; and review of the solicitation process for next year.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to enter into contracts for mowing services with Eazy Cutters Lawn Care, ProTech Lawn and Landscape, and Yowell's Property Enhancements, each for a one (1) year term, with the possibility of four (4) renewals, as presented.

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

RE: AWARD OF THE CONTRACT FOR OXYGEN TANKS AND DELIVERY SERVICES

Amanda Amos, Procurement Coordinator, explained that staff had released a solicitation for oxygen tanks and delivery services for the Orange County Department of Fire and EMS, 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 Robert's Oxygen Company, Inc. She noted the company was well-known for providing superior customer service and had previously been a provider to Orange County.

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with Robert's Oxygen Company for oxygen tanks and delivery services for a one (1) year term, with the possibility of four (4) renewals, as presented.

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

RE: OLD BUSINESS

There were no matters for Old Business at this time.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: PROPOSED INSTALLATION OF SIGNAGE FOR TOBACCO-FREE PARKS

Ashley Jacobs, Program Coordinator, explained that staff had been requested by the Virginia Foundation for Healthy Youth to consider implementing a program to expand tobacco prevention efforts in the County. She indicated that, in conjunction with the Department of Parks and Recreation and the Office on Youth, staff proposed an initiative to install signage that would designate area parks as tobacco-free. Ms. Jacobs noted the signage would request the public refrain from all types of tobacco product use within fifty (50) feet of recreational areas.

Ms. Jacobs requested approval to install the proposed signage, presented samples of signage, and noted that sign expenses would be funded from grant proceeds and donations.

Discussion ensued among the Board regarding: standardization of sign design and size.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized the installation of tobacco-free park signage at the various County-owned parks, to be funded by Office on Youth donations and in support of the Virginia Foundation for Healthy Youth, as presented.

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

RE: BUXTON VISITOR'S REPORT

Lori Landes-Carter, Tourism Manager, presented an update on the Visitor Analytical Study conducted by Buxton, which included information on the following topics:

- Objectives of the study;

- Key findings of the study;
- A summary of the data collected;
- Market segmentation;
- Visitor demographics;
- Marketing targets;
- Visitor origins;
- Visitor attractions; and
- Impact of the Visitor Center.

Discussion ensued among the Board regarding: the methodology for capturing “visitors” by category; the deficit in the “P” segmentation; identification of the historic attractions included in the analysis; application of the data; and the “shelf life” of the data.

The Board thanked Ms. Landes-Carter for her presentation.

RE: “50 WAYS TO FALL IN LOVE WITH THE FOOTHILLS” PROGRAM UPDATE

Lori Landes-Carter, Tourism Manager, explained that the Tourism Departments of Greene, Madison, and Orange Counties were recently awarded funds from the Virginia Tourism Corporation’s “50 Years of Love” Grant. She indicated the grant program promoted local tourism and celebrated the 50th Anniversary of the slogan, “Virginia is for Lovers.” Ms. Landes-Carter added that all three counties were utilizing the grant funds by collaborating on a “50 Ways to Fall in Love with the Foothills” campaign, which would promote tourism opportunities in the region. She noted that the campaign would run from August through October and was anticipated to increase the economic impact from tourism in each of the three counties.

The Board thanked Ms. Landes-Carter for her presentation.

RE: COUNTY ATTORNEY’S REPORT

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

RE: COUNTY ADMINISTRATOR’S REPORT

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

RE: BOARD COMMENT

Supervisor Goodwin commented on the success of the recent Playin’ in the Park event, hosted by Orange County Parks and Recreation and the Office on Youth.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- VDOT Monthly Report for July
- April 29, 2019 Health Center Commission (HCC) Minutes
- April 24, 2019 Rappahannock-Rapidan Regional Commission Meeting Minutes

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 July 2019, August 2019, and September 2019.

RE: CLOSED MEETING

At 5:56 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 concerning a prospective business or industry, or the expansion of an existing business or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. - §2.2-3711(A)(5) of the Code of Virginia
- Consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning body cameras, road construction, solar energy, and broadband. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §2.2-3711 (A)(5) and (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. Goodwin, seconded by Mr. Crozier, 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.

There being no speakers, public comment was closed at 7:02 p.m.

RE: PUBLIC HEARING #1; ZTA 19-02

Sandra Thornton, Planning Services Manager, presented the staff report to the Board regarding proposed amendments to the Zoning Ordinance concerning specific definitions. She presented the recommended language to the Board, explaining that Planning Commission action had previously been initiated on said amendments. Ms. Thornton indicated that, following the Planning Commission's public hearing in June, a vote resulted in a recommendation of approval.

Discussion ensued among the Board regarding: the origination of the proposed amendment.

At 7:06 p.m., Chairman White called the Public Hearing to order to receive comments on the following:

ZTA 19-02

The Board of Supervisors will consider an amendment to *Sec. 70.1 – Definition* of the Orange County Zoning Ordinance by revising the definitions of *Camp and Campground* and by adding a definition of “Recreational vehicle” to this section.

The following individuals spoke:

- Ed Harvey, 10078 Jacksontown Road, Somerset
- Jack Snyder, 12574 Chicken Mountain Road, Orange
- Virginia Donelson, resident of Somerset
- James Collins, 12384 Merriewood Drive, Somerset
- Bruce Gupton, 17439 Rockland Drive, Gordonsville
- David Laylin, 358 E. Main Street, Orange
- Tracy Laughlin, 7174 Rapidan Road, Rapidan
- Chris Hawk, representative of the Piedmont Environmental Council
- Bob Wilbanks, resident of Orange
- Jasmine Warren, 5290 Ridge Road, Somerset
- Rusty Speidel, 1410 Carriage Lane, Charlottesville
- David Scibal, 14079 Plantation Drive, Orange
- Mark Warren, 5290 Ridge Road, Somerset
- Bill Speiden, 12046 Blue Hill Drive, Somerset
- Gail Babnew, 19240 Springfield Road, Gordonsville
- Charlie Seilheimer, resident of Mount Sharon Farm
- Philip Strange, resident of Gordonsville

There being no further speakers, Chairman White closed the Public Hearing at 7:48 p.m.

Discussion ensued among the Board regarding: whether or not the recreational uses belonged in residential zones; the idea that the concept or proposed language could be viable; and issues with the current language, as proposed.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board voted to defeat the proposed amendments to the Zoning Ordinance concerning the definition of recreational vehicle, camp, and campground.

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

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adjourned the meeting at 8:01 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James K. White, Chairman

R. Bryan David, County Administrator