

BOARD OF SUPERVISORS MINUTES

JULY 23, 2019

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, July 23, 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: PRESENTATION BY GERMANNA COMMUNITY COLLEGE

Dr. Janet Gullickson, President of Germanna Community College, presented a PowerPoint presentation to the Board regarding the new academic healthcare facility planned at the College's Locust Grove Campus. She indicated the Virginia Community College System policy required that expenditures for site preparation beyond five (5) feet of the building, including lighting, sidewalks, parking lots, etc., be funded from local government appropriations and non-State sources only. As such, Dr. Gullickson noted about \$2.29 million was being requested from localities for site improvements, maintenance, scholarships, equipment, and infrastructure payments. She stated the request for Orange County was commitment of \$100,000 for five (5) years.

Discussion ensued among the Board regarding: the funding request from Germanna Community College; appointment of a County representative to the design committee; the ability to leverage resources and influences to jointly achieve the Campus vision; definition of the funding cycle from FY20 to FY24; and inclusion in the County's Capital Improvements Plan (CIP) process.

The Board thanked Dr. Gullickson for her presentation.

RE: CONSENT AGENDA

On the motion of Mr. Frame, seconded by Mr. Crozier, 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
43320001-46900	Central Va. Regional Jail	\$ 2,253,074.00	\$ 60,000.00	\$ 2,313,074.00
43320001-46910	Juvenile Detention Center	200,477.00	36,500.00	236,977.00
45351001-43277	IEP Private Day Placement	1,443,790.00	57,520.00	1,501,310.00
30045050-36125	Categoric Aid - State - CSA	(1,193,027.00)	(57,520.00)	(1,250,547.00)
30052001-39900	Appropriated Fund Balance	(2,859,097.04)	(96,500.00)	(2,955,597.04)
TOTALS		\$ (154,783.04)	\$ 0.00	\$ (154,783.04)

RE: FY20 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	\$ (500.00)	\$ (541.00)	\$ (1,041.00)
43520003-43115	Prof. Serv. - Emergency Vet	500.00	541.00	1,041.00
TOTALS		\$ 0.00	\$ 0.00	\$ 0.00

RE: COOPERATIVE CONTRACT FOR THE PURCHASE OF SHERIFF'S OFFICE VEHICLES

As part of the Consent Agenda, the Board authorized staff to purchase six (6) vehicles for the Orange County Sheriff's Office via Cooperative Contract# 18-01-0921R through the Virginia Sheriff's Association's (VSA) Vehicle Procurement Program, as presented.

RE: MINUTES

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

- June 25, 2019 Worksession
- June 25, 2019 Regular Meeting

RE: NEW BUSINESS

RE: CONTRACT AWARD FOR IT SUPPORT SERVICES

Amanda Amos, Procurement Coordinator, explained that staff had released a solicitation for IT support 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 eighteen (18) responses were received.

Ms. Amos stated that, after reviewing the proposals, staff's recommendation was to award contracts to the top-ranked firms, which would provide an assortment of skills and abilities.

Discussion ensued among the Board regarding: specialization of each firm; and overlapping of services provided by each firm.

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 with TSI VA LLC, Slait Consulting, Businets Inc, PJ Networks, and Advanced Network Systems, for IT Support 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: RESOLUTION FOR MOUNTAIN VIEW COURT

Alyson Simpson, Chief Deputy Clerk, explained the County had previously pulled a surety bond when the Rapidan Hills Limited Partnership (RHLP) failed to meet its obligation to construct and maintain the roads in the Rapidan Hills Subdivision. She indicated the bond funds were held in an interest-bearing account until such time an eligible project was identified.

Ms. Simpson noted a project had been included in the adopted Secondary Six-Year Plan for Mountain View Court, located in the Rapidan Hills Subdivision. The identified project segment of Route 1053 was the last remaining segment of road in the Rapidan Hills Subdivision, representing the final opportunity to appropriately spend the funds from the surety bond.

Ms. Simpson stated a resolution had been prepared, which included a Project Administration Agreement developed by VDOT to define the distribution of the bond funds and application of those funds toward the Mountain View Court project. Additionally, the resolution granted signatory authority to the County Administrator.

Discussion ensued among the Board regarding: the amount of funds available from the surety bond; necessary repairs to a large culvert pipe on Mountain View Court; and the need to identify a better funding source for the culvert pipe repairs.

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

RESOLUTION OF SUPPORT FOR COMPLETION OF IMPROVEMENTS ON ROUTE 1053
(MOUNTAIN VIEW COURT) IN ORANGE COUNTY, VIRGINIA

WHEREAS, when Rapidan Hills Limited Partnership (RHLP) failed to meet its obligations regarding construction and maintenance of the roads in the Rapidan Hills Subdivision, the County pulled the surety bond to obtain the funds, which would ultimately be applied toward road improvement projects; and

WHEREAS, the funds were received and deposited with the County until such time an appropriate road improvement project was identified; and

WHEREAS, the Board of Supervisors has identified a segment of Route 1053 (Mountain View Court) to be improved and accepted into the Secondary System of State Highways; and

WHEREAS, said segment of Route 1053 is the last remaining segment of road in the Rapidan Hills Subdivision to be accepted into the Secondary System, representing the final opportunity to spend the funds from the surety bond; and

WHEREAS, the Board of Supervisors has included the identified project (UPC 113733) in Orange County's Secondary Six-Year Plan; and

WHEREAS, VDOT has prepared a scope of work and cost estimate for the project, which will be funded through Secondary Six-Year Plan funds and proceeds from the surety bond, and it was determined that VDOT would use state forces to complete the improvements, as opposed to hiring a private firm; and

WHEREAS, the County worked with VDOT to finalize an agreement for disbursement of the proceeds from the surety bond to be applied to the project; and

WHEREAS, lastly, VDOT has respectfully requested that the County adopt a resolution, as required, to commit to the funding of the project and to authorize the County Administrator to execute the agreement with VDOT;

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of July, 2019, that the Orange County Board of Supervisors hereby agrees to fund its share of the total cost of construction for this improvement project pursuant to the terms of the Project Administration Agreement with VDOT, and in accordance with the project financial documents; and

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized to execute the Project Administration Agreement on behalf of Orange County, Virginia.

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

RE: REVENUE SHARING APPLICATION FOR WILHOITS MILL ROAD

Alyson Simpson, Chief Deputy Clerk, explained that the Virginia Department of Transportation (VDOT) had recently opened the application process for its next Revenue Sharing Program cycle, which offered funding for Fiscal Years 2021 and 2022. She indicated the program offered 50% funding for certain qualifying road projects.

Ms. Simpson noted that staff had received interest from a developer to utilize the Revenue Sharing Program to make improvements to Route 610 (Wilhoits Mill Road), located in District 1. She added the road was approximately 1.3 miles in length and was State-maintained in gravel. The conservative cost estimate to hard-surface the road and make necessary spot improvements totaled \$500,000.

Ms. Simpson shared with the Board the pertinent details of the Revenue Sharing application process, including the submission deadline, the necessary agreement between the County and the developer, the need to include the project in the Capital Improvements Plan (CIP), and the requirement of a resolution of support from both Orange and Greene Counties.

Discussion ensued among the Board regarding: the desire to recoup costs related to staff time and application preparation; the potential for a 3% administrative fee; the need to contact the Orange County residents who live on Wilhoits Mill Road to seek feedback on the project; and ensuring the County was not responsible for any project funding.

By consensus, the Board agreed for staff to contact the residents who live on Wilhoits Mill Road to solicit feedback on the potential Revenue Sharing project and to return at a future meeting for further discussion and consideration.

RE: AVIGATION EASEMENT ACQUISITION

Kurt Hildebrand, Assistant County Administrator for Operations, stated that Delta Airport Consultants continued to assist staff in pursuing avigation easement acquisition on the targeted parcels shown to hold obstructions of the approach to Runway 26 at the Orange County Airport. He presented a Purchase Agreement and Deed of Easement for three (3) of the parcels. Mr. Hildebrand indicated the total purchase price for the parcels exceeded the amount allowed above appraisal, which required approval by the FAA. He noted the FAA had granted approval; therefore, he requested authorization to execute the Purchase Agreements and Deeds of Easement and to submit for FAA and DOAV grant reimbursement.

Discussion ensued among the Board regarding: whether the reimbursement from the DOAV was automatic or had to be requested.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized execution of the Purchase Agreement and Deed of Easement for acquisition of avigation easements above parcels 31A-7, 31A-8, and 31A-9, 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
There were no Department Director / Constitutional Officer Reports 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: 2019 VIRGINIA GENERAL ASSEMBLY

R. Bryan David, County Administrator, provided the North-Central Virginia Legislative Program to the Board, as submitted by Legislative Liaison Eldon James. He indicated Mr. James would be invited to attend an upcoming meeting in anticipation of updating and developing the Board's Legislative Priorities for 2020.

The Board took the information regarding its Legislative Priorities under advisement, and there was no action taken at this time.

RE: BOARD COMMENT
Supervisor Johnson provided comments regarding his research as Board Historian.

Collectively, the Board commented on the success of the recent event at the James Madison Museum, where Chairman White served as MC of the event.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Social Services Quarterly Report
- Economic Development Quarterly Report
- CSA Monthly Report
- June 4, 2019 Culpeper Soil and Water Conservation District Minutes
- Central Virginia Partnership for Economic Development FY 2019 Annual Report
- Letter from DEQ Regarding Rapidan Mill Wastewater Treatment Plant
- Thank You Letter from Northern Virginia 4-H Educational Center
- Thank You Letter from Orange County Chamber of Commerce

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 5:57 p.m., Mr. Lacheny 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, consideration, or interviews of prospective candidates for employment; or assignment,

appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body concerning a supplemented Constitutional Officer and Human Resources. - §2.2-3711(A)(1) of the Code of Virginia

- Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning the Airport. - §2.2-3711(A)(3) 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 contract issues, ordinance amendments, the Landfill, broadband, and stormwater. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(3), 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. 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 6:58 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 7:00 p.m., Chairman White opened the floor for public comment.

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

RE: 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 7:00 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James K. White, Chairman

R. Bryan David, County Administrator