

BOARD OF SUPERVISORS MINUTES

July 28, 2020

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, July 28, 2020, beginning at 5:00 p.m., and held electronically via Zoom video conference. Present: James P. Crozier, Chairman; R. Mark Johnson, Vice Chairman; James K. White; S. Teel Goodwin; and Lee H. Frame. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lacheney, County Attorney; and Susan Turner, Deputy Clerk.

RE: PARTICIPATION VIA ELECTRONIC MEANS

Pursuant to the emergency ordinance adopted on March 24, 2020, this meeting was held electronically via Zoom video conference and livestreamed to YouTube for the public to view. As such, the minutes are required to reflect the physical location of each Board member during their participation.

Chairman Crozier participated from his second residence, located at 33 Pier Pointe, New Bern, North Carolina.

Vice Chairman Johnson participated from his residence, located at 13451 Albano Road, Barboursville, Virginia.

Supervisor White participated from his residence, located at 22373 Berry Run Road, Orange, Virginia.

Supervisor Goodwin participated from his residence, located at 11464 Rapidan Road, Orange, Virginia.

Supervisor Frame participated from his residence, located at 103 Woodland Trail, Locust Grove, Virginia.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: RESOLUTION OF SUPPORT FOR VDOT SMART SCALE PROJECT APPLICATIONS

Alan E. Saunders and Chuck Proctor of VDOT provided an update on the three (3) projects, identified by the Board, for submission through the SmartScale funding program. Their presentation included information on the following: project descriptions; suggested improvements; conceptual sketches; safety; congestion mitigation; and accessibility. Mr. Proctor noted that applications were due by August 17, 2020.

Discussion ensued among the Board regarding: functionality of a reverse turn; clarification of roundabout at the intersection of Route 20 and Route 522; rankings of each project; application due dates; and scoring release date.

Susan Turner, Deputy Clerk, stated that as part of the application process, a resolution of support was required from the Board of Supervisors. She presented a draft resolution for the Board's consideration.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a roll call vote of 5-0, the Board adopted the resolution in support of Orange County's Smart Scale project applications, as presented:

RESOLUTION OF SUPPORT FROM THE ORANGE COUNTY BOARD OF SUPERVISORS FOR PROJECTS SUBMITTED TO THE FY 2022 SMART SCALE PRIORITIZATION PROCESS

WHEREAS, on April 6, 2014, the General Assembly of Virginia approved an Act to amend the Code of Virginia by adding Article 1.1 of Chapter 1 of Title 33.1, a section numbered 33.1-23.5:5, commonly referred to as the Smart Scale Prioritization Process, which requires that projects requesting funding through the Six-Year Improvement Plan (SYIP) be scored and prioritized; and

WHEREAS, Orange County, in coordination with the Virginia Department of Transportation (VDOT), has identified the following three (3) projects to submit for funding through the FY2022-2028 Six-Year Improvement Program (SYIP):

Route 522 / Route 20 Roundabout,
 Route 3 / Route 20 Intersection Improvements
 Route 231 / High Street Roundabout (Town of Gordonsville);

NOW, THEREFORE, BE IT RESOLVED, on this 28th day of July, 2020, that the Orange County Board of Supervisors hereby supports submission of the three (3) projects, as identified above, as part of the Smart Scale Prioritization Process.

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

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: FY21 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
30045008 36200	E911 Wireless Funds	-	(212,000.00)	(212,000.00)
49400112 48250				
C1149	Next Gen 911-Wireless Brd Fund	-	212,000.00	212,000.00
45342401 41111	Child Care - LESWages-Regular	-	35,568.00	35,568.00
45342401 41322	Child Care - LESWages-Part-time	-	18,711.00	18,711.00
45342401 42100	Child Care - LESFICA & Medicare	-	4,155.00	4,155.00
45342401 42310	Child Care - LESMedical Insurance	-	7,478.00	7,478.00
45342401 42400	Child Care - LESGroup Life Ins.	-	465.00	465.00
45342401 42210	Child Care - LESRetirement	-	3,283.00	3,283.00
45342401 42500	Child Care - LESDisability Insurance	-	135.00	135.00
45342401 42710	Child Care - LESWorkers Comp.	-	25.00	25.00
45342401 45540	Child Care - LESTuition/Registration	-	250.00	250.00
45342401 46000	Child Care - LESOffice Supplies	-	250.00	250.00
	Child Care - LESOffice Equipment-Mgmt			
45342401 46005	Software	-	460.00	460.00
45342401 46200	Child Care - LESFood Supp & Service	-	2,250.00	2,250.00
45342401 46400	Child Care - LESEducation Supplies	-	250.00	250.00
30025501 31795	LES-Childcare Fees	-	(73,280.00)	(73,280.00)
TOTAL		-	-	-

RE: APPOINTMENT TO THE COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

As part of the Consent Agenda, the Board appointed Anne Henley, Director of Family Solutions, as a member of the Orange County CPMT for the remainder of 2020, as presented.

RE: REQUEST FOR VDOT SPEED STUDY ON ROUTE 617

As part of the Consent Agenda, the Board requested that VDOT conduct a speed study on Route 617 (Everona Road) and subsequently present their findings and recommendations to the Board, and authorized the County Administrator to sign and submit a letter of request to VDOT, as presented.

RE: MINUTES

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

- June 23, 2020 Regular Meeting
- July 14, 2020 Regular Meeting

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: PROPOSED ORDINANCE FOR VACATION OF A PORTION OF WEEDON ROAD, BRAME ROAD, AND WILDERNESS SHORES WAY

Thomas Lacheney, County Attorney, explained that the Board previously advertised for a public hearing to consider the adoption of an ordinance to vacate a portion of Weedon Road, Brame Road, and Wilderness Shores Way. He indicated the public hearing was advertised for and opened on Tuesday, July 14, 2020. In order to allow for public input, as the meeting was conducted remotely, the public hearing remained open at this time. Mr. Lacheney noted that once any public comment was reviewed, the Chairman could then close the public hearing and the Board could take action on adopting the ordinance.

Ms. Turner, Deputy Clerk, stated that no public comment had been received during the public hearing.

Chairman Crozier closed the public hearing at 5:24 p.m.

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

ORDINANCE VACATING BRAME ROAD, WEEDON ROAD AND EASTERN 885 L.F. OF WILDERNESS SHORES WAY, WITHIN THE WILDERNESS SHORES SUBDIVISION, PART OF THE GORDON MAGISTERIAL DISTRICT

WHEREAS, by deed dated February 23, 1928, and recorded in Deed Book 97 at Page 39, among the land records of the Clerk's Office of the Circuit Court of Orange County, Virginia ("Land Records"), E. J. Woodville consolidated all or parts of several smaller tracts of land into a single parcel of land with a portion of its boundary being "...a point in the center of Flat Run at the mouth of a branch, a corner with said Weedon, thence up Flat Run...to M. a point in the center of the run of Brame's Ford...", which consolidated parcel of land contained three hundred twenty and one-half (320.5) acres, according to a plat and survey made by E. J. Woodville on February 23, 1928, which was attached to and made a part of that deed ("the 1928 Woodville Deed/Plat"), the said 320.5 acres being sometimes subsequently known as "the Shaeffer property"; and

WHEREAS, the 1928 Woodville Deed/Plat created, among other things, a reserved "...right of way...for himself and for public travel...30 feet wide along the Weedon road from (point) J. to (point) N. on the plat, and a strip of land 15 feet wide along the Brame road from (point) M. to (point) N. and along the Weedon road from (point) N. to (point) O. on the plat...", the said point "O" being the intersection of Weedon Road and a similarly created road known as "Somerset road" which is now generally known and referred to as "Somerville Road"; and

WHEREAS, by Indenture dated September 20, 1944, and recorded in Deed Book 122 at Page 342 among the Land Records, the same E. J. Woodville conveyed one hundred fifty two and eighty two hundredths (152.82) acres, more or less, of land ("the 1944 Woodville Deed") which was immediately adjacent to the 320.5 acres described in the 1928 Woodville Deed/Plat, using as part of its description of the land "...a survey made in 1929....." in which a portion of its boundary was described as "...a corner with the Brame tract; thence...to two Maples on the South bank of Flat Run, a corner with the Brame tract; then down the center of the Run...to the center of the Brame road at the ford, thence along the center of the Brame road to...the fork of the Brame and Weedon roads...", and similarly reserved "...a right of way for travel, thirty feet wide along the Brame and Weedon roads.... so far as the line of this tract runs with these roads..."; and

WHEREAS, the described land conveyed by the 1928 Woodville Deed/Plat and in the 1944 Woodville Deed comprise the land which was subsequently subdivided into (and is now known as) the Wilderness Shores Subdivision, pursuant to a plat prepared by B. Calvin Burns, Certified Land Surveyor, with the Prince William Engineering Company, entitled "Wilderness Shores, Gordon Magisterial District, Orange County, Virginia" dated April, 1967, and recorded with a Deed of Dedication dated April 5, 1967 in Deed Book 217 Page 565 among the Land Records and in (Plat) Map Book 2, Page 19 through Page 32, inclusive, among the Land Records (hereinafter referred to as the "1967 Wilderness Shores Subdivision Plat"); and

WHEREAS, the 1967 Wilderness Shores Subdivision Plat created, in addition to other lots and parcels, a road with a fifty-foot (50 ft.) right-of-way originally known as "Robey Drive", which was subsequently re-named and is now known as "Wilderness Shores Way"; and

WHEREAS, Wilderness Shores Way runs in a northeasterly direction and generally parallel to the alignment of Weedon Road from its intersection with Somerville Road for a distance of approximately 2,480 linear feet, and then all or a portion of Weedon Road is located on or immediately adjacent to the remaining portion of Wilderness Shores Way for a distance of approximately 2,608 linear feet, to the property line for Tax Map Parcel 13-10 currently owned by Lori W. Brumbeloe, Bruce Edwin Weedon and Pamela Ann Canfield (hereinafter referred to as "the Weedon Parcel").

WHEREAS, by deeds recorded in Deed Book 543 Page 688 and in Deed Book 563 Page 123 among the Land Records, the Wilderness Shores Homeowner's Association, Inc. is the owner of that paved portion of Wilderness Shores Way beginning from its intersection with Somerville Road to the most eastern boundaries of Lot 468A and Lot 584A, Wilderness Shores, as shown on the 1967 Wilderness Shores Subdivision Plat and a plat of subdivision dated October 6, 1995 and recorded in Deed Book 553 Page 217 and in Plat Cabinet F Slots 1 and 2 among the Land Records, and "(n)othing herein shall preclude free and unobstructed ingress and egress for the grantor or other third party to any portion of Wilderness Shores Subdivision or any other land served by this right of way."

WHEREAS, Tricord Incorporated, is the owner of the mostly unpaved portion of Wilderness Shores Way beginning at its intersection with the eastern property line of Common Area "I" and Lot 585R, Wilderness Shores Subdivision, and extending in an easterly direction for a distance of one thousand three hundred thirty seven feet (1,337 ft.), more or less, to the eastern property line of Tax Map Parcel 13-10 (a/k/a the "Weedon Parcel"), as more particularly described and shown on that certain plat prepared by Webb and Associates, entitled "Plat of Vacation & Lot Line Adjustment, Wilderness Shores Southside & Revised Parcel D" dated September 1, 2006, revised November

30, 2006, (the "Wilderness Shores Southside Plat") and recorded as part of Instrument No. 070004633 and in Plat Cabinet M Slots 54-69 (inclusive) among the Land Records.

WHEREAS, Tricord Incorporated has granted to the owners of the Weedon Parcel, and the owners of the Weedon Parcel have accepted, an easement for ingress and egress by Deed of Easement dated June 30, 2020 and recorded among the Land Records as Instrument No. 20003313, the alignment and dimensions of said ingress-egress easement being comparable to those of the "Weedon Road".

WHEREAS, the above described ingress-egress easement and the portions of Wilderness Shores Way owned by the Wilderness Shores Homeowners Association, Inc. provide an improved alternative means of ingress-egress compared to the original Weedon Road, and use of aforesaid ingress-egress easement and portions of Wilderness Shores Way in lieu of the portion of the Weedon Road located on the lots and parcels within Wilderness Shores Subdivision will not result in economic damage or undue hardship or irreparable damage to any adjacent landowners; and

WHEREAS, Tricord Incorporated is also the current developer of the lots and parcels of land in Section Nine and Section Ten, Wilderness Shores Subdivision, and has designed and constructed the following new paved roads, and recorded plats of subdivision containing corresponding ingress/egress easements as Instrument No. 070004728 and in Plat Cabinet M, Slots 71 to 78 (inclusive) and as Instrument No. 080008796 and in Plat Cabinet N, Slots 139 to 142 (inclusive) among the Land Records, which collectively provide access to Wilderness Shores Way, to wit: Elk Trail, Coyote Trail, Silver Fox Way, Fawn Drive, and Bears Den Drive (collectively the "Section 9-10 Roads"); and

WHEREAS, Wilderness Shores Phase II Property Owners Association, Inc., a Virginia non-stock corporation, is the owner of the Section 9-10 Roads;

WHEREAS, by instrument dated September 20, 2003, and recorded among the land records of the Clerk's Office as Instrument No. 040000983, and amended by Instrument No. 180001756, the U.S. Army Corp of Engineers ("USACE") designated, inter alia, a portion of the Wilderness Shores Subdivision immediately adjacent to Flat Run and no less than one hundred feet (100 ft.) wide as "existing wetlands" and/or "Wetlands, River, Stream and Wetland Buffer", which are to be preserved in perpetuity in its natural state by prohibiting therein "destruction or alteration of the waters of the U.S." and "construction or placement of any structure or fill other than those which currently exists...and boardwalks, wildlife management structures, observation decks and unpaved foot trails which permit the natural movement of water and preserve the natural contour of the ground subject to prior written approval of the USACE"; and

WHEREAS, portions of the above described Brame Road are located within the above described existing wetlands and/or waters of the U.S.; and

WHEREAS, to the extent any portions of the Brame Road might physically remain within the Wilderness Shores Subdivision, said portion would be at best a dirt path with irregular vertical and horizontal features, and the Section 9-10 Roads provide better ingress and egress (i) within the Wilderness Shores Subdivision, and (ii) in conjunction with other adjoining paved roads, to/from Virginia State Route 3; and

WHEREAS, the current "Brame tract" has alternative and better means of ingress-egress to Va. State Route 3 over Pilgrim Church Road; and

WHEREAS, vacating the portions of the Brame Road located on the lots and parcels within Wilderness Shores Subdivision will not result in economic damage or undue hardship or irreparable damage to any adjacent landowners and/or the owners of the lots and/or parcels within the Wilderness Shores Subdivision; and

WHEREAS, Section 15.2-2278 of the Code of Virginia 1950, as amended, provides that any plat of subdivision recorded in any clerk's office, whether or not pursuant to Article 6 of Chapter 22 of Title 15.2 of the Code of Virginia 1950, as amended, may be vacated in the manner prescribed by Section 15.2-2272 of the Code of Virginia 1950, as amended, and the provisions of Section 15.2-2274 and 15.2-2276, Code of Virginia 1950, as amended, shall be applicable to such vacation; and

WHEREAS, portions of the land shown on the 1928 Woodville Deed/Plat and the 1944 Woodville Deed, including but not limited to various lots and parcels in Wilderness Shores Sections One, Two, Three, Four, Five, Six, Seven, Nine, and Ten have been sold and/or conveyed to persons other than E.J. Woodville; and

WHEREAS, after lots shown on a plat of subdivision have been sold, the Board of Supervisors has the authority pursuant to Section 15.2-2272(2) of the Code of Virginia 1950, as amended, and Section 54-117 of the Code of Ordinances of Orange County, to adopt an ordinance to vacate a plat or portion thereof; and

WHEREAS, Section 15.2-2274 of the Code of Virginia 1950, as amended, provides that the recordation of an ordinance as provided under Subdivision 2 of Section 15.2272 "...shall operate to destroy the force and effect of the recording of the plat or part thereof so vacated, and to vest fee simple title to the centerline of any streets, alleys or easements for public passage so vacated in the owners of abutting lots free and clear of any rights of the public or other owners of lots shown on the plat..."; and

NOW THEREFORE, BE IT ORDAINED on this 28th day of July, 2020, that the Orange County Board of Supervisors pursuant to Sections 15.2-2272(2) and 15.2-2278, of the Code of Virginia 1950 as amended, and Section 54-117 of the Code of Ordinances of Orange County, and the notice pursuant to Section 15.2-2204 of the Code of Virginia 1950, as amended, from the subdivision agent for the County of Orange, declares that the following described portion of the "Weedon Road", as originally described and/or shown on the 1928 Woodville Deed/Plat and in the 1944 Woodville Deed, is hereby vacated, to wit:

Beginning at the intersection of Weedon Road and Somerville Road (formerly known as the Somerset Road, and currently the southernmost property line of Lots 7R and 8R, Section 2, Wilderness Shores Subdivision), and extending eastward approximately five thousand ninety linear feet (5,090 l.f.) to the common property line of the Wilderness Shores Subdivision and Tax Map Parcel 13-10 (a/k/a Tax Parcel 0130000000010, a/k/a the "Weedon Parcel").

BE IT FURTHER ORDAINED that the Orange County Board of Supervisors pursuant to Sections 15.2-2272(2) and 15.2-2278, of the Code of Virginia 1950 as amended, and Section 54-117 of the Code of Ordinances of Orange County, and the notice pursuant to Section 15.2-2204 of the Code of Virginia 1950, as amended, from the subdivision agent for the County of Orange, declares that the following described portion of the "Brame Road", as originally described and/or shown on the 1928 Woodville Deed/Plat and in the 1944 Woodville Deed, is hereby vacated, to wit:

Beginning at the intersection of the Brame Road and the Weedon Road (currently at the intersection of Wilderness Shores Way and Lots 484 and 485, Section One, Wilderness Shores Subdivision), and extending in an eastward and then a southern direction approximately two thousand seven hundred forty linear feet (2,740 l.f.) to the common property line of the Wilderness Shores Subdivision and Tax Map Parcel 13-4 (a/k/a Tax Parcel 01300000000004, formerly known as "the Brame tract" a/k/a the "Dean Parcel").

BE IT FURTHER ORDAINED that the Orange County Board of Supervisors pursuant to Sections 15.2-2272(2) and 15.2-2278, of the Code of Virginia 1950 as amended, and Section 54-117 of the Code of Ordinances of Orange County, and the notice pursuant to Section 15.2-2204 of

the Code of Virginia 1950, as amended, from the subdivision agent for the County of Orange, declares that the following described portion of Wilderness Shores Way as described and/or shown on the Wilderness Shores Southside Plat, is hereby vacated, to wit:

The portion of Wilderness Shores Way beginning at its intersection with the eastern property line of Lot 1030R, Wilderness Shores Subdivision, and extending in an easterly direction for a distance of eight hundred eighty five feet (885 ft.), more or less, to the eastern property line of Tax Map Parcel 13-10 (a/k/a the "Weedon Parcel").

BE IT FURTHER ORDAINED that pursuant to Section 15.2-2276 of the Code of Virginia 1950, as amended, after the effective date of this ordinance, the Clerk of the Circuit Court of Orange County, Virginia is directed to mark as "Vacated" the aforesaid Weedon Road and the aforesaid portions of the Brame Road on the deed with plat recorded in Deed Book 97 Page 39, and on the indenture recorded in Deed Book 122 Page 342, and to record a certified copy of this ordinance in the Office of the Clerk of the Circuit Court of Orange County, Virginia indexed to Deed Book 97 Page 39 and Deed Book 122 Page 342, pursuant to Section 15.2-2272(2) of the Code of Virginia 1950, as amended; and

BE IT FURTHER ORDAINED that pursuant to Section 15.2-2276 of the Code of Virginia 1950, as amended, after the effective date of this ordinance, the Clerk of the Circuit Court of Orange County, Virginia is directed to mark as "Vacated" the aforesaid portion of Wilderness Shores Way on the deed with plat recorded as Instrument No. 070004633 and in Plat Cabinet M Slots 54-69 (inclusive), and to record a certified copy of this ordinance in the Office of the Clerk of the Circuit Court of Orange County, Virginia indexed to Instrument No. 070004633 and in Plat Cabinet M Slots 54-69 (inclusive), pursuant to Section 15.2-2272(2) of the Code of Virginia 1950, as amended; and

BE IT YET FURTHER ORDAINED that this ordinance shall become effective thirty (30) days after its adoption unless an appeal pursuant to Virginia Code Section 15.2-2272(2) is filed within that time period, in which case, this ordinance shall become effective as directed by a court of competent jurisdiction.

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

RE: JUVENILE & DOMESTIC RELATIONS COURT ADVISORY COUNCIL NOMINEES

Stephanie Straub, Director of Management Services, reminded the Board that at its January 28, 2020 meeting, a resolution was adopted establishing the Juvenile & Domestic Relations Court Advisory Council. Further, she explained that five (5) of the ten (10) members were to be appointed by the Board of Supervisors. As such, Ms. Straub presented a recommended list of appointees, for consideration by the Board.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board appointed Alisha Vines, Mark Amos, Bill Berry, Diana O'Connell, and Crystal Hale to the Juvenile and Domestic Relations Court Advisory Council, as presented.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

There were no Department Director or 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

The County Administrator thanked Susan Turner for her efforts with the Smart Scale Project applications.

RE: BOARD COMMENT

Supervisor Frame complimented Crystal Hale, Director of Social Services, on her reporting of the services provided related to the CARES Act. Mr. Frame also noted an email received from the Department of Interior.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Tourism Quarterly Report
- Social Services Quarterly Report
- CSA Monthly Report
- March 19, 2020 Rapidan Service Authority Minutes
- Office on Youth Grant Award

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

On the motion of Mr. Frame, which carried by a vote of 4-1, with Mr. Johnson abstaining, the Board appointed Sam Kessler as an At-Large Representative on the Health Center Commission for a four-year term, with said term commencing immediately and expiring on March 31, 2021.

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

On the motion of Mr. Frame, which carried by a vote of 4-1, with Mr. Johnson abstaining, the Board appointed Deanne Marshall as an At-Large Representative on the Health Center Commission (HCC) for a four-year term, with said term commencing immediately and expiring on May 31, 2023.

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

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of August 2020, September 2020, and October 2020.

RE: SCHEDULE A PUBLIC HEARING TO CONSIDER SALE OF COUNTY-OWNED LAND

By consensus, the Board authorized staff to advertise for and schedule a public hearing to consider sale of County-owned land on August 11, 2020, at 6:00 p.m., as presented.

RE: CLOSED MEETING

At 5:30 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

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

- Discussion 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.

WHEREAS, pursuant to §§2.2-3711 (A)(5) of the Code of Virginia, such discussions may occur in Closed Meeting;

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

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None

RE: CERTIFICATION OF CLOSED MEETING

At 6:16 p.m., Ms. Turner read the following resolution certifying Closed Meeting:

WHEREAS, the Orange County Board of Supervisors has, this day, adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the 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: 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 6:18 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James P. Crozier, Chairman

Theodore L. Voorhees, County Administrator