

**BOARD OF SUPERVISORS MINUTES**

**AUGUST 13, 2019**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, August 13, 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:

- Russell Henderson      5 Years      Assistant Commonwealth's Attorney
- Aaron Caine              5 Years      Director of Public Works
- Robin Coppa             10 Years     Library Aide
- Mary Lindsay            15 Years     Collection Attendant
- Donna Sears              15 Years     Chief Deputy Circuit Court
- Nancy Orndorff         20 Years     Collection Attendant
- James Dillow            20 Years     Collection Attendant

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

- Ryan Brown              5 Years      OCSO Deputy Investigator
- Roberta Perry            15 Years     Library Aide

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: 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)	\$ (2,400.00)	\$ (2,900.00)
43520003-43115	Prof. Serv. - Emergency Vet	500.00	2,400.00	2,900.00
30033501-33250	Miscellaneous	(54,550.00)	(750.00)	(55,300.00)
48150007-46800	Prog. Exp. - ED Workshops	1,750.00	750.00	2,500.00
30033501-33250	Miscellaneous	(54,550.00)	(750.00)	(55,300.00)
48150007-46800	Prog. Exp. - ED Workshops	1,750.00	750.00	2,500.00
30026501-32425	Friends of Library Donations	(293.96)	(600.00)	(893.96)
47311001-46800	Library Program Expenses	3,790.00	600.00	4,390.00
30052001-39900	Appropriated Fund Balance	(1,404,678.00)	(2,033.00)	(1,406,711.00)
49210001-45625	Misc. - Fraud Losses	0.00	2,033.00	2,033.00

43231001-43125	Employee Physicals	36,000.00	(2,000.00)	34,000.00
49310001-47312	To County Capital Projects	1,098,878.00	2,000.00	1,100,878.00
49400003-48165 C1161	Ext. & Dryer - Turnout Gear	30,000.00	2,000.00	32,000.00
30051003-39100	Transfer from General Fund	(1,098,878.00)	(2,000.00)	(1,100,878.00)
30052010-39900	Appropriated Fund Balance	0.00	(15,000.00)	(15,000.00)
44231001-43370	Grounds Maintenance	12,000.00	15,000.00	27,000.00
30045005-35800	Emergency Services Grants	0.00	(25,255.00)	(25,255.00)
49400003-48160 C1041	Autopulse Replacement	16,155.00	14,871.00	31,026.00
49400003-48160 C1139	AEDs Emergency Med. Equip.	11,152.00	10,384.00	21,536.00
44271001-43200	Contract Services - CVRJ	0.00	10,200.00	10,200.00
30051006-39100	Transfer from General Fund	(2,141,375.00)	(10,200.00)	(2,151,575.00)
49310001-47513	To Landfill Fund	2,141,375.00	10,200.00	2,151,575.00
30052001-39900	Appropriated Fund Balance	(1,404,678.00)	(10,200.00)	(1,414,878.00)
<b>TOTALS</b>		<b>\$ (2,806,152.96)</b>	<b>\$ 0.00</b>	<b>\$ (2,806,152.96)</b>

RE: RENEWAL OF THE CONTRACT WITH BOUND TREE MEDICAL, LLC

As part of the Consent Agenda, the Board authorized staff to renew the contract with Bound Tree Medical, LLC for three (3) months, per the original contract terms, as presented.

RE: SURPLUS DISPOSITION OF COUNTY VEHICLES

As part of the Consent Agenda, the Board declared a 2008 Dodge Charger (VIN# 9793) and a 2016 Dodge Charger (VIN# 5303) as surplus and authorized staff to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy, as presented.

RE: ADOPTION OF THE CAPITAL IMPROVEMENTS PLAN (CIP) SCHEDULE

As part of the Consent Agenda, the Board adopted the following schedule for the development and adoption of the FY2021 - FY2025 Capital Improvements Plan, as presented:

Date	Action
Wednesday, August 14, 2019	CIP Info Distributed to Project Managers
Friday, August 23, 2019	CIP Requests Due from Project Managers
Friday, September 27, 2019	CIP Meetings with Departments Complete
Tuesday, October 22, 2019	CIP Draft to Board of Supervisors
Wednesday, November 13, 2019	CIP Potential Worksession
Tuesday, December 3, 2019	CIP Discussion/Adoption

RE: MINUTES

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

- July 9, 2019 Regular Meeting

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: AVIGATION EASEMENT ACQUISITION; ADDITIONAL SERVICES

Kurt Hildebrand, Assistant County Administrator for Operations, explained that the Board had recently authorized the acquisition of easements on three (3) parcels east of the Orange County Airport, shown to obstruct the approach of Runway 26. He presented a request from the landowner for additional survey work to be performed, above and beyond the standard, in order to identify the specific trees that presented an obstruction.

Mr. Hildebrand indicated that he had requested pricing for the additional services from Delta Airport Consultants, with work to be performed by sub-consultant Greenway Engineering. He explained that cost savings within Delta's current task order would cover most of the cost associated with the additional survey work and may even be eligible for future grant reimbursement.

Discussion ensued among the Board regarding: plans for addressing future tree growth.

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to execute Delta Airport Consultant Task Order No. 1 - Amendment 1, in the amount of \$4,700, contingent on approval by the FAA and approval as to form by the County Attorney, as presented.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: OFFICE ON YOUTH COLLECTION PROCEDURES

Alisha Vines, Office on Youth Director, presented a proposed policy regarding Office on Youth accounts placed for delinquent collections. She explained that the policy provided a consistent process for collection efforts and established a timeframe in which long-standing accounts could be closed out. Ms. Vines requested consideration of the policy and authorization to review and close current collection accounts in accordance with the policy.

Discussion ensued among the Board regarding: ceasing of child care services for non-payment as a means of limiting delinquent balances; continuing to provide critical services for at-risk youth, despite delinquency; methods for attempting to collect funds; and the total amount of accounts to closed in accordance with the policy.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved the Office on Youth Collection Policy, effective August 1, 2019, and authorized staff to close collection accounts older than two years, in accordance with the Collection Policy, as presented.

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

RE: REAL ESTATE & PERSONAL PROPERTY TAX EXEMPTIONS FOR NON-PROFIT ORGANIZATIONS; SCHEDULE PUBLIC HEARING FOR TRIENNIAL RENEWALS

Glenda Bradley, Assistant County Administrator for Management Services, explained that during the recent worksession, the Board requested a triennial renewal process for tax exempt properties. She noted that, in order to do so, an ordinance and 60 days' notice to the affected organizations was required by State Code. Accordingly, Ms. Bradley presented a recommended timeline in which to implement the renewal procedure, starting with the necessary public hearing.

Discussion ensued among the Board regarding: tracking turnover of personal property when exempt; and the ability of the Commissioner's Office to process the applications.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to advertise for and schedule a public hearing on the proposed ordinance requiring a triennial renewal for tax exemptions, as allowed by §58.1-3605 of the Code of Virginia, on Tuesday, September 10, 2019, at 7:00 p.m., as presented.

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

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 requested consideration to move the advertised start time for Public Comment to earlier in the meeting.

By consensus, the Board agreed to change the advertised start time for Public Comment from 7:00 p.m. to 5:30 p.m.

Supervisor Frame recognized the staff at the Orange County Animal Shelter for positive feedback he received regarding a recent adoption experience.

Supervisor Johnson commented on the success of the Orange County Public Schools' convocation ceremony, giving special note to the singers and guest speaker.

Supervisor Crozier noted details of the statistics in the VASAP Annual Report.

Chairman White mentioned the recent approval of the CIP creation and adoption schedule, noting creation of a proposed CIP and process for Orange County Public Schools.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Tourism Quarterly Report
- April 18, 2019 Rapidan Service Authority Meeting Minutes
- May 16, 2019 Rapidan Service Authority Meeting Minutes
- May 31, 2019 Health Center Commission Meeting Minutes
- Thank You Letter from Orange County Free Clinic
- District Nine VASAP Annual Report for 2018

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board re-appointed Sonja "Sunnie" Capelle as a member of the Barboursville Village Overlay District Advisory Committee (BVODAC) for a two-year term, with said term commencing October 1, 2019, and expiring on September 30, 2021.

RE: CALENDAR

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

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 19-01

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing on ZTA 19-01 (Planned Development - Mixed-Use) on Tuesday, August 27, 2019 at 7:00 p.m., as presented.

RE: SCHEDULE A PUBLIC HEARING FOR STA 19-03

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing on STA 19-03 (Individual Road, Access, and Road Network Design Standards) on Tuesday, September 10, 2019 at 7:00 p.m., as presented.

RE: CLOSED MEETING

At 5:38 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 and consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of a specific employee of the public body. - §2.2-3711(A)(1) of the Code of Virginia
- Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly-held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning a radio tower site. - §2.2-3711(A)(3) of the Code of Virginia
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning Orange Volunteer Rescue Squad. - §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 requiring the provision of legal advice by such counsel concerning ordinance amendments, a contract amendment, private road matters, and the Town of Orange. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(3), (A)(7), and (A)(8) 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 6:43 p.m., Ms. Simpson 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 Orange County Board of Supervisors 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: COUNTY ADMINISTRATOR'S REPORT (Continued)

RE: STORMWATER MANAGEMENT PLAN

R. Bryan David, County Administrator, stated that the Department of Environment Quality (DEQ) had administered the Stormwater Management Plan for the County since 2014, as permitted by State Code. He explained that the Board had expressed interest in locally administering the program, particularly after recent feedback regarding inconsistencies with the current process. Mr. David briefly reviewed the process necessary to establish and implement a local plan.

Mr. David requested authorization to initiate the process to administer the Stormwater Management Plan locally, which included: issuance of a Request for Proposals (RFP) for professional engineering services and adoption of a local ordinance.

Discussion ensued among the Board regarding: the availability of model ordinance language; strict requirements of the ordinance language; receipt of community feedback; and use of a third-party engineer at the cost of the applicant.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to prepare and issue a Request for Proposals (RFP) for Stormwater Engineering and Planning Services, following receipt of comments or revisions from the Board of Supervisors, as presented.

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

RE: PUBLIC COMMENT

At 6:59 p.m., Chairman White opened the floor for public comment.

The following individual spoke:

- Clint Hyde, Representative of Madison Gigabit Internet

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

RE: ADJOURN

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adjourned the meeting at 7:03 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

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James K. White, Chairman

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R. Bryan David, County Administrator