

**BOARD OF SUPERVISORS MINUTES**

**SEPTEMBER 11, 2018**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, September 11, 2018, 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 modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

**RE: CONSENT AGENDA**

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

**RE: FY18 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)**

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>PREVIOUS BUDGET</b>	<b>BUDGET CHANGE</b>	<b>AMENDED BUDGET</b>
43560001-43415	E911 Exp. & Maint. Etc.	\$ 113,671.00	\$ 56,351.00	\$ 170,022.00
30045035-36075	EMS / E911 Grant	(2,000.00)	(56,351.00)	(58,351.00)
43231002-46800	Four for Life Expenses	25,642.00	(17,000.00)	8,642.00
49310001-47312	To County Capital Project	1,173,754.00	17,000.00	1,190,754.00
49400003-48160 C1116	Ultrasound Equipment	23,000.00	17,000.00	40,000.00
30051003-39100	Transfer from General Fund	(1,173,754.00)	(17,000.00)	(1,190,754.00)
<b>TOTALS</b>		<b>\$ 160,313.00</b>	<b>\$ 0.00</b>	<b>\$ 160,313.00</b>

**RE: FY19 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)**

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>PREVIOUS BUDGET</b>	<b>BUDGET CHANGE</b>	<b>AMENDED BUDGET</b>
30030006-33500	Donations - Animal Shelter	\$ (2,982.42)	\$ (775.00)	\$ (3,757.42)
43520003-43115	Prof. Serv. - Emergency Vet	1,670.42	775.00	2,445.42
30030006-33500	Donations - Animal Shelter	(2,982.42)	(24,000.00)	(26,982.42)
43520003-43115	Prof. Serv. - Emergency Vet	1,670.42	24,000.00	25,670.42
<b>TOTALS</b>		<b>\$ (2,624.00)</b>	<b>\$ 0.00</b>	<b>\$ (2,624.00)</b>

RE: RESOLUTION OF APPRECIATION FOR JAY BILLIE

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

A RESOLUTION OF APPRECIATION FOR  
*Jay Billie*

WHEREAS, Jay Billie has faithfully served the citizens of Orange County as a member of the Tourism Advisory Committee for five (5) years, beginning his service in 2013, and was one of the inaugural members of the Committee, serving most of his time as Chairman; and

WHEREAS, the Tourism Advisory Committee was created to serve in an advisory capacity for the tourism community to the Tourism Manager and the Board of Supervisors, making recommendations and developing long-range plans to further the County's tourism efforts and increase awareness and visitation; and

WHEREAS, in keeping with the intended purpose, Jay Billie has made substantial contributions toward tourism efforts throughout the County and to the continued success and operation of the Tourism Department, giving selflessly of his time and talents; and

WHEREAS, during his service, Jay Billie was instrumental in the development of the Wedding Tour; creation of the Inns at Montpelier; the creative implementation of the "Simply Stunning" tagline; the receipt of various grant funding; development and launching of the first public-private Tourism promotional video; and has been an integral part of the research related to short-term rentals; and

WHEREAS, whether it be attending a Tourism Advisory Committee meeting, presenting information to the Board of Supervisors, or advocating for the inns of the County, Jay Billie has, at all times, been regarded as a champion for, and integral part of, Orange County's tourism industry, and has made an impact through his participation and involvement; and

WHEREAS, while Jay Billie's service on the Tourism Advisory Committee officially began in 2013, he has arguably been a strong advocate for tourism-related initiatives in the County for many years, with contributions pre-dating his Committee service;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby extends its admiration and appreciation to Jay Billie for his service, passion, and dedication on the Tourism Advisory Committee and to the longevity of the tourism industry of Orange County.

RE: RESOLUTION OF APPRECIATION FOR WALLY ROSHEIM

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

A RESOLUTION OF APPRECIATION FOR  
*Wally Rosheim*

WHEREAS, Wally Rosheim has faithfully served the citizens of Orange County as a representative on the Orange County Library Board of Trustees for thirteen (13) years, beginning his service in 2005; and

WHEREAS, the Library Board of Trustees was formed as a policy-making body, responsible for all aspects of the governance of the Orange County Public Library System, including expenditures, budgeting, and operations; and

WHEREAS, in keeping with the intended purpose, Wally Rosheim has made substantial contributions toward library services throughout the County and to the continued success and operation of the Orange County Public Libraries, giving selflessly of his time and talents; and

WHEREAS, during his service, Wally Rosheim was instrumental in lobbying for funding through the Board of Supervisors; keeping the Libraries refreshed and relevant, both in terms of appearance and materials; managing differing relationships on the Library Board and being a driving force and a positive influence; and assisting in the development and implementation of long-range plans and various community meetings; and

WHEREAS, whether it be attending a Library Board meeting, volunteering in the Libraries himself, or visiting staff at the Libraries, Wally Rosheim has, at all times, demonstrated a keen interest in the welfare of his community and its citizens, and has been known for his calming demeanor, emotional investment, and genuine interest, all of which has left a permanent mark on the County through his service, passion, and dedication;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby extends its admiration and appreciation to Wally Rosheim for his determination, commitment, and devoted service on the Orange County Library Board of Trustees and to the longevity of the Orange County Public Library System.

RE: RESOLUTION OF RECOGNITION FOR THE ORANGE VOLUNTEER FIRE COMPANY  
As part of the Consent Agenda, the Board adopted the following resolution, as presented:

A RESOLUTION OF RECOGNITION FOR  
*the Orange Volunteer Fire Company*

WHEREAS, each year, the Virginia State Firefighters Association hosts an Annual Conference in Hampton, Virginia, and 2018 marked the 132<sup>nd</sup> Annual Conference; and

WHEREAS, a portion of the Annual Conference includes a competition where about a dozen teams from fire agencies across Virginia come together to compete in eight (8) different events that test the firefighters' teamwork, skill, and speed; and

WHEREAS, first, second, and third place winners from each event are awarded team points, which are ultimately used to determine the overall event winner; and

WHEREAS, during the August, 2018, competition, the Orange Volunteer Fire Company placed in the Top 3 in six (6) out of the eight (8) events, finishing with five (5) First Place finishes, and a total award of 28 points; and

WHEREAS, this year's competition team was led by Coach Jimmy Fitch, and team members included William Yancey, Will Brown, Bryan Seal, Will Brockman, Dave Brown, Whit Jacobs, Tommy Lillard, Larry Heiston, Matt Wilson, Greg Conley, W. A. Hogsten, Jake Koontz, Danny Mallory, Mike Yancey, and Jason Morris; and

WHEREAS, for the 15<sup>th</sup> year in a row, the Orange Volunteer Fire Company won the Virginia State Firefighters Association competition, bringing home the William Packet Memorial Award for having the most team points, earning them their 21<sup>st</sup> overall win;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby recognizes the Orange Volunteer Fire Company and its competition team members for their 15<sup>th</sup>-straight victory in the Virginia State Firefighters Association competition, for their sincere passion for firefighting, and for the distinguished service provided to the citizens of Orange County.

RE: RESOLUTION TO REQUEST WESTWIND DRIVE BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS AS A RURAL ADDITION  
As part of the Consent Agenda, the Board adopted the following resolution, as presented:

RESOLUTION TO REQUEST THAT WESTWIND DRIVE BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the street described below currently serves at least three (3) families and was established more than twenty (20) years ago, prior to July 1, 1998, at which time it was used by motor vehicles as a public access; and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.2-335, Code of Virginia, and is therefore eligible to make qualifying additions to the Secondary System of State Highways maintained by the Virginia Department of Transportation and fund necessary improvements as set out therein, except as otherwise prohibited by subsection B of §33.2-336, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the road; and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified available funding to make improvements required to qualify the street for addition to the aforesaid Secondary System of State Highways, based on the Virginia Department of Transportation's cost estimate of \$214,000;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby requests, pursuant to §33.2-335, Code of Virginia, that the following street be added to the Secondary System of State Highways maintained by the Virginia Department of Transportation, and hereby guarantees the right-of-way of the street to be clear, unencumbered, and unrestricted, which right-of-way guarantee shall include any necessary easements required for cuts, fills, and drainage:

Name of Subdivision:	Recorded as "Crofton"
Name of Street:	Westwind Drive
From:	Route 20
To:	Cul-de-Sac
Length:	0.39 Miles
Guaranteed ROW Width:	Fifty (50) Feet
ROW Instrument Reference:	Plat Cabinet A, Page 46
Recorded On:	April 14, 1978

BE IT FURTHER RESOLVED, that this Board requests the Virginia Department of Transportation improve said street to the prescribed minimum standards, funding said improvements with 2016-2019 VDOT Rural Addition Funds in the amount of \$214,000, as identified in Project # 1039-068-616, N-501 (UPC 113734) of the Orange County Secondary Six-Year Plan, as adopted on May 22, 2018; and

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right-of-way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements, or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RE: RESOLUTION TO REQUEST MOUNTAIN VIEW COURT BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS AS A RURAL ADDITION

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

RESOLUTION TO REQUEST THAT A PORTION OF MOUNTAIN VIEW COURT BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the street described below currently serves at least three (3) families and was established more than twenty (20) years ago, prior to July 1, 1998, at which time it was used by motor vehicles as a public access; and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.2-335, Code of Virginia, and is therefore eligible to make qualifying additions to the Secondary System of State Highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.2-336, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the road; and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified available funding to make improvements required to qualify the street for addition to the aforesaid Secondary System of State Highways, based on the Virginia Department of Transportation's cost estimate of \$95,000;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby requests, pursuant to §33.2-335, Code of Virginia, that the following street be added to the Secondary System of State Highways maintained by the Virginia Department of Transportation, and hereby guarantees the right-of-way of the street to be clear, unencumbered, and unrestricted, which right-of-way guarantee shall include any necessary easements required for cuts, fills, and drainage:

Name of Subdivision:	Rapidan Hills
Name of Street:	Mountain View Court
From:	Intersection with Ridge View Drive
To:	North to Cul-de-Sac
Length:	0.11 Miles
Guaranteed ROW Width:	Fifty (50) Feet
ROW Instrument Reference:	Plat Cabinet D, Page 10
Recorded On:	April 5, 1990

BE IT FURTHER RESOLVED, that this Board requests the Virginia Department of Transportation improve said street to the prescribed minimum standards, funding said

improvements with 2019-2020 VDOT Rural Addition Funds in the amount of \$95,000, as identified in Project # 1053-068-617, N-501 (UPC 113733) of the Orange County Secondary Six-Year Plan, as adopted on May 22, 2018; and

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right-of-way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT YET FURTHER RESOLVED, that this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements, or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RE: SURPLUS DISPOSITION OF COUNTY VEHICLES

As part of the Consent Agenda, the Board declared a 2007 GMC Medic Unit (VIN# 3332) and a 2004 Dodge Intrepid (VIN# 1383) as surplus and authorized staff to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy, as presented.

RE: RENEWAL OF THE VOLUNTEER PROPERTY AND CASUALTY INSURANCE

As part of the Consent Agenda, the Board authorized staff to renew the contract for Volunteer Fire & Rescue Insurance with Indaco Risk Advisors through Selective Insurance for Property and Casualty coverage and Chesterfield Insurers through Hartford Life for a period of one (1) year, with the understanding that funds were appropriated in Line Item 43220002-46840, as presented.

RE: FY2018-2019 PERSONNEL ASSIGNMENT PLAN IMPLEMENTATION; PHASE I

As part of the Consent Agenda, the Board approved the following job descriptions, as presented, and authorized the County Administrator to modify the job descriptions, as deemed necessary and appropriate:

- Assistant County Administrator for Management Services
- Assistant County Administrator for Operations
- Director of Public Works
- Director of Management Services / Assistant Public Information Officer
- Finance Manager
- Human Resources Specialist
- Procurement Coordinator
- Programs and Facilities Supervisor
- Project Manager

RE: APPOINTMENT OF INTERIM ZONING ADMINISTRATOR AND SUBDIVISION AGENT

As part of the Consent Agenda, the Board authorized staff to prepare the appropriate resolution to appoint the County Administrator, or his designee, as Interim Zoning Administrator and Subdivision Agent, as presented.

RE: MINUTES

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0-1, with Mr. Frame abstaining, the Board approved the August 14, 2018 Worksession minutes and the August 14, 2018 Regular Meeting minutes, as presented.

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

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: SERVICE AWARDS

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

- |                  |          |                            |
|------------------|----------|----------------------------|
| - Joseph Falin   | 5 Years  | Child Care Manager         |
| - Debbie Wareham | 5 Years  | Custodian                  |
| - Karen Gibson   | 10 Years | Human Resources Specialist |

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

- |                       |          |                                   |
|-----------------------|----------|-----------------------------------|
| - Clarence Washington | 5 Years  | Collection Attendant              |
| - Ray Elswick         | 5 Years  | Landfill Administrative Assistant |
| - Helen Scott         | 15 Years | Collection Attendant              |
| - Lillian Brown       | 15 Years | Collection Attendant              |

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR JAY BILLIE

Chairman White read the Resolution of Appreciation and presented a signed, framed copy to Jay Billie. Collectively, the Board thanked him for his service to Orange County.

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR WALLY ROSHEIM

This item was struck from the agenda.

RE: PRESENTATION OF A RESOLUTION OF RECOGNITION FOR THE ORANGE VOLUNTEER FIRE COMPANY

Chairman White read the Resolution of Recognition and presented a signed, framed copy to Lieutenant Jimmy Fitch, Chief Emeritus Loris Clements, and Firefighter Will Brockman.

RE: INTRODUCTION OF EMERGENCY COMMUNICATIONS CENTER DIRECTOR

R. Bryan David, County Administrator, introduced Ms. Domonique Curry, newly-hired Emergency Communications Center Director, to the Board. Ms. Curry gave a brief introduction.

The Board welcomed Ms. Curry to Orange County.

RE: INTRODUCTION OF CHIEF OF FIRE AND EMERGENCY MEDICAL SERVICES

R. Bryan David, County Administrator, introduced Mr. Nathan Mort, newly-hired Chief of Fire and Emergency Medical services, to the Board. Chief Mort gave a brief introduction.

The Board congratulated Chief Mort on his recent promotion.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: ORDINANCE FOR SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY AND CONSIDERATION TO SCHEDULE PUBLIC HEARING

R. Bryan David, County Administrator, explained the Board had previously reviewed and discussed an ordinance amendment concerning the short-term rental of residential property in Orange County. He indicated that, following discussion at the August 14, 2018 meeting, the Commissioner of the Revenue had agreed to be designated as the enforcing authority for the registry of said short-term rentals. Mr. David presented the ordinance amendment language to the Board, adding that it would be appropriate to schedule the matter for public hearing at this time.

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 for the ordinance concerning the short-term rental of residential property on Tuesday, October 9, 2018, at 7:00 p.m.

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

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: BERRY HILL STATION UPDATE

Aaron Caine, Public Works Director, and Nathan Mort, Chief of Fire and EMS, presented a PowerPoint presentation to the Board, which included information on the following: photographs of the various segments of the Berry Hill Station; a review of the work to be completed in each segment; an overview of the project timeline; a review of each of the project phases and budget; and overall next steps in the project.

Discussion ensued among the Board regarding: the reason for changing the sprinkler heads; procurement of the project; phasing of the project; the identified source of funds; concerns with the condition of the project as currently proposed; and improvements to the project scope.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized the appropriation of \$118,000 to the Berry Hill Station project, based on estimates provided by staff, to be used for identified renovations and improvements, as presented.

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

RE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT AWARD

Nathan Mort, Chief of Fire and EMS, indicated that the Orange County Department of Fire and EMS had been awarded \$846,000 in Federal grant funds to purchase 132 self-contained breathing apparatus (SCBA) with spare cylinders and 66 additional face masks. He noted that the grant award would be used to properly outfit every eligible seat on the collective apparatus of the volunteer agencies. Additionally, the 10% grant match had been budgeted and appropriated.

The Board congratulated the Department of Fire and EMS on the receipt of said grant.

RE: DECLARATION OF LOCAL STATE OF EMERGENCY FOR HURRICANE FLORENCE

R. Bryan David, County Administrator, explained that Hurricane Florence was expected to impact the County in the coming days, and briefly reviewed the protocol related to the local Emergency Operations Plan.

Nathan Mort, Chief of Fire and EMS, reviewed the preparation efforts that had taken place to-date, as well as response efforts that were planned for the coming days.

Discussion ensued among the Board regarding: efforts related to sheltering of residents, if necessary; when there would be a better understanding of the weather impacts; a contingency plan or back-up plan for emergency response; mobilization of the National Guard; and the need and appropriateness of declaring a local state of emergency.

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

**RESOLUTION TO DECLARE A LOCAL STATE OF EMERGENCY ON  
SEPTEMBER 11, 2018, FOR HURRICANE FLORENCE**

WHEREAS, beginning on Tuesday, September 11, 2018, Orange County anticipated potential impacts from impending Hurricane Florence, based on current weather forecasts; and

WHEREAS, the County Administrator and Chief of Fire and EMS recommended that a Local State of Emergency be declared; and

WHEREAS, at its meeting on Tuesday, September 11, 2018, pursuant to §44-146.21 VA Code Ann., the Chairman of the Board of Supervisors, as the Local Director of Emergency Management, requested the Board's consideration to adopt this resolution declaring a Local State of Emergency in the County, ahead of the arrival of Hurricane Florence, because it seemed apparent that the impacts of the storm could result in damages or injuries to the population and property in Orange County, and in order to activate the local Emergency Operations Plan to immediately address the emergency;

NOW, THEREFORE, BE IT RESOLVED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby declares a Local State of Emergency beginning at 5:00 p.m. on Tuesday, September 11, 2018, pursuant to §44-146.21 VA Code Ann.; and

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes application to the State and/or Federal governments for reimbursement of qualifying expenditures made by qualifying entities during the Local State of Emergency.

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

RE: COUNTY ADMINISTRATOR'S REPORT

RE: CLERK'S OFFICE RENOVATION

R. Bryan David, County Administrator, explained that a Capital Improvements Plan (CIP) project had been identified for FY19 involving the renovation and reuse of the Historic Clerk's Office. He indicated the Department of Economic Development and Tourism staff would occupy and operate from the building upon completion of the project.

Mr. David provided information to the Board regarding the Community Facilities Direct Loan and Grant Program through USDA Rural Development, which the County could qualify for to fund the project. He noted the low-interest loan provided a term of forty (40) years, but there were no penalties for prepayment.

Mr. David indicated the first step would be to engage Wiley|Wilson to complete a Preliminary Architectural Report (PAR), which would provide detailed cost estimates and other pertinent information about the project. Staff was working to develop a scope of services, budget, and schedule for the PAR, which would be presented to the Board in the coming weeks. He stated the cost of the PAR would be reimbursed from the loan proceeds.

Mr. David explained the loan would take the form of lease-revenue debt issued by the Orange County Economic Development Authority, and the EDA would be briefed at its next

meeting. Additionally, installment payments would be programmed into the CIP to pay off the loan over the next few fiscal years, as the project was only expected to be financed for a short time.

Discussion ensued among the Board regarding: potential better ways to finance the project; the HVAC system in the building; an interest rate comparison; and the desire to see the preliminary report from Wiley|Wilson before proceeding.

The Board took the information regarding the Historic Clerk's Office renovation under advisement, and there was no action taken at this time.

RE: RETAIL RECRUITMENT, MOBILE VISITOR INSIGHTS, AND VISITOR ACQUISITION SOLUTION

R. Bryan David, County Administrator, indicated that the Department of Economic Development would benefit by better understanding and analyzing the consumer market of the Germanna-Wilderness Area in order to recruit high-value retailers and restaurants. He added that such consumer market analysis would also make data available to small business owners so they could better target their local customers. Additionally, another set of analytics could assist the Tourism Department from a consumer profile and geographic market standpoint.

Mr. David provided a proposal to the Board from Buxton, a firm that was prepared to perform said analyses and analytics. He reviewed the objectives of the proposal, which was designed for local governments to develop market strategies related to retail recruitment and retention as well as visitor attraction. Mr. David noted that funding was available through Economic Development and Tourism for Year 1 of the proposal, and the two additional years would be funded as part of the annual operating budget development. He requested the Board's consideration of the proposal.

Discussion ensued among the Board regarding: the interesting information that could be obtained through these analyses and analytics; and the use of the analytics for GWAP.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the concept of the Retail Recruitment, Mobile Visitor Insights, and Visitor Acquisition Solution submitted by Buxton, as presented.

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

RE: CLOSED MEETING

At 6:16 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 of the performance of the County Administrator, and discussion concerning the demotion, 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, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. - §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 concerning a FOIA request, service districts, and derelict structures, requiring the provision of legal advice by such counsel. - §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. 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: RECESS CLOSED MEETING  
The Board recessed Closed Meeting at 7:04 p.m.

RE: PUBLIC COMMENT  
At 7:04 p.m., Chairman White opened the floor for public comment.

There being no speakers, public comment was closed at 7:04 p.m.

RE: PUBLIC HEARING #1: SUP 17-08; PHASE II OF THE PREDDY CREEK TRAIL PARK  
Thomas Wysong, Planner, reviewed the staff report and Special Use Permit (SUP) request from Albemarle County, which included information on the location and specifications of the subject property, the request to open and operate Phase II of the Preddy Creek Trail Park, and the conditions of the application. He indicated that following the Planning Commission's public hearing on July 19, 2018, the vote resulted in a recommendation of approval.

Discussion ensued among the Board regarding: exclusive access via right-of-way for Ms. Petofi.

At 7:08 p.m., Chairman White called the Public Hearing to order to receive comments on the following:

SUP 17-08  
The Board of Supervisors will consider an application by Albemarle County for a Special Use Permit to open and operate Phase II of the Preddy Creek Trail Park in Orange County; the park is accessed via 3690 Burnley Station Road in Albemarle County. This request is pursuant to Sec. 70-303(16) of the Orange County Zoning Ordinance. The subject property is 104 acres in size, referenced by Tax Map No. 52-59, and is situated at the confluence of Albemarle, Orange, and Greene Counties. Phase II of the Park involves the construction and operation of multi-use trails (hiking, biking, and equestrian) for patrons. The subject property is zoned Agricultural (A) and is within the Agricultural A2 Future Land Use Map designation in the Orange County Comprehensive Plan.

There being no speakers, Chairman White closed the Public Hearing at 7:08 p.m.

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

ORDINANCE APPROVING SUP 17-08 TO ALLOW THE OPENING AND OPERATING OF PHASE II OF THE PREDDY CREEK TRAIL PARK ON TAX MAP NO. 52-59, REQUESTED BY ALBEMARLE COUNTY

WHEREAS, Albemarle County applied for a Special Use Permit to open and operate Phase II of the Preddy Creek Trail Park on property referenced as Tax Map No. 52-59, containing a total of approximately 104 acres, pursuant to Section 70-303 (16) of the Orange County Zoning Ordinance; and

WHEREAS, the Department of Planning and Zoning recommended conditional approval of this Special Use Permit; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the Special Use Permit request on July 19, 2018; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; threaten the public health, safety, or welfare; be compatible with its surroundings; or would result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above, and, as such, recommended approval of the request to the Board of Supervisors, as modified during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and held a Public Hearing on the Special Use Permit request on September 11, 2018; and

WHEREAS, after deliberation, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit request, as presented during its Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 11<sup>th</sup> day of September, 2018, that the Orange County Board of Supervisors hereby approves SUP 17-08 for Tax Map No. 52-59 for a Special Use Permit to open and operate Phase II of the Preddy Creek Trail Park, subject to the four (4) conditions as set forth below.

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

Conditions for Approval

As adopted in Ord. No. 180911 - PH1  
by the Orange County Board of Supervisors  
on September 11, 2018

SUP 17-08: Albemarle County

*To open and operate Phase II of the Preddy Creek Trail Park*

*Tax Map No. 52-59*

The conditions of this Special Use Permit ("SUP") shall apply to the properties identified on County Tax Map No. 52-59, as well as any future division or consolidation of said properties. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans or application are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived, or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the Special Use Permit, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling Documents – Controlling documents shall be the conditions as set forth herein and the documents submitted with the application dated November 16, 2017.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance."

The property owner shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning permits, stormwater permits, and erosion and sediment control permits.

3. Uses – This SUP shall permit the operation of Phase II of Albemarle County's Preddy Creek Trail Park as a public park.
4. Standards and Conditions –
  - a. Albemarle County shall maintain markers, fencing, and/or some other form of demarcation around the perimeter of the property within Orange County to clearly illustrate, on the ground, the boundaries of the park, as well as the approximate dividing line between Orange County and Albemarle County.
  - b. Albemarle County shall install and maintain a sign along Arto Road near the property boundary that clearly alerts people that access point is not a public park entrance, states no parking is permitted at that point or along Arto Road, and also provides the primary park access address for GPS purposes.
  - c. Prior to approval of this SUP by the Board of Supervisors, the Albemarle County Police Department (ACPD) shall execute a Memorandum of Understanding (MOU) with the Orange County Sheriff, the purpose of which, among other things, shall be to designate ACPD as the primary law enforcement provider for all portions of the park within Orange County.
  - d. No commercial timbering of the property shall be allowed for as long as the property is used for public recreational purposes.
  - e. A riparian buffer at least 35 feet in width shall be maintained from the top of the bank of any perennial or intermittent stream on the property. No trail development shall occur within this area except for crossings. Albemarle County shall receive written approval from Orange County to install any crossing in order to ensure any such crossing meets the requirements of Chapter 26 of the Orange County Code (Erosion and Sediment Control).
  - f. At any point should Albemarle County begin levying fees for access and/or use of Preddy Creek Trail Park, Orange County residents shall be charged fees no higher than those charged to Albemarle County residents.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS (Continued)

RE: CARRY FORWARD REQUESTS FROM FY18 TO FY19

Glenda Bradley, Assistant County Administrator for Management Services, explained that there were expenditures planned for projects, grants, and other items that remained incomplete at the end of each fiscal year for a variety of reasons. She added that departments had submitted a list of these "carry forward requests," which had been individually reviewed and evaluated by the County Administrator. Ms. Bradley indicated that donations and grant carry forwards were reconciled to the accounting system; all other requests were evaluated to confirm they were actually for planned projects.

Ms. Bradley stated that an amendment to the FY19 budget was requested in order to carry forward balances of the identified activities from FY18 in the amount of \$614,717. She noted that \$482,004 of the total would be funded from the General Fund. Ms. Bradley reminded the Board that this total did not include capital project funds as they were appropriated for the life of the project.

Discussion ensued among the Board regarding: the Landfill carry forward request.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved the carry forward requests from Fiscal Year 2018 to Fiscal Year 2019, as presented.

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

RE: ADOPTION OF THE FY20 BUDGET CALENDAR

Glenda Bradley, Assistant County Administrator for Management Services, presented the proposed budget calendar for Fiscal Year 2020 to the Board for its consideration. She explained that the calendar was similar to the one adopted last year, and included several budget worksessions, which would be held as needed.

Discussion ensued among the Board regarding: removal of the School Board budget presentation, in keeping with last year's schedule; and whether the worksessions would be necessary.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the FY 2020 Budget Calendar, as modified.

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

RE: SELECTION OF THE BARBOURSVILLE TOWER SITE FOR THE P25 RADIO SYSTEM

Kurt Hildebrand, Assistant County Administrator for Operations, presented two site options to the Board for installation of a 195-foot public safety communications tower at the Barboursville Collection Site. He explained that Site B was preferred, based on the recommendation from Harris Corporation and Supervisor Johnson, because of its distance from Route 33 and adjoining properties.

Discussion ensued among the Board regarding: the fact that the recommended tower site may have a slightly higher cost, but will be a better-suited location.

By consensus, the Board authorized staff to proceed with Tower Site B for the installation of a 195-foot public safety communications tower at the Barboursville Collection Site, as identified and recommended by staff.

RE: COUNTY ATTORNEY'S REPORT

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

RE: COUNTY ADMINISTRATOR'S REPORT (Continued)

RE: LEGISLATIVE PRIORITIES FOR 2019

R. Bryan David, County Administrator, explained that, in anticipation of the upcoming General Assembly Session, the Board should begin considering its Legislative Priorities for 2019. He provided several legislative resources to the Board for its information. Mr. David indicated that staff was simply seeking input from the Board at this time, and the matter would be brought back for additional discussion at the Regular Meeting on October 9, 2018.

Discussion ensued among the Board regarding: the inclusion of cost-to-compete language.

By consensus, the Board took the information regarding the Legislative Priorities under advisement and agreed to schedule this matter again at its Regular Meeting on October 9, 2018.

RE: PROPOSED STRATEGIC AND LEADERSHIP MANAGEMENT PLAN

R. Bryan David, County Administrator, explained that during the development of its strategic priorities, the Board gave considerable thought and discussion to how each of the priorities could be successfully implemented and managed for success over the long-term. Particularly, the Board focused on how to more effectively position, for innovation and advancement, the County's departments that provide direct services to citizens. Mr. David indicated it was agreed by the Board that a crucial element to provide high-quality and cost-efficient citizen services was having executive management and leadership dedicated to those departments.

Mr. David presented a proposed restructuring of management and leadership responsibilities for the identified departments, which included an executive-level position of Assistant County Administrator for Citizen Services. He explained that this position would provide day-to-day, as well as strategic management and leadership, support to the Departments of Planning and Building Services, Fire and EMS, Parks and Recreation, the Emergency Communications Center, and the Orange County Public Library.

Mr. David noted the first step was to engage a qualified executive search firm to develop a position profile, which would include detailed interviews with Board members and other stakeholders. Once the profile was complete, and with Board approval, the recruitment phase would begin to fill the position.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to proceed with soliciting the services of a qualified executive recruitment firm to develop a position profile for the proposed Assistant County Administrator for Citizen Services position, as presented.

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

RE: ANNUAL COMMENT ON ORANGE COUNTY BY MOODY'S INVESTORS SERVICE

R. Bryan David, County Administrator, provided a copy of the Moody Investors Service Report for 2018. He noted the general overview was that the County had a very good credit position, and its Aa2 rating was level with the US counties median of Aa2 ratings.

The Board took the information regarding the annual comment under advisement, and there was no action taken at this time.

RE: GERMANNA-WILDERNESS AREA PLAN (GWAP) UPDATE

R. Bryan David, County Administrator, stated that a GWAP Town Hall was held on September 5, 2018, related to the Route 3 Arterial Management Plan. He indicated that Zach Harris of Michael Baker International presented the work completed on the Plan and provided an opportunity to receive input from the public prior to finalization of the Plan.

Discussion ensued among the Board regarding: the Planning Commission process to incorporate the Route 3 Arterial Management Plan into the Comprehensive Plan.

The Board took the information regarding the GWAP Town Hall under advisement, and there was no action taken at this time.

RE: BOARD COMMENT

Collectively, the Board encouraged citizens to remember the tragic events on the anniversary of September 11<sup>th</sup>. Additionally, the Board encouraged citizens to prepare appropriately for Hurricane Florence and its anticipated impacts.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Office on Youth Quarterly Report
- May 21, 2018 Health Center Commission (HCC) Minutes
- June 25, 2018 Health Center Commission (HCC) Minutes
- July 3, 2018 Culpeper Soil and Water Conservation District (CSWCD) Minutes
- Thank You Letter from Hospice of the Piedmont
- Culpeper Soil and Water Conservation District (CSWCD) Annual Report
- VDOT Monthly Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board re-appointed Stacy Bursleson as the District Two Representative on the Youth Commission for a four-year term, with said term commencing October 1, 2018, and expiring on September 30, 2022.

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

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of September 2018, October 2018, and November 2018.

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 18-08 (MINOR AND MAJOR GRADING PLANS)

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for ZTA 18-08 (Minor and Major Grading Plans) on Tuesday, October 9, 2018, at 7:00 p.m., as presented.

RE: RECONVENE CLOSED MEETING

The Board reconvened Closed Meeting at 7:50 p.m.

RE: CERTIFICATION OF CLOSED MEETING

At 8:33 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: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 8:33 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