

# ORANGE COUNTY BOARD OF SUPERVISORS

## ACTION AGENDA

TUESDAY, APRIL 26, 2016

### 4:00 P.M. BOARD OF SUPERVISORS WORKSESSION (*Held Before Regular Meeting*)

#### 1. Worksession

- a. Trash and Debris Ordinance: Thomas Lacheney, County Attorney

*By consensus, the Board requested that staff add the proposed trash and debris ordinance to the worksession on May 10, 2016, with the understanding that the revised draft language and the draft written policy statement would be presented to the Board for consideration at that time.*

- b. Proposed Ordinance Amendments for Home-Based Businesses: Josh Frederick, Planning and Zoning Director

*By consensus, the Board requested that the proposed ordinance amendments for home-based businesses be added to the worksession on May 24, 2016 for further discussion and refinement, and formally cancelled the Public Hearing on the matter, which had previously been scheduled for May 25, 2016.*

### 5:00 P.M.

#### 1. CALL TO ORDER

- a. Pledge of Allegiance

#### 2. ADOPTION OF AGENDA

*On the motion of Mr. Goodwin, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adopted the agenda as modified.*

#### 3. SPECIAL PRESENTATIONS AND APPEARANCES

#### 4. CONSENT AGENDA

- a. FY16 Budget Amendments (Supplementals and Transfers): Glenda Bradley, Finance Director

*On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved the FY16 budget amendments, as presented.*

- b. Minutes

*On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved the April 12, 2016 Worksession minutes and the April 12, 2016 Regular Meeting minutes, as presented.*

- c. FY16 Supplemental Appropriations for Orange County Public Schools: Glenda Bradley, Finance Director

*On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved a supplemental appropriation to the FY16 Head Start Fund in the amount of \$198,600, for the Orange County Public Schools, as presented.*

#### 5. OLD BUSINESS

- a. REZ 15-01; Garrett Street, LLC (*Public Hearing held January 26, 2016; continued from April 12, 2016 Board of Supervisors meeting; applicant to attend April 26, 2016 Board meeting*): Josh Frederick, Planning and Zoning Director

*On the motion of Mr. White, seconded by Mr. Crozier, which failed by a vote of 1-4, with Messrs Johnson, Goodwin, Crozier, and Frame voting against, the Board denied the Rezoning request from Robert Springer, on behalf of Garrett Street, LLC.*

#### 6. DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

- a. Tourism Quarterly Report: Leigh Mawyer, Tourism Manager

- ~~b. Airfield Pavement Rejuvenation, Crack Repair, and Remarking: Kurt Hildebrand, Public Works Director~~

#### 7. COUNTY ATTORNEY'S REPORT: Thomas Lacheney, County Attorney

#### 8. COUNTY ADMINISTRATOR'S REPORT: R. Bryan David, County Administrator

- a. Germanna-Wilderness Area Plan (GWAP) Update

- b. Comprehensive Services Act (CSA) Update

#### 9. NEW BUSINESS

- a. Resolution to Adopt and Appropriate the Fiscal Year 2017 Operating and Capital Budgets: R. Bryan David, County Administrator

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

*the resolution to adopt and appropriate the Fiscal Year 2016 Budget, as presented.*

- b. Award of the Contracts for Airport Engineering and Consulting Services: Stephanie Straub, Financial Management Specialist

*On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to enter into contracts with Delta Airport Consultants, Inc. and Talbert & Bright for professional airport engineering and consulting services for a one (1) year term, with the possibility of four (4) additional terms, as presented.*

- c. Orange County Public Schools' Wide-Area Network and Broadband Project: R. Bryan David, County Administrator

*On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to appropriate and transfer \$409,747.77 from the Capital Project Fund balance to the Orange County Public Schools' Capital Project Fund, representing the local match for the proposed fiber optics network project, subject to the award of the Federal Communications Commission's E-Rate grant, as presented.*

*On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board authorized staff to develop a contract with Computer Cabling and Technology, Inc. for the Board of Supervisors' consideration. This contract would include additional fiber strands as part of the Orange County Public Schools' project for the Last Mile Broadband Initiative, the public safety telecommunications project, general government users, potential private sector users, and other elements of the project, as may be appropriate. This contract would be referred to the Broadband Subcommittee for its review and recommendation prior to being considered by the Board.*

## 10. BOARD COMMENT

## 11. INFORMATIONAL ITEMS (NO ACTION REQUIRED)

- a. CSA Monthly Report: Alisha Vines, Office on Youth Director
- b. March 1, 2016 Culpeper Soil and Water Conservation District Minutes
- c. VDOT Monthly Report for April: D. Mark Nesbit, Warrenton Residency Administrator

## 12. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

## 13. CALENDAR

**6:00 P.M. RECESS FOR DINNER**

**7:00 P.M.**

## 14. PUBLIC COMMENT

## 15. PUBLIC HEARING

### HEARING #1

#### **AMENDMENT TO THE TAXATION ORDINANCE**

The Board of Supervisors will consider the adoption of an amendment to the Taxation Ordinance regarding the penalty for late filing or payment of food and beverage taxes. The amendment would update an outdated section of the Orange County Code of Ordinances that has established penalties in excess of what it permitted by law, thus reducing the penalties and aligning the ordinance with State Code.

*On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the ordinance approving amendments to Article IX, Section 58, of the Orange County Code of Ordinances concerning penalties for late filing or payment of food and beverage taxes, as presented.*

### HEARING #2

#### **ORDINANCE TO CREATE THE ORANGE COUNTY BROADBAND AUTHORITY**

The Board of Supervisors will consider the adoption of an ordinance to create and establish the Orange County Broadband Authority in order to facilitate the provision of affordable broadband service to businesses, governmental agencies, and the general public. The ordinance will be considered pursuant to Chapter 54.1 of Title 15.2 of the Code of Virginia.

*On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the resolution to authorize the creation of the Orange County Broadband Authority, as presented.*

## **CLOSED MEETING**

- 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. - *§2.2-3711(A)(1) of the Code of Virginia*
- Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. - *§2.2-3711(A)(5) of the Code of Virginia*
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - *§2.2-3711(A)(7) of the Code of Virginia*

## **ADJOURN**