BOARD OF SUPERVISORS MINUTES **JANUARY 26, 2010**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, January 26, 2010 beginning at 7:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Chairman; S. Teel Goodwin, Vice-Chairman; Shannon Abbs; Zack Burkett; and Grover C. Wilson. Absent: None. Also present: Julie G. Jordan, County Administrator; Sharon Pandak, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adopt the agenda as presented. Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None. Absent: None.

RE: CONSENT AGENDA

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve the following consent agenda items as presented:

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

COUNTY OF ORANGE, VIRGINIA
FY09-10 SUPPLEMENTAL APPROPRIATIONS

MONTH	DEPT	ACCOUNT DESCRIPTION		AMOUNT	Funding Source
January 26, 2010 for **FY2010**					
	Animal Shelter	Emergency Vet	$	7,750.00	Donations
	Animal Shelter	Vaccinations	$	1,235.00	Donations
	Animal Shelter	Emergency Vet	$	2,540.00	Donations
	Animal Shelter	Emergency Vet	$	5,493.00	Donations
	Animal Shelter	Pet Food	$	404.25	Donations
	Subtotal Animal Shelter		**$**	**17,422.25**	
		Total this request	**$**	**17,422.25**	
		Total year to date	**$**	**774,744.96**	

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

Month	Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount	
January 26, 2010 for **FY2010**						
	Human Resources	Res Position Reclass	E911	Salaries	71.41	A
	Human Resources	Res Position Reclass	E911	FICA	5.46	A
	Human Resources	Res Position Reclass	E911	Workers Comp	0.11	A

A Employee completed Emergency Medical Dispatcher training and probation period qualifying for an increase.

RE: CONTINGENCY FUND TRANSFERS

The Board approved a contingency fund transfer in the amount of $21,675.00 from (4.100.91400.9210) to Department of Public Works Snow Removal (4.100.43200.5190) as presented.

RE: MINUTES

The Board approved the following minutes as presented:

- December 15, 2000 Budget Worksession;
- January 5, 2010 Organizational Meeting; and
- January 12, 2010 Regular Meeting.

RE: RESOLUTION OF APPRECIATION FOR WILLIAM G. ROBERTS

The Board approved the following resolution of appreciation for William G. Roberts as presented:

A RESOLUTION BY THE
BOARD OF SUPERVISORS OF ORANGE COUNTY, VIRGINIA
IN RECOGNITION OF

WILLIAM G. ROBERTS

WHEREAS, William G. Roberts, a native of Orange County, has served in a number of capacities in Orange County including: the Orange County Board of Supervisors from 1984 through 1995 and as Vice-Chairman of the Board of Supervisors from January 1, 1992 through December 31, 1995; the Orange County Planning Commission from 1984 - 1995; the Orange County Fire and Rescue Commission; and currently as an Advisory Committee Member of the Orange County Economic Development Authority; and

WHEREAS, William G. Roberts has been instrumental in the success of the Somerset Steam and Gas Pasture Party which began as a group of antique steam and gas engine enthusiasts and has grown to an attendance in excess of 10,000 enthusiasts over the past 33 years; and

WHEREAS, William G. Roberts has encouraged the Somerset Steam and Gas Engine Association to give back to the Orange community by dividing the proceeds of the Pasture Party among local charitable organizations, volunteer fire companies, volunteer rescue squads, scholarships and community projects; and

WHEREAS, William G. Roberts has been in bold support of a Career and Technical Education Facility in Orange County which will educate students on the various trades that will benefit Orange County citizens; and

WHEREAS, William G. Roberts has, during his tenure as a member of all of these bodies, rendered to the government and people of the County of Orange dedicated and loyal service and has at all times performed his duties in a most conscientious and enthusiastic manner; and

WHEREAS, William G. Roberts has at all times demonstrated a keen interest in the welfare of his community and the people he has served; and has left an indelible mark on Orange County by his service, example, and dedication.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors, on behalf of the citizens of Orange County, expresses deep appreciation to and recognition of William G. Roberts for his service to the community and to the citizens of Orange County.

RE: SCHEDULE PUBLIC HEARING FOR SKYDIVE ORANGE LEASE – FEBRUARY 9, 2010

The Board approved a request to schedule a public hearing on February 9, 2010, regarding an addendum to the SkyDive Orange lease.

Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None.

RE: SUPPLEMENTAL APPROPRIATION REQUEST FROM THE ORANGE COUNTY PUBLIC SCHOOLS

Supervisor Wilson requested that this item be pulled from the consent agenda for discussion. Concerns were raised including: starting a program that the Board will have to fund in future years; and the distribution of federal funds for the expansion of early head start services for infants, toddlers and pregnant women. Supervisor Burkett requested additional information.

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to table this issue until later in the meeting. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: Wilson.

RE: PUBLIC COMMENT/PUBLIC APPEARANCES

RE: PUBLIC COMMENT

Chairman Frame opened the floor for public comment. Earl Ryder, Gordonsville, commented on the School budget; and Bill Conrad, representing the Orange County Cruisers, commented on events that they had scheduled at the Boosters Park and wanted to confirm that they would still be permitted to use the Park on the dates requested as they were planning to have flyers printed.

Chairman Frame stated that things are still in transition concerning Booster Park and that staff will try to protect the dates that the Orange County Cruisers have requested.

Chairman Frame closed public comment and there was no one else signed up to speak.

RE: PRESENTATION OF RESOLUTION

Chairman Frame presented a framed resolution of appreciate to William G. “Bill” Roberts for his dedicated service to the community and citizens of Orange County.

Mr. Roberts graciously accepted the resolution and thanked the Board.

RE: BOARD COMMENT

The Board members had no comments at this time.

RE: ACTION ITEMS

RE: CLEAR COMMUNICATION RADIOS AND PAGERS

Jamie Clark, Fire and EMS Director, informed the Board that the County has been awarded a grant in the amount of $240,000 to be used for the enhancement of the public safety radio system. Mr. Clark briefed the Board on the items to be funded by the grant including: necessary expenditures for equipment and labor associated to comply with Federal Communication Commission regulations to narrow band all radios used by the county agencies by 2012; relocation of the Clark Mountain tower site to an adjacent tower site operated by American Tower Company; and replacement of the dispatch consoles at the Orange County Sheriff’s Office which will mimic the existing consoles in the Orange County E911 Center. He stated that coordination within Orange County for the three detailed projects, as well as, the coordination with Greene and Madison Counties is critical to the success of the project. Mr. Clark explained that Clear Communications maintains the current system for all three jurisdictions and

is deemed a sole source for the project. He noted that the coordination of numerous vendors on a project this size would increase the margin of error and potentially compromise the public safety radio system. He concluded by saying that the Procurement Technician has posted the required sole source determination and staff recommends that the Board authorize the County Administrator to execute a contract with Clear Communication for $231,667 for this project.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to authorize the County Administrator, contingent upon contract review by the County Attorney, to enter into a contract with Clear Communications for $231,667 to complete projects for the inoperability grant projects as described above. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: INSURANCE CONSULTANT

Karen Karasinski, Finance Director, explained to the Board that the Orange County Procurement Office, working with County, School, and Social Service representatives, issued a Request for Proposal for qualified firms to provide insurance consulting services. A total of five (5) firms, including the incumbent (Wells Fargo), submitted offers for the services. She reported that three firms were selected as finalists and were interviewed by the County Administrator, Procurement Technician, Human Resources Manager, herself, Brenda Lloyd with Social Services and Barbara Hill, Schools Finance Director. Mrs. Karasinski stated that, from the three finalists, it was unanimous that Dominion Benefits, based out of Richmond, was the top rated firm at an annual cost of $48,480. She concluded by saying that staff recommends that the Board authorize the County Administrator to enter into a one-year contract with Dominion Benefits, with the option to renew for an additional four (4) one (1) year terms.

Discussion ensued including: description of consultant services; flat fee for services; the number of insurance policies that the consultant manages; and the greatest value for the money.

Mr. Goodwin moved, seconded by Mrs. Abbs and carried, to authorize the County Administrator, contingent upon contract review by the County Attorney, to enter into a one year contract for $48,480 with Dominion Benefits. The contract has the option of 4 one-year renewals with future years contingent upon budget adoption in those years. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: Wilson.

RE: BOARD OF SUPERVISORS BY-LAWS

Ms. Pandak briefly reviewed the proposed revisions to the Board By-laws regarding comments made at the Board's meeting on January 5, 2010.

Following discussion, Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve the Board of Supervisors By-Laws as amended. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: PROPOSED REVISIONS TO THE LITTER CONTROL COMMITTEE BY-LAWS

Ms. Pandak briefly reviewed proposed revisions to the Litter Control Committee By-laws. Chairman Frame asked what precipitated the changes to the By-laws. Ms. Pandak stated that Mrs. Curry had been asked by someone to get the By-laws changed. Mrs. Curry stated that there had been problems getting vacancies filled on the Litter Control Committee from each district. She suggested that Kurt Hildebrand, Director of Public Works, could better explain the request for the By-laws change. Mr. Hildebrand stated that the Litter Control Committee has had difficulty in getting the Committee fully staffed. He explained that the Committee does a lot to promote recycling in the school and throughout the County and coordinates with the Virginia Department of Transportation (VDOT).

Following a brief discussion, Mrs. Abbs moved, seconded by Mr. Burkett and carried, to approve the following resolution to appoint members at large, rather than by district, in order to

facilitate the operation of the Orange County Litter Control Committee:

CHANGE ORANGE COUNTY LITTER CONTROL COMMITTEE TO APPOINT MEMBERS AT LARGE

WHEREAS, the Board of Supervisors of Orange County appoints the members of the Orange County Litter Control Committee ("OCLCC") and the Board desires to appoint members at large, rather than by district, in order to facilitate the operation of the OCLCC; and

WHEREAS, Article III, Section 1 of the OCLCC Bylaws should be amended in order to reflect this change in appointment of members;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby determine to henceforth appoint the members of the Orange County Litter Control Committee at large, and the Board requests the OCLCC to amend Article III, Section 1. Membership, at its earliest convenience, to provide as follows:

"The OCLCC shall consist of any five residents of Orange County who have an interest in promoting and improving the environment of the County as well as supporting the mission of the OCLCC. Employees of Orange County shall not be members of the OCLCC. The Orange County Board of Supervisors will appoint members of the OCLCC. The members will be appointed at large."

Ayes: Abbs, Burkett, Goodwin, Wilson. Nays: Frame.

RE: DRAFT LETTER TO LEGISLATORS

Chairman Frame stated that at its January 12, 2010 meeting, the Board directed staff to draft a letter, for its review, to state legislators requesting that there be no new unfunded mandates, that localities be released from current unfunded mandates, that review be given to laws currently on the books that are no longer practical, and that additional road funding be created.

Following a brief discussion, Mr. Goodwin moved, seconded by Mr. Frame and carried, to authorize the Chairman to sign letters to local legislators voicing the Board's legislative concerns. Ayes: Abbs, Burkett, Goodwin, Frame. Nays: Wilson.

RE: CDBG PLANNING GRANT – BROADBAND INITIATIVE

Ms. Jordan stated that a letter had been drafted for the Board's review in response to questions from Denise H. Ambrose, Associated Director, with the Virginia Department of Housing and Community Development (DHCD) regarding the 2009 CDBG Planning Grant Orange County Broadband Initiative Project that had been submitted in December, 2009.

Mr. Goodwin moved, seconded by Mr. Wilson and carried, to approve a draft letter to be sent to Denise H. Ambrose, Associate Director, Department of Housing and Community Development (DHCD) in response to a request for additional information, to determine the appropriateness of the use of planning grant funds, for the Orange County Broadband Initiative. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Chairman Frame nominated Julia Barnes for reappointment to the Health Center Commission for a four year term, with said term expiring February 28, 2014.

Mr. Wilson nominated Eugene Ernst for reappointment to the Litter Control Committee for a two year term, with said term expiring June 30, 2012. Ayes: Abbs, Burkett, Wilson, Frame. Nays: Goodwin.

RE: DISCUSSION ITEMS

RE: 2035 REGIONAL LONG RANGE TRANSPORATION PLAN

The Board briefly discussed concerns it has with the proposed 2035 Regional Long Range Transportation Plan. Chairman Frame asked each Board member to relay their concerns to the Interim Planning Director so that she can draft a letter for the Board's review. He requested that once Mrs. Kendall drafts the letter, that she send it out to the Board for review.

RE: ACTION ITEMS CONTINUED

RE: SUPPLEMENTAL APPROPRIATION REQUEST FROM THE ORANGE COUNTY PUBLIC SCHOOLS

This item was tabled earlier in the meeting to allow staff additional time to obtain information from the School Board. Mrs. Karasinski reported that there would be no local fund match if the federal funding was discontinued. She noted that the local match for operating and training costs is met with in-kind contributions.

Discussion ensued including: the total amount of funds spent on Head Start; concerns with the number of Administrative Staff at the School Board Office; and concerns with approving the supplemental appropriation request before the School Board budget has been presented.

Mr. Burkett stated that he doesn't feel that the School Board is "shooting straight" with the Board. Mrs. Abbs stated that she did not agree with Mr. Burkett's comment and feels that the County has a very good School Board.

Mrs. Karasinski stated that she had spoken with the Title 1 Teacher who assured her that the program would be eliminated if the funding was eliminated.

Mr. Goodwin stated that any advantage that the County can give to encourage a better education should be done.

Mrs. Abbs moved, seconded by Mr. Goodwin and carried, to recognize $437,143 of American Recovery and Reinvestment Act revenue and to appropriate the same to the School Head Start Fund. Ayes: Abbs, Goodwin, Frame. Nays: Burkett, Wilson.

RE: CALENDAR

The Board received copies its calendar for the months of January, February and March, 2010.

RE: AUTHORIZATION FOR CLOSED MEETING

At 8:36 p.m., Ms. Pandak read the following resolution authorizing Closed Meeting:

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

1. *Orange County, Virginia v. Orange County Boosters Club, Inc.*, and *Orange County Boosters Club, Inc. v. Orange County*, CL09000084 (§ 2.2-3711.A. 7 VA Code Ann.);

2. *National Trust for Historic Preservation, et al. v. Board of Supervisors of Orange County*, CL09000240 (§ 2.2-3711.A. 7 VA Code Ann.);

WHEREAS, pursuant to §§2.2-3711.A.7 VA Code Ann., such discussions may occur in Closed Meeting;

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

Mr. Burkett moved to approve the resolution as presented. Mr. Goodwin seconded the motion. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 9:25 p.m. Ms. Pandak read the following resolution certifying the Closed Meeting:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County does hereby certify 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 applies, 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.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to approve the Closed Meeting Certification resolution as presented. Ayes: Abbs, Burkett, Goodwin, Wilson, Frame. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Burkett moved, seconded by Mr. Goodwin and carried, to adjourn the meeting at 9:25 p.m. Ayes: Abbs, Goodwin, Wilson, Frame, Burkett. Nays: None.