BOARD OF SUPERVISORS MINUTES **MAY 22, 2007**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, May 22, 2007 beginning at 7:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: R. Mark Johnson, Chairman; Thomas E. Graves; Teri L. Pace; and Richard D. Wallace. Absent: Clement L. Dodson, Jr., Vice-Chairman. Also present: Theodore R. Coberly, Assistant County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Graves moved, seconded by Mr. Wallace and carried, to approve the agenda as presented. Ayes: Johnson, Graves, Pace, Wallace. Nays: None. Absent: Dodson.

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

- $22,983.67 from Carry over from Fund Balance (3-100-41050-0100) to Sheriff's Office, Sheriff's Forfeited Prop. Exp. (150-31700-5844);
- $10,932.15 from Federal Sources (150-32010-1200) to Sheriff's Office, Sheriff's Forfeited Prop. Exp. (150-31700-5844);
- $618.17 from State VSP (150-24040-1300) to Sheriff's Office, Sheriff's Forfeited Prop. Exp. (150-31700-5844);
- $5,372.82 from State DCJS (150-24040-1200) to Sheriff's Office, Sheriff's Forfeited Prop. Exp. (150-31700-5844);
- $189.68 from EXPR (3-100-18030-0100) to Sheriff's Office, Vehicle Supply: fuel, oil, grease (100-31200-6008);
- $282.58 from EXPR (3-100-18030-0100) to Sheriff's Office, Extradition (100-31200-5542);
- $1,470.00 from Art of Aging Expo donations (3-100-18990-0520) to Sheriff's Office, Triad Supplies/Miscellaneous (100-31770-6001);
- $27,500.00 from Smart Beginnings Planning Grant to Office on Youth, Smart Beginnings Supplies (100-53800-6001);
- $55.00 from Donations YSAP (3-100-18990-0320) to Office on Youth, VA Operation Prom/Grad. Grant (100-53710-5563);
- $150.00 from Va Crime Control Grant (3-100-24040-1476) to Office on Youth, Anger Management (100-53600-5654);
- $1,673.47 from Verizon (3-100-18030-0100) to Orange County Library, Wireless Connectivity (WAN) (100-73100-6018);
- $1,800.00 from Verizon (3-100-18030-0100) to Orange County Library, Data Processing Services (100-73100-3165);
- $200.00 from Friends of the Library donations (3-100-16150-0700) to Orange County Library, Teen Programs (100-73100-5841);
- $300.00 from Friends of the Library donations (3-100-16150-0700) to Orange County Library, Library Programs (100-73100-5840);
- $199.59 from Verizon (3-100-18030-0100) to Wilderness Library, Telephone (100-73110-5230);
- $324.15 from Verizon (3-100-18030-0100) to Wilderness Library, Telephone (100-73110-5230);
- $1,673.47 from Verizon (3-100-18030-0100) to Wilderness Library, Wireless Connectivity (WAN) (100-73110-6018);

- $417.87 from Verizon (3-100-18030-0100) to Gordonsville Library, Telephone (100-73120-5230);
- $1,673.47 from Verizon (3-100-18030-0100) to Gordonsville Library, Wireless Connectivity (WAN) (100-73120-6018);
- $4,000.00 Fire Programs VFIRS Hardware Grant (3-100-24040-1465) to County Wide Wireless Project, Wireless Project (312-94400-3100).

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

- $21,600.00 from Fire & EMS, Training (100-32310-5540); $2,300.00 from Fire & EMS, Public Education (100-32310-5844); $5,400.00 from Fire & EMS, Machines & Equipment (100-32310-8207); $1,400.00 from Fire & EMS, Building Lease (100-32310-5420); $8,800.00 from Fire & EMS, Insurance (100-32310-5305); $3,400.00 from Fire & EMS, Medical Supplies (100-32310-6004); $31,800.00 to Fire & EMS, Overtime (100-32310-1221); $400.00 to Fire & EMS, Travel Mileage (100-32310-5510); $400.00 to Fire & EMS, OSHA/Respiratory (100-32310-8107); $1,400.00 to Fire & EMS, Part time overtime (100-32310-1421); $1,200.00 to Fire & EMS, Extermination (100-32310-3330); $1,100.00 to Fire & EMS, Cable TV (100-32310-5236); $3,200.00 to Fire & EMS, Educational training supplies (100-32310-6013); $3,400.00 to Fire & EMS, Four for Life (100-32310-5850);
- $4,701.00 to Office on Youth, Salaries (100-53770-1111) to Office on Youth, Materials/Supplies Skyline Cap (100-53770-6001);
- $329.85 from Clerk, Circuit Court, Wages/Part time (100-21600-1322) to Circuit Court Jury, Wages/Part time (100-21110-1322);
- $2,549.04 from E911 & Central Dispatch, Personal Protective Equipment (100-94520-8192) to E911 Wireless Funds, Salary: Overtime (100-31400-1221).

RE: MINUTES

The Board approved the minutes of April 10, 2007 - Regular Meeting as presented.

RE: REQUEST FOR TRANSFER FROM THE CONTINGENCY FUND – PUBLIC WORKS

The Board authorized the County Administrator to enter into a contract for a HVAC replacement unit for the Sedwick Building and a compressor for the Airport HVAC system, with a fund transfer from the contingency fund of $10,000 to augment line #43200-3310 funds for both purchases.

RE: SUPPLEMENTAL APPROPRIATION OF SMART BEGINNINGS PLANNING GRANT

The Board authorized the appropriation of $27,000 in Virginia Early Childhood Foundation grant funds, Fund #100, line #53800-6001, and the transfer of $3,000 from the contingency fund into line #53800-6001.

Ayes: Johnson, Graves, Pace, Wallace. Nays: None. Absent: Dodson.

RE: PUBLIC COMMENT

Chairman Johnson opened the floor for public comment. Doug Rogers, 113 Birchside Circle, Locust Grove, commented on the sewer for the proposed new middle school at the eastern end of the County.

RE: BOARD COMMENT

There were no comments made by Board members at this time.

RE: INTRODUCTION OF NEW FINANCE DIRECTOR

Mr. Coberly introduced the County's new Finance Director, Karen Karasinski.

RE: PUBLIC APPEARANCES

Greg Wichelns, District Manager of Culpeper Soil & Water Conservation, made a presentation to the Board regarding the publication of regional strategies for conservation.

RE: ACTION ITEMS

RE: CONSIDERATION OF CONTRACT TO OPERATE LANDFILL

Lynn Klappich, of Draper Aden Associates, stated that on March 30, 2007, the County issued a request for proposals to contract for a significant portion of landfill operations. On May 1, 2007, proposals were received from three potential vendors. She summarized the results and recommended that the County enter into a 14 month contract with R.M. Soderquist, Inc. to conduct normal landfill operations and concurrently begin work on partial landfill closure as soon as June 1, 2007.

Mr. Coberly stated that staff strongly concurs with the Draper Aden recommendation. Current operations do not meet the Department of Environmental Quality standards and, in staff's estimation, contracting with Soderquist offers the best option to meet the immediate needs to bring the landfill into full compliance with DEQ requirements, and the most cost-effective means of beginning the landfill closure process.

Discussion ensued regarding costs per ton and staff reduction.

Mr. Wallace moved, seconded by Mr. Graves and carried, to authorize either the County Administrator or the Assistant County Administrator to execute all documents necessary to contract with R. M. Soderquist, Inc. for services as defined in the March 30, 2007 RFP as modified by Addendum 1, dated April 11, 2007; to transfer funds appropriated in Fund 513 as necessary to implement the contract; to conduct a personnel reduction-in-force as appropriate to the changed County operations; and to incur fiscal liabilities associated with partial landfill closure operations not to exceed $500,000 to be appropriated as needed by the Board of Supervisors from funds designated for that purpose. Ayes: Johnson, Graves, Pace, Wallace. Nays: None. Absent: Dodson.

RE: ADDITIONAL FUNDING – JURORS AND JUROR SUPPORT

Mr. Coberly stated that the County budgeted a total of $9,530 in part-time wages to support jury management and $4,470 to compensate jurors and jury commissioners, which is the same amount as allocated in fiscal year 2006. He explained that the numbers were based on the number of anticipated jury trials and the duration of those trials. Jurors are compensated $30 per day and the number of part-time hours required to provide support to the juries is contingent on the number of jury trials. Mr. Coberly indicated that this year has been exceptional with an 8-day trial in September exhausting the year's allocation of funding for jurors. For the year, the budget has been overspent for jurors by $4,950 and Ms. Timmons estimates that compensation of Jurors for trials and Grand Juror compensation will require an additional $7,650 between now and June 30. In addition, the cost of supporting jurors when they are working (primarily payment for lunch) has also exceeded the planned amount. An additional $626 is required to cover these costs.

Mr. Wallace moved, seconded by Mr. Graves and carried, to approve the transfer of $12,600.00 from contingency fund to budget line 21110-3102 to pay jurors, $626.00 from the contingency fund to budget line 21110-6001 to fund jury support, and the transfer of $329.85 from budget line 21600-1322 to budget line 21110-1322 to support jury management. Ayes: Johnson, Graves, Pace, Wallace. Nays: None. Absent: Dodson.

RE: APPROVAL OF AMBULANCE LEASE/PURCHASE AGREEMENT

Mr. Coberly stated that on March 27, 2007, the Board of Supervisors approved a plan to begin the lease purchase of four ambulances in FY 08. The work has been completed to apply for the financing (lease) and the lease documents are ready to be signed. He indicated that lease payments under this agreement will be $132,239.38 annually for five years. This is less than the $135,980.95 annual payment briefed to the Board in March. The difference is, in part, due to the fact staff has proposed to make annual payments beginning in July, 2007, rather than March, 2008.

Following a brief discussion, Mr. Graves moved, seconded by Mr. Wallace and carried, to approve the following resolution, to authorize the Assistant County Administrator to execute all documents necessary to implement the lease agreement, and to authorize the County Procurement Technician to witness those lease documents:

RESOLUTION OF GOVERNING BODY

At a duly called meeting of the governing body of Lessee (as defined in the Agreement) held on the 22nd day of May, 2007, the following resolution was introduced and adopted.

WHEREAS, the governing body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described in the Municipal Lease and Option Agreement No. 0507HORA dated 5/7/07 presented at this meeting; and

WHEREAS, the necessary funds for the leasing of the Equipment have been provided for the coming year and are expected to be available in the future.

WHEREAS, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

BE IT RESOLVED, by the governing body of Lessee that the terms of said Municipal Lease and Option Agreement for the acquisition of such Equipment are in the best interests of Lessee, and the governing body hereby affirms and confirms that:

(a) the Equipment is essential to the function of the Lessee and the services provided to our citizens, that we have an immediate need for the Equipment which is not temporary or expected to diminish in the foreseeable future; that we will use substantially all the Equipment for the purpose of performing one or more of our governmental or proprietary functions consistent with the permissible scope of our authority. Specifically, the Equipment was selected to be used as follows:

to provide emergency medical service to the citizens of Orange County.

(b) the governing body of Lessee designates the following persons to execute and deliver, and to witness or attest, respectively, the Republic First National Corporation Municipal Lease and Option Agreement and any related documents necessary to the consummation of the transactions contemplated by the Municipal Lease and Option Agreement.

Mrs. Pace stated that she supports the Orange County Rescue Squad and appreciates their hard work; but one ambulance per year is fiscally more responsible.

Ayes: Johnson, Graves, Wallace. Nays: Pace. Absent: Dodson.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: CALENDAR

The Board received copies of its May, June and July, 2007, calendar.

RE: ADJOURNMENT

There being no further business to discuss the meeting was adjourned at 8:03 p.m.