At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 28, 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; Clement L. Dodson, Jr., Vice-Chairman; Thomas E. Graves; Teri L. Pace; and Richard D. Wallace. Also present: William C. Rolfe, County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

FY07

- $4,778.72 from Federal Revenue (210-011010-0100) to Head Start Classroom Meals (210-061310-3001-900-810-456);
- $1,466.08 from Interest On Bank Deposits 3-150-015010-0100) to Sheriff's forfeited Property Expenses (150-031700-5844);
- $1,493.76 from Donations (3-100-18990-0320) to Office on Youth, Supplies (100-53710-6001).

FY08

- $22.00 from State Share County Library (3-100-24040-0900) to Wilderness Library, Audio-visual materials (100-73110-6024);
- $547.19 from State Share County Library 3-100-24040-0900) to Orange County Main Library, Data Processing Services (100-73100-3165);
- $45.60 from Forfeited Asset – State – VSP (3-150-24040-1300) to Sheriff's Forfeited Asset Program, Sheriff's Forfeited Prop Expenses (150-31700-5844);
- $1,029.15 from Federal Source (3-150-032010-1200) to Sheriff's Forfeited Asset Program, Sheriff's Forfeited Prop. Expenses (150-31700-5844);
- $141.71 from Donations Triad Grant (3-100-18990-0520) to Orange County Triad, Supplies/Misc. (100-31770-6001);
- $125.00 from Donations Triad Grant (3-100-18990-0520) to Orange County Triad, Professional Services (100-31770-3100);
- $133.42 from Donations Triad Grant (3-100-18990-0520) to Orange County Triad, Supplies/Misc. (100-31770-6001);
- $854.99 from Donations (100-18990-0305) to Animal Shelter, Emergency Vet Fund (100-35200-3115);
- $3,114.45 from Donations (100-18990-0305) to Animal Shelter, Emergency Vet Fund (100-35200-3115);
- $97.38 from Donations (100-18990-0305) to Animal Shelter, Animal Shelter Building (100-94530-1055);
- $1,000.00 from Donations (100-18990-0305) to Animal Shelter, Pet I.D. Microchip (100-35200-3201);
- $100.00 from Donations (100-18990-0305) to Animal Shelter, Adoptable S/N (100-35200-3116).

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

- $542.00 from Human Resources, Insurance Property (100-12220-5308), $511.20 from Sheriff's Office, Vehicle Insurance (100-31200-5305), $542.00 to Human Resources, Public Officials Liability Ins. (100-12220-5307), $113.40 to Landfill, Insurance (513-42400-5305), $397.80 to Landfill, Vehicle Insurance (513-42300-5305).
- $159,350.00 from Human Resources, Salary: Overtime (100-12220-1906), $1,075.00 to Airport, Salary: Overtime (504-81700-1221), $200.00 to Economic Development, Salary: Overtime (100-81500-1221), $2,600.00 to Planning & Zoning, Salary: Overtime (100-81100-1221), $1,000.00 to Emergency Services, Salary: Overtime (100-35500-1221), $800.00 to Orange County Library, Salary: Overtime (100-73100-1221), $2,000.00 to Parks & Recreation Admin, Salary: Overtime (100-71100-1221), $1,000.00 to Solid Waste Disposal, Salary: Overtime (513-42400-1221), $1,500.00 to Solid Waste Collections, Salary: Overtime (513-42300-1221), $1,500.00 to Maint. Of Bldgs & Grounds, Salary: Overtime (100-43200-1221), $3,375.00 to Animal Shelter, Salary: Overtime (100-35200-1221), $300.00 to Building Inspector, Salary: Overtime (100-34100-1221), $60,000.00 to Orange County Fire & EMS, Salary: Overtime (100-32310-1221), $25,000.00 to E-911, Salary: Overtime (100-31400-1221), $55,000.00 to Sheriff's Office, Salary: Overtime (100-31200-1221), $700.00 to Commonwealth's Attorney, Salary: Overtime (100-22100-1221), $200.00 to Clerk of Circuit Court, Salary: Overtime (100-21600-1221), $1,000.00 to Information Technology, Salary: Overtime (100-12510-1221), $1,000.00 to Finance Department, Salary: Overtime (100-12420-1221), $400.00 to Treasurer, Salary: Overtime (100-12410-1221), $200.00 to Commission of Revenue, Salary: Overtime (100-12310-1221), $500.00 to Executive Administration, Salary: Overtime (100-12100-1221).

RE: MINUTES

The Board approved the minutes for:

- June 26, 2007 – Regular Meeting;
- July 10, 2007 – Regular Meeting; and
- July 24, 2007 – Regular Meeting.

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

RE: PUBLIC COMMENT

Frank Walker, Jr., 10199 Little Skyline Drive, Orange, commented on the grand opening of the Crossroads Visitor's Center and the number of Orange County officials and residents who attended the event.

RE: BOARD COMMENT

Supervisor Dodson stated that he had heard positive comments about the Crossroads Visitor's Center from those who had attended the grand opening event. He indicated that they were impressed with the number of attendees from Orange County as well as the facility itself.

Chairman Johnson also commented on the Crossroads Visitor's Center grand opening and how well the event was attended. He stated that it is a very nice operation and over the years will help to bring tourism dollars to the County. He concluded by saying that the cooperative effort to establish this operation will benefit all counties involved.

RE: ACTION ITEMS

RE: RRCSB FISCAL 2008 PROGRAM PLAN

Brian Duncan, Executive Director of the Rappahannock-Rapidan Community Services Board, presented the FY 2008 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Area Plan for Aging Services.

Discussion ensued including: volunteers; emergency services;

Mr. Dodson moved, seconded by Mr. Wallace and carried, to adopt the following resolution to receive the Rappahannock-Rapidan Community Services Board's FY 2008 RRCSB-AA with the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the 2008 Area Plan for Aging Services, and acknowledges that the Orange County Board of Supervisors participated in the review process and has no additional comments regarding the Contract or Plan:

A RESOLUTION TO RECEIVE THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD AND AREA AGENCY ON AGING (RRCSB-AAA) FY 2008 PERFORMANCE CONTRACT WITH THE DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES AND THE AREA PLAN FOR AGING SERVICES

WHEREAS, in June 2007, the RRCSB-AAA adopted its Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services, and its Area Plan for Aging Services with the Department of Aging; and

WHEREAS, the Orange County Board of Supervisors has received a request from the RRCSB-AAA that it endorse the Contract and Plan by either approving both documents or acknowledging that the Board of Supervisors participated in the review process and has no further additional comments; now, therefore, be it

RESOLVED, by the Orange County Board of Supervisors this 28th day of August, 2007 that the Orange Board of Supervisors does hereby receive the FY 2008 RRCSB-AAA Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the 2008 Area Plan for Aging Services, and acknowledges that the Orange County Board of Supervisors participated in the review process and has no additional comments regarding the Contract or Plan.

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

RE: RENEWAL OF HEALTH, DENTAL AND VISION PLANS

Theodore R. Coberly, Assistant County Administrator, explained that Orange County Government joins with the School Division and the Department of Social Services in contracting for health and dental benefits. Additionally, the County also contracts for participation in a plan to provide vision coverage that is funded completely by the participating employees. The plan year for these benefits runs from October 1 through September 30. The benefits consultants, Wachovia Investment Services, has completed negotiations for the renewal proposal with a 3.59% increase in cost to the County for the plans with Southern Health and a 4% increase in cost to the County for plans with Delta Dental. There have been no substantive changes in the benefits. Mr. Coberly stated that the vision provider has presented a new plan that offers better coverage, depending on the services used, but with premium increases from 8.7% for single coverage to 44.83% for an employee and children. While these percentage increases are large, the premiums themselves are modest and remain affordable. Mr. Coberly noted that staff developed the County's budget based on an estimated increase of 5% in health and 4% in dental

costs, thus the proposed changes require no increase in the amount budgeted for these benefits. He concluded by saying that staff recommends that the Board authorize the County to accept the proposals.

Mr. Wallace stated that he would be abstaining from the vote as he is currently employed as an officer of Wachovia Bank.

Mr. Dodson moved, seconded by Mr. Graves and carried, to authorize the County Administrator to accept renewal proposals from Southern Health Services, Inc., Delta Dental of Virginia, and EYEMED Vision Care. Ayes: Johnson, Graves, Dodson, Pace. Nays: None. Abstain: Wallace.

RE: TOWN OF ORANGE SIGNAGE

Mr. Rolfe explained that he had executed a License Agreement between the County and the Town of Orange regarding the location of a Town sign on the Orange County Nursing Home property. This is the "Welcome to Orange" sign with numerous civic organizations signs on it as well. He explained that in order to get title insurance on the Nursing Home property for the bonds, an agreement between the County and the Town allowing the sign to be on the County's property was necessary. He concluded by saying that it would be appropriate for the Board to ratify this agreement.

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

RE: PUBLIC HEARINGS:

RE: REZ 07-1: ORANGE COUNTY EDA YORK PROPERTY INDUSTRIAL REZONING

At 7:30 p.m., Chairman Johnson explained that the public hearing had been recessed at the August 14, 2007 meeting.

REZ 07-1: An application by the Orange County EDA to rezone approximately 4.95 acres from Agricultural (A) to General Industrial (I-2). The property is located on State Route 686 (Thoroughbred Road) and is identified on Orange County zoning maps as tax map parcel 57-30F

At this time, he re-opened the public hearing.

Chairman Johnson opened the floor for public comment. Sean Barganier, 24394 Oak Forest Drive, Rapidan, commented on the proposed rezoning application. There being no additional comments, Chairman Johnson closed the public hearing at 7:32 p.m.

Mr. Graves moved to reject the recommendation of the Planning Commission and approve REZ 07-1 with the conditions as noted. Mr. Wallace seconded the motion.

Discussion ensued among the Board including: future water concerns; excluding the portion of property near Thoroughbred Road so that it remains agriculturally zoned; and the 200 foot buffer from other property owners.

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

RE: SUP 07-1: KIRT WILLIAMS OFFICE AND RETAIL USE

Chairman Johnson called the public hearing to order at 7:40 p.m. to receive comments on the following:

SUP07-01: An application from Kirt A. Williams requesting a special use permit to establish an office consisting of less than 4,000 square feet gross floor area on property zoned Agricultural (A). Approximately one half of the office space will be used as a doctor's office and the remaining space will be leased to one or more businesses. The property, containing 2.026 acres, is located at 32511 Constitution Highway, Locust Grove, VA and is identified on Orange County zoning maps as Parcel 22-47C.

Deborah S. Kendall, Director of Strategic Planning, gave the staff report. She concluded by saying that the Planning Commission is recommending denial of the application.

Valerie Long, attorney for the applicant, stated that Mrs. Williams is a licensed doctor of optometry. Mr. Williams wishes to construct a 4000 square foot building to house a doctor's office in one half of the building and lease out the other half to one or more businesses. She indicated that Mr. Williams wants the building to blend with the surrounding area and that the construction of the building will be such that it resembles a dwelling. He would also like to construct a lighted, 6' X 6' sign, larger than the 4' X 4' sign allowance for the zoning of the property. Mrs. Long explained that the proposed application will provide needed services on the eastern end of the county and will therefore provide for the health, safety and welfare of county citizens. Ms. Long stated that sight distance concerns were raised at the Planning Commission meeting. Following the meeting, Mr. Williams engaged the services of an engineering and surveying firm and confirmed that there is adequate sight distance.

Mr. and Mrs. Williams answered questions from the Board including: the number of optometrists in the area; whether the couple plans to live in the proposed structure; whether the current structure could be renovated as opposed to building a new structure; and suggestions for proposed retail use.

Chairman Johnson opened the floor for public comment at 8:01 p.m. The following individuals spoke: Mike Mahieu, 8355 Forest Grove Court, Locust Grove; and Craig Hartsock, 8410Meadowland Drive, Locust Grove. There being no additional speakers, Chairman Johnson closed the public hearing at 8:02 p.m.

Discussion ensued among the Board including: resolution of sight distance concerns; compliance issues with the Comprehensive Plan; complication of issues with traffic concerns on Route 20; doesn't fit with the Future Land Use Map; concerns that the special use permit would follow the land rather than the applicant; and the need for additional medical services in the County.

Mr. Dodson moved, seconded by Mr. Wallace and carried, to deny the recommendation of the Planning Commission and approve SUP 07-01 with the following conditions:

- Access to the subject site will be provided by one full movement entrance to be located along the boundaries of the subject property on Route 20 as generally reflected on the "Sight Distance Exhibit" prepared by Urban Engineering and dated June, 2007. The location of the proposed entrance will be determined in consultation with VDOT at the time of site plan pending final detailed engineering, and shall be located such that a minimum of 650 feet of intersection sight distance will be provided in both directions.

- Retail use of the property shall be uses that are low-traffic generating and will NOT include the following: building materials and lumber sales, hardware/paint store, nursery (garden center or wholesale), car sales, auto parts store, tire sales, convenience market, and adult-oriented retail.

- The hours of operation will be 9 a.m. to 8 p.m., Monday through Saturday.

- The design of the structure shall be that of a residential structure so as to be more compatible with surrounding residential properties.

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

RE: REZ O6-02: WILDERNESS CROSSING COMMERCIAL RETAIL CENTER

Chairman Johnson called the public hearing to order at 8:10 p.m. to receive comment on the following:

REZ 06-02: An application from Ken Dotson and Charles King requesting rezoning of approximately 176.50 acres from Agricultural (A) to General Commercial (C-2) for the development of a commercial retail center. The property is identified as tax parcels 24-4, 24-4F, 24-7, 24-7B and is located West of Route 20 North in general proximity to the intersection of Route 3.

Deborah S. Kendall, Director of Strategic Planning, gave the staff report. She concluded by saying that the Planning Commission is recommending denial of the application.

Ken Dotson, co-application, spoke in support of his application and submitted revised proffers for the Board's consideration.

RE: RECESS

The Board took a short recess at 8:30 p.m. and reconvened at 8:43 p.m.

RE: REZ O6-02: WILDERNESS CROSSING COMMERCIAL RETAIL CENTER CONTINUED

Chairman Johnson opened the floor for public comment at 8:43 p.m. The following individuals spoke: Craig Rains, 204 Fairway Drive, Locust Grove; Frank Beverina, 220 Meadowview Lane, Locust Grove; Keith Kelly, 120 Chatham Lane, on behalf of the National Park Service; Pastor C. I. Barnes, 8011 Burr Hill Road, Rhoadesville; Frank S. Walker, Jr., 10199 Little Skyline Drive, Orange; Marcia Hovenden, 1111 Lakeview Parkway, Locust Grove; Catharine Gilliam, 2703 Brownsburg Turnpike, Brownsburg on behalf of the National Parks Conservation Association; Jenny Cross, 1531 H Street N. W. Suite 1001, Washington, DC, on behalf of the Civil War Preservation Trust; Zack Burkett, 14162 Marquis Road, Unionville; and Philip Aitken-Cade, 5560 Flat Run Road, Locust Grove. A letter was received from Mike Stevens, President of the Central Virginia Battlefields Trust. There being no additional speakers, the public hearing was closed at 9:07 p.m.

Discussion ensued among the Board including: the need for commercial growth but on Route 3 rather than the proposed location; preservation of the battlefields; and the need to keep tax dollars in Orange County.

Mr. Dodson moved, seconded by Mrs. Pace and carried, to accept the recommendation of the Planning Commission and deny REZ 06-02. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: AN AMENDMENT TO THE FISCAL YEAR 2007-2008 ORANGE COUNTY BUDGET

Chairman Johnson called the public hearing to order at 9:12 p.m. to receive comment on the following:

To adopt an amendment to the Fiscal Year 2007-2008 Orange County Budget, in excess of $500,000.00 to carry forward funds from Fiscal Year 2006-2007 for grants, projects, and programs that were appropriated in Fiscal Year 2006-2007 but not completed by June 30, 2007.

Karen Karasinski, Director of Finance, explained that every fiscal year there are planned expenditures for projects, grants, and other items that are not completed by the end of the fiscal year. Departments have submitted a list of open projects to the Finance Department to summarize and review with the County Administrator. Donations and other grants received for a specific purpose were reconciled to accounting records. All other requests were evaluated to confirm that it was planned, material, and not for on-going expenditures. To maintain continuity of efforts, an amendment to the fiscal year 2008 budget is requested to carry forward remaining balances of the activities. She concluded by saying that the total carry forward request is $2,308,240.55 and is broken down as follows:

Projects	$1,444.870.62
Funds with specified use (grants, donations, forfeiture)	56,620.65
Department Items	806,749.28

Chairman Johnson opened the floor for public comment at 9:14 p.m. There being none, the public hearing was closed.

Mr. Dodson moved to amend the FY 2008 County Budget in the amount of $2,308,240.55 as detailed. Mr. Wallace seconded the motion.

Mrs. Pace confirmed that all of the items were previously budgeted and since the funds weren't spent they need to be carried forward.

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

RE: <u>AN AMENDMENT TO THE FISCAL YEAR 2007-2008 ORANGE COUNTY BUDGET, CAPITAL PROJECT FUND</u>

Chairman Johnson called the public hearing to order at 9:15 p.m. to receive comments on the following:

To adopt an amendment to the Fiscal Year 2007-2008 Orange County Budget, Capital Project Fund in the amount of $2,012,095 for the Eastern Middle School Project.

Karen Karasinski, Finance Director, explained that on June 13, 2006, the Board designated $1,543,169 of Fund Balance to the capital project fund in anticipation of building a new school. $340,906 is a carry forward from unspent appropriations from Fiscal Year 2007. $128,020 is a reimbursement of bond proceeds the Board authorized to the Capital Project Fund at its first meeting in August. If approved, this appropriation will provide resources for project expenditures prior to issuing the debt.

Chairman Johnson opened the floor for public comment at 9:16 p.m. There being none, the public hearing was closed.

Mr. Wallace moved, seconded by Mr. Dodson, to amend the FY 2008 Capital Improvement Fund budget (4-312-98100-1001) in the amount of $2,012,095.00.

Mrs. Pace stated that the motion doesn't specify a middle school; therefore the funds could be used for any school in the eastern end of the County. Mr. Rolfe stated that the funds will be used to specifically pay for architectural and engineering fees for the design of a middle school for Moseley Architects who have a contract with the School Board. A large chunk of the funds will be used to purchase the land.

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

RE: ACTION ITEMS CONTINUED

RE: REQUEST FROM HEALTH DEPARTMENT FOR USE OF LOCAL FUNDS

Mr. Rolfe explained that he had received a request from Dr. David Compton, District Health Director, stating that for Fiscal Year 2008, the Health Department did not receive the full state match for the local funds which have been approved by the Board. Since the requested funds are critical to their ability to provide timely and effective services, Dr. Compton is requesting that the unmatched local funds be re-designated for use as local only funding. Mr. Rolfe stated that local only funds do not require the state match. Mr. Rolfe concluded by saying that he had requested information as to how the funds will be spent and has not yet received that information.

The Board directed staff to obtain detailed information regarding how the funds will be used before taking action on the request.

RE: CONVERSION OF PERMIT TECHNICIAL POSITION TO FULL-TIME

Mr. Rolfe stated that currently in the Department of Community Development, the County has been unable to fill a full-time Planning position for quite some time. He indicated that there is a possibility of losing a Planning Technician and the department is at a point where they cannot afford to lose more staff. He requested the Board's consideration to convert the permanent part-time Planning Technician into a full-time position. Mr. Rolfe explained that the cost associated with the proposed action for the current fiscal year would be $17,549 and noted that there are sufficient funds within the budget to support the requested action. Mr. Rolfe stated that as of right now, staff does not know when a professional Planner will be hired. With the two Planning Technicians along with the new Director of Community Development, staff will be able to keep the office moving. Mr. Rolfe concluded by saying that typically positions are requested during the budgetary process; however, this is an extraordinary situation and in order to provide continuity in the department and providing services to the citizens, it would be in the best interest of the County to make the part-time Planning Technician full-time. He noted that approving the position will increase the next fiscal year budget by $17,000.

Mr. Dodson moved, seconded by Mr. Graves, to authorize the County Administrator to convert the current Community Development part-time Permit Technician position to full-time, effective August 29, 2007, and to transfer funds as follows: $ 6,036.00 from HR Contingency (12220-9210); $11,513.00 from Salaries – PT (81100-1322); $13,113.00 to Salaries (81100-1111); $123.00 to FICA (81100-21000: $1,849.00 to Retirement (81100-2210); $2,331.00 to Hospitalization (81100-2310); $131.00 to Group Life (81100-2400); and $2.00 to Workers' Compensation (81100-2710).

Mrs. Pace stated that an assessment of needs should be done by the new Director of Community Development to make certain that the right position is being filled which would best assist the Planning Department. Mr. Johnson stated that the real problem is the County needs to have people in the positions to get the work done and the department hasn't been successful in getting someone in the Planning position. He indicated that he doesn't like adding a new position or half position, but feels it is the best solution at this time. He noted that action can be re-evaluated in the future if it is not something the Board wants to continue.

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

RE: NURSING HOME EASEMENT

Mr. Rolfe stated that a temporary construction easement and a permanent maintenance agreement are needed for the installation and maintenance of a retaining wall along the northern property line of the Nursing Home. The adjoining property is owned by a bank in Martinsville and they prefer the construction easement and permanent maintenance easement be granted to the County since they own the property. He explained that the first agreement is the "grant of temporary construction easement and permanent maintenance easement" between Bank Building Corporation and Orange County. The second agreement is between Orange County Nursing Home, Orange County Senior Living, Inc., and the County. Essentially the County is assigning responsibility for the temporary construction easement and permanent maintenance easement to the Nursing Home.

Mrs. Pace questioned who would be the responsible party if the adjoining owner's property is damaged and needs to be repaired since the agreement is with the County. Mr. Rolfe stated that it would be the responsibility of the Nursing Home and noted that that information is included in the agreements.

Mr. Graves moved, seconded by Mr. Wallace and carried, to approve the temporary construction easement and permanent maintenance easement; to approve the assignment of grant of temporary construction easement and permanent maintenance easement and to authorize the County Administrator to execute the agreements on behalf of the County. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

Mr. Wallace left the meeting at 9:33 p.m. and returned at 9:34 p.m.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: DISCUSSION ITEMS

RE: TOURISM CORRIDOR OVERLAY

Deborah S. Kendall, Director of Strategic Planning, stated that at its meeting on October 26, 2006, the Board directed staff to focus on the following areas of the Tourism Corridor Overlay: buffers; lighting; signage; and distance between entrances. She stated that if there were no new item requests from the Board, then staff will pursue the four items as noted for inclusion in the guidelines.

Mrs. Pace suggested that height be considered and indicated that high rise structures wouldn't fit in with other buildings in Orange County.

RE: PENDING ITEMS

Mr. Rolfe stated that this is a new agenda item which was added to assist the Board in keeping a running list of projects in the forefront.

a. "Welcome to Orange" signs on Route 3
b. Cluster Ordinance Update
c. Subdivision Ordinance Update

RE: CALENDAR

The Board received copies of its July, August and September 2007 calendar. Mr. Rolfe reminded the Board that at its meeting on September 11, 2007, a presentation will be made on the middle school by

the architectural engineering firm and that the School Board will be joining the Board for that presentation.

RE: CONSIDERATION OF A MOTION FOR CLOSED SESSION

At 9:40 p.m., Mr. Wallace stated: "Mr. Chairman, I move this meeting be recessed and that the Orange County Board of Supervisors immediately reconvene in closed session for the following purpose:

- Consultation with legal counsel and staff regarding actual litigation by Margaret Fletcher and Helen Taylor, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the County, as permitted by Virginia Code section 2.2-3711(A)(7)."

Mr. Dodson seconded the motion. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: OPEN SESSION

At 10:19 p.m., Mr. Dodson moved, seconded by Mr. Wallace and carried; to reconvene in open session where upon the Board adopted the following resolution:

WHEREAS, the Orange County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Orange County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Orange County Board of Supervisors.

The motion carried. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 10:19 p.m.