BOARD OF SUPERVISORS MINUTES **APRIL 8, 2008**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, April 8, 2008, beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: R. Mark Johnson, Chairman; Teri L. Pace, Vice-Chairman; Zack Burkett; S. Teel Goodwin; Lee H. Frame, Jr. Also present: William C. Rolfe, County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

Mr. Frame 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:

DEPT	ACCOUNT DESCRIPTION	AMOUNT		Funding Source
Library	Books: Adult	$	700.00	Friends of the Library
Library	Audio visual materials	$	25.00	Friends of the Library
Subtotal Library		**$**	**725.00**	
Dir of Public Works	Motor vehicle repair	$	475.00	Insurance Recovery
Subtotal Director of Public Works		**$**	**475.00**	
Animal Shelter	Emergency Vet Fund	$	1,220.00	Donations
Animal Shelter	Pet Food	$	20.00	Donations
Subtotal Animal Shelter		**$**	**1,240.00**	
Sheriff	Telephone	$	785.00	Miscellaneous
Sheriff	Employee Physicals	$	100.00	Expenditure Refund
Sheriff	K9 Food, vet	$	522.85	Expenditure Refund
Sheriff	Community Policing Supplies	$	350.00	Miscellaneous
Sheriff	Police Supplies	$	1,000.00	Miscellaneous
Subtotal Sheriff		**$**	**2,757.85**	
Triad	Supplies/Miscellaneous	$	70.00	Donations
Triad	Part-Time Salary	$	125.00	Donations
Subtotal Triad		**$**	**195.00**	
	April Total	**$**	**5,392.85**	
	Fiscal Year to Date Total	**$**	**855,251.90**	

RE: BUDGET TRANSFERS

The Board approved the following Budget Transfers:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount
Human Resources	Res for Raises	Sheriff-Courts	Salaries	3,017.00
Human Resources	Res for Raises	Sheriff-Courts	FICA	230.80
Human Resources	Res for Raises	Sheriff-Courts	Retirement	426.00
Human Resources	Res for Raises	Sheriff-Courts	GTL	30.17
Human Resources	Res for Raises	Sheriff-Courts	Workers Comp	55.63
Human Resources	Res for Raises	Library	Salaries	914.00
Human Resources	Res for Raises	Library	FICA	69.92
Human Resources	Res for Raises	Library	Retirement	129.05
Human Resources	Res for Raises	Library	GTL	9.14
Human Resources	Res for Raises	Library	Workers Comp	1.33
Human Resources	Res for Raises	Sheriff-Courts	Salaries	1,040.00
Human Resources	Res for Raises	Sheriff-Courts	FICA	79.56
Human Resources	Res for Raises	Sheriff-Courts	Workers Comp	1.51
Human Resources	Res for Raises	County Admin	Salaries	948.48
Human Resources	Res for Raises	County Admin	FICA	72.56
Human Resources	Res for Raises	County Admin	Workers Comp	1.37
Human Resources	Res for Raises	Clerk Circuit Court	Salaries	1,076.00
Human Resources	Res for Raises	Clerk Circuit Court	FICA	82.31
Human Resources	Res for Raises	Clerk Circuit Court	Retirement	151.93
Human Resources	Res for Raises	Clerk Circuit Court	GTL	10.76
Human Resources	Res for Raises	Clerk Circuit Court	Workers Comp	1.56
Human Resources	Res for Raises	OFEMS	Salaries	977.00
Human Resources	Res for Raises	OFEMS	FICA	74.74
Human Resources	Res for Raises	OFEMS	Retirement	137.95
Human Resources	Res for Raises	OFEMS	GTL	9.77
Human Resources	Res for Raises	OFEMS	Workers Comp	67.26
Debt Service	Interest 2002 Lease	Debt Service	Interest 2007 Lease	244,170.90
Human Resources	Res for Raises	Building Inspector	Salaries	600.00
Human Resources	Res for Raises	Building Inspector	FICA	45.90
Human Resources	Res for Raises	Building Inspector	Retirement	84.72
Human Resources	Res for Raises	Building Inspector	GTL	6.00
Human Resources	Res for Raises	Building Inspector	Workers Comp	10.30
Human Resources	Res for Raises	Animal Shelter	Salaries Part-time	510.00
Human Resources	Res for Raises	Animal Shelter	FICA	39.01
Human Resources	Res for Raises	Animal Shelter	Workers Comp	5.42
Treasurer	Salaries	Treasurer	Bankcharges	5,125.00
Treasurer	FICA	Treasurer	Bankcharges	392.00
Treasurer	Workers Comp	Treasurer	Bankcharges	7.45
Treasurer	Hospitalization	Treasurer	Bankcharges	6,700.00

RE: REFUND REQUEST - RUTT

The Board approved a refund request from David Rutt in the amount of $300.00 for two variance applications.

RE: REFUND REQUEST - LUCAS

The Board approved a refund request from Jean Lucas in the amount of $25.00 for a zoning permit issued in error on March 26, 2008.

Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: PUBLIC APPEARANCES

RE: VDOT UPDATE

Don Gore, VDOT Resident Engineer, updated the Board on the status of projects within Orange County. Discussion ensued including: rural addition process; revenue sharing changes; costs associated with turn lanes and flashing lights; the use of proffer funds for road improvements; and accident "hot spots" in the County.

RE: SMART BEGINNINGS GRANT

Becky Phillips, Headstart Director, updated the Board on the progress of Smart Beginnings Orange. She reported that the Virginia Early Childhood Foundation (VECF), a public-private partnership in the Commonwealth of Virginia, funds several Smart Beginnings communities to develop infrastructure and systems to serve young children and families. Orange is currently the recipient of a Planning Grant, consisting of $3,000 in local match, $27,000 grant funds plus training and technical assistance from VECF. Ms. Phillips indicated that the next level of funding "Getting Ready" is a two-year grant cycle which corresponds with the Commonwealth's biennium. Planning Grantees are eligible to compete for up to $100,000 over the two year period to continue capacity-building activities as well as to sponsor projects that meet community needs. She stated that the "Getting Ready" grants require a 50% match over the two year grant period, or $25,000 per year. Smart Beginnings Orange has the commitment of $10,000 from two funding sources for 2008-09, requiring only a $15,000 investment from local funds to continue work in building strong systems to benefit young children, families, employers and the community by improving quality, communication, opportunities for participation, and streamlining interagency services. Ms. Phillips concluded by saying that it is the intention of Smart Beginnings Orange to include local businesses as stakeholders and investors in early childhood. Through a coordinated fundraising campaign, they hope to continue to increase private dollars in the subsequent grant year to reduce the local match even further while continuing to increase the benefits to the community.

Discussion ensued including: what is hoped to be accomplished with the proposed program; number of child care facilities in Orange County; parent responsibilities; the number of unregulated child care facilities; government's role in daycare; and what is the problem trying to be solved.

Mr. Burkett moved, seconded by Mrs. Pace and carried, to deny permission to submit a grant application for the "Getting Ready" grant. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ACTION ITEMS

RE: SCHEDULE PUBLIC HEARING FOR VDOT SECONDARY ROADS SIX YEAR IMPROVEMENTS PLAN

Mr. Rolfe stated that the Board held a public hearing on December 11, 2007, to receive citizen comments that would be used to prepare the Secondary Roads Six Year Improvement Plan for Fiscal Year 2008-09 through years 2014-15 in Orange County. The Board now needs to

schedule a date to adopt the plan.

Discussion ensued regarding the recent budget cuts for road improvements and the proposed Six Year Plan which had been revised to reflect the budget cuts; and the number of accidents/fatalities on roads throughout the County.

By consensus, the Board scheduled a public hearing on May 13, 2008, to receive comments on the Secondary Roads Six Year Improvement Plan for Fiscal Year 2008-09 through 2014-15 in Orange County.

RE: BOROS APPEAL

David Grover, Director of Community Development, stated that an appeal was made by Mr. Boros regarding a determination that Mr. Grover had made as the Subdivision Agent concerning the interpretation that VDOT minimum subdivision street standards are required for any subdivision consisting of more than four lots regardless of the number of parcels being subdivided. He explained that Mr. Boros submitted a final subdivision plat for review, encompassing two separate but contiguous tracts of land under singular ownership and control. The plat indicates a minor subdivision consisting of eight (8) lots with integral streets serving those lots. Staff advised Mr. Boros that this is considered one subdivision pursuant to the definition of "subdivision" in Section 54-3 of the Orange County Code, the owner would be required to design and construct internal roads to VDOT Subdivision Street Standards to serve the proposed development. Mr. Boros disagrees with the reading of the ordinance requirements.

Following a brief discussion, Mrs. Pace moved, seconded by Mr. Frame and carried, to affirm the interpretation of the Subdivision Agent that VDOT Minimum Subdivision Street Standards are required for any subdivisions consisting of more than four lots regardless of the number of parcels being subdivided. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: VIRGINIA FIRE SERVICE – GRANT PROGRAM AGREEMENT

Mr. Rolfe explained that the Orange Volunteer Fire Chief's Association has received notification of a grant award of up to $144,160 for the renovation of their burn building. Following a state inspection, it was determined that improvements need to be made with an approximate cost of $144,000 to make it a certified burn building. He concluded by saying that the grant is actually to the County and is reimbursable.

Discussion ensued including: timeframe for completion of renovations; cost of proposed renovations; and the length of time the training facility has been in operation.

Mr. Frame moved, seconded by Mr. Goodwin and carried, accept the grant and authorize the County Administrator to execute grant related documents. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: CLOSED SESSION

At 5:32 p.m., Mr. Frame 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 purposes:

- Discussion concerning a prospective business or industry where no previous announcement has been made of the business or industry's interest in locating their facilities in the community, as permitted by Virginia Code section 2.2-3711(A)(5)."

Mr. Goodwin seconded the motion. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: OPEN SESSION

At 7:00 p.m., Mr. Frame moved, seconded by Mr. Burkett and carried; to reconvene in open session whereupon 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, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: PUBLIC COMMENT

Darla Hensley, 18939 Monrovia Road, Orange; commented on Orange County Parks and Recreation Department.

RE: BOARD COMMENT

Mr. Burkett stated that the Board shares Mrs. Hensley's concerns. He indicated that he wanted the County to be in a support role rather than a leadership role for sports leagues.

RE: BOOSTER PARK AGREEMENT

Mr. Rolfe briefed the Board on the proposed agreement with Booster Park which takes the County out of running youth sports.

Mr. Goodwin stated that the proposed agreement is a good agreement. The facilities are there and not being used. He suggested trying it for a year and see what happens.

Mrs. Pace agreed with Mr. Goodwin. Parents, coaches and volunteers have more involvement.

Mr. Johnson stated that there are several things wrong with the agreement. The County needs to reclaim the facility. Mismanagement has chased people away.

Discussion ensued including: capital improvements to the facility and public property being used as a money making venue.

Mr. Burkett stated that he has concerns with youth programs not concerned about someone turning a profit.

Mr. Frame stated that he is not happy with the agreement but it gets the kids playing ball again. The side deals are disturbing and this agreement doesn't address the side deals.

Mrs. Pace moved, seconded by Mr. Goodwin and carried, to approve the Booster Park Agreement as presented. Ayes: Burkett, Goodwin, Pace, Frame. Nays: Johnson.

RE: PUBLIC HEARING: PROPOSED FISCAL YEAR 2008-09 BUDGET

At 7:30 p.m., this being the time and place as advertised in the Orange County Review, Chairman Johnson called the public hearing to order to receive comments on the following:

- Proposed Fiscal Year 2008-09 Budget

Chairman Johnson opened the floor for public comment. The following individuals commented: Joan Bergstrom, 16075 Zachary Taylor Highway, Unionville; Roderic Slayton, 6074 Blue Run Road, Somerset; Kim Frye Smith, Skyline Community Action Program, 532 South Main Street, Madison; and Jack Snyder, 12574 Chicken Mountain Road, Orange.

Chairman Johnson closed the public hearing at 7:43 p.m.

RE: PUBLIC HEARING: PROPOSED FISCAL YEAR 2008 TAX LEVY

Chairman Johnson called the public hearing to order at 7:44 p.m. to receive comments on the following:

- Proposed Fiscal Year 2008 Tax Levy

Chairman Johnson opened the floor for public comment. The following individual commented: Bonnie Fincham, 16567 Mallory's Ford Road, Gordonsville.

Chairman Johnson closed the public hearing at 7:48 p.m.

RE: PUBLIC HEARING: PROPOSED CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEAR 2008-09 THROUGH 2012-13

Chairman Johnson called the public hearing to order at 7:48 p.m. to receive comments on the following:

- Proposed Capital Improvements Plan for Fiscal Year 2008-09 through 2012-13

Chairman Johnson opened the floor for public comment. The following individual commented: John Banks, 22140 Monrovia Road, Orange.

Chairman Johnson closed the public hearing at 7:53 p.m.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made no appointments at this time.

RE: DISCUSSION ITEMS

None.

RE: INFORMATION ITEMS

None.

RE: PENDING ITEMS

Proffer Policy Update
Tourism Corridor Overlay

RE: CALENDAR

The Board received copies of its calendar for the months of April, May, and June, 2008.

RE: WORKSESSION – PROPOSED NEW PROCUREMENT REGULATIONS

Karen Karasinski, Finance Director, reviewed new procurement regulations with the Board. Discussion ensued including: more stringent guidelines; more formal bidding process; and preference to local vendors.

RE: ADOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:18 p.m.