BOARD OF SUPERVISORS MINUTES **APRIL 15, 2008**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, April 15, 2008, 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; 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: CALL TO ORDER

Chairman Johnson called the meeting to order.

RE: ADOPTION OF AGENDA

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

RE: ACTION ITEMS

RE: RESOLUTION TO ADOPT AND APPROPRIATE THE FY 2009 ORANGE COUNTY BUDGET

Discussion ensued including: why the process was changed and the Water Study Plan schedule.

Following discussion, Mr. Frame moved, seconded by Mr. Goodwin and carried to adopt the following resolution:

RESOLUTION OF ADOPTION & APPROPRIATION
FISCALYEAR 2009 ORANGE COUNTY BUDGET

WHEREAS, the Fiscal Year 2009 Budget has been duly prepared and presented to the Board of Supervisors; and

WHEREAS, the appropriate advertisements and public hearings, as required by the Code of Virginia, have been conducted; and

WHEREAS, numerous budget work sessions, open to the general public have been conducted; and

WHEREAS, the Board of Supervisors has considered the services required and desired by the citizens of Orange County.

NOW, THEREFORE, BE IT RESOLVED, this 15th day of April 2008 by the Board of Supervisors of Orange County Virginia, that the Fiscal Year 2009 Budget is established, adopted, and all funds appropriated, as attached with such limitations and instructions as may be included herein by operation of the Board's discretion and authority,

BE IT FURTHER RESOLVED as follows:

Estimates of revenues are approved in total and appropriations are hereby authorized at the department level within the General Fund and Law Library Fund.

Estimates of revenues are approved in total and appropriations by category are hereby authorized for the School Operating Fund. The Board of Supervisors must approve all reallocations or transfers between categories.

Estimates of revenues are approved in total and appropriations for remaining Governmental funds are approved in total for each fund, including the Debt Service Fund, County Capital Projects Fund, School Capital Projects Fund, Virginia Public Assistance Fund, Revenue Maximization Fund, School Textbook Fund, Head Start Fund, Cafeteria Fund, and Adult Education.

Appropriations designated for Capital Project Funds will not lapse at the end of the fiscal year but shall remain appropriated until the completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.

Federal, State, and Charges for Services for all School Funds and Social Services are hereby appropriated for expenditures only up to the amounts actually received from the Federal or State sources.

Enterprise funds including the Airport Fund and Landfill Fund are authorized to operate as determined by activity levels, within constraints of anticipated revenues and available surplus in accordance with the law, and budget modifications approved by the Board of Supervisors.

The County Administrator may increase appropriations for non-budgeted revenue for insurance recoveries for County vehicles and other property for which County funds have been expended to make repairs, up to $30,000 per incident.

The County Administrator may appropriate both revenue and expenditure donations made to support County programs up to $500. Any remaining balance of a restricted donation at the fiscal year end will be re-appropriated into the subsequent fiscal year.

The County Administrator is charged with the responsibility for the quarterly reporting of revenues and expenditures compared to the adopted budget as amended, to the Board of Supervisors.

Ayes: Johnson, Goodwin, Frame. Nays: Burkett, Pace.

Mrs. Pace stated that anywhere we can save taxpayers money is important. The School project is very dangerous and will cause a lot of financial hardship to residents. She expressed that the County is almost doubling debt on a project that we don't have to do, and that clearly there are other options that will save millions and meet the needs. She concluded by saying that the County has not been effective in cutting spending and that the budget could have been level funded.

Mr. Johnson stated that government costs money. We like the services but don't like to pay the bill. It is the Board of Supervisors job to make decisions about money. It is the Department Director's job to manage their department effectively and efficiently.

Mrs. Pace stated that she fundamentally disagreed. Approving the budget will increase the tax rate seven (7) cents next year at the minimum.

Discussion ensued regarding inefficiencies in the Building Department.

Mr. Burkett commented on the new Board being hit with the budget. He stated that there had been a drastic change to the Parks and Recreation Department so there should be a surplus of funds in some of these accounts. He stated that the County needs to continue to look for efficiencies and cost savings.

Mr. Johnson stated that there needs to be hard and fast guidelines.

RE: ADOPTION OF AN ORDINANCE TO FIX LEVIES FOR THE TAX YEAR BEGINNING JANUARY 1, 2008

Mr. Frame moved to adopt the following ordinance to fix levies for the tax year beginning January 1, 2008. Mr. Burkett seconded the motion. Mrs. Pace questioned Mr. Burkett about voting against the budget and voting in support of the tax levy. Mr. Burkett withdrew his second to the motion. Mr. Goodwin seconded the motion.

AN ORDINANCE TO FIX LEVIES FOR THE TAX YEAR BEGINNING JANUARY 1, 2008

BE IT ORDAINED by the Orange County Board of Supervisors that tax levies for the County of Orange be, and they hereby are established for the tax year beginning January 1, 2008 as follows:

REAL ESTATE as permitted by Section 58.1-3000 of the Code of Virginia, 1950, as amended, including equalized public service corporation real estate as defined by Section 58.1-2606 of the Code of Virginia, 1950, as amended and including a manufactured home as defined by Section 36-85.3, and as permitted by §58.1-3506(A)(10) of the Code of Virginia, 1950, as amended: $0.47 per $100.00 of assessed valuation (subject to land use tax ordinance and ordinance granting tax relief for the elderly and handicapped adopted by the Orange County Board of Supervisors).

TANGIBLE PERSONAL PROPERTY as defined by Section 58.1-3000 and classified by Section 58.1-3500 through 58.1-3503 inclusive, of the Code of Virginia, 1950, as amended, including equalized public service corporation tangible personal property as defined by Section 58.1-2606 of the Code of Virginia, 1950 as amended, but excluding watercraft and boats, aircraft, forest harvesting machinery and farm machinery: $2.20 per $100.00 assessed valuation at 100% of fair market value (subject to ordinance granting exemption for pollution control equipment adopted by the Orange County Board of Supervisors).

AIRCRAFT: as defined in Section 58.1-3506(A)(2), (3), (4) and (5) of the Code of Virginia, 1950, as amended: $0.55 per $100.00 assessed valuation at 100% of fair market value.

WATERCRAFT AND BOATS, as defined in Section 58.1-3506(A)(1)(a), (1)(b), (12), (28), (29), (35) and (36) of the Code of Virginia, 1950, as amended: $1.65 per $100.00 assessed valuation at 100% of fair market value.

FARM MACHINERY, as defined in Sections 58.1-3505(8) and (10) of the Code of Virginia, 1950, as amended: $0.00 per $100.00 assessed valuation at 100% of fair market value.

MACHINERY AND TOOLS as defined by Section 58.1-3507 of the Code of Virginia, 1950, as amended: $1.831 per $100.00 assessed valuation at 100% of fair market value.

FOREST HARVESTING MACHINERY as defined by Section 58.1-3508 of the Code of Virginia, 1950, as amended: $0.00 per $100.00 assessed valuation at 100% of fair market value.

MERCHANTS CAPITAL as defined by Section 58.1-3510 of the Code of Virginia, 1950, as amended: $0.40 per $100.00 of assessed valuation.

Ayes: Johnson, Goodwin, Frame. Nays: Pace. Abstain: Burkett.

Mrs. Pace stated that she could not support the tax increase because she could not support the budget.

RE: RESOLUTION TO ADOPT THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2008-09 THROUGH 2012-13

Mr. Frame moved, seconded by Mr. Goodwin and carried, to adopt the Orange County Capital Improvements Plan for FY08-09 through FY12-13 as presented and modified by the Board, with the understanding that funds for capital projects will only be appropriated for FY 08-09 as part of the adoption of the County's FY09 Budget. Ayes: Johnson, Burkett, Goodwin, Frame. Nays: Pace.

RE: CLOSED SESSION

At 8:14 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)."

The motion was seconded by Mr. Goodwin and carried. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: OPEN SESSION

At 9:02 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 an executive 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 executive 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 executive meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the executive 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: ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:02 p.m.