At a regular meeting of the Orange County Board of Supervisors held on Tuesday, October 14, 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; Teel Goodwin; and Lee Frame. 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 revised. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS FOR FY2008

The Board approved the following Supplemental Appropriations for FY2008:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
Capital Projects	Fire Truck Replacement	$ 500.00	Proceeds from Bond
Subtotal Capital Projects		**$ 500.00**	
	Total, This Request	**$ 500.00**	
	Fiscal Year to Date Total	**$ 1,500,499.86**	

RE: SUPPLEMENTAL APPROPRIATIONS FOR FY2009

The Board approved the following Supplemental Appropriations for FY2009:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
Sheriff	Firing Range Maintenance	$ 500.00	Firing Range Revenue
Sheriff	Firing Range Maintenance	$ 500.00	Firing Range Revenue
Subtotal Sheriff		**$ 1,000.00**	
	Total, This Request	**$ 1,000.00**	
	Fiscal Year to Date Total	**$ 132,924.38**	

RE: BUDGET TRANSFERS FOR FY2009

The Board approved the following Budget Transfers for FY2009:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount	
Salary	Reserve for Raises	OFEMS	Salary	608.33	A
Salary	Reserve for Raises	OFEMS	FICA	46.53	A
Salary	Reserve for Raises	OFEMS	Retirement	85.89	A
Salary	Reserve for Raises	OFEMS	Group Life	6.08	A
Salary	Reserve for Raises	OFEMS	Workers Comp	39.03	A
Salary	Reserve for Raises	OFEMS	Salary	1234.17	A
Salary	Reserve for Raises	OFEMS	FICA	94.41	A
Salary	Reserve for Raises	OFEMS	Retirement	174.27	A
Salary	Reserve for Raises	OFEMS	Group Life	12.34	A
Salary	Reserve for Raises	OFEMS	Workers Comp	79.19	A
Salary	Reserve for Raises	School Resource Off	Salary	538.33	A
Salary	Reserve for Raises	School Resource Off	FICA	41.18	A
Salary	Reserve for Raises	School Resource Off	Retirement	76.01	A
Salary	Reserve for Raises	School Resource Off	Group Life	5.38	A
Salary	Reserve for Raises	School Resource Off	Workers Comp	9.25	A
Salary	Reserve for Raises	Sheriff	Salary	661.67	A
Salary	Reserve for Raises	Sheriff	FICA	50.62	A
Salary	Reserve for Raises	Sheriff	Retirement	93.43	A
Salary	Reserve for Raises	Sheriff	Group Life	6.62	A
Salary	Reserve for Raises	Sheriff	Workers Comp	11.38	A
Salary	Reserve for Raises	Sheriff	Salary	775	A
Salary	Reserve for Raises	Sheriff	FICA	59.29	A
Salary	Reserve for Raises	Sheriff	Retirement	109.43	A
Salary	Reserve for Raises	Sheriff	Group Life	7.75	A
Salary	Reserve for Raises	Sheriff	Workers Comp	13.32	A
Salary	Reserve for Raises	Sheriff	Salary	936.67	A
Salary	Reserve for Raises	Sheriff	FICA	71.66	A
Salary	Reserve for Raises	Sheriff	Retirement	132.25	A
Salary	Reserve for Raises	Sheriff	Group Life	7.37	A
Salary	Reserve for Raises	Sheriff	Workers Comp	16.1	A
Salary	Reserve for Raises	Sheriff	Salary	936.67	A
Salary	Reserve for Raises	Sheriff	FICA	71.66	A
Salary	Reserve for Raises	Sheriff	Retirement	132.25	A
Salary	Reserve for Raises	Sheriff	Group Life	9.37	A
Salary	Reserve for Raises	Sheriff	Workers Comp	16.1	A
Salary	Reserve for Raises	Sheriff	Salary	637.5	A
Salary	Reserve for Raises	Sheriff	FICA	48.77	A
Salary	Reserve for Raises	Sheriff	Retirement	90.02	A
Salary	Reserve for Raises	Sheriff	Group Life	6.37	A
Salary	Reserve for Raises	Sheriff	Workers Comp	10.95	A
Salary	Reserve for Raises	Sheriff	Salary	1054.17	A
Salary	Reserve for Raises	Sheriff	FICA	80.64	A
Salary	Reserve for Raises	Sheriff	Retirement	148.85	A
Salary	Reserve for Raises	Sheriff	Group Life	10.54	A

Salary	Reserve for Raises	Sheriff	Workers Comp	18.11	A
Salary	Reserve for Raises	Sheriff	Salary	1464.17	A
Salary	Reserve for Raises	Sheriff	FICA	112.01	A
Salary	Reserve for Raises	Sheriff	Retirement	206.74	A
Salary	Reserve for Raises	Sheriff	Group Life	14.64	A
Salary	Reserve for Raises	Sheriff	Workers Comp	25.17	A
Salary	Reserve for Raises	OFEMS	Salary	584.17	A
Salary	Reserve for Raises	OFEMS	FICA	44.69	A
Salary	Reserve for Raises	OFEMS	Retirement	82.48	A
Salary	Reserve for Raises	OFEMS	Group Life	5.84	A
Salary	Reserve for Raises	OFEMS	Workers Comp	37.48	A
Salary	Reserve for Raises	Landfill	Salary	267.5	A
Salary	Reserve for Raises	Landfill	FICA	20.47	A
Salary	Reserve for Raises	Landfill	Retirement	37.77	A
Salary	Reserve for Raises	Landfill	Group Life	2.67	A
Salary	Reserve for Raises	Landfill	Workers Comp	4.93	A
Salary	Reserve for Raises	Landfill	Salary	668.33	A
Salary	Reserve for Raises	Landfill	FICA	51.12	A
Salary	Reserve for Raises	Landfill	Retirement	94.38	A
Salary	Reserve for Raises	Landfill	Group Life	6.68	A
Salary	Reserve for Raises	Landfill	Workers Comp	27.5	A
Salary	Reserve for Raises	Clerk's Office	Salary	690.83	A
Salary	Reserve for Raises	Clerk's Office	FICA	52.84	A
Salary	Reserve for Raises	Clerk's Office	Retirement	97.54	A
Salary	Reserve for Raises	Clerk's Office	Group Life	6.91	A
Salary	Reserve for Raises	Clerk's Office	Workers Comp	0.93	A
Salary	Reserve for Raises	Clerk's Office	Salary	620	A
Salary	Reserve for Raises	Clerk's Office	FICA	47.43	A
Salary	Reserve for Raises	Clerk's Office	Retirement	87.54	A
Salary	Reserve for Raises	Clerk's Office	Group Life	6.2	A
Salary	Reserve for Raises	Clerk's Office	Workers Comp	0.84	A
Salary	Reserve for Raises	Landfill	Salary	143	A
Salary	Reserve for Raises	Landfill	FICA	10.94	A
Salary	Reserve for Raises	Landfill	Workers Comp	0.19	A
Salary	Reserve for Raises	Library	Salary	114.4	A
Salary	Reserve for Raises	Library	FICA	8.75	A
Salary	Reserve for Raises	Library	Workers Comp	0.16	A
Salary	Reserve for Raises	Library	Salary	81.25	A
Salary	Reserve for Raises	Library	FICA	6.22	A
Salary	Reserve for Raises	Library	Workers Comp	0.12	A
Salary	Reserve for Raises	Library	Salary	71.5	A
Salary	Reserve for Raises	Library	FICA	5.47	A
Salary	Reserve for Raises	Library	Workers Comp	0.09	A
Salary	Reserve for Raises	Landfill	Salary	195	A
Salary	Reserve for Raises	Landfill	FICA	14.92	A
Salary	Reserve for Raises	Landfill	Workers Comp	0.26	A
Salary	Reserve for Raises	Landfill	Salary	195	A
Salary	Reserve for Raises	Landfill	FICA	14.92	A
Salary	Reserve for Raises	Landfill	Workers Comp	0.26	A

Salary	Reserve for Raises	Landfill	Salary	121.33	A
Salary	Reserve for Raises	Landfill	FICA	9.28	A
Salary	Reserve for Raises	Landfill	Workers Comp	0.17	A
Salary	Reserve for Raises	Library	Salary	255.23	A
Salary	Reserve for Raises	Library	FICA	19.52	A
Salary	Reserve for Raises	Library	Workers Comp	0.34	A

A - Merit Increases processed for the month of September 2008.

RE: MINUTES

The Board approved the minutes of August 12, 2008, Regular Meeting; and August 26, 2008, Regular Meeting as presented.

RE: VDOT RESOLUTION - ADDITION OF THE OAKS SUBDIVISION

The Board adopted the following resolution in support of Hope Lane, State Route Number 1042 into the secondary system of state highways:

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Orange County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to {33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

Project: The Oaks Subdivision

Type Change to the Secondary System of State Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street
Pursuant to Code of Virginia §33.1-229

Street Name and/or Route
► Hope Lane, State Route Number 1042
Old Route Number: 0

• From: Rte. 638
To: 0.27 Mi. from Rte. 638, a distance of: 0.27 miles.

Recordation Reference: Instr. # 070003167
Right of Way width (feet) = 50 feet

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

RE: BUDGET TRANSFERS FOR FY2008

Mrs. Pace requested that the Budget Transfers for FY2008 be pulled from the Consent Agenda for discussion. She was concerned with the $25,000 for bank charges which allows citizens to pay their taxes on-line. She inquired about the return on investment and whether the collection rate has increased since the service was implemented.

Mr. Rolfe explained that the service is working well and makes it much easier for citizens living on the far ends of the County. Chairman Johnson stated that the Board made the decision to implement this service as it is a convenience to the citizens.

Following discussion, Mr. Frame moved seconded by Mr. Goodwin and carried, to approve the following Budget Transfers for FY2008 as presented:

The Board approved the following Budget Transfers for FY2008:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount
Sheriff	Fuel	Treasurer	Bank Charges	5084.07 A

A - To cover negative variances

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

RE: VDOT RESOLUTION - ADDITION OF BLOOMSBURY ROAD

Mr. Burkett requested that the VDOT Resolution for the addition of Bloomsbury Road be pulled from the Consent Agenda for discussion. He stated that years ago Bloomsbury Road was relocated and inquired why it was just now being formally accepted into the system. Mr. Rolfe stated that the County has been working with VDOT to get the road added. Mr. Burkett also questioned whether this is the same type of road that is expected for subdivisions. Roy Tate, Assistant Residency Administrator, stated that the road now exceeds what would be required.

Following discussion, Mr. Burkett moved, seconded by Mr. Frame and carried, to approve the following resolution in support of Bloomsbury Road, State Route # 778 into the secondary system of state highways:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated August 15, 2008 depicting the additions, discontinuances and abandonments required in the secondary system of state highways as a result of Project 0778-068-208,N501 which sketch is hereby incorporated herein by reference,

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Orange County, and

NOW, THEREFORE BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to {33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

Project: 0778-068-208,N501

Type Change to the Secondary System of State Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **Access Project, Recreational**
Pursuant to Code of Virginia §33.1-229, §33.1-223

Street Name and/or Route
► **Bloomsbury Rd., State Route Number 778**
Old Route Number: 0

• From: Rte. 20
To: 0.23 Mi. N. of Rte. 20, a distance of: 0.23 miles.
Recordation Reference: Instr.070005352, 080001962
Right of Way width (feet) = 60 feet

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

RE: PUBLIC APPEARANCES

RE: SERVICE AWARDS

Service awards were presented to the following individuals: Carol Gettier, Parks & Recreation Secretary, for five years of dedicated service to the County; and Alisha Vines, Childcare Site Director, for fifteen years of dedicated service to the County.

RE: INTRODUCTION OF THE NEW REGIONAL HEALTH DIRECTOR

Dr. Dana Bradshaw, Regional Health Director, introduced himself to the Board and gave a brief biography of his past professional experiences.

RE: VDOT UPDATE

Roy Tate, VDOT Assistant Residency Administrator, updated the Board on the status of road projects in Orange County.

RE: ACTION ITEMS

RE: THOMAS AND KRISTI GIBBONS APPEAL

David Grover, Director of Community Development, stated that Thomas and Kristi Gibbons were appealing to the Board a determination made by the Subdivision Agent that the plats they submitted for two parcels, tax map 19-23E and tax map 19-23F, do not qualify as bona fide family subdivisions, but circumvent the time limitations for agricultural subdivisions. Mr. Grover explained that Mr. and Mrs. Gibbons can accomplish what they want under the current subdivision ordinance but not under the new subdivision ordinance.

Tom Purcell, attorney for the Gibbons', spoke on behalf of his clients. Mr. Gibbons commented on the money he has spent trying to enhance the value of his property.

Discussion ensued including: the issue of circumvention and why that wasn't stated from the beginning from the Community Development Office to Mr. Gibbons.

By consensus, the Board requested that the decision on this issue be postponed until its next meeting on October 28, 2008.

RE: WORKSESSION – LANDFILL EXPANSION

Kurt Hildebrand, Director of Public Works, discussed with the Board the possibility of a landfill expansion. He stated that he had received an unsolicited proposal from R. M. Soderquist to operate two additional cells and not open a transfer station at this time. Mr. Hildebrand reported that R. M. Soderquist is currently working the operating face of the landfill.

Discussion ensued including: opening a new cell; mitigation of wetlands between cells; tipping fees; fuel costs; implementation of a recycling program; permit upgrades; benefits associated with opening new cells; and the need to have guidelines in place before advertising for proposals.

RE: PUBLIC COMMENT

RE: JOURNEY THROUGH HALLOWED GROUND - CORRIDOR MANAGEMENT PLAN

Cate Magennis Wyatt, President of the Journey Through Hallowed Ground Partnership, updated the Board on the progress of the project.

Discussion ensued including: why Route 22 was included in the Corridor Management Plan; and who pays taxes on the property purchased.

Mr. Frame moved, seconded by Mrs. Pace and carried, to adopt the following resolution to recommend to the U. S. Department of Interior's "All American Road" designation for U. S. Route 15/20/231/22 as presented:

A RESOLUTION TO RECOMMEND THE U.S. DEPARTMENT OF INTERIOR'S "ALL AMERICAN ROAD" DESIGNATION FOR U.S. ROUTE 15/20/231/22

WHEREAS, the United States Congress approved legislation in May 2008 to create The Journey Through Hallowed Ground National Heritage Area; and

WHEREAS, this legislation creates a National Heritage Area corridor that includes U.S. Routes 15/20/231/22 from Thomas Jefferson's Monticello in Charlottesville north to Gettysburg, Pennsylvania; and

WHEREAS, designation of the Journey Through Hallowed Ground as a National Heritage Area, and Route 15/20/231/22 as an All American Road within the National Scenic Byways

Program, will help support the four-state public/private partnership that has been developed to promote and celebrate the historical and cultural resources along the route; and

WHEREAS, designation as a National Heritage Area and All American Road will make federal funds available to government entities located along this corridor for the purposes of developing tourism, preservation and enhancement of historical sites and battlefields; and

NOW, THEREFORE, BE IT RESOLVED that the County of Orange adopts the designation of the Journey Through Hallowed Ground Byway (Route 15/20/231/22) as an All American Road within the National Scenic Byways Program;

AND, BE IT FURTHER RESOLVED that the County of Orange will utilize federal funds available for such purposes to encourage tourism, preservation and enhancement of the region's historic sites and battlefields.

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

RE: BOARD COMMENT

The Board members made no comments at this time.

RE: ACTION ITEMS CONTINUED

RE: LANDFILL FEES

Mr. Rolfe explained that staff has been working with the Solid Waste Committee on a variety of issues, one of which is a review of current fees being charged at the Orange County Sanitary Landfill. He stated that the current tipping fee is $40 per ton and hasn't changed in over thirteen years; however, costs to operate the landfill have certainly increased over time. Therefore, the Committee feels that the tipping fee should increase to help offset the expenses. Mr. Rolfe stated that the proposed new tipping fee is $52 per ton. He noted that the increased amount, though reasonable and in line with neighboring localities, will not completely cover operating costs, but will help to close the gap between revenue and expenses. Mr. Rolfe reported that tire recycling is another area that has been reviewed and is in need of a revised fee structure. Currently, the charge is $1.00 for passenger tires and $5.50 for truck tires. He indicated that the County waives fees for citizens who bring in four or fewer tires per load. The County currently pays $150.00 per ton to recycle the tires and receives no revenue from recycling. Staff and the Solid Waste Committee propose the following new fee structure for tires:

- Loads that have more than ten tires; and all truck or equipment tires will be charged $200.00 per ton;
- Loads of passenger tires that contain ten or fewer tires will be charged $2.50 per tire;
- No fee waivers will be given unless directed by the Board of Supervisors.

Discussion ensued including: how to administer the new fee structure; what the current fine is for dumping at the landfill; whether there is a litter fine in the County; and operational costs.

Mr. Frame moved, seconded by Mr. Goodwin and carried, to authorize the County Administrator to implement the following revised fees: Landfill tipping fee will be $52 per ton. Loads of more than ten tires and truck/equipment tires will be charged $200 per ton. Loads of ten or less passenger tires will be charged $2.50 per tire. No fee waivers will be given unless authorized by the Board of Supervisors. The new fees will take effect November 1, 2008. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: PROPOSED FY09-10 BUDGET MEETING SCHEDULE

Karen Karasinski, Finance Director, presented the Board with a proposed schedule of meeting dates and advertising deadlines for the development and adoption of the fiscal year 2009-2010 County budget. Mrs. Karasinski concluded by saying that, upon approval of the schedule, proper notice will be provided to the media and interested parties.

Mr. Frame moved, seconded by Mr. Burkett and carried, to approve the FY10 budget meeting schedule as revised. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: DESIGNATION OF A VOTING DELEGATE FOR THE VACo ANNUAL MEETING

Mr. Rolfe stated that the 2008 Annual Business Meeting of the Virginia Association of Counties (VACo) will be held on Tuesday, November 11, 2008, and that the County should designate a representative of the Board of Supervisors to cast its vote(s) at the meeting. He reported that Vice-Chairman Pace and Supervisor Goodwin will be attending the meeting as well as the Assistant County Administrator.

By consensus, the Board designated Vice-Chairman Pace as the voting delegate for the VACo Annual Meeting to be held on Tuesday, November 11, 2008.

RE: FIRE APPARATUS REPLACEMENT FUNDS

Jamie Clark, Fire & EMS Director, stated that, in accordance with Orange County's Fire Apparatus Replacement Program, the Mine Run Volunteer Fire Company and the Gordonsville Volunteer Fire Company have submitted a request for the appropriation of funds to go toward the purchase of fire apparatus. He explained that the Fire Apparatus Replacement Program was recently updated through a joint effort of the Volunteer Fire Chief's Association and County staff. Mr. Clark reported that recommendations from the Volunteer Chief's Association call for the funds to be divided equally between both companies to meet the fire apparatus needs of the County and that this recommendation is consistent with the overall replacement plan. He concluded by saying that he concurs with the recommendation.

Discussion ensued including: the possibility of rotating vehicles with high mileage to an area where it wouldn't add as much mileage; and ownership of the equipment.

Jimmy Woodcock, Mine Run Fire Chief, commented on the apparatus fleet and reported that most of the equipment is beyond its official use.

The Board requested a listing of the vehicles that each fire company has including age and mileage.

Mr. Frame moved, seconded by Mr. Goodwin and carried, to approve the appropriation of $298,779.00 from the Reserve for Fire Equipment Replacement line item #4.312.94450.1049 for the purchase of replacement fire apparatus. The funds shall be divided equally in the amount of $149,389.50 between the Mine Run Volunteer Fire Company and the Gordonsville Volunteer Fire Company. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: RESCUE SQUAD ASSISTANCE FUND GRANT

Jamie Clark, Director of Fire & EMS, explained that the County of Orange Fire & EMS Department has been awarded a 50/50 grant through the consolidated grant program offered by

the Virginia Office of EMS. The grant is awarded toward the purchase of three Automatic Cardiac Compression Devices which are designed to automatically provide cardiac compressions to patients suffering from a cardiac arrest. Mr. Clark reported that the department received approval from its Operational Medical Doctor (OMD) to establish a pilot program with loaner devices obtained from Zoll Medical Corporation. The results of the pilot program have been impressive with a significant improvement in how effective cardiac compressions are performed in the field. He indicated that the device has shown to provide a consistent rate of compressions and reduce the physical demands of providers in the field. Mr. Clark stated that the purchase of these devices will allow for placement in the following areas of the County: Lake of the Woods, Mine Run and the Town of Orange. He noted that the Fire & EMS Department has plans to provide the Barboursville area with the same capability in the future. Mr. Clark concluded by saying that the Department's OMD has mandated that the only automatic compression device to be used must provide a combination of circumferential chest compressions and direct cardiac compression. Zoll Medical Corporation is the only company that manufactures a product that meets these criteria. Therefore, staff is pursuing the purchase under the guidelines of sole source procurement.

Mr. Frame moved, seconded by Mr. Burkett and carried, to recognize and appropriate $22,500.00 of grant funds from the Commonwealth and authorize the County Administrator to execute a sole source purchase from Zoll Cooperation for 3 Auto Pulse Non-invasive Cardiac Support Pumps. The purchase will be funded from the Medical Supplies account in Fire & EMS (account #032310-6004). Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: VEHICLE DISBURSEMENT

Mr. Rolfe stated that a request had been received from the Orange County Sheriff's Office to move vehicles around between agencies. They would like to trade two (2) Chevrolet Suburban sport utility vehicles with the Orange County Rescue Squad for an ambulance to replace the Sheriff's Office Special Response Team (SWAT). They would also like to trade two (2) Ford Crown Victorias to the Gordonsville Police Department for an Oldsmobile for TRIAD.

Discussion ensued including: mileage on the vehicles and age of the vehicles.

Mr. Burkett moved, seconded by Mr. Frame and carried, to allow the Orange County Sheriff's Office to replace vehicles in the fleet as requested.

RE: PARKS & RECREATION UPDATE

Julie Jordan, Assistant County Administrator, stated that staff has been working on a comprehensive review and, where necessary, reorganization of the Parks and Recreation Department. She reported that staff has tackled a number of program areas with success and are working on completing the remaining programs as quickly as possible. Ms. Jordan indicated that preliminary first quarter results for the department overall (excluding the Child Garden) shows revenues of $178,675 and expense of $201,852, a subsidy of 12.97%. Ms. Jordan briefly commented on the various areas that have been reviewed including: aquatics; soccer/SOCA; Stinger football; child care; and Booster Park. She indicated that the following activities have begun to be reviewed but are not complete: mature adults program; special programs; ticket sales; gymnastics; wrestling; Karate/Tae Kwon Do; open gym (Field House, Locust Grove Gym); and District 1 Parks.

Discussion ensued including: attendance at the before and after school program; aquatics program and collection of delinquent accounts.

No action was requested or taken.

RE: KANDACE MAHIEU - REQUEST FOR CHILD CARE FEE DISCOUNT

Julie Jordan, Assistant County Administrator, stated that at its last meeting, the Board raised questions about a request from Kandace Mahieu regarding her childcare fees and any others who may ask for the same consideration because of the same circumstances. She explained that Ms. Mahieu started with Orange County in January, 2005, and as part of the reorganization of Orange County Child Care, two changes were made that affected Ms. Mahieu financially in a negative way. She reported that Ms. Mahieu's position was reverted from a full time position to a part time position, and that extra discounts for employees of Orange County and Orange County Public Schools were eliminated. Ms. Jordan stated many families were impacted when the discounts were eliminated, but only two individuals were impacted by the second circumstance of the reclassification of their positions from full time to part time. The second individual has high school aged children and has no need for childcare discounts.

Discussion ensued including: when Ms. Mahieu was notified of the change; and the possibility of a similar situation if rates are changed in the future.

Mr. Goodwin moved, seconded by Mr. Burkett and carried, to forgive Kandace Mahieu's remaining balance of $218.20 which equals the increase in the rate imposed by the elimination of the employee discount. Ayes: Burkett, Goodwin, Pace. Nays: Johnson, Frame.

RE: ROOF REPAIRS TO THE GORDON BUILDING AND THE COMMUNITY DEVELOPMENT BUILDING

Mr. Burkett moved, seconded by Mr. Frame and carried, to rescind the vote taken on September 23, 2008, authorizing roof repairs to the Gordon Building and the Community Development Building. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mrs. Pace nominated Donald Hirsh to serve as the District Four representative on the Orange County Airport Commission for a four year term, with said term expiring December 31, 2012; and Joanne Herndon to serve as the District Four representative on the Social Services Board, filling the unexpired term of Tom Bundy, which expires June 30, 2012.

RE: DISCUSSION ITEMS

RE: VABB LETTER

Mr. Rolfe stated that Virginia Broadband (VABB) previously submitted a proposal for the Board's review and have requested to meet with the Board as they have customers who are interested in wireless internet service.

Discussion ensued including: what type of meeting VABB is requesting; the number of towers that the County has; cost to construct towers; and advertisement of an unsolicited proposal.

Vanetta Pledger, Information Technology Director, briefly commented on the proposal from Virginia Broadband.

By consensus, the Board requested staff to prepare additional information for its review and discussion.

RE: RECESS

The Board took a short recess at 9:00 p.m. and reconvened at 9:08 p.m.

RE: DISCUSSION ITEMS CONTINUED

RE: TAXING IMPROVEMENTS ON REAL PROPERTY

Mr. Rolfe stated that at the last Board meeting, Supervisor Frame discussed the issue of when the County began taxing improvements on real property and staff was asked to research the matter and report back to the Board. He explained that currently the Commissioner of the Revenue assesses improvements on property undertaken during the calendar year based on the percentage of the improvements completed as of January 1. Mr. Rolfe reported that section 58.1-3292 of the Code of Virginia allows counties to adopt an ordinance that would begin taxing improvements on real property when they are completed or fit for use and occupancy. The tax is prorated based on the number of months in the tax year the improvements are completed or fit for use and occupancy. He noted that there are several other issues to consider:

- The two towns should be briefed on the matter and given the opportunity to adopt a companion ordinance for real improvements within the boundaries of the two towns; and

- The Board needs to understand that there is some cost associated with the implementation of this issue. The assessment firm will need to come back to the county on an as needed basis but no more than monthly to pick up completed improvements. There will be a small increase in mailing costs due to supplemental billings going out. In addition, the Commissioner has indicated that with the current number of new improvements annually, her staff can handle the workload; however, if building permits increase to 2005 or 2006, she may need additional employees to hand the additional work load.

Mr. Rolfe concluded by saying that if the Board is interested in pursuing this matter, an ordinance needs to be developed and a public hearing held on the proposed ordinance prior to the Board formally considering the matter for adoption.

Discussion ensued including: who makes the assessment; supplemental billing; and contract with Blue Ridge Appraisal.

By consensus, the Board requested that the County Administrator to pursue this issue.

RE: COMPREHENSIVE PLAN

Deborah S. Kendall, Director of Strategic Planning, reported that the Planning Commission held a public hearing on the draft revisions to the 2006 Orange County Comprehensive Plan on Thursday, October 2, 2008. While most of the speakers applauded the efforts of the County to put “rural” back in the vision statement and reduce the targeted growth rate from 2% to 1% annually, they urged the Commission to take additional steps, including reviewing and revising the future land use map, to ensure the fruition of the modifications to the plan. She stated that the Commission did not take action on the draft amendments to the plan, but indicated that they would discuss the public hearing comments and possible additional corresponding changes to the plan at their next meeting on November 6, 2008. Mrs. Kendall reported that based on comments made by some commissioners during the discussion of the plan revisions, one topic of conversation at the meeting will likely involve the future land use map and whether it should be modified to change the amount of land available for future business or residential growth. She noted that another possible area of discussion at the November 6, 2008,

meeting may involve the demographic information in the plan and whether it should be modified to reflect current statistics as was suggested by one of the public hearing speakers.

Discussion ensued including: the responsibilities and authority of the Planning Commission; review of the Comprehensive Plan; and directive for Zoning Ordinance consultant.

By consensus, the Board directed staff to notify the Planning Commission that the Future Land Use map is not to be modified.

RE: CENTRAL VIRGINIA REGIONAL JAIL

Supervisor Frame requested that this item be added to the agenda for discussion. He explained that the Central Virginia Regional Jail Board is attempting to establish a Regional Jail Authority. He distributed a copy of a proposed agreement and financial forecast for the Board's review. Mr. Frame stated that the County has budgeted $300,000 for the regional jail expansion. He indicated that the state has imposed a moratorium on new construction since they pay 50% of the costs.

Discussion ensued including: advantages in having an Authority; the powers of an Authority; capital project funding for jail expansion; the borrowing of money; and the benefits of having a jail in Orange County.

Mr. Frame requested that this item be added to the next agenda for further discussion.

RE: INFORMATION ITEMS

The Board received the following items for its information:

- Treasurer's Report as prepared by Phyllis M. Yancey, Orange County Treasurer; and
- a letter from VDOT regarding a list of changes to the Secondary and Primary System of State Higways.

Discussion ensued regarding the drop in the fund balance on the Treasurer's Report.

RE: PENDING ITEMS

- Wireless Project
- Illegal Immigration
- Lighting Ordinance
- Noise/Nuisance Ordinance

RE: CALENDAR

The Board received copies of its calendar for the months of September, October and November, 2008.

By consensus, the Board scheduled its December dinner break with the Orange County Nursing Home Commission and its January dinner break with the Orange Extension Office.

RE: CLOSED SESSION

At 10:16 p.m., Mr. Goodwin 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 and consideration of prospective candidates to serve as the interim County Attorney, as permitted by Virginia Code section 2.2-3711 (A)(1)."

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

RE: OPEN SESSION

At 10:42 p.m., Mr. Burkett moved, seconded by Mr. Frame 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: ACTION FOLLOWING CLOSED SESSION

Mr. Frame moved, seconded by Mr. Burkett and carried, to authorize Chairman Johnson to execute an engagement agreement to have Sharon Pandak serve as Interim County Attorney, effective October 29, 2008. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 10:42 p.m. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.