BOARD OF SUPERVISORS MINUTES **AUGUST 12, 2008**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, August 12, 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*; and Lee H. Frame, Jr. Also present: William C. Rolfe, County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.
*Mr. Goodwin entered the meeting at 4:02 p.m.

RE: ADOPTION OF AGENDA
Mr. Frame moved, seconded by Mr. Burkett and carried, to adopt the agenda as revised. Ayes: Johnson, Burkett, Pace, Frame. Nays: None. Absent: Goodwin.

RE: CONSENT AGENDA
Mr. Frame moved, seconded by Mr. Burkett 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
Legal Services	Suit filing fees	$ 8,019.93	Sale of delinquent parcels
Legal Services	Appraisal fees	$ 2,253.60	Sale of delinquent parcels
Legal Services	Insurance Prem/Bond	$ 3,018.00	Sale of delinquent parcels
Subtotal Legal Services		**$ 13,291.53**	
Commonwealth Att	Forfeited Assets	$ 702.37	Forfeited asset seizure
Subtotal Commonwealth Attorney		**$ 702.37**	
Sheriff	Forfeited Assets	$ 211.20	Forfeited asset seizure
Sheriff	Forfeited Assets	$ 171.08	Forfeited asset seizure
Subtotal Sheriff		**$ 382.28**	
	June Total	**$ 14,376.18**	
	Fiscal Year to Date Total	**$ 1,499,657.20**	

RE: SUPPLEMENTAL APPROPRIATIONS FOR FY2009
The Board approved the following Supplemental Appropriations for FY2009:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
Sheriff	Forfeited Assets	$ 93.84	Forfeited asset seizure
Sheriff	Triad	$ 100.00	donations
Subtotal Sheriff		**$ 193.84**	
Airport	Perimeter Fence Design	$23,787.90	State Grants
Subtotal Airport		**$23,787.90**	
Comm Dev	ISTEA Montpelier	$93,853.00	State Grants

	Gtwy	
Subtotal Community Development		**$93,853.00**

Total, This Request	**$**	**117,834.74**
Fiscal Year to Date Total	**$**	**117,859.74**

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
Capital Projects	East Mid Sch Engineer	East Middle School	Engineer/Acquisition	2,012,095.00
Capital Projects	Park IV Construction	East Middle School	Engineer/Acquisition	200,000.00

RE: MINUTES – MAY 13, 2008

The Board approved the minutes of May 13, 2008 as presented.

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

Mrs. Pace requested that the following items be pulled from the consent agenda for discussion:

- April 22, 2008 – Regular Board Meeting Minutes;
- School Assessment Contract; and
- VRS Affirmation of Authorization to Pick-up Employees Contribution.

RE: MINUTES – APRIL 22, 2008

Mrs. Pace requested that the minutes of April 22, 2008, be amended to reflect the discussion that took place regarding the proposed Route 3 development as follows: "the proposed concept is not consistent with the County which wants to retain its rural qualities and that the big box promotes low wages."

Discussion ensued regarding what should be included in the minutes and when a Board member should request that comments be recorded in the minutes.

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

Mrs. Pace made a motion that the discussion that took place regarding the amendment to the April 22, 2008 minutes be recorded in the minutes.

Discussion ensued regarding the request by Mrs. Pace that her comments be recorded in the minutes.

The motion died for lack of a second.

RE: SCHOOL ASSESSMENT CONTRACT

Mrs. Pace inquired as to how enrollment average changes will be reflected and suggested that current economic times in Virginia and throughout the nation should be reflected.

Mr. Rolfe explained that the contract does not indicate that the consultant will use the past five years to predict the future five years.

Discussion ensued including: who the consultants are working for; who receives the data; changing the owner to Board of Supervisors; methodology for enrollment projections; concerns with accuracy; and keeping the same panel to review the information.

Mr. Frame moved, seconded by Mr. Burkett and carried, to change the "owner" to "Board of Supervisors"; and authorize the County Administrator to enter into a contract with BCWH, in the amount of $95,700.00, to provide a System-Wide School Facility Assessment as revised. The fees for this service are to be paid from contingency, as identified in a previous motion dated March 25, 2008. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: VRS AFFIRMATION OF AUTHORIZATION TO PICK-UP EMPLOYEES CONTRIBUTION

Mrs. Pace requested that this item be added to the agenda for discussion. She requested that the County Administrator provide additional information as to when the policy was established. She stated that Mr. Rolfe indicated that the Board could take action on this item at its next meeting and still get the resolution submitted by the deadline date.

Discussion ensued including: the VRS policy; why the County is responsible for paying the employees contribution; that the proposed action does not change the policy; and that funds have been budgeted for VRS.

Mr. Goodwin moved, seconded by Mr. Frame and carried, to approve the following resolution for VRS affirmation of authorization to pick up the employees contribution:

Resolution of Affirmation of Authorization to Pick-up the Employee's Contribution to VRS for ORANGE COUNTY, 55168 Under § 414(h) of the Internal Revenue Code

WHEREAS, Orange County provides its employees with tax deferred pursuant to § 414(h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (referred to as VRS) by picking up member contributions to VRS; and

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS;

WHEREAS, the Internal Revenue Service in Notice 2006-43 has provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009.

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, Orange County desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this Resolution, and it is further

RESOLVED that effective the first pay day on or after August 12, 2008, Orange County shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States, and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by ORANGE COUNTY in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by ORANGE COUNTY under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by ORANGE COUNTY directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of ORANGE COUNTY shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by ORANGE COUNTY on behalf of such employee pursuant to the foregoing resolutions.

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

RE: PUBLIC APPEARANCES

RE: SERVICE AWARD PRESENTATION

Julie Jordan, Assistant County Administrator, recognized the following employees for their years of service to Orange County:

Five Years: Letitia Douthit, Coordinator for the Comprehensive Services Act (CSA);

Ten Years: Joyce Cameron, Deputy I in the Office of the Commissioner of the Revenue; Donnie Lettner, Communications Officer with the E911 Department; and Garcia Madison, School Resource Officer with the Sheriff's Department.

Fifteen Years: G. W. Gray, Senior Inspector with the Office of Community Development.

RE: VDOT UPDATE

Don Gore, VDOT Resident Engineer, updated the Board on the status of projects within Orange County.

RE: MEDICAL/DENTAL INSURANCE CONTRACTS

Karen Karasinski, Finance Director, introduced Greg Snow, Consultant with Wachovia Insurance Services. He briefed the Board on the current health insurance proposal, including the committee's analysis and recommendations for the Board's consideration.

Discussion ensued including: significant increases; and customer service comparisons.

Mr. Frame moved, seconded by Goodwin and carried, to approve recommendations for medical, dental and vision contracts as presented and give the County Administrator authority to execute all documents necessary to do so. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: CLOSED SESSION

At 5:30 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 concerning existing business or industry where no previous announcement has been made of the business or industry's interest in expanding their facilities in the community, as permitted by Virginia Code section 2.2-3711(A)(5);

- Discussion and evaluation of the County Administrator's Office and the Parks and Recreation Department, where such discussion will necessarily involve specific individuals, as permitted by Virginia Code section 2.2-3711(A)(1)."

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

RE: RECONVENE

The Board recessed closed session at 6:41 p.m. and reconvened in open session at 7:00 p.m.

RE: PUBLIC COMMENT

None.

RE: BOARD COMMENT

Mr. Frame commented on research that he is doing on meeting the standards on fire and rescue response. He indicated that he would distribute information to the Board members at its next meeting.

Chairman Johnson commented on remarks made at the August 7, 2008, Planning Commission meeting which he felt misrepresented Board action. Discussion ensued between Chairman Johnson and Mrs. Pace regarding what she stated at the Planning Commission meeting concerning proposed guidelines that she had drafted for the zoning consultant to follow. Chairman Johnson asked the other Board members if they recalled endorsing the guidelines at the June 17, 2008 worksession with Milt Herd. He asked the Deputy Clerk to prepare a copy of the audio recording of the meeting in question for each of the Board members to review. Mrs. Pace stated that it was not her intent to mislead the Planning Commission and stated that either she or Chairman Johnson would be apologizing to the other at the next meeting.

RE: ACTION ITEMS

RE: FINANCIAL ADVISORY SERVICES

Karen Karasinski, Finance Director, reported that a Request for Proposals (RFP) for Financial Services was issued on January 30, 2008 with responses due by February 20, 2008. Responses were received from Springsted and Davenport & Company. She noted, in addition, two no-bid responses were received from Morgan Keegan and Bassett Financial Management, LLC. Mrs. Karasinski stated that an evaluation/interview panel was formed including: the County Administrator, Assistant County Administrator, Treasurer, and herself. Proposals were based on the following criteria: qualifications and experiences providing these services in Virginia local

government; references; specific plans or methodology used to perform these services; and completeness of proposals. The panel interviewed both companies in April. She concluded by saying that staff is recommending Davenport & Company to provide financial advisory services for a three year contract with two one-year options to renew. Mrs. Karasinski stated that there is no retainer fee with the proposed contract and that the County will be billed based on established hourly rates. The contract will be funded by project appropriations that require bond proceeds or budget established for special projects.

Discussion ensued regarding the amount of money spent last year for financial advisory services and why Davenport & Company was chosen over Springsted. Mr. Rolfe explained that Springsted provides financial advisory services and they are also underwriters who sell the bonds. He stated that it is not a good idea to let one firm do both things. The Board briefly reviewed the scope of services and inquired whether it would be consulted for other services. Mr. Rolfe confirmed that it would.

Mr. Frame moved, seconded by Mr. Burkett and carried, to authorize the County Administrator to enter into a contract for three years with two one-year renewal options with Davenport & Company to provide Financial Advisory Services. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: FY2008 REQUEST FOR CAFETERIA FUND BUDGET AMENDMENT

Karen Karasinski, Finance Director, stated that the school has submitted two requests to amend the Cafeteria Fund budget for fiscal year 2008. She explained that the first request is for authorization to transfer money from the School Operating Fund to School Cafeteria Fund in the amount $83,726. The funds are currently appropriated in the School Operating Fund and will not increase the amount paid by the County. The proposed request is to cover the fiscal year 2007 deficit reported in the Comprehensive Annual Financial Report. She stated that the second request is to recognize and appropriate the additional revenue received in the Cafeteria Fund for fiscal year 2008 in the amount of $102,853. The additional revenue collected will cover expenditures over the amount currently appropriated.

Discussion ensued regarding why the school fund was short $83,000; how the funds were spent; and the need for process so that funds can't be overspent. Discussion continued after the public hearing.

RE: PUBLIC HEARING: GEORGE KENNETH ISAAC – KEEPING OF HORSES

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 comment on the following:

SUP 08-04: George Kenneth Isaac is requesting a special use permit to allow the keeping of animals other than those customarily kept as household pets. The site is zoned General Residential (R-2), requiring an SUP for such activity. The property is identified on county tax maps as parcel 42-22, and consists of 9.275 acres.

Kevin McMahan, Planner, gave the staff report. He concluded by saying that the Planning Commission voted unanimously to recommend approval of the application, subject to the amended conditions dated July 17, 2008.

At 7:39 p.m., Chairman Johnson opened the floor for public comment. There being none the public hearing was closed.

Discussion ensued including: the proposed 30 feet buffer; the possibility of recording restrictive covenants; fencing installation at the expense of the applicant; and whether there are other residentially owned parcels with horses.

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

RE: ACTION ITEMS CONTINUED

RE: FY2008 REQUEST FOR CAFETERIA FUND BUDGET AMENDMENT CONTINUED

Mr. Frame reiterated that there needs to be a policy in place so that funds can't be overspent.

Mr. Frame moved, seconded by Mr. Goodwin and carried, to authorize the School budget amendments as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: AVIATION FUEL CONTRACT

Peggy Miles, Airport Operations Manager, explained that the County entered into an agreement with Eastern Aviation Fuels, Inc. for the sale and delivery of aviation fuels to be used for resale on August 1, 2003 for a period of five (5) years and successive periods of twelve months thereafter. The contract offers the airport quick and responsive fuel dispatch service and delivery; Shell brand name fuel; fuel purchases at wholesale prices; utilization and access to online Shell credit card collection and processing services; no service fees on Shell Aviation credit cards; free signage; upkeep and advertising. She noted that the contract also provides, at no additional cost, 24 hour emergency service and annual quality control inspections by a licensed and certified Quality Control Inspector. Ms. Miles stated that Eastern Aviation Fuels, Inc. is the only company servicing the area that provides Shell Aviation brand products. She requested authority to continue to purchase fuel for resale under this contract in an amount budgeted in fiscal year 2009 totaling $230,000. All County costs shall be recouped upon sale of the product with a projected gross receipt of $264,500 which yields the fuel pricing policy accepted by the Board on February 14, 2006, with a budgeted minimum margin of 15%. Ms. Miles stated that it should be noted that the vendor program was implemented and carried out in 2003 as if the contract was fully executed. Upon further review, staff could not find an executed contract or Board approval. Therefore, it is staff's recommendation to execute the contract with Eastern Aviation Fuels, Inc. to continue to provide Shell branded aviation fuel to airport customers.

Discussion ensued including: whether there are other companies who offer aviation fuel services; other localities which use Eastern Aviation Fuels, Inc., current mark-up; and possibly advertising a Request for Proposals for fuel services.

Karen Karasinski, Finance Director, stated that Eastern Aviation Fuels, Inc. is a sole source provider for Shell gas in the region.

Mr. Goodwin moved, seconded by Mr. Frame and carried, to authorize the County Administrator to sign a Purchase Order and all associated documents for the acquisition of aviation fuel for resale according to the agreement with Eastern Aviation Fuels. Funding in the amount of $230,000.00 has been appropriated for the Orange County Airport fuel account (504-81700-6015). Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: AIRPORT TERMINAL PROJECT

Peggy Miles, Airport Operations Manager, explained that when the fiscal year 2009 budget was adopted, it included $462,000 ($328,400 state, $133,560 local) for the construction of terminal site work. In addition, the fiscal year 2008 budget included an appropriation of $56,000 to repair/remedy airport drainage issues at the Tracey hangars and an extension of the new apron space needed in preparation of the new hangar for SkyDive Orange, Inc. She stated that these maintenance items were earmarked for Phase I of the Apron Project; however the contractor for the project was unable to undertake the work in a timely manner. Therefore, it has not been completed. Ms. Miles indicated that staff would like to include this work as part of the proposed Airport Terminal Project. She stated that in accordance with federal, state and county regulations and policies, Orange County requested bids to accomplish construction of the terminal site work and maintenance items. The following bids were received:

- Shelbeck Excavating $470,801.00
- General Excavating $427,393.00
- Finley Asphalt & Sealing $614,864.00
- Chemung Contracting $539,651.00
- Synchronized Construction $426,939.28

Ms. Miles noted that Finley Asphalt & Sealing and Shelbeck Excavating did not bid on the correct specifications. There was an addendum to the specifications that could have reduced costs and those companies did not consider those changes in their pricing. She stated that in addition to the construction contract of $426,939.28, the proposed project will require $89,840 for Delta Consultants to oversee the project and $31,500 to be paid for parking lot lighting, water and administrative fees. The total project cost of %548,279.28 is broken down to $390,466.12 in state funding and $157,813.16 in local funding.

Discussion ensued with Adam Switzer, representative with Delta Airport Consultants, regarding the scope of services for the project.

Following discussion, Mr. Goodwin moved, seconded by Mr. Frame and carried, upon approval of State funding, to authorize the County Administrator to accept the grant, amend the budget and execute all documents associated with the Commonwealth of Virginia's grant agreement offer for project CS0037-Construct Terminal Building Site Work, execute all documents associated with Synchronized Construction bid in the amount of $426,939.29, to execute all documents associated with Engineering Amendment 2 for Delta Airport Consultants, and carry forward $25,000.00 from fiscal year 2008 to fiscal year 2009 in the Airport Fund. Total project costs of $548,279.28 will be paid from Airport Fund Terminal Site Work project (4-504-94200-1087). Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ZONING ORDINANCE REVIEW

Debbie Kendall, Director of Strategic Planning, reported that, per the Board's request at its June 17, 2008 worksession, staff has received an adjusted scope of work and draft contract for the zoning ordinance review. The time frame for the entire project is twelve (12) months as indicated by the Board, and the estimated, not-to-exceed cost for the project is $177,106, which is more than was indicated on the draft scope discussed by the Board on June 17, 2008. Mrs. Kendall briefly reviewed the revised scope of services. She noted that the amount budgeted for the project by the County is $100,000. She asked the Board for guidance since the proposed project cost exceeds the budgeted amount.

Discussion ensued including: establishment of the County staff team; the number of times the Steering Committee should meet; the number of public meetings; transferring funds

from the contingency fund; and when it would be appropriate for the Board to give direction for the project.

Mr. Frame moved, seconded by Mr. Johnson and carried, to authorize the County Administrator to proceed with execution of the contract with Herd Planning and Design for the zoning ordinance review totaling $164,376; noting that $100,000 has been budgeted for the project and the balance is to be taken from the contingency fund. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: REQUEST TO CLOSE COUNTY ROAD

Mr. Rolfe reported that the New Millennium Sports Committee (NMSC) is proposing to have a 5K/10K run on Saturday, September 27, 2008, as a fundraising event. In order to conduct the race, they will need to get a permit from VDOT to close sections of Main Street, Rapidan Road and Selma Road between the hours of 8:00 a.m. and 9:30 a.m. He concluded by saying that a motion from the Board indicating that there are no objections would be helpful in obtaining the required permit from VDOT.

Don Faulconer, member of the NMSC, explained the proposed route.

Mr. Burkett moved, seconded by Mr. Frame and carried, to authorize the County Administrator to notify VDOT that the Board of Supervisors would appreciate their assistance in working with race organizers to re-establish the Rapidan Run on Rapidan Road tentatively scheduled for Saturday, September 27, 2008. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: RECESS

The Board took a short recess at 8:52 p.m. and reconvened at 9:03 p.m.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

The Board made the following appointments to the Zoning Ordinance Steering Committee:

- District One: Larry Sappington and Rick Wilkinson;
- District Two: Jack Bangs and Jack Snyder;
- District Three: Ben Sherman and Grover Wilson;
- District Four: Steve Satterfield and Carla Bangs;
- District Five: Sid Steele (Supervisor Frame will make his second nomination at the next meeting.)

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

RE: ACTION ITEMS CONTINUED

RE: APPROVAL OF LARGE RETAIL USE DESIGN GUIDELINES

Mr. Rolfe stated that the proposed Large Retail Use Design Guidelines were developed by Supervisors Burkett and Frame.

Following a brief discussion regarding landscape layering, Mr. Frame moved, seconded by Mr. Burkett and carried, to approve the Large Retail Use Design Guidelines as revised. Ayes: Burkett, Goodwin, Pace, Frame. Nays: Johnson.

RE: DISCUSSION ITEMS

RE: ESTABLISHMENT OF PUBLIC HEARING DATE FOR SUBDIVISION ORDINANCE

Debbie Kendall, Director of Strategic Planning, stated that at its July 22, 2008 meeting, the Board indicated that it wished to set a public hearing date to receive comment on the draft subdivision ordinance.

Discussion ensued including: agricultural divisions; definition of major/minor subdivisions; multiple entrances and safety issues; road construction; deeding of property; easement and right-of-ways; exemption of certain types of subdivisions; responsibilities of the subdivision agent; plat submissions; and unlimited division of 50 acre tracts.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to set a public hearing date of September 9, 2008 to receive public comment on the draft subdivision ordinance at a location to be determined. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: BOARD DIRECTIVE

Supervisor Pace requested that this item be added to the agenda for discussion. She wanted Board directive to take back to the Planning Commission regarding the comprehensive review of the Comprehensive Plan including prioritization of strategies.

Discussion ensued including: the depth of the review; Planning Commission request for a worksession with the Board; project confidentiality with the EDA; notification to the Board when any substantial plans are submitted to the Planning Department; consistency between the Zoning Ordinance, Subdivision Ordinance and the Comprehensive Plan.

Mrs. Pace made a motion that the Board be notified of all substantial projects that come before the Planning Department, County, or Economic Development Authority when conceptual renderings are submitted.

Mr. Burkett seconded the motion.

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

Discussion ensued regarding district representation for substantial projects.

RE: TAXATION

Supervisor Pace requested that this item be added to the agenda for discussion. She suggested that the Board consider changing the tax year from a calendar year to a fiscal year to match the budget.

Discussion ensued including: a previous briefing by the Treasurer indicating that the problems associated with the change wasn't worth doing it and the need for an additional employee for the office of the Commissioner of the Revenue to implement the change; and the expenses associated with the change.

Mrs. Pace made a motion to change the real estate tax year from a calendar year basis to a fiscal year basis. The motion died for lack of a second.

Discussion ensued regarding whether the Board of Supervisors has the power to put agriculturally zoned land into land use taxation.

RE: RECESS

The Board took a short recess at 11:03 p.m. and reconvened at 11:07 p.m.

RE: SCHOOL CONVOCATION

Chairman Johnson requested that this item be added to the agenda for discussion. He indicated that he had been asked to speak at the school's annual convocation. Unfortunately he cannot attend. He inquired as to whether any of the other Board members were planning to attend and if so, is anyone interested in speaking. Chairman Johnson asked that if another Board member wanted to speak, that they please contact the County Administrator so that he can notify the school staff.

RE: JOINT PLANNING AREA COMMITTEE

Chairman Johnson requested that this item be added to the agenda for discussion. He stated that the Town of Orange has requested a meeting with the members of the Joint Planning Area Committee.

By consensus, the Board agreed for Supervisors Pace and Goodwin to attend the meeting.

Mr. Rolfe briefed the Board on the traffic impacts associated with the proposed Round Hill Project in the Town of Orange. He also noted that he and Supervisor Frame met with civil engineers with VDOT and RSA to tie up loose ends on the School Project.

RE: INFORMATION ITEMS

The Board received a copy of the Treasurer's Report as prepared by Phyllis M. Yancey, Treasurer.

RE: PENDING ITEMS

a. Comprehensive Review of CIP
b. Wireless Project
c. Illegal Information
d. Lighting Ordinance

A brief discussion ensued regarding the status of the Proffer Policy and requested that it be expedited for the Board's review.

RE: CALENDAR

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

Discussion ensued regarding a joint meeting with the Planning Commission. By consensus, the Board suggested Thursday, October 2, 2008, as a possible date.

RE: RECONVENED IN CLOSED SESSION

The Board reconvened in closed session at 11:22 p.m.

RE: OPEN SESSION

At 12:02 a.m., Mr. Goodwin moved, seconded by Mr. Burkett 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, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 12:02 a.m.