

BOARD OF SUPERVISORS MINUTES**SEPTEMBER 28, 2021**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, September 28, 2021, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: R. Mark Johnson, Vice Chairman; James K. White; Keith F. Marshall; and Lee H. Frame. Absent: James P. Crozier, Chairman. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Crozier being absent, the Board adopted the agenda, as presented. Ayes: Johnson, White, Marshall, Frame. Nays: None. Absent: Crozier.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

There were no Special Presentations or Appearances at this time.

RE: CONSENT AGENDA

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Crozier being absent, the Board adopted the Consent Agenda, as presented.

RE: FY22 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30030006-33500	Donations - Animal Shelter	\$ (2,685.00)	\$ (1,440.00)	\$ (4,125.00)
43520003-43115	Prof. Serv. - Emergency Vet	2,685.00	1,440.00	4,125.00
30030006-33500	Donations - Animal Shelter	(2,685.00)	(576.00)	(3,261.00)
43520003-43115	Prof. Serv. - Emergency Vet	2,685.00	576.00	3,261.00
30030002-33625	Donations - Triad	(270.00)	(562.00)	(832.00)
43177001-46000	Office Supplies	9,045.00	562.00	9,607.00
30030002-33625	Donations - Triad	(270.00)	(1,000.00)	(1,270.00)
43177001-46000	Office Supplies	9,045.00	1,000.00	10,045.00
30030002-33625	Donations - Triad	(270.00)	(3,000.00)	(3,270.00)
43177002-46800	Guardian Pendant Expenses	225.00	3,000.00	3,225.00
TOTALS		\$ 17,505.00	\$ 0.00	\$ 17,505.00

RE: APPOINTMENTS TO THE COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

As part of the Consent Agenda, the Board appointed Alicia Rogers-Carrico as the Parent Representative and Dana Rexrode (Primary) and Wesley Wilder (Secondary), both of Health Connect America, as the Private Provider Representatives on the Community Policy and Management Team (CPMT) through December 31, 2021.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS
There were no Department Director or Constitutional Officer Reports at this time.

RE: COUNTY ATTORNEY'S REPORT
The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT
The County Administrator had nothing to report on at this time.

RE: BOARD COMMENT
There was no Board Comment at this time.

RE: INFORMATIONAL ITEMS
The Board received the following correspondence for its information:

- CSA Monthly Report
- Library Semi-Annual Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
By consensus, the Board appointed Sarah Lupo as a Member of the Barboursville Village Overlay District Advisory Committee (BVODAC), filling an unexpired two-year term, with said term commencing immediately, and expiring on September 30, 2022.

By consensus, the Board appointed Alisha Vines as an At-Large (Orange County) Representative on the Skyline Community Action Partnership for a three-year term, with said term commencing immediately, and expiring on December 31, 2023.

By consensus, the Board re-appointed Jack Rickett as the District Two Representative on the Economic Development Authority for a four-year term, with said term commencing January 1, 2022, and expiring on December 31, 2025.

By consensus, the Board re-appointed Jeffrey Palmer as the At-Large Representative on the Lake Anna Advisory Committee (LAAC) for a four-year term, with said term commencing January 1, 2022, and expiring on December 31, 2025.

By consensus, the Board re-appointed Jeff Earnhardt as an At-Large Representative on the Parks and Recreation Foundation Board of Directors for a three-year term, with said term commencing January 1, 2022, and expiring on December 31, 2024.

RE: CALENDAR
The Board received copies of its calendar of meetings for the months of September 2021, October 2021, and November 2021.

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 21-02 (AMENDMENT TO ACCESSORY APARTMENT)
By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for ZTA 21-02 (Amendment to Accessory Apartment) on Tuesday, October 26, 2021, as presented.

RE: PUBLIC HEARING #1; SUP 21-02: CHRISTOPHER AND MARIE GORMAN
Josh Gillespie, Planning and Development Services Director, presented the staff report and Special Use Permit (SUP) request from Christopher and Marie Gorman, which included information on the location

and specifications of the subject property, the request to allow the keeping of horses in the General Residential (R-2) zoning on Tax Map No. 28-73, the proposed conditions, and the recommendation of approval from the Planning Commission.

Discussion ensued among the Board regarding: whether there were plans for a run-in or stable in the future; and whether those structures would comply with the current zoning.

At 5:11 p.m., Vice Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP 21-02

The Board of Supervisors will consider a Special Use Permit application from Christopher and Marie Gorman to allow the keeping of horses on property located at 9292 Little Skyline Drive. The property is identified as Tax Map Parcel 28-73, contains 5.989 acres, and is zoned General Residential (R-2). The property is situated in the Agricultural (A-1) Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Vice Chairman Johnson closed the Public Hearing at 5:11 p.m.

On the motion of Mr. Johnson, seconded by Mr. Marshall, which carried by a roll call vote of 4-0, with Mr. Crozier being absent, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING SUP 21-02 TO ALLOW THE KEEPING OF HORSES IN GENERAL RESIDENTIAL ZONING ON TAX MAP NO. 28-73, REQUESTED BY CHRISTOPHER AND MARIE GORMAN

WHEREAS, Christopher and Marie Gorman applied for a Special Use Permit to allow the keeping of horses in General Residential (R-2) zoning on property referenced as Tax Map No. 28-73, containing approximately 5.989 acres, pursuant to Section 70-363 (2) of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the request on August 19, 2021; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; threaten the public health, safety, or welfare; be compatible with its surroundings; would impact the environment or any natural, scenic, or historic assets of the County; or would result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on September 28, 2021; and

WHEREAS, after deliberation, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit request, as presented during its Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 28th day of September, 2021, that the Orange County Board of Supervisors hereby approves SUP 21-02 to allow the keeping of horses in General Residential (R-2) zoning on property referenced as Tax Map No. 28-73, subject to the four (4) conditions and three (3) sub-conditions as set forth below, as presented.

Ayes: Johnson, White, Marshall, Frame. Nays: None. Absent: Crozier.

Conditions for Approval

**As adopted in Ord. No. 210928 - PH1
by the Orange County Board of Supervisors
on September 28, 2021**

SUP 21-02: Christopher and Marie Gorman

To allow the keeping of horses in General Residential (R-2) zoning

Tax Map No. 28-73

The conditions of this Special Use Permit ("SUP") shall apply to the properties identified on County Tax Map No. 28-73, as well as any future division or consolidation of said property, unless otherwise specified herein. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate potential impacts of the proposed use, and to render the application consistent with the applicable provisions of the Comprehensive Plan and the Zoning Ordinance. If the conditions of the SUP or the information on the SUP plans or application are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless specifically modified, waived, or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the SUP, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling Documents – Controlling documents shall be the conditions as set forth herein and the documents submitted with the application dated July 23, 2021.
2. Compliance – Use and development of the subject properties shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance." The property owner / operator shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning permits, stormwater permits, and erosion & sediment control permits.
3. Uses – This SUP shall allow the keeping of horses in General Residential (R-2) zoning, as generally shown on the concept plan and described in the application.
4. Standards and Conditions –
 - a. There shall be no more than three (3) horses kept on the property.
 - b. The existing fencing shall be improved, maintained, and extended prior to horses being kept on the property.
 - c. This Special Use Permit shall be issued to the applicant and is not transferrable to a subsequent property owner or operator.

RE: PUBLIC COMMENT

At 5:13 p.m., Vice Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:13 p.m.

RE: NEW BUSINESS

RE: REZ 21-02; WILDERNESS CROSSING

Vice Chairman Johnson explained he had requested that staff prepare materials relative to Wilderness Crossing (REZ 21-02) as he felt the application had been lagging on some of the County's processes. He noted this was the first time the Board had dealt with an application of this size and he wanted to be sure everyone was on the same page and to avoid mass confusion.

Josh Gillespie, Planning and Development Services Director, presented a memorandum to the Board regarding Wilderness Crossing and its evaluation with the Germanna-Wilderness Area Plan (GWAP). He provided background information on the applicant's request to rezone approximately 2,600 acres to Planned Development - Mixed Use and on the evaluation of said application for consistency with the visions and policy statements of the GWAP, including land use, zoning, utilities, and transportation.

Discussion ensued among the Board regarding: the fact there was still a lot of work to do relative to this application; the need to have discussions among the Board at a policy level; discussion and involvement with the applicants; and the Board's desire to send guidance and position statements to the Planning Commission.

By consensus, the Board authorized staff to advertise for and schedule a Worksession on Tuesday, October 5, 2021, at 1:00 p.m. for the purpose of discussing Wilderness Crossing and forming its position statements to send to the Planning Commission for guidance.

RE: OLD BUSINESS

RE: REDISTRICTING

Theodore L. Voorhees, County Administrator, indicated the Board had its initial discussion related to Redistricting at its Worksession on September 14, 2021. Based on the overall consensus among the Board, he presented a timeline to the Board that would be followed in order to hold the required Public Hearing on October 26, 2021, as well as a list of deliverables and action items that would be necessary in order to move the Redistricting process to completion. Mr. Voorhees opened the floor for discussion among the Board to decide on the district boundaries, precinct boundaries, and polling place locations.

Discussion ensued among the Board regarding: acceptance of the suggested boundary revisions from the Rappahannock-Rapidan Regional Commission; changes to existing precinct boundaries in order to accommodate shifts in district boundaries; moving the Towns of Gordonsville and Orange to their own precincts; and polling place locations and improvements.

By consensus, the Board agreed for staff to bring back the final draft of the proposed district boundaries, precinct boundaries, and polling place locations at the Worksession scheduled for Tuesday, October 5, 2021.

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Frame, which carried by a vote of 4-0, with Mr. Crozier being absent, the Board adjourned the meeting at 6:38 p.m. Ayes: Johnson, White, Marshall, Frame. Nays: None. Absent: Crozier.

James P. Crozier, Chairman

Theodore L. Voorhees, County Administrator