

BOARD OF SUPERVISORS MINUTES

JANUARY 11, 2022

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, January 11, 2022, beginning at 5:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; James P. Crozier, Vice Chairman; James K. White; and Lee H. Frame. Absent: Keith F. Marshall. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ORGANIZATIONAL MEETING

RE: ELECTION OF THE CHAIRMAN

Theodore L. Voorhees, County Administrator, opened the floor for nominations for Chairman. Mr. Crozier nominated Mr. Johnson. There being no other nominations for Chairman, Mr. White made a motion, which carried by a vote of 4-0, with Mr. Marshall being absent, to close the nominations.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 3-0-1, with Mr. Johnson abstaining and Mr. Marshall being absent, the Board adopted the following resolution, as presented:

RESOLUTION TO APPOINT THE CHAIRMAN OF THE ORANGE COUNTY BOARD OF SUPERVISORS FOR 2022

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the first order of business is to nominate and elect a Chairman of the Board; and

WHEREAS, R. Mark Johnson was nominated for a one-year term to begin January 11, 2022, and expire on the date of the Organizational Meeting in January, 2023, pursuant to the Bylaws for the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of January, 2022, that the Orange County Board of Supervisors hereby appoints R. Mark Johnson as Chairman for a one-year term to begin January 11, 2022, and expire on the date of the Organizational Meeting in January, 2023, pursuant to the Bylaws for the Board of Supervisors.

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

RE: ELECTION OF THE VICE CHAIRMAN

Chairman Johnson opened the floor for nominations for Vice Chairman. Mr. White nominated Mr. Crozier. There being no other nominations for Vice Chairman, Mr. Johnson closed the nominations.

On the motion of Mr. White, seconded by Mr. Frame, which carried by a vote of 4-0, with Mr. Marshall being absent, the Board adopted the following resolution, as presented:

RESOLUTION TO APPOINT THE VICE CHAIRMAN OF THE ORANGE COUNTY BOARD OF SUPERVISORS FOR 2022

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the second order of business is to nominate and elect a Vice Chairman of the Board; and

WHEREAS, James P. Crozier was nominated for a one-year term to begin January 11, 2022, and expire on the date of the Organizational Meeting in January, 2023, pursuant to the Bylaws for the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of January, 2022, that the Orange County Board of Supervisors hereby appoints James P. Crozier as Vice Chairman for a one-year term to begin January 11, 2022, and expire on the date of the Organizational Meeting in January, 2023, pursuant to the Bylaws for the Board of Supervisors.

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

RE: APPOINTMENT OF CLERK AND CHIEF DEPUTY CLERK

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

RESOLUTION TO APPOINT THE CLERK AND CHIEF DEPUTY CLERK OF THE
ORANGE COUNTY BOARD OF SUPERVISORS FOR 2022

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the third order of business is to appoint the Clerk and Chief Deputy Clerk of the Board; and

WHEREAS, the Board desires for the County Administrator and Chief Deputy Clerk to be appointed through the date of the Organizational Meeting in January, 2023, or until such a time that a subsequent appointment is made;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of January, 2022, that the Orange County Board of Supervisors hereby appoints Theodore L. Voorhees, County Administrator, and Alyson A. Simpson, Chief Deputy Clerk, as Clerk and Chief Deputy Clerk, respectively, through the date of the Organizational Meeting in January, 2023, or until such a time that a subsequent appointment is made.

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

RE: RESOLUTION TO ESTABLISH THE REGULAR MEETING SCHEDULE FOR 2022

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

A RESOLUTION TO ESTABLISH THE
BOARD OF SUPERVISORS' REGULAR MEETING SCHEDULE FOR 2022

WHEREAS, Section 15.2-1416 of the Code of Virginia, 1950, as amended, requires the Board to adopt a resolution setting forth the days, times, and place of the Regular Meetings of the Board to be held during the ensuing months;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of January, 2022, that the Orange County Board of Supervisors hereby establishes that its Regular Meetings will be held in the Orange County Public Safety Building, 11282 Government Center Drive, Orange, Virginia, unless otherwise stated, on the following dates and starting at the following times:

January 11 at 5:00 PM	Organizational Meeting and Regular Meeting
January 25 at 5:00 PM	Regular Meeting
February 8 at 5:00 PM	Regular Meeting
February 22 at 5:00 PM	Regular Meeting
March 8 at 5:00 PM	Regular Meeting
March 22 at 5:00 PM	Regular Meeting
April 12 at 5:00 PM	Regular Meeting
April 26 at 5:00 PM	Regular Meeting
May 10 at 5:00 PM	Regular Meeting
May 24 at 5:00 PM	Regular Meeting

June 14 at 5:00 PM	Regular Meeting
June 28 at 5:00 PM	Regular Meeting
July 12 at 5:00 PM	Regular Meeting
July 26 at 5:00 PM	Regular Meeting
August 9 at 5:00 PM	Regular Meeting
August 23 at 5:00 PM	Regular Meeting
September 13 at 5:00 PM	Regular Meeting
September 27 at 5:00 PM	Regular Meeting
October 11 at 5:00 PM	Regular Meeting
October 25 at 5:00 PM	Regular Meeting
November 16 at 6:00 PM	Regular Meeting at Lake of the Woods Clubhouse
December 6 at 5:00 PM	Regular Meeting
December 20 at 5:00 PM	Regular Meeting

BE IT FURTHER RESOLVED, that pursuant to the authority set forth in Section 15.2-1416 of the Code of Virginia, 1950, as amended, if the Chairman, or Vice Chairman, is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the members to attend a regularly-scheduled meeting, such declared meeting shall be continued to the following Tuesday, to begin at 5:00 PM, and to be held in the Board Meeting Room.

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

RE: ANNUAL REVIEW OF BYLAWS

Thomas Lacheney, County Attorney, presented amendments to the Board of Supervisors' Bylaws for the Board's consideration, indicating the amendments were related to changes in the Code of Virginia regarding remote meeting participation.

Discussion ensued among the Board regarding: establishing a physical quorum; and requirements under a state of emergency.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Marshall being absent, the Board adopted its Bylaws for 2022, as presented.

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

RE: APPOINTMENT OF BOARD MEMBERS TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES, AND ORGANIZATIONS

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Marshall being absent, the Board adopted the list of various Board, Commission, Committee, and Organization Assignments for 2022, as modified.

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

RE: ADOPTION OF AGENDA

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

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: BUSINESS SPOTLIGHT

Cindy Pagan and Heather Griffin, Owners of Spelled Ink, appeared before the Board to spotlight their business.

The Board thanked Ms. Pagan and Ms. Griffin for their presentation.

RE: BLUE RIDGE VIRTUAL GOVERNOR'S SCHOOL PROJECT

Kobina Appiah-Ofori, Governor's School Student with the Blue Ridge Virtual Governor's School at Orange County High School, presented a PowerPoint to the Board as part of his senior project. His presentation included information on electric vehicles, the various types of charging stations, and the benefit of electric vehicles in rural areas.

The Board thanked Mr. Appiah-Ofori for his presentation.

RE: CONSENT AGENDA

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

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
41241001-43205	Contr. Serv. - Bill (BRCTB)	\$ 0.00	\$ 23,393.00	\$ 23,393.00
30016005-30360	Cigarette Taxes	0.00	(23,393.00)	(23,393.00)
41221501-43100	Litigation Expenses	35,834.01	25,000.00	60,834.01
30052001-39900	Appropriated Fund Balance	(4,032,471.63)	(25,000.00)	(4,057,471.63)
30033502-33250	Miscellaneous	(16,662.00)	(1,000.00)	(17,662.00)
43120001-46355	Police K-9 Supplies	4,500.00	1,000.00	5,500.00
30030002-33625	Donations - Triad	(10,130.06)	(4,336.00)	(14,466.06)
43177002-46800	Guardian Pendant Expenses	7,469.00	4,336.00	11,805.00
30030006-33500	Donations - Animal Shelter	(10,729.00)	(971.00)	(11,700.00)
43520003-43115	Prof. Serv. - Emergency Vet	154,740.00	971.00	155,711.00
44271001-46025	Marketing Expenses	0.00	5,000.00	5,000.00
30045007-35925	Litter Control Grant	(8,447.00)	(5,000.00)	(13,447.00)
30046008-37204	Cat. Aid - FAA - Airport	(32,000.00)	(32,000.00)	(64,000.00)
49310015-47504	Transfer to Airport Fund	32,000.00	32,000.00	64,000.00
30051005-39290	Trans. from COVID-19 Fund	(32,000.00)	(32,000.00)	(64,000.00)
48170001-43370	Grounds Maintenance	128,000.00	32,000.00	160,000.00
43552060-45665 V1040	Pass-Thru Grant Payments	0.00	66,762.00	66,762.00
30046008-37210	Cat. Aid - Utility Assistance	0.00	(66,762.00)	(66,762.00)
42170001-41111	Wages - Regular	462,692.00	4,167.00	466,859.00
43120001-41111	Wages - Regular	1,828,252.00	8,334.00	1,836,586.00
42170001-42100	FICA & Medicare	44,598.00	319.00	44,917.00
42170001-42210	Retirement	42,312.00	385.00	42,697.00
42170001-42400	Group Life Ins.	6,145.00	51.00	6,196.00
42170001-42710	Workers Comp.	10,316.00	92.00	10,408.00

42170001-42500	Disability Insurance	1,744.00	16.00	1,760.00
43120001-42100	FICA & Medicare	155,503.00	638.00	156,141.00
43120001-42210	Retirement	167,200.00	769.00	167,969.00
43120001-42400	Group Life Ins.	24,286.00	103.00	24,389.00
43120001-42710	Workers Comp.	31,483.00	183.00	31,666.00
43120001-42500	Disability Insurance	6,931.00	31.00	6,962.00
30052001-39900	Appropriated Fund Balance	(4,032,471.63)	(15,088.00)	(4,047,559.63)
TOTALS		\$ (5,030,906.31)	\$ 0.00	\$ (5,030,906.31)

RE: ANNUAL APPOINTMENT OF THE COMMUNITY POLICY AND MANAGEMENT TEAM

As part of the Consent Agenda, the Board appointed the following primary and secondary members to the Community Policy and Management Team (CPMT) for 2022, as presented:

<u>Entity</u>	<u>Representative</u>
Local Government Official	Alisha Vines, OOO Director
Community Services Board	Glenda Bradley, Deputy County Admin.
16 th District Court Service Unit	Taisha Chavez, Program Manager
Orange County Health Department	Jim LaGrafte, RRCS Executive Director
Orange County Dept. of Social Services	Sarah Pendleton, CSU Prob. Supervisor
Orange County Public Schools	Christa Galleo, CSU Prob. Supervisor
Private Provider Representative	Dr. Colin Greene, Health Director
Parent Representative	Paula Donner, Nurse Manager
	Crystal Hale, Director of Social Services
	Sherry Martin, Administrative Serv. Mgr.
	Susan Aylor, Special Education Director
	Johanna Colson, Spec. Ed. Coordinator
	Wesley Wilder, Health Connect America
	Dana Rexrode, Health Connect America
	Alicia Rogers-Carrico

RE: RESOLUTION TO RATIFY DECLARATION OF AND CLOSE THE LOCAL STATE OF EMERGENCY FOR WINTER STORM FRIDA

As part of the Consent Agenda, the Board adopted the following resolution, as modified:

RESOLUTION TO RATIFY DECLARATION OF AND CLOSE THE LOCAL STATE OF EMERGENCY FOR WINTER STORM FRIDA

WHEREAS, in early January, 2022, Orange County officials anticipated impacts from the widespread Winter Storm Frida; and

WHEREAS, the County Administrator and Fire and EMS Chief recommended that a Local State of Emergency be declared; and

WHEREAS, on Tuesday, January 4, 2022, pursuant to §44-146.21 of the Code of Virginia, the County Administrator, as the Local Director of Emergency Management, declared a Local State of Emergency in the County because it 1) seemed apparent that the impacts of Winter Storm Frida would result in damages to Orange County, and 2) in order to activate the local Emergency Operations Plan to appropriately address the situation; and

WHEREAS, on Monday, January 10, 2022, the County Administrator closed the Local State of Emergency in the County in response to the end of the threat and impact of the inclement weather brought by Winter Storm Frida;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of January, 2022, that the Orange County Board of Supervisors hereby ratifies the declaration of the Local State of Emergency beginning at 1:00 p.m. on Tuesday, January 4, 2022, pursuant to §44-146.21 of the Code of Virginia; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby ratifies the closing of the Local State of Emergency effective at 12:00 p.m. on Monday, January 10, 2022; and

BE IT YET FURTHER RESOLVED, that the Board of Supervisors hereby authorizes application to the State and/or Federal governments for reimbursement of qualifying expenditures made by qualifying entities during the Local State of Emergency.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

RE: AMENDMENT TO CHAPTER 34 (FLOOD HAZARD REDUCTION) OF THE ORANGE COUNTY CODE OF ORDINANCES

Joshua Gillespie, Planning and Development Services Director, explained that this item represented a draft ordinance amending the Orange County Code of Ordinances related to Floodplain Management, as revised by staff following discussion and direction at the Board of Supervisors' Meetings on December 7, 2021, and December 21, 2021. He indicated that changes had been made to the original draft to 1) remove unnecessary references to districts not present in Orange County, 2) use only minimum required standards in lieu of other recommendations in the model code, 3) address existing structures in floodplain areas, and 4) identify the Board of Zoning Appeals as the body to hear appeals and variances. Mr. Gillespie stated that amendments to the current ordinance conforming with the NFIP and the Code of Virginia requirements must be in place by May 3, 2022, when the finalized FIRM become effective.

Discussion ensued among the Board regarding: the increase in the number of affected parcels; notification to the public; whether the map information was available online and through the County's GIS; and the difficulty in using the FEMA maps.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Marshall being absent, the Board authorized staff to forward the current draft of the floodplain management ordinance to the Department of Conservation and Recreation (DCR) for its review and comment, as presented.

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

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

Supervisor Crozier thanked the Board for allowing him to serve as Chairman during the past several years and welcomed Mr. Johnson as Chairman.

Supervisor White made comments on the recent Winter Storm Frida and the lessons to be learned at both the local and State levels.

Chairman Johnson echoed Mr. White's comments. He thanked staff for their work during the recent snow storm, and agreed there should be a better framework going forward. Mr. Johnson expressed that he felt the State had done a horrible job preparing for and responding to the storm and he shared his displeasure with the leadership at Rappahannock Electric Cooperative for their response as well. Lastly, he shared a big thanks to FiberLync and noted that its internet service had not experienced any disruptions during the storm, which was not the case for some of the competitors that had been awarded grant funds.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Finance Quarterly Report; First Quarter FY22

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Michelle Williams as the Litter Control Coordinator, filling the vacancy created by Jayson Woods, until such time a subsequent appointment is made.

By consensus, the Board re-appointed James White as an At-Large Representative on the Health Center Commission for a four-year term, with said term commencing March 1, 2022, and expiring on February 28, 2026.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of January 2022, February 2022, and March 2022.

RE: SCHEDULE A JOINT MEETING WITH THE VIRGINIA COOPERATIVE EXTENSION

By consensus, the Board authorized staff to schedule a Joint Meeting with the Virginia Cooperative Extension on Tuesday, February 22, 2022, at 6:00 p.m., as presented.

RE: SCHEDULE A PUBLIC HEARING ON THE REVISED DECENNIAL REDISTRICTING

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing on the revised Decennial Redistricting on Tuesday, February 8, 2022, as presented.

RE: CLOSED MEETING

At 6:01 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

WHEREAS, the Orange County Board of Supervisors desired to discuss in Closed Meeting the following matters:

- Discussion, consideration, or interviews of prospective candidates for employment; or the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body concerning Community Development. - §2.2-3711(A)(1) of the Code of Virginia

- Consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning war memorials. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby authorized discussion of the aforestated matters in Closed Meeting.

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

RE: CERTIFICATION OF CLOSED MEETING

At 7:35 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Orange County Board of Supervisors has, this day, adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby certified that, to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

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

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 4-0, with Mr. Marshall being absent, the Board adjourned the meeting at 7:35 p.m. Ayes: Johnson, White, Crozier, Frame. Nays: None. Absent: Marshall.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator