

BOARD OF SUPERVISORS MINUTES**JANUARY 25, 2022**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, January 25, 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; Keith F. Marshall; and Lee H. Frame. 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. Crozier, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES**RE: QUARTERLY UPDATE FROM THE VOLUNTEER FIRE CHIEFS ASSOCIATION**

Jeff Mendonca, President of the Volunteer Fire Chiefs Association, provided a quarterly update to the Board on behalf of the Association, which included information on the following: COVID numbers throughout the volunteer agencies; finalization of the Recruitment and Retention Plan; agency website updates; development of a recruitment video; and additional training.

The Board thanked Chief Mendonca for the update.

RE: CONSENT AGENDA

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, 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	\$ (10,729.00)	\$ (1,667.00)	\$ (12,396.00)
43520003-43115	Prof. Serv. - Emergency Vet	154,740.00	1,667.00	156,407.00
42110001-41111	Wages - Regular	115,896.00	(60,000.00)	55,896.00
42110001-42100	FICA & Medicare	8,836.00	(4,559.00)	4,277.00
42110001-42210	Retirement	10,698.00	(5,538.00)	5,160.00
42110001-42310	Medical Insurance	7,470.00	(7,470.00)	0.00
42110001-42400	Group Life Ins.	1,554.00	(804.00)	750.00
42110001-42500	Disability Insurance	441.00	(228.00)	213.00
42110001-42710	Workers Comp.	70.00	(36.00)	34.00
42150001-46840	Cty. Contributions - Drug Ct.	0.00	60,000.00	60,000.00
30034001-34100	Circuit Ct. Judge - Ex Reimb	(59,930.00)	12,854.00	(47,076.00)
42210001-46000	Office Supplies	6,500.00	(3,500.00)	3,000.00
30052001-39900	Appropriated Fund Balance	(4,032,471.63)	9,281.00	(4,023,190.63)
45301001-43267	Funeral Services	5,000.00	8,000.00	13,000.00

30052001-39900	Appropriated Fund Balance	(4,032,471.63)	(8,000.00)	(4,040,471.63)
48120001-43360	Vehicle Repair/Maintenance	1,180.00	733.00	1,913.00
30034001-34025	Insurance Recovery	(8,044.03)	(733.00)	(8,777.03)
TOTALS		\$ (7,831,261.29)	\$ 0.00	\$ (7,831,261.29)

RE: RESOLUTION TO REQUEST ACCEPTANCE OF IDENTIFIED ROADS IN THE WILDERNESS SHORES SUBDIVISION, SECTION 5, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

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

RESOLUTION TO REQUEST IDENTIFIED ROADS IN THE WILDERNESS SHORES
SUBDIVISION, SECTION 5, BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE
HIGHWAYS IN ORANGE COUNTY, VIRGINIA

WHEREAS, the eligible streets described on the VDOT AM-4.3 Form, fully incorporated herein by reference, are shown on a plat recorded in the Clerk's Office of the Circuit Court of Orange County; and

WHEREAS, the streets described have been developed in Orange County and have been constructed in accordance with the plans submitted to and approved by the Virginia Department of Transportation, and the streets have been inspected by the Office of the Land Development Engineer and found to be acceptable in the State Highway System;

NOW, THEREFORE, BE IT RESOLVED, on this 25th day of January, 2022, that the Orange County Board of Supervisors hereby requests that the Virginia Department of Transportation add the described streets listed on the VDOT AM-4.3 Form to the Secondary System of State Highways in Orange County, pursuant to Section 33.2-705 of the Code of Virginia, as amended, and the Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, that the Board of Supervisors guarantees a clear and unrestricted right-of-way and any necessary easements for cuts, fills, and drainage.

RE: ADDITIONAL AMENDMENTS TO THE BOARD OF SUPERVISORS' BYLAWS

As part of the Consent Agenda, the Board adopted the additional amendments to its Bylaws, as presented.

RE: LETTER OF SUPPORT FOR RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES' GRANT FUNDING

As part of the Consent Agenda, the Board authorized the County Administrator to sign and send a letter of support to Rappahannock-Rapidan Community Services on behalf of the Board of Supervisors regarding their request for funding from the Commonwealth of Virginia to purchase a total of three (3) vehicles to be used in their various transportation programs, as presented.

RE: ADOPTION OF AMENDMENTS TO COVID-19 AND INFECTIOUS DISEASE PREVENTION PLAN

As part of the Consent Agenda, the Board adopted the amendments to the COVID-19 and Infections Disease Prevention Plan, as presented.

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

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

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

WHEREAS, in mid-January, 2022, Orange County officials anticipated impacts from the impending Winter Storm Izzy; and

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

WHEREAS, on Friday, January 14, 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 Izzy 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 Tuesday, January 18, 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 Izzy;

NOW, THEREFORE, BE IT RESOLVED, on this 25th day of January, 2022, that the Orange County Board of Supervisors hereby ratifies the declaration of the Local State of Emergency beginning at 12:00 a.m. on Sunday, January 16, 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 Tuesday, January 18, 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: ADOPTION OF THE DECEMBER 21, 2021 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the December 21, 2021 Regular Meeting minutes, as presented.

RE: ADOPTION OF THE JANUARY 11, 2022 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the January 11, 2022 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: PARKS AND RECREATION INITIATIVE

Stephanie Straub, Assistant County Administrator for Operations, explained that Parks and Recreation staff had developed a preliminary "Facilities Game Plan" to identify areas of potential growth for future programming throughout the County, including locations and potential service and program ideas. She noted that all cost estimates were performed by staff and had not been reviewed by professional cost estimators or engineers and would need to be revised if projects were to move forward.

Ms. Straub stated that, because staff was limited in moving forward without professional assistance, and in order to provide the Board and citizens with accurate information, staff was requesting starter funds to contract with professional consultants to review the plan, investigate sites, and adjust cost estimates and scopes of work.

Discussion ensued among the Board regarding: a cost estimate for the consulting services; whether a single firm could perform the work or if multiple or specialty firms would be necessary; the idea to plan for a potential high school at the site for Project 6; potential funding sources for the consulting services; and a timeline for providing the cost estimate to the Board.

By consensus, the Board authorized staff to solicit proposals for professional cost estimating and planning assistance for the draft Parks and Recreation Facilities Game Plan, with the understanding that a consulting firm, cost estimate, and funding source would be presented at the earliest possible meeting for the Board's consideration, as presented.

RE: TEXT AMENDMENT FOR PRIVATE ROAD STANDARDS

Chairman Johnson reminded the Board that action had previously been initiated for a working group to develop recommended amendments to the Subdivision Ordinance as it related to private road standards. He presented the current ordinance language to the Board, as well as the recommended amendments from the working group and additional amendments presented by the County Attorney. Chairman Johnson requested that the Board review the two sets of amendments and be prepared to discuss said amendments at a future meeting.

By consensus, the Board agreed for the text amendment for Private Road Standards to be added to the Regular Meeting on February 8, 2022, for further discussion and direction.

RE: OLD BUSINESS

There were no matters for Old Business at this time.

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

Theodore L. Voorhees, County Administrator, reported on the "after action" meeting that was recently conducted to debrief following Winter Storm Frida earlier in the month.

RE: BOARD COMMENT

Chairman Johnson indicated that he had received a response from Rappahannock Electric Cooperative regarding his concerns following Winter Storm Frida and they were working on making some technology upgrades and improvements for their customers.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- Economic Development Quarterly Report
- Tourism Quarterly Report
- Social Services Quarterly Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Deanne Marshall as the District Three Representative on the Social Services Advisory Board, filling the unexpired four-year term of Martha Nicholson, with said term commencing immediately, and expiring on June 30, 2024.

By consensus, the Board re-appointed Julie Zeijlmaker as the District Four Representative on the Planning Commission for a four-year term, with said term commencing April 1, 2022, and expiring on March 31, 2026.

By consensus, the Board appointed Robert Lookabill as a member of the Tourism Advisory Committee, filling the unexpired two-year term of Mark Leach, with said term commencing immediately, and expiring on December 31, 2022.

RE: CALENDAR

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

RE: SCHEDULE THE BOARD OF SUPERVISORS' RETREAT

By consensus, the Board authorized staff to advertise for and schedule its Retreat on Saturday, February 5, 2022, as presented.

RE: PUBLIC HEARING #1; THROUGH TRUCK RESTRICTION ON ROUTE 600

Theodore L. Voorhees, County Administrator, explained that the Board had previously authorized the scheduling of a public hearing on a Through Truck Restriction request on Route 600 (Mt. Sharon Road). He noted that, following the public hearing, it would be appropriate for the Board to consider the draft resolution, which was necessary in order to make the formal request to the Virginia Department of Transportation.

At 5:42 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

THROUGH TRUCK RESTRICTION ON ROUTE 600

The Board of Supervisors, in accordance with §46.2-809 of the Code of Virginia, will receive public input on its intent to request, through adoption of a resolution, that the Commonwealth Transportation Board prohibit through truck traffic on Mt. Sharon Road (Route 600). The proposed through truck restriction would begin at the intersection of Mt. Sharon Road and Rapidan Road (Route 615), heading southeast for approximately 3.06 miles and terminating at the intersection of Mt. Sharon Road and Constitution Highway (Route 20). As a reasonable alternative, the intersection of Rapidan Road and Zachary Taylor Highway (Route 522) in Culpeper County, southeast to Constitution Highway, has been identified for through trucks that are now traveling along Route 600. In accordance with the Code of Virginia, such restriction may apply to any truck or truck and trailer or semitrailer combination, except a pickup or panel truck, that has no point of origin or destination along the subject route; local traffic would not be included in the requested restriction.

The following individuals spoke:

- Cary Holladay, 7092 Rapidan Road, Rapidan
- Charles Seilheimer, 19184 Mt. Sharon Road, Orange

There being no further speakers, Chairman Johnson closed the Public Hearing at 5:50 p.m.

Discussion ensued among the Board regarding: the functional classification of Mt. Sharon Road; speed and safety concerns on the road; the distinction between the two "segments" of the road; and liability concerns if a truck was involved in an accident on the road.

On the motion of Mr. Frame, seconded by Mr. Marshall, which carried by a roll call vote of 5-0, the Board adopted the following resolution, as presented:

RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD RESTRICT THROUGH TRUCK TRAFFIC ON ROUTE 600 (MT. SHARON ROAD) IN ORANGE COUNTY, VIRGINIA

WHEREAS, Virginia Code §46.2-809 provides that a locality may formally request that the Commonwealth Transportation Board, or its designee, restrict through trucks on certain segments of primary and secondary routes, in the limited number of cases where doing so would promote the health, safety, and welfare of the public, without creating an undue hardship on any transportation users; and

WHEREAS, a request has been received by residents along Route 600 (Mt. Sharon Road) in Orange County for an evaluation of the applicability of Through Truck Traffic Restrictions; and

WHEREAS, Mt. Sharon Road meets the requirements for a Through Truck Traffic Restriction, as set forth in the policy adopted by the Commonwealth Transportation Board on October 16, 2003, titled, "Guidelines for Considering Requests to Restrict Through Trucks on Primary and Secondary Highways," published by the Virginia Department of Transportation; and

WHEREAS, the proposed Through Truck Traffic Restriction would begin at the intersection of Mt. Sharon Road and Rapidan Road (Route 615), heading southeast for approximately 3.06 miles and terminating at the intersection of Mt. Sharon Road and Constitution Highway (Route 20); and

WHEREAS, the intersection of Rapidan Road and Zachary Taylor Highway (Route 522) in Culpeper County, southeast to Constitution Highway, is a reasonable alternative to trucks now traveling along Mt. Sharon Road;

NOW, THEREFORE, BE IT RESOLVED, on this 25th day of January, 2022, that the Orange County Board of Supervisors, after holding a duly advertised Public Hearing, hereby requests that the Commonwealth Transportation Board prohibit through truck traffic on Mt. Sharon Road from the intersection of Mt. Sharon Road and Rapidan Road, southeast for approximately 3.06 miles, to the intersection of Mt. Sharon Road and Constitution Highway, as defined above; and

BE IT FURTHER RESOLVED, that the Orange County Board of Supervisors supports this request and states its intent to use its good offices for enforcement of the proposed restriction through the Orange County Sheriff's Office and any other appropriate law enforcement agency.

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

RE: PUBLIC COMMENT

At 5:54 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:54 p.m.

RE: CLOSED MEETING

At 5:55 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 matter:

- 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)(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 aforesated matter in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 6:42 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, Marshall, Crozier, Frame. Nays: None.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adjourned the meeting at 6:42 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator