

BOARD OF SUPERVISORS MINUTES**MARCH 22, 2022**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, March 22, 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. White, 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

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 5-0, the Board adopted the Consent Agenda, as presented.

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

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	\$ (15,548.00)	\$ (12,545.00)	\$ (28,093.00)
43520003-43115	Prof. Serv. - Emergency Vet	159,559.00	12,545.00	172,104.00
30026501-32425	Friends of Library Donations	(2,583.97)	(600.00)	(3,183.97)
47312001-46462	Books - Adult - Oth. Vendors	889.56	600.00	1,489.56
30026501-32400	Orange Library - Lost Books	(328.00)	(241.00)	(569.00)
47310001-46466	Books - Refunds	508.00	241.00	749.00
30026501-32525	G'ville Library - Lost Books	(185.00)	(56.00)	(241.00)
47312001-46466	Books - Refunds	185.00	56.00	241.00
TOTALS		\$ 142,496.59	\$ 0.00	\$ 142,496.59

RE: PROCLAMATION FOR NATIONAL CHILD ABUSE PREVENTION MONTH

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

**A PROCLAMATION TO DECLARE THE MONTH OF APRIL AS
CHILD ABUSE PREVENTION MONTH**

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the month of April as Child Abuse Prevention Month in Orange County, Virginia.

WHEREAS, regardless of who they are or the circumstances of their birth, all children have the right to safe, secure, and supportive environments, free from abuse and neglect; and

WHEREAS, April is National Child Abuse Prevention Month; and

WHEREAS, during Prevention Month, Virginians are reminded of the courage it takes to raise a child and that all parents have the right to the support and knowledge which child rearing demands; and

WHEREAS, child abuse is one of our nation's most serious public health problems, with scientific studies documenting the link between child abuse and neglect and a wide range of medical, emotional, psychological, and behavioral disorders; and

WHEREAS, child abuse can disrupt early brain development, and serious chronic stress can impair the development of nervous and immune systems; and

WHEREAS, children are the foundation of a sustainable and prosperous society, and our prosperity as a locality, state, and nation is built on a foundation of healthy child development; and

WHEREAS, child abuse prevention creates a more compassionate society, one which places a high value on the welfare of children; and

WHEREAS, creating communities where families can access an array of support and resources to address the social, emotional, and physical health of their children is the best way to combat child abuse; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, displaying a pinwheel during the month of April will serve as a positive reminder that together, we can prevent child abuse and neglect, and by doing so, keep children safe;

NOW, THEREFORE, BE IT PROCLAIMED, on this 22nd day of March, 2022, that the Orange County Board of Supervisors hereby recognizes April, 2022, as Child Abuse Prevention Month in Orange County, and calls this observance to the attention of all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in efforts to support families, thereby preventing child abuse and strengthening the community in which we live.

RE: ADOPTION OF THE MARCH 8, 2022 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the March 8, 2022 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: REVISIONS TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DEPARTMENT OF SOCIAL SERVICES FOR PAYMENT OF FACILITY, OCCUPANCY, AND EQUIPMENT COSTS

Glenda Bradley, Deputy County Administrator, explained that the Board last approved a Memorandum of Understanding with the local Department of Social Services in 2011, which would expire on June 30, 2022. She noted the MOU allowed the County to recover a portion of its building and maintenance costs through State and Federal reimbursements via the Virginia Department of Social Services.

Ms. Bradley stated that the MOU was necessary for the purpose of allocation and payment of facility and occupancy costs of space occupied by the local Department of Social Services. An invoice was provided to Social Services each month based on the County's actual expenses to maintain their portion of the Sedwick Building. She indicated the revised MOU included updated square footages maintained by Public Works, as well as depreciation for equipment, primarily vehicles, purchased for Social Services through the County's Capital Project Fund.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board approved the revised Memorandum of Understanding with the Local Department of Social Services for Payment of Facility, Occupancy, and Equipment Costs, as presented, and authorized the County Administrator to execute the MOU on behalf of the County of Orange.

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

RE: AWARD OF THE CONTRACT FOR INSURANCE CONSULTING SERVICES

Amanda Amos, Contract and Procurement Specialist, explained that the County had released a solicitation on January 6, 2022, for Insurance Consulting Services for both the County and the Schools, as neither party desired to renew the contract with the current Insurance Consulting firm. The Request for Proposal was advertised on the County website, in the Orange Review, and on eVA (Virginia's e-procurement website), and twelve (12) responses were received.

Ms. Amos noted that the Selection Committee, composed of staff from both the County and the Schools, reviewed proposals and conducted interviews with the top four (4) firms. Staff felt it was most advantageous to enter into a contract with McGriff Insurance Services. McGriff Insurance Services provided a clear and detailed proposal that best fit the scope of work. Ms. Amos indicated they provided insurance consulting services to other localities throughout Virginia and their yearly fee of \$65,000 was locked in for all future contract terms.

Ms. Amos stated that it was the recommendation of the Selection Committee that the Board authorize staff to enter into a contract with McGriff Insurance Services for a one (1) year term, with the option to renew for four (4) additional terms.

Discussion ensued among the Board regarding: whether the current firm submitted a bid; the difference between the current provider's benefits and the recommended provider's benefits; and whether the recommended provider had experience with self-insured plans.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with McGriff Insurance Services for Insurance Consulting Services for a period of one (1) year, with the option to renew for four (4) additional terms, subject to the annual appropriation of funds by the Board of Supervisors, as presented.

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

RE: OLD BUSINESS

RE: AMENDMENTS TO PERSONNEL POLICIES REGARDING PAID LEAVE

Jenny Carpenter, Human Resources Director, explained that, through the collaborative effort between the Board and County leadership, recommended updates to the County's employee paid leave policies had been reviewed and deemed amenable through a series of worksessions. She presented the revised personnel policies to the Board for its consideration.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the amendments to Orange County Personnel Policies 5.1 (Annual Leave), 5.2 (Sick Leave), 5.5 (Bereavement Leave), and 5.10 (Donation of Sick Leave), as presented.

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

RE: RESOLUTION TO EXTEND THE DUE DATE FOR SUPPLEMENTAL TAX BILLS

Theodore L. Voorhees, County Administrator, indicated the Commissioner of the Revenue had presented an additional request for the Board to further extend, by resolution, the due date for supplemental tax bills for new construction. He noted the annual due date of February 19th was established by ordinance and was previously extended by the Board to April 1, 2022. However, because of continued delays with the assessment firm, the Commissioner's Office still did not have the data necessary to generate the supplemental bills. As such, staff was requesting the Board's consideration to further extend the due date from April 1, 2022, to May 20, 2022, which was the 90-day maximum extension allowable by the Code of Virginia, in order to allow additional time for preparation and mailing of the bills.

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

RESOLUTION TO FURTHER EXTEND THE DUE DATE
FOR SUPPLEMENTAL TAX BILLS FOR 2021

WHEREAS, in accordance with §58.1-3916 of the Code of Virginia, the governing body of any county, city, or town may, by ordinance, provide dates for filing returns, set penalties and interest, and the like, related to the enforcement and collection of local taxes; and

WHEREAS, the governing body may further provide, by resolution, for reasonable extensions of time, not to exceed 90 days, for the payment of real estate and personal property taxes and for filing returns on tangible personal property, machinery and tools, and merchants' capital, and the business, professional, and occupational license tax, whenever good cause exists; and

WHEREAS, various factors and continued delays have impacted the ability of the County's assessment firm to provide the data necessary to generate and mail supplemental tax bills for new construction in a timely manner; and

WHEREAS, the Board of Supervisors has already extended the due date for supplemental tax bills from February 19, 2022, to April 1, 2022, through Res. No. 220222-4B, adopted on February 22, 2022;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of March, 2022, that the Orange County Board of Supervisors hereby further extends the due date for said supplemental tax bills for 2021 from April 1, 2022, to May 20, 2022, with no interest or penalty; and

BE IT FURTHER RESOLVED, that said extension, without interest or penalty, is applicable to supplemental tax bills only, and does not apply to any other tax bills; and

BE IT FINALLY RESOLVED, that the Board of Supervisors hereby directs the Commissioner of the Revenue to print the extended due date of May 20, 2022, on the supplemental tax bills, as to avoid any confusion with the due date.

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

RE: APPROVAL OF THE MEMORANDUM OF UNDERSTANDING WITH THE VOLUNTEER FIRE COMPANIES

Theodore L. Voorhees, County Administrator, explained this item was carried over from the Board's Worksession for adoption. He indicated the MOU was intended to outline each party's contributions to the provision of fire and rescue services in Orange County.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board approved the Memorandum of Understanding with the Volunteer Fire Companies for Fire and Rescue Service, as presented, and authorized the County Administrator to execute the MOU on behalf of the County of Orange.

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

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

RE: PRESENTATION OF THE RECOMMENDED BUDGET FOR FISCAL YEAR 2023

Theodore L. Voorhees, County Administrator, presented a PowerPoint presentation highlighting the recommended Fiscal Year 2023 Budget. The presentation included information on the following: the Board's budget philosophy and key budget drivers; budget highlights; a review of the tax rates, current and proposed; a summary of the projected tax base and revenues generated; a comparison of the consolidated budget; revenue sources; expenditure categories; capital and debt funding comparisons; and a summary of unassigned General Fund Balance.

The Board thanked Mr. Voorhees for his presentation.

RE: AUTHORIZATION OF BUDGET AND TAX RATE ADS FOR FISCAL YEAR 2023

Theodore L. Voorhees, County Administrator, noted that the budget schedule anticipated public hearings on the proposed Fiscal Year 2023 Budget and supporting tax rates as part of the Regular Meeting on April 12, 2022. In order to meet the requirements of the Code of Virginia, the public hearing ads should run once, at least seven (7) days prior to the hearings. The County's practice has been to run the ads a second time, as a courtesy. Mr. Voorhees indicated the ads must contain an overall synopsis of the proposed budget, including total revenues and expenditures for each fund, as well as the proposed tax rates that would support the budget. He added that, following discussion, staff was seeking authorization from the Board to proceed with scheduling the public hearings, with ads to run in The Orange Review on March 31, 2022, and April 7, 2022.

Mr. Voorhees explained that the only change in proposed tax rates for 2022 was related to the Fire & EMS District levy, which was proposed to increase from \$0.11 per \$100 of assessed value to \$0.14 per \$100 of assessed value, an increase of three cents. Additionally, in order to reflect a rate equal to that paid by other homeowners, the Mobile Homes Classified as Personal Property levy would also increase by three cents, from \$0.72 per \$100 of assessed value to \$0.75 per \$100 of assessed value. Additionally, Mr. Voorhees presented the Board with options to lower the personal property tax rate for automobiles and trucks, given the drastic increase in National Automobile Dealers Association (NADA) assessment values.

Discussion ensued among the Board regarding: the various proposals to reduce the personal property tax rate; separation between personal vehicles and business vehicles; and the need to define what would be included in the lower tax rate as far as vehicle type.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to proceed with advertising for public hearings on the proposed Budget for Fiscal Year 2023 and the supporting tax rates for 2022 as part of the Regular Meeting on Tuesday,

April 12, 2022, as modified to reflect a \$0.25 reduction in the personal property tax rate for automobiles and trucks only, with the regular personal property tax rate remaining unchanged.

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

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
- Parks and Recreation Quarterly Report
- Library Semi-Annual Report
- VDOT Monthly Report for March
- Health Center Commission Minutes; December 3, 2021

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Terence Maple as a member of the Tourism Advisory Committee, filling the unexpired two-year term of Pam Young, with said term commencing immediately and expiring on December 31, 2022.

By consensus, the Board appointed Judi Cooper as a member of the Tourism Advisory Committee, filling the unexpired two-year term of Deanne Marshall, with said term commencing immediately and expiring on December 31, 2023.

By consensus, the Board appointed Denise Benedetto as a member of the Tourism Advisory Committee, filling an unexpired two-year term, with said term commencing immediately and expiring on December 31, 2023.

By consensus, the Board appointed Dani Rivera as the District Three Representative on the Youth Commission, filling the unexpired four-year term of Ann Riordan, with said term commencing immediately and expiring on September 30, 2025.

RE: CALENDAR

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

RE: PUBLIC COMMENT

At 5:50 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:50 p.m.

RE: CLOSED MEETING

At 5:51 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:

- Briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture

of the public body concerning the Rapidan Service Authority (RSA) litigation. - §2.2-3711(A)(7) 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)(7) 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 aforesated matters in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. White, 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 6:59 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. White, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 6:59 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator