At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, April 26, 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; Eric M. Lansing, Assistant 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 presented. 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. Crozier, which carried by a roll call 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**
30045004-35975	Forfeited Assets - Sheriff	$ 0.00	$ (1,275.00)	$ (1,275.00)
43120006-46800	Forfeited Asset Expenses	28,579.00	1,275.00	29,854.00
30030006-33500	Donations - Animal Shelter	(17,814.00)	(1,318.00)	(19,132.00)
43520003-43115	Prof. Serv. - Emergency Vet	161,825.00	1,318.00	163,143.00
30045100-37125	Welfare - Federal Revenues	(1,896,111.00)	(11,435.00)	(1,907,546.00)
45330001-43711	Safe & Stable Families	0.00	11,435.00	11,435.00
TOTALS		**$ (1,723,521.00)**	**$ 0.00**	**$ (1,723,521.00)**

RE: FY22 BUDGET AMENDMENTS FOR ORANGE COUNTY PUBLIC SCHOOLS

As part of the Consent Agenda, the Board approved a supplemental appropriation and budget amendment for FY22 for Orange County Public Schools in the amount of $37,593 in the School Operating Fund; $50,000 in the Adult Education Fund; and $68,472 in the ESSER Fund, which represented additional State and Federal grant revenue and donations that had been received, as presented.

RE: PROCLAMATION FOR OLDER AMERICANS MONTH

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

A PROCLAMATION TO DECLARE
THE MONTH OF MAY AS
OLDER AMERICANS MONTH

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the month of May as Older Americans Month in Orange County, Virginia.

WHEREAS, Orange County includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, Orange County recognizes the need to create a community that provides the services and support that older Americans need in order to thrive and live independently for as long as possible; and

WHEREAS, Orange County continues to work toward building an even better community for our older residents by:

- Planning programs that encourage independence;
- Ensuring activities are responsive to individual needs and preferences; and
- Increasing access to services that support aging in place;

NOW, THEREFORE, BE IT PROCLAIMED, on this 26th day of April, 2022, that the Orange County Board of Supervisors hereby recognizes May, 2022, as Older Americans Month in Orange County, and calls this observance to the attention of all citizens, urging every resident to recognize the contributions of our older citizens, to help create an inclusive society, and to join efforts to support older Americans' choices about how they age in their communities.

RE: ADOPTION OF THE APRIL 12, 2022 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the April 12, 2022 Worksession minutes, as presented.

RE: ADOPTION OF THE APRIL 12, 2022 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the April 12, 2022 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: ESRI SMALL GOVERNMENT ENTERPRISE AGREEMENT

Amanda Amos, Contract and Procurement Specialist, explained that the Esri Small Municipal and County Government Enterprise Agreement was a three-year agreement that would grant the County access to Esri® term license software on an unlimited basis, including maintenance on all software offered through the agreement for the term of the agreement. She noted that, if approved, the agreement would take effect the day after the County's current agreement expired on June 6, 2022, and would require a three-year commitment.

Ms. Amos stated that the cost of the agreement was $38,500 per year, totaling $115,500 over the course of the three-year commitment. Funds would be sourced annually from the GIS Operating Budget for computer software. She indicated that authorization of the agreement was permissible because the County received a quote from Esri and a sole source justification was completed, approved, and posted.

Ms. Amos explained that this Enterprise Agreement was a crucial step towards maintaining the County's GIS governance, overall application deployment, and continued "normal" operational health of additional County systems that directly consumed services from the County's GIS web server and database server. These systems included Central Square's CAD, ConciseCAMA, Tyler Technologies EnerGov, and Orange Open Data applications and maps.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to enter into the Esri Small Government Enterprise Agreement for a three-year commitment, subject to the terms of the Agreement, as presented.

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

RE: OLD BUSINESS

RE: ADOPTION OF THE ORDINANCE FOR TAX RATES FOR CALENDAR YEAR 2022

Glenda Bradley, Deputy County Administrator, explained that, in accordance with the requirements of the Code of Virginia, a public hearing had been advertised and conducted regarding the proposed tax rates for Calendar Year 2022. She indicated that, because the public hearing had been conducted, adoption of said tax rates would be appropriate at this time.

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

ORDINANCE TO ESTABLISH TAX LEVIES FOR THE TAX YEAR
BEGINNING JANUARY 1, 2022

WHEREAS, notice was advertised of proposed tax levies pursuant to §§15.2-1427, 58.1-3007, and 58.1-3604 of the Code of Virginia; and

WHEREAS, the Board of Supervisors conducted a duly-advertised Public Hearing on Tuesday, April 12, 2022, to receive public comment;

NOW, THEREFORE, BE IT ORDAINED, on this 26th day of April, 2022, that the Orange County Board of Supervisors hereby establishes the tax levies for the County of Orange, Virginia, as follows, for the tax year beginning January 1, 2022:

REAL ESTATE, pursuant to §58.1-3000 VA Code Ann., including equalized public service corporation real estate as defined by §58.1-2605 VA Code Ann., including a manufactured home as defined by §36-85.3 VA Code Ann.: $0.61 per $100.00 of assessed valuation (subject to County land use tax ordinance and ordinance granting tax relief for the elderly and handicapped).

COUNTY-WIDE FIRE AND EMS DISTRICT, pursuant to §27.23.1 VA Code Ann.: $0.14 per $100.00 of assessed valuation.

MOBILE HOMES CLASSIFIED AS PERSONAL PROPERTY, as defined by §36-85.3 VA Code Ann. and pursuant to §58.1-3506(A)(10) VA Code Ann.: $0.75 per $100.00 of assessed valuation.

TANGIBLE PERSONAL PROPERTY - AUTOS AND TRUCKS, pursuant to §58.1-3000 VA Code Ann. and classified by §58.1-3506.1 VA Code Ann., including automobiles and trucks: $3.50 per $100.00 of assessed valuation.

TANGIBLE PERSONAL PROPERTY - REGULAR, pursuant to §58.1-3000 VA Code Ann. and classified by §58.1-3500 through -3506.1 VA Code Ann., including but not limited to, motorcycles and other motor vehicles, but excluding automobiles and trucks included in other categories, watercraft and boats, aircraft, forest harvesting machinery and farm machinery, and business tangible personal property: <u>$3.75 per $100.00 of assessed valuation</u> (subject to County ordinance granting exemption for pollution control equipment).

BUSINESS TANGIBLE PERSONAL PROPERTY, pursuant to §58.1-3506(A)(26) VA Code Ann., including furniture, equipment, trade fixtures, hand-powered tools, office machines, business mobile telephones, books, signs, and other tangible personal property used in business except for automobiles or trucks, which will be taxed as tangible personal property: <u>$2.20 per $100.00 of assessed valuation</u>.

PROGRAMMABLE COMPUTER EQUIPMENT AND PERIPHERALS USED IN A TRADE OR BUSINESS, pursuant to §58.1-3506(A)(27) VA Code Ann.: <u>$2.20 per $100.00 of assessed valuation</u>.

AIRCRAFT, pursuant to §58.1-3506(A)(2), (3), (4) and (5) VA Code Ann.: <u>$0.00 per $100.00 of assessed valuation</u>.

WATERCRAFT AND BOATS, pursuant to §58.1-3506(A)(1)(a), (1)(b), (12), (28), (29), (35) and (36) VA Code Ann.: <u>$2.09 per $100.00 of assessed valuation</u>.

PRIVATELY OWNED MOTOR HOMES USED FOR RECREATIONAL PURPOSES, pursuant to §58.1-3506(A)(30) VA Code Ann.: <u>$2.62 per $100.00 of assessed valuation</u>.

ALL OTHER RECREATIONAL VEHICLES, pursuant to §58.1-3506 (A)(18), §58.1-3506(B) VA Code Ann., including but not limited to, privately owned camping and travel trailers, and certain trailers used for the transportation of horses: <u>$2.62 per $100.00 of assessed valuation</u>.

FARM MACHINERY, as defined by §58.1-3505(8) and (10) VA Code Ann.: <u>$0.00 per $100.00 of assessed valuation</u>.

MACHINERY AND TOOLS, as defined by §58.1-3507 VA Code Ann.: <u>$1.831 per $100.00 of assessed valuation</u>.

HEAVY CONSTRUCTION EQUIPMENT, as defined by §58.1-3508.2 VA Code Ann.: <u>$2.20 per $100.00 of assessed valuation</u>.

FOREST HARVESTING MACHINERY, as defined by §58.1-3508 VA Code Ann.: <u>$0.00 per $100.00 of assessed valuation</u>.

MERCHANTS CAPITAL, as defined by §58.1-3000, §58.1-3509 *et seq.* VA Code Ann.: <u>$0.40 per $100.00 of assessed valuation</u>.

MOTOR VEHICLE LICENSE TAX, as defined by §46.2-752 VA Code Ann. and §62-36 *et seq.* Orange County Code: <u>$35.00 per year for cars and trucks</u>, and <u>$21.00 per year for motorcycles</u>.

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

RE: <u>ADOPTION AND APPROPRIATION OF THE OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2023</u>

Glenda Bradley, Deputy County Administrator, explained that, in accordance with the requirements of the Code of Virginia, a public hearing had been advertised and conducted regarding the proposed budget for Fiscal Year 2023. She indicated that, because the public hearing had been conducted, adoption of said budget would be appropriate at this time.

Discussion ensued among the Board regarding: providing a loan to the Broadband Authority versus giving them the funds; future planning for the “profit” that may be available from

FiberLync as a contribution back to the General Fund; the fact that the appropriation for broadband was for capital expenditures only, not for operational support for FiberLync; and compliments on the budget process and on the staff members involved.

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

RESOLUTION TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2023
OPERATING AND CAPITAL BUDGETS

WHEREAS, the Fiscal Year 2023 Budget has been duly prepared and presented to the Board of Supervisors; and

WHEREAS, various budget discussions have been conducted; and

WHEREAS, the Board of Supervisors conducted a duly-advertised Public Hearing on Tuesday, April 12, 2022, to receive public comment; and

WHEREAS, the Board of Supervisors has considered the services required and desired by the citizens of Orange County;

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of April, 2022, that the Orange County Board of Supervisors hereby approves and adopts the attached Fiscal Year 2023 Budget, as presented, and appropriates all funds as set forth in the Budget with the limitations and instructions included herein; and

BE IT FURTHER RESOLVED, as follows:

1. Estimates of revenues are approved in total and appropriations are hereby authorized at the functional level within the General Fund.

2. Estimates of revenues are approved in total and appropriations for remaining Governmental funds are approved in total for each fund, including the Law Library Fund, Virginia Public Assistance Fund, Fire and EMS Levy Fund, County Capital Projects Fund, Debt Service Fund, School Operating Fund, School Other Funds, and Insurance Internal Service Fund.

3. Estimates of revenues are approved in total and appropriations for Enterprise funds are approved in total for each fund, including the Airport Fund and the Landfill Fund.

4. Appropriations designated for the COVID-19 Response Fund and capital projects within the County and School Capital Projects Funds, Airport Fund, and Landfill Fund will not lapse at the end of the fiscal year, but shall remain appropriated until the completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.

5. Federal, State, and Charges for Services for all School Funds and Social Services revenues are hereby appropriated for expenditures only up to the amounts actually received from Federal, State, and Charges for Services sources.

6. Enterprise funds, including the Airport Fund and the Landfill Fund, are authorized to operate as determined by activity levels, within constraints of actual revenues and available surplus, and budget modifications approved by the Board of Supervisors.

7. The Board of Supervisors will establish the Personal Property Tax Relief Act (PPTRA) percentage for the 2022 tax year in August, 2022, by separate resolution.

8. The County Administrator may increase appropriations for non-budgeted revenue for insurance recoveries for County vehicles and other property for which County funds have been expended to make repairs and for worker's compensation reimbursements, up to $30,000 per incident or claim.

9. The County Administrator may appropriate both revenue and expenditures from donations made to support County programs up to $500. Any remaining balance of a restricted donation at the fiscal year end will be re-appropriated into the subsequent fiscal year.

10. The County Administrator is charged with the responsibility for the quarterly reporting of revenues and expenditures compared to the adopted budget as amended, to the Board of Supervisors.

11. Where funding is included for the acquisition of certain projects and equipment by debt financing within the FY23-FY27 Adopted Capital Improvements Plan and in the FY23 Adopted Annual Budget, the Board of Supervisors hereby declares its official intent under Treasury Regulations Section 1.150-2 that it reasonably expects to reimburse its original expenditures for such acquisitions from the proceeds of the subsequent applicable debt obligation. It is expected that the expenditures will be paid from the County's General Fund and other available sources.

ADOPTED FISCAL YEAR 2023 BUDGET

GENERAL FUND		
Revenues:		
Local Sources	$	57,769,788
Commonwealth		8,918,868
Federal Government		77,096
Transfers from Other Funds		97,834
General Fund Reserves		3,036,670
Total Revenues	**$**	**69,900,256**
Expenditures:		
General Government Administration	$	5,244,909
Judicial Administration		2,767,692
Public Safety		9,583,978
Public Works		1,745,474
Health & Welfare		5,166,270
Education		43,600
Parks, Recreation & Culture		1,877,497
Community Development		1,814,800
Non-Departmental		225,292
Transfers to Other Funds		41,430,744
Total Expenditures	**$**	**69,900,256**

LAW LIBRARY FUND

Revenues:		
Local Sources	$	7,000
Reserves		880
Total Revenues	**$**	**7,880**
Total Expenditures	**$**	**7,880**

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:		
Commonwealth	$	1,152,232
Federal Government		2,058,220
Transfer from General Fund		1,613,831
Total Revenues	**$**	**4,824,283**
Total Expenditures	**$**	**4,824,283**

FIRE & EMS LEVY FUND

Revenues:		
Local Sources	$	8,430,388
Commonwealth		188,900
Federal Government		563,472
Total Revenues	**$**	**9,182,760**
Expenditures:		
Fire & EMS Expenses	$	7,669,559
Transfers to Other Funds		1,513,201
Total Expenditures	**$**	**9,182,760**

COUNTY CAPITAL PROJECTS FUND

Revenues:		
Transfer from General Fund	$	4,419,049
Transfer from Fire & EMS Fund		143,809
Transfer from COVID-19 Response Fund		540,000
Financing Proceeds		270,000
Reserves		298,752
Total Revenues	**$**	**5,671,610**

Expenditures:

Capital Expenses	$	5,372,858
Transfers to Other Funds		298,752
Total Expenditures	**$**	**5,671,610**

DEBT SERVICE FUND

Revenues:

Transfers from Other Funds	$	9,974,162
Total Revenues	**$**	**9,974,162**
Total Expenditures	**$**	**9,974,162**

AIRPORT FUND

Revenues:

Local Sources	$	401,220
Transfer from General Fund		210,802
Commonwealth		1,200
Federal Government		13,500
Total Revenues	**$**	**626,722**
Total Expenditures	**$**	**626,722**

LANDFILL FUND

Revenues:

Local Sources	$	580,000
Commonwealth		8,348
Transfer from General Fund		2,723,798
Total Revenues	**$**	**3,312,146**
Total Expenditures	**$**	**3,312,146**

ORANGE COUNTY PUBLIC SCHOOLS OPERATING FUND

Revenues:

Transfer from General Fund	$	22,417,292
Commonwealth		34,972,912
Federal Government		4,493,525
Other		109,000
Total Revenues	**$**	**61,992,729**

Expenditures:

School Operating Fund	$	60,950,749
Transfers to Other Funds		1,041,980
Total Expenditures	**$**	**61,992,729**

ORANGE COUNTY PUBLIC SCHOOLS OTHER FUNDS

Revenues:

Transfer from General Fund	$	1,739,954
Transfer from School Operating Fund		1,041,980
Commonwealth		2,742,964
Federal Government		3,841,770
Other		50,000
Reserves		69,686
Total Revenues	**$**	**9,486,354**

Expenditures:

School Cafeteria Fund	$	2,280,705
School Headstart Fund		1,582,500
School Adult Education Fund		458,900
School Textbook Fund		700,000
School Debt Service Fund		1,172,954
School Capital Project Fund		3,291,295
Total Expenditures	**$**	**9,486,354**

INSURANCE INTERNAL SERVICE FUND

Revenues:

Contributions from Other Funds	$	9,598,659
Reserves		97,834
Total Revenues	**$**	**9,696,493**

Expenditures:

Health Claims and Administrative Expenses	$	9,598,659
Transfer to Other Funds		97,834
Total Expenditures	**$**	**9,696,493**

Grand Total Expenditures	**$**	**184,675,395**
Less Transfers		(53,981,170)
Total Consolidated Budget	**$**	**130,694,225**

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

RE: STA 21-01; AMENDMENT TO THE SUBDIVISION ORDINANCE CONCERNING PRIVATE ROAD STANDARDS

Theodore L. Voorhees, County Administrator, explained that the Board had previously conducted its public hearing on this proposed amendment to the Subdivision Ordinance, but action had been deferred until this meeting, citing discussion related to the third-party inspection and bond requirements. He presented the language options that had been prepared by the County Attorney before turning the matter over for discussion by the Board.

Discussion ensued among the Board regarding: the need to define the term "serve" before action was taken by the Board; concerns with the language requiring the public dedication of rights of way; the definition of the Subdivision Agent and associated responsibilities; and the need to have a worksession to further discuss the proposed amendment.

By consensus, the Board scheduled a Worksession on Tuesday, May 10, 2022, for the purpose of further discussing STA 21-01, the proposed amendment to the Subdivision Ordinance regarding private road standards.

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
- Economic Development Quarterly Report
- Social Services Quarterly Report
- VDOT Monthly Report for April

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

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

RE: PUBLIC COMMENT

At 5:40 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:40 p.m.

RE: CLOSED MEETING

At 5:41 p.m., Mr. Lansing read the following motion authorizing Closed Meeting:

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

- Discussion concerning the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in expanding its facilities in the community. - *§2.2-3711(A)(5) 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 an SUP violation. - *§2.2-3711(A)(8) of the Code of Virginia*

WHEREAS, pursuant to §§2.2-3711 (A)(5) 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. Crozier, seconded by Mr. Frame, 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 6:27 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. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 6:27 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

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R. Mark Johnson, Chairman

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Theodore L. Voorhees, County Administrator