

BOARD OF SUPERVISORS MINUTES

MAY 10, 2022

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, May 10, 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. Crozier, seconded by Mr. Frame, 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: BUSINESS SPOTLIGHT

This item was struck from the agenda.

RE: PRESENTATION OF THE PROCLAMATION FOR OLDER AMERICANS MONTH

Vice Chairman Crozier read the Proclamation for Older Americans Month and presented a signed, framed copy to Ellen Phipps, Executive Director of Aging Together, and Crystal Hale, Director of Social Services.

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: recruitment and retention efforts, training, and membership numbers.

The Board thanked Chief Mendonca for the update.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

Scott Thornton, Louisa Residency Administrator, provided an update to the Board on VDOT activities. He reported on storm clean-up efforts; ongoing projects; outreach events; mowing efforts; and overall maintenance activities.

Discussion ensued among the Board regarding: whether the extended storm clean-up efforts would have a fiscal impact on road maintenance; drainage concerns at Routes 20 and 611; and roadside clean-up taking place ahead of mowing.

The Board thanked Mr. Thornton for his presentation.

RE: CONSENT AGENDA

On the motion of Mr. Crozier, seconded by Mr. Frame, 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
41231001-43200	Contract Services - Other	\$ 17,000.00	\$ 7,500.00	\$ 24,500.00
49140001-45900	Contingency	324,000.00	(7,500.00)	316,500.00
41221501-43100	Litigation Expenses	95,834.01	50,000.00	145,834.01
30052001-39900	Appropriated Fund Balance	(4,106,278.63)	(50,000.00)	(4,156,278.63)
43520003-43115	Prof. Serv. - Emergency Vet	176,169.00	930.00	177,099.00
30030006-33500	Donations - Animal Shelter	(32,158.00)	(930.00)	(33,088.00)
30045064-35880	Cat. Aid. - Federal - Tourism	0.00	(60,000.00)	(60,000.00)
43551010-46025	Tourism Mktg. Assistance	0.00	60,000.00	60,000.00
TOTALS		\$ (3,525,433.62)	\$ 0.00	\$ (3,525,433.62)

RE: ADOPTION OF A FIVE-YEAR RESOLUTION RECOGNIZING BUSINESS AND INDUSTRY APPRECIATION WEEK

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

RESOLUTION FOR BUSINESS AND INDUSTRY APPRECIATION WEEK

WHEREAS, in 2021, Orange County is the home to over 970 business and industry employers providing approximately 11,083 jobs and generating annual payrolls in excess of \$130,018,224; and

WHEREAS, business and industry in Orange County offers a broad range of employment opportunities in agriculture, commercial and manufacturing services, and provides a stable revenue base to help support County and Town public services including education and public safety; and

WHEREAS, Orange County has always endeavored to promote balanced growth and development by recognizing the importance of its historic and scenic land and water resources along with the need to provide jobs and incomes to the citizens of Orange County and future generations; and

WHEREAS, the jobs and investments created by business and industry have contributed greatly to Orange County's growth and prosperity and recognition as one of Virginia's most outstanding communities to work and live;

NOW, THEREFORE, BE IT RESOLVED THAT, the Orange County Board of Supervisors, Gordonsville Town Council, Orange Town Council, and Orange County Chamber of Commerce hereby salute our existing business and industry employers and express sincere appreciation for their outstanding contributions to Orange County's economy and employment base;

AND BE IT FURTHER RESOLVED THAT, the third full week in May is hereby declared Business and Industry Appreciation Week in Orange County and the Towns of Gordonsville and Orange now and until the year 2026.

RE: NEW BUSINESS

RE: PRESENTATION OF THE DRAFT FY2023-FY2027 CAPITAL IMPROVEMENTS PLAN
Amanda Amos, Contract and Procurement Specialist, presented the Draft FY23-FY27 Capital Improvements Plan (CIP) to the Board for discussion. She highlighted the new software

that had been used to create the electronic document, noting its various features and the ability to drill down into the requested project details. She reviewed nine (9) new projects that were included in the CIP for the first time. Ms. Amos indicated that the Plan included debt service payments and projects that were aligned with the Board's Financial Policies.

Discussion ensued among the Board regarding: including the replacement of duct work on the HVAC unit replacement projects; and more details on the emergency generator for the Courthouse.

By consensus, the Board directed staff to bring the matter back at the Regular Meeting on Tuesday, May 24, 2022, for adoption.

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, provided brief updates to the Board. He noted that the contractor had been working in the Public Safety Building and improvements had been made to the Building's lighting. Additionally, staff from Public Works had been able to get the clock on the Courthouse tower working again. Lastly, Mr. Voorhees highlighted the County's recent receipt of an Achievement Award from the National Association of Counties (NACo) for its public safety advances.

RE: BOARD COMMENT

Supervisors Crozier and Frame commented on the success of the Thrive Beyond 55 event, hosted by TRIAD, which had been held at Lake of the Woods.

RE: INFORMATIONAL ITEMS

There were no Informational Items at this time.

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 May 2022, June 2022, and July 2022.

RE: PUBLIC HEARING #1; PROPOSED SECONDARY SIX-YEAR PLAN

Scott Thornton, Louisa Residency Administrator, reviewed the proposed Secondary Six-Year Plan for FY2023 through FY2028, noting that no new projects had been added this year. He indicated that the projected funding allocations had been spread across the existing projects as reflected in the draft Plan.

At 5:38 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

PROPOSED SECONDARY SIX-YEAR PLAN

The Board of Supervisors, in accordance with §33.2-331 of the Code of Virginia, will conduct a joint public hearing with the Virginia Department of Transportation to receive comment on the County's proposed Secondary Six-Year Plan (SSYP) for Fiscal Years 2023 through 2028, and on the Secondary System Construction Budget for Fiscal Year 2023. All projects in the SSYP that are eligible for Federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate Federal transportation funds.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:38 p.m.

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

RESOLUTION TO ADOPT THE SIX-YEAR PLAN FOR SECONDARY ROADS
FOR FISCAL YEARS 2023 THROUGH 2028
AND THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2023

WHEREAS, Section 33.2-331 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a Public Hearing on the proposed Plan (for Fiscal Years 2023 through 2028 as well as the Secondary System Construction Budget for Fiscal Year 2023) on May 10, 2022, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Scott Thornton, Louisa Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads for Fiscal Years 2023 through 2028 and the Secondary System Construction Budget for FY 2023;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of May, 2022, that since said Plan appears to be in the best interests of the Secondary Road System in Orange County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan for Fiscal Years 2023 through 2028 and the Secondary System Construction Budget for Fiscal Year 2023 are hereby approved as presented at the Public Hearing.

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

RE: PUBLIC HEARING #2; DEED OF RELEASE FOR THE RUTT PROPERTY

Eric Bittner, Planner, presented a Deed of Release to the Board for the property of David and Janelle Rutt. He explained that the County currently held an easement over said property, which had been in place since the former owners, Eden Ministries, had the property. The easement was previously required for the former owners when a Stormwater Management Facility was to be constructed; however, the Facility was never constructed, the property was conveyed, and the easement was no longer required.

At 5:41 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

DEED OF RELEASE

The Board of Supervisors, pursuant to §15.2-1800 of the Code of Virginia, will consider a Deed of Release to release an easement the County holds over the property of David and Janelle Rutt. Said easement was

previously required for the former property owners, Eden Ministries, when a Stormwater Management Facility was to be constructed. Since the property has been conveyed to David and Janelle Rutt, and the Stormwater Management Facility was never constructed, said easement is no longer required.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:41 p.m.

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a roll call vote of 5-0, the Board approved the Deed of Release for David and Janelle Rutt, and authorized the Chairman to sign said Deed of Release, as presented.

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

RE: PUBLIC HEARING #3; SUP 22-01 (SWEET SPRING SOLAR, LLC)

Keri Ragland, Senior Planner, presented the staff report and Special Use Permit (SUP) request from Sweet Spring Solar, LLC, c/o Hexagon Energy, which included information on the location and specifications of the subject property, the request to allow the construction and operation of a 1-megawatt solar energy generation facility on Tax Map No. 46-1, the proposed conditions, and the recommendation of approval from the Planning Commission.

Discussion ensued among the Board regarding: whether the generated energy would remain local; and where the site would connect to the grid.

Brendan Grajewski, representative from Hexagon Energy, presented a PowerPoint presentation to the Board, which included information on the following topics: an overview of Hexagon Energy; benefits of a small-scale solar project; the project specifications; the project concept plan; and community input.

Discussion ensued among the Board regarding: the need to address erosion and sediment (E&S) control measures in the conditions of the SUP; and maintenance of the site vegetation.

Donald Jennings, owner of the subject property, shared his support of the project.

At 6:03 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP 22-01

The Board of Supervisors will consider a Special Use Permit application from Sweet Spring Solar, LLC, c/o Hexagon Energy, to construct and operate a 1-megawatt solar energy generation facility on property located at 19362 Constitution Highway, with an entrance constructed on Porter Road near the Orange County Landfill. The property is identified as Tax Map Parcel 46-1, contains 116.46 acres, and is zoned Agricultural (A). The property is situated in the Agricultural (A-2) Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:03 p.m.

On the motion of Mr. White, seconded by Mr. Frame, which carried by a roll call vote of 3-2, with Messrs Marshall and Crozier voting against, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING SUP 22-01 TO ALLOW THE CONSTRUCTION AND OPERATION OF A
1-MEGAWATT SOLAR ENERGY GENERATION FACILITY ON TAX MAP NO. 46-1, REQUESTED BY
SWEET SPRING SOLAR, LLC, C/O HEXAGON ENERGY

WHEREAS, Sweet Spring Solar, LLC, c/o Hexagon Energy, applied for a Special Use Permit to allow the construction and operation of a 1-megawatt solar energy generation facility on property owned by Donald Edward Jennings, referenced as Tax Map No. 46-1, containing 116.46 acres, pursuant to Section 70-303 (22) of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on April 7, 2022; 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 modified during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on May 10, 2022; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports approval of this Special Use Permit request, as presented during its Public Hearing; and

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

NOW, THEREFORE, BE IT ORDAINED, on this 10th day of May, 2022, that the Orange County Board of Supervisors hereby approves SUP 22-01 to allow the construction and operation of a 1-megawatt solar energy generation facility on property owned by Donald Edward Jennings, referenced as Tax Map No. 46-1, subject to the four (4) conditions and seven (7) sub-conditions as set forth below, as presented

Ayes: Johnson, White, Frame. Nays: Marshall, Crozier.

Conditions for Approval

**As adopted in Ord. No. 220510 - PH3
by the Orange County Board of Supervisors
on May 10, 2022**

SUP 22-01: Sweet Spring Solar, LLC

To allow the construction and operation of a 1-megawatt solar energy generation facility

Tax Map No. 46-1

The conditions of this Special Use Permit ("SUP") shall apply to the properties identified on County Tax Map No. 46-1, 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 December 21, 2021, including the revised site plan dated March 4, 2022.

2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine “substantial conformance.” The property owner and/or business owner 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. The property owner and/or business owner shall be responsible for complying with all local, State, and Federal laws and regulations as may be applicable to the business development and operation.
3. Uses – This SUP shall allow the construction and operation of a 1-megawatt solar energy generation facility as generally described in the application.
4. Standards and Conditions –
 - a. Pursuant to §15.2-2288.8(B) of the Code of Virginia, the applicant shall provide a payment of \$1,400 per megawatt as measured in AC capacity per year to the County to support construction of public improvements, including, but not limited to, _____ (to be determined at the next meeting), the need for which is not generated solely by the granting of this SUP, but which is found to be reasonably related to this project.
 - b. Traffic to and from the Orange County Landfill shall not be impeded by traffic related to the construction or operation of this facility.
 - c. An approved Decommissioning Plan, as well as a surety bond or other security or assurance acceptable to the County, shall be submitted in the full amount as specified by a third-party professional engineer, without discounts for salvage value. The plan shall require the land be returned to as close to the original condition as possible.
 - d. The applicant shall submit a Fire and Emergency Response Plan and a Vegetation Management Plan prior to any permits being issued.
 - e. Building permits shall not be issued until an approved VDOT construction entrance and Transportation Plan have been submitted.
 - f. This SUP is contingent upon receipt of a favorable Glare Study performed and submitted by an approved third-party.
 - g. Prior to site construction, a Phase 1 Cultural Resource Survey / Archaeological Assessment shall be completed. Any recommended mitigation shall be approved by the Virginia Department of Historic Resources.

RE: PUBLIC HEARING #4; REZ 22-01 (COMPLETE CARE OF VA)

Kyra Davis, Planner, presented the staff report and Rezoning request from Complete Care of VA, which included information on the location and specifications of the subject property, the request to rezone Tax Map Nos. 32-65 and 32-65A in order to amend the C-2 proffered conditions limiting the property's use, the proposed proffers, and the recommendation of approval from the Planning Commission.

Discussion ensued among the Board regarding: the reason for the requested Rezoning; and the need to reword the language regarding the use of the property.

At 6:20 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

REZ 22-01

The Board of Supervisors will consider an application from Complete Care of VA to rezone property at 23325 Village Road, Unionville, in order to amend the C-2 conditions limiting the property's use. The

property is identified as Tax Map Parcels 32-65 and 32-65A. The property contains 4.23 acres and is situated in the Village Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

The following individual spoke:

- Carla Merkel, 23320 Village Road, Unionville

There being no further speakers, Chairman Johnson closed the Public Hearing at 6:21 p.m.

Further discussion ensued among the Board regarding: the actual type of business and use on the property; and how to refine the proposed language to better define the use while addressing the neighbor concerns.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board deferred action on the matter until its Regular Meeting on May 24, 2022.

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

RE: CLOSED MEETING

At 6:40 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; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body concerning Development Services and the County Attorney. - §2.2-3711(A)(1) of the Code of Virginia
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning Case CL22-314 and the Rapidan Service Authority (RSA). - §2.2-3711(A)(7) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(7) 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. 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 8:22 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: ACTION FOLLOWING CLOSED MEETING

RE: ADOPTION OF THE RESOLUTION APPROVING THE AGREED TERMS FOR THE WITHDRAWAL OF GREENE COUNTY FROM THE RAPIDAN SERVICE AUTHORITY

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, VIRGINIA, APPROVING AGREED TERMS FOR GREENE COUNTY
WITHDRAWAL FROM THE RAPIDAN SERVICE AUTHORITY

WHEREAS, Orange County ("Orange"), Madison County ("Madison"), and Greene County ("Greene"), Virginia, are the participating localities of the Rapidan Service Authority (the "RSA"), and

WHEREAS, on April 5, 2021, the Board of Supervisors of Greene signified its desire to withdraw from the RSA, by adopting a resolution under Virginia Code § 15.2-5112(B); and

WHEREAS, in its April 5, 2021 resolution, the Board of Supervisors of Greene also called for unanimous consent to the withdrawal by Orange and Madison under § 15.2-5112(A); and

WHEREAS, on April 13, 2021, the Board of Supervisors of Madison adopted a resolution unanimously consenting to the withdrawal of Greene on the condition that Greene provide evidence that the bond holders of Greene and the RSA consent to the withdrawal, and that the withdrawal follow the approvals and protocols set forth in § 15.2-5112; and

WHEREAS, also on April 13, 2021, the Board of Supervisors of Orange adopted a resolution unanimously consenting to the withdrawal of Greene from the RSA pursuant to § 15.2- 5112 and supporting the initiation of the process for the proper separation of Greene from the RSA, subject to Orange and Madison entering into an agreement to configure the RSA board with an Orange majority after Greene's departure; and

WHEREAS, on May 25, 2021, Madison and Orange entered into a Memorandum of Agreement agreeing that prior to Greene's withdrawal from participation in the RSA, the Boards of Supervisors of Greene, Madison, and Orange will adopt a concurrent resolution to amend the Articles so that, effective upon Greene's withdrawal, the RSA's governing board shall consist of five representatives, three of whom shall be appointed by Orange, and two of whom shall be appointed by Madison; and

WHEREAS, the Orange, Madison, and Greene Boards of Supervisors' Chairs have negotiated terms for Greene County's withdrawal from the Rapidan Service Authority, namely, on or before June 30, 2022, or as soon thereafter as possible, (1) payment to Greene by the RSA of \$1,350,000.00, (2) transfer to Greene by the RSA of RSA assets in Greene County, (3) lease by Greene to the RSA of the headquarters building and grounds through December 31, 2023 for \$1.00, (4) dismissal with prejudice of all litigation, and (5) satisfaction by Greene of all Virginia Resource Authority requirements (the "Agreed Terms") and recommended them to their respective Boards; and

WHEREAS, the Orange Board of Supervisors finds the Agreed Terms to be acceptable for the resolution of the pending dispute and the completion of Greene's withdrawal from the RSA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County hereby (a) approves the Agreed Terms, (b) calls upon the Madison and Greene Boards of Supervisors and the RSA Board of Members to adopt their own resolutions approving the Agreed Terms not later than May 19, 2022, and (c) directs the Orange County Administrator and the Chair of the Orange County Board of Supervisors to facilitate preparation of a formal withdrawal and transition agreement between Orange, Madison, Greene, and the RSA, with a list of specific assets to be conveyed, deed, easement, and bill of sale forms, and other exhibits as may be necessary, for approval as to form by counsel for Orange, and submission to the Orange Board of Supervisors for formal adoption at its next meeting or as soon thereafter as the necessary documents can be prepared.

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 8:24 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator