At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, August 9, 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: Glenda E. Bradley, Deputy 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: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

Scott Thornton, Louisa Residency Administrator, provided an update to the Board on VDOT activities. He reported on the completion of storm clean-up; ongoing projects; mowing efforts; land use and engineering requests; and overall maintenance activities.

Discussion ensued among the Board regarding: Adopt-a-Highway statistics for Orange County; safety improvements at the Route 3 and Lake of the Woods entrance; clean-up on Meadows Road; and whether Harbor Drive had been accepted into the State System yet.

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 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 $124,886.10 in the Elementary and Secondary School Emergency Relief (ESSER) Fund, which represented additional Federal revenue that had been received, as presented.

RE: FY23 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
30045065-35880	Virginia Tourism Corp Grant	$ 0.00	$ (20,000.00)	$ (20,000.00)
48160003-43600	VTC Grant Expenses	0.00	20,000.00	20,000.00
30045060-35950	State Share - Libraries	(172,307.00)	(23,984.00)	(196,291.00)
47310001-46016	Digital Content for Pub. Use	26,000.00	8,500.00	34,500.00
47310001-46400	Education Supplies	2,812.00	800.00	3,612.00

47310001-46452	Books - Juv. - Other Vendor		4,437.00		518.00		4,955.00
47310001-46457	Books - Young Ad. - Other		962.00		355.00		1,317.00
47310001-46475	Library Supplies		1,850.00		500.00		2,350.00
47311001-46016	Digital Content for Pub. Use		20,000.00		6,000.00		26,000.00
47311001-46400	Education Supplies		2,450.00		300.00		2,750.00
47311001-46452	Books - Juv. - Other Vendor		4,050.00		700.00		4,750.00
47311001-46457	Books - Young Ad. - Other		750.00		255.00		1,005.00
47311001-46462	Books - Adult - Other Vendor		3,350.00		250.00		3,600.00
47311001-46475	Library Supplies		1,300.00		300.00		1,600.00
47312001-46016	Digital Content for Pub. Use		11,000.00		4,000.00		15,000.00
47312001-46400	Education Supplies		1,089.00		311.00		1,400.00
47312001-46452	Books - Juv. - Other Vendor		2,375.00		225.00		2,600.00
47312001-46457	Books - Young Ad. - Other		400.00		225.00		625.00
47312001-46462	Books - Adult - Other Vendor		1,145.00		445.00		1,590.00
47312001-46475	Library Supplies		1,300.00		300.00		1,600.00
TOTALS		**$**	**(87,037.00)**	**$**	**0.00**	**$**	**(87,037.00)**

RE: ADOPTION OF THE JULY 26, 2022 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the July 26, 2022 Worksession minutes, as presented.

RE: ADOPTION OF THE JULY 26, 2022 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the July 26, 2022 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: HEALTH, DENTAL, AND OPTIONAL INSURANCE RENEWALS

Jenny Carpenter, Human Resources Director, presented the recommended renewal options for the health, dental, and optional insurance benefits provided to County employees. She indicated that McGriff Insurance Services, the County's benefits consultant, had collaborated with the Budget Guidance Subcommittee and representatives from both the County and the Schools to review existing coverages and claims in order to develop the recommendations.

Ms. Carpenter stated that since the County became self-insured in 2014, Anthem had been both the County's third-party administrator and had provided stop-loss coverage (reinsurance) at an annual limit of $150,000 per employee. She noted that for the upcoming plan year, Anthem had increased its proposed rate for stop-loss coverage by over 88% and proposed three lasers (higher stop-loss limits on individual claimants), which added an additional $500,000 in exposure to the County. Ms. Carpenter explained this renewal would have required a total contribution increase of over 35% for the new plan year, with the adopted budget including only a 15% planned increase.

Because of the large proposed increase, the County solicited proposals for stop-loss coverage from additional companies and at various stop-loss limits. Ms. Carpenter reported that Sunlife submitted a more competitive proposal for stop-loss coverage with only one laser proposed for the coming year. She indicated that after analysis and discussion, the recommended stop-loss carrier was Sunlife, at a limit of $250,000, which brought the total contribution increase to approximately 31%. Ms. Carpenter noted that Anthem would continue to be the County's third-party administrator.

Further, Ms. Carpenter presented a recommendation to reduce the employee portion of dependent tier plan premiums in order to offer more affordable coverage to employees and their dependents while simultaneously working towards becoming a more competitive locality. She reported that this recommendation came after comparing the County's contributions for dependent tiers to that of surrounding localities. Ms. Carpenter stated that standard percentages were recommended for County contributions for each tier, regardless of the plan chosen, as follows:

Employee Only	95%
Employee & Child	80%
Employee & Children	70%
Employee & Spouse	70%
Employee & Family	70%

Ms. Carpenter explained that an additional recommendation included the continuation of two of the three health insurance plans that were currently offered, including the open-access Point of Service (POS) plan and the High Deductible Health Plan paired with a Health Savings Account (HDHP/HSA). She noted the Preferred Provider Organization (PPO) plan would be discontinued, as previously planned and communicated, and an additional High Deductible Health Plan with a slightly higher deductible would be offered in its place as a third option. Participants in the HDHP ($3,000 Deductible) would continue receiving a $1,500 annual contribution from the County to an HSA, while participants in the new HDHP ($4,500 Deductible) would receive an $1,800 contribution.

Ms. Carpenter stated that, although a 15% increase was anticipated in the FY23 Budget, the recommended renewal and changes would result in additional costs of approximately $1.5 million. After discussion with the Budget Guidance Subcommittee, staff recommended the additional funds be appropriated from the General Fund balance, as a surplus was anticipated for the close of FY22. Because employees could move between insurance plans and tiers during the upcoming open enrollment process, Ms. Carpenter indicated that a more refined request for supplemental appropriation would be presented to the Board after open enrollment was complete.

Ms. Carpenter concluded her presentation by noting the following renewal recommendations, which were related to dental, vision, and other optional insurances rather than health insurance:

- The renewal for dental plans from Delta Dental reflected no increase in estimated total costs; therefore, no change in contributions was required.
- The renewal for the vision plan from EyeMed reflected no increase in estimated total costs; therefore, no change in contributions was required.
- The following ancillary benefits would continue at their existing rates, as there was no increase for the upcoming plan year:
  - *Legal Plan* - Renew with Legal Resources
  - *COBRA Administration* - Move to Flexible Benefit Administrators
  - *FSA/HSA Spending Accounts* - Move to Flexible Benefit Administrators
  - *Employee Assistance Program* - Move to Optima
  - *STD/LTD* - Move to Anthem
  - *Critical Illness* - Renew with Aflac and add cancer option
  - *Accident* - Renew with Aflac
  - *Hospital Indemnity* - Renew with Aflac
  - *Universal Life* - Terminate option (additional life insurance options provided through VRS)

Discussion ensued among the Board regarding: the fact that the County's insurance pool included the Schools employees, and that their representatives were part of the decision-making process as well; the need to plan for higher claims each year, versus the practice of planning for lower renewals and being "shocked" by higher renewals and higher claims; and the new "laser" concept that allowed higher claimants to become more expensive, as far as coverage.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board approved the renewal of the health, dental, and optional insurances and benefits for the Plan Year beginning October 1, 2022, as recommended and outlined above.

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

RE: PROPOSED REVISION TO THE ORANGE COUNTY RESERVE POLICIES FOR AN ADJUSTMENT TO HEALTH INSURANCE STOP-LOSS COVERAGE

Glenda Bradley, Deputy County Administrator, explained that, as part of the health insurance renewal previously approved, the stop-loss (reinsurance) coverage limit was increased from $150,000 to $250,000 per employee per claim. Although the stop-loss increase reduced the required premiums paid to the carrier, it added potential claims liability to the County in the amount of $655,000. Ms. Bradley also noted that the renewal included one laser for an existing high claimant, which resulted in additional potential claims liability in the amount of $80,000. She indicated these amounts were potential liabilities; not actual premium amounts paid to the carrier.

Ms. Bradley stated that the Board had Reserve Policies in place that established certain guidelines for managing the County's reserves as they related to cash flows, unexpected expenditures, and the like. She indicated that, in order to allow for the additional risk being assumed by the County from the change in stop-loss coverage, the Budget Guidance Subcommittee recommended adding an additional reserve to the existing Reserve Policies, which would be above the current requirements of 15% with an additional 3% for economic uncertainty. The additional reserve requirement would be 8% of the total expected health insurance program expenses beginning June 30, 2022. Ms. Bradley explained that this amount established a benchmark that would be adjusted over time as the cost of providing health insurance changed. As with other reserves, the funds would remain in the General Fund until such time a transfer to the Health Insurance Fund became necessary. She stated this recommended policy change would add an additional layer of financial stability for the Health Insurance Fund.

Discussion ensued among the Board regarding: acknowledgement of the fact these reserve funds had the potential to be spent in a high claims year versus the other reserve funds that had not been spent; the fact that the County had opted to pay a small premium in order to protect against additional lasers next year; and the benefits to the high deductible insurance plans.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the revision to the County's Reserve Policies, as presented.

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

RE: REQUEST FOR A SPEED AND SAFETY STUDY ON THE IDENTIFIED PORTION OF ROUTE 231 (BLUE RIDGE TURNPIKE)

Alyson Simpson, Chief Deputy Clerk, explained that Supervisor Johnson had recently received concerns from a resident of Route 231 (Blue Ridge Turnpike) regarding the speed and safety of many travelers on said road. She noted the resident had requested the Board's consideration for completion of a speed and safety study by the Virginia Department of Transportation (VDOT) along the identified portion of Route 231. Said study should include, but not be limited to, changes in speed limit, additional speed limit and/or safety signage, and pavement markings where not currently present. Ms. Simpson noted the study could be requested by adoption of a resolution and staff would then request that VDOT present its findings and recommendations upon completion.

Discussion ensued among the Board regarding: the identified segment of Route 231.

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

RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) CONDUCT A SPEED AND SAFETY STUDY ON THE IDENTIFIED PORTION OF ROUTE 231 (BLUE RIDGE TURNPIKE) IN ORANGE COUNTY, VIRGINIA

WHEREAS, it is the intention of the Orange County Board of Supervisors to protect the health, safety, and welfare of all its citizens; and

WHEREAS, the Board of Supervisors has received a request for a speed and safety study on Route 231 (Blue Ridge Turnpike), specifically on the segment from the Gordonsville Traffic Circle heading north to Route 654 (Perrys Mill Road), as travelers appear to be using speeds in excess of the current road conditions; and

WHEREAS, the Board feels that posting the appropriate speed limit, safety signage, and pavement markings would significantly improve the safety on this roadway for all residents and travelers;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of August, 2022, that the Orange County Board of Supervisors hereby requests that the Virginia Department of Transportation conduct a speed and safety study on the identified portion of Route 231 (Blue Ridge Turnpike) in Orange County, Virginia, as described above.

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

RE: <u>OLD BUSINESS</u>

RE: <u>REZ 22-01 (COMPLETE CARE OF VA)</u>

Kyra Davis, Planner, reminded the Board this Rezoning request had been deferred from the Regular Meeting on June 14, 2022. She presented the revised proffers to the Board, which had been received from Dave Purks, applicant.

Discussion ensued among the Board regarding: an issue with proposed Proffer 3 related to site lighting, as all of the site lighting should come into compliance with the County's lighting ordinance now and not at some future date; the desire to reject proposed Proffer 3; limitations on use of the property and the lack of clarity to proposed Proffer 1; and the desire to see an amendment to proposed Proffer 1.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 5-0, the Board rejected proposed Proffer 3.

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

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board deferred action on REZ 22-01 (Complete Care of VA) until its Regular Meeting on Tuesday, August 23, 2022.

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

RE: <u>DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS</u>

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 Frame reminded the Board that he would be participating in the work group for the Department of Professional and Occupational Regulation regarding structural integrity and maintenance of infrastructure for communities.

Chairman Johnson remarked that there were about 3,500 residents of the Town of Orange who could not be served high-speed internet by FiberLync simply because the Town Manager and Town Council said so. He wanted to be clear that the overall goal of FiberLync was to provide affordable, high-speed internet to all citizens of Orange County, including those in the Town boundaries.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Emergency Communications Center (ECC) Semi-Annual Report
- Health Center Commission Minutes; February 25, 2022
- Health Center Commission Minutes; May 27, 2022
- Health Center Commission Minutes; June 24, 2022

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed Adam Bryington as the District Four Representative on the Planning Commission, filling the unexpired four-year term of Julie Zeijlmaker, with said term commencing immediately, and expiring on March 31, 2026.

Note: The initial appointment of Adam Bryington on June 28, 2022, was intended to be a temporary (approximately 60-day) appointment. However, the appointment at this meeting was made for the remainder of the unexpired term for District Four.

By consensus, the Board appointed Sonja "Sunnie" Capelle as the Town of Gordonsville Representative on the Economic Development Authority, filling the unexpired four-year term of Sharon Hujik, with said term commencing immediately, and expiring on December 31, 2023.

By consensus, the Board appointed Andrea Smith as an At-Large Representative on the Youth Commission, filling an unexpired four-year term, 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 August 2022, September 2022, and October 2022.

RE: SCHEDULE A PUBLIC HEARING FOR STA 22-02

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for STA 22-02 on Tuesday, August 23, 2022, as presented.

RE: PUBLIC HEARING #1; GREENE COUNTY WITHDRAWAL FROM RAPIDAN SERVICE AUTHORITY (RSA)

Chairman Johnson provided a brief overview of this Public Hearing, indicating that the parties involved had been working through a lengthy process to allow for Greene County's withdrawal from the

Rapidan Service Authority. He indicated that the adoption of the draft resolution following this Public Hearing was one of the final steps and that the Withdrawal and Transition Agreement defined the terms by which Greene County would separate from RSA.

At 6:16 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

GREENE COUNTY WITHDRAWAL FROM RAPIDAN SERVICE AUTHORITY (RSA)
The Board of Supervisors will consider a withdrawal and transition agreement between RSA and the Counties of Orange, Madison, and Greene, and related resolutions by the parties' respective boards. Section 15.2-5104 requires a descriptive summary of the agreement, which includes the following: Greene will withdraw as a participating locality of RSA, upon approval of the Virginia Resources Authority and the State Corporation Commission; Greene will receive certain assets, and will provide water and sewer services for customers, located primarily in Greene County; RSA will pay Greene $1.35 million; the parties mutually release each other, and all related litigation will be dismissed with prejudice; and Orange and Madison will continue as participating localities of RSA. The board of each party has, by resolution, approved the agreement, and by subsequent resolution, the RSA board has, under § 5112(D), expressed its consent to the withdrawal of Greene.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:16 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 APPROVING, UNDER VIRGINIA CODE § 15.2-5112(D), THE WITHDRAWAL AND TRANSITION AGREEMENT REGARDING GREENE COUNTY'S WITHDRAWAL FROM THE RAPIDAN SERVICE AUTHORITY

WHEREAS, the Boards of Supervisors of the Counties of Greene, Madison, and Orange each adopted, on June 14, 2022, the "Concurrent Resolution of the Boards of Supervisors of Orange County, Madison County, and Greene County, Virginia, Approving the Withdrawal and Transition Agreement for Greene County Withdrawal from the Rapidan Service Authority"; and

WHEREAS, the Board of Members of the Rapidan Service Authority ("RSA") adopted, on June 16, 2022, the "Resolution of Rapidan Service Authority Approving Withdrawal and Transition Agreement for Greene County's Withdrawal from the Rapidan Service Authority"; and

WHEREAS, the RSA Board of Members adopted, on June 30, 2022, the "Resolution of the Rapidan Service Authority Board of Members Consenting to the Withdrawal of Greene County from Rapidan Service Authority"; and

WHEREAS, the Orange County Board of Supervisors, in accordance with Virginia Code §§ 15.2-5112(D) and 15.2-5104, advertised for and held, on August 9, 2022, a public hearing on the Withdrawal and Transition Agreement, and to receive comments and consider Greene County's withdrawal from RSA;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of August, 2022, that the Orange County Board of Supervisors hereby approves the Withdrawal and Transition Agreement regarding the withdrawal from RSA of Greene County, whose Board of Supervisors shall, pursuant to Virginia Code § 15.2-5112(D), file with the State Corporation Commission an application to withdraw from RSA, such withdrawal to be effective upon the issuance of a certificate of withdrawal by the State Corporation Commission; and

BE IT FURTHER RESOLVED, that in witness thereof, the Orange County Board of Supervisors has adopted this resolution approving the Withdrawal and Transition Agreement regarding Greene County's withdrawal from the Rapidan Service Authority.

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

RE: CLOSED MEETING

At 6:19 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 the County Attorney's Office. - *§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 the Town of Gordonsville, the Virginia Outdoors Foundation, and Wilderness Shores. - *§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 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 7:16 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 7:16 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator