

BOARD OF SUPERVISORS MINUTES**DECEMBER 20, 2022**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, December 20, 2022, beginning at 5:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; James P. Crozier, Vice Chairman; James K. White; Keith F. Marshall; and Lee H. Frame. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: SPECIAL PRESENTATIONS AND APPEARANCES**RE: PRESENTATION OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR FY2021-FY2022**

Betsy Hedrick, CPA, Partner with PB Mares, provided a brief overview of the County's Independent Auditor's Report for Fiscal Year 2021-2022, as required by Code. Ms. Hedrick reviewed highlights from the Audit Report, indicating that an unmodified opinion had been issued.

The Board thanked Ms. Hedrick for her presentation.

RE: CONSENT AGENDA

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

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

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
30030006-33500	Donations - Animal Shelter	\$ (7,158.25)	\$ (1,098.00)	\$ (8,256.25)
43520003-43115	Prof. Serv. - Emergency Vet	177,363.25	1,098.00	178,461.25
30030002-33625	Donations - Triad	(1,790.00)	(2,150.00)	(3,940.00)
43177003-46800	Project Lifesaver Expenses	4,094.00	2,150.00	6,244.00
30033507-33250	Miscellaneous	(370.00)	(1,000.00)	(1,370.00)
43231011-45540	Tuition/Registration	25,370.00	1,000.00	26,370.00
30044002-35650	Comp Board - Tech Trust	0.00	(20,144.00)	(20,144.00)
42160002-48110	EDP Equipment	0.00	20,144.00	20,144.00
30046008-37208	Va. Early Childhood Found.	0.00	(54,870.00)	(54,870.00)
49310015-47100	Transfer to General Fund	0.00	54,870.00	54,870.00
30051001-39290	Trans. from COVID-19 Fund	0.00	(54,870.00)	(54,870.00)
30025501-31795	LES - Fees	(105,581.00)	12,760.00	(92,821.00)
30025501-31650	GBES - Fees	(161,548.00)	12,760.00	(148,788.00)

30025501-31725	OES - Fees	(132,800.00)	12,760.00	(120,040.00)
30025501-31780	LGES - Fees	(190,365.00)	16,590.00	(173,775.00)
TOTALS		\$ (392,785.00)	\$ 0.00	\$ (392,785.00)

RE: FY23 BUDGET AMENDMENTS FOR ORANGE COUNTY PUBLIC SCHOOLS

As part of the Consent Agenda, the Board approved a budget amendment for FY23 for Orange County Public Schools, which represented a transfer in the amount of \$341,019 from the Capital Fund (2321) to the Financed Capital Projects Fund (1314) for the Gordon-Barbour Elementary School renovation project, as presented.

RE: APPOINTMENT OF THE COMMUNITY POLICY AND MANAGEMENT TEAM

As part of the Consent Agenda, the Board appointed the following primary and secondary members to the Community Policy and Management Team (CPMT), as presented:

<u>Entity</u>	<u>Representative</u>
Local Government Official	Alisha Vines, OOO Director Glenda Bradley, Deputy County Admin.
Community Services Board	Taisha Chavez, Program Manager Jim LaGraffe, Executive Director
16 th District Court Service Unit	Kera Campbell, CSU Prob. Supervisor Christa Galleo, CSU Prob. Supervisor
Orange County Health Department	Dr. R. Trice Gravatte, Health Director Paula Donner, Nurse Manager
Orange County Dept. of Social Services	Crystal Hale, Director of Social Services Sherry Martin, Administrative Serv. Mgr.
Orange County Public Schools	Susan Aylor, Special Education Director Johanna Colson, Spec. Ed. Coordinator
Private Provider Representative	Alison Burton, Health Connect America Dana Rexrode, Health Connect America
Parent Representative	Alicia Rogers-Carrico

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

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

RE: NEW BUSINESS

RE: REQUEST FOR A SPEED AND SAFETY STUDY ON ROUTE 1070 (LANDS END DRIVE)

Supervisor White explained that a request had recently been received for speed limit signs to be installed on Lands End Drive. However, VDOT had determined that speed limit signs could not be posted until a speed study had been performed, which was required to be requested by the local governing body.

On the motion of Mr. White, seconded by Mr. Crozier, which carried by a roll call 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 ROUTE 1070 (LANDS END DRIVE) 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 1070 (Lands End Drive), 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 20th day of December, 2022, that the Orange County Board of Supervisors hereby requests that the Virginia Department of Transportation conduct a speed and safety study on Route 1070 (Lands End Drive) in Orange County, Virginia, as described above.

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

RE: OLD BUSINESS

RE: RESOLUTION TO DECLARE THE BIRTHDATE OF PRESIDENT JAMES MADISON A COUNTY HOLIDAY

Chairman Johnson indicated this item had been deferred from the previous meeting, following discussion among the Board.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a roll call vote of 4-1, with Mr. Marshall voting against, the Board adopted the amendments to Personnel Policy 4.10 (Holidays), as presented, and further adopted the following resolution, as presented:

A RESOLUTION TO DECLARE THE BIRTHDATE OF
PRESIDENT JAMES MADISON A COUNTY HOLIDAY

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby declare March 16th, the birthdate of President James Madison, as an annual County holiday in Orange County, Virginia.

WHEREAS, James Madison was born on March 16, 1751, and spent much of his life at Montpelier, his family's historic plantation located in Orange, Virginia, where he eventually retired after a life of public service; and

WHEREAS, Madison's vast public service included the Virginia House of Delegates and the Continental Congress; Member of the U.S. House of Representatives; two terms as the fifth Secretary of State; and two terms as the fourth President of the United States; and

WHEREAS, Madison is well known for helping to organize the Constitutional Convention and is recognized as the "Father of the Constitution" for his pivotal role in drafting and promoting the Constitution of the United States and the Bill of Rights; and

WHEREAS, the Board of Supervisors desires to celebrate the life of President James Madison and to recognize his contributions as a Founding Father of the United States and as a prominent statesman and diplomat;

NOW, THEREFORE, BE IT RESOLVED, on this 20th day of December, 2022, that, as an honored native of Orange County, Virginia, the Orange County Board of Supervisors hereby declares March 16th, the birthdate of President James Madison, as an annual County holiday.

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

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
Supervisor Crozier commented on the recent recognition of the Orange County Broadband Authority by the Fredericksburg Area Association of Realtors.

RE: INFORMATIONAL ITEMS
The Board received the following correspondence for its information:

- CSA Monthly Report
- Parks and Recreation Quarterly Report
- FY24 Annual Operating and Capital Budget Preparation; Preliminary Budget Considerations
- Jefferson Area Community Criminal Justice Board Minutes; November 9, 2022
- VDOT Monthly Report for November

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
On the motion of Mr. Frame, which carried by a vote of 4-1, with Mr. Marshall voting against, the Board appointed Anna Pillow as a Member of the Tourism Advisory Committee, filling the unexpired two-year term of Phil Audibert, with said term commencing immediately and expiring on December 31, 2023.

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

RE: CALENDAR
The Board received copies of its calendar of meetings for the months of December 2022, January 2023, and February 2023.

RE: PUBLIC HEARING #1; PROPOSED SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT
Glenda Bradley, Deputy County Administrator, explained that the original Operating Budget for FY23 did not include funds for changes to the health insurance plans and disability coverage that were approved following budget adoption. She noted the Budget Guidance Subcommittee recommended that the Operating Budget be amended following open enrollment in order to incorporate shifts in plan enrollment. Now that open enrollment had been completed, and the dollar amount of the necessary amendment was determined to exceed 1% of the consolidated budget, this public hearing was required.

At 5:27 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

PROPOSED SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT
Pursuant to §15.2-2507 VA Code Ann., the Board of Supervisors will consider a supplemental appropriation and budget amendment for FY23. The original Operating Budget did not include funds for changes to health

insurance plans and disability coverage, which were approved following adoption of the budget. As such, the budget will be amended now that open enrollment is complete and shifts in plan enrollment have been captured. Said amendment will consist of appropriation of General Fund balance in the amount of \$1,460,549.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:27 p.m.

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 resolution, as presented:

**RESOLUTION APPROVING A BUDGET AMENDMENT AND SUPPLEMENTAL APPROPRIATION
FOR CHANGES IN HEALTH INSURANCE AND DISABILITY COSTS**

WHEREAS, the Orange County Board of Supervisors adopted its original Operating Budget for Fiscal Year 2023 on April 26, 2022; and

WHEREAS, at that time, contributions for the jointly operated County and Schools health insurance plans for the plan year beginning October 1, 2022, had not yet been finalized; and

WHEREAS, unusually high claims for the last two years had reduced previously accumulated reserves in the Health Insurance Fund and indicated the need for an increase in contributions; and

WHEREAS, the Board of Supervisors approved reductions in employee rates to make the health insurance plans more affordable for dependent coverage in order to remain competitive with surrounding localities; and

WHEREAS, the Board of Supervisors also approved the extension of short-term disability and long-term disability coverage to all full-time County and Schools employees beginning October 1, 2022; and

WHEREAS, the General Fund outperformed budget estimates for Fiscal Year 2022 and increased its reserves by over \$3.6 million; and

WHEREAS, given these factors, the Board of Supervisors desires to amend the Operating Budget for Fiscal Year 2023 in order to address the changes in health insurance and disability costs; and

WHEREAS, the appropriate advertisements and public hearings, as required by Section 15.2-2507 of the Code of Virginia, were conducted on December 20, 2022;

NOW, THEREFORE, BE IT RESOLVED, on this 20th day of December, 2022, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2023 budget amendment and appropriates all funds, as set forth in the amendment below:

**FISCAL YEAR 2023 BUDGET
AS AMENDED**

GENERAL FUND	CURRENT BUDGET	AMENDMENT	AMENDED BUDGET
Revenues:			
Local Sources	\$ 57,761,858	\$ -	\$ 57,761,858
Commonwealth	8,994,852	-	8,994,852
Federal Government	83,125	-	83,125
Transfers from Other Funds	97,834	-	97,834
General Fund Reserves	5,713,062	1,460,549	7,173,611
Total Revenues	\$ 72,650,731	\$ 1,460,549	\$ 74,111,280

Expenditures:

General Government Admin.	\$	5,844,473	\$	49,526	\$	5,893,999
Judicial Administration		2,748,335		9,416		2,757,751
Public Safety		10,614,546		117,182		10,731,728
Public Works		2,102,999		24,196		2,127,195
Health & Welfare		5,205,738		24,555		5,230,293
Education		43,600		-		43,600
Parks, Recreation & Culture		1,920,840		7,331		1,928,171
Community Development		1,990,296		11,253		2,001,549
Non-Departmental		300,336		(61,749)		238,587
Transfers to Other Funds		41,879,568		1,278,839		43,158,407
Total Expenditures	\$	72,650,731	\$	1,460,549	\$	74,111,280

VIRGINIA PUBLIC ASSISTANCE FUND (DSS)**Revenues:**

Commonwealth	\$	1,152,232	\$	-	\$	1,152,232
Federal Government		2,058,220		-		2,058,220
Transfer from General Fund		1,613,831		37,091		1,650,922
Reserves		77,755		-		77,755
Total Revenues	\$	4,902,038	\$	37,091	\$	4,939,129

Expenditures:

Health & Welfare	\$	4,902,038	\$	37,091	\$	4,939,129
Transfer to Other Funds		-		-		-
Total Expenditures	\$	4,902,038	\$	37,091	\$	4,939,129

FIRE AND EMS FUND**Revenues:**

Local Sources	\$	8,430,658	\$	-	\$	8,430,658
Commonwealth		188,900		-		188,900
Federal Government		563,472		-		563,472
Reserves		163,835		49,636		213,471
Total Revenues	\$	9,346,865	\$	49,636	\$	9,396,501

Expenditures:

Fire & EMS Expenses	\$	7,650,368	\$	49,636	\$	7,700,004
Transfers to Other Funds		1,696,497		-		1,696,497
Total Expenditures	\$	9,346,865	\$	49,636	\$	9,396,501

AIRPORT FUND**Revenues:**

Local Sources	\$	416,329	\$	-	\$	416,329
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Transfer from General Fund	210,802	1,915	212,717
Commonwealth	1,200	-	1,200
Federal Government	38,596	-	38,596
Reserves	118,687	-	118,687
Total Revenues	\$ 785,614	\$ 1,915	\$ 787,529

Expenditures:

Public Works	\$ 785,614	\$ 1,915	\$ 787,529
Transfers to Other Funds	-	-	-
Total Expenditures	\$ 785,614	\$ 1,915	\$ 787,529

LANDFILL FUND

Revenues:

Local Sources	\$ 585,000	\$ -	\$ 585,000
Commonwealth	8,348	-	8,348
Transfer from General Fund	2,723,798	3,213	2,727,011
Reserves	80,292	-	80,292
Total Revenues	\$ 3,397,438	\$ 3,213	\$ 3,400,651

Expenditures:

Public Works	\$ 3,397,438	\$ 3,213	\$ 3,400,651
Total Expenditures	\$ 3,397,438	\$ 3,213	\$ 3,400,651

SCHOOL OPERATING FUND

Revenues:

Transfer from General Fund	\$ 22,522,116	\$ 1,236,620	\$ 23,758,736
Commonwealth	35,731,787	-	35,731,787
Federal Government	4,846,041	-	4,846,041
Other	109,000	-	109,000
Total Revenues	\$ 63,208,944	\$ 1,236,620	\$ 64,445,564

Expenditures:

Education	\$ 63,208,944	\$ 1,236,620	\$ 64,445,564
Total Expenditures	\$ 63,208,944	\$ 1,236,620	\$ 64,445,564

HEALTH INSURANCE FUND

Revenues:

Contributions from Other Funds	\$ 9,598,659	\$ 1,347,024	\$ 10,945,683
Reserves	97,834	-	97,834
Total Revenues	\$ 9,696,493	\$ 1,347,024	\$ 11,043,517

Expenditures:

Health Insurance Prog. Expenses	\$	9,598,659	\$	1,347,024	\$	10,945,683
Transfers to Other Funds		97,834		-		97,834
Total Expenditures	\$	9,696,493	\$	1,347,024	\$	11,043,517

BE IT FURTHER RESOLVED, as follows:

1. The general budgetary provisions included in the original appropriation resolution apply to each Fund's budget, as amended.

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

RE: PUBLIC HEARING #2; REZ 20-01

Eric Bittner, Planner, presented the staff report and Rezoning request from Signature Series Development, LLC, which included information on the location and specifications of the subject property, the request to rezone Tax Map No. 4-3 to Planned Development - Mixed Use (PDM) Conditional, the proposed proffers, the zoning history of the parcel and previous Rezoning requests, and the summary from the Planning Commission meetings.

Discussion ensued among the Board regarding: the current set of proffers that were to be considered at this time, since multiple iterations had been submitted over the course of the application.

John Marcantoni, applicant, offered remarks on the Rezoning request, the phasing of the commercial development, and on the revisions to the proffers that had recently been submitted.

At 5:39 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

REZ 20-01

The Board of Supervisors will consider an application from Signature Series Development, LLC to rezone property at the intersection of Germanna Highway (Route 3) and Somerset Ridge Road (Route 708), Locust Grove, from General Commercial (C-2) Conditional and Multifamily Residential (R-4) Conditional to Planned Development - Mixed Use (PDM) Conditional. The property is identified as Tax Map Parcel 4-3 and contains 75.8 acres. The property is situated in the Germanna-Wilderness Area Plan (GWAP) Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:39 p.m.

Discussion ensued among the Board regarding: the fact the application appeared to be a more sensible proposal as compared to previous iterations; and the fact the Board would prefer additional time to review the recently-submitted proffers before voting.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board deferred action on REZ 20-01 until its Regular Meeting on Tuesday, January 24, 2023.

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

RE: PUBLIC COMMENT

At 5:41 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:41 p.m.

RE: CLOSED MEETING

At 5:42 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 or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning property in the Town of Orange. - §2.2-3711(A)(3) 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 A&M Auto and the Locust Grove Self Storage. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(3) 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. 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 6:31 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Orange County Board of Supervisors has, this day, adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby certified that, to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

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

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board adjourned the meeting at 6:31 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator