At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, March 28, 2023, 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; Lee H. Frame, Vice Chairman; James K. White; Keith F. Marshall; and James P. Crozier. 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: INTRODUCTION OF LORENA BEST, COMMUNICATIONS SPECIALIST

Stephanie Straub, Assistant County Administrator for Operations, introduced Lorena Best, newly-hired Communications Specialist, who shared a few comments about herself.

The Board welcomed Ms. Best to Orange County.

RE: CONSENT AGENDA

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

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

RE: 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
30034001-34030	Recovered Costs - General	$ (25,000.00)	$ (10,881.00)	$ (35,881.00)
43120001-41200	Wages - Overtime	220,662.00	10,881.00	231,543.00
30045004-35975	Forfeited Assets - Sheriff	(6,976.31)	(172.00)	(7,148.31)
43120006-46800	Forfeited Asset Expenses	27,710.31	172.00	27,882.31
30045004-35975	Forfeited Assets - Sheriff	(6,976.31)	(382.00)	(7,358.31)
43120006-46800	Forfeited Asset Expenses	27,710.31	382.00	28,092.31
30045025-35850	State Miscellaneous	(11,003.00)	(4,000.00)	(15,003.00)
43120050-46800	Program Expenses	1,003.00	4,000.00	5,003.00
30033505-33100	Fundraiser - Office on Youth	0.00	(470.00)	(470.00)
45370101-46000	Office Supplies	0.00	470.00	470.00
30033505-33101	Donations - School Supplies	0.00	(1,325.00)	(1,325.00)
45370101-46806	School Supplies Program	618.00	1,325.00	1,943.00
30033505-33105	Vending Machine Proceeds	0.00	(121.00)	(121.00)
45370101-43300	Vending Items for Resale	0.00	121.00	121.00

30033506-33250	Michael's Gift Donations	0.00	(1,080.00)	(1,080.00)
45370102-46800	Michael's Gift Expenses	12,293.00	1,080.00	13,373.00
30033515-31675	GBES - Fundraising	0.00	(2,473.00)	(2,473.00)
45342102-46520	Fundraising Supplies	0.00	500.00	500.00
45342102-46800	GBES Spec. Evts Expenses	0.00	1,973.00	1,973.00
30033515-31700	GBES - Field Trips	0.00	(1,503.00)	(1,503.00)
45342102-46800	GBES Spec. Evts Expenses	0.00	1,503.00	1,503.00
30033515-31750	OES - Fundraising	0.00	(1,316.00)	(1,316.00)
45342202-46520	Fundraising Supplies	0.00	1,000.00	1,000.00
45342202-46800	OES Spec. Evts Expenses	0.00	316.00	316.00
30033515-31775	OES - Field Trips	0.00	(1,041.00)	(1,041.00)
45342202-46800	OES Spec. Evts Expenses	0.00	1,041.00	1,041.00
30033515-31785	LGES - Fundraising	0.00	(982.00)	(982.00)
45342302-46520	Fundraising Supplies	0.00	500.00	500.00
45342302-46800	LGES Childcare Expenses	0.00	482.00	482.00
30033515-31790	LGES - Field Trips	0.00	(1,400.00)	(1,400.00)
45342302-46800	LGES Childcare Expenses	0.00	1,400.00	1,400.00
30033515-31797	LES - Fundraising	0.00	(1,047.00)	(1,047.00)
45342402-46520	Fundraising Supplies	0.00	500.00	500.00
45342402-46800	LES Childcare Expenses	0.00	547.00	547.00
30033515-31799	LES - Field Trips	0.00	(173.00)	(173.00)
45342402-46800	LES Childcare Expenses	0.00	173.00	173.00
TOTALS		**$ 240,041.00**	**$ 0.00**	**$ 240,041.00**

RE: ADOPTION OF THE MARCH 14, 2023 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the March 14, 2023 Worksession minutes, as presented.

RE: ADOPTION OF THE MARCH 14, 2023 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the March 14, 2023 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: INITIATE PLANNING COMMISSION ACTION ON SUBDIVISION TEXT AMENDMENTS

Supervisor Crozier explained that committee work had continued on identified amendments to the Subdivision Ordinance, which would amend several sections concerning agricultural subdivisions, lot shape and orientation requirements, frontage requirements for pipestem lots, and the threshold for public road requirements for non-residential subdivisions. He stated the committee felt the proposed amendments were ready for Planning Commission consideration and requested the amendments be initiated for Planning Commission action.

By consensus, the Board initiated Planning Commission action on the proposed Subdivision Text Amendments (STA 23-01), as presented.

RE: HEALTH CENTER COMMISSION BYLAWS

Supervisor Frame indicated that the Health Center Commission (HCC) Bylaws were currently "in limbo" as various versions may or may not have been formally adopted. He suggested that the necessary changes to the HCC Bylaws be drafted and subsequently presented to the Board for adoption. Further, Mr. Frame stated it would be ideal to get back to "ground zero" on the original resolution from 1970 and to develop a plan for future consideration of amendments to HCC Bylaws and a plan for transitioning the membership of the Health Center Commission.

Discussion ensued among the Board regarding: the process to modify and "re-adopt" the original resolution from 1970; and the need to separate the membership composition of the Health Center Commission from its Bylaws as the HCC has no control over the membership composition.

By consensus, the Board directed staff to prepare an updated Resolution and Bylaws for the Health Center Commission, to be presented to the Board for consideration at a future meeting.

RE: OLD BUSINESS

RE: ARCHITECTURAL SERVICES FOR SEDWICK AND GORDON BUILDING RENOVATIONS

Stephanie Straub, Assistant County Administrator for Operations, explained that the Board had recently authorized staff to proceed with the proposed space study renovations to several County buildings, including the Sedwick and Gordon Buildings. After consultation with contracted architects, Wiley|Wilson, staff requested approval of scopes of work to include Phase 1 (Existing Condition Documentation and Assessment); Phase 2 (Schematic Designs); Phase 3 (Detail Designs); and Phase 4 (Bidding Phase Services). Ms. Straub noted the estimated cost for architectural services for the Sedwick Building was $178,000, and for the Gordon Building was $170,000. She indicated funding for the Sedwick Building was allocated in the amount of $950,000 and funding for the Gordon Building was allocated in the amount of $570,000.

Discussion ensued among the Board regarding: the timing and togetherness of the projects; the limit of spending on the Wiley|Wilson contract; how the vendor was selected; an understanding of the procurement process; the fact the costs seemed high and that more competitive costs may be available; the fact that other renovation work had been completed without building plans; the feeling that Wiley|Wilson was too complacent with the County; whether the renovations would serve the Gordon Building for another 20 years or if it would just bridge a gap; displacement of staff during the renovations; whether these services should be issued as a Request for Proposal; whether the scales of the projects were larger than the Board anticipated; and whether the CIP Project for the Government Center should be advanced to be completed sooner.

By consensus, the Board requested that staff reconsider the current proposals for architectural services and present its findings and options for consideration at a future meeting.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

There were no Department Director or Constitutional Officer Reports at this time.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: PRESENTATION OF THE RECOMMENDED BUDGET FOR FISCAL YEAR 2024

Glenda Bradley, Deputy County Administrator, presented a PowerPoint presentation highlighting the recommended Fiscal Year 2024 Budget. The presentation included information on the following: the Board's budget philosophy and key budget drivers; real estate assessed values and declining personal property values; a summary of the projected tax base and revenues generated; a review of the tax rates, both current and proposed; a comparison of the consolidated budget; a review of expenditures by function; an overview of the Fire and EMS Fund; key budget highlights; Fund Balance status and a summary of unassigned General Fund Balance; capital projects and debt service; and capital and debt funding comparisons.

Discussion ensued among the Board regarding: fire apparatus replacement cycles with extended life expectancies and the ability to refurbish versus replace; consideration to increase the personal property tax rate as a result of declining personal property values versus increasing the real estate tax rate; the history of the personal property value changes over the last several years; the desire to not offload the burden of changing personal property values onto the real estate rate; factors attributing to increased operating costs; the proposed increase to the cigarette tax rate; why airplanes were not taxed as personal property; adjustments to make to the budget and tax rates advertisements and schedule; and a desire to look at changes to airplane taxes next year.

By consensus, the Board directed staff to make the required changes to the budget and tax rates advertisements to reflect the change in personal property and real estate tax rates; to readvertise said legal ads for an additional week, as required; and to adjust the budget public hearing and adoption dates, as discussed.

RE: BOARD COMMENT

Chairman Johnson remarked on the recent community loss as R. Duff Green had passed away over the weekend. Collectively, the Board commented on their memories of Mr. Green.

Supervisor White announced that he would not be seeking re-election this fall for an additional term on the Board of Supervisors.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- Parks and Recreation Quarterly Report
- Culpeper Soil and Water Conservation District Meeting Minutes; February 7, 2023

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board re-appointed Joan McClung as the District Two Representative on the Library Board of Trustees for a four-year term, with said term commencing July 1, 2023, and expiring on June 30, 2027.

By consensus, the Board re-appointed John Frey as the District Four Representative on the Library Board of Trustees for a four-year term, with said term commencing July 1, 2023, and expiring on June 30, 2027.

By consensus, the Board re-appointed Jennifer Porter as the At-Large Representative on the Library Board of Trustees for a four-year term, with said term commencing July 1, 2023, and expiring on June 30, 2027.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of March 2023, April 2023, and May 2023.

RE: SCHEDULE A PUBLIC HEARING FOR STA 22-04 / ZTA 22-02

By consensus, the Board authorized staff to advertise for and schedule a public hearing for STA 22-04 / ZTA 22-02 on Tuesday, April 25, 2023.

RE: PUBLIC HEARING #1; EASEMENT TO DOMINION ENERGY

Theodore L. Voorhees, County Administrator, explained this public hearing was necessary in response to a request from Dominion Energy to consider an easement across County-owned property for its Strategic Underground Program. He noted the requested easement was on property along Porter Road.

At 6:31 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

EASEMENT TO DOMINION ENERGY
The Board of Supervisors will consider the conveyance of an underground service easement on County-owned property at 11530 Porter Road to Dominion Energy by way of Right-of-Way Agreement. Said easement is requested by Dominion Energy as part of its Strategic Underground Program in order to improve electric service reliability by placing overhead electric lines and equipment underground.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:31 p.m.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a roll call vote of 5-0, the Board authorized the conveyance of an easement on County-owned property along Porter Road to Dominion Energy, and authorized the County Administrator to execute the applicable Easement Agreement, as presented.

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

RE: PUBLIC COMMENT

At 6:32 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 6:32 p.m.

RE: CLOSED MEETING

At 6:33 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 Administrator. - *§2.2-3711(A)(1) of the Code of Virginia*

- Discussion or consideration of the acquisition or disposition 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*

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(3) 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 7:18 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 7:18 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