

BOARD OF SUPERVISORS MINUTES**MAY 23, 2023**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, May 23, 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. 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 and Appearances at this time.

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
30045004-35975	FA - DCJS for Sheriff	\$ (7,530.31)	\$ (8,512.82)	\$ (16,043.13)
43120006-46800	Forfeited Asset Expenses	28,264.31	8,512.82	36,777.13
30030002-33625	Donations - Triad	(12,725.00)	(500.00)	(13,225.00)
43177001-46800	Triad Expenses	3,000.00	500.00	3,500.00
30033502-33330	Passport Admin. Fee	(1,000.00)	(2,570.00)	(3,570.00)
41241001-45210	Postage	36,000.00	2,570.00	38,570.00
30052001-39900	Appropriated Fund Balance	(7,408,960.29)	(13.00)	(7,408,973.29)
45120002-46860	Contribution - Health Dept.	319,069.00	13.00	319,082.00
30026027-32087	Dog Park Merchandise Sale	0.00	(5,000.00)	(5,000.00)
47123701-46800	Program Expenses	0.00	2,000.00	2,000.00
47123701-46025	Marketing Expenses	0.00	3,000.00	3,000.00
TOTALS		\$ (7,043,882.29)	\$ 0.00	\$ (7,043,882.29)

RE: ADOPTION OF THE MAY 9, 2023 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the May 9, 2023 Worksession minutes, as presented.

RE: ADOPTION OF THE MAY 9, 2023 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the May 9, 2023 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: WORKFORCE SERVICES TRANSITION TO LIBRARY BRANCHES

Rose Deal, Director of Economic Development and Tourism, explained that, since 2015, the Orange Workforce Center had successfully operated three (3) days per week out of the Belleview Building, but had experienced a decline in visitation over the past several years. She stated that, in an effort to increase visitation, and to make workforce services more accessible to residents all across the County, staff had collaborated with the Orange County Public Libraries to move the workforce services to the Library branches, a concept that was unanimously supported by the Orange County Library Board.

Ms. Deal reported that, beginning on July 1, 2023, workforce services would be provided one (1) day per week in each of the three (3) Library branch locations: Main Library on Tuesdays, Gordonsville Library on Wednesdays, and Wilderness Library on Thursdays. She noted the hours of operation were subject to change depending on holidays, inclement weather, etc., but the transition would otherwise have no impact on Library branch operations. The services would continue to be provided by a Mobile Workforce Specialist.

Discussion ensued among the Board regarding: staffing via a Mobile Resource Specialist; operation of the current Workforce Center until July; and provision of the necessary equipment (phone, computer, printer, etc.).

On the motion of Mr. Frame, seconded by Mr. Marshall, which carried by a vote of 5-0, the Board adopted the revised Memorandum of Understanding between Rappahannock Goodwill Industries and the Board of Supervisors for the Virginia Career Works – Orange County Mobile Office concerning the transition of workforce services to the Library branches, as presented.

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

RE: AMENDMENT TO THE LEASE AGREEMENT WITH THE TOWN OF ORANGE FOR USAGE OF THE TRAIN DEPOT

Rose Deal, Director of Economic Development and Tourism, reported that staff had witnessed a decline in Visitor Center volunteer participation over the past several years, which often left the Visitor Center unstaffed and unable to open. As such, the Board had authorized a part-time Volunteer Coordinator position, beginning in FY24, to ensure adequate coverage at the Visitor Center. With this change, Ms. Deal noted that the Town of Orange had agreed to cover all costs of utilities at the Train Depot, prompting an amendment to the current lease agreement.

On the motion of Mr. Marshall, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the Amendment to the Lease Agreement with the Town of Orange for usage of the Train Depot, particularly as it related to the Town's payment of utilities, as presented.

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

RE: ADOPTION OF THE AUXILIARY LIST FOR SECONDARY ROADS

Alyson Simpson, Chief Deputy Clerk, stated that, since the Board had recently completed its annual process for review and adoption of the Secondary Six-Year Plan, it would be appropriate for the Board to also adopt its Auxiliary List. She reminded the Board the Auxiliary List was a reference list for projects to be considered or added to the Secondary Six-Year Plan in future years

or as additional funding became available. Ms. Simpson noted that she was not aware of any changes to be made to the Auxiliary List since it was last adopted in May, 2022.

On the motion of Mr. Crozier, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the Auxiliary List for Secondary Roads, as presented.

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

RE: AMENDMENT TO THE HEALTH CENTER COMMISSION RESOLUTION

Theodore L. Voorhees, County Administrator, explained that the Board adopted a Resolution in 1970 to create the Orange County Nursing Home Commission. Several amendments had been adopted to said Resolution over the years, including an amendment in 2009 to rename the Nursing Home Commission as the Health Center Commission.

Mr. Voorhees noted the Board had previously discussed a change to the membership of the Health Center Commission. As such, Board consideration was requested on a Resolution of amendment, which would 1) supersede and replace all previously-adopted Resolutions concerning the operation of the Health Center Commission, and 2) would allow the appointment of two advisory representatives to serve without voting authority.

Discussion ensued among the Board regarding: a concern with member turnover on the Commission, as there was a great deal of information to learn, and how the two additional positions would provide an opportunity to orient new Commission members before appointing them.

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

**RESOLUTION TO SUPERSEDE AND REPLACE, THEN AMEND, THE PREVIOUS
RESOLUTIONS CREATING THE ORANGE COUNTY HEALTH CENTER COMMISSION**

WHEREAS, the Orange County Board of Supervisors, by prior Resolution adopted on February 10, 1970, and acting pursuant to and in accordance with the Virginia Hospital or Health Center Commissions Act (then codified as Title 32, Chapter 14 of the Code of Virginia, 1950, as amended), created the Orange County Nursing Home Commission (the "Commission"); and

WHEREAS, by prior Resolution adopted on January 13, 2009, the Board of Supervisors changed the name of the Commission to the "Health Center Commission of Orange County, Virginia"; and

WHEREAS, at this time, the Board of Supervisors desires to amend the Resolution previously adopted in 1970;

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of May, 2023, that the Orange County Board of Supervisors hereby declares the following:

1. This Resolution replaces and supersedes all previously adopted Resolutions concerning the operation of the Commission.
2. Pursuant to §15.2-5204 of the Code of Virginia, the Commission shall consist of five (5) members appointed by the Orange County Board of Supervisors. At least one (1) of the Commission members shall be a member of the Board of Supervisors (the "Orange BOS"). If any Commission member who is a member of the Orange BOS ceases to be a member of the Orange BOS, then that Commission seat shall become vacant upon such occurrence.

3. In addition to the five (5) appointed Commission members referenced in the immediately preceding paragraph, the Orange BOS may also appoint two (2) advisory representatives who shall not have voting authority on the Commission, but shall assist the Commission on behalf of the Orange BOS.
4. A Commission member shall hold office until the earlier of the effective date of his resignation or the date on which his successor has been appointed and has qualified.
5. Any Commission member may be removed at any time by the governing body appointing the member, and vacancies on the Commission shall be filled for the unexpired terms.
6. The Commission shall elect its own chairman and shall adopt rules and regulations for its own procedure and government. A majority of the members then in office shall constitute a quorum.
7. The Commission shall have such powers as granted to it by §15.2-5205 of the Code of Virginia.
8. The current members and term expiration dates of the Commission are as follows:

Lee Frame
Board of Supervisors' Member
Term Expires: December 31, 2023

Deanne Marshall
Term Expires: May 31, 2027

Philip Frazer
Term Expires: February 28, 2024

Sam Kessler
Term Expires: March 31, 2025

Jim White
Term Expires: February 28, 2026

These members shall continue serving pursuant to the terms of this Resolution.

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

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, reported on the recent National Association of Counties (NACo) Achievement Awards received by the County for its broadband initiative and for the Edna Lewis Menu Trail and media event.

RE: BOARD COMMENT
Supervisor Crozier announced he would be stepping down from his position on the Board of Supervisors as of July 5, 2023.

Chairman Johnson reported that, for the first time, Orange County had been awarded a Virginia Telecommunication Initiative (VATI) Grant for its broadband initiative through FiberLync. He read a thank you letter that had been prepared to send to Governor Youngkin and the grant team.

Mr. Johnson also remarked on the recent front-page headline of The Orange Review regarding funding for Orange County Public Schools. He stated that the Schools historically had funding remaining at the end of each fiscal year, which was not a bad thing. However, it was the Board's job to fund requests accordingly and in a responsible manner that would keep the budget and tax rates down.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- Office on Youth Quarterly Report
- Finance Quarterly Report
- VDOT Monthly Report for May

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 2023, June 2023, and July 2023.

RE: PUBLIC COMMENT

At 5:18 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 5:18 p.m.

RE: CLOSED MEETING

At 5:19 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 or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning 10.81 acres. - §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 annexation, zoning violations for auto repair and a contractor's yard, and parking regulations. - §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 aforesated 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 6:50 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 6:50 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator