At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, July 25, 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; and James K. White. Absent: Keith F. Marshall and District 4 Vacancy. 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. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board adopted the agenda, as modified. Ayes: Johnson, White, Frame. Nays: None. Absent: Marshall.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: QUARTERLY UPDATE FROM THE VOLUNTEER FIRE CHIEFS ASSOCIATION

Chief 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: the production status of new apparatus; ongoing training and professional development efforts; continued work on recruitment and retention; and statistics on volunteer membership.

The Board thanked Chief Mendonca for the update.

RE: CONSENT AGENDA

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board adopted the Consent Agenda, as presented.

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

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
30026501-32400	Orange Library - Lost Books	$ (1,472.52)	$ (76.43)	$ (1,548.95)
30026501-32475	Wilderness Lib. - Lost Books	(615.60)	(7.99)	(623.59)
30026501-32525	G'ville Library - Lost Books	(369.54)	(116.96)	(486.50)
47310001-46466	Books - Refunds	1,751.52	76.43	1,827.95
47311001-46466	Books - Refunds	633.60	7.99	641.59
47312001-46466	Books - Refunds	583.54	116.96	700.50
30030006-33500	Donations - Animal Shelter	(46,716.65)	(1,002.00)	(47,718.65)
43520003-43115	Prof. Serv. - Emergency Vet	210,608.65	1,002.00	211,610.65
30045003-35750	Forfeit. Assets - Comm. Atty.	(4,043.90)	(6,330.60)	(10,374.50)
42210002-46800	Forfeited Asset Expenses	17,608.90	6,330.60	23,939.50
30045004-35975	Forfeit. Assets - Sheriff	(7,530.31)	(16,937.34)	(24,467.65)

43120006-46800	Forfeited Asset Expenses	28,264.31	16,937.34	45,201.65
TOTALS		**$ 198,702.00**	**$ 0.00**	**$ 198,702.00**

RE: RENEWAL OF THE CONTRACT WITH R.M. SODERQUIST FOR LANDFILL OPERATIONS

As part of the Consent Agenda, the Board authorized staff to renew the contract with R.M. Soderquist (Contract # RMS-00-20AC) for a one-year term, representing the fourth of ten (10) possible renewals, as presented.

RE: RENEWAL OF THE CONTRACT WITH CULPEPER PETROLEUM-SOUTHERN STATES FOR PETROLEUM PRODUCTS

As part of the Consent Agenda, the Board authorized staff to renew the contract with Culpeper Petroleum-Southern States (Contract # SSCP-00-20AC) for a one-year term, representing the fourth of four (4) possible renewals, as presented.

RE: RENEWAL OF THE CONTRACT WITH GFL COUNTY WASTE FOR RECYCLING SERVICES

As part of the Consent Agenda, the Board authorized staff to renew the contract with GFL County Waste for recycling services, per the terms of the VASCUPP Cooperative Contract (Contract # LU214-22-009), effective through May 31, 2024, as presented.

RE: ADOPTION OF THE JULY 11, 2023 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the July 11, 2023 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: USE OF COOPERATIVE CONTRACT FOR GIS AND CAMA SERVER REPLACEMENTS

Amanda Amos, Contract and Procurement Specialist, stated the current GIS and CAMA servers were at the end of their life cycles and needed replacing. She explained that Nutanix offered a cloud-based solution on which some of the existing servers were operating. Ms. Amos noted that Nutanix had a VASCUPP Cooperative Contract (Contract # UVA-AGR-00178-ELUS) that could be utilized to purchase the two (2) replacement servers, adding that adequate funding was included in the Capital Improvements Plan.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board authorized staff to utilize the VASCUPP Cooperative Contract (Contract # UVA-AGR-00178-ELUS) to enter into an agreement with Nutanix for the purchase of replacement servers for GIS and CAMA, as presented.

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

RE: USE OF COOPERATIVE CONTRACT FOR BERRY HILL STATION RENOVATIONS

This item was struck from the agenda.

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 representatives from both the County and the Schools to review existing coverages and actual claims data in order to develop the recommendations.

Ms. Carpenter was pleased to report that a 4% increase in health insurance rates was anticipated in the FY24 budget and, with the proposed recommendations, the renewals would result in no additional costs outside of the budgeted amount. She noted the increase would be absorbed by the County and Schools and no increase would be issued to employee premiums.

Staff recommendations included the continuation of all three health plans that were currently available, including an open-access Point of Service and two (2) High Deductible Health Plans paired with Health Savings Accounts. Ms. Carpenter added that participants in the High Deductible Health Plans would continue to receive the same contribution amounts in their Health Savings Accounts.

Additionally, Ms. Carpenter noted the following recommendations, benefits that would continue at their existing rates, as there were no increases or changes for the upcoming plan year:

- *Dental* - Renew with Delta Dental
- *Vision* - Renew with EyeMed
- *Legal* - Renew with Legal Resources
- *COBRA Administration* - Renew with Flexible Benefit Administrators
- *FSA/HSA Spending Accounts* - Renew with Flexible Benefit Administrators
- *Employee Assistance Program* - Renew with Optima
- *STD/LTD* - Renew with The Standard
- *Critical Illness* - Renew with Aflac
- *Accident* - Renew with Aflac
- *Hospital Indemnity* - Renew with Aflac

Lastly, Ms. Carpenter presented a new option recommended as part of the health renewal. She stated this new benefit, called Gene Therapy, would provide coverage for a specific listing of gene therapy pharmaceuticals with the anticipation the list of coverage would grow over the next year or two. The gene therapy benefit, coupled with stop-loss coverage, would provide security to both the employee and the County in the event of a high-dollar claim. Ms. Carpenter said the cost for the benefit was expected to be about $10,000 annually.

Ed White, Senior Vice President of McGriff Insurance Services, presented a PowerPoint presentation to the Board, which included information on the following: changes implemented over the last plan year; a summary of this plan year's renewal; a summary of claims experience over the last 12 months; high-cost claimant trends; and the medical rate calculation for this plan year.

Discussion ensued among the Board regarding: trends and expenditures related to gene therapy; the current per-employee cost for gene therapy versus the future cost as new pharmaceuticals were added; benefit rate competitiveness with other localities; and determination of whether the stop-loss adjustment from last year was beneficial.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board approved the renewal of the health, dental, and optional insurances and benefits for the Plan Year beginning October 1, 2023, as recommended and outlined above.

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

RE: <u>PSAP STAFF RECOGNITION GRANT PROGRAM</u>

Chris Cord, Emergency Communications Center Director, explained that the PSAP Staff Recognition Grant Program was requested by Virginia PSAPs (Public Safety Answering Points) to help address the staffing crisis being experienced by PSAPs. The 9-1-1 Services Board wanted to demonstrate its support for the 9-1-1 community and help alleviate the staffing crisis by providing one-time funding to PSAPs in order to recognize and retain their telecommunicators.

Mr. Cord stated that Orange County was no exception to the staffing crisis, as the Center was currently down four (4) full-time positions, with two employees in training. He added that recruiting the needed skillset and the clean background required for this profession had proven difficult. Mr. Cord noted that, if approved, this grant would be used to provide recognition bonuses for existing staff and provide a sign-on bonus for new employees with benchmarks for disbursements.

Mr. Cord indicated this grant would provide $2,500 for each full-time eligible position and $1,250 for each part-time eligible position. Given the authorized positions, the total amount of the grant would be $55,000, with the County's only responsibility being approximately $4,208 in FICA taxes. He noted funds were available using salary savings from the vacant positions.

Lastly, Mr. Cord reported that, if awarded the grant, non-probationary full-time employees that were hired prior to July 2023 would receive the full amount of $2,500 in a lump sum bonus in recognition of their service. Full-time probationary staff and those hired after July 2023 would receive $1,000 upon completion of training, and the remaining $1,500 at the end of FY24, if still employed by the Emergency Communications Center. He added that part-time employees would receive half of the amounts outlined above, depending on their service and hire date.

Discussion ensued among the Board regarding: acknowledgement that this grant represented one-time funding; and the strategy for disbursing the grant funds to the employees.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board authorized staff to apply for the PSAP Staff Recognition Grant, as presented.

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

RE: LAKE ANNA ADVISORY COMMITTEE (LAAC)

Chairman Johnson indicated he had received a call from the Chairman of the Lake Anna Advisory Committee regarding Orange County's funding to the Committee and he wanted to take this opportunity to reach a consensus on the funding, as well as other matters related to LAAC.

Discussion ensued among the Board regarding: the fact that Lake Anna Advisory Committee was created to be advisory in nature, but many of their functions and expenditures were not advisory; the fact that many advisory groups did not require annual funding; the funding disparity among the member localities; the portion of Lake Anna located in Orange County versus the portions located in Louisa and Spotsylvania Counties; the difference in membership levels among the member localities; the rotating meeting locations and secretary responsibilities; and the influx in growth and development on Lake Anna, which largely impacted Louisa and Spotsylvania Counties, and not Orange County.

By consensus, the Board requested the County Administrator and County Attorney review Orange County's obligations to the Lake Anna Advisory Committee and then prepare a letter to send to the other member localities advising them of Orange County's desired changes to the structure and operations of the Committee.

RE: OLD BUSINESS

There were no matters for Old Business at this time.

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

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

RE: <u>COUNTY ATTORNEY'S REPORT</u>

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

RE: <u>COUNTY ADMINISTRATOR'S REPORT</u>

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

RE: <u>BOARD COMMENT</u>

Supervisor White commented on removal of the agenda item related to use of a cooperative contract for the planned renovations at the Berry Hill Station. He indicated that staff should always try and use the bidding process, especially in areas where there was a possibility of cost volatility.

RE: <u>INFORMATIONAL ITEMS</u>

The Board received the following correspondence for its information:

- CSA Monthly Report
- Economic Development Quarterly Report
- Tourism Quarterly Report
- Social Services Quarterly Report
- Health Center Commission Meeting Minutes; April 28, 2023

RE: <u>APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES</u>

By consensus, the Board appointed Spencer Getz as the District One Representative on the Youth Commission, filling the unexpired four-year term of Shirley Irving, with said term commencing immediately, and expiring on September 30, 2023.

RE: <u>CALENDAR</u>

The Board received copies of its calendar of meetings for the months of July 2023, August 2023, and September 2023.

RE: <u>SCHEDULE A PUBLIC HEARING FOR THE SCHOOLS' LEASE PURCHASE FINANCING AGREEMENT</u>

By consensus, the Board authorized staff to advertise for and schedule a public hearing for the Schools' Lease Purchase Financing Agreement on Tuesday, August 8, 2023, as presented.

RE: <u>SCHEDULE A PUBLIC HEARING FOR VACATION OF A SUBDIVISION PLAT (COYLE)</u>

By consensus, the Board authorized staff to advertise for and schedule a public hearing for vacation of a subdivision plat (Coyle) on Tuesday, August 22, 2023, as presented.

RE: <u>PUBLIC HEARING #1; SUP 22-06</u>

Kyra Davis, Planner, presented the staff report and request for Special Use Permit from Kenny Dotson, which included information on the location and specifications of the subject property, the request to allow for an increase in the maximum square footage of signage permitted for a tenant in the Locust Grove Town Center, and the recommendation of denial from the Planning Commission.

Discussion ensued among the Board regarding: whether this request was for a specific signage increase or an increase in square footage of signage for the whole unit; the County's role in determining the size of the sign and why the County allocated sign sizes for tenants; whether sign size was determined on unit frontage or lot frontage; and the authorizing section in the Orange County Code of Ordinances.

Kenny Dotson, Applicant, explained the reason for requesting a larger sign for this tenant, noting that the space occupied by this tenant was equivalent to three businesses. He added that in this particular unit of the Locust Grove Town Center, the units ran perpendicular to Route 20, instead of parallel, which limited the tenant's unit frontage. Mr. Dotson also noted that with the a-frame of the roof over this tenant's location, there was room for a larger sign, which would be buffered from Route 20 because of the mature landscaping already in place at the Town Center.

At 6:13 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

<u>SUP 22-06</u>
The Board of Supervisors will consider a Special Use Permit application from Kenny Dotson, on behalf of LGTC 4 LLC, to allow an increase in the maximum square footage of signage permitted for a tenant in the Locust Grove Town Center, with the specific unit located at 32413 Constitution Highway, Locust Grove. The property is identified as Tax Map Parcel 22-42D, contains 2.55 acres, and is zoned General Commercial (C-2) Conditional. The property is situated in the Village Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:13 p.m.

Further discussion ensued among the Board regarding: the fact there had been various determinations of the applicable County Code across various zoning officials; acknowledgement that the final determination was with the Board of Supervisors; and questions on whether this should ultimately be a County decision or a landlord decision.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a roll call vote of 3-0, with Mr. Marshall being absent, the Board adopted the following ordinance:

ORDINANCE DENYING SUP 22-06 FOR AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF SIGNAGE PERMITTED FOR A TENANT ON TAX MAP NO. 22-42D, REQUESTED BY KENNY DOTSON, ON BEHALF OF LGTC 4, LLC

WHEREAS, Kenny Dotson, on behalf of LGTC 4, LLC, applied for a Special Use Permit to allow for an increase in the maximum square footage of signage permitted for a tenant in the Locust Grove Town Center, with the specific unit located at 32413 Constitution Highway, Locust Grove, referenced as Tax Map No. 22-42D, containing 2.55 acres, and zoned as General Commercial (C-2) Conditional, pursuant to Section 70-486(a) of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on June 1, 2023; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would be compatible with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was inconsistent with the considerations above and, as such, recommended denial of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on July 25, 2023; and

WHEREAS, following the Public Hearing and further discussion, the Board of Supervisors hereby does not support the request, as presented; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also do not support this Special Use Permit request, as presented;

NOW, THEREFORE, BE IT ORDAINED, on this 25th day of July, 2023, that the Orange County Board of Supervisors hereby denies SUP 22-06 for an increase in the maximum square footage of signage permitted for a tenant in the Locust Grove Town Center, with the specific unit located at 32413 Constitution Highway, Locust Grove, referenced as Tax Map No. 22-42D.

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

RE: PUBLIC COMMENT

At 6:20 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 6:20 p.m.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 3-0, with Mr. Marshall being absent, the Board adjourned the meeting at 6:20 p.m. Ayes: Johnson, White, Frame. Nays: None. Absent: Marshall.

R. Mark Johnson, Chairman	Theodore L. Voorhees, County Administrator