

BOARD OF SUPERVISORS MINUTES**OCTOBER 24, 2023**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, October 24, 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; James K. White, Vice Chairman; Keith F. Marshall; and Crystal D. Hale. Absent: District 5 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. White, seconded by Mr. Marshall, which carried by a vote of 4-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Marshall, Hale. Nays: None.

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: 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: PRESENTATION OF DOMESTIC VIOLENCE AWARENESS MONTH AWARDS

Jennifer Hayes, Victim Witness Program Director, presented Domestic Violence Awareness Month Awards to Investigator Adrienne Beale, Town of Orange Police Department; Molly Rudacille, Family Services Specialist, Orange County Social Services; Sergeant Justin Neal, Orange County Sheriff's Office; and Deputy Boyce Gilbert, Orange County Sheriff's Office; in recognition of their outstanding efforts to investigate and assist victims of domestic violence.

RE: PRESENTATION FROM LOVE OUTREACH FOOD PANTRY AND CLOTHES CLOSET

Perry Marshman, Board Member with Love Outreach Food Pantry and Clothes Closet, shared remarks regarding the successful operations of the food pantry, its dedicated volunteers, the importance of its community contributions and donations, and the number of families served each year. He further thanked the Board and Fire and EMS for providing an on-site AED unit at the food pantry and for training the volunteers on how to use the device.

RE: CONSENT AGENDA

On the motion of Mr. White, seconded by Mr. Marshall, which carried by a vote of 4-0, the Board adopted the Consent Agenda, as presented.

Ayes: Johnson, White, Marshall, Hale. Nays: None.

RE: FY24 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	\$ (155,740.00)	\$ (5,000.00)	\$ (160,740.00)
43120001-46350	Police Supplies	38,000.00	5,000.00	43,000.00

30045004-35975	FA - DCJS for Sheriff	(572.00)	(441.00)	(1,013.00)
43120006-46800	Forfeited Asset Expenses	42,335.00	441.00	42,776.00
30030006-33500	Donations - Animal Shelter	(3,192.00)	(620.00)	(3,812.00)
43520003-43115	Prof. Serv. - Emergency Vet	3,627.00	620.00	4,247.00
49210001-45625	Misc. - Claims & Losses	0.00	11,750.00	11,750.00
30052001-39900	Appropriated Fund Balance	(3,025,712.00)	(11,750.00)	(3,037,462.00)
43560001-41500	Wages - Bonus & Haz. Pay	0.00	55,000.00	55,000.00
43560001-42100	FICA & Medicare	86,793.00	4,208.00	91,001.00
30045035-36075	EMS/E911 Grant	(2,000.00)	(55,000.00)	(57,000.00)
43560001-41111	Wages - Regular	1,008,098.00	(4,208.00)	1,003,890.00
TOTALS		\$ (2,008,363.00)	\$ 0.00	\$ (2,008,363.00)

RE: ADOPTION OF THE OCTOBER 10, 2023 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the October 10, 2023 Worksession minutes, as presented.

RE: ADOPTION OF THE OCTOBER 10, 2023 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the October 10, 2023 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

There were no matters for New Business at this time.

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

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

RE: BOARD COMMENT

There was no Board Comment at this time.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Economic Development Quarterly Report
- Tourism Quarterly Report
- Social Services Quarterly Report
- Health Center Commission Meeting Minutes; August 25, 2023

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 October 2023, November 2023, and December 2023.

RE: SCHEDULE A PUBLIC HEARING FOR REZ 23-08
By consensus, the Board authorized staff to advertise for and schedule a public hearing for REZ 23-08 on Wednesday, November 15, 2023, as presented.

RE: SCHEDULE A PUBLIC HEARING FOR SUP 23-07
By consensus, the Board authorized staff to advertise for and schedule a public hearing for SUP 23-07 on Tuesday, December 5, 2023, as presented.

RE: SCHEDULE A PUBLIC HEARING FOR SUP 23-08
By consensus, the Board authorized staff to advertise for and schedule a public hearing for SUP 23-08 on Tuesday, December 5, 2023, as presented.

RE: PUBLIC HEARING #1; CPA 23-01
Josh Frederick, Planning and Zoning Services Manager, presented the staff report regarding proposed amendments to the Orange County Comprehensive Plan. He presented the proposed Plan, indicating the requested changes from the Board's Worksession on October 10, 2023, had been incorporated. Mr. Frederick noted that the Planning Commission's vote had resulted in a recommendation of approval, as presented during its public hearing.

At 5:33 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

CPA 23-01
The Board of Supervisors will consider a County-initiated Comprehensive Plan Amendment, which primarily updates data and informational tables/graphs, currently-planned transportation projects, and currently-planned capital improvements projects. A few minor changes to the goals and objectives section are also proposed. No substantive planning policy positions are proposed to change with this amendment.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:33 p.m.

Discussion ensued among the Board regarding: the reason for removing the reference to developing a "regulatory framework" for solar, data center, and distribution/warehouse developments; the idea that the Special Use Permit process provided more control over those types of projects for now, until such time a potential ordinance could be appropriately developed and vetted; thanks to the Planning Commission and staff for their work on the revisions; the fact the Comprehensive Plan was an important document and the revisions were an important undertaking; and the fact the Plan had remained true to the initial vision since its inception in 1977.

On the motion of Mr. White, seconded by Ms. Hale, which carried by a roll call vote of 4-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING CPA 23-01 TO AMEND THE ORANGE COUNTY COMPREHENSIVE PLAN

WHEREAS, Section 15.2-2230 requires that the Comprehensive Plan be reviewed at least once every five years by the Planning Commission to determine whether amendments are advisable; and

WHEREAS, Planning Commission action was previously initiated on amendments to the Comprehensive Plan, which was last revised and adopted on May 8, 2018; and

WHEREAS, the recommended amendments were prepared, which were presented to the Planning Commission for discussion and consideration; and

WHEREAS, the Planning Commission advertised and opened its Public Hearing on the proposed amendments on August 3, 2023, continued the Public Hearing to August 17, 2023, and then again to September 7, 2023, at which time the Public Hearing was closed; and

WHEREAS, after discussing the proposed amendments, the Planning Commission recommended approval of the Comprehensive Plan amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors advertised and conducted its Public Hearing on the proposed Comprehensive Plan amendments on October 24, 2023; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed amendments, as presented during its Public Hearing; and

WHEREAS, public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of the proposed amendments, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of October, 2023, that the Orange County Board of Supervisors hereby approves the amendments to the Orange County Comprehensive Plan, dated October 24, 2023, as presented and incorporated herein by reference.

Ayes: Johnson, White, Marshall, Hale. Nays: None.

RE: CLOSED MEETING

At 5:53 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:

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning Wilderness Crossing, Gerald Hoy, and Route 33 Auto Repair. - §2.2-3711(A)(7) of the Code of Virginia

WHEREAS, pursuant to §2.2-3711 (A)(7) 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. White, seconded by Mr. Marshall, which carried by a vote of 4-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Marshall, Hale. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 6:40 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, Hale. Nays: None.

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Marshall, which carried by a vote of 4-0, the Board adjourned the meeting at 6:40 p.m. Ayes: Johnson, White, Marshall, Hale. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator