

BOARD OF SUPERVISORS MINUTES

APRIL 9, 2024

At a Worksession of the Orange County Board of Supervisors held on Tuesday, April 9, 2024, beginning at 3:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; Keith F. Marshall, Vice Chairman; Eduward M. Van Hoven; Crystal D. Hale*; and J. Bryan Nicol. Also present: Theodore L. Voorhees, County Administrator; Glenda E. Bradley, Deputy County Administrator; and Alyson A. Simpson, Chief Deputy Clerk.

* Ms. Hale arrived at 3:20 p.m.

RE: OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2025

Theodore L. Voorhees, County Administrator, stated that, based on the brief feedback provided by the Board at its Special Meeting on March 27, 2024, staff had prepared an alternative budget for the Board's discussion and consideration.

Glenda Bradley, Deputy County Administrator, presented the alternative budget proposal, highlighting the key changes and noting that no tax rate changes were included. She reminded the Board that the proposed increases to certain user fees, such as childcare rates, remained intact.

Discussion ensued among the Board regarding: the potential reimbursement of the architect and engineering fees for the Recreation Center and the combined Fire and Rescue Station and what that amount would equal with interest over the life of the debt; whether the Recreation Center project should be delayed until an agreed-upon location was determined; the idea that the aircraft tax rate increase should be considered separately, as other recreational type vehicles; and removal of funds from the alternative budget proposal for the acquisition of property for economic development purposes.

* Ms. Hale arrived at 3:20 p.m.

Further discussion ensued among the Board regarding: cutting expenses versus raising taxes; the potential remaining fund balance amount at the end of the fiscal year; comments from individual Board members concerning potential changes to the alternative budget proposal; budget estimates for the combined Fire and Rescue Station and the Recreation Center; removing a half-year debt service payment for the fire/rescue engines while not delaying purchase; and finalization of the various options presented to the Board as part of the alternative budget as to inform staff on how to proceed.

By consensus, the Board finalized its options on the alternative budget and directed staff to prepare the alternative budget for the Public Hearing already advertised for April 16, 2024.

RE: RECESS AND RECONVENE

The Board recessed at 3:55 p.m. and reconvened at 4:05 p.m.

RE: SECONDARY SIX-YEAR PLAN

Alyson Simpson, Chief Deputy Clerk, explained that the Board had an opportunity, annually, to develop its Secondary Six-Year Plan for the planned improvement of secondary roads in the County. She indicated that staff had recently met with VDOT to receive an update on the current Plan and to compile a recommendation for any changes or additions for the upcoming plan year.

Ms. Simpson provided status updates on the current projects on the Secondary Six-Year Plan and presented a recommendation to add new projects, as there was adequate funding to do so. Based on the Auxiliary List, viable projects to consider included Hawfield Road, Liberty Mills Road, and Barnes Road.

Discussion ensued among the Board regarding: clarification that Rural Rustic projects included hard-surfacing of existing gravel roads; project scopes; updated traffic counts; and the recommendations.

By consensus, the Board selected Route 666 (Hawfield Road) and Route 641 (Liberty Mills Road) as the projects to be added to the Secondary Six-Year Plan for FY25 through FY30, as presented.

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing on the Secondary Six-Year Plan on Tuesday, May 14, 2024, as presented.

RE: INITIATION OF ZONING TEXT AMENDMENT (ZTA 24-01) REGARDING SOLAR USES

Josh Frederick, Planning and Zoning Services Manager, noted that the Board desired an amendment to the Zoning Ordinance regarding solar uses. He indicated he would take notes on the Board's feedback, which would be presented to the Planning Commission for consideration.

Discussion ensued among the Board regarding: the initiation process desired and recommended by the County Attorney; the Board's expectation to receive direction from the County Attorney on the text amendments; and the fact that the Board did not want to initiate Planning Commission action without knowing what amendment language would be considered.

By consensus, the Board agreed to table this matter for discussion at a later time.

RE: RECESS AND RECONVENE

The Board recessed at 4:30 p.m. and reconvened at 7:31 p.m., following its Regular Meeting.

RE: INITIATION OF ZONING TEXT AMENDMENT (ZTA 24-01) REGARDING SOLAR USES

On the motion of Mr. Van Hoven, seconded by Mr. Marshall, which carried by a roll call vote of 5-0, the Board adopted the following resolution, as modified:

RESOLUTION TO INITIATE AMENDMENT OF THE ZONING ORDINANCE AND REFER SAID AMENDMENT (ZTA 24-01) FOR PLANNING COMMISSION RECOMMENDATION

WHEREAS, pursuant to §15.2-2286 of the Code of Virginia and Sec. 70-212 of the Orange County Code, amendments to the Orange County Zoning Ordinance may be initiated by the Board of Supervisors; and

WHEREAS, pursuant to §15.2-2285 and §15.2-2286 of the Code of Virginia, the Orange County Zoning Ordinance may be amended by the Board of Supervisors after said amendment has been reviewed by the Planning Commission; and

WHEREAS, pursuant to §15.2-2285(B) of the Code of Virginia, the Board of Supervisors may prescribe the time period during which the Planning Commission may review said amendment; and

WHEREAS, the Board of Supervisors finds that public necessity, convenience, general welfare, and good zoning practice require amendment of the regulations of the Zoning Ordinance to address solar photovoltaic (electric energy) generation and related uses (collectively, "Solar Uses") in Orange County; and

WHEREAS, the Board of Supervisors requests that the Planning Commission consider and act upon amendments to the Orange County Zoning Ordinance eliminating Solar Uses, hereby referred to as ZTA 24-01, with language for said amendments to be developed;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of April, 2024, that the Orange County Board of Supervisors hereby initiates amendments to the Orange County Zoning Ordinance to eliminate Solar Uses in all zoning districts and makes referral to the Planning Commission for recommendations on amendments to the Zoning Ordinance eliminating Solar Uses, hereby referred to as ZTA 24-01, with language for said amendments to be developed, and further prescribes that the Planning Commission shall

have the standard time period for review of said amendments, as prescribed in §15.2-2285(B) of the Code of Virginia.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: ADJOURN

On the motion of Ms. Hale, seconded by Mr. Nicol, which carried by a vote of 5-0, the Board adjourned the meeting at 7:37 p.m. Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator