

BOARD OF SUPERVISORS MINUTES**MARCH 25, 2025**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, March 25, 2025, 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; Eduward M. Van Hoven, Vice Chairman; Crystal D. Hale; Keith F. Marshall and J. Bryan Nicol. Absent: None. Also present: Theodore L. Voorhees, County Administrator; J. Robinson Hubbard, Senior Assistant County Attorney; and LaToya M. Smith, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Nicol, seconded by Ms. Hale, which carried by a vote of 5-0, the Board adopted the agenda, as drafted. Ayes: Hale, Nicol, Johnson, Marshall, Van Hoven. Nays: None. Absent: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

There were no presentations to be made at this time.

RE: CONSENT AGENDA

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

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

RE: FY25 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
30045030 35850	State Miscellaneous	(5,958.00)	(385.00)	(6,343.00)
43120001 43360	Vehicle Repair/Maint	220,123.22	356.00	220,479.22
43120001 45530	Meals/Lodging	19,942.00	29.00	19,971.00
30033501 33250	(Misc)Miscellaneous	(31,053.00)	(1.00)	(31,054.00)
43120001 46360	Police Supp-Firearms	72,329.57	1.00	72,330.57
30046001 37100	Byrne Grant	-	(3,200.00)	(3,200.00)
43120007 46350	Police Supplies	-	3,200.00	3,200.00
42160002 48110	EDP Equipment	38,173.00	36,912.00	75,085.00
30052001 39900	Appropriated Fund Balance	(5,635,559.94)	(36,912.00)	(5,672,471.94)
30052001 39900	Appropriated Fund Balance	(5,635,559.94)	(19,793.00)	(5,655,352.94)
41221501 43150	Prof. Serv-Legal	221,776.40	19,793.00	241,569.40

RE: PROCLAMATION HONORING LOCUST GROVE RESIDENT TOM NORTHAM ON THE OCCASION OF THE WORLD PREMIER PERFORMANCES OF HIS NEW MUSICAL COMEDY THE WIDOWS ON WALNUT HILL, AND IN RECOGNITION OF HIS LONG-STANDING LOVE AND SUPPORT OF COMMUNITY THEATER

As part of the Consent Agenda, the Board adopted the following Proclamation:

A PROCLAMATION

Honoring Mr. Tom Northam of Locust Grove, Virginia, on the occasion of the world premiere performances of his new musical comedy "The Widows on Walnut Hill" being produced by the Lake of the Woods Players in April and May of 2025, and in recognition of his long-standing love and support of community theater.

WHEREAS, Tom Northam, a resident of Locust Grove since 1997 following retirement from the U.S. Administration on Aging and completion of a successful executive career in both the public and private sectors in the professional field of facilities management; and

WHEREAS, Tom is an award-winning actor, singer, writer, playwright, director, composer and author of several books, winning the National Mature Media Award for his Broadway-style musical and ArtAge Publications best-selling A Bag Full of Miracles, and having appeared on stages throughout the United States and Europe for more than seventy years, including appearances in the Columbia Pictures film Funny Lady with Barbara Streisand and the television series Hec Ramsey with Richard Boone; and

WHEREAS, Tom is the creator of the National Mature Media Award winning Production in a Packet (PIPKIT), which provides local community theater groups with “everything you need except for actors and a stage;” and

WHEREAS, our nation celebrates Older Americans Months in May, with this year’s theme of “Flip the Script on Aging,” Tom indeed encourages all of us to challenge stereotypes and dispel misconceptions regarding aging by writing, composing, and publishing his newest musical comedy at the age of 88; and

WHEREAS, the Lake of the Woods Players, the nonprofit community theater group in Locust Grove, Virginia, will be premiering Tom’s show, The Widows on Walnut Hill, for several performances over the last weekend in April and the first weekend in May of 2025.

NOW, THEREFORE, BE IT PROCLAIMED that the Orange County Board of Supervisors honors Mr. Tom Northam for his long-standing support of community theater here in Orange County and the surrounding region, and for “flipping the script” on aging in our community, and congratulates him on this exciting world premiere of his newest show. Break a leg!

RE: OLD BUSINESS
There was no Old Business to be discussed at this time.

RE: NEW BUSINESS

RE: RESOLUTION REGARDING LOCAL AND REGIONAL WATER SUPPLY PLANNING AND APPLICATION FOR A FY2025 WATER SUPPLY PLANNING GRANT

On the motion of Mr. Nicol, seconded by Ms. Hale, which carried by a vote of 5-0, the Board adopted the following Resolution:

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

A RESOLUTION REGARDING LOCAL AND REGIONAL WATER SUPPLY PLANNING AND APPLICATION FOR A FY2025 WATER SUPPLY PLANNING GRANT

WHEREAS, the Virginia General Assembly has mandated the development of regional water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process; and

WHEREAS, based upon these regulations Orange County is required to contribute towards a regional water supply plan that fulfills the regulations by deadlines established in 9VAC25-780-50.A, specifically:

“Each locality in a regional planning area shall assist its regional planning unit in developing and submitting a single jointly produced regional water supply plan to the Department within **five years from October 9th, 2024**”

WHEREAS, regional planning areas are designated by 9VAC25-780-45.B, and a local government may request that the Department change its designated regional planning area to an adjoining planning area in accordance with 9VAC25-780-45.C.

WHEREAS, the following elements must be included in regional water supply plans in accordance with 9VAC25-780:

- A description of existing water sources in accordance with the requirements of 9VAC25-780-70;
- A description of existing water use in accordance with the requirements of 9VAC25-780-80;
- A description of existing water resource conditions in accordance with the requirements of 9VAC25-780-90;
- An assessment of projected water demand in accordance with the requirements of 9VAC25-780-100;
- A statement of need for the regional planning unit in accordance with the requirements of 9VAC25-780-100;
- An alternatives analysis to address projected deficits in water supplies in accordance with the requirements of 9VAC25-780-100;
- A description of water management actions in accordance with the requirements of 9VAC25-780-110 and 9VAC25-780-120;
- A description of drought response and contingency plans for each local government in the RPU, in accordance with the requirements of 9VAC25-780-120;
- An identification of water supply risks and regional strategies to address identified risks in accordance with the requirements of 9VAC25-780-125; and
- A map identifying important elements discussed in the water supply plan that may include existing environmental resources, existing water sources, significant existing water uses, and proposed new sources, and

WHEREAS, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist Regional Planning Units and offset some of the costs related to the development of these Plans and are encouraging RPUs to submit applications for grant funds; and

WHEREAS, for purposes of this DEQ water supply grant fund program, Orange County will participate within the Northern Piedmont 1 regional planning unit, and

WHEREAS, the Regional Planning Unit, through the Rappahannock-Rapidan Regional Commission wishes to apply for and secure DEQ grant funds to help offset the cost of regional water supply plan development.

NOW, THEREFORE, BE IT RESOLVED, that Orange County agrees to participate with all local governments and water authorities within the Northern Piedmont 1 regional planning unit in the development of a regional water supply plan that will comply with mandated regulations; and

BE IT FURTHER RESOLVED that Orange County supports the Rappahannock-Rapidan Regional Commission in developing an application for water supply planning grant funds to offset to the extent feasible the cost of developing said regional water supply plan; and

BE IT FURTHER RESOLVED that Orange County encourages the Rappahannock-Rapidan Regional Commission in agreeing to manage all grant funds received and allocate these shared funds towards the tasks and deliverables proposed in the grant application for the benefit of the entire Regional Planning Unit, and

BE IT FINALLY RESOLVED that Orange County encourages representatives on the Rappahannock-Rapidan Regional Commission to take all necessary steps to enter into the DEQ contract and other appropriate documents related to the water supply planning grant and the regional water supply plan.

RE: RESOLUTION TO AFFIRM AN EMERGENCY MUTUAL AID AGREEMENT BETWEEN ORANGE COUNTY AND CULPEPER COUNTY RE: ACTING BUILDING OFFICIAL

On the motion of Ms. Hale, seconded by Mr. Nicol, which carried by a vote of 5-0, the Board adopted the following Resolution:

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

RESOLUTION TO AFFIRM AN EMERGENCY MUTUAL AID AGREEMENT BETWEEN
ORANGE COUNTY AND CULPEPER COUNTY (ACTING BUILDING OFFICIAL)

WHEREAS, an Emergency Mutual Aid Agreement was made on or about the 6th day of March, 2025, by and between Orange County, Virginia and Culpeper County, Virginia, both being political subdivisions of the Commonwealth of Virginia, and at that time through the respective County Administrators;

WHEREAS, in accordance with the Code of Virginia (1950), as amended, Sec. 36-98 and the Virginia Administrative Code, as amended, at 13 VAC 5-63-50, every local building department shall have a building official, as the executive official in charge of the department;

WHEREAS, in the instant case, an unforeseen staffing circumstance has unexpectedly resulted in the Orange County Building Official position being temporarily vacant;

WHEREAS, given the above-referenced statute and attendant regulations, Orange County is experiencing an emergency circumstance such that it needs to secure an Acting Building Official to meet the above-referenced regulatory requirements;

WHEREAS, Orange County, through its County Administrator, has reached out to Culpeper County seeking temporary emergency mutual aid with regard to this matter in accordance with the Code of Virginia (1950), as amended, Secs. 15.2-1300.1 and 44-146.20, and as otherwise may be permitted by law; and

WHEREAS, the Culpeper County and Orange County Administrators propose that aid be afforded under the attached terms and conditions, subject to affirmation by a majority vote the respective Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the above that the Board of Supervisors of Orange County, Virginia does hereby affirm the attached "Emergency Mutual Aid Agreement (Acting Building Official) between Orange County and Culpeper County".

RE: MATTERS FOR DISCUSSION OR CONSIDERATION

RE: INDUSTRIAL PARK LOT 14 AND DISC GOLF COURSE LAND SWAP

Staff advised the Board that late last year, the Economic Development Authority (EDA) secured a loan through the Virginia Small Business Financing Authority (VSBFA) for costs associated with site preparation and pad grading improvements for Lots 14 and 15 in the Thomas

E. Lee Industrial Park. In the course of preparing to go to closing on the loan, the title company discovered that Lot 14 was still owned by the County instead of the EDA. Staff is recommending the Board enter into a land swap with the EDA by deeding Lot 14 to the EDA in exchange for Lot 5, which is the site of one of the County's disc golf courses. The EDA has already agreed to this arrangement.

By consensus, the Board authorized staff to advertise for and schedule the required public hearing to consider the disposition of Lot 14 of the Thomas E. Lee Industrial Park on April 8, 2025, as presented.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

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

RE: COUNTY ATTORNEY'S REPORT

J. Robinson Hubbard, Senior Assistant County Attorney, informed the Board that he is sitting in for County Attorney Amy Wilson who is on vacation with her family this week. Mr. Hubbard noted that Sands Anderson will be representing the County in an upcoming hearing in the matter of *American Battlefield Trust, et al. v Board of Supervisors for Orange County, Virginia, et al.*

RE: COUNTY ADMINISTRATOR'S REPORT

The County Administrator had nothing to report at this time.

RE: BOARD COMMENT

Discussion ensued regarding the new speed camera zone along Route 522 and the need for better signage to warn motorists as they approach the zone. Sheriff Smith was present for this portion of the meeting and offered comments as well. Sheriff noted he is in the process of obtaining quotes to ascertain the cost of updating the flashing signs; it is likely the cost will be upwards of \$5,000 per sign. Sheriff Smith noted the new zone is currently in a probationary period; the Sheriff's Office will go live with citations effective April 24, 2025. Efforts are underway to make the public aware of the change.

Concerns were expressed that the signs are not visible. Sheriff Smith noted there is a law governing the distance and location of such signs. By consensus, the Board requested the County Administrator contact the Virginia Department of Transportation to see what the rules are regarding the placement of this type of signage.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Emergency Communications Center (ECC) Annual Report
- Parks and Recreation Quarterly Report
- Library Semi-Annual Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mr. Nicol commented that he is working on identifying a potential candidate for the Board of Equalization; he hopes to have that by the Board's next meeting.

Mr. Voorhees informed the Board that the Chief Deputy Clerk has prepared and distributed a flyer regarding the Board of Equalization to try to generate some volunteer interest.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of March 2025, April 2025, and May 2025. By consensus, the Board authorized staff to schedule and advertise public hearings regarding Case No. SUP-2024-00314 and REZ-2025-00347, to be held on Tuesday, April 22, 2025.

RE: PUBLIC HEARING; SUP-2024-00327

Joe Ryan, Planner, presented the staff report regarding this rezoning request. Drew Patterson, Director, was present on behalf of the applicant, Network Towers II, LLC, and made a presentation at this time. It was noted that Network Towers will own and maintain the facility, but they will not own the fiber.

Discussion ensued among the Board regarding the following: the benefit to the residents of Orange County, the type of emergency generators to be used for this project, the proposed height of the plantings on the site, visibility of the shelter above the proposed height of the fence, and the location of the plant buffers.

At this time, Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP-2024-00327: Fiber Utility Hub: An application by Network Towers LLC for a special use permit to install and operate a fiber optic utility hub within an approximately 100'x100' fenced compound. The property is identified as tax parcel 0340000000015C and is located on the north side of Constitution Hwy (Route 20) across from Autumn Ln in Rhoadesville. The property is currently zoned Agricultural (A) and is situated in the Agricultural A2 Recommended Future Land Use category per the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing.

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

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

RE: ORDINANCE APPROVING SUP-2024-00327; NETWORK TOWERS II, LLC

WHEREAS, Network Towers II, LLC, on behalf of 10 Enterprise LLC, has submitted an application for a Special Use Permit to construct and operate a fiber utility hub as a "public utility facility" on a property identified as Tax Map Parcel 34-15C containing a total of 146.95 acres; and

WHEREAS, the request is pursuant to Sec. 70-303 of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on February 6, 2025; 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 promote compatibility 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 consistent with the considerations above and, as such, recommended approval 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 March 25, 2025; and

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

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this special use permit request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 25th day of March, 2025, that the Orange County Board of Supervisors hereby **approves** SUP-2024-00327 with the attached conditions, to install and operate a fiber optic utility hub within an approximately 100'x100' fenced compound, for property identified as tax parcel 34-15C, located on the north side of Constitution Hwy (Route 20) across from Autumn Lane in Rhoadesville.

Conditions for Approval

**As adopted in Ord. No. 250325– PH1
by the Orange County Board of Supervisors
on March 25, 2025**

SUP-2024-00327: Network Towers II, LLC

The conditions of this special use permit ("SUP) shall apply to County tax parcel 34-15C. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate impacts of the proposed use, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the information on the SUP plans and application are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived, or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the special use permit, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein and the concept plan and application package submitted with SUP-2024-00327.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance."
3. Uses – This SUP shall permit the construction and operation of a fiber utility hub that will occupy a 98' x 98' fenced compound within a 100' x 100' lease area on tax parcel 34-15C, as generally shown on the concept plan.
4. Expiration – This SUP shall be deemed voided if a complete application for site plan review is not received within two years of approval or is discontinued for a period of two years.
5. Standards and Conditions:
 - a. The first 50' of the access road into the entrance of the property, measured from the edge of pavement of Route 20, shall be paved.
 - b. The applicant will install a permanent stormwater conveyance channel on the uphill side of the access road to divert runoff to the proposed 18" cross culvert.
 - c. Below the proposed cross culvert, the applicant will continue the stormwater conveyance channel around the landscaping screening in order to intercept and convey runoff from Route 20.
 - d. Landscape buffers and fencing shall be provided and maintained as generally demonstrated on the concept plan.
 - e. Any subdivision or further development of the property shall comply with the entrance spacing standards for primary highways set forth in the Zoning Ordinance and shall not be subject to the waiver or modification provisions therein.

- f. When the proposed use ceases to be a fiber utility booster, it is to be fully decommissioned and removed within a year.
- g. An opaque landscape buffer shall be maintained around the perimeter of the facility.

RE: PUBLIC COMMENT

At this time, Chairman Johnson opened the floor for public comment.

The following individual spoke:

- Ben Ullman, Woodland Drive, Unionville
- Philip Mahoney, Town of Gordonsville

There being no further speakers, Chairman Johnson closed the public comment period.

RE: CONTINUATION OF BUDGET DISCUSSIONS

Glenda Bradley, Deputy County Administrator, was recognized and resumed the slideshow summary regarding the proposed budget for Fiscal Year 2026 that was initiated during the Board's worksession:



ORANGE COUNTY

Next Steps

➤ Decision Points:

- Schedule for Additional Work Sessions
- Tax Rates to Advertise
- Budget to Advertise

➤ Recommend advertising a combined real estate tax rate of 68 cents per one hundred (4 cents over the proposed rates included here) to provide some flexibility prior to actual budget adoption.

➤ Required reassessment ad must go to newspaper no later than Friday, March 28th to allow publishing 30 days before the tax rate public hearing.

➤ The budget and regular tax rate ads will need to go to the newspaper no later than April 4th to hold the budget public hearing on April 22nd at a regular meeting.

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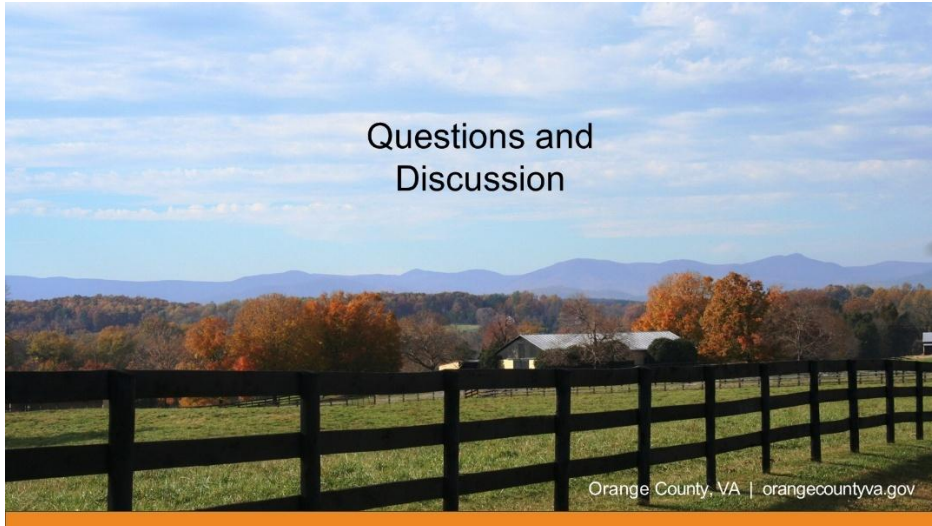
ORANGE COUNTY

Next Steps

Important Dates:

TBD	Potential Worksessions
March 28, 2025	Reassessment Ad to Newspaper
April 4, 2025	Budget Ad to Newspaper
April 22, 2025	Budget Public Hearing
May 6, 2025	Tax Rates Public Hearing
May 13, 2025	Tax Rates and Budget Adoption

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Discussion ensued among the Board. By consensus, the Board directed staff to move forward with the advertisement and scheduling of public hearings regarding the proposed budget and tax rates for Fiscal Year 2026, as discussed.

Mr. Voorhees briefed the Board on an update received regarding the state budget, indicating that the Governor has decided to veto the local option for school funding.

RE: CLOSED MEETING

There was no business to be discussed in closed session.

RE: ADJOURN

On the motion of Mr. Van Horn, which carried by a vote of 5-0, the Board adjourned the meeting at 6:23 p.m. Ayes: Johnson, Van Hoven, Hale, Marshall, Nicol. Nays: None. Absent: None.

R. Mark Johnson, Chairman

Glenda B. Paul, County Administrator