

BOARD OF SUPERVISORS MINUTES**JUNE 10, 2025**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, June 10, 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; Amy Wilson, County Attorney; and LaToya M. Smith, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Chairman Johnson informed the Board of the need to amend the agenda to accommodate the scheduling of public hearings to consider changes to the Minor Erosion & Sediment Control (E&S) Plan Review Fees and the Land Use Program Fees (to be added as Item 14A under Calendar items).

On the motion of Mr. Nicol, seconded by Mr. Van Hoven, which carried by a vote of 5-0, the Board adopted the agenda, as amended above. 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. Van Hoven, 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
49160001 45620	Misc. - Claims	60,000.00	26,828.00	86,828.00
49150001 41903	Reserve for Benefits	104,794.00	-26,828.00	77,966.00
30030004 32420	Donations-Orange Library	-404	-100	-504
30030004 32540	Donations-Gordonsville Library	0	-100	-100
47310001 46462	Books-Adult-Other Vendors	10,708.00	100	10,808.00
47312001 46462	Books-Adult-Other Vendors	2,845.12	100	2,945.12
30051001 39312	Transfer From Capital Proj Fun	-504	-200	-704
49310006 47100	To General Fund	504	200	704
30052001 39900	Appropriated Fund Balance	-6,379,905.94	-22,013.00	-6,401,918.94
41221501 43150	Prof. Serv.-Legal	311,046.40	22,013.00	333,059.40
30026501 32425	Friends Of The Library Donatio	-5,110.00	-114	-5,224.00
30026501 32400	Orange Library-Lost Books	-1,301.00	-18	-1,319.00
30030004 32420	Donations-Orange Library	-404	-10,122.00	-10,526.00
47310001 46466	Books-Refunds	1,301.00	18	1,319.00
47312001 48140	Furniture & Fixtures	1,406.00	10,000.00	11,406.00
47310001 43210	Data Processing Serv	112,861.89	236	113,097.89
30051001 39312	Transfer From Capital Proj Fun	-504	-10,122.00	-10,626.00
49310006 47100	To General Fund	504	10,122.00	10,626.00

RE: RENEWAL OF THE L3HARRIS MASTER SERVICES AGREEMENT

As part of the Consent Agenda, the Board authorized staff to renew the Master Services Agreement that is a continuation of services of the L3Harris Contract HCCSS-00-18BD, for the County's simulcast trunked radio system solution. The renewal begins on November 1, 2025 and will continue for a seven-year period through October 31, 2032.

RE: PERSONNEL POLICY 5.1 (ANNUAL LEAVE) MODIFICATION

As part of the Consent Agenda, the Board approved the revised language in Personnel Policy 5.1, Annual Leave, removing the requirement that prior local government service must be with a Virginia Retirement System (VRS) participating employer. The updated policy will allow *any verifiable local government service* to be considered when determining an employee's annual leave accrual rate upon hire.

RE: ADOPTION OF THE JANUARY 28, 2025 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the January 28, 2025 Regular Meeting minutes, as presented.

RE: ADOPTION OF THE FEBRUARY 25, 2025 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the February 25, 2025 Regular Meeting minutes, as presented.

RE: ADOPTION OF THE MARCH 11, 2025 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the March 11, 2025 Regular Meeting minutes, as presented.

RE: ADOPTION OF THE MARCH 25, 2025 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the March 25, 2025 Worksession minutes, as presented.

RE: OLD BUSINESS

There was no Old Business to be discussed at this time.

RE: NEW BUSINESS

RE: COURTHOUSE BOILER REPLACEMENT

Amanda Amos, Contract & Procurement Specialist, was present to request the Board's authorization to enter into a contract with E. McLauchlan & Sons for the replacement of the boiler system at the Orange County Courthouse. Two bids were received for this project as follows:

Capitol Boiler Works	\$230,080	OPS-1600-SH-HEP Boiler System
E. McLauchlan & Sons	\$178,082	HWB-1 Boiler System
	\$152,491	Hurst Model LPX-40-30W Boiler System
		<i>alternate option</i>

Ms. Amos advised the Board that staff worked with Wiley Wilson, one of the County's on-call engineering firms to review the above options. It was deemed that the alternate boiler from E. McLauchlan & Sons would be an acceptable equivalent option. Total costs for the new system total \$152,491, including equipment and installation. Funding sources for this project are located in the Capital Improvements Plan, Courthouse Building Projects, line 1311-49400120-48015-C1325.

Discussion ensued regarding whether the existing boiler has reached the end of its useful life. Board members expressed a desire to know the lead time for delivery of the new system, as well as its expected useful life. Board members also indicated they wished to receive more information on how the County's consultant, Wiley Wilson, made its recommendation.

No action was taken on this matter.

RE: MATTERS FOR DISCUSSION OR CONSIDERATION

No matters were presented for discussion or consideration 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 no report at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. Voorhees indicated he would soon be sending a report to the Board regarding the recent storm event that impacted portions of the county.

Mr. Voorhees reported that the documents are being prepared by the attorneys concerning the Madison Road Supportive Housing Project, for which Orange County has been asked to serve as guarantor. It is hoped they will be finalized and ready for consideration at the Board's next meeting.

RE: BOARD COMMENTS

Mr. Van Hoven reported safety concerns regarding speeding along Lahore Road, at the intersection near Mt. Pleasant Baptist Church.

RE: INFORMATIONAL ITEMS

No informational items were received.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board directed that Nancy Richardson be included on the list of recommended appointees for the Board of Equalization.

RE: CALENDAR

The Board received copies of its updated calendar of meetings for the months of June 2025, July 2025, and August 2025.

By consensus, the Board authorized staff to schedule and advertise public hearings to consider changes to the Minor Erosion & Sediment Control (E&S) Plan Review Fees and the Land Use Program Fees, to be held at the Board's June 24, 2025 Regular Meeting.

RE: PUBLIC HEARING: RESOLUTION TO AUTHORIZE ACQUISITION OF PROPERTY FOR PUBLIC USE

Theodore L. Voorhees, County Administrator, summarized this request.

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

RESOLUTION TO AUTHORIZE ACQUISITION OF PROPERTY FOR PUBLIC USE

The Board of Supervisors will consider a Resolution to authorize acquisition of property for public use, pursuant to Title 15.2, Chapter 19 (Condemnation), of the Code of Virginia. The acquisition is specifically for portions of parcels located along Somerville Road and Wilderness Shores Way for the purpose of obtaining right-of-way and temporary construction easement necessary for public road improvement and subsequent conveyance to VDOT for acceptance into the State Highway System. Specific parcels include portions of 12C-2-11, 12C-2-12, 12C-2-16, 12B-575, and 12B-358.

No one spoke; no written correspondence was received. Chairman Johnson closed the Public Hearing.

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

RE: RESOLUTION AUTHORIZING ACQUISITION OF PORTIONS OF PARCELS LOCATED ALONG SOMERVILLE ROAD AND WILDERNESS SHORES WAY FOR THE PURPOSE OF ACQUIRING FEE SIMPLE TITLE FOR RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR PUBLIC ROAD IMPROVEMENT AND ACCEPTANCE INTO THE STATE HIGHWAY SYSTEM

WHEREAS, the Board of Supervisors has authorized a project for improvements along Somerville Road and Wilderness Shores Way (the "Project") in order to bring the existing roads into compliance with Virginia Department of Transportation (VDOT) standards so that the roads may be accepted into the State Highway System for maintenance and to improve the safety of ingress and egress of traffic along the roads; and

WHEREAS, Tricord Incorporated (the "Developer") has agreed to pay for and deliver the necessary road improvements, in accordance with VDOT standards; and

WHEREAS, the Board of Supervisors agrees the Project is necessary for the public health, safety, peace, good order, comfort, convenience, and welfare; and

WHEREAS, transportation facilities, including roads and their related easements and rights-of-way, are considered public facilities, as defined in Virginia Code Section 1-219.1; and

WHEREAS, the overall Project required acquisition of a total of 0.205 acres in permanent drainage easement, 0.082 acres in temporary construction easement, and 5.517 acres in fee simple title for right-of-way from a total of twenty (20) property owners; and

WHEREAS, the County successfully worked with fifteen (15) owners of record to enter into agreements to convey the necessary acreage by deed; and

WHEREAS, the owners of record of the five (5) remaining parcels have not accepted Bona Fide offers of purchase presented by the County, thus requiring the need for the County to exercise its eminent domain authority; and

WHEREAS, the design of the Project and the location of the existing right-of-way requires acquisition from the owners of record of the remaining interests in land, namely a total of 0.1095 acres in fee simple title for right-of-way and a total of 0.028 acres in temporary construction easement, from the five (5) remaining parcels identified below; and

WHEREAS, the County has reviewed the acquisition for purposes of complying with Virginia Code Section 1-219.1 and has certified that the acquisition of the property is for the possession, ownership, occupation, and enjoyment by the public, for the purposes of construction and maintenance of public facilities, namely public roads and other improvements to serve said public roads, as noted above; and

WHEREAS, it is now necessary to enter upon the identified properties to install and/or improve the existing roadway, including improvements and fixtures to serve said roads, prior to completion of the condemnation proceedings; and

WHEREAS, a public hearing on the subject matter of this Resolution was duly advertised and conducted on June 10, 2025, as required by the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of June, 2025, that the Orange County Board of Supervisors hereby establishes the following:

1. That the real property, as described below, is to be acquired for the construction and/or installation and improvement of necessary public roadways, including certain stormwater drainage facilities and other improvements and fixtures.

2. That the Board of Supervisors approves the proposed public use of the to-be acquired private property.
3. That acquisition of the prescriptive and/or fee simple right-of-way and temporary construction easement, as described on the chart below, along with the referenced plats and deeds describing the terms and conditions of the property interests to be acquired, are for the construction, improvement, and maintenance of public roadway facilities and are declared necessary for public use and for an authorized public undertaking, pursuant to Section 15.2-1900 et seq. of the Code of Virginia.

Landowner	Tax Map Parcel	Referenced Plat Showing Property Interests to be Acquired	Property Interests to Acquire
Taber, Charles E., Trustee	12C-2-11	Exhibit Plat Showing Right of Way Dedication on Lot 11 in Germanna Heights Subdivision	0.0005 acres Prescriptive Right-of-Way
Beltethon, Michael	12C-2-12	Exhibit Plat Showing Right of Way Dedication on Lot 12 in Germanna Heights Subdivision	0.011 acres Prescriptive Right-of-Way
Knight, McKenly & Davina Clements	12C-2-16	Exhibit Plat Showing Right of Way Dedication on Lot 16 in Germanna Heights Subdivision	0.003 acres Prescriptive Right-of-Way
Johnson, Timothy D	12B-575	Exhibit Plat Showing Right of Way and Easements Dedication on Lot 575 in Wilderness Shores	0.006 acres Fee Simple Right-of-Way and 0.028 acres Temporary Construction Easement
Fraser, Michael B	12B-358	Exhibit Plat Showing Right of Way Dedication on Lot 358 in Wilderness Shores	0.089 acres Prescriptive Right-of-Way

4. That it is necessary to enter upon the property of those listed above to begin, or to complete, construction and improvement of the public roads as identified in the Project, and for other improvements prior to the completion of condemnation proceedings, in order to adhere to the Project schedule.
5. That Orange County shall, unless an owner has accepted a Bona Fide offer of purchase, upon deposit of compensation in the amount of the County's valuation and in compliance with statutory requirements, including recordation of a Certificate of Take with the Clerk of the Circuit Court of Orange County, enter upon the property of the landowners herein and take possession of the property prior to the completion of condemnation proceedings.
6. That, pursuant to Section 25.1-417.A.2 of the Code of Virginia, the value of the to-be acquired property is deemed to be less than \$25,000, based on assessment records and other objective evidence. As such, the amount of just compensation has been based on assessment records and other objective evidence, and not on appraisal. Orange County has determined that just compensation for the property interests to be acquired for public purposes are as follows:

Landowner	Tax Map Parcel	Property Interests to Acquire	Valuation, Including Damage
Taber, Charles E., Trustee	12C-2-11	0.0005 acres Prescriptive Right-of-Way	\$38
Beltethon, Michael	12C-2-12	0.011 acres Prescriptive Right-of-Way	\$753
Knight, McKenly & Davina Clements	12C-2-16	0.003 acres Prescriptive Right-of-Way	\$65
Johnson, Timothy D	12B-575	0.006 acres Fee Simple Right-of-Way and 0.028 acres Temporary Construction Easement	\$824
Fraser, Michael B	12B-358	0.089 acres Prescriptive Right-of-Way	\$1,834

7. That the ownership of the property interests to be acquired is as stated in Paragraphs 3 and 6 herein.
8. That, unless an owner has accepted, or shall accept, a Bona Fide offer of purchase, the County Administrator or his designee shall deposit with the Clerk of the Circuit Court of Orange County, to the credit of each landowner named above, the applicable valuation of just compensation for the property interests, as listed in Paragraph 6 herein, and shall simultaneously record a Certificate of Take with the Clerk of the Circuit Court of Orange County.
9. That the County Administrator or his designee, KDR Real Estate Services, shall mail a Certified Copy of this Resolution to each affected landowner.
10. That the County Attorney or her designee, KDR Real Estate Services, is authorized and directed to acquire said property interests in the name of Orange County for public use by purchase, and the County Attorney or her designee may, if necessary, pursue condemnation or other means, and to institute and conduct any necessary condemnation proceedings to acquire the property interests from the landowners named herein in the manner authorized and provided by Section 15.2-1900 et seq., Section 25.1-200 et seq., and Section 25.1-300 et seq. of the Code of Virginia.
11. That the County Administrator or his designee, KDR Real Estate Services, is authorized to begin, or to continue, to negotiate acquisition of the necessary property interests, subject to approval by the Board of Supervisors, and to undertake any and all additional actions to effectuate the eminent domain (condemnation for public purposes) authorized herein.

RE: CLOSED MEETING

At 5:30 p.m., Ms. Wilson 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 assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation concerning specific employees in County

Administration and Development Services, as permitted by Section 2.2-3711.A.1 of the Code of Virginia.

- Consultation with the County Attorney and briefings by staff pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, concerning a Planning and Zoning matter, as permitted by Section 2.2-3711.A.7 of the Code of Virginia.
- Consultation with the County Attorney regarding a legal matter requiring the provision of legal advice, specifically concerning a Planning and Zoning matter, as permitted by Section 2.2-3711.A.8 of the Code of Virginia.

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(7), 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. Marshall, seconded by Mr. Van Hoven which carried by a roll call vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented.

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

RE: CERTIFICATION OF CLOSED MEETING

At 6:00 p.m., Ms. Smith 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, Van Hoven, Marshall, Hale, Nicol. Nays: None. Absent: None.

RE: RECESS FOR JOINT MEETING WITH THE HEALTH CENTER COMMISSION AT DOGWOOD VILLAGE

At 6:01 p.m., the Board recessed and reconvened at Dogwood Village for the annual dinner meeting with the Health Center Commission, located at 120 Dogwood Lane in Orange, at the Senior Living Building, Community Room on the First Floor.

RE: CLOSED MEETING

At 7:45 p.m., Ms. Wilson 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 assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation concerning specific employees in County

Administration and Development Services, as permitted by Section 2.2-3711.A.1 of the Code of Virginia.

- Consultation with the County Attorney and briefings by staff pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, concerning a Planning and Zoning matter, as permitted by Section 2.2-3711.A.7 of the Code of Virginia.
- Consultation with the County Attorney regarding a legal matter requiring the provision of legal advice, specifically concerning a Planning and Zoning matter, as permitted by Section 2.2-3711.A.8 of the Code of Virginia.

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(7), 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. Nicol, seconded by Mr. Marshall which carried by a roll call vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented.

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

RE: CERTIFICATION OF CLOSED MEETING

At 8:30 p.m., Mr. Voorhees 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, Van Hoven, Marshall, Hale, Nicol. Nays: None. Absent: None.

RE: ADJOURN

On the motion of Mr. Nicol, which carried by a vote of 5-0, the Board adjourned the meeting at 8:31 p.m. Ayes: Johnson, Van Hoven, Hale, Marshall, Nicol. Nays: None. Absent: None.

R. Mark Johnson, Chairman

Glenda B. Paul, County Administrator