

BOARD OF SUPERVISORS MINUTES**JUNE 24, 2025**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, June 24, 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; Keith F. Marshall and J. Bryan Nicol. Absent: Crystal D. Hale. 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 discuss the scheduling of a worksession regarding the new zoning districts (to be added as Item 7A under Matters for Discussion or Consideration).

On the motion of Mr. Marshall, seconded by Mr. Nicol, which carried by a vote of 4-0, the Board adopted the agenda, as amended above. Ayes: Nicol, Johnson, Marshall, Van Hoven. Nays: None. Absent: Hale.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

There were no presentations to be made at this time.

RE: CONSENT AGENDA

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

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

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
30045004 35975	FA-DCJS For Sheriff	(5,533.00)	(1,536.00)	(7,069.00)
43120006 46800	SHF Forfeited Asset Expenses	58,459.00	1,536.00	59,995.00
30030006 33500	Donations-Animal Shelter	(276,640.00)	10,000.00	(266,640.00)
43520003 43115	each Prof. Serv.-Emergency Vet	252,233.00	(10,000.00)	242,233.00
30045004 35975	FA-DCJS For Sheriff	(5,533.00)	(5,780.00)	(11,313.00)
43120006 46800	SHF Forfeited Asset Expenses	58,459.00	5,780.00	64,239.00
30030003 33550	Donations-Comm. Policing Acdmy	(2,750.00)	(1,500.00)	(4,250.00)
43120003 46800	OfficeComm Policing Expenses	15,993.00	1,500.00	17,493.00
30030002 33625	Donations-Triad	(12,390.00)	(1,265.00)	(13,655.00)
43177003 46800	Project Lifesaver Expenses	9,174.00	1,265.00	10,439.00
30045030 35850	State Miscellaneous	(8,319.00)	(2,598.00)	(10,917.00)
43120001 43360	Vehicle Repair/Maint	218,122.22	191.00	218,313.22
43120001 46105	Vehicle Supp-Other	180,910.76	20.00	180,930.76
43120001 45530	Meals/Lodging	20,323.00	578.00	20,901.00
43120001 45500	Training Expenses	24,498.00	1,809.00	26,307.00
30045006 35775	State - Airport Grant	(499,595.20)	(1,140.00)	(500,735.20)
48170001 43370	Grounds Maintenance	75,163.00	1,140.00	76,303.00
43551001 48015	Building Improvements	77,624.00	(77,348.00)	276.00
49400120 48015	Animal Shelter Bldg Imp	126,285.00	77,348.00	203,633.00
43551001 48280	Booster Park-Dog Park	46,354.00	(24,887.00)	21,467.00
49400008 48150	Booster Park Playground Equip	305.00	24,887.00	25,192.00
49310015 47312	Transfer to Cty Capital Projec	-	77,348.00	77,348.00
30051011 39290	Transfer from COVID-19 Fund	-	(77,348.00)	(77,348.00)
49310015 47312	Transfer to Cty Capital Projec	-	24,887.00	24,887.00
30051003 39290	Transfer from COVID-19 Fund	-	(24,887.00)	(24,887.00)
30045012 35760 O1002	OAA - Individual Distribution	-	(14,118.00)	(14,118.00)
45330012 41322 O1002	OAA - Individual Distribution Part Time Wages	-	13,115.00	13,115.00
45330012 42100 O1002	OAA - Individual Distribution Fica & Medicare	-	1,003.00	1,003.00

RE: FY25 SUPPLEMENTAL APPROPRIATIONS FOR THE SCHOOLS

As part of the Consent Agenda, the Board approved the following school budget appropriations, as presented:

Operating Fund	State – Regional Tuition-SPED	\$203,690
Operating Fund	Federal – ARP McKinney-Vento	\$21,276

The above appropriations represent additional State and Federal grant revenue awarded to Orange County Public Schools and increase the school operating budget by a total of \$224,966.

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

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

RE: ADOPTION OF THE APRIL 8, 2025 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the April 8, 2025 Worksession minutes, as presented.

RE: ADOPTION OF THE APRIL 8, 2025 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the April 8, 2025 Regular Meeting minutes, as presented.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

RE: RESOLUTION: BOARD OF EQUALIZATION APPOINTMENTS

On the motion of Mr. Nicol, seconded by Mr. Marshall, which carried by a vote of 4-0, the Board adopted the following resolution, as presented. Ayes: Johnson, Van Hoven, Marshall, Nicol. Nays: None. Absent: Hale.

RE: RESOLUTION RECOMMENDING APPOINTMENTS TO THE ORANGE COUNTY BOARD OF EQUALIZATION

WHEREAS, the Orange County Board of Supervisors, acting pursuant to the authority vested in it by virtue of Virginia Code Section 58.1-3373, adopted an ordinance on October 8, 2024, establishing a permanent Board of Equalization; and

WHEREAS, the Board of Supervisors desires to request that the Orange County Circuit Court appoint such a Board of Equalization and to suggest, to the Circuit Court, the names of the members recommended for appointment; and

WHEREAS, pursuant to Virginia Code Section 58.1-3373 and Sec. 58-483 of the Orange County Code of Ordinances, the membership of such Board of Equalization shall consist of five members with two alternates appointed by the Orange County Circuit Court, the initial terms of whom are established as follows: One member shall be appointed for a one-year term; One member shall be appointed for a two-year term; and Three members shall be appointed for a three-year term; and

WHEREAS, at this time, the Board of Supervisors desires to submit the names of the inaugural members of the permanent Orange County Board of Equalization to the Circuit Court for appointment;

NOW, THEREFORE, BE IT RESOLVED, on this 24th day of June, 2025, that the Orange County Board of Supervisors hereby recommends the following individuals for consideration by the Orange County Circuit Court for appointment to the Orange County Board of Equalization:

Name	Address	Initial Term Commences	Initial Term Expires
Katherine Merritt	405 Gold Valley Road Locust Grove, VA 22508	July 1, 2025	June 30, 2028
Michael "Mike" Willis	9109 Constitution Highway Somerset, VA 22972	July 1, 2025	June 30, 2027
John Licata	104 Washington Street Locust Grove, VA 22508	July 1, 2025	June 30, 2028
Bobby Pace	25485 Gooch Lane Unionville, VA 22567	July 1, 2025	June 30, 2028
Nancy Richardson	4309 Scuffletown Road Barboursville, VA 22923	July 1, 2025	June 30, 2026

BE IT FURTHER RESOLVED, that, pursuant to Virginia Code Section 58.1-3373 and Sec. 58-483 of the Orange County Code of Ordinances, as the terms of these initial appointees expire, their successors shall be appointed for full three-year terms.

RE: REQUEST FOR SPEED STUDY ON ROUTE 629 (LAHORE ROAD)

In response to safety concerns, on the motion of Mr. Van Hoven, seconded by Mr. Nicol, which carried by a vote of 4-0, the Board requested that the Virginia Department of Transportation (VDOT) conduct a speed study on Route 629 (Lahore Road) and subsequently present their findings and recommendations to the Board, and authorized the County Administrator to sign and submit a letter of request to VDOT.

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

RE: MATTERS FOR DISCUSSION OR CONSIDERATION

RE: SCHEDULING OF WORKSESSION TO DISCUSS ZONING DISTRICTS

By consensus, the Board directed staff to schedule and advertise a Worksession to be held on Tuesday, July 8, 2025, beginning shortly after the Broadband Authority meeting scheduled on that date at 3:00 p.m. The purpose will be to continue discussions regarding the new zoning district concepts.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

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

RE: COUNTY ATTORNEY'S REPORT

County Attorney Amy Wilson introduced Olivia Sciabbarrasi, who has joined the County Attorney's office as a legal intern for the summer. Olivia is a rising junior at the University of Virginia and will be working on Mondays, Tuesdays, and Wednesdays. Ms. Wilson encouraged Board members to pop in and say hello when they have an opportunity.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. Voorhees had nothing new to report at this time.

RE: BOARD COMMENTS

Mr. Marshall commented on the historical significance of the Rapidan Mill Dam and expressed a desire to take a proactive role regarding the removal of the dam.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Parks and Recreation Quarterly Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board approved the appointment of Jeff Crane as an At-Large Member on the Parks and Recreation Foundation Board of Directors, filling an unexpired three-year term, with said term commencing immediately, and expiring on December 31, 2027.

By consensus, the Board approved the appointment of Barbara Drinkwater as the District One Representative on the Social Services Advisory Board for a four-year term, with said term commencing July 1, 2025 and expiring on June 30, 2029.

By consensus, the Board approved the appointment of Monica Garrett as a member of the Tourism Advisory Committee, filling an unexpired two-year term, with said term commencing immediately, and expiring on December 31, 2026.

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 a public hearing to consider a proposed Ordinance Authorizing the Award of Bonuses to Officers and Employees of Orange County, to be held at the Board's July 8, 2025 Regular Meeting.

RE: PUBLIC HEARING: PROPOSED ORDINANCE TO AMEND ARTICLE 8, LAND PRESERVATION ASSESSMENT, OF CHAPTER 58, TAXATION, OF THE ORANGE COUNTY CODE OF ORDINANCES, SPECIFICALLY SECTION 58-386

Glenda Paul, Deputy County Administrator, summarized the proposed ordinance amendments, which would result in a reduction of Land Use Application and Revalidation Fees as follows: no fee for new applications or revalidation applications and a \$100 flat fee for late filing related to Land Use Applications. It is also proposed that the revalidation period be extended to every six years. The requested change would remove the burden from taxpayers, specifically those attempting to preserve their agricultural or open space areas. Imposing only late fees would model the fee structure like an administrative fee and is similar to the collection fees within the Treasurer's Office. Currently, fees are assessed at \$15 or \$0.15/acre, whichever is higher.

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

PROPOSED ORDINANCE TO AMEND ARTICLE 8, LAND PRESERVATION ASSESSMENT, OF CHAPTER 58, TAXATION, OF THE ORANGE COUNTY CODE OF ORDINANCES, SPECIFICALLY SECTION 58-386

No one spoke. Written correspondence was received from Don McCown, Land Use Field Representative for Madison and Orange Counties, The Piedmont Council. 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 resolution, as presented. Ayes: Johnson, Nicol, Van Hoven, Marshall, Nays: None. Absent: Hale.

RE: AN ORDINANCE TO AMEND ARTICLE 8, LAND PRESERVATION ASSESSMENT, OF CHAPTER 58, TAXATION, OF THE ORANGE COUNTY CODE OF ORDINANCES, SPECIFICALLY SECTION 58-386

WHEREAS, the Board of Supervisors consideration was requested to amend the Land Use Application and Revalidation Fees, as contained in Article 8, Land Preservation Assessment,

of Chapter 58, Taxation, of the Orange County Code of Ordinances, specifically Section 58-386; and

WHEREAS, the Board of Supervisors advertised and conducted the required Public Hearing on the amendments on Tuesday, June 24, 2025; and

WHEREAS, the Board of Supervisors hereby supports the proposed amendments, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of June, 2025, that the Orange County Board of Supervisors hereby approves the amendments to the Land Use Application and Revalidation Fees, as contained in Article 8, Land Preservation Assessment, of Chapter 58, Taxation, of the Orange County Code of Ordinances, specifically Section 58-386, as presented and attached.

Amendments to the Orange County Code of Ordinances

As adopted in Ord. No. 250624 - PH1
by the Orange County Board of Supervisors
on June 24, 2025

Sec. 58-386 Filing of Application

- (a) A separate application shall be filed for each parcel on the land book. No application shall be accepted or approved if, at the time of the filing of such application, there are delinquent real estate taxes owed to the County on such land.
- (b) There shall be no application fee, except that each such application filed less than 60 days before the beginning of the tax year in which the assessment is sought shall be accompanied by a late filing fee of \$100.00.
- (c) Every six (6) years, the applicant shall file, if he wishes his land to be assessed under this article, a revalidation application on forms provided, which application shall be filed no later than 60 days prior to the beginning of the tax year in which the assessment is sought. There shall be no revalidation fee, except that each such application filed less than 60 days before the beginning of the tax year in which the revalidation is sought shall be accompanied by the late filing fee as outlined in subsection (b) above.

RE: **PUBLIC HEARING: PROPOSED AMENDMENTS TO THE FY26 ORANGE COUNTY TAX AND FEE SCHEDULE; MINOR EROSION & SEDIMENT CONTROL PLAN REVIEW FEES**

Michelle Mixell, Director of Development Services, summarized the proposed ordinance amendments which are based on a recent Department of Environmental Quality (DEQ) audit that identified that, in certain situations, an Erosion & Sediment Control (ESC) Plan may be required rather than an Agreement In-Lieu of a Plan (AILP) for Single-Family Dwellings. To better accommodate smaller single-family projects requiring E&S Plan Review, Staff proposed two new Minor E&S Plan Review fee categories to offer a lower-cost alternative to the existing standard \$500 fee: Minor E&S Plan Review for Single-Family Attached Dwellings \$400.00; Minor E&S Plan Review for Single-Family Detached Dwellings, when Agreement In-Lieu of E&S Plan is not applicable \$300.00.

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

PROPOSED AMENDMENTS TO THE FY26 ORANGE COUNTY TAX AND FEE SCHEDULE; MINOR EROSION & SEDIMENT CONTROL PLAN REVIEW FEES

No written correspondence was received. The following individual spoke during the Public Hearing:

- Sean Miller (Fredericksburg Area Builders Association)

There being no additional 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 authorized the implementation of the Minor E&S Plan Review fees, as presented. Ayes: Johnson, Nicol, Van Hoven, Marshall, Nays: None. Absent: Hale.

RE: **PUBLIC HEARING; REZ-2025-00371**

Kyra Davis, Planner, presented the staff report regarding this rezoning request. The applicants, Cary Holladay and John Bensko, were present to represent this request.

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

REZ-2025-00371: An application by Cary Holladay and John Bensko to rezone 9.35 acres, identified as tax parcel 16-14A and addressed as 7092 Rapidan Rd in Rapidan, from Limited Residential (R-1) to Agricultural (A). The property is situated in the Agricultural A1 Recommended Future Land Use category per the Orange County Comprehensive Plan.

No one spoke. No written correspondence was received. 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: Johnson, Van Hoven, Marshall, Nicol. Nays: None. Absent: Hale.

RE: ORDINANCE APPROVING REZ-2025-00371 (Cary Holladay & John Bensko)

WHEREAS, Cary Holladay and John Bensko applied to rezone approximately 9.35 acres of property, designated on Tax Parcel 16-14A and addressed as 7092 Rapidan Road in Rapidan, from Limited Residential (R-1) to Agricultural (A); and

WHEREAS, the request is pursuant to Sec. 70-191 of the Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on May 1, 2025; and

WHEREAS, the Planning Commission considered whether the proposed rezoning 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 June 24, 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 rezoning request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of June, 2025, that the Orange County Board of Supervisors hereby **approves** REZ-2025-00371 to rezone approximately 9.35 acres from Limited Residential (R-1) to Agricultural (A), for property identified as Tax Parcel 16-14A and addressed as 7092 Rapidan Road, Rapidan.

RE: PUBLIC COMMENT

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

The following individual spoke:

- Jeff Crane; 14412 Kirkwall Road, Orange

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

RE: CLOSED MEETING

At 5:35 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 of specific employees in County Administration and Development Services, as permitted by Section 2.2-3711.A.1 of the Code of Virginia.
- Discussion or consideration of the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Section 2.2-3711.A.3 of the Code of Virginia.

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(3) 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 4-0, the Board adopted the resolution authorizing Closed Meeting, as presented.

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

RE: CERTIFICATION OF CLOSED MEETING

At 7:03 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, Nicol. Nays: None. Absent: Hale.

RE: ADJOURN

On the motion of Mr. Nicol, which carried by a vote of 4-0, the Board adjourned the meeting at 7:04 p.m. Ayes: Johnson, Van Hoven, Marshall, Nicol. Nays: None. Absent: Hale.

R. Mark Johnson, Chairman

Glenda B. Paul, County Administrator