At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, August 26, 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: Stephanie Straub, Assistant County Administrator for Operations; Amy Wilson, 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 presented. Ayes: Nicol, Johnson, Hale, Marshall, Van Hoven. Nays: None. Absent: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

There were no special presentations or appearances at this time.

RE: CONSENT AGENDA

On the motion of Ms. Hale, 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: FY26 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
30052001 39900	Appropriated Fund Balance	(3,313,356.00)	(1,710.00)	(3,315,066.00)
43120001 45505 P1201	Training Exp-Rapp Regional	33,152.00	1,710.00	34,862.00
30044002 35650	Comp Board-Tech.Trust F	-	(64,838.00)	(64,838.00)
42160002 48110 P1061	EDP Equipment	-	64,838.00	64,838.00
30020502 31315	Sch Zone Speeding Violations	-	(85,642.00)	(85,642.00)
49400007 48090 C1426	School Zone Lighting Project	-	85,642.00	85,642.00
30026501 32400	Orange Library-Lost Books	(31.00)	(108.00)	(139.00)
30026501 32475	Wilderness Library-Lost Books	(30.00)	(25.00)	(55.00)
30026501 32525	Gordonsville Library-Lost Book	-	(17.00)	(17.00)
47310003 46466 P2216	Replacement Books - Refunds	31.00	108.00	139.00
47320003 46466 P2216	Replacement Books - Refunds	30.00	25.00	55.00
47330003 46466 P2216	Replacement Books - Refunds	-	17.00	17.00
30045030 35850	Cat Aid-State-Sheriff	-	(645.00)	(645.00)
43120005 43360 P1261	Veh Repair & Maint.	138,300.00	645.00	138,945.00
30030003 33550	Donations-Comm. Policing Acdmy	(65.00)	(639.00)	(704.00)
43120008 46801 P1277	Event Expenses	5,065.00	639.00	5,704.00
30051003 39100	Transfer From General Fund	(1,042,520.00)	(85,642.00)	(1,128,162.00)
49310001 47312 P5000	To Cty Capital Project Fund	1,042,520.00	85,642.00	1,128,162.00
30031000 33175	Sale of Delinquent Parcels	89,945.00	(179,890.00)	(89,945.00)
30022006 32005	Rent-Booster Park	8,510.00	(17,020.00)	(8,510.00)
30052001 39900	Appropriated Fund Balance	(3,313,356.00)	196,910.00	(3,116,446.00)

RE: RESOLUTION TO PARTICIPATE IN THE ADDITIONAL CLAIMS OF THE OPIOID SETTLEMENT

As part of the Consent Agenda, the Board adopted the following resolution as presented:

RE: RESOLUTION APPROVING THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST PERDUE, CERTAIN OF ITS AFFILIATES, AND THE SACKLER FAMILY

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Orange, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse, and other services by Orange County's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Orange County, have been required, and will continue to be required, to allocate substantial taxpayer dollars, resources, staff energy, and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and of Orange County; and

WHEREAS, a settlement proposal has been negotiated that will cause Perdue, certain of its affiliates, and the Sackler Family to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Perdue, certain of its affiliates, and the Sackler Family shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen; opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan; and retail pharmacy chains Kroger, CVS, Walgreens, and Walmart; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlement and has recommended that the County participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of August, 2025, that the Orange County Board of Supervisors hereby approves the County's participation in the proposed settlement of opioid-related claims against Perdue, certain of its affiliates, and the Sackler Family, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlement, including the required release of claims against Perdue.

RE: SURPLUS DECLARATION AND DONATION OF COUNTY VEHICLE

As part of the Consent Agenda, the Board authorized the Interim County Administrator to initiate disposal and donation of a 2019 Ford Interceptor Utility (Explorer) from the Orange County Sheriff's Office in accordance with the Board-adopted Surplus Disposition Policy, as presented.

RE: ADOPTION OF THE JULY 8, 2025 WORKSESSION MINUTES

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

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

As part of the Consent Agenda, the Board adopted the July 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: <u>RENEWAL OF CONTRACT WITH CAMPBELL OIL COMPANY</u>

Amanda Amos, Contract & Procurement Specialist, advised the Board that the County currently holds a contract with Campbell Oil Company for aviation fuel (23053) through a cooperative contract with the City of Suffolk. The contract allows for successive twelve-month renewals upon approval by the Board of Supervisors. Ms. Amos reported that staff has been pleased over this first year of the contract with Campbell Oil Company, who has provided Orange County with competitive pricing and quality customer service. Ms. Amos explained that pricing is based on a combination of the rack rate, freight, margin, fuel surcharge, and federal taxes. The rack rate is the cost of the product at the fuel terminal which changes weekly. Freight is based on a full load being transported from its home terminal location. AV Gas Freight cost $0.1094 per gallon Jet Fuel cost $0.1308 per gallon. The current fuel surcharge is 28% which changes every Tuesday, and is based on the cost of diesel at the pump for delivery trucks. The fuel surcharge is a percentage of freight. The margin rate is constant; $.04 for Jet Fuel and $.05 for AV Gas. Federal taxes also apply.

Ms. Amos advised the Board that staff recommends renewal of the existing contract with Campbell Oil Company for a twelve (12) month term, as permitted in the current agreement. The renewal period will be effective August 8, 2025 through August 7, 2026. The total amount budgeted for this contract in the Airport's FY26 Jet A/Avgas line item (1504-48170002-46700-P1701) is $300,250. To date in FY25, $149,574 has been expended in Jet A/Avgas.

On motion by Mr. Nicol, seconded by Mr. Marshall, which carried by a vote of 5-0, the Board authorized staff to renew the City of Suffolk cooperative contract (23053) with Campbell Oil Company for an additional one (1) year term effective August 8, 2025 through August 7, 2026.

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

RE: <u>MATTERS FOR DISCUSSION OR CONSIDERATION</u>

RE: <u>RESOLUTION IN SUPPORT OF APPLICATION TO THE VDOT REVENUE SHARING PROGRAM FOR PORTER RD. AND ROUTE 20 INTERSECTION IMPROVEMENTS</u>

Josh Frederick, Planning & Zoning Manager, was present to request the Board's consideration of an application seeking funding through the Virginia Department of Transportation's Revenue Sharing Program to support a potential project to construct a left turn lane on Route 20 onto Porter Road (Route 625), which will also include a turn lane on Route 625 for vehicles making a left onto Route 20. Projects approved for Revenue Sharing funding by the Commonwealth Transportation Board receive funds with a 50/50 match; in other words VDOT and the locality share funding responsibilities equally.

Mr. Frederick noted that this project was previously discussed at the Board's May 13, 2025 Regular Meeting, at which time the Board requested that VDOT analyze the suitability of a roundabout at this intersection as an alternative to the proposed turn lanes. Mr. Frederick advised the Board that there was insufficient time for VDOT to work up a design and cost estimate necessary to meet the pre-application deadline. On the advice of VDOT, staff incorporated verbiage in the pre-application scope to keep the option of a roundabout available for the full application. VDOT has since consulted the Culpeper District Traffic Engineering Division, and they have advised that the turn lane scope is preferred to a roundabout. However, the Board may retain an alternative scope for a roundabout for future consideration outside of this application.

The total estimated project cost, including inflation, is $11,149,703. Mr. Frederick requested the Board's consideration of a resolution affirming the locality's commitment for a match up to $5,574,851.50, which represents 50 percent of the estimated project cost. Mr. Frederick also requested the Board's guidance on the preference of a roundabout configuration as an alternative project scope.

After discussion, on the motion of Ms. Hale, seconded by Mr. Nicol, which carried with a vote of 5-0, the Board adopted the following resolution as presented and directed staff to keep a roundabout configuration as an alternative project scope:

RE: A RESOLUTION TO APPLY FOR REVENUE SHARING PROGRAM FUNDS

WHEREAS, the Orange County Board of Supervisors desires to submit an application for an allocation of funds of up to $5,574,851.50 through the Virginia Department of Transportation Fiscal Year 2029-30, Revenue Sharing Program; and,

WHEREAS, $5,574,851.50 of these funds are requested to fund improvements at the intersection of Route 20 and Route 625 (Porter Road); and,

WHEREAS: the Orange County Board of Supervisors hereby supports this application for an allocation of $5,574,851.50 through the Virginia Department of Transportation Fiscal Year 2029-30 Revenue Sharing Program.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Orange hereby commits to fund its local share (up to $5,574,851.50) of preliminary engineering, right-of-way and construction (as applicable) of the project under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

BE IT FURTHER RESOLVED, that the County Administrator or his designee is authorized to execute all agreements and/or addendums for the project with the Virginia Department of Transportation.

ADOPTED this 26th day of August, 2025.

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

RE: <u>ORANGE COUNTY PUBLIC SCHOOLS DRAFT PPEA RESOLUTION AND GUIDELINES</u>

Glenda Paul, Interim County Administrator, participated remotely and briefed the Board on a matter under consideration by the Orange County School Board relating to the acceptance of unsolicited proposals under the Public-Private Education Facilities and Infrastructure Act (PPEA).

Ms. Paul advised the Board that Orange County typically funds capital facilities for Orange County Public Schools as part of the annual budget and Capital Improvement Plan (CIP) process. As an example, during the most recent budget process, the estimated cost of a proposed CTE facility was $15.5 million, with projected annual debt service of approximately $1.2 million. The project was not funded in the FY26 budget; however, the Schools identified funds to initiate architectural and engineering work. They have received six proposals from architectural firms and are in the process of reviewing them. They intend to move forward by evaluating those proposals while also considering any Public-Private Education Facilities and Infrastructure Act (PPEA) proposals that may be submitted.

Ms. Paul explained that while Orange County already has an established PPEA policy, the School Board has not previously adopted its own. Because the County would ultimately be responsible for financing any construction project, the Superintendent has emphasized the importance of ensuring that the Board of Supervisors is open to considering the PPEA option. As he has explained, this approach would allow the County to contract with a private partner to deliver the entire project at a fixed cost, potentially reducing construction-period risk.

Ms. Paul further explained that adoption of PPEA guidelines would not obligate the School Board to pursue any specific project, but it would provide a framework for proposals to be submitted and evaluated. Ms. Paul stated that she is bringing this matter to the Board's attention so that the Board can be prepared should the Schools advance a PPEA proposal for consideration. If the Board of Supervisors does not wish to pursue this approach for future construction projects (including the CTE facility), the Schools have requested that this position be communicated as early as possible to avoid unnecessary effort or delay.

By consensus, the Board endorsed the Orange County School Board's proposed adoption of guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002, to enable it to solicit, consider, and if appropriate, accept proposals under the Act.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS
There were no Department Director or Constitutional Officer reports at this time.

RE: COUNTY ATTORNEY'S REPORT
Ms. Wilson had nothing to report at this time.

RE: COUNTY ADMINISTRATOR'S REPORT
Ms. Paul had nothing to report at this time.

RE: BOARD COMMENT
There were no Board comments at this time.

RE: INFORMATIONAL ITEMS
The Board received the following correspondence for its information:

- Social Services Quarterly Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
No appointments were made at this time.

RE: CALENDAR
The Board received copies of its updated calendar of meetings for the months of August 2025, September 2025, and October 2025.

RE: PUBLIC COMMENT
At this time, Chairman Johnson opened the floor for public comment.

The following individual spoke:

- Dylan Taylor; Energy Right, Petersburg, VA – presented an invitation to the film premier *Pastures and Panels: The Power of Solar Grazing*, to be held at Common House in Charlottesville on Wednesday, September 3, 2025.

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

RE: CLOSED MEETING
At 5:47 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 prospective candidates, the assignment, appointment, promotion, performance, salary, or resignation of specific employees of the public body concerning the position of the County Administrator, as permitted by Section 2.2-3711.A.1 of the Code of Virginia.

- Consultation with the County Attorney pertaining to actual or probable litigation, specifically where the County has been or is likely to be named a party, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body, concerning the status of active or probable cases, as permitted by Section 2.2-3711.A.7 of the Code of Virginia.

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

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

RE: <u>CERTIFICATION OF CLOSED MEETING</u>
At 7:12 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: Nicol, Johnson, Hale, Marshall, Van Hoven. Nays: None. Absent: None.

RE: <u>ADJOURN</u>
On the motion of Mr. Nicol, seconded by Ms. Hale, which carried by a vote of 5-0, the Board adjourned the meeting at 7:12 p.m. Ayes: Johnson, Van Hoven, Hale, Marshall, Nicol. Nays: None. Absent: None.

R. Mark Johnson, Chairman	Glenda B. Paul, County Administrator