

**BOARD OF SUPERVISORS MINUTES**

**DECEMBER 1, 2015**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, December 1, 2015, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: Lee H. Frame, Chairman; S. Teel Goodwin, Vice Chairman; R. Mark Johnson; James K. White, and James P. Crozier. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. White, which carried by a vote of 5-0, the Board adopted the agenda as modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: SERVICE AWARDS

This item was struck from the agenda.

RE: BUSINESS SPOTLIGHT

Ms. Jamie Moore, owner of Indian Trace Trail Rides, LLC, appeared before the Board to spotlight her business. She explained when the business opened, where it was located, and the services she offered. Ms. Moore also discussed her future plans and services.

The Board thanked Ms. Moore for her presentation.

RE: PRESENTATION OF A RESOLUTION OF RECOGNITION FOR LINDSAY WOOLFOLK

Chairman Frame read the Resolution of Recognition and presented a signed, framed copy to members of Mr. Lindsay Woolfolk's family.

RE: PRESENTATION OF A RESOLUTION OF APPRECIATION FOR JIMMY WOODCOCK

Chairman Frame read the Resolution of Appreciation and presented a signed, framed copy to Mr. Jimmy Woodcock.

RE: PRESENTATION FROM RAPPAHANNOCK GOODWILL INDUSTRIES

Mr. Donnie Tolson, Vice President of Finance and Administration with Rappahannock Goodwill Industries, introduced himself to the Board. He explained that on January 1, 2016, he would take over as CEO for Rappahannock Goodwill Industries. Mr. Woody Van Valkenburgh, current CEO for Rappahannock Goodwill Industries, briefly discussed the transition in leadership. Mr. Tolson concluded by reviewing the services provided by Goodwill in the local community and sharing a success story. He indicated that he looked forward to continuing Goodwill's working relationship with the Board and the local community.

The Board thanked Mr. Tolson and Mr. Van Valkenburgh for their presentation.

RE: CONSENT AGENDA

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

RE: FY16 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
44271001-46800	Litter Expenses	\$ 4,375.00	\$ 92.00	\$ 4,467.00
30045007-35925	Litter Control Grant	(8,978.00)	(92.00)	(9,070.00)
30030006-33500	Donations - Animal Shelter	(1,829.12)	(7,225.00)	(9,054.12)
43520003-43115	Prof. Serv. - Emer. Vet	2,329.12	7,225.00	9,554.12
30030006-33500	Donations - Animal Shelter	(1,829.12)	(694.00)	(2,523.12)
43520003-43115	Prof. Serv. - Emer. Vet	2,329.12	694.00	3,023.12
43120001-46000	Office Supplies	8,000.00	1,414.00	9,414.00
43177001-46000	Office Supplies	9,000.00	179.00	9,179.00
43120001-43115	Prof. Serv. - Emer. Vet	0.00	10,738.00	10,738.00
43120001-41200	Wages - Overtime	108,675.00	19,679.00	128,354.00
43120001-42100	FICA & Medicare	131,691.00	1,505.00	133,196.00
49140001-45900	Contingency	314,000.00	(33,515.00)	280,485.00
<b>TOTALS</b>		<b>\$ 567,763.00</b>	<b>\$ 0.00</b>	<b>\$ 567,763.00</b>

RE: APPOINTMENT OF YOUTH COUNCIL MEMBERS

As part of the Consent Agenda, the Board appointed the following members to the Youth Council for the 2015-2016 School Year:

**8<sup>th</sup> Grade**

Megan Radcliffe  
Hannah Rinker

**9<sup>th</sup> Grade**

William Disalvo  
Ellie Robinson

**10<sup>th</sup> Grade**

Michael Carr  
Caroline Richards

**11<sup>th</sup> Grade**

Jacob DeLorica  
Alexis Leman  
Jacob Morris  
Danielle Mawyer  
Taylor Rollins

**12<sup>th</sup> Grade**

Emmet Aylor  
Abigail Douthit  
Victoria Kessler  
Regan McKay  
Lindsay Myers  
Lauren McDonald  
Heather Radcliffe  
Baylee Rollins

RE: MINUTES

As part of the Consent Agenda, the Board approved the following minutes:

- November 18, 2015 Regular Meeting

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: AMENDMENT TO THE CHECK SIGNING PROCESS

This item was struck from the agenda.

RE: TURNOVER AUDIT FOR THE TREASURER'S OFFICE

Glenda Bradley, Finance Director, explained that a turnover audit was required by the Code of Virginia as the current Treasurer, Phyllis Yancey, was retiring on December 31, 2015, and a new Treasurer, Dawn Watson, was entering. She added that a portion of the audit was the State's responsibility, but there was also a local share of the audit. Ms. Bradley noted that the local portion was estimated to cost between \$6,000 and \$8,000, and she would request the actual budget amendment at the Board's meeting on December 15, 2015.

Ms. Bradley indicated that the Auditor of Public Accounts (APA) had selected Brown Edwards to perform about thirty (30) of these audits this year. Therefore, Brown Edwards would be in Orange County on December 31, 2015, to complete the audit, count cash, review receivables, etc. She added that both the outgoing and incoming Treasurer would sign off on the report, which would be filed at the Circuit Court and would relieve the outgoing Treasurer of any liability.

The Board took the information regarding the turnover audit for the Treasurer's Office under advisement, and there was no action taken at this time.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: BOARD OF SUPERVISORS' 2016 LEGISLATIVE PRIORITIES

R. Bryan David, County Administrator, explained that the Board had previously adopted its Legislative Priorities for 2016 at its meeting on October 13, 2015. He further explained that property owners within the Gordonsville Gates subdivision could potentially be served by a provision of State Code, which would allow the imposition of single-purpose tax assessments for the improvement and paving of an existing street or streets. This could only be achieved through an amendment to the Code of Virginia.

Mr. David added additional information regarding the process for amending the Code of Virginia and imposing a special tax assessment district. He added that the Property Owner's Association for Gordonsville Gates supported the Board of Supervisors' action to seek this enabling authority.

Mr. David stated that, in light of the foregoing, it would be appropriate for the Board to revise the Legislative Priorities for 2016 to include support for the aforementioned amendment to the Code of Virginia.

On the motion of Mr. Johnson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to revise the 2016 Legislative Priorities to include adding Orange County to §15.2-2404.C of the Code of Virginia, and to authorize the County Administrator and County Attorney to do those things as may be necessary to assist Senator Reeves and Delegate-Elect Freitas in this legislative matter.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Further discussion ensued among the Board regarding which of the Legislative Priorities would be appropriate to present at the upcoming Chamber of Commerce Legislative Conference.

Additional discussion ensued among the Board regarding the formation of a Broadband Subcommittee for the Board of Supervisors.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board appointed Supervisor R. Mark Johnson and Supervisor James K. White to the newly-formed Board of Supervisors Broadband Subcommittee.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: FY 2016 - 2017 OPERATING BUDGET GUIDANCE

R. Bryan David, County Administrator, indicated that the Finance Director had recently provided the Five Year Financial Forecast. In keeping with the budget development process and the adopted Budget Schedule, he wanted to provide an opportunity for the Board to discuss next year's operating budget and provide staff with guidance in advance of preparing the budget.

Discussion ensued among the Board regarding: the work of the Board's Financial Policy Subcommittee; additional policy considerations; and upcoming budget challenges.

The Board took the information regarding the FY 2016 - 2017 Operating Budget under advisement, and there was no action taken at this time.

RE: GERMANNA-WILDERNESS AREA PLAN (GWAP) STEERING COMMITTEE UPDATE

Chairman Frame, Supervisor White, and Mr. David provided the Board with an update on activities of the Germanna-Wilderness Area Plan (GWAP) Steering Committee since its last meeting in November.

The Board took the information regarding the GWAP Steering Committee under advisement, and there was no action taken at this time.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: OLD BUSINESS

There were no matters for Old Business at this time.

RE: BOARD COMMENT

Supervisor Crozier commented on concerns he had received from a constituent regarding the implementation of a solicitation ordinance.

Supervisor Goodwin commented on the Special Appearances that were made this evening.

RE: INFORMATIONAL ITEMS

There were no Informational Items at this time.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar for the months of December 2015, January 2016, and February 2016.

By consensus, the Board requested that staff gather alternative dates in order to hold the Board's Bi-Annual Strategic Planning Retreat, with the understanding that the current date selected for the Retreat would be cancelled and the Retreat would be rescheduled at a later date.

RE: SCHEDULE A PUBLIC HEARING FOR REZ 15-01 (GARRETT STREET, LLC)

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to advertise for and schedule a public hearing for REZ 15-01 (Garrett Street, LLC) on Tuesday, January 12, 2016 at 7:00 p.m.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CLOSED MEETING

At 6:15 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County desired to discuss in Closed Meeting the following matters:

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711(A)(7) of the Code of Virginia

WHEREAS, pursuant to §2.2-3711 (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby authorized discussion of the aforesaid matters in Closed Meeting.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 7:02 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County 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 Board of Supervisors of Orange County 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, White, Goodwin, Crozier, Frame. Nays: None.

RE: PUBLIC COMMENT

At 7:02 p.m., Chairman Frame opened the floor for public comment.

There being no speakers, public comment was closed at 7:02 p.m.

RE: PUBLIC HEARING #1: ORANGE COUNTY REAL ESTATE ASSESSMENT APPEAL PROCESS

Thomas Lacheney, County Attorney, explained that this Public Hearing was necessary in order to establish the appeals process for the 2016 Real Estate Reassessment. He added that the action following the Public Hearing would set the deadlines for administrative appeals, Board of Equalization appeals, and the conclusion of the BOE hearings.

Discussion ensued among the Board regarding: whether or not the deadlines being established had been previously advertised.

At 7:04 p.m., Chairman Frame called the Public Hearing to order to receive comments on the following:

**ORANGE COUNTY REAL ESTATE ASSESSMENT APPEAL PROCESS**

The citizens of the County determine the value of real estate in Orange County by buying and selling properties in arms-length transactions, thus creating the real estate market. The County utilizes the services of a third-party assessment firm to interpret the real estate market and determine assessments in an equitable manner. If a property owner believes that their assessment does not represent fair market value, is not equitable with similar properties in the County, or contains a factual error about the property, the County has established a process for the appeal of a property assessment.

There being no speakers, Chairman Frame closed the Public Hearing at 7:04 p.m.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the following ordinance as presented:

**ORDINANCE ESTABLISHING THE 2016 REAL ESTATE REASSESSMENT APPEAL PROCESS**

WHEREAS, pursuant to §58.1-3378 VA Code Ann., the Board of Supervisors is authorized to provide, by ordinance, the date by which applications to the Board of Equalization must be made by property owners or lessees for relief, which date shall not be earlier than 30 days after the termination of the date set by the assessing officer to hear objections to the assessments, as provided in §58.1-3330 VA Code Ann.; and

WHEREAS, also pursuant to §58.1-3378 VA Code Ann., the Board of Supervisors may provide, by ordinance, the deadline by which all applications must be finally disposed of by the Board of Equalization; and

WHEREAS, the Board of Supervisors deems it advisable to establish such dates in order to ensure the efficient and expeditious handling of applications for relief; and

WHEREAS, a public hearing was duly advertised and held by the Orange County Board of Supervisors concerning this matter on December 1, 2015;

NOW, THEREFORE, BE IT ORDAINED, on this 1<sup>st</sup> day of December, 2015, that the Orange County Board of Supervisors hereby establishes the following:

1. The date by which applications for Administrative Appeal must be made by property owners or lessees for relief is hereby established as December 4, 2015 at 5:00 p.m.
2. The date by which applications to the Board of Equalization must be made by property owners or lessees for relief is hereby established as March 11, 2016 at 5:00 p.m.

3. The deadline by which all applications must be finally disposed of by the Board of Equalization is hereby established as June 30, 2016.
4. The "Orange County Real Estate Assessment Appeal Process" is hereby adopted as a part of this ordinance.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: ADJOURN

There being no further business to discuss, the Board concluded its Regular Meeting and continued to its Joint Meeting with the Economic Development Authority at 7:05 p.m.

---

Lee H. Frame, Chairman

---

R. Bryan David, County Administrator