

BOARD OF SUPERVISORS MINUTES**MAY 11, 2021**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, May 11, 2021, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: James P. Crozier, Chairman; R. Mark Johnson, Vice Chairman; James K. White; Keith F. Marshall; and Lee H. Frame. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lachenev, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

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

RE: CONSENT AGENDA

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

RE: FY21 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
41221501-43100	Litigation Expenses	\$ 2,000.00	\$ 10,000.00	\$ 12,000.00
49140001-45900	Contingency	315,400.00	(10,000.00)	305,400.00
41222001-43100	Professional Services - Oth.	83,000.00	53,019.00	136,019.00
49140001-45900	Contingency	315,400.00	(53,019.00)	262,381.00
45301001-43267	Funeral Services	4,000.00	14,390.00	18,390.00
49140001-45900	Contingency	315,400.00	(14,390.00)	301,010.00
30030006-33500	Donations - Animal Shelter	(20,918.00)	(630.00)	(21,548.00)
43520003-43115	Prof. Serv. - Emergency Vet	153,496.00	630.00	154,126.00
30026501-32475	Wilderness Lib. - Lost Books	(53.00)	(152.00)	(205.00)
30026501-32525	Gville Library - Lost Books	(166.00)	(84.00)	(250.00)
47311001-46466	Books - Refunds	53.00	152.00	205.00
47312001-46466	Books - Refunds	166.00	84.00	250.00
TOTALS		\$ 1,167,778.00	\$ 0.00	\$ 1,167,778.00

RE: PROCLAMATION RECOGNIZING NATIONAL POLICE WEEK AND NATIONAL PEACE OFFICERS MEMORIAL DAY

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

A PROCLAMATION TO RECOGNIZE
THE WEEK OF MAY 9-15, 2021 AS
NATIONAL POLICE WEEK
AND MAY 15, 2021 AS
NATIONAL PEACE OFFICERS MEMORIAL DAY

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby recognize the week of May 9-15, 2021, as National Police Week and May 15, 2021, as National Peace Officers Memorial Day in Orange County, Virginia.

WHEREAS, in 1962, President John F. Kennedy signed the first proclamation recognizing every May 15th as Peace Officers Memorial Day and the week in which it falls as National Police Week; and

WHEREAS, police officers throughout the Commonwealth work tirelessly to protect and serve its citizens, enforce its laws, and keep its neighborhoods, schools, and families safe; and

WHEREAS, police officers report for duty aware of the sacrifices they may be called upon to make and risk their lives each and every day in order to safeguard the public and enforce the laws of the Commonwealth; and

WHEREAS, law enforcement agencies play an essential role in safeguarding the rights and freedoms of all citizens, and it is important for citizens to know and understand the duties and responsibilities of police departments and members of law enforcement agencies; and

WHEREAS, members of law enforcement agencies unceasingly provide a vital public service to the communities in which they serve; and

WHEREAS, we reflect upon the selfless dedication and bravery of our local, state, and other public sector police, as our safety and wellbeing are promoted by their devotion to maintaining peace and security in our communities; and

WHEREAS, National Police Week and National Peace Officers Memorial Day are opportunities to honor officers, both past and present, to commemorate those who have fallen in the line of duty, and to recognize the contributions and sacrifices made by the families of those officers and the families of those who continue to protect and serve our community;

NOW, THEREFORE, BE IT PROCLAIMED, on this 11th day of May, 2021, that the Orange County Board of Supervisors hereby recognizes the week of May 9-15, 2021, as National Police Week and May 15, 2021, as National Peace Officers Memorial Day, and calls these observances to the Orange County community to both increase awareness of law enforcement and the service provided to the community and to honor the courageous officers who have lost their lives or have become disabled while serving in the line of duty.

RE: RESOLUTION REQUESTING LANDS END DRIVE ACCEPTANCE INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

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

RESOLUTION REQUESTING LANDS END DRIVE BE ACCEPTED INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS IN ORANGE COUNTY, VIRGINIA

WHEREAS, the eligible street described on the VDOT AM-4.3 Form, fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Orange County; and

WHEREAS, the street described has been developed in Orange County and has been constructed in accordance with the plans submitted to and approved by the Virginia Department of Transportation, and the street has been inspected by the Office of the Land Development Engineer and found to be acceptable in the State Highway System;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of May, 2021, that the Orange County Board of Supervisors hereby requests that the Virginia Department of Transportation add the described street listed on the VDOT AM-4.3 Form to the Secondary System of State Highways in Orange County, pursuant to Section 33.2-705 of the Code of Virginia, as amended, and the Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, that the Board of Supervisors guarantees a clear and unrestricted right-of-way and any necessary easements for cuts, fills, and drainage.

RE: PROCLAMATION RECOGNIZING SAFE BOATING WEEK

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

A PROCLAMATION TO RECOGNIZE
THE WEEK OF MAY 22-28, 2021 AS
SAFE BOATING WEEK

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby recognize the week of May 22-28, 2021, as Safe Boating Week in Orange County, Virginia.

WHEREAS, nearly 100 million Americans enjoy boating on our Nation's waterways, including many residents of Virginia who take advantage of the exceptional opportunities to fish, swim, ski, and cruise on local ponds, lakes, and rivers; and

WHEREAS, Orange County, particularly on Lake Anna, has many boats and jet skis; and

WHEREAS, recreational boating is fun and enjoyable when approached with a "Safety First" attitude, but can become crowded, chaotic, and confusing at times; and

WHEREAS, on average, 600 people die each year across the Nation in boating-related accidents, and about 79 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

WHEREAS, modern life jackets are more comfortable, attractive, and wearable than styles of years past and deserve a fresh look by today's boating public; and

WHEREAS, boating safety knowledge provided through an approved course, which is mandatory for most boat operators in Virginia, provides an excellent foundation to manage the risks of boating; and

WHEREAS, a clear statement of Virginia's required equipment, operating rules, unlawful acts, and safety concerns may be found in the Boater's Guide section of DWR's Freshwater Fishing & Boating in Virginia, January-December 2021;

NOW, THEREFORE, BE IT PROCLAIMED, on this 11th day of May, 2021, that the Orange County Board of Supervisors hereby recognizes the week of May 22-28, 2021, as Safe Boating Week, and supports the goals of the North American Safe Boating Campaign and the renewal of a year-round effort to promote safe boating; and

BE IT FURTHER PROCLAIMED, that the Board of Supervisors urges all those who boat to complete a boating safety course, to “Boat Smart. Boat Safe. Wear It.”, and to practice safe boating habits on Lake Anna and all other waters of Orange County.

RE: ADOPTION OF THE APRIL 27, 2021 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the April 27, 2021 Worksession minutes, as presented.

RE: ADOPTION OF THE APRIL 27, 2021 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the April 27, 2021 Regular Meeting minutes, as presented.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: BUSINESS SPOTLIGHT

Randy Cooper, Owner of Provisions Market Table, appeared before the Board to spotlight his business.

The Board thanks Mr. Cooper for his presentation.

RE: PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL POLICE WEEK AND NATIONAL PEACE OFFICERS MEMORIAL DAY

Chairman Crozier read the Proclamation Recognizing National Police Week and National Peace Officers Memorial Day and presented a signed, framed copy to Sheriff Mark Amos.

RE: PRESENTATION FROM THE ORANGE WORKFORCE CENTER

Dave Kilgore, Operations Manager, and Marty Bywaters-Baldwin, Director of Workforce Services, presented a PowerPoint presentation to the Board regarding the Piedmont Region of Virginia Career Works. The presentation included information on the following: Virginia Career Works’ Mission Statement; the localities served in the Piedmont Region; the Region’s Comprehensive Center in Charlottesville; the Region’s Affiliate Centers in Culpeper and Orange; the Region’s various Satellite Centers; constituents served in Orange County; Workforce Center monthly visits, job placements, and credentials earned; the various reasons citizens visit the Workforce Center; and the goal of connecting workforce supply with local business demand.

Discussion ensued among the Board regarding: capturing the citizens on the eastern end of the County; a recent success story; sources of funding through the Workforce Center; the request for funding through GO Virginia; ways to enhance the Workforce Center’s success rate; the desire to receive statistics in a more useful and meaningful manner; and how to measure success of the local business’ needs.

The Board thanked Mr. Kilgore and Mr. Bywaters-Baldwin for their presentation.

RE: NEW BUSINESS

RE: AWARD OF AN ADDITIONAL CONTRACT FOR GENERAL ENGINEERING AND ARCHITECTURAL SERVICES

Amanda Amos, Procurement Coordinator, explained that the Board had previously awarded contracts to several firms for general engineering and architectural services. She stated

that EPR, PC had submitted a qualifying proposal and that the firm should have been included in the previous awards.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with EPR, PC for general engineering and architectural services for a period of one (1) year, with the option for four (4) additional renewals, as presented.

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

RE: OLD BUSINESS
There were no matters for Old Business 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 nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT
Theodore L. Voorhees, County Administrator, advised that the Governor had declared a State of Emergency regarding the current fuel shortage.

RE: BOARD COMMENT
Supervisor Johnson stated that the first half real estate tax bills had not been mailed yet. He indicated that, although the bills were not statutorily late, they were later than usual being processed. As such, Mr. Johnson requested the Board's consideration to provide an additional grace period before invoking penalties and interest.

On the motion of Mr. Johnson, seconded by Mr. White, which carried by a vote of 5-0, the Board authorized a 45-day grace period for penalties and interest on the first half real estate tax bills.

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

Supervisor White reported on his recent conversation with Alan Saunders, VDOT Resident Engineer, regarding intersection safety at Route 522 and Independence Road.

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

- Health Center Commission Minutes; February 26, 2021
- District Nine Virginia Alcohol Safety Action Program (VASAP) Annual Report for 2020
- VDOT Monthly Report for May

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
There were no appointments at this time.

RE: CALENDAR
The Board received copies of its calendar of meetings for the months of May 2021, June 2021, and July 2021.

RE: PUBLIC HEARING #1; SUP 21-01: WILLIAM RENAUD, DBA PIEDMONT PROCESSING

Sandra Thornton, Planning Services Manager, presented the staff report and Special Use Permit (SUP) request from William Renaud, dba Piedmont Processing, which included information on the location and specifications of the subject property, the request to operate a livestock slaughtering and processing facility on Tax Map No. 57-34, the proposed conditions for approval, and the recommendation of approval from the Planning Commission.

Discussion ensued among the Board regarding: why the number of livestock to be slaughtered was limited to 25 per week; the types of products that would be processed; and storage of the byproducts.

At 6:14 p.m., Chairman Crozier called the Public Hearing to order to receive comments on the following:

SUP 21-01

The Board of Supervisors will consider an application from William Renaud to operate a livestock slaughtering and processing facility on property owned by Knight Cattle Corporation, located at 15415 James Madison Highway. The property is identified as Tax Map Parcel 57-34, contains 25.73 acres, and is zoned General Industrial (I-2). The property is situated in the Economic Development Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Chairman Crozier closed the Public Hearing at 6:14 p.m.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a roll call vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING SUP 21-01 TO ALLOW THE OPERATION OF A LIVESTOCK
SLAUGHTERING AND PROCESSING FACILITY ON TAX MAP NO. 57-34, REQUESTED BY WILLIAM
RENAUD, DOING BUSINESS AS PIEDMONT PROCESSING

WHEREAS, William Renaud, dba Piedmont Processing, applied for a Special Use Permit to allow the operation of a livestock slaughtering and processing facility on property referenced as Tax Map No. 57-34, containing a total of approximately 25.73 acres, pursuant to Section 70-141 *et seq* and Section 70-543 (15) of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and held a remote Public Hearing on the request on February 18, 2021, and continued the matter and made its recommendation to the Board of Supervisors on April 1, 2021; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; threaten the public health, safety, or welfare; be compatible with its surroundings; would impact the environment or any natural, scenic, or historic assets of the County; or would 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 Comprehensive Plan and with the considerations above, and, as such, recommended approval of the request to the Board of Supervisors, as modified during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on May 11, 2021; and

WHEREAS, after deliberation, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit request, as presented during its Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 11th day of May, 2021, that the Orange County Board of Supervisors hereby approves SUP 21-01 to allow the operation of a livestock slaughtering and

processing facility on property referenced as Tax Map No. 57-34, subject to the four (4) conditions and six (6) sub-conditions as set forth below, as presented.

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

Conditions for Approval

**As adopted in Ord. No. 210511 - PH1
by the Orange County Board of Supervisors
on May 11, 2021**

SUP 21-01: William Renaud, dba Piedmont Processing

To allow the operation of a livestock slaughtering and processing facility

Tax Map No. 57-34

The conditions of this Special Use Permit ("SUP") shall apply to the properties identified on County Tax Map No. 57-34, as well as any future division or consolidation of said property, unless otherwise specified herein. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate potential impacts of the proposed use, and to render the application consistent with the applicable provisions of the Comprehensive Plan and the Zoning Ordinance. If the conditions of the SUP or the information on the SUP plans or 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 documents submitted with the application dated January 26, 2021.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance." The property owner/facility operator shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning permits, stormwater permits, and erosion & sediment control permits. The property owner shall be responsible for complying with all local, State, and Federal laws and regulations as may be applicable to the business development and operation.
3. Uses – This SUP shall allow the operation of a livestock slaughtering and processing facility, as generally shown on the concept plan and described in the application.
4. Standards and Conditions –
 - a. A 30" Stop sign shall be installed, along with a 24"-wide thermoplastic Stop Bar, at the exit of the commercial entrance.
 - b. The mailbox location shall be adjusted to ensure that it does not block intersection sight distance to the south of the entrance.
 - c. Storage of non-processed by-products shall be in barrels stored inside the building; there shall be no outside storage of such by-products.
 - d. Virginia Department of Agriculture and Consumer Services (VDACS) certification shall be maintained.
 - e. This Special Use Permit shall be issued to the applicant and is not transferrable to a subsequent operator or property owner.
 - f. The number of animals to be slaughtered shall be limited to twenty-five (25) per week.

RE: CLOSED MEETING

At 6:16 p.m., Mr. Lacheney 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 acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning property in Rhoadesville. - §2.2-3711(A)(3) of the Code of Virginia
- Consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning fireworks. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(3) 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 aforestated matters in Closed Meeting.

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

RE: CERTIFICATION OF CLOSED MEETING

At 6:56 p.m., Ms. Simpson 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, White, Marshall, Crozier, Frame. Nays: None.

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adjourned the meeting at 6:56 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

James P. Crozier, Chairman

Theodore L. Voorhees, County Administrator