

BOARD OF SUPERVISORS MINUTES

FEBRUARY 23, 2021

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, February 23, 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 modified. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: INTRODUCTION OF HUMAN RESOURCES DIRECTOR

Jenny Carpenter, newly-hired Human Resources Director, introduced herself to the Board.

The Board welcomed Ms. Carpenter.

RE: BUSINESS SPOTLIGHT

Denice Caswell, Director of Sales and Marketing for Trinity Senior Village, appeared before the Board to spotlight the business.

The Board thanked Ms. Caswell for her presentation.

RE: ANNUAL REPORT FROM THE VIRGINIA COOPERATIVE EXTENSION OFFICE

Kaci Daniel, Extension Agent, presented the Annual Report from the Virginia Cooperative Extension Office, which included reports from the following program areas: 4-H Youth Development, Family and Consumer Sciences, and Agriculture and Natural Resources.

The Board thanked Ms. Daniel for her presentation.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY UPDATE

E. Alan Saunders, Louisa Resident Engineer, provided an update to the Board on VDOT activities. He reported on SmartScale project updates; projects currently in development; projects under construction; resurfacing efforts; completed and ongoing traffic engineering studies; and overall maintenance activities.

Discussion ensued among the Board regarding: the Waze app change at Lake of the Woods; the change in resurfacing funds; and the issuance of permits to install fiber.

The Board thanked Mr. Saunders for his presentation.

RE: CONSENT AGENDA

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

RE: MINUTES

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

- February 9, 2021 Worksession
- February 9, 2021 Regular Meeting

RE: NEW BUSINESS

RE: FY21 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

This item was removed from the Consent Agenda for discussion by the Board.

Glenda Bradley, Assistant County Administrator for Management Services, reviewed the requested budget amendments for FY21, which included donations to the Library and a request from The Montpelier Foundation to serve as a pass-through organization for a grant from the Virginia Department of Historic Resources.

Discussion ensued among the Board regarding: development of the Memorandum of Understanding with The Montpelier Foundation; clarification of the County's role; concern as a "partner" or "fiscal agent" for the grant; and the need to receive a presentation from Montpelier.

On the motion of Mr. Johnson, seconded by Mr. Marshall, which carried by a vote of 5-0, the Board approved the following budget amendments, as modified:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30026501-32425	Friends of the Lib. Donations	\$ (1,476.60)	\$ (3,113.00)	\$ (4,589.60)
47312001-46452	Books - Juv. - Other Vend.	2,187.00	113.00	2,300.00
47312001-46016	Dig. Content for Public Use	9,650.00	3,000.00	12,650.00
TOTALS		\$ 10,360.40	\$ 0.00	\$ 10,360.40

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

RE: OLD BUSINESS

RE: ZTA 20-02 (ZONING TEXT AMENDMENT; CARRIED OVER FROM FEBRUARY 9, 2021 PUBLIC HEARING)

Sandra Thornton, Planning Services Manager, briefly reviewed the proposed amendment to the Zoning Ordinance, which had been opened for Public Hearing on February 9, 2021. She reviewed the history of the amendment and the Planning Commission's recommendation of approval.

Chairman Crozier closed the public hearing.

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

ORDINANCE APPROVING AMENDMENTS TO ARTICLE V (SUPPLEMENTARY DISTRICT REGULATIONS), SECTION 70 (ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING THE SETBACK FROM CONSTITUTION HIGHWAY IN BARBOURSVILLE

WHEREAS, Planning Commission action was previously initiated on amendments to Article V (Supplementary District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the setback from Constitution Highway in Barbourville; and

WHEREAS, staff prepared recommended language for the text amendments, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a remote Public Hearing on the proposed text amendments on December 3, 2020, and continued the matter and made its recommendation to the Board of Supervisors on January 7, 2021; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors advertised and opened a Public Hearing on the proposed text amendments on February 9, 2021, and closed said Public Hearing on February 23, 2021; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented during its meeting; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 23rd day of February, 2021, that the Orange County Board of Supervisors hereby approves the proposed amendments to Article V (Supplementary District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the setback from Constitution Highway (Route 20) in Barboursville, as presented and shown below.

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

Amendments to the Orange County Code of Ordinances

**As adopted in Ord. No. 210223 – 6A
by the Orange County Board of Supervisors
on February 23, 2021**

Chapter 70 - Zoning

Article V - Supplementary District Regulations

Division 4 - Setbacks

Sec. 70-646 – Primary Highways.

[...]

- (5) Constitution Highway (VA Route 20) south of the Town of Orange and north of Spotswood Trail (US Route 33) in Barboursville: 300 feet, except that between Hardwick Mountain Drive and Maudes Lane the minimum required setback shall be 150 feet.

[...]

RE: SUPPLEMENTAL APPROPRIATION AND BUDGET AMENDMENT (CARRIED OVER FROM FEBRUARY 9, 2021 PUBLIC HEARING)

Glenda Bradley, Assistant County Administrator for Management Services, briefly reviewed the proposed supplemental appropriation and budget amendment, which had been opened for Public Hearing on February 9, 2021.

Chairman Crozier closed the public hearing.

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

**RESOLUTION TO APPROVE A BUDGET AMENDMENT AND SUPPLEMENTAL
APPROPRIATION FOR EXPENDITURES RELATED TO THE COVID-19 PANDEMIC**

WHEREAS, the Orange County Board of Supervisors adopted its original budget for Fiscal Year 2021 on April 28, 2020; and

WHEREAS, the COVID-19 Pandemic was an unanticipated event for which response funds were not previously included; and

WHEREAS, Federal categorical aid has been made available to assist the County in fighting the spread of the virus and in ensuring the safety of its citizenry; and

WHEREAS, the County experienced General Fund savings in FY20 as a result of using CARES Act funds for presumptive public safety salaries under the US Treasury’s guidance for the Coronavirus Relief Fund; and

WHEREAS, the transfer of the General Fund savings to the County’s COVID-19 Response Fund would allow the remaining projects approved in the original CARES Act spending plan to be completed without being subject to time constraints of the CARES Act; and

WHEREAS, the appropriate advertisements, as required by §15.2-2507 of the Code of Virginia, have been posted and the required public hearing has been conducted; and

WHEREAS, the proposed expenditures are expected to be completed over Fiscal Years 2021 and 2022;

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of February, 2021, that the Orange County Board of Supervisors hereby approves and adopts the Fiscal Year 2021 budget amendment as shown below and appropriates all funds as set forth:

GENERAL FUND				
	Current Budget	Amendment	Amended Budget	
Revenues:				
Local Sources	\$ 50,134,358	\$ 0	\$	50,134,358
Commonwealth	8,346,436	0		8,346,436
Federal Government	98,035	0		98,035
Trans. from Oth. Funds	42,694	0		42,694
Gen. Fund Reserves	4,156,762	2,321,279		6,478,041
Total Revenues	\$ 62,778,285	\$ 2,321,279	\$	65,099,564
Expenditures:				
Gen. Gov’t Admin.	\$ 3,983,935	\$ 0	\$	3,983,935
Judicial Administration	2,184,813	0		2,184,813
Public Safety	8,421,564	0		8,421,564

Public Works	1,336,745	0	1,336,745
Health & Welfare	4,500,431	0	4,500,431
Education	43,600	0	43,600
Parks, Rec. & Culture	1,503,955	0	1,503,955
Comm. Development	2,528,874	0	2,528,874
Non-Departmental	630,102	0	630,102
Trans. to Other Funds	37,644,266	2,321,279	39,965,545
Total Expenditures	\$ 62,778,285	\$ 2,321,279	\$ 65,099,564

COVID-19 RESPONSE FUND

Revenues:			
Federal Government	\$ 5,479,942	\$ 0	\$ 5,479,942
Trans. from Oth. Funds	400	2,321,279	2,321,679
Reserves	504,193	0	504,193
Total Revenues	\$ 5,984,535	\$ 2,321,279	\$ 8,305,814
COVID Response	\$ 5,984,535	\$ 2,321,279	\$ 8,305,814
Trans. to Other Funds	24,767	0	24,767
Expenditures	\$ 5,984,535	\$ 2,321,279	\$ 8,305,814

BE IT FURTHER RESOLVED, as follows:

1. Estimates of revenues and appropriations are approved at the functional level for the General Fund and at the fund level for the COVID-19 Response Fund.
2. Appropriations designated for the COVID-19 Response Fund will not lapse at the end of the fiscal year, but shall remain appropriated until the completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.

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

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

RE: BOARD COMMENT

Supervisor Frame commented on the access to agendas and minutes for the County's various boards, commissions, and committees on the website. He requested that the agendas and minutes be updated and that staff work to make the pages more accessible to the public.

Supervisor Johnson commented on the accessibility of the COVID-19 vaccine.

Supervisor White stated that it was essential to begin getting children back to school in an in-person environment as learning and development was being lost.

Supervisor Marshall thanked the Board for the opportunity to serve in the interim capacity.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- CSA Monthly Report
- Office on Youth Quarterly Report
- Finance Quarterly Report
- Culpeper Soil and Water Conservation District Minutes; January 5, 2021

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

On the motion of Mr. Frame, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board appointed Keith F. Marshall as the District 3 Representative on the Orange County Broadband Authority for an interim term commencing immediately and expiring on November 2, 2021.

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

RE: APPOINTMENT OF BOARD MEMBERS TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES, AND ORGANIZATIONS

Chairman Crozier explained that it would be appropriate to discuss the assignments to the various boards, commissions, committees, and organizations now that the interim District Three Supervisor had been appointed.

On the motion of Mr. Frame, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adopted the list of various Board, Commission, Committee, and Organization assignments for 2021, as presented, to address the interim assignments for District Three.

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

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of February 2021, March 2021, and April 2021.

RE: ADJOURN

On the motion of Mr. White, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adjourned the meeting at 6:15 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

James P. Crozier, Chairman

Theodore L. Voorhees, County Administrator