

BOARD OF SUPERVISORS MINUTES

APRIL 13, 2021

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, April 13, 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. Johnson, 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: BUSINESS SPOTLIGHT

Beate Casati, Owner of Cavallo Gallery, appeared before the Board to spotlight her business.

The Board thanks Ms. Casati for her presentation.

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
30034005-34030	Sheriff OT Reimbursement	\$ (4,268.00)	\$ (4,268.00)	\$ (8,536.00)
43120001-41200	Wages - Overtime	167,441.00	4,268.00	171,709.00
30045030-35850	State Miscellaneous	0.00	(993.00)	(993.00)
43177007-46800	Triad - Spec. Prog. Exp.	0.00	993.00	993.00
30030006-33500	Donations - Animal Shelter	(15,768.00)	(2,210.00)	(17,978.00)
30030006-33500	Donations - Animal Shelter	(15,768.00)	(2,670.00)	(18,438.00)
43520003-43115	Prof. Serv. - Emergency Vet	148,346.00	2,210.00	150,556.00
43520003-43115	Prof. Serv. - Emergency Vet	148,346.00	2,670.00	151,016.00
30045004-33250	Miscellaneous	(5,038.00)	(281.00)	(5,319.00)
43120006-46800	Forfeited Asset Expenses	57,015.00	281.00	57,296.00
TOTALS		\$ 480,306.00	\$ 0.00	\$ 480,306.00

RE: FY21 BUDGET TRANSFER TO ALLOCATE WAGE ADJUSTMENTS

As part of the Consent Agenda, the Board approved the FY21 budget transfers to allocate the wage adjustment reserves, as presented.

RE: PROCLAMATION FOR NATIONAL CHILD ABUSE PREVENTION MONTH

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

A PROCLAMATION TO DECLARE
THE MONTH OF APRIL AS
CHILD ABUSE PREVENTION MONTH

By virtue of the authority vested in the Orange County Board of Supervisors, we hereby proclaim the month of April as Child Abuse Prevention Month in Orange County, Virginia.

WHEREAS, regardless of who they are or the circumstances of their birth, all children have the right to safe, secure, and supportive environments, free from abuse and neglect; and

WHEREAS, April is National Child Abuse Prevention Month; and

WHEREAS, during Prevention Month, Virginians are reminded of the courage it takes to raise a child and that all parents have the right to the support and knowledge which child rearing demands; and

WHEREAS, child abuse is one of our nation's most serious public health problems, with scientific studies documenting the link between child abuse and neglect and a wide range of medical, emotional, psychological, and behavioral disorders; and

WHEREAS, child abuse can disrupt early brain development, and serious chronic stress can impair the development of nervous and immune systems; and

WHEREAS, children are the foundation of a sustainable and prosperous society, and our prosperity as a locality, state, and nation is built on a foundation of healthy child development; and

WHEREAS, child abuse prevention creates a more compassionate society, one which places a high value on the welfare of children; and

WHEREAS, creating communities where families can access an array of support and resources to address the social, emotional, and physical health of their children is the best way to combat child abuse; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, displaying a pinwheel during the month of April will serve as a positive reminder that together, we can prevent child abuse and neglect, and by doing so, keep children safe;

NOW, THEREFORE, BE IT PROCLAIMED, on this 13th day of April, 2021, that the Orange County Board of Supervisors hereby recognizes April, 2021, as Child Abuse Prevention Month in Orange County, and calls this observance to the attention of all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in efforts to support families, thereby preventing child abuse and strengthening the community in which we live.

RE: ADOPTION OF THE MARCH 23, 2021 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the March 23, 2021 Worksession minutes, as presented.

RE: ADOPTION OF THE MARCH 23, 2021 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the March 23, 2021 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: LETTER OF SUPPORT FOR HOMESTEAD BUILDING SYSTEMS' AFID GRANT PERFORMANCE AGREEMENT EXTENSION

Theodore L. Voorhees, County Administrator, explained that in May 2018, the County was awarded \$78,000 from the Governor's Agriculture and Forestry Industries Development (AFID) Fund to support an expansion at Homestead Building Systems. He stated that the three-year performance period expired on August 31, 2021, and Homestead Building Systems had requested a 15-month extension, citing difficulty to achieve their targets during the COVID-19 Pandemic. Mr. Voorhees noted that the County had to first grant an extension request before it could be forwarded to the Virginia Department of Agriculture and Consumer Services for final approval.

Discussion ensued among the Board regarding: the number of new jobs that were short in order to meet the performance agreement target.

On the motion of Mr. Frame, seconded by Mr. White, which carried by a vote of 5-0, the Board authorized the County Administrator to execute a Letter of Support for Homestead Building Systems' AFID Grant Performance Agreement Extension, as presented.

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

RE: AWARD OF THE CONTRACT TO FIRST ARRIVING FOR A MEDIA AND RECRUITMENT CAMPAIGN FOR THE VOLUNTEER FIRE AND RESCUE AGENCIES

Amanda Amos, Procurement Coordinator, stated that staff released a solicitation in January requesting proposals from firms to develop and coordinate a comprehensive recruitment campaign for the volunteer fire and rescue agencies. She noted that the solicitation was advertised on the County website, in the Orange County Review, and on eVA, and eleven (11) responses were received.

Ms. Amos said that staff ranked the Offerors and conducted interviews with the top ranked firms in March. Members of the Selection Committee felt that First Arriving was the subject matter expert, having in-depth personal experience with volunteer fire and rescue agencies, and their strategy captured an all-around approach towards the intended goal and achievement.

Discussion ensued among the Board regarding: where the company headquarters were located; and whether the SAFER Grant required any follow-up.

On the motion of Mr. White, seconded by Mr. Frame, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with First Arriving to develop and coordinate a comprehensive recruitment campaign for the volunteer fire and rescue agencies for a one-year term, with the possibility of four (4) additional one-year renewals, using the proceeds from a Staffing for Adequate Fire and Emergency Response (SAFER) Grant, as presented.

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

RE: AWARD OF THE CONTRACT TO SARGENT CORPORATION FOR LANDFILL CELL 2 CONSTRUCTION

Amanda Amos, Procurement Coordinator, stated that staff released a solicitation in February requesting bids from vendors to construct Cell 2 at the Orange County Landfill. She noted

that the solicitation was advertised on the County website, in the Orange County Review, and on eVA, and four (4) responses were received.

Ms. Amos explained that Sargent Corporation was the apparent low bidder for the requested Landfill construction services. Staff recommended that the Board authorize entering into a contract with Sargent Corporation for the construction of Cell 2.

Discussion ensued among the Board regarding: the receipt of concurrence from DEQ; execution of the task orders with Draper Aden under the existing contract; and why the pricing for the tire trailer was isolated as part of the bid process.

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 Sargent Corporation to construct Cell 2 of the Orange County Landfill under DEQ Permit #566, as presented.

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

RE: RESOLUTION OF UNANIMOUS CONSENT TO THE WITHDRAWAL OF GREENE COUNTY FROM THE RAPIDAN SERVICE AUTHORITY (RSA) PURSUANT TO VIRGINIA CODE SECTION 15.2-5112

Theodore L. Voorhees, County Administrator, presented a resolution to the Board for its consideration regarding unanimous consent to the withdrawal of Greene County from the Rapidan Service Authority, noting this was a first step and there would be other procedural matters to address going forward.

Discussion ensued among the Board regarding: the resetting of the Rapidan Service Authority, its Board of Directors, and its assets; and the desire to have a contingency in the resolution based on a Memorandum of Understanding with Madison County on the membership of the Board of Directors.

The Board deferred action on the resolution until after Closed Meeting.

RE: OLD BUSINESS

RE: AIRPORT OBSTRUCTION REMOVAL

Theodore L. Voorhees, County Administrator, explained that the County had previously received Federal grant funding for the removal of obstructions into the approach surfaces of the Airport's RW 26. He noted that the grant amount was based on the Airport engineer's estimated cost of \$520,000. MTM Enterprises was the successful low bidder and was awarded a contract in the amount of \$298,375.

Mr. Voorhees stated that obstruction removal began in March. The contract identified 185 trees to be removed and 260 trees to be trimmed, which had been determined by aerial survey. He added that actual "on the ground" quantities could vary once the work began. Mr. Voorhees also added that several landowners had requested to have some trees removed that were previously designed to be trimmed and had requested to have some additional trees removed, which was best practice. Mr. Voorhees explained that, based on the survey discrepancy and the additional requests, there was an additional 150 trees to be removed and 150 trees to be trimmed.

Mr. Voorhees indicated the additional work would be performed via the unit prices provided by MTM Enterprises as part of their original bid. He noted that with the change order cost of \$198,750, the new contract amount of \$497,125 was still within the grant funds available. Mr. Voorhees reported that the change order had been reviewed and approved by the FAA.

Discussion ensued among the Board regarding: concurrence from the FAA; and agreement from the landowners.

On the motion of Mr. Frame, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board authorized staff to execute the change order with MTM Enterprises for the additional 150 trees to be removed and additional 150 trees to be trimmed as part of the Airport obstruction removal project, as presented.

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
There was no Board Comment at this time.

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

- CSA Monthly Report
- Health Center Commission Minutes; January 22, 2021
- VDOT Monthly Report for April

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
By consensus, the Board appointed Jack Rickett as an At-Large (Orange County) Representative on the Piedmont Workforce Network Board for a three-year term, with said term commencing July 1, 2021 and expiring on June 30, 2024.

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

RE: CONSIDERATION TO SCHEDULE A PUBLIC HEARING FOR SUP 21-01 (PIEDMONT PROCESSING; LIVESTOCK SLAUGHTERING AND PROCESSING FACILITY)
By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for SUP 21-01 (Piedmont Processing; Livestock Slaughtering and Processing Facility) on Tuesday, May 11, 2021, as presented.

RE: CLOSED MEETING
At 5:43 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:

- 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 concerning Rapidan Service Authority. - §2.2-3711(A)(7) 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 Rapidan Service Authority, Zoning Ordinances, and legal staff. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(7) 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 aforesated matters in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. Johnson, 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 7:02 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: NEW BUSINESS (Continued)

RE: RESOLUTION OF UNANIMOUS CONSENT TO THE WITHDRAWAL OF GREENE COUNTY FROM THE RAPIDAN SERVICE AUTHORITY (RSA) PURSUANT TO VIRGINIA CODE SECTION 15.2-5112

Discussion ensued among the Board regarding: an amendment to the resolution contingent upon the development of a Memorandum of Understanding with Madison County; the fact that this was the beginning of a long process to reset the Rapidan Service Authority; and the importance of establishing an Orange County majority on the RSA Board of Directors.

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

RESOLUTION OF UNANIMOUS CONSENT TO THE WITHDRAWAL OF GREENE COUNTY FROM THE RAPIDAN SERVICE AUTHORITY, PURSUANT TO VIRGINIA CODE §15.2-5112

WHEREAS, on June 17, 1969, the Counties of Greene, Madison, and Orange formed the Rapidan Service Authority ("RSA") in compliance with the Virginia Water and Waste Authorities Act; and

WHEREAS, the original purpose of forming RSA was for the acquisition, construction, operation, and maintenance of water transmission for certain parts of Greene, Madison, and Orange Counties; and

WHEREAS, following recent matters of disagreement between Greene County and RSA, the Greene County Board of Supervisors adopted, on April 5, 2021, its "Second Resolution Calling for the Unanimous Consent of Orange and Madison Counties to the Withdrawal of Greene County from the Rapidan Service Authority";

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of April, 2021, that the Orange County Board of Supervisors hereby gives its unanimous consent to the withdrawal of Greene County from the Rapidan Service Authority, pursuant to Virginia Code §15.2-5112, and supports the initiation of the process for the proper separation of Greene County from RSA; and

BE IT FURTHER RESOLVED, that this resolution is adopted subject to Orange County and Madison County entering into an agreement to configure the RSA Board with an Orange County majority after Greene County's departure, which must be completed within 45 days.

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

RE: PUBLIC HEARING #1; PROPOSED TAX RATES FOR CALENDAR YEAR 2021

Theodore L. Voorhees, County Administrator, reminded the Board of its previous action to authorize the advertising of a Public Hearing for the proposed tax rates for Calendar Year 2021.

At 7:09 p.m., Chairman Crozier called the Public Hearing to order to receive comments on the following:

- Proposed Tax Rates for Calendar Year 2021

There being no speakers, Chairman Crozier closed the Public Hearing at 7:09 p.m.

RE: PUBLIC HEARING #2; PROPOSED BUDGET FOR FISCAL YEAR 2022

Theodore L. Voorhees, County Administrator, reminded the Board of its previous action to authorize the advertising of a Public Hearing for the proposed budget for Fiscal Year 2022.

At 7:10 p.m., Chairman Crozier called the Public Hearing to order to receive comments on the following:

- Proposed Operating and Capital Budget for Fiscal Year 2022

There being no speakers, Chairman Crozier closed the Public Hearing at 7:10 p.m.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Johnson, which carried by a vote of 5-0, the Board adjourned the meeting at 7:11 p.m. Ayes: Johnson, White, Marshall, Crozier, Frame. Nays: None.

James P. Crozier, Chairman

Theodore L. Voorhees, County Administrator