

ORANGE COUNTY BOARD OF SUPERVISORS
ACTION AGENDA

TUESDAY, DECEMBER 3, 2019

4:00 P.M. BOARD OF SUPERVISORS WORKSESSION (*Held Before Regular Meeting*)

1. Worksession

- a. SmartScale Project Concept Development Process for 2020: Alyson Simpson, Chief Deputy Clerk
By consensus, the Board agreed to have VDOT return at a meeting in January or February to continue the SmartScale planning and project development process.
- b. Virginia Department of Transportation Quarterly Update: E. Alan Saunders, Louisa Resident Engineer

5:00 P.M.

1. CALL TO ORDER

- a. Pledge of Allegiance

2. ADOPTION OF AGENDA

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the agenda, as modified.

3. SPECIAL PRESENTATIONS AND APPEARANCES

- a. Service Awards: R. Bryan David, County Administrator
- b. Presentation from Rappahannock-Rapidan Health District: Dana McClelland, Administrator
- c. ~~Virginia Department of Transportation Quarterly Update: E. Alan Saunders, Louisa Resident Engineer~~

4. CONSENT AGENDA

- a. FY20 Budget Amendments (Supplementals and Transfers): Glenda Bradley, Assistant County Administrator for Management Services
On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the FY20 budget amendments, as presented.
- b. Minutes
On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board approved the November 13, 2019 Regular Meeting minutes, as presented.
- c. Renewal of the Contract with Bound Tree Medical, LLC: Amanda Amos, Procurement Coordinator
On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board authorized staff to renew the contract with Bound Tree Medical, LLC for a two-month term, per the original terms and conditions of Cooperative Contract 440005125 with Fairfax County, as presented.

5. NEW BUSINESS

- a. Award of the Contract for Elevator Modernization: Amanda Amos, Procurement Coordinator
On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized staff to enter into a contract with ThyssenKrupp for elevator modernization in the Gordon Building, per the negotiated bid price of \$189,533, and authorized the transfer of funds in the amount of \$19,178 from Line Item 1312-49400007-48120-C1105 to cover the amount necessary to complete the project, as presented.

6. OLD BUSINESS

7. DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

8. COUNTY ATTORNEY'S REPORT: Thomas Lacheney, County Attorney

- a. Authorization to File a Lawsuit
On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board authorized the County Attorney to file the previously-discussed lawsuit.

9. COUNTY ADMINISTRATOR'S REPORT: R. Bryan David, County Administrator

10. BOARD COMMENT

11. INFORMATIONAL ITEMS (NO ACTION REQUIRED)

- a. October 1, 2019 Culpeper Soil and Water Conservation District Minutes
- b. July 18, 2019 Rapidan Service Authority (RSA) Minutes

12. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

13. CALENDAR

- a. Schedule a Public Hearing for SUP 19-04 (Lamb; Kennel) on Tuesday, January 14, 2020 at 7:00 p.m.
By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for SUP 19-04 (Lamb; Kennel) on Tuesday, January 14, 2020 at 7:00 p.m., as presented.

6:00 P.M. RECESS FOR CLOSED MEETING

- a. Discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body with respect to the County Administrator. - §2.2-3711(A)(1) of the Code of Virginia
- b. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the public body would be adversely affected with respect to the LMR System. - §2.2-3711(A)(6) of the Code of Virginia
- c. 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 with respect to the Second Amendment, property damage, DEQ, solar farms, and the Walker's Branch Subdivision. - §2.2-3711(A)(7) of the Code of Virginia

7:00 P.M.

14. PUBLIC HEARINGS

HEARING #1

ZTA 19-03

The Board of Supervisors will consider an amendment to the Zoning Ordinance through a comprehensive rewrite of Section 70-38 (Penalties) by adding Section 70-38.1 (Civil Penalties) and Section 70-38.2 (Criminal Penalties). The purpose of the proposed amendments is to add provisions for civil penalties for most zoning violations and to provide for criminal penalties in specific instances.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the ordinance approving amendments to Article II (Administration), Section 70 (Zoning), of the Orange County Code of Ordinances concerning Civil and Criminal Penalties for Zoning Violations, as presented.

HEARING #2

EASEMENTS FOR THE BROADBAND AUTHORITY

The Board of Supervisors will consider the conveyance of easements on County-owned property to the Orange County Broadband Authority, by way of Easement Agreements. Said easements will be used to install node cabinets, related equipment, and fiber laterals from the fiber network to the following sites: Barboursville Collection Site; Consolidated Public Safety Facility; Ruritan Building; the Water Tank at Locust Grove Middle School; and the Water Tank at Lee Industrial Park.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board granted easements to the Broadband Authority, via easement agreements, to serve the Public Safety Facility, Intersection of Routes 522 and 20 (Ruritan Building Site), and the Flat Run Road Water Tank, and further authorized staff to have recordable survey exhibits prepared in substantial conformance with the GIS exhibits prepared for the public hearing.

HEARING #3

SPE 19-01

The Board of Supervisors will consider an application by Kenneth Dotson for a Special Exception to allow for a temporary outdoor truck garage on property located near the intersection of Route 621 (Old Plank Road) and Route 604 (Gold Dale Road). The parcel is zoned Agricultural (A), contains approximately 9.538 acres, and is identified as Tax Map

No. 36-31E. The subject property is in the "Agricultural 2" designation on the Recommended Future Land Use Map of the 2013 Comprehensive Plan.

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board tabled the Public Hearing until Tuesday, January 14, 2020 at 7:00 p.m.

15. PUBLIC COMMENT PERIOD

*** WILL BE HELD NO EARLIER THAN 7:30 P.M. AT THE ORANGE COUNTY PUBLIC SCHOOLS TAYLOR EDUCATION ADMINISTRATION COMPLEX, 200 DAILEY DRIVE, ORANGE, VA 22960**

*** THE POSSESSION OF TOBACCO PRODUCTS AND/OR FIREARMS ON ORANGE COUNTY PUBLIC SCHOOLS PROPERTY IS NOT PERMITTED**

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-1, with Mr. Frame voting against, the Board of Supervisors adopted the resolution to declare Orange County, Virginia a Second Amendment Sanctuary, as presented.

ADJOURN