



**Meeting Agenda
Monday, December 4, 2023
Town of Orange Community Meeting Room**

7:00 p.m.

1. Call to order by the Mayor.

2. Pledge of Allegiance.

3. Roll Call – Town Council:

Mayor Martha B. Roby
Vice-Mayor Frederick W. Sherman, Jr.
Councilmember Jason R. Cashell

Councilmember Jeremiah V. Pent
Councilmember Donna Waugh-Robinson

4. Adoption of Agenda

5. **Public Comment** - *Town Council receives public input on issues concerning our citizens. Citizens are encouraged to sign-up prior to the meeting beginning and turn in slip to the Town Clerk.*

6. **Consideration of Town Council Meeting Minutes of November 20, 2023.**

7. Reports

[A] Presentation of FY23 Audit Report – Matthew McLearn, CPA, CFE, Managing Director – Robinson, Farmer, Cox and Associates

[A] Finance Report – Director of Finance.

8. Unfinished Business:

[A] Continued discussion of Lafayette Street Surplus Status.

9. New Business:

[A] Consideration to cancel the Monday, January 1, 2024 Town Council meeting because it falls on a Town Holiday, New Year's Day.

[B] Consideration of moving the regular Monday, January 15th Town Council meeting to Tuesday, January 16th because it falls on a Town Holiday – Martin Luther King Jr. Day.

[C] Consideration of moving the regular Monday, February 19th Town Council meeting to Tuesday, February 20th because it falls on a Town Holiday – President's Day.

10. Adjournment.

MINUTES

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The Orange Town Council held a regular meeting at 7 p.m., in the Town's Community Meeting Room. Town Council Members present were: Mayor Martha B. Roby, Vice-Mayor Frederick W. Sherman, Jr., and Councilmembers Jason Cashell, Jeremiah Pent, and Donna Waugh-Robinson. Staff members present were: Town Manager Gregory S. Woods, Deputy Town Clerk Kimberly Strawser, CMC/CZA, Town Attorney Catherine Lea, Director of Finance Dianna Gomez, Director of Community Development John Cooley, Director of Public Works Larry Bond, and Lieutenant Rebecca Moody. Town Clerk Wendy J. Chewning was absent.

CALL TO ORDER

Mayor Roby led everyone in the Pledge of Allegiance.

The Mayor called the meeting to order at 7 p.m. The Deputy Town Clerk called roll and noted that there was a quorum present.

ADOPTION OF AGENDA

Motion was made by Vice-Mayor Sherman, seconded by Councilmember Waugh-Robinson, to adopt the agenda, as presented. On vote, Mayor Roby – aye, Vice-Mayor Sherman – aye, Councilmember Cashell – aye, Councilmember Pent – aye, and Councilmember Waugh-Robinson – aye. The motion carried.

PUBLIC HEARING

TOWN COUNCIL HELD A PUBLIC HEARING DECLARING TOWN OWNED LAND ON LAFAYETTE STREET AS SURPLUS

Mayor Roby called for staff presentation.

The Town Manager presented Council with three plats of the property owned by the Town on Lafayette Street. The Town Manager reported that the property totaled 8.443 acres not including the right of way. The Town Manager reported further that the property was zoned Industrial. The Town Manager stated that .500 acres was reserved for usage for the cell tower, leaving 7.943 acres that could be considered surplus.

The Town Manager reported that the Town currently used the two portions of the property near the railroad tracks totaling 1.803 acres. The Town Manager stated that the previous proposal entertained involved whether to declare the remaining 6.140 acres surplus. The Town Manager stated further that no action was taken on the previous proposal and the property was not declared surplus. The Town Manager reported that the town still needed between 1.5 and 2.0 acres for its use.

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The Town Manager stated that Council had the following options:

- Not consider the property surplus, then no further action would be taken. Or;
- Declare the property surplus, then 3 actions would be taken
 - To authorize the Town Manager to negotiate the details of the sale to the unsolicited bidder. Once negotiations completed, Council would have the option on whether to accept or not. Or;
 - To authorize the Town Manager to put the property out for solicited bids. Or;
 - Take no action at this time.

Mayor Roby stated that members of the public wanting to speak would be limited to three minutes. Mayor Roby declared the Public Hearing open and called for Public Comment.

The following residents appeared before Council.

- Mr. Barry Jacobs read a letter from Mr. Carter Jacobs, former Councilmember and former Vice-Mayor.
- Mr. Barry Jacobs of 11090 Landon Lane Extended
- Mr. Elliot Fox of 280 Piedmont Street and former Councilmember
- Ms. Beth Yowell of 161 Lafayette Street
- Mr. Robert Higginbotham of 155 Maple Lane
- Mrs. Marsha Jacobs of 11090 Landon Lane Extended
- Mrs. Shalese Higginbotham of 155 Maple Lane
- Mr. Pat McAloon of 155 W. Main Street
- Ms. Dani Rivera of 364 Harper Drive
- Ms. Grayson Butterfield of 11499 Rapidan Road

Mayor Roby declared the Public Hearing closed.

After lengthy discussion, it was decided that more time would be needed to digest the comments from the public and to continue the discussion at their next meeting on December 4, 2023.

PUBLIC COMMENT

Mr. Kevin Haygood of 148 W Main Street appeared before Council regarding automobile exhaust noise in Town.

TOWN COUNCIL CONSIDERED TOWN COUNCIL MEETING MINUTES OF OCTOBER 16TH AND NOVEMBER 6TH, 2023

Motion was made by Vice-Mayor Sherman, seconded by Councilmember Waugh Robinson, to adopt the minutes of October 16th and November 6th, 2023, as presented. On vote: Mayor Roby

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– aye, Vice-Mayor Sherman – aye, Councilmember Cashell – aye, Councilmember Pent – aye, and Councilmember Waugh-Robinson – aye. The motion carried.

REPORTS

FINANCE REPORT

The Director of Finance stated that she would be reporting on the fourth month of FY24.

The Director of Finance reported that General Fund revenues included the following significant YTD favorable variances to budget: \$95K for Meals Tax. The Director of Finance stated that 444 town residents had been identified for not paying personal property tax. The Director of Finance reported that files were sent to the Orange County Commissioner of Revenue's office to receive assessed values so residents could be billed.

The Director of Finance reported that in addition to the favorable tax variances, interest income was \$83K favorable to budget due to rate increases and timing of ARPA fund deposits.

The Director of Finance stated that Water Sales Revenue through October was \$545K and was in line with budget.

The Director of Finance reported that Sewer Sales Revenue through October was \$787K and was in line with budget.

The Director of Finance stated that payments for October were \$827K, \$124K was paid to Johnston Construction Company for standpipe work, \$142K was paid to Rinker Design for sewer line designs, \$55K was paid to Haley Ford South for a police vehicle and other payments were normal course of business expenses.

The Director of Finance reported that expenditures from the \$5.3M ARPA funding were \$1.143M, ITD of which \$103K toward engineering services and equipment for the Liquid Feed project at the Water Plant, \$231K toward the new SCADA system for the Sewer Plant, \$420K to the Standpipe Engineering services and new generator, \$6K for the Macon Road Mixer, \$216K on the Sewer Line Engineering services and \$61K covered an intake pump. The Director of Finance stated that \$318K was submitted to VDH for Standpipe Construction and the town was reimbursed \$257K.

The Director of Finance gave a summary from the Virginia Investment Pool Quarterly report – inflation decreased in October to 3.2%, the Federal Reserve did not raise rates in October. The Director of Finance stated the VIP stable value fund yield was 5.53% for October and that the Town has \$923K invested in the fund. The Director of Finance reported that the VIP High Quality Bond fund yield was 5.18% for October and the town has \$664K invested in the fund.

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The Director of Finance reported that the audit was finished and they would present the report at the December 4th meeting.

MISCELLANEOUS REPORTS

ODA

Councilmember Waugh-Robinson reported that the ODA meeting was unable to be held due to the lack of a quorum. Councilmember Waugh-Robinson stated that the Holliday Village was this past weekend, and they had a good turn out and the next one was the day of the Rotary Christmas parade. Councilmember Waugh-Robinson reported that the new banners were received and were going up.

TREASURY REPORT

Mayor Roby stated that at last month's meeting someone spoke during public comment regarding the ODA treasury reports not being given to the Town. Mayor Roby reported that those financial reports have been presented and are up to date.

BOARD OF SUPERVISORS MEETING

Councilmember Cashell reported that at the December 13th meeting Mr. Byan Nicol was appointed as District 5 Supervisor.

UNFINISHED BUSINESS

TOWN COUNCIL CONSIDERED RESOLUTION – (RES2023-06) AMENDING THE FY2024 BUDGET ON ACTIONS MADE BY TOWN COUNCIL AT THE OCTOBER 16, 2023, TOWN COUNCIL MEETING REGARDING THE GARDENER PHASE 2 STUDY

The Director of Community Development reported that he spoke with DEQ regarding the sampling cost. The Director of Community Development stated that there was some miscommunication and that the price range would be \$84,000 to \$88,000 instead of \$23,000 to \$27,000, due to the level of analysis that would need to be done.

After discussion, motion was made by Vice-Mayor Sherman, seconded by Councilmember Waugh-Robinson, that Town Council adopt Resolution (RES2023-06) amending the FY2024 Budget moving funds from Reserves to Park and Grounds of \$84,000 to conduct the Gardner Phase 2 Environmental Study, as amended. On roll call vote: Councilmember Waugh-Robinson – aye, Councilmember Pent – aye, Vice-Mayor Sherman – aye, Councilmember Cashell – aye, and Mayor Roby – aye. The motion carried.

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NEW BUSINESS

TOWN COUNCIL DISCUSSED REMOTE CALL IN FOR COUNCIL MEETINGS

Councilmember Pent requested remote call in for meetings be placed on the agenda for discussion. A discussion was held, no action was taken.

TOWN COUNCIL DISCUSSED SOLAR FARMS IN THE TOWN

Councilmember Cashell requested solar farms in town be placed on the agenda for discussion. Councilmember Cashell reported that he attended the Orange County Planning Commission meeting, and a discussion was held regarding solar farm on Monrovia Road that borders the town. Councilmember Cashell reported that the county representative stated that the Town was fine with it. Councilmember Cashell stated he had two concerns, the first was the town actually asked and the second who gave that response to the county. Councilmember Cashell asked if the Town had any ordinances regarding solar farms.

The Director of Community Development reported that he received information from the county regarding the solar farm. The Director of Community Development reported further that the Monrovia Road parcel driveway is in the town, but the property is outside of the town. The Director of Community Development stated that the table of permitted uses of the Zoning Ordinance doesn't include solar farms and his determination is that they are prohibited in town. Councilmember Cashell stated that he would like some standards before we are faced with the request.

A discussion was held. Councilmember Waugh-Robinson recused herself from the discussion.

Mayor Roby requested that staff gather more information and bring back to Council for discussion.

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CHRISTMAS LIGHTS

Mayor Roby complimented Public Works on the Christmas lights and decorations. Mayor Roby stated that they looked great, and the work was appreciated.

With no further business the meeting adjourned at 8:46 p.m.

Kimberly Strawser, CMC/CZA
Deputy Town Clerk

Martha B. Roby, Mayor

REPORTS



REPORTS SUMMARY
Monday, December 4, 2023

AGENDA ITEM: 7A

Presentation of FY23 Audit Report – Matthew McLearen, CPA, CFE, Managing Director – Robinson, Farmer, Cox, and Associates.

SUMMARY:

- Mr. McLearen, CPA, with Robinson, Farmer, and Cox Associates will present the FY23 Audit Report.

UNFINISHED BUSINESS



UNFINISHED BUSINESS SUMMARY
December 4, 2023

AGENDA ITEM: 8A

Continued discussion of Lafayette Street Surplus Status.

SUMMARY:

- This will be a continued discussion from the November 20th Town Council meeting.

MOTION:

NEW BUSINESS



NEW BUSINESS
Monday, December 4, 2023

AGENDA ITEM: 9A

Consideration to cancel the Monday, January 1, 2024, Town Council meeting because it falls on a Town Holiday, New Year's Day.

SUMMARY:

- The Monday, January 1, 2024, schedule Town Council Work Session meeting falls on a Town holiday, New Year's Day.
- Staff is recommending that the meeting be cancelled.

MOTION:

"I move that Town Council cancel the Monday, January 1, 2024, Town Council Work Session meeting because it falls on a Town holiday – New Year's Day."



NEW BUSINESS
Monday, December 4, 2023

AGENDA ITEM: 9B

Consideration of moving the regular Monday, January 15th Town Council meeting to Tuesday, January 16th because it falls on a Town holiday – Martin Luther King Jr. Day.

SUMMARY:

- The regular January Town Council meeting is scheduled for Monday, January 15th at 7 p.m. which is a Town holiday – Martin Luther King Jr. Day.
- Staff is recommending that the meeting be moved to Tuesday, January 16th at 7 p.m.

MOTION:

“I move that Town Council move the Monday, January 15th Town Council meeting to Tuesday, January 16th because the Monday meeting falls on a Town holiday – Martin Luther King Jr. day.



NEW BUSINESS
Monday, December 4, 2023

AGENDA ITEM: 9C

Consideration of moving the regular Monday, February 19, 2024, Town Council meeting to Tuesday, February 20th because it falls on a Town holiday – President’s Day.

SUMMARY:

- The regular February Town Council meeting is scheduled for Monday, February 19th at 7 p.m. which is a Town holiday – President’s Day
- Staff is recommending that the meeting be moved to Tuesday, February 20th at 7 p.m.

MOTION:

“I move that Town Council move the Monday, February 19th Town Council meeting to Tuesday, February 20th because the Monday meeting falls on a Town holiday – President’s Day.